

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 994**

Introduced by McKinney, 11.

Read first time January 13, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act;
- 2 to amend section 83-1,135, Reissue Revised Statutes of Nebraska, and
- 3 section 83-1,107, Revised Statutes Supplement, 2025; to change
- 4 provisions relating to good time and parole eligibility; to provide
- 5 duties for the Department of Correctional Services; to provide for
- 6 applicability; to harmonize provisions; to repeal the original
- 7 sections; and to declare an emergency.
- 8 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** (1) The department shall, no later than April 15, 2027,  
2 recalculate the parole eligibility dates of all committed offenders who  
3 were incarcerated on or after July 1, 2011, to reflect the changes to  
4 section 83-1,107 made by this legislative bill.

5           (2) Such recalculations shall be completed in coordination with the  
6 Board of Parole, using a phased implementation schedule to prevent  
7 administrative overload and ensure public safety.

8           (3) No person shall be denied eligibility for parole solely because  
9 of an administrative delay in recalculation under this section.

10           (4) Any individual on parole as of the effective date of this act  
11 who was discharged from custody after July 1, 2011, and before the  
12 effective date of this act, whose parole eligibility would have been  
13 modified by this legislative bill, may request the Board of Parole to  
14 reduce his or her parole term accordingly.

15           (5) The Legislature declares that the purpose of the changes made to  
16 section 83-1,107 by this legislative bill is to clarify that good-time  
17 reductions apply to both tentative release dates and parole eligibility  
18 dates.

19           **Sec. 2.** Section 83-1,107, Revised Statutes Supplement, 2025, is  
20 amended to read:

21           83-1,107 (1)(a) Within sixty days after initial classification and  
22 assignment of any offender committed to the department, all available  
23 information regarding such committed offender shall be reviewed and a  
24 committed offender department-approved personalized program plan document  
25 shall be drawn up. The document shall specifically describe the  
26 department-approved personalized program plan and the specific goals the  
27 department expects the committed offender to achieve. The document shall  
28 also contain a realistic schedule for completion of the department-  
29 approved personalized program plan. The department-approved personalized  
30 program plan shall be developed with the active participation of the  
31 committed offender. The department shall provide programs to allow

1 compliance by the committed offender with the department-approved  
2 personalized program plan.

3 Programming may include, but is not limited to:

4 (i) Academic and vocational education, including teaching such  
5 classes by qualified offenders;

6 (ii) Substance abuse treatment;

7 (iii) Mental health and psychiatric treatment, including criminal  
8 personality programming;

9 (iv) Constructive, meaningful work programs; and

10 (v) Any other program deemed necessary and appropriate by the  
11 department.

12 (b) A modification in the department-approved personalized program  
13 plan may be made to account for the increased or decreased abilities of  
14 the committed offender or the availability of any program. Any  
15 modification shall be made only after notice is given to the committed  
16 offender. The department may not impose disciplinary action upon any  
17 committed offender solely because of the committed offender's failure to  
18 comply with the department-approved personalized program plan, but such  
19 failure may be considered by the board in its deliberations on whether or  
20 not to grant parole to a committed offender.

21 (2)(a) The department shall reduce the term of a committed offender  
22 by six months for each year of the offender's term and pro rata for any  
23 part thereof which is less than a year.

24 (b) In addition to reductions granted in subdivision (2)(a) of this  
25 section, the department shall reduce the term of a committed offender by  
26 three days on the first day of each month following a twelve-month period  
27 of incarceration within the department during which the offender has not  
28 been found guilty of (i) a Class I or Class II offense or (ii) more than  
29 three Class III offenses under the department's disciplinary code.  
30 Reductions earned under this subdivision shall not be subject to forfeit  
31 or withholding by the department.

1 (c) The total reductions under this subsection shall be credited  
2 from the date of sentence, which shall include any term of confinement  
3 prior to sentence and commitment as provided pursuant to section  
4 83-1,106. Such reductions ~~, and~~ shall be deducted from the:

5 (i) Minimum term, other than a mandatory minimum, to determine  
6 parole eligibility; and

7 (ii) Maximum ~~maximum~~ term, to determine the date when discharge from  
8 the custody of the state becomes mandatory.

9 (3) While the offender is in the custody of the department,  
10 reductions of terms granted pursuant to subdivision (2)(a) of this  
11 section may be forfeited, withheld, and restored by the chief executive  
12 officer of the facility with the approval of the director after the  
13 offender has been notified regarding the charges of misconduct.

14 (4) The department, in consultation with the board, shall ensure  
15 that a release or reentry plan is complete or near completion when the  
16 offender has served at least eighty percent of his or her sentence. For  
17 purposes of this subsection, release or reentry plan means a  
18 comprehensive and individualized strategic plan to ensure an individual's  
19 safe and effective transition or reentry into the community to which he  
20 or she resides with the primary goal of reducing recidivism. At a  
21 minimum, the release or reentry plan shall include, but not be limited  
22 to, consideration of the individual's housing needs, medical or mental  
23 health care needs, and transportation and job needs and shall address an  
24 individual's barriers to successful release or reentry in order to  
25 prevent recidivism. The release or reentry plan does not include an  
26 individual's programming needs included in the individual's personalized  
27 program plan for use inside the prison. However, the department shall  
28 include in the release or reentry plan information regarding the  
29 individual's progress on the individual's personalized program plan for  
30 use inside the prison.

31 (5)(a) The department shall make treatment programming available to

1 committed offenders as provided in section 83-1,110.01 and shall include  
2 continuing participation in such programming as part of each offender's  
3 department-approved personalized program plan developed under subsection  
4 (1) of this section.

5 (b) Any committed offender with a mental illness shall be provided  
6 with the community standard of mental health care. The mental health care  
7 shall utilize evidence-based therapy models that include an evaluation  
8 component to track the effectiveness of interventions.

9 (c) Any committed offender with a mental illness shall be evaluated  
10 before release to ensure that adequate monitoring and treatment of the  
11 committed offender will take place or, if appropriate, that a commitment  
12 proceeding under the Nebraska Mental Health Commitment Act or the Sex  
13 Offender Commitment Act will take place.

14 (6)(a) Within thirty days after any committed offender has been  
15 paroled, all available information regarding such parolee shall be  
16 reviewed and a case plan document shall be drawn up and approved by the  
17 department. The document shall specifically describe the approved case  
18 plan and the specific goals the department expects the parolee to  
19 achieve. The document shall also contain a realistic schedule for  
20 completion of the approved case plan. The approved case plan shall be  
21 developed with the active participation of the parolee. During the term  
22 of parole, the parolee shall comply with the approved case plan and the  
23 department shall provide programs to allow compliance by the parolee with  
24 the approved case plan.

25 Programming may include, but is not limited to:

26 (i) Academic and vocational education;

27 (ii) Substance abuse treatment;

28 (iii) Mental health and psychiatric treatment, including criminal  
29 personality programming;

30 (iv) Constructive, meaningful work programs;

31 (v) Community service programs; and

1 (vi) Any other program deemed necessary and appropriate by the  
2 department.

3 (b) A modification in the approved case plan may be made to account  
4 for the increased or decreased abilities of the parolee or the  
5 availability of any program. Any modification shall be made only after  
6 notice is given to the parolee. Intentional failure to comply with the  
7 approved case plan by any parolee as scheduled for any year, or pro rata  
8 part thereof, shall cause disciplinary action to be taken by the  
9 department resulting in the forfeiture of up to a maximum of three  
10 months' good time for the scheduled year.

11 (7) While the offender is in the custody of the board, reductions of  
12 terms granted pursuant to subdivision (2)(a) of this section may be  
13 forfeited, withheld, and restored by the director upon the recommendation  
14 of the board after the offender has been notified regarding the charges  
15 of misconduct or breach of the conditions of parole.

16 (8) Good time or other reductions of sentence granted under the  
17 provisions of any law prior to July 1, 1996, may be forfeited, withheld,  
18 or restored in accordance with the terms of the Nebraska Treatment and  
19 Corrections Act.

20 (9) Pursuant to rules and regulations adopted by the probation  
21 administrator and the director, an individualized post-release  
22 supervision plan shall be collaboratively prepared by the Office of  
23 Probation Administration and the department and provided to the court to  
24 prepare individuals under custody of the department for post-release  
25 supervision. All records created during the period of incarceration shall  
26 be shared with the Office of Probation Administration and considered in  
27 preparation of the post-release supervision plan.

28 **Sec. 3.** Section 83-1,135, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 83-1,135 Sections 83-170 to 83-1,135.05 and section 1 of this act  
31 shall be known and may be cited as the Nebraska Treatment and Corrections

1 Act.

2       **Sec. 4.** Original section 83-1,135, Reissue Revised Statutes of  
3 Nebraska, and section 83-1,107, Revised Statutes Supplement, 2025, are  
4 repealed.

5       **Sec. 5.** Since an emergency exists, this act takes effect when  
6 passed and approved according to law.