

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 963

Introduced by McKinney, 11.

Read first time January 12, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to immigration; to amend section 83-176,
2 Reissue Revised Statutes of Nebraska, and section 83-170, Revised
3 Statutes Supplement, 2025; to prohibit agreements relating to
4 immigration enforcement by state agencies and officials without
5 legislative approval; to state findings; to define terms; to change
6 provisions of the Nebraska Treatment and Corrections Act relating to
7 detention of prisoners; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) The Legislature finds and declares that:

2 (a) State agencies and state officials entering into agreements to
3 enforce immigration law or to investigate, interrogate, detain, detect,
4 or arrest persons for immigration enforcement purposes pursuant to such
5 agreement is a matter of statewide concern;

6 (b) The public is entitled to receive notice and have an opportunity
7 to be heard concerning such agreements; and

8 (c) Such agreements should only be authorized when they have been
9 approved by the Legislature.

10 (2) For purposes of this section:

11 (a)(i) Immigration enforcement agreement means an agreement,
12 contract, lease, or memorandum of understanding between a state agency
13 and any other public entity, pursuant to which the state agency will
14 enforce immigration law or investigate, interrogate, detain, detect, or
15 arrest persons for immigration enforcement purposes.

16 (ii) Immigration enforcement agreement does not include an agreement
17 between a state agency and a public entity, including the United States
18 Department of Homeland Security, relating to investigating violations of
19 laws prohibiting human trafficking or enforcing such laws; and

20 (b) Public entity means the United States; any state, county, or
21 municipality; and any branch, subdivision, board, commission, department,
22 agency, or other instrumentality of such entities.

23 (3) A state agency or official shall not enter into any immigration
24 enforcement agreement without first receiving approval from the
25 Legislature. Any immigration enforcement agreement that has not been
26 approved by the Legislature is void and unenforceable.

27 (4) Any immigration agreement entered into by a state agency or
28 official prior to the effective date of this act is void and
29 unenforceable.

30 **Sec. 2.** Section 83-170, Revised Statutes Supplement, 2025, is
31 amended to read:

1 83-170 As used in the Nebraska Treatment and Corrections Act, unless
2 the context otherwise requires:

3 (1) Board means the Board of Parole;

4 (2) Committed offender means any person who, under any provision of
5 the laws of this state law, is sentenced or committed to a facility
6 operated by the department or is sentenced or committed to the department
7 other than a person adjudged to be as described in subdivision (1), (2),
8 (3)(b), or (4) of section 43-247 by a juvenile court;

9 (3) Department means the Department of Correctional Services;

10 (4) Director means the Director of Correctional Services;

11 (5) Facility means any prison, reformatory, training school,
12 reception center, community guidance center, group home, or other
13 institution operated by the department;

14 (6) Good time means any reduction of sentence granted pursuant to
15 sections 83-1,107 and 83-1,108;

16 (7) Maximum term means the maximum sentence provided by law or the
17 maximum sentence imposed by a court, whichever is shorter;

18 (8) Minimum term means the minimum sentence provided by law or the
19 minimum sentence imposed by a court, whichever is longer;

20 (9) Pardon authority means the power to remit fines and forfeitures
21 and to grant respites, reprieves, pardons, or commutations;

22 (10) Parole term means the time from release on parole to the
23 completion of the maximum term, reduced by good time;

24 (11) Person committed to the department means any person sentenced
25 or committed to a facility within the department;

26 (12) Restrictive housing means conditions of confinement that
27 provide limited contact with other offenders, strictly controlled
28 movement while out of cell, and out-of-cell time of less than twenty-four
29 hours per week; and

30 (13) Solitary confinement means the status of confinement of an
31 inmate in an individual cell having solid, soundproof doors and which

1 deprives the inmate of all visual and auditory contact with other
2 persons.

3 **Sec. 3.** Section 83-176, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 83-176 (1) Whenever any person is sentenced or committed under any
6 provision of the laws of this state law to a specific facility within the
7 department or to the custody of the warden or superintendent of such
8 facility, he or she shall be deemed to be sentenced or committed to the
9 department.

10 (2) The director may designate as a place of confinement of a person
11 committed to the department any available, suitable, and appropriate
12 residence facility or institution, whether or not operated by the state,
13 and may at any time transfer such person from one place of confinement to
14 another.

15 **Sec. 4.** Original section 83-176, Reissue Revised Statutes of
16 Nebraska, and section 83-170, Revised Statutes Supplement, 2025, are
17 repealed.