

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 685

Introduced by Lonowski, 33; Andersen, 49; Ibach, 44; Murman, 38; Quick, 35; Sorrentino, 39.

Read first time January 22, 2025

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend sections 79-2,144,
2 79-3108, 79-3109, and 84-612, Reissue Revised Statutes of Nebraska;
3 to require each approved or accredited public, private,
4 denominational, or parochial school to install a secure master key
5 box as prescribed; to provide powers and duties to the state school
6 security director; to change provisions relating to a grant program
7 for security-related infrastructure projects and the School Safety
8 and Security Fund; to provide for a transfer from the Cash Reserve
9 Fund; to harmonize provisions; and to repeal the original sections.
10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** The school board or governing body of each approved or
2 accredited public, private, denominational, or parochial school shall
3 have one exterior secure master key box that meets Underwriters
4 Laboratories Standard 1037 installed at each school building to permit
5 emergency access from the exterior of a school building to law
6 enforcement. The school board or governing body shall work with local law
7 enforcement authorities in the school district on the precise location of
8 the secure master key box required pursuant to this section. The school
9 board or governing body shall adopt a policy consistent with this
10 section.

11 **Sec. 2.** Section 79-2,144, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 79-2,144 The state school security director appointed pursuant to
14 section 79-2,143 shall be responsible for providing leadership and
15 support for safety and security for the public schools. Duties of the
16 director include, but are not limited to:

17 (1) Collecting safety and security plans, required pursuant to rules
18 and regulations of the State Department of Education relating to
19 accreditation of schools, and other school security information from each
20 school system in Nebraska. School districts shall provide the state
21 school security director with the safety and security plans of the school
22 district and any other security information requested by the director,
23 but any plans or information submitted by a school district may be
24 withheld by the department pursuant to subdivision (9) of section
25 84-712.05;

26 (2) Recommending minimum standards for school security on or before
27 January 1, 2016, to the State Board of Education;

28 (3) Conducting an assessment of the security of each public school
29 building, which assessment shall be completed by August 31, 2019;

30 (4) Overseeing compliance by public schools with installation of a
31 secure master key box pursuant to section 1 of this act;

1 ~~(5)~~ ~~(4)~~ Identifying deficiencies in school security based on the
2 minimum standards adopted by the State Board of Education and making
3 recommendations to school boards for remedying such deficiencies;

4 ~~(6)~~ ~~(5)~~ Establishing security awareness and preparedness tools and
5 training programs for public school staff;

6 ~~(7)~~ ~~(6)~~ Establishing research-based model instructional programs for
7 staff, students, and parents to address the underlying causes for violent
8 attacks on schools;

9 ~~(8)~~ ~~(7)~~ Overseeing behavioral and mental health training, with a
10 focus on suicide awareness and prevention in public schools pursuant to
11 section 79-2,146;

12 ~~(9)~~ ~~(8)~~ Establishing tornado preparedness standards which shall
13 include, but not be limited to, ensuring that every school conducts at
14 least two tornado drills per year;

15 ~~(10)~~ ~~(9)~~ Responding to inquiries and requests for assistance
16 relating to school security from private, denominational, and parochial
17 schools;

18 ~~(11)~~ ~~(10)~~ Recommending curricular and extracurricular materials to
19 assist school districts in preventing and responding to cyberbullying and
20 digital citizenship issues; and

21 ~~(12)~~ ~~(11)~~ Carrying out the department's responsibilities under the
22 School Safety and Security Reporting System Act.

23 **Sec. 3.** Section 79-3108, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 79-3108 (1) The Commissioner of Education shall create and
26 administer a competitive grant program to provide funding to school
27 districts and to educational service units on behalf of approved or
28 accredited nonpublic schools for security-related infrastructure
29 projects. Such qualifying projects may include, but are not limited to,
30 an exterior secure master key box as required pursuant to section 1 of
31 this act, surveillance equipment, door-locking systems, and double-entry

1 doors for school buildings. Subject to available appropriations, the
2 State Department of Education shall provide a grant to any school
3 district or educational service unit that applies for such grant for use
4 in funding qualifying projects.

5 (2)(a) A school district may apply to the State Department of
6 Education for a grant on forms and in a manner prescribed by the
7 Commissioner of Education. A school district receiving a grant under this
8 section shall divide the use of grant funds as evenly as possible among
9 all eligible school buildings within such district.

10 (b) An educational service unit may apply to the State Department of
11 Education for a grant on forms and in a manner prescribed by the
12 Commissioner of Education for use in funding qualifying projects at
13 approved or accredited nonpublic schools which contract with such
14 educational service unit on such qualifying projects. An approved or
15 accredited nonpublic school may apply to and contract with the
16 appropriate educational service unit in the school's area in a manner
17 prescribed by the educational service unit for purposes of funding
18 qualifying projects pursuant to this section.

19 (3)(a) On or before December 1 of each year that grants were issued
20 pursuant to this section, the State Department of Education shall provide
21 a report electronically to the Clerk of the Legislature relating to such
22 grants, which shall include, but need not be limited to:

23 (i) The number of schools that received grant funding, including
24 whether a school was public or nonpublic, the grades of students served
25 by such school, the number of students that attend such school, and the
26 geographic location of such school;

27 (ii) How the grant funds were used;

28 (iii) The average amount of grant funds received by schools broken
29 down by school student population size;

30 (iv) The number of schools that were denied grant funding and why;

31 and

1 (v) Any other information the State Department of Education deems
2 necessary.

3 (b) The report provided pursuant to subdivision (a) of this
4 subsection shall not identify any particular school.

5 (4) The State Board of Education may adopt and promulgate rules and
6 regulations to carry out this section.

7 (5) It is the intent of the Legislature to appropriate ten million
8 dollars from the School Safety and Security Fund to the State Department
9 of Education to administer the grant program pursuant to this section.

10 **Sec. 4.** Section 79-3109, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-3109 (1) The School Safety and Security Fund is created. The fund
13 shall be administered by the State Department of Education and shall
14 consist of any money transferred by the Legislature and any gifts,
15 grants, or bequests. The department shall use money in the fund for
16 grants for security-related infrastructure projects pursuant to section
17 79-3108. Any money in the fund available for investment shall be invested
18 by the state investment officer pursuant to the Nebraska Capital
19 Expansion Act and the Nebraska State Funds Investment Act. Beginning
20 October 1, 2024, any investment earnings from investment of money in the
21 fund shall be credited to the General Fund.

22 (2) The department shall establish a subaccount for the one million
23 dollars transferred from the Cash Reserve Fund on or after the effective
24 date of this act. The money in the subaccount shall be used to provide
25 grants pursuant to section 79-3108 for the exterior secure master key box
26 required pursuant to section 1 of this act.

27 **Sec. 5.** Section 84-612, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 84-612 (1) There is hereby created within the state treasury a fund
30 known as the Cash Reserve Fund which shall be under the direction of the
31 State Treasurer. The fund shall only be used pursuant to this section.

1 (2) The State Treasurer shall transfer funds from the Cash Reserve
2 Fund to the General Fund upon certification by the Director of
3 Administrative Services that the current cash balance in the General Fund
4 is inadequate to meet current obligations. Such certification shall
5 include the dollar amount to be transferred. Any transfers made pursuant
6 to this subsection shall be reversed upon notification by the Director of
7 Administrative Services that sufficient funds are available.

8 (3) In addition to receiving transfers from other funds, the Cash
9 Reserve Fund shall receive federal funds received by the State of
10 Nebraska for undesignated general government purposes, federal revenue
11 sharing, or general fiscal relief of the state.

12 (4) The State Treasurer shall transfer fifteen million eight hundred
13 forty-one thousand dollars from the Governor's Emergency Cash Fund to the
14 Cash Reserve Fund on or before June 30, 2024, on such dates and in such
15 amounts as directed by the budget administrator of the budget division of
16 the Department of Administrative Services.

17 (5) The State Treasurer shall transfer one hundred sixty-six million
18 six hundred seventy-three thousand five hundred eighty dollars from the
19 Cash Reserve Fund to the Nebraska Capital Construction Fund on or after
20 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
21 as directed by the budget administrator of the budget division of the
22 Department of Administrative Services.

23 (6) No funds shall be transferred from the Cash Reserve Fund to
24 fulfill the obligations created under the Nebraska Property Tax Incentive
25 Act unless the balance in the Cash Reserve Fund after such transfer will
26 be at least equal to five hundred million dollars.

27 (7) The State Treasurer shall transfer ten million dollars from the
28 Cash Reserve Fund to the School Safety and Security Fund as soon as
29 administratively possible after September 2, 2023, on such dates and in
30 such amounts as directed by the budget administrator of the budget
31 division of the Department of Administrative Services.

1 (8) The State Treasurer shall transfer three million dollars from
2 the Cash Reserve Fund to the Risk Loss Trust on or before June 30, 2024,
3 on such dates and in such amounts as directed by the budget administrator
4 of the budget division of the Department of Administrative Services.

5 (9) The State Treasurer shall transfer eleven million three hundred
6 twenty thousand dollars from the Cash Reserve Fund to the Health and
7 Human Services Cash Fund on or after July 1, 2023, but on or before June
8 30, 2024, on such dates and in such amounts as directed by the budget
9 administrator of the budget division of the Department of Administrative
10 Services.

11 (10) The State Treasurer shall transfer five hundred seventy-four
12 million five hundred thousand dollars from the Cash Reserve Fund to the
13 Perkins County Canal Project Fund on or before June 30, 2024, on such
14 dates and in such amounts as directed by the budget administrator of the
15 budget division of the Department of Administrative Services.

16 (11) The State Treasurer shall transfer one million one hundred
17 fifteen thousand dollars from the Cash Reserve Fund to the Public Safety
18 Cash Fund on or after July 1, 2023, but before June 30, 2024, on such
19 dates and in such amounts as directed by the budget administrator of the
20 budget division of the Department of Administrative Services.

21 (12) The State Treasurer shall transfer five million dollars from
22 the Cash Reserve Fund to the Nebraska Public Safety Communication System
23 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
24 such dates and in such amounts as directed by the budget administrator of
25 the budget division of the Department of Administrative Services.

26 (13) The State Treasurer shall transfer two million four hundred
27 twenty-five thousand dollars from the Cash Reserve Fund to the Nebraska
28 Public Safety Communication System Revolving Fund on or after July 1,
29 2024, but before June 30, 2025, on such dates and in such amounts as
30 directed by the budget administrator of the budget division of the
31 Department of Administrative Services.

1 (14) The State Treasurer shall transfer seventy million dollars from
2 the Cash Reserve Fund to the Shovel-Ready Capital Recovery and Investment
3 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
4 and in such amounts as directed by the budget administrator of the budget
5 division of the Department of Administrative Services.

6 (15) The State Treasurer shall transfer two million dollars from the
7 Cash Reserve Fund to the Site and Building Development Fund on or after
8 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
9 as directed by the budget administrator of the budget division of the
10 Department of Administrative Services.

11 (16) The State Treasurer shall transfer twenty million dollars from
12 the Cash Reserve Fund to the Economic Development Cash Fund on or after
13 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
14 as directed by the budget administrator of the budget division of the
15 Department of Administrative Services.

16 (17) The State Treasurer shall transfer two hundred forty million
17 dollars from the Cash Reserve Fund to the Economic Recovery Contingency
18 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
19 and in such amounts as directed by the budget administrator of the budget
20 division of the Department of Administrative Services.

21 (18) The State Treasurer shall transfer ten million dollars from the
22 Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund on
23 or after July 1, 2023, but before June 30, 2024, on such dates and in
24 such amounts as directed by the budget administrator of the budget
25 division of the Department of Administrative Services.

26 (19) The State Treasurer shall transfer four hundred forty million
27 dollars from the General Fund to the Cash Reserve Fund on or after July
28 1, 2023, but before June 30, 2024, on such dates and in such amounts as
29 directed by the budget administrator of the budget division of the
30 Department of Administrative Services.

31 (20) The State Treasurer shall transfer four million dollars from

1 the Cash Reserve Fund to the General Fund on or after July 1, 2024, but
2 before June 30, 2025, on such dates and in such amounts as directed by
3 the budget administrator of the budget division of the Department of
4 Administrative Services.

5 (21) The State Treasurer shall transfer twenty-nine million four
6 hundred fifty-eight thousand eight hundred dollars from the Cash Reserve
7 Fund to the Nebraska Capital Construction Fund on or after July 1, 2024,
8 but before June 30, 2025, on such dates and in such amounts as directed
9 by the budget administrator of the budget division of the Department of
10 Administrative Services.

11 (22) The State Treasurer shall transfer two million five hundred
12 thousand dollars from the Cash Reserve Fund to the Materiel Division
13 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
14 such dates and in such amounts as directed by the budget administrator of
15 the budget division of the Department of Administrative Services.

16 (23) The State Treasurer shall transfer ten million dollars from the
17 Cash Reserve Fund to the Youth Outdoor Education Innovation Fund on or
18 after July 1, 2023, but before June 30, 2024, on such dates and in such
19 amounts as directed by the budget administrator of the budget division of
20 the Department of Administrative Services.

21 (24) The State Treasurer shall transfer twenty-eight million dollars
22 from the Jobs and Economic Development Initiative Fund to the Cash
23 Reserve Fund on or before June 30, 2024, on such dates and in such
24 amounts as directed by the budget administrator of the budget division of
25 the Department of Administrative Services.

26 (25) The State Treasurer shall transfer five million dollars from
27 the Cash Reserve Fund to the State Insurance Fund on or before July 10,
28 2024, on such dates and in such amounts as directed by the budget
29 administrator of the budget division of the Department of Administrative
30 Services.

31 (26) The State Treasurer shall transfer three million five hundred

1 thousand dollars from the Cash Reserve Fund to the Health and Human
2 Services Cash Fund on or after July 1, 2024, but on or before June 30,
3 2025, on such dates and in such amounts as directed by the budget
4 administrator of the budget division of the Department of Administrative
5 Services.

6 (27) The State Treasurer shall transfer three million two hundred
7 fifty thousand dollars from the Cash Reserve Fund to the State Insurance
8 Fund as soon as possible after April 2, 2024, on such dates and in such
9 amounts as directed by the budget administrator of the budget division of
10 the Department of Administrative Services.

11 (28) The State Treasurer shall transfer five million dollars from
12 the Cash Reserve Fund to the Municipality Infrastructure Aid Fund on or
13 after July 1, 2024, but before July 15, 2024, on such dates and in such
14 amounts as directed by the budget administrator of the budget division of
15 the Department of Administrative Services.

16 (29) The State Treasurer shall transfer twenty-five million dollars
17 from the Cash Reserve Fund to the Governor's Emergency Cash Fund on or
18 before June 30, 2025, on such dates and in such amounts as directed by
19 the budget administrator of the budget division of the Department of
20 Administrative Services.

21 (30) The State Treasurer shall transfer ten million dollars from the
22 Cash Reserve Fund to the Governor's Emergency Cash Fund on or after July
23 1, 2025, but before June 30, 2026, on such dates and in such amounts as
24 directed by the budget administrator of the budget division of the
25 Department of Administrative Services.

26 (31) The State Treasurer shall transfer one million dollars from the
27 Cash Reserve Fund to the School Safety and Security Fund as soon as
28 administratively possible after the effective date of this act, on such
29 dates and in such amounts as directed by the budget administrator of the
30 budget division of the Department of Administrative Services.

31 (32) ~~(31)~~ It is the intent of the Legislature to transfer two

1 hundred million dollars from the Cash Reserve Fund to the General Fund on
2 or after July 1, 2026, but before June 30, 2027, if the balance of the
3 Cash Reserve Fund on July 1, 2026, after accounting for the transfers in
4 this section, does not fall below sixteen percent of the amount
5 appropriated, excluding encumbered and certified reappropriations, from
6 the General Fund for fiscal year 2026-27.

7 **Sec. 6.** Original sections 79-2,144, 79-3108, 79-3109, and 84-612,
8 Reissue Revised Statutes of Nebraska, are repealed.