

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 555

Introduced by Cavanaugh, J., 9.

Read first time January 17, 2023

Committee: Judiciary

1 A BILL FOR AN ACT relating to the Commission on Public Advocacy; to amend
2 section 29-3921, Reissue Revised Statutes of Nebraska; to change
3 funding provisions; to eliminate obsolete provisions; and to repeal
4 the original section.

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

1 Section 1. Section 29-3921, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 29-3921 ~~(1)~~The Commission on Public Advocacy Operations Cash Fund
4 is created. The fund shall be used for the operations of the commission,
5 except that transfers may be made from the fund to the General Fund at
6 the direction of the Legislature through June 30, 2011. The Commission on
7 Public Advocacy Operations Cash Fund shall consist of money remitted
8 pursuant to section 33-156 and money transferred to the fund by the
9 Legislature. It is the intent of the Legislature that if the Commission
10 on Public Advocacy Operations Cash Fund receives more than two million
11 dollars from the General Fund in a fiscal year, the indigent defense fee
12 for that fiscal year shall be transferred to the Legal Aid and Services
13 Fund ~~the commission shall be funded solely from the fund~~. Any money in
14 the Commission on Public Advocacy Operations Cash Fund ~~fund~~ available for
15 investment shall be invested by the state investment officer pursuant to
16 the Nebraska Capital Expansion Act and the Nebraska State Funds
17 Investment Act.

18 ~~(2) On July 1, 2011, or as soon thereafter as administratively~~
19 ~~possible, the State Treasurer shall transfer one hundred thousand dollars~~
20 ~~from the Commission on Public Advocacy Operations Cash Fund to the~~
21 ~~Supreme Court Education Fund. The State Court Administrator shall use~~
22 ~~these funds to assist the juvenile justice system in providing prefiling~~
23 ~~and diversion programming designed to reduce excessive absenteeism and~~
24 ~~unnecessary involvement with the juvenile justice system.~~

25 ~~(3) The State Treasurer shall transfer the following amounts from~~
26 ~~the Commission on Public Advocacy Operations Cash Fund to the Court~~
27 ~~Appointed Special Advocate Fund:~~

28 ~~(a) On July 1, 2011, or as soon thereafter as administratively~~
29 ~~possible, one hundred thousand dollars; and~~

30 ~~(b) On July 1, 2012, or as soon thereafter as administratively~~
31 ~~possible, two hundred thousand dollars.~~

1 ~~(4) On July 1, 2012, or as soon thereafter as administratively~~
2 ~~possible, the State Treasurer shall transfer sixty thousand dollars from~~
3 ~~the Commission on Public Advocacy Operations Cash Fund to the Nebraska~~
4 ~~State Patrol Cash Fund.~~

5 ~~The Nebraska State Patrol shall use such funds to contract with the~~
6 ~~University of Nebraska to study sex offender recidivism data before and~~
7 ~~after the passage of Laws 2009, LB285, which changed the Nebraska sex~~
8 ~~offender classification system from an evaluation of risk assessment~~
9 ~~system to an offense-based assessment system in the attempt by the state~~
10 ~~to comply with federal requirements under the Adam Walsh Child Protection~~
11 ~~and Safety Act of 2006.~~

12 ~~Sec. 2. Original section 29-3921, Reissue Revised Statutes of~~
13 ~~Nebraska, is repealed.~~