

LEGISLATIVE BILL 151

Approved by the Governor February 15, 2000

Introduced by Thompson, 14

AN ACT relating to the DNA Detection of Sexual and Violent Offenders Act; to amend section 29-4107, Revised Statutes Supplement, 1998; to change provisions relating to DNA samples and fingerprints; to repeal the original section; and to declare an emergency.

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

Section 1. Section 29-4107, Revised Statutes Supplement, 1998, is amended to read:

29-4107. (1) Only individuals (a) who are physicians or registered nurses, (b) who are trained to withdraw human blood for scientific or medical purposes and are obtaining blood specimens while working under orders of or protocols and procedures approved by a physician, registered nurse, or other independent health care practitioner licensed to practice by the state if the scope of practice of that practitioner permits the practitioner to obtain blood specimens, or (c) who are both employed by a licensed institution or facility and have been trained to withdraw human blood for scientific or medical purposes shall draw a DNA sample under the DNA Detection of Sexual and Violent Offenders Act. In addition to the DNA sample, ~~a full set of fingerprints~~ one thumb print or fingerprint shall be taken from the person from whom the DNA sample is being drawn for the exclusive purpose of verifying the identity of such person. The DNA sample and the ~~set of fingerprints~~ thumb print or fingerprint shall be delivered to the Nebraska State Patrol within ~~forty-eight hours~~ five working days after drawing the sample.

(2) A person authorized to draw DNA samples under this section is not criminally liable for drawing a DNA sample and transmitting DNA records pursuant to the act if he or she performs these activities in good faith and is not civilly liable for such activities if he or she performed such activities in a reasonable manner according to generally accepted medical and other professional practices.

Sec. 2. Original section 29-4107, Revised Statutes Supplement, 1998, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.