

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1237

Introduced by Executive Board; Hansen, 16, Chairperson; Arch, 14; Ballard, 21; Bostar, 29; Clements, 2; Dorn, 30; Fredrickson, 20; Ibach, 44; Jacobson, 42; McKinney, 11.

Read first time January 21, 2026

Committee:

1 A BILL FOR AN ACT relating to the State Capitol; to amend sections 28-101
2 and 81-1108.15, Revised Statutes Supplement, 2025; to prohibit
3 bringing weapons or prohibited substances into the State Capitol as
4 prescribed; to define terms; to provide a penalty; to provide a duty
5 to the Nebraska State Patrol; to harmonize provisions; and to repeal
6 the original sections.

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

1 **Section 1.** Section 28-101, Revised Statutes Supplement, 2025, is
2 amended to read:

3 28-101 Sections 28-101 to 28-1357 and section 2 of this act, 28-1601
4 to 28-1603, and 28-1701 shall be known and may be cited as the Nebraska
5 Criminal Code.

6 **Sec. 2.** (1) For purposes of this section:

7 (a) The definitions found in section 28-1201 apply;
8 (b) Prohibited substance means explosive, incendiary, or other
9 combustible devices, hazardous materials, or paint or spray paint; and
10 (c) Weapon means a firearm, knife, brass or iron knuckles, pepper
11 spray, taser, or stun gun.

12 (2) Except as provided in subsection (3) of this section, a person
13 shall not knowingly enter or attempt to enter the State Capitol while in
14 possession of a weapon or prohibited substance.

15 (3) This section does not apply to:

16 (a) A person who has received prior approval from the Nebraska State
17 Patrol;

18 (b) The possession of a weapon by a law enforcement officer as
19 defined in section 81-1401 who is acting in the course of his or her
20 official duties; or

21 (c) The carrying of a concealed handgun by a qualified law
22 enforcement officer or qualified retired law enforcement officer pursuant
23 to 18 U.S.C. 926B or 926C, respectively, as such sections existed on
24 January 1, 2026.

25 (4) A violation of this section is a Class III misdemeanor.

26 **Sec. 3.** Section 81-1108.15, Revised Statutes Supplement, 2025, is
27 amended to read:

28 81-1108.15 (1) Except as provided in the Nebraska State Capitol
29 Preservation and Restoration Act, the division shall have the primary
30 functions and responsibilities of statewide facilities planning,
31 facilities construction, and facilities administration and shall adopt

1 and promulgate rules and regulations to carry out this section.

2 (2) Facilities planning shall include the following responsibilities
3 and duties:

4 (a) To maintain utilization records of all state-owned, state-
5 occupied, and vacant facilities;

6 (b) To coordinate comprehensive capital facilities planning;

7 (c) To define and review program statements based on space
8 utilization standards;

9 (d) To prepare or review planning and construction documents;

10 (e) To develop and maintain time-cost schedules for capital
11 construction projects;

12 (f) To assist the Governor and the Legislative Fiscal Analyst in the
13 preparation of the capital construction budget recommendations;

14 (g) To maintain a complete inventory of all state-owned, state-
15 occupied, and vacant sites and structures and to review the proposals for
16 naming such sites and structures;

17 (h) To determine space needs of all state agencies and establish
18 space-allocation standards;

19 (i) To cause a state comprehensive capital facilities plan to be
20 developed; and

21 (j) To carry out the State Building Construction Alternatives Act.

22 (3) Facilities construction shall include the following powers and
23 duties:

24 (a) To maintain close contact with and conduct inspections of each
25 project so as to assure execution of time-cost schedules and efficient
26 contract performance if such project's total design and construction cost
27 is equal to or greater than the project cost set by subdivision (1)(a) of
28 section 81-1108.43 as adjusted by subsection (2) of section 81-1108.43;

29 (b) To perform final acceptance inspections and evaluations; and

30 (c) To coordinate all change or modification orders and progress
31 payment orders.

1 (4) Facilities administration shall include the following powers and
2 duties:

3 (a) To serve as state leasing administrator or agent for all
4 facilities to be leased for use by the state and for all state-owned
5 facilities to be rented to state agencies or other parties subject to
6 section 81-1108.22. The division shall remit the proceeds from any
7 rentals of state-owned facilities to the State Treasurer for credit to
8 the State Building Revolving Fund and the State Building Renewal
9 Assessment Fund;

10 (b) To provide all maintenance, repairs, custodial duties, security,
11 and administration for all buildings and grounds owned or leased by the
12 State of Nebraska except as provided in subsections (5) and (6) of this
13 section;

14 (c) To be responsible for adequate parking and the designation of
15 parking stalls or spaces, including access aisles, in offstreet parking
16 facilities for the exclusive use of handicapped or disabled or
17 temporarily handicapped or disabled persons pursuant to section 18-1737;

18 (d) To ensure that all state-owned, state-occupied, and vacant
19 facilities are maintained or utilized to their maximum capacity or to
20 dispose of such facilities through lease, sale, or demolition;

21 (e) To submit electronically a report regarding the amount of
22 property leased by the state and the availability of state-owned property
23 for the needs of state agencies, upon request by the Appropriations
24 Committee of the Legislature, the Committee on Building Maintenance, or a
25 member of the Legislature;

26 (f) To administer the State Emergency Capital Construction
27 Contingency Fund;

28 (g) To submit status reports to the Governor and the Legislative
29 Fiscal Analyst after each quarter of a construction project is completed
30 detailing change orders and expenditures to date. The report submitted to
31 the Legislative Fiscal Analyst shall be submitted electronically. Such

1 reports shall be required on all projects costing an amount equal to or
2 greater than the amount set forth in subdivision (1)(a) of section
3 81-1108.43 as adjusted by subsection (2) of section 81-1108.43 and on
4 such other projects as may be designated by the division; and

5 (h) To submit a final report on each project to the Governor and the
6 Legislative Fiscal Analyst. The report submitted to the Legislative
7 Fiscal Analyst shall be submitted electronically. Such report shall
8 include, but not be limited to, a comparison of final costs and
9 appropriations made for the project, change orders, and modifications and
10 whether the construction complied with the related approved program
11 statement. Such reports shall be required on all projects costing an
12 amount equal to or greater than the amount set forth in subdivision (1)
13 (a) of section 81-1108.43 as adjusted by subsection (2) of section
14 81-1108.43 and on such other projects as may be designated by the
15 division.

16 (5) Subdivisions (4)(b), (c), and (d) of this section shall not
17 apply to (a) state-owned facilities to be rented to state agencies or
18 other parties by the University of Nebraska, the Nebraska state colleges,
19 the Department of Transportation, and the Board of Educational Lands and
20 Funds, (b) buildings and grounds owned or leased for use by the
21 University of Nebraska, the Nebraska state colleges, and the Board of
22 Educational Lands and Funds, (c) buildings and grounds owned, leased, or
23 operated by the Department of Correctional Services, (d) facilities to be
24 leased for nonoffice use by the Department of Transportation, (e)
25 buildings or grounds owned or leased by the Game and Parks Commission if
26 the application of such subdivisions to the buildings or grounds would
27 result in ineligibility for or repayment of federal funding, (f)
28 buildings or grounds of the state park system, state recreation areas,
29 state historical parks, state wildlife management areas, or state
30 recreational trails, or (g) other buildings or grounds owned or leased by
31 the State of Nebraska which are specifically exempted by the division

1 because the application of such subdivisions would result in the
2 ineligibility for federal funding or would result in hardship on an
3 agency, board, or commission due to other exceptional or unusual
4 circumstances, except that nothing in this subdivision shall prohibit the
5 assessment of building rental depreciation charges to tenants of
6 facilities owned by the state and under the direct control and
7 maintenance of the division.

8 ~~(6)(a) (6)~~ Security for all buildings and grounds owned or leased by
9 the State of Nebraska in Lincoln, Nebraska, except the buildings and
10 grounds described in subsection (5) of this section, shall be the
11 responsibility of the Nebraska State Patrol. The Nebraska State Patrol
12 shall consult with the Governor, the Chief Justice, the Executive Board
13 of the Legislative Council, and the State Capitol Administrator regarding
14 security policy within the State Capitol and capitol grounds.

15 (b) Following consultation as provided for in subdivision (a) of
16 this subsection, the Nebraska State Patrol shall, no later than January
17 1, 2027, implement procedures to ensure the State Capitol is secure and
18 provide for the detection of weapons and prohibited substances as defined
19 in section 2 of this act to prevent such weapons and prohibited
20 substances from being brought into the State Capitol in violation of
21 section 2 of this act.

22 (7) Each member of the Legislature shall receive an electronic copy
23 of the reports required by subdivisions (4)(g) and (h) of this section by
24 making a request for them to the State Building Administrator. The
25 information on such reports shall be submitted to the division by the
26 agency responsible for the project.

27 **Sec. 4.** Original sections 28-101 and 81-1108.15, Revised Statutes
28 Supplement, 2025, are repealed.