

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT
LB265

Hearing Date: Friday January 27, 2023
Committee On: Judiciary
Introducer: Brewer
One Liner: Require protective vests and safety training for correctional officers and allow Department of Health and Human Services employees to use justified force in defense of self or others

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Blood, DeBoer, DeKay, Geist, Holdcroft, Ibach, McKinney, Wayne
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Tom Brewer
Gary Young
David Leigh
Erin Knicely
Tim Elario
Yvette Oliveti
Roxana Mera-Ogle

Representing:

District 43
Fraternal Order of Police, Lodge 88
Self
Self
Self
Self
Self

Opponents:

Spike Eickholt
Brenda Mae Stinson

Representing:

American Civil Liberties Union of Nebraska
Self

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

Section 1: Amends Section 83-173 to require the Director of Correctional Services to provide training programs related to the safety of employees.

Section 2: Creates a new statute that requires the Department of Correctional Services to provide every correctional officer with a protective vest that will protect against edged weapons and stabbings. Each vest must be fitted to the individual officer.

Section 3: Creates a new statute that prohibits DHHS from restricting an employee from using justifiable force to protect themselves or others. Justifiable force is defined pursuant to Sections 28-1409 to 28-1416.

Section 4: Repeals the original sections.

Explanation of amendments:

The amendment eliminates Section 3 in its entirety.

Justin Wayne, Chairperson