

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 965

FINAL READING

Introduced by Bostar, 29; Hallstrom, 1.

Read first time January 12, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to law; to amend sections 28-322.02,
2 28-322.03, 28-323, 28-508, 28-610, 28-703, 29-3901, 29-3904,
3 29-3905, 29-3918, 43-273, 43-2923, 71-946, 71-947, 71-948, 83-4,143,
4 and 84-941.01, Reissue Revised Statutes of Nebraska, sections
5 27-404, 28-115, 28-310.01, 28-322.01, 29-3903, 29-3922, and 43-272,
6 Revised Statutes Cumulative Supplement, 2024, and sections 26-118,
7 27-413, 28-101, 28-318, 28-322, 28-470, 28-712.01, 28-1205, 28-1701,
8 29-4003, 29-4309, 29-4316, and 81-1850, Revised Statutes Supplement,
9 2025; to change provisions relating to penalties for violations of
10 domestic abuse and sexual abuse protection orders; to prohibit
11 sexual abuse of a probationer or problem solving court participant,
12 sexual abuse by a conservator, guardian, or guardian ad litem, and
13 sexual abuse by a child welfare service provider; to define and
14 redefine terms; to change provisions relating to the elements and
15 penalties for the offense of domestic assault and the penalties for
16 the offense of assault by strangulation or suffocation; to transfer
17 and change provisions relating to sexual abuse of an inmate or
18 parolee; to provide immunity to probation employees for
19 administration of opioid overdose reversal medication; to change
20 provisions relating to the offense of possession of burglar's tools;
21 to change provisions related to the offense of incest; to change the
22 penalty for impersonating a police officer; to provide requirements

1 relating to Brady-Giglio disclosures; to prohibit retaliation; to
2 provide confidentiality for officers; to provide duties for
3 prosecuting agencies and public safety agencies; to require
4 registration under the Sex Offender Registration Act; to require
5 courts to appoint county conflict counsel when the public defender
6 is unavailable as prescribed; to change provisions relating to
7 allowance of fees for counsel; to require courts to consider certain
8 evidence in determining the best interest of the child; to change
9 offenses included with certain victim notification requirements; to
10 harmonize provisions; to provide operative dates; to provide
11 severability; and to repeal the original sections.

12 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 26-118, Revised Statutes Supplement, 2025, is
2 amended to read:

3 26-118 (1) Any person, except the petitioner, who knowingly violates
4 a protection order issued pursuant to the Protection Orders Act, after
5 service or notice as described in subsection (4) of section 26-114, or a
6 valid foreign protection order recognized pursuant to section 26-123 or
7 26-124, shall be guilty of an offense and punished as provided in this
8 section.

9 (2) For a violation involving a domestic abuse protection order, a
10 sexual assault protection order, a valid foreign domestic abuse
11 protection order recognized pursuant to section 26-123, or a valid
12 foreign sexual assault protection order recognized pursuant to section
13 26-124, a violation of this section is a:

- 14 (a) Class I misdemeanor for a first offense; and a
15 (b) Class IV felony for a any second or subsequent offense; -
16 (c) Class IIIA felony for a third offense; and
17 (d) Class IIA felony for any fourth or subsequent offense.

18 (3) For a violation of a harassment protection order or a valid
19 foreign harassment protection order recognized pursuant to section
20 26-124, a violation of this section is a Class II misdemeanor for a first
21 offense and a Class I misdemeanor for any second or subsequent offense.

22 **Sec. 2.** Section 27-404, Revised Statutes Cumulative Supplement,
23 2024, is amended to read:

24 27-404 (1) Evidence of a person's character or a trait of his or her
25 character is not admissible for the purpose of proving that he or she
26 acted in conformity therewith on a particular occasion, except:

27 (a) Evidence of a pertinent trait of his or her character offered by
28 an accused, or by the prosecution to rebut the same;

29 (b) Evidence of a pertinent trait of character of the victim of the
30 crime offered by an accused or by the prosecution to rebut the same, or
31 evidence of a character trait of peacefulness of the victim offered by

1 the prosecution in a homicide case to rebut evidence that the victim was
2 the first aggressor. In a sexual assault case, reputation, opinion, or
3 other evidence of past sexual behavior of the victim is governed by
4 section 27-412; or

5 (c) Evidence of the character of a witness as provided in sections
6 27-607 to 27-609.

7 (2) Evidence of other crimes, wrongs, or acts is not admissible to
8 prove the character of a person in order to show that he or she acted in
9 conformity therewith. It may, however, be admissible for other purposes,
10 such as proof of motive, opportunity, intent, preparation, plan,
11 knowledge, identity, or absence of mistake or accident.

12 (3) When such evidence is admissible pursuant to this section, in
13 criminal cases evidence of other crimes, wrongs, or acts of the accused
14 may be offered in evidence by the prosecution if the prosecution proves
15 to the court by clear and convincing evidence that the accused committed
16 the crime, wrong, or act. Such proof shall first be made outside the
17 presence of any jury.

18 (4) Regarding the admissibility in a civil or criminal action of
19 evidence of a person's commission of another offense or offenses of
20 sexual assault under sections 28-316.01 and 28-319 to 28-322.05 and
21 sections 12 and 13 of this act, see sections 27-413 to 27-415.

22 **Sec. 3.** Section 27-413, Revised Statutes Supplement, 2025, is
23 amended to read:

24 27-413 For purposes of sections 27-414 and 27-415, offense of sexual
25 assault means:

26 (1) Sexual ~~sexual~~ assault under section 28-319 or 28-320; τ

27 (2) Sexual ~~sexual~~ abuse by a school worker under section
28 28-316.01; τ

29 (3) Sexual ~~sexual~~ assault of a child under section 28-319.01 or
30 28-320.01; τ

31 (4) Sexual ~~sexual~~ assault by use of an electronic communication

1 device under section 28-320.02; ~~τ~~

2 ~~(5) Sexual~~ ~~sexual~~ abuse of an inmate, ~~a~~ ~~or~~ parolee, ~~a~~ probationer,
3 ~~or a problem solving court participant~~ under sections 28-322.01 to
4 28-322.03; ~~τ~~

5 ~~(6) Sexual~~ ~~sexual~~ abuse of a protected individual under section
6 28-322.04; ~~τ~~

7 ~~(7) Sexual~~ ~~sexual~~ abuse of a detainee under section 28-322.05; ~~τ~~

8 ~~(8) Sexual abuse by a conservator, guardian, or guardian ad litem~~
9 ~~under section 12 of this act;~~

10 ~~(9) Sexual abuse by a child welfare service provider under section~~
11 ~~13 of this act;~~

12 ~~(10) An~~ ~~an~~ attempt or conspiracy to commit any of the crimes listed
13 in this section; ~~τ~~ or

14 ~~(11) The~~ ~~the~~ commission of or conviction for a crime in another
15 jurisdiction that is substantially similar to any crime listed in this
16 section.

17 **Sec. 4.** Section 28-101, Revised Statutes Supplement, 2025, is
18 amended to read:

19 28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701
20 and sections 12 and 13 of this act shall be known and may be cited as the
21 Nebraska Criminal Code.

22 **Sec. 5.** Section 28-115, Revised Statutes Cumulative Supplement,
23 2024, is amended to read:

24 28-115 (1) Except as provided in subsection (2) of this section, any
25 person who commits any of the following criminal offenses against a
26 pregnant woman shall be punished by the imposition of the next higher
27 penalty classification than the penalty classification prescribed for the
28 criminal offense:

29 (a) Assault in the first degree, section 28-308;

30 (b) Assault in the second degree, section 28-309;

31 (c) Assault in the third degree, section 28-310;

- 1 (d) Assault by strangulation or suffocation, section 28-310.01;
- 2 (e) Sexual assault in the first degree, section 28-319;
- 3 (f) Sexual assault in the second or third degree, section 28-320;
- 4 (g) Sexual assault of a child in the first degree, section
5 28-319.01;
- 6 (h) Sexual assault of a child in the second or third degree, section
7 28-320.01;
- 8 (i) Sexual abuse of an inmate, ~~a~~ or parolee, ~~a~~ probationer, or a
9 problem solving court participant in the first degree, section 28-322.02;
- 10 (j) Sexual abuse of an inmate, ~~a~~ or parolee, ~~a~~ probationer, or a
11 problem solving court participant in the second degree, section
12 28-322.03;
- 13 (k) Sexual abuse of a protected individual in the first or second
14 degree, section 28-322.04;
- 15 (l) Sexual abuse of a detainee in the first or second degree, under
16 section 28-322.05;
- 17 (m) Sexual abuse by a conservator, guardian, or guardian ad litem in
18 the first or second degree, section 12 of this act;
- 19 (n) Sexual abuse by a child welfare service provider in the first or
20 second degree, section 13 of this act;
- 21 (o) ~~(m)~~ Domestic assault in the first, second, or third degree,
22 section 28-323;
- 23 (p) ~~(n)~~ Assault on an officer, an emergency responder, a state
24 correctional employee, a Department of Health and Human Services
25 employee, or a health care professional in the first degree, section
26 28-929;
- 27 (q) ~~(o)~~ Assault on an officer, an emergency responder, a state
28 correctional employee, a Department of Health and Human Services
29 employee, or a health care professional in the second degree, section
30 28-930;
- 31 (r) ~~(p)~~ Assault on an officer, an emergency responder, a state

1 correctional employee, a Department of Health and Human Services
2 employee, or a health care professional in the third degree, section
3 28-931;

4 (s) ~~(q)~~ Assault on an officer, an emergency responder, a state
5 correctional employee, a Department of Health and Human Services
6 employee, or a health care professional using a motor vehicle, section
7 28-931.01;

8 (t) ~~(r)~~ Assault by a confined person, section 28-932;

9 (u) ~~(s)~~ Confined person committing offenses against another person,
10 section 28-933; and

11 (v) ~~(t)~~ Proximately causing serious bodily injury while operating a
12 motor vehicle, section 60-6,198.

13 (2) The enhancement in subsection (1) of this section does not apply
14 to any criminal offense listed in subsection (1) of this section that is
15 already punishable as a Class I, IA, or IB felony. If any criminal
16 offense listed in subsection (1) of this section is punishable as a Class
17 I misdemeanor, the penalty under this section is a Class IIIA felony.

18 (3) The prosecution shall allege and prove beyond a reasonable doubt
19 that the victim was pregnant at the time of the offense.

20 **Sec. 6.** Section 28-310.01, Revised Statutes Cumulative Supplement,
21 2024, is amended to read:

22 28-310.01 (1) A person commits the offense of assault by
23 strangulation or suffocation if the person knowingly and intentionally:

24 (a) Impedes the normal breathing or circulation of the blood of
25 another person by applying pressure on the throat or neck of the other
26 person; or

27 (b) Impedes the normal breathing of another person by covering the
28 mouth and nose of the person.

29 (2) An offense is committed under this section regardless of whether
30 a visible injury resulted.

31 (3) Except as provided in subsection (4) of this section, a

1 violation of this section is a Class IIIA felony.

2 (4) A violation of this section is a Class IIA felony if:

3 (a) The person used or attempted to use a dangerous instrument while
4 committing the offense;

5 (b) The person caused serious bodily injury to the other person
6 while committing the offense; or

7 (c) The person has been previously convicted:

8 (i) Of a violation of this section; or

9 (ii) In any other state or federal court of a criminal offense with
10 essentially the same elements as a violation of this section.

11 (5) It is an affirmative defense that an act constituting
12 strangulation or suffocation was the result of a legitimate medical
13 procedure.

14 **Sec. 7.** Section 28-318, Revised Statutes Supplement, 2025, is
15 amended to read:

16 28-318 As used in sections 28-317 to 28-322.05 and sections 12 and
17 13 of this act, unless the context otherwise requires:

18 (1) Actor means a person accused of sexual assault;

19 (2) Intimate parts means the genital area, groin, inner thighs,
20 buttocks, or breasts;

21 (3) Past sexual behavior means sexual behavior other than the sexual
22 behavior upon which the sexual assault is alleged;

23 (4) Serious personal injury means great bodily injury or
24 disfigurement, extreme mental anguish or mental trauma, pregnancy,
25 disease, or loss or impairment of a sexual or reproductive organ;

26 (5) Sexual contact means the intentional touching of the victim's
27 sexual or intimate parts or the intentional touching of the victim's
28 clothing covering the immediate area of the victim's sexual or intimate
29 parts. Sexual contact also means the touching by the victim of the
30 actor's sexual or intimate parts or the clothing covering the immediate
31 area of the actor's sexual or intimate parts when such touching is

1 intentionally caused by the actor. Sexual contact includes only such
2 conduct which can be reasonably construed as being for the purpose of
3 sexual arousal or gratification of either party. Sexual contact also
4 includes the touching of a child with the actor's sexual or intimate
5 parts on any part of the child's body for purposes of sexual abuse by a
6 school worker under section 28-316.01 or sexual assault of a child under
7 sections 28-319.01 and 28-320.01;

8 (6) Sexual penetration means sexual intercourse in its ordinary
9 meaning, cunnilingus, fellatio, anal intercourse, or any intrusion,
10 however slight, of any part of the actor's or victim's body or any object
11 manipulated by the actor into the genital or anal openings of the
12 victim's body which can be reasonably construed as being for nonmedical,
13 nonhealth, or nonlaw enforcement purposes. Sexual penetration shall not
14 require emission of semen;

15 (7) Victim means the person alleging to have been sexually
16 assaulted;

17 (8) Without consent means:

18 (a)(i) The victim was compelled to submit due to the use of force or
19 threat of force or coercion, or (ii) the victim expressed a lack of
20 consent through words, or (iii) the victim expressed a lack of consent
21 through conduct, or (iv) the consent, if any was actually given, was the
22 result of the actor's deception as to the identity of the actor or the
23 nature or purpose of the act on the part of the actor;

24 (b) The victim need only resist, either verbally or physically, so
25 as to make the victim's refusal to consent genuine and real and so as to
26 reasonably make known to the actor the victim's refusal to consent; and

27 (c) A victim need not resist verbally or physically where it would
28 be useless or futile to do so; and

29 (9) Force or threat of force means (a) the use of physical force
30 which overcomes the victim's resistance or (b) the threat of physical
31 force, express or implied, against the victim or a third person that

1 places the victim in fear of death or in fear of serious personal injury
2 to the victim or a third person where the victim reasonably believes that
3 the actor has the present or future ability to execute the threat.

4 **Sec. 8.** Section 28-322, Revised Statutes Supplement, 2025, is
5 amended to read:

6 28-322 For purposes of sections 28-322 to 28-322.03:

7 (1) Department means the Department of Correctional Services;

8 (2) (1) Inmate or parolee means any individual confined in a
9 facility operated by the ~~department~~ Department of Correctional Services
10 or a ~~city or county correctional or jail~~ facility or

11 (3) Jail means any jail or correctional facility of a city or
12 county;

13 (4) Office means the Office of Probation Administration;

14 (5) Parolee means any individual under parole supervision; and

15 (6) (2) Person means:

16 (a) Any an individual employed by the ~~department~~ Department of
17 Correctional Services, including any individual working in central
18 administration of the department, any individual working under contract
19 with the department, and any individual, ~~other than an inmate's spouse,~~
20 to whom the department has authorized or delegated control over an inmate
21 or an inmate's activities; ~~and~~

22 (b) Any an individual employed by a ~~city or county correctional or~~
23 jail facility, including any individual working in central administration
24 of the ~~city or county correctional or jail~~ facility, any individual
25 working under contract with the ~~city or county correctional or jail~~
26 facility, and any individual, ~~other than an inmate's spouse,~~ to whom the
27 ~~city or county correctional or jail facility~~ has authorized or delegated
28 control over an inmate or an inmate's activities; ~~and~~

29 (c) Any an individual employed by the office, including, but not
30 limited to:

31 (i) Any probation officer, chief probation officer, juvenile

1 probation officer, or juvenile intake probation officer, as those terms
2 are defined in section 29-2246; or

3 (ii) Any individual:

4 (A) Working in probation administration or for any probation
5 district;

6 (B) Working within any problem solving court under the purview of
7 the office; or

8 (C) To whom the office or a problem solving court has authorized or
9 delegated control over a probationer or problem solving court
10 participant, or such person's activities, whether by contract or
11 otherwise; Office of Probation Administration who performs official
12 duties within any facility operated by the Department of Correctional
13 Services or a city or county correctional or jail facility.

14 (7) Probationer means:

15 (a) Any individual under probation supervision, including, but not
16 limited to, as a result of a sentence of probation or post-release
17 supervision, pursuant to a deferred judgment, or pursuant to the Nebraska
18 Juvenile Code; or

19 (b) Any individual subject to a presentence or predisposition
20 investigation being completed by the office or subject to a probation
21 intake; and

22 (8) Problem solving court participant means a criminal defendant or
23 juvenile participating in any problem solving court program.

24 **Sec. 9.** Section 28-322.01, Revised Statutes Cumulative Supplement,
25 2024, is amended to read:

26 28-322.01 (1) A person commits the offense of sexual abuse of an
27 inmate, a ~~or~~ parolee, a probationer, or a problem solving court
28 participant if such person subjects an inmate, a ~~or~~ parolee, a
29 probationer, or a problem solving court participant to sexual penetration
30 or sexual contact ~~as those terms are defined in section 28-318.~~

31 (2) It is not a defense to a charge under this section that the

1 inmate, or parolee, probationer, or problem solving court participant
2 consented to such sexual penetration or sexual contact.

3 (3) (2) An otherwise lawful pat-down or body cavity search by a
4 person is not a violation of this section.

5 (4) Sexual contact or sexual penetration between spouses is not a
6 violation of this section.

7 **Sec. 10.** Section 28-322.02, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 28-322.02 Any person who subjects an inmate, a or parolee, a
10 probationer, or a problem solving court participant to sexual penetration
11 in violation of section 28-322.01 is guilty of sexual abuse of an inmate,
12 a or parolee, a probationer, or a problem solving court participant in
13 the first degree. Sexual abuse of an inmate, a or parolee, a probationer,
14 or a problem solving court participant in the first degree is a Class IIA
15 felony.

16 **Sec. 11.** Section 28-322.03, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 28-322.03 Any person who subjects an inmate, a or parolee, a
19 probationer, or a problem solving court participant to sexual contact in
20 violation of section 28-322.01 is guilty of sexual abuse of an inmate, a
21 or parolee, a probationer, or a problem solving court participant in the
22 second degree. Sexual abuse of an inmate, a or parolee, a probationer, or
23 a problem solving court participant in the second degree is a Class IIIA
24 felony.

25 **Sec. 12.** (1) A conservator, guardian, or guardian ad litem shall
26 not subject any individual whom he or she has been appointed to serve as
27 a conservator, guardian, or guardian ad litem to sexual penetration or
28 sexual contact.

29 (2) It is not a defense to a charge under this section that such
30 individual consented to such sexual penetration or sexual contact.

31 (3) Sexual contact or sexual penetration between spouses is not a

1 violation of this section.

2 (4) A conservator, guardian, or guardian ad litem who subjects an
3 individual to sexual penetration in violation of this section is guilty
4 of sexual abuse by a conservator, guardian, or guardian ad litem in the
5 first degree. Such offense is a Class IIA felony.

6 (5) A conservator, guardian, or guardian ad litem who subjects an
7 individual to sexual contact in violation of this section is guilty of
8 sexual abuse by a conservator, guardian, or guardian ad litem in the
9 second degree. Such offense is a Class IIIA felony.

10 **Sec. 13.** (1) For purposes of this section:

11 (a) Child welfare service provider means any:

12 (i) Individual or entity providing child welfare services,
13 including, but not limited to, any person with a contract or agreement
14 with the Department of Health and Human Services to provide child welfare
15 services; and

16 (ii) An agent or employee of an individual or entity described in
17 subdivision (1)(a)(i) of this section; and

18 (b) Minor means an individual who is under nineteen years of age.

19 (2) A child welfare service provider shall not subject any minor
20 receiving child welfare services from such provider or who is otherwise
21 in such provider's care, custody, or control to sexual penetration or
22 sexual contact.

23 (3) It is not a defense to a charge under this section that such
24 minor consented to such sexual penetration or sexual contact.

25 (4) A child welfare service provider who subjects a minor to sexual
26 penetration in violation of this section is guilty of sexual abuse by a
27 child welfare service provider in the first degree. Such offense is a
28 Class IIA felony.

29 (5) A child welfare service provider who subjects a minor to sexual
30 contact in violation of this section is guilty of sexual abuse by a child
31 welfare service provider in the second degree. Such offense is a Class

1 IIIA felony.

2 **Sec. 14.** Section 28-323, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 28-323 (1) A person commits the offense of domestic assault in the
5 third degree if he or she:

6 (a) ~~Intentionally, and knowingly, or recklessly~~ causes bodily injury
7 to his or her intimate partner; ~~or~~

8 (b) Threatens an intimate partner with imminent bodily injury. ~~;~~

9 ~~(c) Threatens an intimate partner in a menacing manner.~~

10 (2) A person commits the offense of domestic assault in the second
11 degree if he or she:

12 (a) Intentionally ~~intentionally~~ and knowingly causes bodily injury
13 to his or her intimate partner with a dangerous instrument; ~~or~~

14 (b) Recklessly causes serious bodily injury to his or her intimate
15 partner with a dangerous instrument.

16 (3) A person commits the offense of domestic assault in the first
17 degree if he or she intentionally and knowingly causes serious bodily
18 injury to his or her intimate partner.

19 (4) A violation of subsection (1) of this section is a Class I
20 misdemeanor, except that such violation shall be punished as a:

21 (a) Class IIIA felony if the person has one previous conviction for
22 a violation of subsection (1), (2), or (3) of this section or a
23 substantially equivalent offense; or

24 (b) Class IIA felony if the person has previously been convicted two
25 or more times for any violation of subsection (1), (2), or (3) of this
26 section or any substantially equivalent offense.

27 (5) A violation of subsection (2) of this section is a Class IIA
28 felony, except that such violation shall be punished as a Class II felony
29 if such person has one or more previous convictions for a violation of
30 subsection (2) or (3) of this section or a substantially equivalent
31 offense.

1 (6) A violation of subsection (3) of this section is a Class ID
2 felony, except that such violation shall be punished as a Class IB felony
3 with a mandatory minimum sentence of fifteen years' imprisonment if such
4 person has one or more previous convictions for a violation of subsection
5 (3) of this section or a substantially equivalent offense.

6 ~~(4) Violation of subdivision (1)(a) or (b) of this section is a~~
7 ~~Class I misdemeanor, except that for any subsequent violation of~~
8 ~~subdivision (1)(a) or (b) of this section, any person so offending is~~
9 ~~guilty of a Class IIIA felony.~~

10 ~~(5) Violation of subdivision (1)(c) of this section is a Class I~~
11 ~~misdemeanor.~~

12 ~~(6) Violation of subsection (2) of this section is a Class IIIA~~
13 ~~felony, except that for any second or subsequent violation of such~~
14 ~~subsection, any person so offending is guilty of a Class IIA felony.~~

15 ~~(7) Violation of subsection (3) of this section is a Class IIA~~
16 ~~felony, except that for any second or subsequent violation under such~~
17 ~~subsection, any person so offending is guilty of a Class II felony.~~

18 ~~(7) (8) For purposes of this section: τ~~

19 (a) Dating relationship means frequent, intimate associations
20 primarily characterized by the expectation of affectional or sexual
21 involvement, but does not include a casual relationship or an ordinary
22 association between persons in a business or social context;

23 (b) Intimate intimate partner means a spouse; a former spouse;
24 persons who have a child in common whether or not they have been married
25 or lived together at any time; and persons who are or were involved in a
26 dating relationship; and τ . For purposes of this subsection, dating
27 relationship means frequent, intimate associations primarily
28 characterized by the expectation of affectional or sexual involvement,
29 but does not include a casual relationship or an ordinary association
30 between persons in a business or social context.

31 (c) Substantially equivalent offense means a violation of law that:

1 (i) Is a criminal offense under federal law or the law of another
2 state; and

3 (ii) Has essentially the same elements as the violation of this
4 section to which it is being compared.

5 **Sec. 15.** Section 28-470, Revised Statutes Supplement, 2025, is
6 amended to read:

7 28-470 (1) A health professional who is authorized to prescribe or
8 dispense an opioid overdose reversal medication, if acting with
9 reasonable care, may prescribe, administer, or dispense such medication
10 to any of the following persons without being subject to administrative
11 action or criminal prosecution:

12 (a) A person who is apparently experiencing or who is likely to
13 experience an opioid-related overdose; or

14 (b) A family member, friend, or other person in a position to assist
15 a person who is apparently experiencing or who is likely to experience an
16 opioid-related overdose.

17 (2) A family member, friend, or any other person, including school
18 personnel, who is in a position to assist a person who is apparently
19 experiencing or who is likely to experience an opioid-related overdose,
20 other than an emergency responder or peace officer, is not subject to
21 actions under the Uniform Credentialing Act, administrative action, or
22 criminal prosecution if the person, acting in good faith:

23 (a) Obtains an opioid overdose reversal medication from a health
24 professional, pursuant to a prescription, or over the counter; and

25 (b) Administers such medication to a person who is apparently
26 experiencing an opioid-related overdose.

27 (3) An emergency responder who, acting in good faith, obtains an
28 opioid overdose reversal medication from the emergency responder's
29 emergency medical service organization and administers such medication to
30 a person who is apparently experiencing an opioid-related overdose shall
31 not be:

1 (a) Subject to administrative action or criminal prosecution; or

2 (b) Personally liable in any civil action to respond in damages as a
3 result of his or her acts of commission or omission arising out of and in
4 the course of his or her rendering such care or services or arising out
5 of his or her failure to act to provide or arrange for further medical
6 treatment or care for the person who is apparently experiencing an
7 opioid-related overdose, unless the emergency responder caused damage or
8 injury by his or her willful, wanton, or grossly negligent act of
9 commission or omission. This subdivision shall not affect the liability
10 of such emergency medical service organization for the emergency
11 responder's acts of commission or omission.

12 (4) A peace officer or law enforcement employee who, acting in good
13 faith, obtains an opioid overdose reversal medication from the peace
14 officer's or employee's law enforcement agency and administers such
15 medication to a person who is apparently experiencing an opioid-related
16 overdose shall not be:

17 (a) Subject to administrative action or criminal prosecution; or

18 (b) Personally liable in any civil action to respond in damages as a
19 result of his or her acts of commission or omission arising out of and in
20 the course of his or her rendering such care or services or arising out
21 of his or her failure to act to provide or arrange for further medical
22 treatment or care for the person who is apparently experiencing an
23 opioid-related overdose, unless the peace officer or employee caused
24 damage or injury by his or her willful, wanton, or grossly negligent act
25 of commission or omission. This subdivision shall not affect the
26 liability of such law enforcement agency for the peace officer's or
27 employee's acts of commission or omission.

28 (5) A probation employee who, acting in good faith, obtains an
29 opioid overdose reversal medication in accordance with the policies of
30 the Office of Probation Administration and administers such medication to
31 a person who is apparently experiencing an opioid-related overdose shall

1 not be:

2 (a) Subject to administrative action or criminal prosecution; or

3 (b) Personally liable in any civil action to respond in damages as a
4 result of his or her acts of commission or omission arising out of and in
5 the course of his or her rendering such care or services or arising out
6 of his or her failure to act to provide or arrange for further medical
7 treatment or care for the person who is apparently experiencing an
8 opioid-related overdose, unless the employee caused damage or injury by
9 his or her willful, wanton, or grossly negligent act of commission or
10 omission. This subdivision shall not affect the liability of the office
11 for such employee's acts of commission or omission.

12 (6) (5) For purposes of this section:

13 (a) Administer has the same meaning as in section 38-2806;

14 (b) Dispense has the same meaning as in section 38-2817;

15 (c) Emergency responder means an emergency medical responder, an
16 emergency medical technician, an advanced emergency medical technician,
17 or a paramedic licensed under the Emergency Medical Services Practice Act
18 or practicing pursuant to the EMS Personnel Licensure Interstate Compact;

19 (d) Health professional means a physician, physician assistant,
20 nurse practitioner, or pharmacist licensed under the Uniform
21 Credentialing Act;

22 (e) Law enforcement agency means a police department, a town
23 marshal, the office of sheriff, or the Nebraska State Patrol;

24 (f) Law enforcement employee means an employee of a law enforcement
25 agency, a contractor of a law enforcement agency, or an employee of such
26 contractor who regularly, as part of his or her duties, handles,
27 processes, or is likely to come into contact with any evidence or
28 property which may include or contain opioids;

29 (g) Opioid overdose reversal medication means any lifesaving
30 medication approved by the United States Food and Drug Administration for
31 reversing an opioid overdose, whether obtained by prescription, from a

1 health professional, or over the counter, and includes, but is not
2 limited to, naloxone and nalmefene; and

3 (h) Peace officer has the same meaning as in section 49-801; and -

4 (i) Probation employee means a probation officer, chief probation
5 officer, juvenile probation officer, or juvenile intake probation
6 officer, as those terms are defined in section 29-2246.

7 **Sec. 16.** Section 28-508, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 28-508 (1) A person commits the offense of possession of burglar's
10 tools if such person:

11 (a) Knowingly ~~He knowingly~~ possesses any explosive, tool,
12 instrument, key or lock adopted by a postal service for any box or other
13 authorized receptacle for the deposit or delivery of mail, or other
14 article adapted, designed, or commonly used for committing or
15 facilitating the commission of an offense involving forcible entry into
16 premises or theft by a physical taking; and

17 (b) Intends ~~He intends~~ to use the explosive, tool, instrument, key,
18 lock, or article, or knows some person intends ultimately to use it, in
19 the commission of an offense of the nature described in subdivision (1)
20 (a) of this section.

21 (2) Possession of burglar's tools is a Class IV felony.

22 **Sec. 17.** Section 28-610, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 28-610 (1) A person commits the offense of impersonating a peace
25 officer if he or she falsely pretends to be a peace officer and performs
26 any act in that pretended capacity.

27 (2) Impersonating a peace officer is a Class IV felony ~~+~~
28 ~~misdemeanor.~~

29 **Sec. 18.** Section 28-703, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 28-703 (1) A Any person commits the offense of incest if he or she

1 ~~who shall~~ knowingly;

2 (a) Intermarries or engages intermarry or engage in sexual
3 penetration or sexual contact with any person who falls within the
4 degrees of consanguinity set forth in section 28-702;

5 (b) Engages or any person who engages in sexual penetration or
6 sexual contact with his or her stepchild who is under nineteen years of
7 age; ~~or commits incest.~~

8 (c) Engages in sexual penetration or sexual contact with his or her
9 adopted child or foster child.

10 (2) Incest is a Class III felony, except that incest with a person
11 who is under eighteen years of age is a Class IIA felony.

12 (3) (3)(a) For purposes of this section, the definitions found in
13 section 28-318 shall be used.

14 (4) (b) The testimony of a victim shall be entitled to the same
15 weight as the testimony of victims of other crimes under this code.

16 **Sec. 19.** Section 28-712.01, Revised Statutes Supplement, 2025, is
17 amended to read:

18 28-712.01 (1)(a) The department may assign a report for alternative
19 response consistent with the Child Protection and Family Safety Act.

20 (b) No report involving any of the following shall be assigned to
21 alternative response but shall be immediately forwarded to law
22 enforcement or the county attorney:

23 (i) Murder in the first or second degree as defined in section
24 28-303 or 28-304 or manslaughter as defined in section 28-305;

25 (ii) Assault in the first, second, or third degree or assault by
26 strangulation or suffocation as defined in section 28-308, 28-309,
27 28-310, or 28-310.01;

28 (iii) Sexual abuse, including acts prohibited by section 28-319,
29 28-319.01, 28-320, 28-320.01, 28-320.02, 28-322.01, 28-322.02, 28-322.03,
30 28-322.04, 28-322.05, 28-703, or 28-707 or section 12 or 13 of this act;

31 (iv) Labor trafficking of a minor or sex trafficking of a minor as

1 defined in section 28-830;

2 (v) Neglect of a minor child that results in serious bodily injury
3 as defined in section 28-109, requires hospitalization of the child, or
4 results in an injury to the child that requires ongoing medical care,
5 behavioral health care, or physical or occupational therapy, including a
6 growth delay, which may be referred to as failure to thrive, that has
7 been diagnosed by a physician and is due to parental neglect;

8 (vi) Physical abuse to the head or torso of a child or physical
9 abuse that results in bodily injury;

10 (vii) An allegation that requires a forensic interview at a child
11 advocacy center or coordination with the child abuse and neglect
12 investigation team pursuant to section 28-728;

13 (viii) Out-of-home child abuse or neglect;

14 (ix) An allegation being investigated by a law enforcement agency at
15 the time of the assignment;

16 (x) A history of termination of parental rights;

17 (xi) Absence of a caretaker without having given an alternate
18 caregiver authority to make decisions and grant consents for necessary
19 care, treatment, and education of a child or without having made
20 provision to be contacted to make such decisions or grant such consents;

21 (xii) Domestic violence involving a caretaker in situations in which
22 the alleged perpetrator has access to the child or caretaker;

23 (xiii) A household member illegally manufactures methamphetamine or
24 opioids;

25 (xiv) A child has had contact with methamphetamine or other
26 nonprescribed opioids, including a positive drug screening or test; or

27 (xv) For a report involving an infant, a household member tests
28 positive for methamphetamine or nonprescribed opioids at the birth of
29 such infant.

30 (c) The department may adopt and promulgate rules and regulations to

31 (i) provide additional ineligibility criteria for assignment to

1 alternative response and (ii) establish additional criteria requiring
2 review by the Review, Evaluate, and Decide Team.

3 (d) A report that includes any of the following may be eligible for
4 alternative response but shall first be reviewed by the Review, Evaluate,
5 and Decide Team prior to assignment to alternative response:

6 (i) Domestic assault as defined in section 28-323 or domestic
7 violence in the family home;

8 (ii) Use of alcohol or controlled substances as defined in section
9 28-401 or 28-405 by a caregiver that impairs the caregiver's ability to
10 care and provide safety for the child; or

11 (iii) A family member residing in the home or a caregiver that has
12 been the subject of a report accepted for traditional response or
13 assigned to alternative response in the past six months.

14 (2) The Review, Evaluate, and Decide Team shall convene to review
15 reports pursuant to the department's rules, regulations, and policies, to
16 evaluate the information, and to determine assignment for alternative
17 response or traditional response. The team shall utilize consistent
18 criteria to review the severity of the allegation of child abuse or
19 neglect, access to the perpetrator, vulnerability of the child, family
20 history including previous reports, parental cooperation, parental or
21 caretaker protective factors, and other information as deemed necessary.
22 At the conclusion of the review, the report shall be assigned to either
23 traditional response or alternative response. Decisions of the team shall
24 be made by consensus. If the team cannot come to consensus, the report
25 shall be assigned for a traditional response.

26 (3) In the case of an alternative response, the department shall
27 complete a comprehensive assessment. The department shall transfer the
28 case being given alternative response to traditional response if the
29 department determines that a child is unsafe or if the concern for the
30 safety of the child is due to a temporary living arrangement. Upon
31 completion of the comprehensive assessment, if it is determined that the

1 child is safe, participation in services offered to the family receiving
2 an alternative response is voluntary, the case shall not be transferred
3 to traditional response based upon the family's failure to enroll or
4 participate in such services, and the subject of the report shall not be
5 entered into the central registry of child protection cases maintained
6 pursuant to section 28-718.

7 (4) The department shall, by the next working day after receipt of a
8 report of child abuse or neglect, enter into the tracking system of child
9 protection cases maintained pursuant to section 28-715 all reports of
10 child abuse or neglect received under this section that are opened for
11 alternative response and any action taken.

12 (5) The department shall make available to the appropriate
13 investigating law enforcement agency, child advocacy center, and county
14 attorney a copy of all reports relative to a case of suspected child
15 abuse or neglect. Aggregate, nonidentifying data regarding reports of
16 child abuse or neglect receiving an alternative response shall be made
17 available quarterly to requesting agencies outside the department. Such
18 alternative response data shall include, but not be limited to, the
19 nature of the initial child abuse or neglect report, the age of the child
20 or children, the nature of services offered, the location of the cases,
21 the number of cases per month, and the number of alternative response
22 cases that were transferred to traditional response. Other than the
23 office of Inspector General of Nebraska Child Welfare, the Public
24 Counsel, law enforcement agency personnel, child advocacy center
25 employees, and county attorneys, no other agency or individual shall be
26 provided specific, identifying reports of child abuse or neglect being
27 given alternative response. The office of Inspector General of Nebraska
28 Child Welfare shall have access to all reports relative to cases of
29 suspected child abuse or neglect subject to traditional response and
30 those subject to alternative response. The department and the office
31 shall develop procedures allowing for the Inspector General's review of

1 cases subject to alternative response. The Inspector General shall
2 include in the report pursuant to section 50-1818 a summary of all cases
3 reviewed pursuant to this subsection.

4 **Sec. 20.** Section 28-1205, Revised Statutes Supplement, 2025, is
5 amended to read:

6 28-1205 (1)(a) Any person who uses a firearm, a knife, brass or iron
7 knuckles, or any other deadly weapon to commit any felony which may be
8 prosecuted in a court of this state commits the offense of use of a
9 deadly weapon to commit a felony.

10 (b) Use of a deadly weapon, other than a firearm, to commit a felony
11 is a Class II felony.

12 (c) Use of a deadly weapon, which is a firearm, to commit a felony
13 is a Class IC felony.

14 (2)(a) Any person who possesses a firearm, a knife, brass or iron
15 knuckles, or a destructive device during the commission of any felony
16 which may be prosecuted in a court of this state commits the offense of
17 possession of a deadly weapon during the commission of a felony.

18 (b) Possession of a deadly weapon, other than a firearm, during the
19 commission of a felony is a Class III felony.

20 (c) Possession of a deadly weapon, which is a firearm, during the
21 commission of a felony is a Class II felony.

22 (3)(a) Any person who carries a firearm or a destructive device
23 during the commission of a dangerous misdemeanor commits the offense of
24 carrying a firearm or destructive device during the commission of a
25 dangerous misdemeanor.

26 (b) A violation of this subsection is a:

27 (i) Class I misdemeanor for a first or second offense; and

28 (ii) A Class IV felony for any third or subsequent offense.

29 (4) A violation of this section shall be treated as a separate and
30 distinct offense from the underlying crimes being committed, and a
31 sentence imposed under this section shall be consecutive to any other

1 sentence imposed.

2 (5) Possession of a deadly weapon may be proved through evidence
3 demonstrating either actual or constructive possession of a firearm, a
4 knife, brass or iron knuckles, or a destructive device during,
5 immediately prior to, or immediately after the commission of a felony.

6 (6) For purposes of this section:

7 (a) Dangerous misdemeanor means a misdemeanor violation of any of
8 the following offenses:

9 (i) Stalking under section 28-311.03;

10 (ii) Knowing violation of any protection order issued under the
11 Protection Orders Act;

12 (iii) Domestic assault under section 28-323;

13 (iv) Assault of an unborn child in the third degree under section
14 28-399;

15 (v) Theft by shoplifting under section 28-511.01;

16 (vi) Unauthorized use of a propelled vehicle under section 28-516;

17 (vii) Criminal mischief under section 28-519 if such violation
18 arises from an incident involving the commission of a misdemeanor crime
19 of domestic violence;

20 ~~(viii) Impersonating a police officer under section 28-610;~~

21 (viii) ~~(ix)~~ Resisting arrest under section 28-904;

22 (ix) ~~(x)~~ Operating a motor vehicle or vessel to avoid arrest under
23 section 28-905;

24 (x) ~~(xi)~~ Obstructing a peace officer under section 28-906; or

25 (xi) ~~(xii)~~ Any attempt under section 28-201 to commit an offense
26 described in subdivisions (6)(a)(i) through (x) ~~(xi)~~ of this section;

27 (b) Destructive device has the same meaning as in section 28-1213;

28 (c) Misdemeanor crime of domestic violence has the same meaning as
29 in section 28-1206; and

30 (d) Use of a deadly weapon includes the discharge, employment, or
31 visible display of any part of a firearm, a knife, brass or iron

1 knuckles, any other deadly weapon, or a destructive device during,
2 immediately prior to, or immediately after the commission of a felony or
3 communication to another indicating the presence of a firearm, a knife,
4 brass or iron knuckles, any other deadly weapon, or a destructive device
5 during, immediately prior to, or immediately after the commission of a
6 felony, regardless of whether such firearm, knife, brass or iron
7 knuckles, deadly weapon, or destructive device was discharged, actively
8 employed, or displayed.

9 **Sec. 21.** Section 28-1701, Revised Statutes Supplement, 2025, is
10 amended to read:

11 28-1701 (1) A person shall not be arrested or prosecuted for an
12 eligible alcohol or drug offense if such person witnessed or was the
13 victim of a sexual assault and such person:

14 (a) Either:

15 (i) In good faith, reported such sexual assault to law enforcement;

16 or

17 (ii) Requested emergency medical assistance for the victim of the
18 sexual assault; and

19 (b) Evidence supporting the arrest or prosecution of the eligible
20 alcohol or drug offense was obtained or discovered as a result of such
21 person reporting such sexual assault to law enforcement or requesting
22 emergency medical assistance.

23 (2) A person shall not be arrested or prosecuted for an eligible
24 alcohol or drug offense if:

25 (a) Evidence supporting the arrest or prosecution of the person for
26 the offense was obtained or discovered as a result of the investigation
27 or prosecution of a sexual assault; and

28 (b) Such person cooperates with law enforcement in the investigation
29 or prosecution of the sexual assault.

30 (3) For purposes of this section:

31 (a) Eligible alcohol or drug offense means:

1 (i) A violation of subsection (3) or (13) of section 28-416 or of
2 section 28-441;

3 (ii) A violation of section 53-180.02 committed by a person older
4 than eighteen years of age and under the age of twenty-one years, as
5 described in subdivision (4)(a) of section 53-180.05;

6 (iii) A violation of a city or village ordinance similar to
7 subdivision (3)(a)(i) or (ii) of this section; or

8 (iv) Attempt, conspiracy, solicitation, being an accessory to,
9 aiding and abetting, aiding the consummation of, or compounding a felony
10 with any of the offenses in subdivision (3)(a)(i), (ii), or (iii) of this
11 section as the underlying offense; and

12 (b) Sexual assault means:

13 (i) A violation of section 28-316.01, 28-319, 28-319.01, 28-320,
14 28-320.01, 28-320.02, 28-322.01, 28-322.02, 28-322.03, 28-322.04,
15 28-322.05, 28-703, or 28-1805 or section 12 or 13 of this act, sex
16 trafficking or sex trafficking of a minor under section 28-831, or
17 subdivision (1)(c) or (g) of section 28-386 or subdivision (1)(d), (e),
18 or (f) of section 28-707; or

19 (ii) Attempt, conspiracy, solicitation, being an accessory to,
20 aiding and abetting, aiding the consummation of, or compounding a felony
21 with any of the offenses listed in subdivision (3)(b)(i) of this section
22 as the underlying offense.

23 **Sec. 22.** For purposes of sections 22 to 29 of this act:

24 (1) Brady-Giglio case law means Brady v. Maryland, 373 U.S. 83
25 (1963), and Giglio v. United States, 405 U.S. 150 (1972), and subsequent
26 cases of the Supreme Court of the United States and the Supreme Court of
27 Nebraska;

28 (2) Brady-Giglio disclosure means a disclosure made by a prosecuting
29 agency pursuant to Brady-Giglio case law;

30 (3) Law enforcement agency has the same meaning as in section
31 81-1401;

1 (4) Law enforcement officer has the same meaning as in section
2 81-1401;

3 (5) Officer means:

4 (a) A law enforcement officer; or

5 (b) A correctional officer employed by a jail or by the Department
6 of Correctional Services;

7 (6) Prosecuting agency means the Department of Justice, the office
8 of a county attorney or city attorney, or a special prosecutor; and

9 (7) Public safety agency means:

10 (a) A law enforcement agency;

11 (b) A city or county jail;

12 (c) The Department of Correctional Services; or

13 (d) Any other agency of state or local government that employs
14 officers.

15 **Sec. 23.** (1) An officer shall not be discharged, disciplined, or
16 threatened with discharge or discipline, or subject to revocation or
17 suspension of a certificate under sections 81-1401 to 81-1414.19, solely
18 because a prosecuting agency has:

19 (a) Named the officer in a Brady-Giglio disclosure or determined
20 that such officer may be subject to such disclosure; or

21 (b) Disclosed to any person that the officer is named in a Brady-
22 Giglio disclosure.

23 (2) This section does not prohibit a dismissal, a suspension, a
24 demotion, or any other disciplinary action against an officer, or against
25 a certificate issued under sections 81-1401 to 81-1414.19, based on the
26 underlying action that resulted in such officer being named in a Brady-
27 Giglio disclosure or being considered for such disclosure.

28 **Sec. 24.** (1)(a) This section applies to any county with a
29 population of one hundred thousand or more inhabitants.

30 (b) For a county which includes a city of the metropolitan or
31 primary class, the county attorney and city attorney of such city shall

1 operate under an interlocal agreement to fulfill the requirements of this
2 section.

3 (2) Before a prosecuting agency names an officer in a Brady-Giglio
4 disclosure, the prosecuting agency shall fulfill the requirements of this
5 section.

6 (3)(a) The prosecuting agency shall create an informal advisory
7 committee for evaluating possible Brady-Giglio disclosures. The advisory
8 committee shall provide recommendations to county attorneys, city
9 attorneys, and special prosecutors within the county. Each such
10 prosecuting agency retains ultimate discretion on whether to name an
11 officer in a Brady-Giglio disclosure.

12 (b)(i) For a county which includes a city of the metropolitan class
13 or primary class, the advisory committee shall be comprised of two
14 prosecutors appointed by the county attorney and two prosecutors
15 appointed by the city attorney for such city.

16 (ii) For any other county with a population of one hundred thousand
17 or more inhabitants, the advisory committee shall be comprised of four
18 prosecutors appointed by the county attorney, with two of such
19 prosecutors being from jurisdictions within the county and two
20 prosecutors from jurisdictions in any other Nebraska county or counties.

21 (4) Each prosecuting agency shall adopt a process for reviewing and
22 making determinations for prospective Brady-Giglio disclosures that
23 includes the following provisions:

24 (a) The prosecuting agency shall provide an officer with written
25 notice, including the proposed rationale, before determining whether such
26 officer is subject to a prospective Brady-Giglio disclosure. An officer
27 shall have the right to be represented by counsel at every stage of
28 determination under this subsection;

29 (b) The prosecuting agency shall provide the officer with a
30 reasonable opportunity to respond to the proposed determination;

31 (c)(i) If an officer in good faith contests the proposed

1 determination, the prosecuting agency shall request the advisory
2 committee to make a recommendation on whether to name the officer in a
3 prospective disclosure.

4 (ii) The prosecuting agency shall provide the advisory committee
5 with materials that support or corroborate naming the officer in such
6 prospective disclosure and any exculpatory materials provided by the
7 officer.

8 (iii) The advisory committee may request further information from
9 the officer or prosecuting agency, including oral testimony from the
10 officer, and may conduct an informal hearing.

11 (iv) The advisory committee shall make a recommendation to the
12 prosecuting agency as to whether a prospective disclosure is required
13 under Brady-Giglio case law and shall provide written notice of such
14 recommendation to the prosecuting agency; and

15 (d) The prosecuting agency shall consider, but is not bound by, the
16 recommendation of the advisory committee. Upon the prosecuting agency
17 making a final decision on whether to name such officer in a prospective
18 Brady-Giglio disclosure, the prosecuting agency shall provide written
19 notice to the officer of its final decision.

20 (5) The requirements of this section apply to any officer subject to
21 a prospective Brady-Giglio disclosure made on or after the operative date
22 of this section. This section applies even if an officer was named in a
23 related or similar Brady-Giglio disclosure prior to the operative date of
24 this section, unless such officer has already received notice and an
25 opportunity to be heard substantially similar to that required under this
26 section.

27 (6) Evidence presented to an advisory committee under this section
28 shall be kept confidential unless otherwise provided by law.

29 **Sec. 25.** (1) This section applies to any county with a population
30 of fewer than one hundred thousand inhabitants.

31 (2) A prosecuting agency shall provide an officer with written

1 notice, including the proposed rationale, when determining whether the
2 officer is subject to a prospective Brady-Giglio disclosure and shall
3 also provide written notice of the prosecuting agency's final decision on
4 such disclosure.

5 **Sec. 26.** (1)(a) An officer aggrieved by a prosecuting agency's
6 final decision to name the officer in a Brady-Giglio disclosure may file
7 a petition in the district court seeking review of such decision.

8 (b) For an officer in a county with one hundred thousand or more
9 inhabitants:

10 (i) Prior to filing the petition, the officer shall complete the
11 informal advisory committee process under section 24 of this act; and

12 (ii) The petition shall be filed within ten days after receiving
13 written notice of the prosecuting agency's final decision under
14 subdivision (4)(d) of section 24 of this act.

15 (c) For an officer in a county with fewer than one hundred thousand
16 inhabitants, the petition shall be filed within ten days after receiving
17 written notice of the prosecuting agency's final decision under section
18 25 of this act.

19 (2) Within ten days after filing the petition, the officer shall
20 provide a complete record to the court, including, but not limited to, a
21 bill of exceptions, transcripts, orders, findings, statements,
22 investigations, any records pertaining to such officer that have been
23 sealed pursuant to section 29-3523, and any other material that led to
24 the prosecuting agency's decision to name the officer in a Brady-Giglio
25 disclosure. Nothing in this section shall give the officer the right to
26 obtain records from a prosecuting agency.

27 (3) Within ten days after the record being filed, notice of the
28 action shall be provided to any prosecuting agency named in the petition.
29 Any named prosecuting agency may review the record provided to the court
30 and provide an answer to the petition within ten days after being served
31 with the petition.

1 (4) The prosecuting agency shall provide the court with all
2 materials that led to the decision to name the officer in a Brady-Giglio
3 disclosure, including, if applicable, copies of all materials provided to
4 the advisory committee under section 24 of this act. The prosecuting
5 agency may request the court to direct the officer to provide
6 supplemental records. Upon receipt of the request, the court may direct
7 the officer to supplement the record as requested. If a prosecuting
8 agency requests a supplemental record, the agency shall have ten days
9 from the filing of the supplemental record to file an answer to the
10 petition. If an officer fails to supplement the record as ordered by the
11 court, the court shall dismiss the petition.

12 (5) Any petition, answer, or record submitted as part of the review
13 shall be sealed from public view and shall not be a public record.

14 (6) Within sixty days after the prosecuting agency files an answer,
15 the court shall, without written or oral arguments, conduct an in camera
16 review of the records filed in the case. If the court determines
17 additional evidence or testimony is necessary, the court shall conduct
18 further hearings as necessary, including questioning witnesses in camera
19 or directing the parties to further supplement the record.

20 (7) The court may modify or disagree with a prosecuting agency's
21 decision to the extent that the court finds, by clear and convincing
22 evidence, that the information or actions of the officer that served as
23 the rationale for the Brady-Giglio disclosure would not be exculpatory
24 evidence in the prosecution of any criminal offense.

25 (8) If the court determines that the officer has failed to meet his
26 or her burden of proof, the court shall dismiss the petition.

27 (9) This section applies even if an officer was named in a related
28 or similar Brady-Giglio disclosure prior to the operative date of this
29 section, unless such officer has already received notice and an
30 opportunity to be heard before the district court within the last five
31 years.

1 **Sec. 27.** (1) An officer's personal information, including, but not
2 limited to, the officer's home address, personal telephone number,
3 personal email address, date of birth, social security number, and
4 operator's license number shall be confidential and shall be redacted
5 from any record prior to the record's release to the public by the
6 employing public safety agency.

7 (2) Nothing in this section prohibits the release of an officer's
8 unredacted personal information to the officer's legal counsel, union
9 representative, or designated employee representative upon the request of
10 the officer or his or her personal representative or legal counsel.

11 (3) Nothing in this section shall prohibit the release of an
12 officer's or a public safety agency's reports pursuant to subdivision (1)
13 (g) of section 29-1912, pursuant to an order of discovery, or pursuant to
14 any other order of a court.

15 **Sec. 28.** An officer shall not be discharged, disciplined, or
16 threatened with discharge or discipline, or subject to revocation or
17 suspension of a certificate under sections 81-1401 to 81-1414.19, in
18 retaliation for exercising the rights of the officer enumerated in
19 sections 22 to 29 of this act.

20 **Sec. 29.** The rights enumerated in sections 22 to 29 of this act are
21 in addition to any other rights granted pursuant to a collective-
22 bargaining agreement or other law.

23 **Sec. 30.** Section 29-4003, Revised Statutes Supplement, 2025, is
24 amended to read:

25 29-4003 (1)(a) The Sex Offender Registration Act applies to any
26 person who on or after January 1, 1997:

27 (i) Has ever pled guilty to, pled nolo contendere to, or been found
28 guilty of any of the following:

29 (A) Kidnapping of a minor pursuant to section 28-313, except when
30 the person is the parent of the minor and was not convicted of any other
31 offense in this section;

1 (B) False imprisonment of a minor pursuant to section 28-314 or
2 28-315;

3 (C) Sexual assault pursuant to section 28-319 or 28-320;

4 (D) Sexual abuse by a school worker pursuant to section 28-316.01;

5 (E) Sexual assault of a child in the second or third degree pursuant
6 to section 28-320.01;

7 (F) Sexual assault of a child in the first degree pursuant to
8 section 28-319.01;

9 (G) Sexual abuse of a vulnerable adult or senior adult pursuant to
10 subdivision (1)(c) of section 28-386;

11 (H) Incest of a minor pursuant to section 28-703;

12 (I) Pandering of a minor pursuant to section 28-802;

13 (J) Conduct relating to child sexual abuse material under section
14 28-1805 or subdivision (2)(b) or (c) of section 28-1804;

15 (K) Knowingly possessing or receiving any child sexual abuse
16 material pursuant to subsection (1) or (5) of section 28-1803;

17 (L) Criminal child enticement pursuant to section 28-311;

18 (M) Child enticement by means of an electronic communication device
19 pursuant to section 28-320.02;

20 (N) Debauching a minor pursuant to section 28-805; or

21 (O) Attempt, solicitation, aiding or abetting, being an accessory,
22 or conspiracy to commit an offense listed in subdivisions (1)(a)(i)(A)
23 through (1)(a)(i)(N) of this section;

24 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
25 guilty of any offense that is substantially equivalent to a registrable
26 offense under subdivision (1)(a)(i) of this section by any village, town,
27 city, state, territory, commonwealth, or other jurisdiction of the United
28 States, by the United States Government, by court-martial or other
29 military tribunal, or by a foreign jurisdiction, notwithstanding a
30 procedure comparable in effect to that described under section 29-2264 or
31 any other procedure to nullify a conviction other than by pardon;

1 (iii) Is incarcerated in a jail, a penal or correctional facility,
2 or any other public or private institution or is under probation or
3 parole as a result of pleading guilty to or being found guilty of a
4 registrable offense under subdivision (1)(a)(i) or (ii) of this section
5 prior to January 1, 1997; or

6 (iv) Enters the state and is required to register as a sex offender
7 under the laws of another village, town, city, state, territory,
8 commonwealth, or other jurisdiction of the United States.

9 (b) In addition to the registrable offenses under subdivision (1)(a)
10 of this section, the Sex Offender Registration Act applies to any person
11 who on or after January 1, 2010:

12 (i)(A) Except as provided in subdivision (1)(b)(i)(B) of this
13 section, has ever pled guilty to, pled nolo contendere to, or been found
14 guilty of any of the following:

15 (I) Murder in the first degree pursuant to section 28-303;

16 (II) Murder in the second degree pursuant to section 28-304;

17 (III) Manslaughter pursuant to section 28-305;

18 (IV) Assault in the first degree pursuant to section 28-308;

19 (V) Assault in the second degree pursuant to section 28-309;

20 (VI) Assault in the third degree pursuant to section 28-310;

21 (VII) Stalking pursuant to section 28-311.03;

22 (VIII) Violation of section 28-311.08 requiring registration under
23 the act pursuant to subsection (6) of section 28-311.08;

24 (IX) Kidnapping pursuant to section 28-313;

25 (X) False imprisonment pursuant to section 28-314 or 28-315;

26 (XI) Sexual abuse of an inmate, a ~~or~~ parolee, a probationer, or a
27 problem solving court participant in the first degree pursuant to section
28 28-322.02;

29 (XII) Sexual abuse of an inmate, a ~~or~~ parolee, a probationer, or a
30 problem solving court participant in the second degree pursuant to
31 section 28-322.03;

1 (XIII) Sexual abuse of a protected individual pursuant to section
2 28-322.04;

3 (XIV) Incest pursuant to section 28-703;

4 (XV) Child abuse pursuant to subdivision (1)(d) or (e) of section
5 28-707;

6 (XVI) Enticement by electronic communication device pursuant to
7 section 28-833; or

8 (XVII) Attempt, solicitation, aiding or abetting, being an
9 accessory, or conspiracy to commit an offense listed in subdivisions (1)
10 (b)(i)(A)(I) through (1)(b)(i)(A)(XVI) of this section.

11 (B) In order for the Sex Offender Registration Act to apply to the
12 offenses listed in subdivisions (1)(b)(i)(A)(I), (II), (III), (IV), (V),
13 (VI), (VII), (IX), and (X) of this section, a court shall have found that
14 evidence of sexual penetration or sexual contact, as those terms are
15 defined in section 28-318, was present in the record, which shall include
16 consideration of the factual basis for a plea-based conviction and
17 information contained in the presentence report;

18 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
19 guilty of any offense that is substantially equivalent to a registrable
20 offense under subdivision (1)(b)(i) of this section by any village, town,
21 city, state, territory, commonwealth, or other jurisdiction of the United
22 States, by the United States Government, by court-martial or other
23 military tribunal, or by a foreign jurisdiction, notwithstanding a
24 procedure comparable in effect to that described under section 29-2264 or
25 any other procedure to nullify a conviction other than by pardon; or

26 (iii) Enters the state and is required to register as a sex offender
27 under the laws of another village, town, city, state, territory,
28 commonwealth, or other jurisdiction of the United States.

29 (c) In addition to the registrable offenses under subdivisions (1)
30 (a) and (b) of this section, the Sex Offender Registration Act applies to
31 any person who on or after January 1, 2020:

1 (i) Has ever pled guilty to, pled nolo contendere to, or been found
2 guilty of sexual abuse of a detainee under section 28-322.05; or

3 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
4 guilty of any offense that is substantially equivalent to a registrable
5 offense under subdivision (1)(c)(i) of this section by any village, town,
6 city, state, territory, commonwealth, or other jurisdiction of the United
7 States, by the United States Government, by court-martial or other
8 military tribunal, or by a foreign jurisdiction, notwithstanding a
9 procedure comparable in effect to that described under section 29-2264 or
10 any other procedure to nullify a conviction other than by pardon.

11 (d) In addition to the registrable offenses under subdivisions (1)
12 (a), (b), and (c) of this section, the Sex Offender Registration Act
13 applies to any person who on or after January 1, 2023:

14 (i) Has ever pled guilty to, pled nolo contendere to, or been found
15 guilty of human trafficking under subsection (1) or (2) of section
16 28-831, and the court determines either by notification of sex offender
17 registration responsibilities or notation in the sentencing order that
18 the human trafficking was sex trafficking or sex trafficking of a minor
19 and not solely labor trafficking or labor trafficking of a minor; or

20 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
21 guilty of any offense that is substantially equivalent to a registrable
22 offense under subdivision (1)(d)(i) of this section by any village, town,
23 city, state, territory, commonwealth, or other jurisdiction of the United
24 States, by the United States Government, by court-martial or other
25 military tribunal, or by a foreign jurisdiction, notwithstanding a
26 procedure comparable in effect to that described under section 29-2264 or
27 any other procedure to nullify a conviction other than by pardon.

28 (e) In addition to the registrable offenses under subdivisions (1)
29 (a), (b), (c), and (d) of this section, the Sex Offender Registration Act
30 applies to any person who on or after the operative date of this section:

31 (i) Has ever pled guilty to, pled nolo contendere to, or been found

1 guilty of:

2 (A) Sexual abuse by a conservator, guardian, or guardian ad litem
3 under section 12 of this act; or

4 (B) Sexual abuse by a child welfare service provider under section
5 13 of this act; or

6 (ii) Has ever pled guilty to, pled nolo contendere to, or been found
7 guilty of any offense that is substantially equivalent to a registrable
8 offense under subdivision (1)(e)(i) of this section by any village, town,
9 city, state, territory, commonwealth, or other jurisdiction of the United
10 States, by the United States Government, by court-martial or other
11 military tribunal, or by a foreign jurisdiction, notwithstanding a
12 procedure comparable in effect to that described under section 29-2264 or
13 any other procedure to nullify a conviction other than by pardon.

14 (2) A person appealing a conviction of a registrable offense under
15 this section shall be required to comply with the act during the appeals
16 process.

17 **Sec. 31.** (1) For purposes of this section, county conflict counsel
18 means an attorney licensed to practice law in this state who is employed
19 by the county or has a contract with the county to provide legal
20 representation to clients who would normally be represented by the public
21 defender, but for whom the public defender is unable to provide such
22 representation due to conflicting interests or due to other good cause as
23 determined by the court.

24 (2)(a) In any county with a public defender and a population of one
25 hundred thousand or more inhabitants, the county may employ one or more
26 county conflict counsel.

27 (b) In any county with a public defender and a population of less
28 than one hundred thousand inhabitants, the county may employ or contract
29 for one or more county conflict counsel.

30 (3) When a county first employs or contracts for county conflict
31 counsel, the county board shall immediately provide written notice of

1 such employment or contract to:

2 (a) Each presiding judge of the county court and district court of
3 such county;

4 (b) Each presiding judge of any separate juvenile court of such
5 county;

6 (c) Each child support referee appointed in such county; and

7 (d) The clerk of the district court on behalf of the mental health
8 board with jurisdiction within such county.

9 (4) It shall be the duty of county conflict counsel to provide
10 representation to indigent individuals in the same manner as the public
11 defender.

12 (5) In a county with a population of more than one hundred seventy
13 thousand inhabitants, any county conflict counsel shall devote his or her
14 full time to the legal work of representing indigent individuals as
15 provided in this section and shall not engage in the private practice of
16 law.

17 (6) No county conflict counsel shall solicit or accept any fee,
18 other than compensation from the county, for representing an indigent
19 individual that such counsel has been appointed to represent.

20 **Sec. 32.** Section 29-3901, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 29-3901 For purposes of sections 29-3901 to 29-3908:

23 (1) County conflict counsel has the same meaning as in section 31 of
24 this act;

25 (2) ~~(1)~~ Court means shall mean a district court or a county court;

26 (3) ~~(2)~~ Felony defendant means shall mean a person who is charged by

27 complaint, information, or indictment with or who is under arrest for

28 investigation or on suspicion that he or she may have committed any

29 criminal offense which may be punishable by imprisonment in a Department

30 of Correctional Services adult correctional facility;

31 (4) ~~(3)~~ Indigent means shall mean the inability to retain legal

1 counsel without prejudicing one's financial ability to provide economic
2 necessities for one's self or one's family. Before a felony defendant's
3 initial court appearance, the determination of his or her indigency shall
4 be made by the public defender, but thereafter it shall be made by the
5 court; and

6 (5) ~~(4)~~ Judge means ~~shall mean~~ a judge of the district court, a
7 judge of the county court, or a clerk magistrate.

8 **Sec. 33.** Section 29-3903, Revised Statutes Cumulative Supplement,
9 2024, is amended to read:

10 29-3903 (1) At a felony defendant's first appearance before a judge,
11 the judge shall advise him or her of the right to court-appointed counsel
12 if such person is indigent. If he or she asserts indigency, the court
13 shall make a reasonable inquiry to determine such person's financial
14 condition and shall require him or her to execute an affidavit of
15 indigency for filing with the clerk of the court.

16 (2) If the court determines the defendant to be indigent, it shall
17 formally appoint the public defender or county conflict counsel or, in
18 counties not having a public defender, an attorney or attorneys licensed
19 to practice law in this state, not exceeding two, to represent the
20 indigent felony defendant at all future critical stages of the criminal
21 proceedings against such defendant, consistent with the provisions of
22 section 23-3402. Appointed ~~, but appointed~~ counsel other than the public
23 defender or county conflict counsel must obtain leave of court before
24 being authorized to proceed beyond an initial direct appeal to either the
25 Court of Appeals or the Supreme Court of Nebraska to any further direct,
26 collateral, or postconviction appeals to state or federal courts.

27 (3) A felony defendant who is not indigent at the time of his or her
28 first appearance before a judge may nevertheless assert his or her
29 indigency at any subsequent stage of felony proceedings, at which time
30 the judge shall consider appointing counsel as otherwise provided in this
31 section.

1 (4) The judge, upon filing such order for appointment, shall note
2 all appearances of appointed counsel upon the record. If at the time of
3 appointment of counsel the indigent felony defendant and appointed
4 counsel have not had a reasonable opportunity to consult concerning the
5 prosecution, the judge shall continue the arraignment, trial, or other
6 next stage of the felony proceedings for a reasonable period of time to
7 allow for such consultation.

8 **Sec. 34.** Section 29-3904, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 29-3904 (1) Nothing in sections 23-3402, 29-3902, and 29-3903 shall
11 prevent any judge from:

12 (a) Appointing ~~appointing~~ counsel other than the public defender,
13 the Commission on Public Advocacy, county conflict counsel, or other
14 substitute counsel when the public defender, the commission, county
15 conflict counsel, or counsel initially appointed might otherwise be
16 required to represent conflicting interests or for other good cause
17 shown; ~~τ~~

18 (b) ~~Not from~~ ~~not~~ appointing any counsel for any indigent felony
19 defendant who expressly waives his or her right to such counsel at any
20 stage of felony proceedings; ~~τ~~ or

21 (c) Appointing ~~from~~ ~~appointing~~ the public defender, the Commission
22 on Public Advocacy, county conflict counsel, or other counsel as may be
23 required or permitted by other applicable law.

24 (2)(a) This subsection only applies to a county that has county
25 conflict counsel.

26 (b) In a case in which (i) the public defender is unable to provide
27 representation due to conflicting interests or due to other good cause as
28 determined by the court and (ii) the Commission on Public Advocacy may be
29 appointed, the court may appoint the commission. Otherwise, the court
30 shall appoint county conflict counsel, unless such counsel cannot
31 represent the defendant due to conflicting interests or for other good

1 cause as determined by the court.

2 (3) (2) In selecting counsel to represent an indigent felony
3 defendant, the prosecuting attorney shall not have any role whatsoever in
4 the selection or appointment process of the counsel by the court,
5 including, but not limited to, any individual appointment suggestions.

6 **Sec. 35.** Section 29-3905, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 29-3905 Appointed counsel for an indigent felony defendant other
9 than the public defender or county conflict counsel shall apply to the
10 district court which appointed him or her for all expenses reasonably
11 necessary to permit him or her to effectively and competently represent
12 his or her client and for fees for services performed pursuant to such
13 appointment, except that if the defendant was not bound over for trial in
14 the district court, the application shall be made in the appointing
15 court. The court, upon hearing the application, shall fix reasonable
16 expenses and fees, and the county board shall allow payment to counsel in
17 the full amount determined by the court.

18 **Sec. 36.** Section 29-3918, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 29-3918 Nothing in sections 29-3910 to 29-3918 shall prevent a court
21 from appointing counsel other than the public defender, the Commission on
22 Public Advocacy, or county conflict counsel as defined in section 31 of
23 this act to represent indigent defendants or other persons by law
24 entitled to legal representation, but appointments of counsel other than
25 the public defender, the commission, or county conflict counsel shall be
26 limited to situations in which there are multiple defendants requiring
27 separate representation or when other exigent circumstances are present
28 which in the opinion of the court require appointment of counsel other
29 than the public defender, the commission, or county conflict counsel. In
30 all such cases of appointments of counsel other than the public defender,
31 the commission, or county conflict counsel, the procedure shall be in

1 accordance with sections 43-272 and 43-273 and the cost of such
2 appointments shall be paid by the county as provided in such sections.

3 **Sec. 37.** Section 29-3922, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 29-3922 For purposes of the County Revenue Assistance Act:

6 (1) Chief counsel means an attorney appointed to be the primary
7 administrative officer of the commission pursuant to section 29-3928;

8 (2) Commission means the Commission on Public Advocacy;

9 (3) Commission staff means attorneys, investigators, and support
10 staff who are performing work for the capital litigation division,
11 appellate division, DNA testing division, and major case resource center;

12 (4) Contracting attorney means an attorney contracting to act as a
13 public defender pursuant to sections 23-3404 to 23-3408;

14 (5) Court-appointed attorney means an attorney other than a
15 contracting attorney or a public defender appointed by the court to
16 represent an indigent person;

17 (6) Indigent defense services means legal services provided to
18 indigent persons by an indigent defense system in capital cases, felony
19 cases, misdemeanor cases, juvenile cases, mental health commitment cases,
20 child support enforcement cases, and paternity establishment cases;

21 (7) Indigent defense system means a system of providing services,
22 including any services necessary for litigating a case, by a contracting
23 attorney, court-appointed attorney, or public defender;

24 (8) Indigent person means a person who is indigent and unable to
25 obtain legal counsel as determined pursuant to subdivision (4) ~~(3)~~ of
26 section 29-3901; and

27 (9) Public defender means an attorney appointed or elected pursuant
28 to sections 23-3401 to 23-3403.

29 **Sec. 38.** Section 29-4309, Revised Statutes Supplement, 2025, is
30 amended to read:

31 29-4309 For the purposes of the Sexual Assault Victims' Bill of

1 Rights Act:

2 (1)(a) Advocate means:

3 (i) Any employee or supervised volunteer of a domestic violence and
4 sexual assault victim assistance program or of any other agency,
5 business, or organization that is not affiliated with a law enforcement
6 or prosecutor's office, whose primary purpose is assisting domestic
7 violence and sexual assault victims. This includes employees or
8 supervised volunteers of an Indian tribe or a postsecondary educational
9 institution;

10 (ii) A representative from a victim and witness assistance center as
11 established in sections 81-1845 to 81-1847 or a similar entity affiliated
12 with a law enforcement agency or prosecutor's office; or

13 (iii) An advocate who is employed by a child advocacy center that
14 meets the requirements of subsection (2) of section 28-728.

15 (b) If reasonably possible, an advocate shall speak the victim's
16 preferred language or use the services of a qualified interpreter;

17 (2) Health care provider means any individual who is licensed,
18 certified, or registered to perform specified health services consistent
19 with state law;

20 (3) Sexual assault means a violation of section 28-319, 28-319.01,
21 28-320, 28-320.01, 28-320.02, 28-322.01, 28-322.02, 28-322.03, 28-322.04,
22 28-322.05, 28-703, or 28-1805 or section 12 or 13 of this act, sex
23 trafficking or sex trafficking of a minor under section 28-831, or
24 subdivision (1)(c) or (g) of section 28-386 or subdivision (1)(d), (e),
25 or (f) of section 28-707;

26 (4) Sexual assault forensic evidence means evidence collected by a
27 health care provider contained within any sexual assault forensic
28 evidence collection kit, including a toxicology kit, or any forensic
29 evidence collected by law enforcement through the course of an
30 investigation; and

31 (5)(a) Sexual assault victim or victim means any person who is a

1 victim of sexual assault who reports such sexual assault:

2 (i) To a health care provider, law enforcement, or an advocate,
3 including anonymous reporting as provided in section 28-902; and

4 (ii) In the case of a victim who is under eighteen years of age, to
5 the Department of Health and Human Services.

6 (b) Sexual assault victim or victim also includes, if the victim
7 described in subdivision (5)(a) of this section is incompetent, deceased,
8 or a minor who is unable to consent to counseling services, such victim's
9 parent, guardian, or spouse, unless such person is the reported
10 assailant.

11 **Sec. 39.** Section 29-4316, Revised Statutes Supplement, 2025, is
12 amended to read:

13 29-4316 (1) For purposes of this section:

14 (a) Criminal justice agency has the same meaning as in section
15 29-3509;

16 (b) Sex trafficking means sex trafficking or sex trafficking of a
17 minor in violation of section 28-831; and

18 (c) Sexual assault means a violation of section 28-319, 28-319.01,
19 28-320, 28-320.01, 28-320.02, 28-322.01, 28-322.02, 28-322.03, 28-322.04,
20 28-322.05, 28-703, or 28-1805 or section 12 or 13 of this act or
21 subdivision (1)(c) or (g) of section 28-386 or subdivision (1)(d), (e),
22 or (f) of section 28-707.

23 (2) Except as provided in subsection (3) of this section, and unless
24 otherwise required by statute, a criminal justice agency and any attorney
25 involved in the investigation or prosecution of an alleged sexual assault
26 or sex trafficking violation shall maintain the confidentiality of the
27 identity and personal identifying information of the alleged victim. Such
28 information may be shared by such criminal justice agencies and between
29 such criminal justice agencies and attorneys as necessary to carry out
30 their duties.

31 (3) The confidentiality required by subsection (2) of this section

1 does not apply:

2 (a) To the extent waived by the alleged victim;

3 (b) If criminal charges involving the alleged sexual assault or sex
4 trafficking are filed;

5 (c) If the victim has died as a result of, or in connection with,
6 the alleged sexual assault or sex trafficking;

7 (d) In cases where personal identifying information or the identity
8 of the victim are released as part of a child abduction alert system used
9 by law enforcement agencies, such as the AMBER Alert system;

10 (e) To a person making a report of suspected child abuse or neglect
11 as required in section 28-711;

12 (f) To the sharing of reports and information regarding child abuse
13 and neglect with a child abuse and neglect investigation team or child
14 abuse and neglect treatment team provided for in section 28-728;

15 (g) To the Department of Health and Human Services and other
16 assisting agencies as necessary to carry out their duties in
17 investigations of child abuse or neglect;

18 (h) To communication with an individual that an educational entity,
19 as defined in section 79-1201.01, has designated:

20 (i) As a Title IX coordinator; or

21 (ii) To receive reports related to sexual assault or sex trafficking
22 or to provide supportive measures related to such reports; or

23 (i) To communication with advocates and health care providers as
24 defined in section 29-4309.

25 **Sec. 40.** Section 43-272, Revised Statutes Cumulative Supplement,
26 2024, is amended to read:

27 43-272 (1)(a) In counties having a population of less than one
28 hundred fifty thousand inhabitants:

29 (i) When any juvenile court petition is filed alleging jurisdiction
30 of a juvenile pursuant to subdivision (2) of section 43-247, counsel
31 shall be appointed for such juvenile; and

1 (ii) In any other instance in which a juvenile is brought without
2 counsel before a juvenile court, the court shall advise such juvenile and
3 his or her parent or guardian of their right to retain counsel and shall
4 inquire of such juvenile and his or her parent or guardian as to whether
5 they desire to retain counsel.

6 (b) In counties having a population of one hundred fifty thousand or
7 more inhabitants, when any juvenile court petition is filed alleging
8 jurisdiction of a juvenile pursuant to subdivision (1), (2), (3)(b), or
9 (4) of section 43-247, counsel shall be appointed for such juvenile.

10 (c) The court shall inform any juvenile described in this subsection
11 and his or her parent or guardian of such juvenile's right to counsel at
12 county expense if none of them is able to afford counsel. If the juvenile
13 or his or her parent or guardian desires to have counsel appointed for
14 such juvenile, or the parent or guardian of such juvenile cannot be
15 located, and the court ascertains that none of such persons are able to
16 afford an attorney, the court shall forthwith appoint an attorney to
17 represent such juvenile for all proceedings before the juvenile court,
18 except that if an attorney is appointed to represent such juvenile and
19 the court later determines that a parent of such juvenile is able to
20 afford an attorney, the court shall order such parent or juvenile to pay
21 for services of the attorney to be collected in the same manner as
22 provided by section 43-290. If the parent willfully refuses to pay any
23 such sum, the court may commit him or her for contempt, and execution may
24 issue at the request of the appointed attorney or the county attorney or
25 by the court without a request.

26 (d)(i) For purposes of this subdivision, county conflict counsel has
27 the same meaning as in section 31 of this act.

28 (ii) This subdivision (d) only applies to a county that has county
29 conflict counsel.

30 (iii) When appointing counsel other than the public defender to
31 represent a juvenile, the court shall appoint county conflict counsel,

1 unless such counsel cannot represent the juvenile due to conflicting
2 interests or for other good cause shown.

3 (2) The court, on its own motion or upon application of a party to
4 the proceedings, shall appoint a guardian ad litem for the juvenile: (a)
5 If the juvenile has no parent or guardian of his or her person or if the
6 parent or guardian of the juvenile cannot be located or cannot be brought
7 before the court; (b) if the parent or guardian of the juvenile is
8 excused from participation in all or any part of the proceedings; (c) if
9 the parent is a juvenile or an incompetent; (d) if the parent is
10 indifferent to the interests of the juvenile; or (e) in any proceeding
11 pursuant to the provisions of subdivision (3)(a) of section 43-247.

12 A guardian ad litem shall have the duty to protect the interests of
13 the juvenile for whom he or she has been appointed guardian, and shall be
14 deemed a parent of the juvenile as to those proceedings with respect to
15 which his or her guardianship extends.

16 (3) The court shall appoint an attorney as guardian ad litem. A
17 guardian ad litem shall act as his or her own counsel and as counsel for
18 the juvenile, unless there are special reasons in a particular case why
19 the guardian ad litem or the juvenile or both should have separate
20 counsel. In such cases the guardian ad litem shall have the right to
21 counsel, except that the guardian ad litem shall be entitled to appointed
22 counsel without regard to his or her financial ability to retain counsel.
23 Whether such appointed counsel shall be provided at the cost of the
24 county shall be determined as provided in subsection (1) of this section.

25 (4) By July 1, 2015, the Supreme Court shall provide by court rule
26 standards for guardians ad litem for juveniles in juvenile court
27 proceedings.

28 (5) By July 1, 2017, the Supreme Court shall provide guidelines
29 setting forth standards for all attorneys who practice in juvenile court.

30 **Sec. 41.** Section 43-273, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 43-273 (1) Counsel and guardians ad litem appointed outside of the
2 guardian ad litem division as provided in section 43-272 shall apply to
3 the court before which the proceedings were had for fees for services
4 performed. The court upon hearing the application shall fix reasonable
5 fees. The county board of the county wherein the proceedings were had
6 shall allow the account, bill, or claim presented by any attorney or
7 guardian ad litem for services performed under section 43-272 in the
8 amount determined by the court. No such account, bill, or claim shall be
9 allowed by the county board until the amount thereof shall have been
10 determined by the court.

11 (2) This section does not apply to the public defender or to county
12 conflict counsel as defined in section 31 of this act.

13 **Sec. 42.** Section 43-2923, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 43-2923 The best interests of the child require:

16 (1) A parenting arrangement and parenting plan or other court-
17 ordered arrangement which provides for a child's safety, emotional
18 growth, health, stability, and physical care and regular and continuous
19 school attendance and progress for school-age children;

20 (2) When a preponderance of the evidence indicates domestic intimate
21 partner abuse, a parenting and visitation arrangement that provides for
22 the safety of a victim parent;

23 (3) That the child's families and those serving in parenting roles
24 remain appropriately active and involved in parenting with safe,
25 appropriate, continuing quality contact between children and their
26 families when they have shown the ability to act in the best interests of
27 the child and have shared in the responsibilities of raising the child;

28 (4) That even when parents have voluntarily negotiated or mutually
29 mediated and agreed upon a parenting plan, the court shall determine
30 whether it is in the best interests of the child for parents to maintain
31 continued communications with each other and to make joint decisions in

1 performing parenting functions as are necessary for the care and healthy
2 development of the child. If the court rejects a parenting plan, the
3 court shall provide written findings as to why the parenting plan is not
4 in the best interests of the child;

5 (5) That certain principles provide a basis upon which education of
6 parents is delivered and upon which negotiation and mediation of
7 parenting plans are conducted. Such principles shall include: To minimize
8 the potentially negative impact of parental conflict on children; to
9 provide parents the tools they need to reach parenting decisions that are
10 in the best interests of a child; to provide alternative dispute
11 resolution or specialized alternative dispute resolution options that are
12 less adversarial for the child and the family; to ensure that the child's
13 voice is heard and considered in parenting decisions; to maximize the
14 safety of family members through the justice process; and, in cases of
15 domestic intimate partner abuse or child abuse or neglect, to incorporate
16 the principles of victim safety and sensitivity, offender accountability,
17 and community safety in parenting plan decisions; and

18 (6) In determining custody and parenting arrangements, the court
19 shall consider the best interests of the minor child, which shall
20 include, but not be limited to, consideration of the foregoing factors
21 and:

22 (a) The relationship of the minor child to each parent prior to the
23 commencement of the action or any subsequent hearing;

24 (b) The desires and wishes of the minor child, if of an age of
25 comprehension but regardless of chronological age, when such desires and
26 wishes are based on sound reasoning;

27 (c) The general health, welfare, and social behavior of the minor
28 child;

29 (d) Credible evidence showing increased intellectual and social
30 growth in children who have equal access to both parents;

31 (e) ~~(d)~~ Credible evidence of abuse inflicted on any family or

1 household member. For purposes of this subdivision, abuse and family or
2 household member shall have the meanings prescribed in section 42-903;
3 and

4 (f) ~~(e)~~ Credible evidence of child abuse or neglect or domestic
5 intimate partner abuse. For purposes of this subdivision, the definitions
6 in section 43-2922 shall be used.

7 **Sec. 43.** Section 71-946, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 71-946 (1) The appointment of counsel under section 71-945 shall be
10 in accordance with this section. ~~the following procedures:~~

11 (2) ~~In (1) Except in counties not having a public defender,~~ upon the
12 receipt from the mental health board of a certificate for the appointment
13 of counsel, the clerk of the district court shall notify the district
14 judge or the county judge of the county in which the proceedings are
15 pending of the receipt of such certificate. The judge to whom the
16 certificate was issued shall appoint an attorney to represent the person
17 concerning whom an application is filed before the mental health board,
18 whereupon the clerk of the court shall enter upon the certificate the
19 name of the attorney appointed and deliver the certificate of appointment
20 of counsel to the mental health board. The clerk of the district court or
21 the clerk of the county court shall also keep and maintain a record of
22 all appointments which shall be conclusive evidence thereof. All
23 appointments of counsel under the Nebraska Mental Health Commitment Act
24 or the Sex Offender Commitment Act may be made at any time or place in
25 the state. ~~;~~ ~~and~~

26 (3) ~~(2)~~ In counties having a public defender, upon receipt from the
27 mental health board of a certificate for the appointment of counsel, the
28 clerk of the district court shall notify the public defender of his or
29 her appointment to represent the person and shall enter upon the
30 certificate the name of the attorney appointed and deliver the
31 certificate of appointment of counsel to the mental health board.

1 (4)(a) For purposes of this section, county conflict counsel has the
2 same meaning as in section 31 of this act.

3 (b) This subsection only applies to a county that has county
4 conflict counsel.

5 (c) When appointing counsel other than the public defender to
6 represent a subject, the court shall appoint county conflict counsel,
7 unless such counsel cannot represent the subject due to conflicting
8 interests or for other good cause shown.

9 **Sec. 44.** Section 71-947, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 71-947 Counsel appointed as provided in subsection (2) subdivision
12 (1) of section 71-946 shall apply to the court in which his or her
13 appointment is recorded for fees for services performed. Such counsel may
14 also apply to the court to secure separate professional examination of
15 the person for whom counsel was appointed and shall be reimbursed for
16 costs incurred in securing such separate examination or examinations or
17 in having other professional persons as witnesses before the mental
18 health board. The court, upon hearing the application, shall fix
19 reasonable fees, including reimbursement of costs incurred. The county
20 board of the county in which the application was filed shall allow the
21 account, bill, or claim presented by the attorney for services performed
22 under the Nebraska Mental Health Commitment Act or the Sex Offender
23 Commitment Act in the amount determined by the court. No such account,
24 bill, or claim shall be allowed by the county board until the amount
25 thereof has been determined by the court.

26 **Sec. 45.** Section 71-948, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 71-948 A subject or the subject's counsel shall have the right to
29 employ mental health professionals of his or her choice to independently
30 evaluate the subject's mental condition and testify for and otherwise
31 assist the subject in proceedings under the Nebraska Mental Health

1 Commitment Act or the Sex Offender Commitment Act. If the subject is
2 indigent, only one such person may be employed except with leave of the
3 mental health board. Any person so employed by a subject determined by
4 the board to be indigent, except a subject represented by the public
5 defender or county conflict counsel as defined in section 31 of this act,
6 shall apply to the board for expenses reasonably necessary to such
7 person's effective assistance of the subject and for reasonable fees for
8 services performed by such person in assisting the subject. The board
9 shall then fix reasonable fees and expenses, and the county board shall
10 allow payment to such person in the full amount fixed by the board.

11 **Sec. 46.** Section 81-1850, Revised Statutes Supplement, 2025, is
12 amended to read:

13 81-1850 (1) For purposes of this section:

14 (a) Covered offense means:

15 (i) Murder in the first degree, section 28-303;

16 (ii) Murder in the second degree, section 28-304;

17 (iii) Manslaughter, section 28-305;

18 (iv) Motor vehicle homicide, section 28-306;

19 (v) Assault in the first degree, section 28-308;

20 (vi) Assault in the second degree, section 28-309;

21 (vii) Assault by strangulation or suffocation, section 28-310.01;

22 (viii) Terroristic threats, section 28-311.01;

23 (ix) Stalking, section 28-311.03;

24 (x) Kidnapping, section 28-313;

25 (xi) False imprisonment in the first degree, section 28-314;

26 (xii) Sexual abuse by a school employee, section 28-316.01;

27 (xiii) Sexual assault in the first degree, section 28-319;

28 (xiv) Sexual assault of a child in the first degree, section
29 28-319.01;

30 (xv) Sexual assault in the second degree, section 28-320;

31 (xvi) Sexual assault of a child in the second or third degree,

1 section 28-320.01;

2 (xvii) Child enticement by means of an electronic communication
3 device, section 28-320.02;

4 (xviii) Sexual abuse of an inmate, a parolee, a probationer, or a
5 problem solving court participant in the first degree, section 28-322.02;

6 (xix) Sexual abuse of an inmate, a parolee, a probationer, or a
7 problem solving court participant in the second degree, section
8 28-322.03;

9 (xx) ~~(xviii)~~ Sexual abuse of a protected individual, section
10 28-322.04;

11 (xxi) Sexual abuse of a detainee, section 28-322.05;

12 (xxii) Sexual abuse by a conservator, guardian, or guardian ad
13 litem, section 12 of this act;

14 (xxiii) Sexual abuse by a child welfare service provider, section 13
15 of this act;

16 (xxiv) ~~(xix)~~ Domestic assault in the first or second degree, section
17 28-323;

18 (xxv) ~~(xx)~~ Sex trafficking, sex trafficking of a minor, labor
19 trafficking, or labor trafficking of a minor, section 28-831; or

20 (xxvi) ~~(xxi)~~ An attempt, solicitation, or conspiracy to commit an
21 offense listed in subdivision (1)(a) of this section; and

22 (b) Victim has the same meaning as in section 29-119.

23 (2)(a) Except as provided in subdivision (2)(b) of this section,
24 when a person is convicted of a felony, the county attorney shall forward
25 the name and address of any victim of such convicted person to the Board
26 of Parole, the Department of Correctional Services, the county
27 corrections agency, the Department of Health and Human Services, and the
28 Board of Pardons, as applicable.

29 (b) A victim may waive the right to notification under this section
30 by notifying the county attorney, in which case the county attorney is
31 not required to comply with subdivision (2)(a) of this section.

1 (c) The Board of Parole, the Department of Correctional Services,
2 the county corrections agency, the Department of Health and Human
3 Services, and the Board of Pardons shall include the victim's name in the
4 file of the convicted person, but the name shall not be part of the
5 public record of any parole or pardons hearings of the convicted person.

6 (d) Any victim, including a victim who has waived his or her right
7 to notification, may request the notification prescribed in this section,
8 as applicable, by sending a written request to the Board of Parole, the
9 Department of Correctional Services, the county corrections agency, the
10 Department of Health and Human Services, or the Board of Pardons any time
11 after the convicted person is incarcerated and until the convicted person
12 is no longer under the jurisdiction of the Board of Parole, the county
13 corrections agency, the Department of Correctional Services, or the Board
14 of Pardons or, if the convicted person is under the jurisdiction of the
15 Department of Health and Human Services, within the three-year period
16 after the convicted person is no longer under the jurisdiction of the
17 Board of Parole, the county corrections agency, the Department of
18 Correctional Services, or the Board of Pardons.

19 (3) A victim whose name appears in the file of the convicted person
20 shall be notified by the Board of Parole:

21 (a) Within ninety days after conviction of an offender, of the
22 tentative date of release and the earliest parole eligibility date of
23 such offender;

24 (b) Of any parole hearings or proceedings;

25 (c) Of any decision of the Board of Parole;

26 (d) When a convicted person who is on parole is returned to custody
27 because of parole violations; and

28 (e) If the convicted person has been adjudged a mentally disordered
29 sex offender or is a convicted sex offender, when such convicted person
30 is released from custody or treatment.

31 Such notification shall be given in person, by telecommunication, or

1 by mail.

2 (4) A victim whose name appears in the file of the convicted person
3 shall be notified by the Department of Correctional Services or a county
4 corrections agency:

5 (a) When a convicted person is granted a furlough or release from
6 incarceration for twenty-four hours or longer or any transfer of the
7 convicted person to community status;

8 (b) When a convicted person is released into community-based
9 programs, including educational release and work release programs. Such
10 notification shall occur at the beginning and termination of any such
11 program;

12 (c) When a convicted person escapes or does not return from a
13 granted furlough or release and again when the convicted person is
14 returned into custody;

15 (d) When a convicted person is discharged from custody upon
16 completion of his or her sentence. Such notice shall be given at least
17 thirty days before discharge, when practicable;

18 (e) Of the (i) department's calculation of the earliest parole
19 eligibility date of the prisoner with all potential good time or
20 disciplinary credits considered if the sentence exceeds ninety days or
21 (ii) county corrections agency's calculation of the earliest release date
22 of the prisoner. The victim may request one notice of the calculation
23 described in this subdivision. Such information shall be mailed not later
24 than thirty days after receipt of the request;

25 (f) Of any reduction in the prisoner's minimum sentence; and

26 (g) Of the victim's right to submit a statement as provided in
27 section 81-1848.

28 (5) A victim whose name appears in the file of a convicted person
29 shall be notified by the Department of Health and Human Services:

30 (a) When a person described in subsection (6) of this section
31 becomes the subject of a petition pursuant to the Nebraska Mental Health

1 Commitment Act or the Sex Offender Commitment Act prior to his or her
2 discharge from custody upon the completion of his or her sentence or
3 within thirty days after such discharge. The county attorney who filed
4 the petition shall notify the Department of Correctional Services of such
5 petition. The Department of Correctional Services shall forward the names
6 and addresses of victims appearing in the file of the convicted person to
7 the Department of Health and Human Services; and

8 (b) When a person under a mental health board commitment pursuant to
9 subdivision (a) of this subsection:

10 (i) Escapes from an inpatient facility providing board-ordered
11 treatment and again when the person is returned to an inpatient facility;

12 (ii) Is discharged or has a change in disposition from inpatient
13 board-ordered treatment;

14 (iii) Is granted a furlough or release for twenty-four hours or
15 longer; and

16 (iv) Is released into educational release programs or work release
17 programs. Such notification shall occur at the beginning and termination
18 of any such program.

19 (6) Subsection (5) of this section applies to a person convicted of
20 a covered offense which is also alleged to be the recent act or threat
21 underlying the commitment of such person as mentally ill and dangerous or
22 as a dangerous sex offender as defined in section 83-174.01.

23 (7) A victim whose name appears in the file of a person convicted of
24 a covered offense shall be notified, via certified mail, by the Board of
25 Pardons:

26 (a) Of any pardon or commutation proceedings at least thirty
27 calendar days prior to the proceedings; and

28 (b) If a pardon or commutation has been granted, within ten days
29 after such granting.

30 (8) The Board of Parole, the Department of Correctional Services,
31 the Department of Health and Human Services, and the Board of Pardons

1 shall adopt and promulgate rules and regulations as needed to carry out
2 this section.

3 (9) The victim's address and telephone number maintained by the
4 Department of Correctional Services, the Department of Health and Human
5 Services, the county corrections agency, the Board of Parole, and the
6 Board of Pardons pursuant to subsection (2) of this section shall be
7 exempt from disclosure under Nebraska public records laws and federal
8 freedom of information laws, as such federal laws existed on January 1,
9 2004.

10 **Sec. 47.** Section 83-4,143, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 83-4,143 (1) It is the intent of the Legislature that the Board of
13 Parole may recommend placement of felony offenders at the incarceration
14 work camp. The offenders recommended by the board shall be offenders
15 currently housed at other Department of Correctional Services adult
16 correctional facilities and shall complete the incarceration work camp
17 programming prior to release on parole.

18 (2) When the Board of Parole is of the opinion that a felony
19 offender currently incarcerated in a Department of Correctional Services
20 adult correctional facility may benefit from a brief and intensive period
21 of regimented, structured, and disciplined programming immediately prior
22 to release on parole, the board may direct placement of such an offender
23 in an incarceration work camp for a period not to exceed one hundred
24 eighty days as a condition of release on parole. The board may consider
25 such placement if the felony offender (a) is medically and mentally fit
26 to participate, with allowances given for reasonable accommodation as
27 determined by medical and mental health professionals, and (b) has not
28 previously been incarcerated for a violent felony crime. Offenders
29 convicted of a crime under sections 28-319 to 28-322.05 and sections 12
30 and 13 of this act or of any capital crime are not eligible to be placed
31 in an incarceration work camp.

1 (3) The Director of Correctional Services may assign a felony
2 offender to an incarceration work camp if he or she believes it is in the
3 best interests of the felony offender and of society, except that
4 offenders convicted of a crime under sections 28-319 to 28-322.05 and
5 sections 12 and 13 of this act or of any capital crime are not eligible
6 to be assigned to an incarceration work camp pursuant to this subsection.

7 **Sec. 48.** Section 84-941.01, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 84-941.01 Potentially disqualifying conviction includes a conviction
10 for:

11 (1) Criminal attempt as provided in section 28-201, conspiracy as
12 provided in section 28-202, or aiding and abetting as provided in section
13 28-206, to commit an offense listed in this section;

14 (2) Murder as provided in sections 28-303 or 28-304;

15 (3) Manslaughter as provided in section 28-305;

16 (4) Motor vehicle homicide as provided in section 28-306;

17 (5) Assault in the first or second degree as provided in sections
18 28-308 and 28-309;

19 (6) Terroristic threats as provided in section 28-311.01;

20 (7) Stalking as provided in section 28-311.03;

21 (8) Kidnapping as provided in section 28-313;

22 (9) False imprisonment as provided in sections 28-314 and 28-315;

23 (10) A sexual act subject to criminal penalties as provided in
24 sections 28-317 to 28-322.05 and sections 12 and 13 of this act;

25 (11) Domestic assault as provided in section 28-323;

26 (12) Robbery as provided in section 28-324;

27 (13) Arson as provided in sections 28-502, 28-503, and 28-504;

28 (14) Fraud subject to criminal penalties as provided in sections
29 28-505, 28-631, 28-638, 28-639, 28-640, and 28-935;

30 (15) Theft as provided in sections 28-511, 28-512, 28-513, and
31 28-515;

1 (16) Forgery as provided in sections 28-602 and 28-603;

2 (17) Incest as provided in section 28-703;

3 (18) Child abuse as provided in section 28-707;

4 (19) Human trafficking, labor trafficking, sex trafficking, labor
5 trafficking of a minor, or sex trafficking of a minor as provided in
6 section 28-831;

7 (20) False reporting as provided in section 28-907;

8 (21) Perjury as provided in section 28-915;

9 (22) Assault on an officer, an emergency responder, certain
10 employees, or a health care professional in the first degree as provided
11 in section 28-929;

12 (23) Assault on an officer, an emergency responder, certain
13 employees, or a health care professional in the second degree as provided
14 in section 28-930;

15 (24) Assault on an officer, an emergency responder, certain
16 employees, or a health care professional in the third degree as provided
17 in section 28-931;

18 (25) Assault on an officer, an emergency responder, certain
19 employees, or a health care professional using a motor vehicle as
20 provided in section 28-931.01;

21 (26) An offense that has as an element the threat to inflict serious
22 bodily injury as defined in section 28-109 or death on another person,
23 the intentional infliction of serious bodily injury as defined in section
24 28-109 on another person, or intentionally causing the death of another
25 person;

26 (27) An offense for which registration is required under the Sex
27 Offender Registration Act; or

28 (28) Any offense under the laws of another jurisdiction that is
29 substantially equivalent to any of the offenses listed in this section.

30 **Sec. 49.** Sections 17, 20, 22, 23, 24, 25, 26, 27, 28, 29, and 51 of
31 this act become operative on October 1, 2026. The other sections of this

1 act become operative on their effective date.

2 **Sec. 50.** If any section in this act or any part of any section is
3 declared invalid or unconstitutional, the declaration shall not affect
4 the validity or constitutionality of the remaining portions.

5 **Sec. 51.** Original section 28-610, Reissue Revised Statutes of
6 Nebraska, and section 28-1205, Revised Statutes Supplement, 2025, are
7 repealed.

8 **Sec. 52.** Original sections 28-322.02, 28-322.03, 28-323, 28-508,
9 28-703, 29-3901, 29-3904, 29-3905, 29-3918, 43-273, 43-2923, 71-946,
10 71-947, 71-948, 83-4,143, and 84-941.01, Reissue Revised Statutes of
11 Nebraska, sections 27-404, 28-115, 28-310.01, 28-322.01, 29-3903,
12 29-3922, and 43-272, Revised Statutes Cumulative Supplement, 2024, and
13 sections 26-118, 27-413, 28-101, 28-318, 28-322, 28-470, 28-712.01,
14 28-1701, 29-4003, 29-4309, 29-4316, and 81-1850, Revised Statutes
15 Supplement, 2025, are repealed.