

2020 Legislative Session

2020 Legislative Session	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	<u>LB759</u>	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	LB766 Portions amended into LB 881	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	Portions amended into LB 881 approved by Gov.
Criminal and Civil liability	LB779 Portions amended into LB 1008	Stinner (48)	Appropriation of funds to support CACs: victims, investigation teams, and treatment teams.	Portions amended into LB 1008 approved by Gov.
Services	<u>LB832</u>	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	LB837 Portions amended into LB 1185	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 LB 1185 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	LB849 Portions amended into LB 848	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 LB 912 approved by Gov.

Child Welfare - continuous eligibility for medical assistance	<u>LB851</u>	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	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	LB906 Amended into LB 1148	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	LB907	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	Indefinitely postponed
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	<u>LB932</u>	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	Indefinitely postponed
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	Amended into LB 848; Signed by Governor August 15, 2020

Juvenile Justice	LB940 Portions amended into LB 1148	Pansing Brooks (28)	Change a provision regarding the sealing of juvenile records - no changes just adds 'and this legislation' to statute	Portions amended into LB 1148 approved by Gov.
Youth in Care Bill of Rights	LB941	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	LB945 Amended into LB 881	Cavanaugh (6)	Require a report on untested sexual assault evidence collection kits	Amended into LB 881; Signed by Governor August 7, 2020
Medicaid MCOs	LB955 Amended into LB 956	Walz (15)	Change provisions relating to eligibility for medical assistance (notice, appeals)	Amended into LB 956; Signed by Governor August 10, 2020
Medicaid	LB956	Walz (15) Walz Priority	Provide duties for managed care organizations under the Medical Assistance Act	Approved by Governor on August 10, 2020
Domestic Violence	<u>LB958</u>	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	LB964 Portions amended into LB 966 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 LB 966 approved by Gov. 8/15/20
Education	<u>LB965</u>	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	<u>LB967</u>	DeBoer (10)	Change provisions regarding bullying prevention and education	Indefinitely postponed
Child Welfare - video depo	LB969 Amended into LB 1148	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 LB 1148; signed by Governor on August 6, 2020
Education	<u>LB974</u>	Revenue Priority	Change taxation and school funding provisions	Indefinitely postponed
Child Welfare	LB975 Amended into LB 1148	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	LB977	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	LB991 Amended into LB 881	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
Medical Care Act	<u>LB997</u>	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	LB1001 Portions amended into LB 1131	Crawford (45)	Require suicide prevention phone numbers (national, state and crisis text #) on new student identification cards in middle, h.s. and public	Indefinitely postponed
Child care	<u>LB1008</u>	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 Vetoed August 17, 2020
Child Welfare	LB 1048 Amended into LB 881	Quick (35)	creates offense of sexual assault by school employee and provides notice to Commis of Educ	Amended into LB 881; Signed by Governor August 7, 2020
Child care	LB1049	Bolz (29)	Raises FPL allowed to receive child care assistance.	Indefinitely postponed
Child Welfare - drug testing	LB1059	Howard	Change provisions relating to health care facility licensure; drug testing in child welfare cases (court, non-court, alt response)	Indefinitely postponed

Child Welfare	LBI061	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	Approved by Governor on July 24, 2020
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	LBI 100 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	LBI 112	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	Indefinitely postponed
Criminal - no death penalty/life for under 21	<u>LB 1117</u>	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	LB 1118	Speaker Scheer (19)	Provides that grandparents may seek visitation if the parents of the child have denied visitation.	Indefinitely postponed
Juvenile Justice	LB 1124	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	LB 1131	Groene (42) Education Priority	clean up language; raised copy fee for medical records AM 2456	Indefinitely postponed
Juvenile Justice	LB 1140	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	LB 1141 Portions Amended into LB 1140	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	LB 1142 Portions Amended into LB 1140	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	LBI 143 Portions Amended into LB 1140	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	LBI 144	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,	Approved by Governor on August 06, 2020
Juvenile Justice	LBI 145 Portions re: transportation Amended into LB 1140	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	Portions regarding transportation amended into LB 1140
Juvenile Justice	<u>LBI 146</u>	Howard (9)	Appropriate funds for the Youth Rehabilitation and Treatment Center-Kearney for the building of dorms with private showers and	Indefinitely postponed
Juvenile Justice	LBI 147 Amended into LB 1188	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	<u>LBI 148</u>	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

Juvenile Justice	<u>LB 149</u>	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	LB 150 Portions Amended into LB 1188	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	LB 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	LB 169	Cavanaugh (6)	Create the Nebraska Integrated Juvenile Data Governing Body and the Nebraska Juvenile Justice Information System; 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	LB 172	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 programs and facilities at YRTCs.	Indefinitely postponed
Criminal	LB 181 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 185	HHS Committee	Background checks for child care staff. AM2668 filed 3/3	Approved by Governor on August 07, 2020

Education at YRTC	LBI 188	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	LBI 190	Briese (41)	Provide for grandparent visitation when the parents of the child remain married	Indefinitely postponed
Child Welfare/JJ	LBI 191	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	Indefinitely postponed
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	LB1210 Amended into LB 881	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	<u>LB1217</u>	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	LR298 Amended into LB 1144	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