

# Nebraska Court Improvement Project

# 2020 Legislative Review

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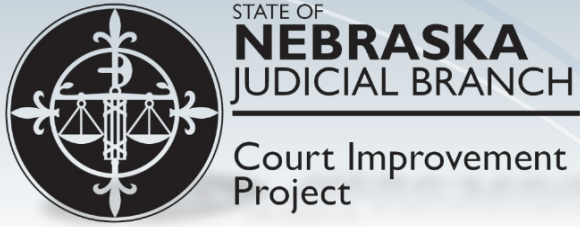
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STATE OF  
**NEBRASKA**  
JUDICIAL BRANCH

Court Improvement  
Project



## What is CIP?

The Nebraska Court Improvement Project (CIP) is a federally funded department under the direction of the Nebraska Administrative Offices of Court and Probation. CIP facilitates a multi-disciplinary network of judge-led teams across the state known as “Through the Eyes of the Child” initiative. Members of these teams collaborate at the local level to improve issues in the juvenile court system. The teams are guided by the Resource Guidelines published by the National Council on Juvenile and Family Court Judges (NCJFCJ), which sets out best practice standards for the juvenile court processes.

Each team selects its own projects and goals based on the needs of its community and court system. [The Court Improvement Project staff](#), under the guidance of Project Chair, Judge Larry Gendler, provides technical assistance to the local groups, [data collection and reporting](#), develop resources for the local teams, and work on a statewide basis to address concerns within the juvenile court system. The Initiative also holds [events](#), such as annual regional conferences, lecture series, webinars and trainings open to the public, court staff training, and a statewide Children's Summit every three years.

# 2020 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Child Welfare	LB93	Wayne	If a child is part of a proceeding in court where they are in the custody of the state for any reason listed in 43-247, a person who claims to be a biological parent of the child can file a complaint, accompanied by an affidavit where they claim under oath to be the biological parent, to intervene. No filing fee will be charged. The court must then order a DNA test to be conducted and make the juvenile available to be tested at the expense of the intervenor.	Signed by Gov 2/13/2020
Juvenile Justice	LR393	Pansing Brooks	Interim study to review juvenile justice involvement for youth who commit certain status offenses	Judiciary
Child Welfare	LR409	Health and Human Services Committee	Interim study to examine the drug testing protocol in the Division of Children and Family Services of the Dept. of Health and Human Services for families involved in the child welfare system	Health and Human Services Committee
	LR419	Hansen, M.	Interim study to examine the various age requirements in the Nebraska statutes related to minors and the age of majority	Judiciary

Presenters' Legislation of Interest – Judge Larry Gendler

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice - room confinement	LB230	Pansing Brooks	Changes parameters as to reason and time allowed for room confinement of juveniles in a juvenile facility. AM450 filed 2/2/6/19	Signed by Governor February 12, 2020
Juvenile Justice	<a href="#">LB1140</a>	Health and Human Services Priority Bill	Lays out the services that each YRTC must provide and requires that a report on activities and data be submitted to the legislature each year. Services include: safe and sanitary space, health care, separation by gender, sufficient staffing, training specific to population, facility administrator, individualized treatment plans for each youth, education programming that will lead to credits, case management, compliance with Title XIX and Title IV-E, evidence-based programming for each youth, and evidence-based treatment services.	Approved by Governor on August 06, 2020 with E-clause
Juvenile Justice	<a href="#">LB1141</a> <a href="#">Portions Amended into LB 1140</a>	Health and Human Services	Requires DHHS to develop a 5-year operations plan made with input from stakeholders for YRTC Geneva and Kearney. Must include a description of the population, an org chart, staff, facility plan, description of programs and treatments, description of reentry, adequate staffing, education plan with NDE, budget, disaster recovery plan, separation of juveniles by gender at different campuses, parenting plan, rights of juveniles, data measurements, trauma training for staff, and a grievance procedure.	Portions amended into LB 1140 Approved by Governor on August 06, 2020 with E-clause

Presenters' Legislation of Interest – Juliet Summers

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	<a href="#">LB 1142</a> <a href="#">Portions Amended into LB 1140</a>	Health and Human Services	Allows OJS youth to be placed in detention if an emergency exists up to 7 days. If an emergency exists, OJS must notify staff, juveniles, families, State Court Administrator, the committing court of each juvenile, HHS Committee, Office of Public Counsel, and the Inspector General of Child Welfare at least 24 prior to implementation. DHHS shall develop an emergency plan for YRTC Geneva and Kearney and any other YRTC facility.	Portions amended into LB 1140 Approved by Governor on August 06, 2020 with E-clause
Juvenile Justice	<a href="#">LB 1143</a> <a href="#">Portions Amended into LB 1140</a>	Health and Human Services	DHHS shall contract for a needs assessment and cost analysis for establishing an inpatient adolescent psychiatric unit at LRC and submit a report to the HHS Committee on the findings.	Portions amended into LB 1140 Approved by Governor on August 06, 2020 with E-clause
Juvenile Justice	<a href="#">LB 1145</a> <a href="#">Portions re: transportation Amended into LB 1140</a>	Health and Human Services	Requires that DHHS develop and implement a policy about mechanical restraint, including shackling. DHHS must also develop and implement a policy regarding the transport of juveniles to, from, and between YRTCs.	Portions regarding transportation amended into LB 1140

Presenters' Legislation of Interest – Juliet Summers

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	<a href="#">LB 1148</a>	Vargas (7) Hilkeman Priority	Change provisions relating to the Office of Juvenile Services and the placement of juveniles at youth rehabilitation and treatment centers; some clean up strikes; designates YRTC -K or G; would increase time in court in at least four situations; at initial commitment once court receives the trmt plan either the court or an interested party can set a hearing; if there is a change in placement OJS must notify court and interested parties and hearing may be set by court or interested party; OJS must also provide court with monthly updates of juveniles; during a juvenile's commitment any party may file for a commitment review hearing (both a staff and juvenile must be present at the hearing); annual review hearings for juveniles at yrtcs.	Approved by Governor on August 06, 2020
YRTC	<a href="#">LB 1150</a> <a href="#">Portions Amended into LB 1188</a>	Brandt (32)	Require the youth rehabilitation and treatment centers to be fully operational by July 1, 2021	Portions Amended into LB 1188 Signed by Governor August 6, 2020
Education at YRTC	<a href="#">LB 1188</a>	Howard (9) Priority Bill for Kolowski	Requires OJS to create a superintendent of the schools for YRTC Kearney and Geneva. Requires that education provided at YRTCs meet the requirements for an interim-program school, an approved school, or accredited school by August 1, 2021.	Approved by Governor on August 06, 2020

Presenters' Legislation of Interest – Juliet Summers

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	LR386	Pansing Brooks	Interim study to examine Nebraska law, policy, and application in the filing and transferring of cases involving youth between juvenile and criminal court and to examine how the jurisdictional structure supports the intent of the juvenile code	Judiciary
Juvenile Justice	LR420	Howard	Interim study to examine the racial and ethnic disproportionality that exists in Nebraska's foster care and juvenile justice systems, including specifically, for youth committed to the youth rehabilitation and treatment centers	Health and Human Services
Juvenile Justice	LR421	Lathrop	Interim study to examine the racial and ethnic disproportionality that exists in Nebraska's foster care system, including specifically, for youth committed to the youth rehabilitation and treatment centers	Judiciary
Juvenile Justice tobacco	LB 1064	Briese; General Affairs Priority	Raises age to twenty-one for tobacco/nicotine use	Signed by Governor on August 15, 2020

Presenters' Legislation of Interest – Jeanne Brandner

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare - drivers license	LB219 and AM1472 adopted	Wishart	Part of the independent living plan for youth in foster care shall include information, planning, and assistance to obtain a driver's license, including a driver's manual, helping to identify driver's ed courses and resources to attend, and identifying potential means to access a car for such purposes. Changes the date that the young person should receive critical documents to age 14 – and should receive them again when leaving foster care. Clarifies that a caregiver of a child in foster care is not liable for harm caused to or by the child from learning to drive if the caregiver operates under the reasonable and prudent parent standard.	Signed by Governor on August 17, 2020
Child Welfare	LR422	Arch	Interim study to examine the modifications made to child welfare policies and practices during the COVID-19 pandemic of 2020	Health and Human Services
B2i	<a href="#">LB849</a> <a href="#">Portions amended into LB 848</a>	Pansing Brooks (28)	Change eligibility requirements under the Young Adult Bridge to Independence Act to allow youth under tribal court jurisdiction to enter at 18 years old. AM2149	Signed by Governor on August 15, 2020

Presenters' Legislation of Interest – Sarah Helvey



# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	<a href="#">LB1061</a>	Crawford; Crawford Priority Bill	Provides definition of CACs, defines investigations by DHHS as using an evidence informed and validated tool, defines kin caregiver as both in foster care and non-court cases, provides a definition of a non-court involved case as DHHS voluntarily providing services without a filing in court, defines relative caregiver, defines report. States that when DHHS receives a report, it can be accepted for traditional response, alternative response, accept for screening, or classify it as no further action. Establishes an advisory committee under the Children's Commission to examine AR and make recommendations. Provides exclusionary criteria for AR: murder, assault, sexual abuse, abandonment of the child for six months or more prior to the report, labor trafficking of a minor, neglect that results in serious bodily injury, physical abuse to the head or torso of a child, an allegation that requires a forensic interview at the CAC, out of home child abuse or neglect, or an allegation being investigated by law enforcement. DHHS can add additional exclusions. The Review, Evaluate, and Decide team assess any report that includes domestic assault/violence, use of alcohol or controlled substances by a caregiver, a family member residing in the home or a caregiver that has been the subject of a report in the last six months before it can be sent to AR. If DHHS is concerned for the safety of the child, the case can be transferred from AR to TR. When a family is involved in a non-court case, the parent shall have the right to have their child returned upon demand, the kin or relative caregiver shall have temporary parental authority.	Approved by Governor on July 24, 2020

Presenters' Legislation of Interest – Sarah Helvey

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	LR410	Health and Human Services Committee	Interim study to provide continued oversight of and updates regarding the contract between the Dept. of Health and Human Services and St. Francis Ministries for child welfare case management services.	Health and Human Services Committee
Child Welfare	LR422	Arch	Interim study to examine the modifications made to child welfare policies and practices during the COVID-19 pandemic of 2020	Health and Human Services
Holiday	LB 848	Pansing Brooks (28) State-tribal relations Priority	Change Columbus Day to Indigenous Peoples' Day. AM2263 Advanced to E&R 3/2 with AM 2723 which is LB849 B2i	Signed by Governor on August 15, 2020

Presenters' Legislation of Interest – Steve Greene

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	<a href="#">LB1061</a>	Crawford; Crawford Priority Bill	Provides definition of CACs, defines investigations by DHHS as using an evidence informed and validated tool, defines kin caregiver as both in foster care and non-court cases, provides a definition of a non-court involved case as DHHS voluntarily providing services without a filing in court, defines relative caregiver, defines report. States that when DHHS receives a report, it can be accepted for traditional response, alternative response, accept for screening, or classify it as no further action. Establishes an advisory committee under the Children's Commission to examine AR and make recommendations. Provides exclusionary criteria for AR: murder, assault, sexual abuse, abandonment of the child for six months or more prior to the report, labor trafficking of a minor, neglect that results in serious bodily injury, physical abuse to the head or torso of a child, an allegation that requires a forensic interview at the CAC, out of home child abuse or neglect, or an allegation being investigated by law enforcement. DHHS can add additional exclusions. The Review, Evaluate, and Decide team assess any report that includes domestic assault/violence, use of alcohol or controlled substances by a caregiver, a family member residing in the home or a caregiver that has been the subject of a report in the last six months before it can be sent to AR. If DHHS is concerned for the safety of the child, the case can be transferred from AR to TR. When a family is involved in a non-court case, the parent shall have the right to have their child returned upon demand, the kin or relative caregiver shall have temporary parental authority.	Approved by Governor on July 24, 2020

Presenters' Legislation of Interest – Steve Greene

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	<a href="#">LBI 148</a>	Vargas (7) Hilkeman Priority	Change provisions relating to the Office of Juvenile Services and the placement of juveniles at youth rehabilitation and treatment centers; some clean up strikes; designates YRTC -K or G; would increase time in court in at least four situations; at initial commitment once court receives the trmt plan either the court or an interested party can set a hearing; if there is a change in placement OJS must notify court and interested parties and hearing may be set by court or interested party; OJS must also provide court with monthly updates of juveniles; during a juvenile's commitment any party may file for a commitment review hearing (both a staff and juvenile must be present at the hearing); annual review hearings for juveniles at yrtcs.	Approved by Governor on August 06, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Child Welfare	LR387	DeBoer	Interim study to examine the processes, by which children who are the victim of a substantiated case of abuse or neglect, are able to access services through Nebraska's Early Development Network under the federal Individuals with Disabilities Education Act, Part C	Health and Human Services Committee
Juvenile Justice	LR405	Cavanaugh	Interim study to examine the feasibility of developing the Nebraska Juvenile Justice Information System	Judiciary
Justice	LB582	Brewer	Adds 'should have known' and 'reasonable belief' to possession of a stolen firearm	Signed by Governor February 12, 2020
Education	LB 751	Blood (3) Speaker Priority	Added "mental" to the 'physical or behavioral health' collaborative plan to reduce barriers identified to improve regular attendance for a child	Approved by Governor on August 06, 2020

Presenters' Legislation of Interest – Mary Pat Coe

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	LR382	Legislative Performance Audit Committee	Interim study to examine the oversight of non-court involved child welfare cases	Health and Human Services Committee
Education	LR399	Groene	Interim study to conduct an in-depth review of how at-risk and economically disadvantaged students are identified as a qualification factor for state-funded, education-related programs at the primary, secondary, and postsecondary levels	Education
Justice	LR413	Howard	Interim study to continue oversight of the residential facilities for juveniles, including the youth rehabilitation and treatment centers, under the supervision of the Dept. of Health and Human Services	Health and Human Services
Health care	LB 1036 Amended into LB 1004	Morfeld (46)	persons 18 and older can make health care decisions; allows under 19 who are committed to Dept of Corr to consent to mental health, medical care and related services	Amended into LB 1004 <b>Vetoed August 17, 2020</b>
Juvenile Justice	<a href="#">LBI 148</a>	Vargas (7) Hilkeman Priority	Change provisions relating to the Office of Juvenile Services and the placement of juveniles at youth rehabilitation and treatment centers; some clean up strikes; designates YRTC -K or G; would increase time in court in at least four situations; at initial commitment once court receives the trmt plan either the court or an interested party can set a hearing; if there is a change in placement OJS must notify court and interested parties and hearing may be set by court or interested party; OJS must also provide court with monthly updates of juveniles; during a juvenile's commitment any party may file for a commitment review hearing (both a staff and juvenile must be present at the hearing); annual review hearings for juveniles at yrtcs.	Approved by Governor on August 06, 2020

Presenters' Legislation of Interest – Mary Ann Harvey

# 2020 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Education	LB 751	Blood (3) Speaker Priority	Added "mental" to the 'physical or behavioral health' collaborative plan to reduce barriers identified to improve regular attendance for a child	Approved by Governor on August 06, 2020
Age of Majority/purchase stocks/bonds	LB 756	Blood (3)	eighteen year olds can buy and sell stocks/bonds	Indefinitely postponed
Child Welfare - edu	<a href="#">LB759</a>	Kolterman (24)	In removal of children cases, there would be a new requirement that court provide a portfolio of the child's needs to the school before placement occurs and have a consultation with the school prior to placement. There would need to be training of the courts and probably significant court time to put together a portfolio of the child's needs (possibly a new staff?) for the school. It would also require court time for consultation with the school prior to placing the child. should be an amendment filed soon taking courts out	Indefinitely postponed
Child Welfare - sex offense	<a href="#">LB766</a> Portions amended into <a href="#">LB 881</a>	Lindstrom (18)	Prohibit sexual assault of a minor by an authority figure (defines authority figure), change statute of limitations for failure to make a report of child abuse or neglect, and change provisions relating to sexual offenses	Portions amended into <a href="#">LB 881</a> approved by Gov. 8/7/20
Criminal and Civil liability	<a href="#">LB779</a> Portions amended into <a href="#">LB 1008</a>	Stinner (48)	Appropriation of funds to support CACs: victims, investigation teams, and treatment teams.	Portions amended into <a href="#">LB 1008</a> approved by Gov. 8/6/20

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Services	<a href="#">LB832</a>	Bostelman (23) Speaker Priority	Provide immunity for removal of a child from a motor vehicle AM2293 Advanced to E&R 3/4 with AM2293	Approved by Gov 8/6/2020
Child welfare - child care licensing	<a href="#">LB837</a> <a href="#">Portions amended into LB 1185</a>	Arch (14)	Change provisions relating to background checks under the Child Care Licensing Act and the Children's Residential Facilities and Placing Licensure Act to allow DHHS to pay for the background checks if funding is available.	Portions amended into <a href="#">LB 1185</a> approved by Gov. 8/7/20
Holiday	LB 848	Pansing Brooks (28) State-tribal relations Priority	Change Columbus Day to Indigenous Peoples' Day. AM2263 Advanced to E&R 3/2 with AM 2723 which is LB849 B2i	Signed by Governor on August 15, 2020
B2i	<a href="#">LB849</a> <a href="#">Portions amended into LB 848</a>	Pansing Brooks (28)	Change eligibility requirements under the Young Adult Bridge to Independence Act to allow youth under tribal court jurisdiction to enter at 18 years old. AM2149	Signed by Governor on August 15, 2020
Issuance of subpoenas in civil proceeding	LB869 Portions amended into LB 912	Lathrop	Supreme Court may promulgate rules allowing the clerk of the district court to subpoena for discovery in Nebraska a civil proceeding pending in a foreign jurisdiction.	Portions amended into <a href="#">LB 912</a> approved by Gov. 8/6/20



# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare - continuous eligibility for medical assistance	<a href="#">LB851</a>	McCollister (20)	Change provisions by providing for continuous eligibility for child under 19 and who is eligible for for medical assistance under the Medical Assistance Act; and not reviewable until 19 bday or anniv date of eligibility of child; dept must submit waiver to feds to provide 12 months continuous eligibility for - subsid adop and guardian assist, institution for mental disease, parent-caretaker relatives and heritage health adult.	Indefinitely postponed
Children and tobacco	LB 862	Hughes (44)	clarifying language that prohibits possessions by minors of tobacco and nicotine products.	Indefinitely postponed
Child support	LB 883	Hansen (26)	Requires certain notice language to be added to child support/medical orders - need to keep in mind for UFC	Indefinitely postponed
Child Welfare video recordings	<a href="#">LB906</a> <a href="#">Amended into LB 1148</a>	DeBoer (10)	Provide requirements and restrictions on maintenance, release, and use of video recordings of forensic interviews of children. Requires a court order to release, unless for law enforcement or prosecution, DHHS to view as part of an investigation or to the OIG.	Amended into LB 1148; signed by Governor on August 6, 2020
Child Welfare Adoptions	<a href="#">LB907</a>	DeBoer (10)	Change provisions relating to adoptions: allows adults to adopt children together without regard to marital status, allows children to be adopted by the spouse of their parent, or a second adult when child has a sole legal parent. Also allows for adoption of adult children by spouse of child's parent or someone they have a parent child relationship with. Lays out what must be filed with a petition for adoption.	Indefinitely postponed

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare/Juvenile Justice - witness	LB 912	Brandt (32)	Allows witnesses to appear by phone, video or other means in a civil case unless objected to by a party AM2620 filed. LB 869 included via amendment, supreme ct to draft a form	Approved by Governor on August 06, 2020
Criminal code	LB 913	McDonnell (5)	Arson penalties increased if first responder injured, and other changes in penalty sections	Indefinitely postponed
Equity	LB918	Wayne (13) Speaker Priority	Establishes a Commission on African American Affairs	Signed by Governor on August 15, 2020
Criminal Justice	LB 924	Chambers Priority	Adds requirements for law enforcement including anti-bias and implicit bias training. Includes loss of funds if agencies do not comply with requirements for supplying information to the Commission on Law Enforcement and Criminal Justice.	Approved by Governor on August 06, 2020
Medicaid	<a href="#">LB932</a>	Wishart (27)	Require expansion of the medical assistance programs as prescribed	Indefinitely postponed
Quality Legal	LB 934	Morfeld (46)	Eliminates bar exam for graduates of an accredited law school in Nebraska	Indefinitely postponed

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Sovereignty	LB937 Amended into LB 848	Brewer	Requires the flags of the four federally recognized tribes headquartered in Nebraska to be hung in the Legislative Chamber and the Memorial Chamber on the 14th floor of the Capitol. These can included any tribal flags with historic and regional connections to Nebraska.	Amended into LB 848; Signed by Governor August 15, 2020
Juvenile Justice	<a href="#">LB940</a> <a href="#">Portions amended into LB 1148</a>	Pansing Brooks (28)	Change a provision regarding the sealing of juvenile records - no changes just adds 'and this legislation' to statute	Portions amended into <a href="#">LB 1148</a> approved by Gov. 8/6/20
Youth in Care Bill of Rights	<a href="#">LB941</a>	Hunt (8)	Create the Nebraska Youth in Care Bill of Rights that apply to both youth in the care of DHHS and Probation. Grievance procedures will exist within DHHS and Probation. Attorneys and GALs can also bring any violation of rights issues before the court.	Indefinitely postponed
Sexual Assault	<a href="#">LB945</a> <a href="#">Amended into LB 881</a>	Cavanaugh (6)	Require a report on untested sexual assault evidence collection kits	Amended into LB 881; Signed by Governor August 7, 2020
Medicaid MCOs	<a href="#">LB955</a> <a href="#">Amended into LB 956</a>	Walz (15)	Change provisions relating to eligibility for medical assistance (notice, appeals)	Amended into LB 956; Signed by Governor August 10, 2020
Medicaid	<a href="#">LB956</a>	Walz (15) Walz Priority	Provide duties for managed care organizations under the Medical Assistance Act	Approved by Governor on August 10, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Domestic Violence	<a href="#">LB958</a>	Cavanaugh (6)	Change provisions relating to possession or purchase of a firearm by a person convicted of misdemeanor domestic violence or subject to any protection order	Indefinitely postponed
Vital Records	<a href="#">LB964</a> Portions amended into <a href="#">LB 966</a> approved by Gov. 8/15/20	McDonnell (5)	Provide for acknowledgement of maternity when biological mother (egg) and birth mother (who gave birth) are different.	Portions amended into <a href="#">LB 966</a> approved by Gov. 8/15/20
Education	<a href="#">LB965</a>	McDonnell (5) Speaker Priority	Establish a language assessment program for children who are deaf or hard of hearing AM 2234	Signed by Governor on August 15, 2020
Schools	<a href="#">LB967</a>	DeBoer (10)	Change provisions regarding bullying prevention and education	Indefinitely postponed
Child Welfare - video depo	<a href="#">LB969</a> <a href="#">Amended into LB 1148</a>	Wayne (13)	Change provisions relating to video depositions of child victims and child witnesses; defense can make copies for experts/consultants on the case	Amended into <a href="#">LB 1148</a> ; signed by Governor on August 6, 2020
Education	<a href="#">LB974</a>	Revenue Priority	Change taxation and school funding provisions	Indefinitely postponed

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	<a href="#">LB975</a> <a href="#">Amended into LB 1148</a>	Geist (25)	Changes reporting requirements to the hotline so that a person making a report regarding an adult or a child does not have to disclose his or her name or address. The name and address may not be shared unless it's for the furtherance of the administration of its programs or for the county attorney's office.	Amended into LB 1148; signed by Governor on August 6, 2020
Child Welfare - contract agency	<a href="#">LB977</a>	Bolz (29)	The contract agency must show full readiness by completion of a readiness assessment. The Director of CFS shall notify the HHS committee when the readiness assessment is complete and provide assurance that the agency has demonstrated full readiness before it provides services. AM2603 filed	Indefinitely postponed
Criminal	LB 985	Pansing Brooks (28)	seems like a creative way to eliminate mandatory mins for certain offenses - letting cty atty choose type	Indefinitely postponed
Juvenile Justice	LB 986	Pansing Brooks (28)	no publicly funded college/univ in Nebraska can inquire about criminal or juvenile court record on application	Indefinitely postponed
Human trafficking	LB 987	Pansing Brooks	Taxes dating and escort services. The money is put into the Human Trafficking Victim Assistance Fund.	Indefinitely postponed
Sexual Assault	<a href="#">LB991</a> <a href="#">Amended into LB 881</a>	Halloran (33)	Create the offense of sexual assault of a student and prohibit related enticement conduct by school officials	Amended into LB 881; Signed by Governor August 7, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Medical Care Act	<a href="#">LB997</a>	Morfeld (46) Priority	Adopt the Out-of-Network Emergency Medical Care Act	Approved by Governor on July 24, 2020
Education	LB 998	Murman (38)	creates the Behavioral training cash fund for Dept of Educ, it is to be used for behavioral awareness and intervention training for school districts AM2214	Indefinitely postponed
Suicide prevention	<a href="#">LB1001 Portions amended into LB 1131</a>	Crawford (45)	Require suicide prevention phone numbers (national, state and crisis text #) on new student identification cards in middle, h.s. and public college	Indefinitely postponed
Child care	<a href="#">LB1008</a>	Speaker Scheer (19)	Provide, change, and eliminate provisions relating to appropriations	Approved by Governor on August 06, 2020
Health care	LB 1036 Amended into LB 1004	Morfeld (46)	persons 18 and older can make health care decisions; allows under 19 who are committed to Dept of Corr to consent to mental health, medical care and related services	Amended into LB 1004 <b>Vetoed August 17, 2020</b>
Child Welfare	LB 1048 Amended into LB 881	Quick (35)	creates offense of sexual assault by school employee and provides notice to Commiss of Educ	Amended into LB 881; Signed by Governor August 7, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child care	LBI049	Bolz (29)	Raises FPL allowed to receive child care assistance.	Indefinitely postponed
Child Welfare - drug testing	LBI059	Howard	Change provisions relating to health care facility licensure; drug testing in child welfare cases (court, non-court, alt response)	Indefinitely postponed
Child Welfare	<a href="#">LBI061</a>	Crawford; Crawford Priority Bill	Provides definition of CACs, defines investigations by DHHS as using an evidence informed and validated tool, defines kin caregiver as both in foster care and non-court cases, provides a definition of a non-court involved case as DHHS voluntarily providing services without a filing in court, defines relative caregiver, defines report. States that when DHHS receives a report, it can be accepted for traditional response, alternative response, accept for screening, or classify it as no further action. Establishes an advisory committee under the Children's Commission to examine AR and make recommendations. Provides exclusionary criteria for AR: murder, assault, sexual abuse, abandonment of the child for six months or more prior to the report, labor trafficking of a minor, neglect that results in serious bodily injury, physical abuse to the head or torso of a child, an allegation that requires a forensic interview at the CAC, out of home child abuse or neglect, or an allegation being investigated by law enforcement. DHHS can add additional exclusions. The Review, Evaluate, and Decide team assess any report that includes domestic assault/violence, use of alcohol or controlled substances by a caregiver, a family member residing in the home or a caregiver that has been the subject of a report in the last six months before it can be sent to AR. If DHHS is concerned for the safety of the child, the case can be transferred from AR to TR. When a family is involved in a non-court case, the parent shall have the right to have their child returned upon demand, the kin or relative caregiver shall have temporary parental authority.	Approved by Governor on July 24, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice tobacco	LB 1064	Briese; General Affairs Priority	Raises age to twenty-one for tobacco/nicotine use	Signed by Governor on August 15, 2020
Sexual Assault	LB 1080	Lathrop; Speaker Priority	All new lang - requires school policies that prohibit sexual conduct with students and former students	Approved by Governor on August 07, 2020
Juvenile Justice program (in douglas cty)	LB 1095	McDonnell (5)	authorizes counties containing a city of the metro class (omaha) to establish juv justice programs and services relating to intake alternatives, investigation and assessment, case mgtmt and supervision and placement and reentry	Indefinitely postponed
Child Welfare/JJ	LB 1100 Portions amended into LB 1008 approved by Gov. 8/6/20	Bolz (29)	Rate increases for mental and behavioral health services.	Portions amended into LB 1008 approved by Gov. 8/6/20
Sexual Assault	LB 1112	Kolowski	Sexual Assault Payment Program Cash Fund for forensic medical examination includes prophylactic treatment for STIs and pregnancy prevention.	Indefinitely postponed
Criminal	LB 1113	Kolowski	provides that photography or recording of a peace officer is not obstruction of justice if the person taking the photo or making the recording is in a public place or in a place the person has the right to be.	Indefinitely postponed



# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Criminal - no death penalty/life for under 21	<a href="#">LB1117</a>	Pansing Brooks (28)	No death penalty or life sentence for crimes committed by a person under twenty-one years of age and change provisions relating to jurisdiction over juveniles - original to juv court for under 18	Indefinitely postponed
Grandparent visit	<a href="#">LB1118</a>	Speaker Scheer (19)	Provides that grandparents may seek visitation if the parents of the child have denied visitation.	Indefinitely postponed
Juvenile Justice	LB1124	Howard (9) Speaker Priority	Creates the Opioid Prevention and Treatment Act to provide for revenue for opioid disorder treatment and prevention.	Approved by Governor on August 07, 2020
Education	LB1131	Groene (42) Education Priority	clean up language; raised copy fee for medical records AM 2456	Indefinitely postponed
Juvenile Justice	<a href="#">LB1140</a>	Health and Human Services Priority Bill	Lays out the services that each YRTC must provide and requires that a report on activities and data be submitted to the legislature each year. Services include: safe and sanitary space, health care, separation by gender, sufficient staffing, training specific to population, facility administrator, individualized treatment plans for each youth, education programming that will lead to credits, case management, compliance with Title XIX and Title IV-E, evidence-based programming for each youth, and evidence-based treatment services.	Approved by Governor on August 06, 2020 with E-clause

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	<a href="#">LB 1141</a> <a href="#">Portions Amended into LB 1140</a>	Health and Human Services	Requires DHHS to develop a 5-year operations plan made with input from stakeholders for YRTC Geneva and Kearney. Must include a description of the population, an org chart, staff, facility plan, description of programs and treatments, description of reentry, adequate staffing, education plan with NDE, budget, disaster recovery plan, separation of juveniles by gender at different campuses, parenting plan, rights of juveniles, data measurements, trauma training for staff, and a grievance procedure.	Portions amended into LB 1140 Approved by Governor on August 06, 2020 with E-clause
Juvenile Justice	<a href="#">LB 1142</a> <a href="#">Portions Amended into LB 1140</a>	Health and Human Services	Allows OJS youth to be placed in detention if an emergency exists up to 7 days. If an emergency exists, OJS must notify staff, juveniles, families, State Court Administrator, the committing court of each juvenile, HHS Committee, Office of Public Counsel, and the Inspector General of Child Welfare at least 24 prior to implementation. DHHS shall develop an emergency plan for YRTC Geneva and Kearney and any other YRTC facility.	Portions amended into LB 1140 Approved by Governor on August 06, 2020 with E-clause
Juvenile Justice	<a href="#">LB 1143</a> <a href="#">Portions Amended into LB 1140</a>	Health and Human Services	DHHS shall contract for a needs assessment and cost analysis for establishing an inpatient adolescent psychiatric unit at LRC and submit a report to the HHS Committee on the findings.	Portions amended into LB 1140 Approved by Governor on August 06, 2020 with E-clause
Juvenile Justice	<a href="#">LB 1144</a>	Health and Human Services Howard Priority	Requires OJS to report to OIG after: an assault, an escape, an attempted suicide, self harm, property damage, the use of mechanical restraints, a significant medical event, and any leadership changes at OJS or the YRTCs. DHHS must also submit a report to OIJ quarterly on the number of grievances at each YRTC, a categorization of the issues within each grievance, the process for addressing grievances, and any action taken as a result of each. Requires the Public Counsel to do an annual review and physical inspection of state institutions. The report is to include assaults on staff, staffing levels, retention rates, and turnover rates.	Approved by Governor on August 06, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	<a href="#">LBI 145</a> <a href="#">Portions re: transportation</a> <a href="#">Amended into LB 1140</a>	Health and Human Services	Requires that DHHS develop and implement a policy about mechanical restraint, including shackling. DHHS must also develop and implement a policy regarding the transport of juveniles to, from, and between YRTCs.	Portions regarding transportation amended into LB 1140
Juvenile Justice	<a href="#">LBI 146</a>	Howard (9)	Appropriate funds for the Youth Rehabilitation and Treatment Center-Kearney for the building of dorms with private showers and bathrooms	Indefinitely postponed
Juvenile Justice	<a href="#">LBI 147</a> <a href="#">Amended into LB 1188</a>	Vargas (7)	Provide duties (maintenance) for the Department of Health and Human Services regarding the youth rehabilitation and treatment centers	Amended into LB 1188; signed by Governor August 6, 2020
Juvenile Justice	<a href="#">LBI 148</a>	Vargas (7) Hilkeman Priority	Change provisions relating to the Office of Juvenile Services and the placement of juveniles at youth rehabilitation and treatment centers; some clean up strikes; designates YRTC -K or G; would increase time in court in at least four situations; at initial commitment once court receives the trmt plan either the court or an interested party can set a hearing; if there is a change in placement OJS must notify court and interested parties and hearing may be set by court or interested party; OJS must also provide court with monthly updates of juveniles; during a juvenile's commitment any party may file for a commitment review hearing (both a staff and juvenile must be present at the hearing); annual review hearings for juveniles at yrtcs.	Approved by Governor on August 06, 2020

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	<a href="#">LBI 149</a>	Vargas (7)	Change provisions relating to the Office of Juvenile Services; some basic clean lang; designates YRTC - K or G; removes parole lang, removes placed for eval, removes word 'confinement,' adds evidence-based risk needs assessments for trmt plans; adds aftercare services lang; adds lang that YRTCs can't use no visit/communication with family as a sanction/consequence	Amended into LB 1188; signed by Governor August 6, 2020
YRTC	<a href="#">LBI 150</a> <a href="#">Portions Amended into LB 1188</a>	Brandt (32)	Require the youth rehabilitation and treatment centers to be fully operational by July 1, 2021	Portions Amended into LB 1188 Signed by Governor August 6, 2020
Juvenile Justice	LBI 156	Vargas (7)	Requires NDE to develop a statewide school panic button program available to schools in Nebraska. The system would be able to place a call to 911, communicate with 911 and followup messages, send messages to personnel at the school. This could be used for active shooter, medical emergency, police, fire, and other 911 events. Includes a \$2 million appropriation.	Indefinitely postponed
Juvenile Justice	LBI 169	Cavanaugh (6)	Create the Nebraska Integrated Juvenile Data Governing Body and the Nebraska Juvenile Justice Information Sysytem; creates a unified juv justice and child welfare data system in NE which will guide future investment in preventing involvement in the juv justice and child welfare system; lists out members; UNO Juv Justice Inst would manage the info system	Indefinitely postponed
Juvenile Justice	<a href="#">LBI 172</a>	Cavanaugh (6)	Requires that court orders for placement at YRTC specify either Geneva or Kearney and that transport between facilities would require a new court order except in cases of emergency. Allows DHHS to use space at LRC for a PRTF and requires that youth not be transferred from there without a court order, unless there is an emergency. There will be no exclusionary criteria at such a facility. Requires YRTCs to provide a description of services to the Supreme Court and Legislature each year. Requires DHHS to contract with UNL to conduct a needs analysis of prgrams and facilities at YRTCs.	Indefinitely postponed

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Criminal	LB 1181 Amended into LB 881	Wayne (13)	gives court an out on mandatory mins on some felonies; releases a defendant if still in jail awaiting trial for period longer than max time possible; Fair Sentencing Act created	Amended into LB 881; Signed by Governor August 7, 2020
Child care	LB 1185	HHS Committee	Background checks for child care staff. AM2668 filed 3/3	Approved by Governor on August 07, 2020
Education at YRTC	<a href="#">LB 1188</a>	Howard (9) Priority Bill for Kolowski	Requires OJS to create a superintendent of the schools for YRTC Kearney and Geneva. Requires that education provided at YRTCs meet the requirements for an interim-program school, an approved school, or accredited school by August 1, 2021.	Approved by Governor on August 06, 2020
Child welfare/Juvenile Justice	<a href="#">LB 1190</a>	Briese (41)	Provide for grandparent visitation when the parents of the child remain married	Indefinitely postponed
Child Welfare/JJ	<a href="#">LB 1191</a>	Howard (9)	Require the Department of Health and Human Services, the Office of Juvenile Services, and the Department of Correctional Services to allow employees to speak to members of the Legislature and the Public Counsel and testify at hearings.	Indefinitely postponed
Criminal	LB 1194	Walz (15)	decreased the population of a county to less than 45 thous (from 35thou) for which a cty bd can appoint a public defender for the county	Indefinitely postponed

# 2020 Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Criminal	LB 1209	Vargas (7)	Criminal Justice System Diversion Act; also establishes a Caregiver diversion program for defendants who are primary caregivers (could include juveniles who are parenting)	Indefinitely postponed
Sexual Exploitation	<a href="#">LB1210</a> <a href="#">Amended into LB 881</a>	Vargas (7)	Create the offense of sexual exploitation of a student (related to LB 766) on the part of a school official with student prior to 1yr following such student graduating or not enrolled in school	Amended in LB 881; Signed by Governor on August 7, 2020
DD service waiver	LB1215	Walz (15)	Appropriation to DHHS to fund all persons on the wait list for developmental disability services waiver.	Indefinitely postponed
Education	<a href="#">LB1217</a>	Wayne (13)	Require individualized response plans following a report of certain types of incidents involving students; report is to show how school is trying to minimize any suspension/expulsion of student, prioritizing counseling, positive behavioral interventions and supports, restorative justice practices, provide training for school employees who interact with the student	Indefinitely postponed
Juvenile Justice	<a href="#">LR298</a> <a href="#">Amended into LB 1144</a>	Howard (9)	Provide the Executive Board appoint a special committee of the Legislature to be known as the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature	Amended into LB 1144; Signed by Governor August 6, 2020

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	LB17	Briese	Adds as a purpose of the Neb. Juv. Code to assure the right of each juvenile to be parented by her or his parent, which shall not be curtailed by the parent's disability	Indefinitely postponed
Courts	LB43	Bolz Priority	Sexual assault survivors bill of rights AM 2037	Approved by Governor on August 06, 2020
Child Welfare	LB66	M. Hansen	Requires when a city adopts or updates a comprehensive plan, the plan shall include an early childhood element that assess supply of quality early childhood education programs. Promotes early childhood health and education	Indefinitely postponed
Child Welfare TPRs	LB92 and AM 104	Wayne	Requires that Nebraska Evidence Rules apply at TPRs and adjudications.	Indefinitely postponed
Child Welfare	LB93	Wayne	If a child is part of a proceeding in court where they are in the custody of the state for any reason listed in 43-247, a person who claims to be a biological parent of the child can file a complaint, accompanied by an affidavit where they claim under oath to be the biological parent, to intervene. No filing fee will be charged. The court must then order a DNA test to be conducted and make the juvenile available to be tested at the expense of the intervenor.	Signed by Gov 2/13/2020
Education	LB120	Crawford	The state school security director will be responsible to oversee behavioral and mental health training in schools – expands this from suicide awareness and prevention training. Requires that all public school nurses, teachers, counselors, school psychologists, administrators, social workers, and any other personnel shall receive 1 hour of behavioral and mental health training each year to include suicide awareness and prevention, early warning signs, effective responses, trauma-informed care, and how to make parents and students aware of supports and services.	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	LB131	Pansing Brooks	Adds to the criminal stat. that minimum term shall not be less than the minimum or mandatory minimum in section 28-105 and that the minimum won't be greater the 1/3 of max term allowed. No change to under 18 youth who commit a crime. AM1549 filed 5/24/19	Indefinitely postponed
Criminal, min terms under 19	LB132	Pansing Brooks	Criminal Code as to felonies and penalties – Adds that the minimum term for imprisonment for person under 19 when convicted of Class IC or Class ID felony shall not be the mandatory minimum but a minimum term only.	Indefinitely postponed
Education - student discipline	LB147	Groene Murman Priority	Adds to the Student Discipline Act when a teacher/administrator can restrain a student/have physical contact with a student; defines when teacher has authority to have student removed from class for behavior w/out liability legally or administratively. AM1750 filed 5/15/19	Indefinitely postponed
Juvenile Justice	LB164	Hunt	Adds to NE Criminal code – definitions of harassment and nudity; what photographs/videos are prohibited from electronically or online posting; lays out when the section doesn't apply, ie law enforcement investigations, individual posting themselves only, photo was already for a commercial purpose....	Indefinitely postponed
Education	LB165	Hunt	Too Young to Suspend Act – details when early childhood and kindergarten students cannot be suspended or expelled, then explains when they can be suspended/expelled. Calls for issuance of guidelines by 3/1/2020 by Commissioner of Educ.	Indefinitely postponed
Criminal	LB166	Hunt	Discovery of victim's actual or perceived gender or sexual orientation is not a defense to a criminal offense	Indefinitely postponed



# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	LB167	Hunt	Practitioners cannot be credentialed if they provide conversion therapy. It is unlawful to provide conversion therapy, advertise providing conversion therapy that can change a person's sexual orientation or gender identity. Conversion therapy means treatments to change a person's sexual orientation or gender identity. No state funds can be used to provide conversion therapy or to give a grant or contract to an entity that conducts conversion therapy.	Indefinitely postponed
Juvenile Justice	LB173	Pansing Brooks	Adds to definition of coercion, consent and lack of consent in sexual assault	Indefinitely postponed
Juvenile Justice	LB176	Chambers	Eliminates mandatory min on class IC and ID felonies	Indefinitely postponed
Juvenile Justice	LB198	Halloran	Creates the offense of use of a facsimile firearm (definition includes; toy, replica, starter pistol or other object that reasonably looks like firearm) to commit a felony	Indefinitely postponed
Juvenile Justice	LB213 Amended into LB 881	McCollister	Procedure to set aside conviction; also references the question of the ability to own a firearm under state and federal law if conviction is set aside advises offender to consult with attorney to check his/her ability to own firearm in future	Amended into LB 881; Signed by Governor August 7, 2020
Child Welfare - drivers license	LB219 and AM1472 adopted	Wishart	Part of the independent living plan for youth in foster care shall include information, planning, and assistance to obtain a driver's license, including a driver's manual, helping to identify driver's ed courses and resources to attend, and identifying potential means to access a car for such purposes. Changes the date that the young person should receive critical documents to age 14 – and should receive them again when leaving foster care. Clarifies that a caregiver of a child in foster care is not liable for harm caused to or by the child from learning to drive if the caregiver operates under the reasonable and prudent parent standard.	Signed by Governor on August 17, 2020

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	LB226	Quick	Money to DHHS for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva for staffing/programs and DHHS to contract with academic institution for evaluation of facilities/programs	Indefinitely postponed
Juvenile Justice - room confinement	LB230	Pansing Brooks	Changes parameters as to reason and time allowed for room confinement of juveniles in a juvenile facility. AM450 filed 2/2/6/19	Signed by Governor February 12, 2020
Juvenile Justice	LB231	Pansing Brooks	Provide for a Juv. Defense fund; Change provisions relating to legal defense of juveniles, strengthens right to counsel for juvenile; Supreme Ct to review and maintain standards.	Indefinitely postponed
Education	LB241	Bolz	The State Board of Education shall develop guidelines for teacher mentoring programs to support beginning teachers. It also allows local districts to apply to NDE for a teacher mentoring grant for a period of up to three years to implement a teacher mentoring program, funded by solar and wind agreements on school lands and used mainly to give mentor teachers stipends.	Indefinitely postponed
Education	LB251	Walz	Recognizes the importance of children not being hungry and allows schools to provide breakfast and lunch for free if a child qualifies for reduced price meals. The school would then get the remainder of the cost from the state department of education.	Indefinitely postponed
Juvenile Justice	LB226	Quick	Money to DHHS for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva for staffing/programs and DHHS to contract with academic institution for evaluation of facilities/programs	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	LB275	M. Hansen	Notification requirement (to NE Commission on LE and Crim Jus) when prohibited person attempts to own/obtain permit for handgun	Indefinitely postponed
Criminal	LB286	McCollister	I think it is just adults but - Chief Justice appts 2 judges to the Reentry Council	Indefinitely postponed
Families and Workforce	LB305	Crawford	Healthy and Safe Families Workplace Act: Allows individuals to take paid time off work for health reasons, to care for a family member, because of domestic abuse/assault situations, or to recover from injury from abuse/assault/stalking. Employees accrue 1 hour for every 30 hours of work, up to 40 hours in a calendar year. If time off exceeds 3 days, an employer can require documentation. If an employer already provides sufficient paid time off, they do not have to offer this program. Employees can't be retaliated against for using this time.	Indefinitely postponed
Families and Workforce	LB311	Crawford	Paid Family and Medical Leave Insurance Act: Beginning July 1, 2021, a covered individual can take paid family leave to care for a new child (birth, adoption, foster care) to care for a family member who has a serious health condition, to care for a family member who is a service member, for exigency leave, for the individuals serious health condition (including pregnancy). A person is eligible after working 26 or more consecutive weeks, and can take 12 weeks for a baby or their own health condition, 6 weeks to care for a family member. Individuals will receive a percentage of their normal wages. The act creates a fund that employers pay into. Employers can be exempt if they provide paid leave that is at least as generous as what is provided in the act.	Indefinitely postponed
Behavioral Health	LB313	Bolz	Allows the Inspector General of Corrections to oversee the Regional Centers, so the Division of Behavioral Health will have to allow the IG to have access to records, reports, and documents related to the regional centers.	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	LB326	Quick	Appropriates \$50K to DHHS, CFS to be used for cultural competency and racial equity training of staff to address disproportionality.	Indefinitely postponed
Child Welfare - FFPSA	LB328	Bolz	Nebraska FFPSA. Intent to provide services to children who are at risk - in the home or community whenever possible, maximize federal funding, distribute funding equitably across the state, provide services that are best practices, promising, and well-supported, implement the federal Act. Defines candidate for foster care, qualified residential treatment program (QRTP). Prevention services to candidates for foster care and their families including mental health and substance use, in home skill based and maintain a written prevention plan. In non-court cases where child lives with relative or kin, parent shall be able to have child returned on demand. Establishes a procedure to ensure kin or relative receive available funding. Clarifies that if a child is seriously endangered, that the case should go through court. ICWA applies to non-court cases, as applicable. Provides guidance about the approval process for QRTP and approval and disapproval of the placement. Provides requirement to implement a kinship navigator program. Requires that IA workers have a bachelor's degree in social work of 5 yrs experience. Defines voluntary placement agreement. Requires that if a parent is entered into the central registry as part of a non-court case and then found not to present a safety risk, that the case be expunged. Provides specific duties for IA workers. Adds specific types of cases that must be reviewed by the investigation team. Encourages county attorneys to include parent or peer advocates in the teams and people with racial/economic diversity.	Indefinitely postponed
Families	LB329	Bolz	Allows families to receive a childcare subsidy up to 200% of the FPL. AM2186 Adopted and AM 1183 Adopted	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Criminal	LB331	Bolz	Changes responsibility of the Vocational and Life Skills Programming Fund from Dept of Corr to Bd of Parole	Indefinitely postponed
Education	LB343	Halloran	Authorizes school to allow school employees to carry concealed handguns at school and school activities pursuant to a program developed under the new School Safety Rapid Response Option Act (which is contained in the bill as well)	Indefinitely postponed
Education	LB346	Wishart	Requires NDE to reimburse districts for a percentage of funds for special education.	Indefinitely postponed
Education	LB351	Morfeld	Allows schools use of property tax levy funds (and bonds) for violence prevention and cybersecurity	Indefinitely postponed
Courts	LB369	Vargas	LE to notify governing board in writing 30 days before they help another public agency enforce immigration laws (investigation/detain/arrest/detect) against a person. NE state patrol would also have to notify the Judiciary Committee if they entered like agreement. AMI 126 and AM 2077 both pending	Indefinitely postponed
Juvenile Justice	LB376	Friesen	Includes 'juvenile detention facility' when addressing new authority of sheriff/other county official to place a prisoner in an institution or other place of confinement in the state that would be appropriate for that prisoner. Sheriff/other cty official can also make decision if place of confinement is not appropriate.	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Child Welfare	LB388	Howard	Requires a review of an exception at each subsequent review hearing. Even if a relative is identified as a placement option, clarifies that there is no guarantee that the relative will receive custody. For guardianships, changes the age of consent from 10 to 12, court must find by clear and convincing evidence that the guardianship is in the best interests of the child; county attorney, GAL or interested party may make a motion for guardianship and the court must hold a hearing on it within 60 days; child shall remain with the guardian unless the order is modified by the court; the juvenile court maintains jurisdiction to monitor the guardianship and hold annual reviews. The parent can seek to terminate the guardianship and have the child returned by proving that the parent is fit and able to take the child. If there is a disruption, the court shall place the child with DHHS and hold a protective custody hearing within 8 days. AM 803 pending	Indefinitely postponed
Child Welfare	LB389	Howard	Reasonable efforts can be excused if the parent has committed sexual assault of the juvenile or another minor child or committed sex or labor trafficking of a minor. Allows for TPR if the court has TPR'd the parent as to another child or the parent has used alcohol or drugs to such an extent as to render the parent unable to care for the child. Can TPR on a child under the age of 4 if the child has been out of home for 6 out of the most recent 12 months and the parent has not made substantial progress. Adds a TPR ground if the parent has committed sexual assault of a child or labor or sex trafficking of a minor.	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	LB391	M. Hansen	Adds to juvenile code – rights advisement to juvenile in detailed language, broken down in simple terms, juvenile must explain it back; reasonable measures taken to notify juvenile’s paren/guardian/relative; if juvenile requests to speak to parent/guardian/relative during custodial interrogation all questions stop by LE until arrival of parent/guardian/relative then must re advise Miranda	Indefinitely postponed
Benefits	LB402	Hilkeman	Strikes section that person w/ felony conviction for drugs are ineligible for SNAP benefits	Indefinitely postponed
Education	LB423	Howard	Eliminates school health center advisory councils and eliminates some of the definitions of school based health centers.	Indefinitely postponed
Families	LB426	DeBoer	Two adults can adopt a child regardless of marital status.	Indefinitely postponed
Juvenile Justice	LB455	Arch	Add ‘examinations to determine fitness for confinement’ to the medical services in 47-701 as relates to inmates	Indefinitely postponed
Juvenile Justice	LB475	Geist	Added to criminal code the crime of sexual extortion, age will matter (under 19 vs 19+) as to felony class and as to requirement to register under the sex offender reg act	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Justice	LB479 Portions Amended into LB 519	Wishart	Adds lang – prohibits sexual assault of detainees (defined) by employees of LE; Sex Offender Act applies to those guilty of above acts. Portions amended into LB 519 by AM1591	Portions passed with LB519, Approved by Governor on May 30, 2019
Justice	LB484	Lowe	Adds definition of assault on a public safety officer.	Indefinitely postponed
Juvenile Justice	LB485	Lowe	\$2 million from General Fund to YRTC-Kearney to provide a fence around the facility	Indefinitely postponed
Education	LB488	Howard	Requires schools to incorporate age-appropriate mental health and drug awareness and prevention education into the school program starting in 20-21.	Indefinitely postponed
Courts	LB490	Wayne	Transitions clerk of the District court from an elected county paid position, to an appointed state position, consolidates clerk magistrate and clerk of the district court into clerk of the courts and requires consolidation plans to be made.	Indefinitely postponed
Education	LB491	Wayne	To allow for the award of punitive damages against a defendant; any punitive damages awarded would go to the county and be used to support schools	Indefinitely postponed



# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice	LB495	Wayne	Implement a statewide system to collect data on school disciplinary measures (ie, seclusion, restraint, expulsion, suspension etc) and LE referrals	Indefinitely postponed
Healthcare	LB498	Wishart	Requires DHHS to make a state plan amendment to cover medical assistance for family planning for people whose income is under the income eligibility set by the state on January 1, 2019 for coverage for pregnant women. This includes family planning, cancer screening, treatment for conditions diagnosed during a visit; does not include elective abortion.	Indefinitely postponed
Behavioral Health	LB499	Morfeld	Requires psychologists to adhere to a code of conduct.	Indefinitely postponed
Justice	LB500	Morfeld	Limits pretrial diversion programs for some DUI's and driving w/ revoked license; defines minor traffic violations	Indefinitely postponed
Justice	LB502	Hunt	Creates the Limited Immigration Inquiry Act – unless court order or required by federal law or permitted by state law no LE can ask a person their immigration status or request SSN or other info that would disclose immigration status; also if LE finds out immigration status LE must keep it confidential; requirement for posting rules of this Act; NE Commission on LE and Criminal Justice shall develop training	Indefinitely postponed
Criminal	LB504	Hunt	Adds definition of gender identity and adds gender identity as a protected class; adds strangulation to enhanced penalty list; NE Commission on LE and Criminal Justice will maintain central repository for data collected in such cases	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice student disci act	LB515	Vargas	<p>Additions and changes to the Student Discipline Act</p> <p>Changed the definition of mandatory reassignment to the involuntary transfer of a student to another school (struck 'in connection with a disciplinary action'); tightened up timeframes to principal's written statement to student/parent explaining alleged conduct; changed may to shall - student shall have the opportunity to complete homework/classwork while waiting for any hearing</p> <p>Added: At the conclusion of expulsion the school district shall reinstate the student and accept non duplicative/grade appropriate credits earned from any NE accredited institution or institution accredited by the 6 regional accrediting bodies of the US</p> <p>Added to the definition of personal injury caused by accident for purposes of the Act; added 'knowing' to the unlawful possession, selling, dispensing, of drugs</p> <p>Tightens up other timeframes on disciplinary measures and adds right of the student/parent/guardian to request different hearing officer. AM1673 Adopted</p>	Presented to Governor on August 13, 2020, <b>Vetoed by Governor August 17, 2020</b>
Trafficking	LB518	Linehan	Support Sex Trafficking Survivors Act, creates an Office of Support for trafficking survivors with DHHS staffed by a program coordinator, a Board with voting members appointed by the Governor, and a fund. The Board will create a state plan to prevent, identify, and respond to sex trafficking victims as well as create a competitive grant program to support the state plan available to service providers.	Signed by Governor August 17, 2020

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Education	LB534	Cavanaugh	Requires each postsecondary institution to conduct a sexual assault campus climate survey every two years and create a training for everyone involved in implementing student grievance procedures relating to sexual assaults or sexual misconduct policy violations.	Signed by Governor August 17, 2020
Developmental Disabilities	LB540	Walz	Makes funds available for DHHS to serve individuals with developmental disabilities, removes the termination date.	Signed by Governor August 17, 2020
Justice	LB555	Hunt	Creates the Sexual Assault Emergency Care Act; various terms defined; emergency contraception shall be explained both orally/written in victim's language; establishes a grievance procedure via HHS and disciplinary action against hospital if in noncompliance with Act	Indefinitely postponed
Education	LB563	Bolz	Creates the Access College Early Tech Promise Program Act for young people to attend a program for an in demand career.	Indefinitely postponed
Education	LB568 Portions amended into LB 920	Morfeld	NDE shall establish a mental health first aid training program for teachers and school personnel.	Indefinitely postponed
Justice	LB582	Brewer	Adds 'should have known' and 'reasonable belief' to possession of a stolen firearm	Signed by Governor February 12, 2020

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Juvenile Justice/Education	LB589	Chambers	All new – No peace officer, on duty or not, shall work/serve as a school resource officer; allows for peace officers to respond normally to any calls for help at schools	Indefinitely postponed
Child Welfare	LB599	Walz	CFS shall make any data available to the Public Counsel upon request.	Indefinitely postponed
Workplace	LB627	Pansing Brooks Priority	Adds sexual orientation and gender identity to employment discrimination statute.	Indefinitely postponed
Juvenile Justice	LB651	Wayne	Community-based Juvenile Services Aid Program; adds that the funding is only for services provided directly to juveniles and any government entity shall have policies governing the distribution of funds	Indefinitely postponed
Criminal	LB652	Wayne	Adds and defines term ‘drug residue’ and makes it a lesser offense	Indefinitely postponed
Families	LB653	Wayne	Healthy Kids Act – landlords must test for lead in rental units, unless they have a lead free certification from DHHS. Failing to comply gives the tenant a cause of action against the landlord. Must also do a lead swipe test for a sale.	Indefinitely postponed

# 2020 Carryover Legislation related to CIP goals

Subject Area	Bill/ Resolution	Introducer	Description	Status
Education	LB667	Vargas	Creates the Youth Opportunities in Learning and Occupations Act for young people between 16-24. Entities may apply to the Department of Labor for a grant for services or training of young people that will lead to employment.	After pandemic break, gutted to include workplace protections for essential workers. Indefinitely postponed.
Courts	LB685	Lathrop	A remedy by law cannot be denied or delayed as a consequence of an agreement requiring participation in mediation, binding arbitration, a grievance procedure, or any other dispute resolution.	Indefinitely postponed
Education	LB702	Cavanaugh	Creates the Campus Safety Act; regarding dating violence, domestic violence, sexual assault and stalking at postsecondary institutions; lays out responsibilities of postsecondary institutions; creates the position of Campus Safety Officer appointed by the Executive Director of the Commission, the position assists postsecondary institutions in implementing the Act	Indefinitely postponed
Juvenile Justice	LB703	Vargas	\$2.5 million from General fund to the NE Commission on LE and Crim Justice to be used by the Community-based Juvenile Services Aid Program to aid in supporting alternatives for juvenile detention	Indefinitely postponed
Education/Behavioral Health	LB725	Walz	NDE shall reimburse any qualifying school district and ESU for allowable mental health expenditures. To qualify the school district or ESU must designate an employee as a community-based mental health resource liaison. Creates a School Mental Health Resources Fund.	Indefinitely postponed
Child Welfare	LB727	Walz	On or before August 1 of each year, NDE in consultation with DHHS shall provide each school district with a registry of mental health resources available for students and families by geographical district. Each school district shall designate mental health points of contact for each building. This person shall be trained in mental health issue identification and have knowledge of community services available and will facilitate access to services during the school day whenever possible.	Indefinitely postponed

# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR350	Arch	Health and Human Services	Interim study to examine the role of telehealth services during the COVID-19 pandemic of 2020
LR362	DeBoer	Education	Interim study to conduct an in-depth review of the financing of special education in public primary and secondary schools
LR363	DeBoer	Education	Interim study to conduct an in-depth review of the financing of the public elementary and secondary schools
LR367	Dorn	Government, Military and Veterans Affairs	Interim study to examine set fee and fine amounts and the costs experienced by county governments when administering the associated services
LR368	Kolterman	Health and Human Services	Interim study to analyze underinvestment in primary care in the State of Nebraska
LR374	Wayne	Urban Affairs	Interim study to examine issues related to the historical practice known as redlining within Nebraska municipalities
LR377	Pansing Brooks	Judiciary	Interim study to complete a comprehensive review on the reform of policing in Nebraska
LR379	Geist	Judiciary	Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement

# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR381	Hansen, M.	Business and Labor	Interim study to review the collective-bargaining agreements of law enforcement agencies and the statutory requirements for such agreements
LR382	Legislative Performance Audit Committee	Health and Human Services	Interim study to examine the oversight of non-court involved child welfare cases
LR383	Lathrop	Judiciary	Interim study to examine issues within the jurisdiction of the Judiciary Committee
LR384	Lathrop	Judiciary	Interim study to examine issues related to Nebraska's correctional system
LR386	Pansing Brooks	Judiciary	Interim study to examine Nebraska law, policy, and application in the filing and transferring of cases involving youth between juvenile and criminal court and to examine how the jurisdictional structure supports the intent of the juvenile code
LR387	DeBoer	Health and Human Services	Interim study to examine the processes, by which children who are the victim of a substantiated case of abuse or neglect, are able to access services through Nebraska's Early Development Network under the federal Individuals with Disabilities Education Act, Part C
LR388	Hansen, M.	Judiciary	Interim study to examine the coordination of efforts to find alternatives to incarceration for offenses that involve operating a motor vehicle under the influence of alcohol or other drugs
LR389	Stinner	Appropriations	Interim study to analyze existing public postsecondary institutions programs, initiatives, and strategies to address workforce and talent shortages and the economic impact of the COVID-19 pandemic on these shortages

# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR390	Stinner	Appropriations	Interim study to assess the fiscal and economic impact of the COVID-19 pandemic on Nebraska's early childhood workforce and the early childhood care and education system
LR392	Lowe	Appropriations	Interim study to examine the feasibility of increasing the capacity of pre-health academic and research undergraduate programs at the University of Nebraska at Kearney to help expand the permanent presence of the University of Nebraska Medical Center in central and western Nebraska
LR393	Pansing Brooks	Judiciary	Interim study to review juvenile justice involvement for youth who commit certain status offenses
LR397	Cavanaugh	Government, Military and Veterans Affairs	Interim study to examine the implementation and impact of eliminating felony disenfranchisement in Nebraska
LR399	Groene	Education	Interim study to conduct an in-depth review of how at-risk and economically disadvantaged students are identified as a qualification factor for state-funded, education-related programs at the primary, secondary, and postsecondary levels
LR400	Groene	Education	Interim study to examine issues within the jurisdiction of the Education Committee
LR401	Groene	Education	Interim study to examine the enrollment option program
LR402	Groene	Education	Interim study to examine the impact of COVID-19 on the education of Nebraska's children



# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR404	Morfeld	Health and Human Services	Interim study to provide continued oversight of and updates regarding the execution and administration of medicaid expansion by the Dept. of Health and Human Services
LR405	Cavanaugh	Judiciary	Interim study to examine the feasibility of developing the Nebraska Juvenile Justice Information System
LR408	Health and Human Services Committee	Health and Human Services	Interim study to examine issues associated with the economic stimulus funds that were provided by the CARES Act as a result of the COVID-19 pandemic
LR409	Health and Human Services Committee	Health and Human Services	Interim study to examine the drug testing protocol in the Division of Children and Family Services of the Dept. of Health and Human Services for families involved in the child welfare system
LR410	Health and Human Services Committee	Health and Human Services	Interim study to provide continued oversight of and updates regarding the contract between the Dept. of Health and Human Services and St. Francis Ministries for child welfare case management services
LR411	Howard	Health and Human Services	Interim study to provide continued oversight of and updates regarding the response of the Dept. of Health and Human Services to the COVID-19 pandemic
LR412	Howard	Health and Human Services	Interim study to assess the mental and behavioral health needs of Nebraskans and the current shortages of services and resources
LR413	Howard	Health and Human Services	Interim study to continue oversight of the residential facilities for juveniles, including the youth rehabilitation and treatment centers, under the supervision of the Dept. of Health and Human Services

# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR416	Hansen, M.	Judiciary	Interim study to examine the terms used to refer to law enforcement officers in Nebraska statutes
LR417	Hansen, M.	Judiciary	Interim study to examine law enforcement jurisdictions in the state and the existing policies on the use of force by law enforcement officers
LR418	Hansen, M.	Judiciary	Interim study to examine the categorization of criminal offenses
LR419	Hansen, M.	Judiciary	Interim study to examine the various age requirements in the Nebraska statutes related to minors and the age of majority
LR420	Howard	Health and Human Services	Interim study to examine the racial and ethnic disproportionality that exists in Nebraska's foster care and juvenile justice systems, including specifically, for youth committed to the youth rehabilitation and treatment centers
LR421	Lathrop	Judiciary	Interim study to examine the racial and ethnic disproportionality that exists in Nebraska's foster care system, including specifically, for youth committed to the youth rehabilitation and treatment centers
LR422	Arch	Health and Human Services	Interim study to examine the modifications made to child welfare policies and practices during the COVID-19 pandemic of 2020
LR424	Vargas	Health and Human Services	Interim study to conduct a comprehensive review of maternal and child mortality

# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR427	Wishart	Judiciary	Interim study to examine the issue of reentry housing utilized by people exiting the Nebr. Dept. of Correctional Services and requiring post-release supervision
LR428	Wishart	Health and Human Services	Interim study to examine issues surrounding staffing ratios and standards of care at assisted living facilities, nursing facilities, and day service providers
LR434	Hansen, M.	Urban Affairs	Interim study to analyze housing throughout Nebraska
LR436	Walz	Urban Affairs	Interim study to determine whether elementary and secondary students in Nebraska have adequate access to clean drinking water throughout the school day
LR441	Cavanaugh	Business and Labor	Interim study to examine issues related to paid family and medical leave
LR445	Stinner	Health and Human Services	Interim study to update data and review the potential impact on the state behavioral health system by expanding access to prescribing psychologists
LR449	Vargas	Judiciary	Interim study to conduct a comprehensive review of systemic and institutional racism in Nebraska
LR452	Vargas	Education	Interim study to examine career and technical education programs and opportunities

# 2020 *Interim Studies* related to CIP goals

Bill/ Resolution	Introducer	Status	Description
LR453	Geist	Judiciary	Interim study to examine barriers to obtaining state identification that may exist for inmates in county correctional facilities who are in the process of being released or who have recently been released
LR456	Walz	Health and Human Services	Interim study to examine the proposal by the Dept. of Health and Human Services for changes to Medicaid Section 1915(c) Waiver Appendix K in response to the COVID-19 pandemic and how service providers and individuals with developmental disabilities have been impacted
LR457	McCollister	Judiciary	Interim study to examine the Nebraska parole and pardons processes
LR459	Vargas	Business and Labor	Interim study to review the effects of COVID-19 on the safety of workers in Nebraska

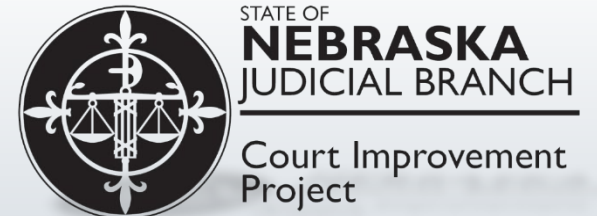


# Nebraska Court Improvement Project

**CLE Credit Activity Number:**

**198526**

Hours Approved by Nebraska Attorney  
Services



# Nebraska Court Improvement Project

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