

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1146

Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Armendariz, 18;
Ballard, 21; Bosn, 25; Brewer, 43; Clements, 2; Dorn, 30;
Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin,
48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Lippincott, 34;
Lowe, 37; Meyer, 41; Riepe, 12.

Read first time January 11, 2024

Committee:

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-265.01,
- 2 Revised Statutes Supplement, 2023; to provide an additional
- 3 exception to the prohibition on suspending a student in pre-
- 4 kindergarten through second grade; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-265.01, Revised Statutes Supplement, 2023, is
2 amended to read:

3 79-265.01 (1) Except as provided in subsection (2) of this section,
4 an elementary school shall not suspend a student in pre-kindergarten
5 through second grade. Each school district shall develop a policy to
6 implement this section which shall include disciplinary measures inside
7 the school as an alternative to suspension.

8 (2) An elementary school may suspend a student in pre-kindergarten
9 through second grade if such student:

10 (a) Brings ~~brings~~ a deadly weapon as defined in section 28-109 onto
11 ~~on~~ school grounds, into ~~in~~ a vehicle owned, leased, or contracted by a
12 school being used for a school purpose or into ~~in~~ a vehicle being driven
13 for a school purpose by a school employee or his or her designee, or to
14 ~~at~~ a school-sponsored activity or athletic event; or -

15 (b) Engages in violent behavior capable of causing physical harm to
16 another student or a school employee.

17 Sec. 2. Original section 79-265.01, Revised Statutes Supplement,
18 2023, is repealed.