

LEGISLATIVE BILL 274

Approved by the Governor May 9, 1997

Introduced by Dw. Pedersen, 39

AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-1,135.01, Reissue Revised Statutes of Nebraska, and section 83-1,135, Revised Statutes Supplement, 1996; to provide for mental health therapy; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 83-1,135.01, Reissue Revised Statutes of Nebraska, is amended to read:

~~83-1,135.01.~~ The department shall provide substance abuse therapy required by section 28-416 shall be provided by the department prior to the first parole eligibility date of the committed offender person. Based on the recommendations, if any, regarding psychological treatment of the committed person pursuant to section 83-179, the department shall provide the person with adequate access or availability to mental health therapy prior to the first parole eligibility date of the committed person. If the board finds that the department did not provide adequate access or availability to the committed offender person prior to the first parole eligibility date, the board may waive the requirement of such section section 28-416 only if, as a condition of parole, the committed offender person agrees to attend and complete therapy which is approved recommended by the board.

Sec. 2. Section 83-1,135, Revised Statutes Supplement, 1996, is amended to read:

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

Sec. 3. Original section 83-1,135.01, Reissue Revised Statutes of Nebraska, and section 83-1,135, Revised Statutes Supplement, 1996, are repealed.