

LEGISLATIVE BILL 165

Approved by the Governor March 4, 1975

Introduced by Dworak, 22

AN ACT to amend section 68-115, Reissue Revised Statutes of Nebraska, 1943, relating to public welfare; to provide for time to be excluded in determining establishment of a new county of legal settlement; to delete the settlement requirement for a married woman; and to repeal the original section.

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

Section 1. That section 68-115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-115. (1) The term legal settlement in sections 68-101 to 68-116 shall be taken and considered to mean as follows: Every person, except those hereinafter mentioned, who has resided one year continuously in any county, shall be deemed to have a legal settlement therein; Provided, every person who has resided one year continuously within the state, but not in any one county, shall have a legal settlement in the county in which he has resided six months continuously.

(2) The time during which a person has been an inmate of any public or private charitable or penal institution, or has received care at public expense ~~as a patient in a care home or nursing home licensed as such by the Department of Health in any type of care home, nursing home or board and room facility licensed as such and caring for more than one patient or guest,~~ and each month during which he has received relief from private charity or the poor fund of any county shall be excluded in determining the time of residence hereunder, as referred to in subsection (1) of this section.

(3) Every minor, who is not emancipated and settled in his own right, shall have the same legal settlement as the parent with whom he has resided; ~~and every married woman shall have the legal settlement of her husband; if she has one; or; if she is abandoned or deserted by him; she may acquire a legal settlement as if she were unmarried;~~

(4) A legal settlement in this state shall be terminated and lost by (a) acquiring a new one in another state; or (b) by voluntary and uninterrupted absence from

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this state for the period of one year with intent to abandon residence in Nebraska.

Sec. 2. That original section 68-115, Reissue Revised Statutes of Nebraska, 1943, is repealed.