

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 460**

Introduced by Health and Human Services Committee: Howard, 9,  
Chairperson; Arch, 14; Cavanaugh, 6; Hansen, B., 16;  
Murman, 38; Walz, 15; Williams, 36.

Read first time January 18, 2019

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to child care; to amend section 71-1924,
- 2 Reissue Revised Statutes of Nebraska; to change provisions relating
- 3 to the Children's Residential Facilities and Placing Licensure Act;
- 4 to provide powers and duties for the Division of Public Health of
- 5 the Department of Health and Human Services and the Nebraska State
- 6 Patrol regarding national criminal history record information
- 7 checks; to harmonize provisions; to repeal the original sections;
- 8 and to declare an emergency.
- 9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-1924, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 71-1924 Sections 71-1924 to 71-1951 and section 2 of this act shall  
4 be known and may be cited as the Children's Residential Facilities and  
5 Placing Licensure Act.

6 Sec. 2. (1) Any individual eighteen years of age or older employed  
7 by a residential child-caring agency shall be required to undergo a  
8 national criminal history record information check not less than once  
9 during each five-year period. The individual shall submit a complete set  
10 of his or her fingerprints to the Nebraska State Patrol. The Nebraska  
11 State Patrol shall transmit a copy of the individual's fingerprints to  
12 the Federal Bureau of Investigation for a national criminal history  
13 record information check. The national criminal history record  
14 information check shall include information concerning the individual  
15 from federal repositories of such information and repositories of such  
16 information in other states, if authorized by federal law for use by the  
17 Nebraska State Patrol. The Nebraska State Patrol shall issue a report to  
18 the department that includes the information collected from the national  
19 criminal history record information check concerning the individual. The  
20 individual being screened shall pay the actual cost of the fingerprinting  
21 and national criminal history record information check. The department  
22 and the Nebraska State Patrol may adopt and promulgate rules and  
23 regulations concerning the costs associated with the fingerprinting and  
24 the national criminal history record information check. The department  
25 may adopt and promulgate rules and regulations implementing national  
26 criminal history record information check requirements for residential  
27 child-caring agencies.

28 (2) An individual eighteen years of age or older employed by a  
29 residential child-caring agency must also submit to the following  
30 background checks at his or her expense:

31 (a) A search of the National Crime Information Center's National Sex

1 Offender Registry; and

2 (b) A search of the following registries, repositories, or data  
3 bases in the state where the individual resides and each state where the  
4 individual resided during the preceding five years:

5 (i) State criminal registries or repositories;

6 (ii) State sex offender registries or repositories; and

7 (iii) State-based child abuse and neglect registries and data bases.

8 Sec. 3. Original section 71-1924, Reissue Revised Statutes of  
9 Nebraska, is repealed.

10 Sec. 4. Since an emergency exists, this act takes effect when  
11 passed and approved according to law.