

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT (CORRECTED)
LB874

Hearing Date: Thursday February 15, 2024
Committee On: Health and Human Services
Introducer: Bostar
One Liner: Change requirements relating to child care licensing and child care facilities

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Eliot Bostar
Mitchell Clark
Rachel Sissel
Heidi Pieper

Dawson Brunswick

Opponents:

Neutral:

Christy Abraham
Elaine Menzel

Representing:

Opening Presenter
First Five Nebraska
Nebraska Children and Families Foundation
Nebraska Cattlemen, Nebraska Corn Growers
Association, Nebraska Farm Bureau, Nebraska Pork
Producers Association, Nebraska Sorghum
Producers Association, Nebraska Soybean
Association, Nebraska Wheat Growers Association,
Renewable Fuels Nebraska
Columbus Area-Chamber of Commerce et all

Representing:

Representing:

League of Nebraska Municipalities
Nebraska Association of County Officials

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 874 would make several changes to the child care licensing act. Of these changes it would allow providers to obtain a dual license with respect to state licenses and local licenses. It limits the liability insurance requirement to a policy that covers the center only during hours of operation when children are being cared for. Makes available criminal records reports for employees to ease the burden of transferring jobs. It also prohibits the use of blankets in cribs and implementation of residency requirements by local authorities. It directs DHHS to report



all zoning, ordinances and regulations to the HHS committee and directs the Fire Marshal to report all code enforcement/regulations of child care centers to the Government Committee.

SECTION BY SECTION SUMMARY:

Sec. 1: Renumbering of sections

Sec. 2: Add reference to additional sections in the Child Care Licensing Act.

Sec. 3: No child care licensee shall be prohibited from obtaining a dual license for the purpose of complying with attendance requirements

Sec. 4: Require necessary liability insurance only for the hours of operation and a child is present

Sec. 5: Remove outdated commencement date of 10/1/2019. Require the department to provide documentation of criminal records that prove eligibility. Such documentation shall be made available to each staff member or prospective staff member by the applicant or licensee for at least one 180 days after the last day of employment or date the documentation was provided by the department, whichever is later. And background checks shall be portable between child care providers

Sec. 6: Blankets shall not be used in cribs in any child care facility

Sec. 7: No political subdivision shall institute residency requirements for any family child care home

Sec. 8: DHHS shall submit to the HHS committee all zoning, ordinances, and regulations relating to child care for review once every five years

Sec. 9: The Fire Marshal shall submit to the Government Committee all fire code enforcement and regulations relating to child care facilities for review once every five years

Sec. 10: Each municipality shall submit to the Urban Affairs fire and building safety codes, fire and building safety permits, and health department and sanitation ordinances, zoning, and regulations relating to child care facilities for review once every five years

Sec. 11: Property owned by a nonprofit child care center that is used by child care shall be exempt from property taxes

Sec. 12: Original Sections 71-1911, 71-1911.03, 28-716, 71-1908, 71-1912, 77-202 are repealed

Explanation of amendments:

The standing committee amendment is a page and line amendment that strikes the original section 7 that prohibited political subdivisions from establishing residency requirements for a family child care home.

On page 13, strike the requirement for DHHS to submit reports on zoning and ordinances and instead require the report to be on rules and regulations. Renumber the remaining sections and correct internal references accordingly.

Ben Hansen, Chairperson

