

# LB 51: Nebraska Certified Officer Employment

The passage of LB 51 in the 107<sup>th</sup> legislative session will bring a number of changes to law enforcement agencies in the State of Nebraska. This document will provide an overview of changes to the employment of law enforcement officers to include modifications to the hiring process of a Nebraska certified officer;

The impact of LB 51 on the hiring of a Nebraska certified officer is fairly limited.

There are several steps that must be met before an applicant who is a Nebraska certified officer can be hired and a change in status form submitted.

§81-1457 also known as LB 791 passed in 2018 is now §81-1414 (11). This law requires that a waiver from the applicant be submitted to the prospective employer prior to hiring. This waiver is available here. [\(LINK\)](#) The hiring agency must review the personnel records of the former employer for the applicant.

The passage of LB 51, this waiver is required to be sent to any agencies outside the state of Nebraska as well as Nebraska agencies.

Once an agency receives this waiver, they have 10 calendar days to comply with the request to release personnel records of the applicant.

A Nebraska certified officer who has been separated from their previous agency based on grounds for possible revocation cannot be hired while on the “791 list”.

Any time an agency has a Nebraska certified officer as an applicant, one of the first things an agency should do is to contact the NLETC to ensure that the applicant is not on the “791 list”.

Once the background investigation has been completed and the applicant is hired, the agency administrator has 7 days to submit the Change in Status form to the NLETC.

If the hiring agency submitted the waiver to previous employers and the previous employers do not comply with the request for the records, the hiring agency should notify the Director of the NLETC.

§81-1414 (15) is formerly §81-1456. This statute requires that an agency that employs a law enforcement officer must keep personnel records on each law enforcement officers.

## **Summary:**

Audits of agencies will be conducted to ensure compliance with this statute. Failure to follow the requirements and restrictions of this subsection shall be considered a violation of the law and neglect of duty.