

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 784

FINAL READING

Introduced by Hallstrom, 1; DeKay, 40.

Read first time January 07, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to law enforcement; to amend sections 23-1717,
2 23-1719, and 81-1414.07, Reissue Revised Statutes of Nebraska, and
3 sections 23-1701, 23-1701.01, and 32-604, Revised Statutes
4 Cumulative Supplement, 2024; to change provisions relating to
5 residency requirements for sheriffs in certain counties, uniform
6 requirements for sheriffs and their deputies, and continuing
7 education requirements for law enforcement officers; to harmonize
8 provisions; to provide operative dates; and to repeal the original
9 sections.
10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 23-1701, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 23-1701 (1) It is the duty of the sheriff to serve or otherwise
4 execute, according to law, and return writs or other legal process issued
5 by lawful authority and directed or committed to the sheriff and to
6 perform such other duties as may be required by law. The county sheriff
7 shall prepare and file the required annual inventory statement of county
8 personal property in his or her custody or possession as provided in
9 sections 23-346 to 23-350.

10 (2) Except as provided in subsections ~~subsection~~ (3) and (4) of this
11 section, a sheriff ~~elected after November 1986~~ need not be a resident of
12 the county when he or she files for election as sheriff, but a sheriff
13 shall reside in the a county for which he or she holds office.

14 (3) This subsection applies to a county that does not contain a city
15 of the metropolitan, primary, or first class. The sheriff need not be a
16 resident of the county when he or she files for election as sheriff of
17 such county, but when holding office, such sheriff shall reside in such
18 county or an adjoining county.

19 (4) ~~(3)~~ If there is no county sheriff elected pursuant to section
20 32-520 or if a vacancy occurs for any other reason, the county board of
21 such county may appoint a law enforcement officer qualified pursuant to
22 section 23-1701.01 from any Nebraska county to the office of county
23 sheriff. In making such appointment, the county board shall enter into a
24 contract with the appointed county sheriff, such contract to specify the
25 terms and conditions of the appointment, including the compensation of
26 the appointed county sheriff, which compensation shall not be subject to
27 sections 23-1114.02 to 23-1114.06.

28 **Sec. 2.** Section 23-1701.01, Revised Statutes Cumulative Supplement,
29 2024, is amended to read:

30 23-1701.01 (1) Any candidate for the office of sheriff and any
31 sheriff appointed under subsection (4) ~~(3)~~ of section 23-1701 shall

1 possess a law enforcement officer certificate or diploma issued by the
2 Nebraska Commission on Law Enforcement and Criminal Justice. A
3 standardized letter issued by the director of the Nebraska Law
4 Enforcement Training Center certifying that the candidate or appointee
5 was duly issued such certificate or diploma shall be filed by a candidate
6 with the candidate filing form required by section 32-607 and by an
7 appointee with the contract entered into under section 23-1701.

8 (2) Each sheriff shall attend the Sheriff's Certification Course
9 conducted by the Nebraska Law Enforcement Training Center and obtain a
10 certificate awarded by the Nebraska Commission on Law Enforcement and
11 Criminal Justice attesting to satisfactory completion of such course
12 within eight months after taking office unless such sheriff has already
13 been awarded a certificate by the commission attesting to satisfactory
14 completion of such course or unless such sheriff can demonstrate to the
15 Nebraska Police Standards Advisory Council that his or her previous
16 training and education is such that he or she will professionally
17 discharge the duties of the office. Any sheriff in office prior to July
18 19, 1980, shall not be required to obtain a certificate awarded by the
19 commission attesting to satisfactory completion of the Sheriff's
20 Certification Course but shall otherwise be subject to this section.

21 (3) Each sheriff shall attend continuing education as provided in
22 section 81-1414.07 each year following the first year of such sheriff's
23 term of office.

24 (4) Unless a sheriff is able to show good cause for not complying
25 with subsection (2) or (3) of this section or obtains a waiver of the
26 training requirements from the council, any sheriff who violates
27 subsection (2) or (3) of this section shall be punished by a fine equal
28 to such sheriff's monthly salary. Each month in which such violation
29 occurs shall constitute a separate offense.

30 **Sec. 3.** Section 23-1717, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 23-1717 (1) Except as otherwise provided in subsections (2) and (3)
2 of this section, county County sheriffs and their deputies, when on duty,
3 shall:

4 (a) ~~Be~~ be dressed in a distinctive uniform that is approved by the
5 sheriff and that meets the requirements of , ~~as described in~~ section
6 23-1719; ~~and~~

7 (b) Display ~~display~~ a badge of office as described in section
8 23-1719. ~~;~~

9 (2) ~~The~~ Provided, the wearing of such uniform and badge shall be
10 discretionary at the option of the sheriff when he or she or his or her
11 deputies are engaged in special investigations or mental patient
12 assignments. ~~;~~

13 (3) Special ~~and provided further,~~ that ~~special~~ deputies appointed by
14 the sheriff shall be excluded from the requirements of this section.

15 **Sec. 4.** Section 23-1719, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 23-1719 (1) The uniform required by section 23-1717 shall be at the
18 discretion of the sheriff and may be separated into classes to best fit
19 the needs of each sheriff. Any such uniform shall be readily
20 distinguishable from the uniform of other law enforcement agencies in the
21 State of Nebraska.

22 (2) The Class A or dress uniform for a county sheriff or their
23 deputies ~~and~~ shall consist of:

24 (a) Brown felt campaign hat, center crease in sheriff or western
25 style;

26 (b) Brown straw campaign hat, center crease in sheriff or western
27 style;

28 (c) Chocolate brown color shirt with either long or short sleeves
29 depending on season;

30 (d) Pink tan color trousers in appropriate seasonal weights;

31 ~~(e) Pink tan color skirts in appropriate seasonal weights;~~

- 1 ~~(e) (f)~~ Pink tan color necktie;
- 2 ~~(f) (g)~~ Shoes or boots in the same color as the leather worn;
- 3 ~~(g) (h)~~ Chocolate brown color service jacket, zipper front with
- 4 badge or insignia approved by the sheriff holder;
- 5 ~~(h) (i)~~ Hip-length year-round outer jacket, dark brown in color;
- 6 ~~(i) (j)~~ Badge bearing state or state seal, rank, and county and
- 7 consisting of a seven-point star; ÷
- 8 ~~(i) Gold in color for sheriff and deputies of the rank of sergeant~~
- 9 ~~or above;~~
- 10 ~~(ii) Silver in color for deputies under the rank of sergeant; and~~
- 11 ~~(iii) Consisting of seven point star;~~
- 12 ~~(j) (k)~~ Collar ornaments ÷ ~~(i) Gold for sheriff and deputies; of the~~
- 13 ~~rank of sergeant or above; and~~
- 14 ~~(ii) Silver for deputies under the rank of sergeant;~~
- 15 ~~(k) (l)~~ Shoulder emblem to be worn on upper sleeve and include
- 16 sheriff's office or department and county name - design optional;
- 17 ~~(l) (m)~~ Leather to be either brown or black at the individual
- 18 department's choice; and
- 19 ~~(m) (n)~~ Brown winter cap ~~with flap.~~
- 20 (3) The Class B or patrol uniform for a county sheriff or their
- 21 deputies shall consist of:
- 22 (a) Black or any variation of brown hat, depending on the season;
- 23 (b) Black or any variation of brown color external carrier, with
- 24 badge;
- 25 (c) Black or any variation of brown color shirt with either long or
- 26 short sleeves depending on season;
- 27 (d) Black or any variation of brown color trousers in appropriate
- 28 seasonal weights;
- 29 (e) Black or any variation of brown color shoes or boots;
- 30 (f) Black or any variation of brown color jacket, with a badge or
- 31 insignia approved by the sheriff;

1 (g) Badge bearing state or state seal, rank, and county and
2 consisting of a seven-point star;

3 (h) Shoulder emblem to be worn on upper sleeve and include sheriff's
4 office or department and county name - design optional; and

5 (i) Leather to be either black or any variation of brown at the
6 individual department's choice.

7 (4) The honor guard or color guard uniform for a county sheriff or
8 their deputies shall consist of:

9 (a) Any variation of brown color campaign hat, center crease in
10 sheriff or western style;

11 (b) Any variation of brown color uniform jacket;

12 (c) Any variation of brown color pants;

13 (d) Black leather shoes or boots;

14 (e) Shoulder emblem to be worn on upper sleeve and include sheriff's
15 office or department and county name - design optional; and

16 (f) Badge bearing state or state seal, rank, and county and
17 consisting of a seven-point star.

18 ~~(2) Uniforms shall be purchased directly from the supplier or~~
19 ~~suppliers with whom the Department of Administrative Services has~~
20 ~~contracted.~~

21 (5) (3) A committee from the Nebraska Sheriffs' and Peace Officers'
22 Association shall assist the Department of Administrative Services in
23 developing specifications and selecting material for the uniforms.

24 **Sec. 5.** Section 32-604, Revised Statutes Cumulative Supplement,
25 2024, is amended to read:

26 32-604 (1) Except as provided in subsection (2) or (4) of this
27 section, no person shall be precluded from being elected or appointed to
28 or holding an elective office for the reason that he or she has been
29 elected or appointed to or holds another elective office.

30 (2) No person serving as a member of the Legislature or in an
31 elective office described in Article IV, section 1 or 20, or Article VII,

1 section 3 or 10, of the Constitution of Nebraska shall simultaneously
2 serve in any other elective office, except that such a person may
3 simultaneously serve in another elective office which is filled at an
4 election held in conjunction with the annual meeting of a public body.

5 (3) Whenever an incumbent serving as a member of the Legislature or
6 in an elective office described in Article IV, section 1 or 20, or
7 Article VII, section 3 or 10, of the Constitution of Nebraska assumes
8 another elective office, except an elective office filled at an election
9 held in conjunction with the annual meeting of a public body, the office
10 first held by the incumbent shall be deemed vacant.

11 (4) No person serving in a high elective office shall simultaneously
12 serve in any other high elective office, except that (a) a county
13 attorney may serve as the county attorney for more than one county if
14 appointed under subsection (2) of section 23-1201.01 and (b) a county
15 sheriff may serve as the county sheriff for more than one county if
16 appointed under subsection (4) ~~(3)~~ of section 23-1701.

17 (5) Notwithstanding subsection (4) of this section, any person
18 holding more than one high elective office upon July 15, 2010, shall be
19 entitled to serve the remainder of all terms for which he or she was
20 elected or appointed.

21 (6) For purposes of this section, (a) elective office has the
22 meaning found in section 32-109 and includes an office which is filled at
23 an election held in conjunction with the annual meeting of a public body
24 created by an act of the Legislature but does not include a member of a
25 learning community coordinating council appointed pursuant to subsection
26 (5) or (7) of section 32-546.01 prior to January 5, 2017, and (b) high
27 elective office means a member of the Legislature, an elective office
28 described in Article IV, section 1 or 20, or Article VII, section 3 or
29 10, of the Constitution of Nebraska, or a county, city, community college
30 area, learning community, regional metropolitan transit authority, or
31 school district elective office.

1 **Sec. 6.** Section 81-1414.07, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-1414.07 (1)(a) In order to maintain his or her professional
4 status and serve the law enforcement profession, the community, and the
5 residents of Nebraska, each law enforcement officer ~~, other than a~~
6 ~~noncertified conditional officer,~~ shall attend continuing education
7 ~~courses for the number of hours required in subdivision (1)(b) of this~~
8 ~~section~~ in the areas of criminal justice and law enforcement as provided
9 in this section. ~~during each calendar year beginning on January 1 and~~
10 ~~ending on December 31.~~

11 (b) A law enforcement officer is not required to meet the continuing
12 education requirements in the year in which he or she first becomes fully
13 certified.

14 (c) A law enforcement officer may retire from service in good
15 standing without meeting the continuing education requirements in the
16 calendar year of the officer's retirement.

17 (d) The requirements of this section do not apply to a noncertified
18 conditional officer.

19 ~~(b) The number of continuing education hours required under this~~
20 ~~subsection shall be:~~

21 ~~(i) Until January 1, 2022, twenty hours;~~

22 ~~(ii) Beginning January 1, 2022, and until January 1, 2023, twenty-~~
23 ~~eight hours; and~~

24 ~~(iii) Beginning January 1, 2023, thirty-two hours.~~

25 (2)(a) Each calendar year, a law enforcement officer shall attend at
26 least:

27 (i) For a law enforcement officer employed by a law enforcement
28 agency that employs less than twenty-five full-time law enforcement
29 officers, twenty-four hours of continuing education; and

30 (ii) For a law enforcement officer employed by a law enforcement
31 agency that employs twenty-five or more full-time law enforcement

1 officers, thirty-two hours of continuing education.

2 (b) Such annual continuing education ~~(2) The annual continuing~~
3 ~~education required by this section~~ shall include:

4 (i) A refresher course on de-escalation;

5 ~~(a) Refresher courses on de-escalation, mental health, and substance~~
6 ~~abuse issues;~~

7 (ii) (b) A minimum of two hours of anti-bias and implicit bias
8 training;

9 (iii) (c) Firearms training;

10 (iv) (d) Officer wellness training;

11 (v) (e) Legal update training updates, including, but not limited
12 to, legislative changes and First Amendment and Fourth Amendment issues;
13 and

14 (f) Vehicular pursuit policy review; and

15 (vi) (g) Any other training as determined by a law enforcement
16 agency.

17 (3)(a) At least once in each three-calendar-year period, a law
18 enforcement officer shall attend continuing education that includes:

19 (i) Refresher courses on mental health and substance abuse issues;
20 and

21 (ii) A review of vehicular pursuit policies.

22 (b) The continuing education hours required by this subsection are
23 counted for purposes of the required hours under subsection (2) of this
24 section.

25 (4) (3) Continuing education courses may be offered in the form of
26 seminars, advanced education which may include college or university
27 classes, conferences, instruction conducted within the law enforcement
28 officer's law enforcement agency, or instruction conducted over the
29 Internet. Continuing education shall be of a type which has application
30 to and seeks to maintain and improve the skills of the law enforcement
31 officer in carrying out his or her duties and responsibilities.

1 **Sec. 7.** Sections 6 and 9 of this act become operative on January 1,
2 2027. The other sections of this act become operative on their effective
3 date.

4 **Sec. 8.** Original sections 23-1717 and 23-1719, Reissue Revised
5 Statutes of Nebraska, and sections 23-1701, 23-1701.01, and 32-604,
6 Revised Statutes Cumulative Supplement, 2024, are repealed.

7 **Sec. 9.** Original section 81-1414.07, Reissue Revised Statutes of
8 Nebraska, is repealed.