

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 255**

Introduced by Quick, 35.

Read first time January 14, 2025

Committee:

- 1 A BILL FOR AN ACT relating to the Opioid Treatment Infrastructure Cash
- 2 Fund; to amend sections 24-1302 and 71-2492, Revised Statutes
- 3 Cumulative Supplement, 2024; to provide for use of the fund for
- 4 problem solving courts; to state intent regarding appropriations; to
- 5 repeal the original sections; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 24-1302, Revised Statutes Cumulative Supplement,  
2 2024, is amended to read:

3           24-1302 (1) For purposes of this section, problem solving court  
4 means a drug, veterans, mental health, driving under the influence,  
5 reentry, young adult, or other problem solving court.

6           (2) A district, county, or juvenile court may establish a problem  
7 solving court, subject to the Supreme Court's rules. A problem solving  
8 court shall function within the existing structure of the court system.  
9 The goals of a problem solving court shall be consistent with any  
10 relevant standards adopted by the United States Department of Justice and  
11 the National Association of Drug Court Professionals, as such standards  
12 existed on January 1, 2023.

13           (3) An individual may participate in a problem solving court as a  
14 condition of probation, as a sentence imposed by a court, or as otherwise  
15 provided by the Supreme Court's rules.

16           (4) Problem solving courts shall be subject to rules which shall be  
17 promulgated by the Supreme Court for procedures to be implemented in the  
18 administration of such courts.

19           (5) It is the intent of the Legislature that funds be appropriated  
20 separately to the Supreme Court such that each judicial district may  
21 operate at least one drug, veterans, mental health, driving under the  
22 influence, reentry, and young adult problem solving court. The State  
23 Court Administrator shall ensure that each judicial district has at least  
24 one of such courts by January 1, 2024.

25           (6) The State Court Administrator shall track and evaluate outcomes  
26 of problem solving courts. On or before June 1, 2024, and on or before  
27 each June 1 thereafter, the State Court Administrator shall  
28 electronically submit a report to the Legislature regarding the impact of  
29 problem solving courts on recidivism rates in the state. The report shall  
30 also include rates of return to court and program completion. The report  
31 shall identify judicial districts that are underserved by problem solving

1 courts and what services or funding are needed to properly serve such  
2 districts.

3 (7) It is the intent of the Legislature to appropriate money from  
4 the Opioid Treatment Infrastructure Cash Fund to the Supreme Court for  
5 problem solving courts to order medication-assisted treatment that  
6 involves the use of medication approved by the federal Food and Drug  
7 Administration, in combination with counseling and behavioral health  
8 therapies, for the treatment of substance use disorders.

9 **Sec. 2.** Section 71-2492, Revised Statutes Cumulative Supplement,  
10 2024, is amended to read:

11 71-2492 (1) The Opioid Treatment Infrastructure Cash Fund is  
12 created. The fund shall consist of transfers from the Nebraska Opioid  
13 Recovery Trust Fund.

14 (2) Money from the fund may be appropriated to the Supreme Court for  
15 use in problem solving courts to order medication-assisted treatment that  
16 involves the use of medication approved by the federal Food and Drug  
17 Administration, in combination with counseling and behavioral health  
18 therapies, for the treatment of substance use disorders as provided in  
19 section 24-1302.

20 (3) {2} The division shall use the Opioid Treatment Infrastructure  
21 Cash Fund as appropriated by the Legislature for local and state public-  
22 private partnerships for nonprofit and for-profit entities engaged in  
23 opioid use prevention and opioid treatment infrastructure projects as  
24 determined by the division, including capital construction and  
25 renovation. The administrative cost for distributing funds under this  
26 subsection ~~section~~ shall not exceed an amount equal to five percent of  
27 the amount distributed.

28 (4) {3} Any money in the Opioid Treatment Infrastructure Cash Fund  
29 available for investment shall be invested by the state investment  
30 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
31 State Funds Investment Act.

1           (5) It is the intent of the Legislature to appropriate one million  
2 dollars for fiscal year 2025-26 and one million dollars for fiscal year  
3 2026-27 from the Opioid Treatment Infrastructure Cash Fund to the Supreme  
4 Court for medication-assisted treatment as provided in section 24-1302.

5           **Sec. 3.** Original sections 24-1302 and 71-2492, Revised Statutes  
6 Cumulative Supplement, 2024, are repealed.

7           **Sec. 4.** Since an emergency exists, this act takes effect when  
8 passed and approved according to law.