

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 65

Introduced by Day, 49.

Read first time January 05, 2023

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to child care licensing; to amend sections
2 71-1918 and 71-1920, Reissue Revised Statutes of Nebraska; to add
3 requirements for the complaint tracking system and notification for
4 disciplinary actions against license holders; to harmonize
5 provisions; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-1918, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-1918 The department shall maintain a complaint tracking system
4 for licensees under the Child Care Licensing Act. Such system and all
5 reports generated by it shall identify licensing violations which are
6 self-reported and licensing violations discovered as the result of a
7 complaint.

8 Sec. 2. Section 71-1920, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 71-1920 (1)(a) ~~(1)~~ The department may impose any one or a
11 combination of the following types of disciplinary action against a
12 license issued under the Child Care Licensing Act:

13 (i) ~~(a)~~ Issue a probationary license;

14 (ii) ~~(b)~~ Suspend or revoke a provisional, probationary, or operating
15 license;

16 (iii) ~~(c)~~ Impose a civil penalty of up to five dollars per child,
17 based upon the number of children for which the program is authorized to
18 provide child care on the effective date of the finding of violation, for
19 each day the program is in violation;

20 (iv) ~~(d)~~ Establish restrictions on new enrollment in the program;

21 (v) ~~(e)~~ Establish restrictions or other limitations on the number of
22 children or the age of the children served in the program; or

23 (vi) ~~(f)~~ Establish other restrictions or limitations on the type of
24 service provided by the program.

25 (b) When the department imposes any disciplinary action against a
26 license under subdivision (a) of this subsection, the person holding such
27 license shall provide a list of names and addresses of all parents,
28 guardians, or custodians of all children currently receiving care from
29 the license holder to the department. Within ten business days, the
30 department shall provide written notice to all such parents, guardians,
31 and custodians of the disciplinary action, including the reasons

1 supporting the action.

2 (2) A person who has had a license revoked for any cause other than
3 nonpayment of fees shall not be eligible to reapply for a license for a
4 period of two years.

5 (3) Any fine imposed and unpaid under the Child Care Licensing Act
6 shall constitute a debt to the State of Nebraska which may be collected
7 in the manner of a lien foreclosure or sued for and recovered in any
8 proper form of action in the name of the State of Nebraska in the
9 district court of the county in which the program is located. The
10 department shall, within thirty days after receipt, remit fines to the
11 State Treasurer for credit to the permanent school fund.

12 Sec. 3. Original sections 71-1918 and 71-1920, Reissue Revised
13 Statutes of Nebraska, are repealed.