

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 922

Introduced by McKinney, 11.

Read first time January 04, 2024

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to criminal justice; to adopt the Parolee and
- 2 Probationer Business Empowerment Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 8 of this act shall be known and may be
2 cited as the Parolee and Probationer Business Empowerment Act.

3 Sec. 2. The Legislature finds that individuals on parole and
4 probation face challenges in reentering the workforce and establishing
5 businesses. In order to support their successful reintegration into
6 society, it is the intent of the Legislature to enable individuals on
7 parole and probation who serve as owners or executive directors of
8 businesses to access state funding if certain conditions are met.

9 Sec. 3. For purposes of the Parolee and Probationer Business
10 Empowerment Act:

11 (1) Director of Supervision and Services means the Director of
12 Supervision and Services appointed pursuant to section 83-1,101;

13 (2) Eligible business means a business which primarily provides
14 services to probationers and parolees and includes, but is not limited
15 to, transitional housing, re-entry programs, and restorative justice
16 programs;

17 (3) Eligible parolee means an individual on parole who is the owner
18 or executive director of an eligible business;

19 (4) Eligible probationer means an individual on probation who is the
20 owner or executive director of an eligible business; and

21 (5) Probation has the same meaning as in section 29-2246.

22 Sec. 4. (1) The Parolee Business Empowerment Grant Program is
23 created. The purpose of the program is to make grants available to
24 eligible parolees to support operation of their eligible businesses. The
25 program shall be administered by the Director of Supervision and
26 Services.

27 (2) An eligible parolee may apply for a grant by submitting an
28 application to the director in a form and manner prescribed by the
29 director.

30 (3) The director shall develop eligibility criteria for grants under
31 this section. At a minimum, the eligibility criteria shall require an

1 eligible parolee to document:

2 (a) That such parolee is an executive director or owner of an
3 eligible business;

4 (b) The nature of the business;

5 (c) How the grant will be used; and

6 (d) How compliance with the separation requirements of subsection
7 (4) of this section will be achieved.

8 (4) An eligible parolee receiving a grant under this section shall
9 ensure that any other parolees or probationers employed by the business
10 are directly supervised by another employee who is not on parole or
11 probation or otherwise subject to court supervision.

12 (5)(a) Grant funding may be disbursed on a lump-sum basis, in
13 monthly installments, or on another periodic or as-needed basis as
14 determined by the director.

15 (b) Notwithstanding that an eligible parolee has been discharged
16 from parole, he or she may continue to receive grant funding under this
17 program for six months after such discharge.

18 (6) Grants shall be issued on an annual basis. An eligible parolee
19 may reapply for a grant each year.

20 Sec. 5. (1) The Probationer Business Empowerment Grant Program is
21 created. The purpose of the program is to make grants available to
22 eligible probationers to support operation of their eligible businesses.
23 The program shall be administered by the probation administrator.

24 (2) An eligible probationer may apply for a grant by submitting an
25 application to the probation administrator in a form and manner
26 prescribed by the administrator.

27 (3) The probation administrator shall develop eligibility criteria
28 for grants under this section. At a minimum, the eligibility criteria
29 shall require an eligible probationer to document:

30 (a) That such probationer is an executive director or owner of an
31 eligible business;

1 (b) The nature of the business;
2 (c) How the grant will be used; and
3 (d) How compliance with the separation requirements of subsection
4 (4) of this section will be achieved.

5 (4) An eligible probationer receiving a grant under this section
6 shall ensure that any other parolees or probationers employed by the
7 business are directly supervised by another employee who is not on parole
8 or probation or otherwise subject to court supervision.

9 (5)(a) Grant funding may be disbursed on a lump-sum basis, in
10 monthly installments, or on another periodic or as-needed basis as
11 determined by the probation administrator.

12 (b) Notwithstanding that an eligible probationer has been discharged
13 from probation, he or she may continue to receive grant funding under
14 this program for six months after such discharge.

15 (6) Grants shall be issued on an annual basis. An eligible
16 probationer may reapply for a grant each year.

17 Sec. 6. (1) An eligible parolee or eligible probationer or a
18 parolee or probationer employed by an eligible business shall not, by
19 associating with other parolees or probationers, be in violation of
20 subdivision (1)(g) of section 83-1,116 or any similar condition of parole
21 or probation.

22 (2) This section does not apply if the person knows the other person
23 is engaged in criminal activity.

24 Sec. 7. (1) The Director of Supervision and Services and probation
25 administrator shall encourage and facilitate the use of peer-to-peer
26 specialists to support individuals on parole and probation in their
27 business endeavors, particularly in the areas of customer service and
28 client management.

29 (2)(a) For purposes of this section, peer-to-peer specialist means a
30 formerly incarcerated individual with personal experience with the
31 criminal justice system who has successfully reintegrated into society

1 after being incarcerated. These specialists use their own lived
2 experiences to provide guidance, support, and mentorship to others who
3 are going through similar challenges of reentry into society after
4 serving time in prison.

5 (b) The role of a peer-to-peer specialist involves offering a unique
6 form of support that combines empathy, understanding, and practical
7 advice based on his or her own experiences. A specialist can help
8 individuals on parole or probation navigate various aspects of
9 reintegration, such as finding employment, accessing education and
10 training, managing relationships, and addressing any mental health or
11 substance abuse issues. The peer-to-peer approach recognizes the value of
12 lived experience in providing effective support and fostering a sense of
13 connection and understanding between mentors and those seeking
14 assistance.

15 Sec. 8. (1) The Board of Parole may adopt and promulgate rules and
16 regulations to carry out the Parolee and Probationer Business Empowerment
17 Act.

18 (2) The probation administrator may adopt and promulgate rules and
19 regulations to carry out the Parolee and Probationer Business Empowerment
20 Act.