

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 959

Introduced by Riepe, 12.

Read first time January 12, 2026

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend
- 2 section 71-1908, Revised Statutes Supplement, 2025; to require the
- 3 Department of Health and Human Services to create a youth
- 4 afterschool credential and an adult eligibility passport as
- 5 prescribed; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 71-1908, Revised Statutes Supplement, 2025, is
2 amended to read:

3 71-1908 (1) Sections 71-1908 to 71-1923.03 and sections 2 and 3 of
4 this act shall be known and may be cited as the Child Care Licensing Act.

5 (2) The Legislature finds that there is a present and growing need
6 for quality child care programs and facilities. There is a need to
7 establish and maintain licensure of persons providing such programs to
8 ensure that such persons are competent and are using safe and adequate
9 facilities. The Legislature further finds and declares that the
10 development and supervision of programs are a matter of statewide concern
11 and should be dealt with uniformly on the state and local levels. There
12 is a need for cooperation among the various state and local agencies
13 which impose standards on licensees, and there should be one agency which
14 coordinates the enforcement of such standards and informs the Legislature
15 about cooperation among the various agencies.

16 **Sec. 2.** (1) The department shall establish a youth afterschool
17 credential for individuals who are sixteen or seventeen years of age and
18 who are seeking employment in school-age child care programs or temporary
19 nonresidential child care programs. For purposes of this section
20 temporary nonresidential child care program means child care provided (a)
21 for no more than twelve consecutive hours, (b) not on a continuous or
22 regularly scheduled basis, and (c) in a location not ordinarily used as a
23 licensed child care center.

24 (2) To obtain a youth afterschool credential, an applicant shall:

25 (a) Complete all registry checks required for licensed child care
26 staff, including the child abuse and neglect and sex offender registries,
27 and any additional registry checks required by the department;

28 (b) Submit all background check documentation required by the
29 department; and

30 (c) Complete a minimum seven-hour new staff orientation for school-
31 age programs approved by the department.

1 (3) A youth applicant who has submitted all required background
2 check materials may engage in provisional employment while such checks
3 are pending if: (a) The individual is not left alone in a room with
4 children; (b) the individual is not included in staff-to-child ratio
5 requirements; and (c) the individual's provisional employment is limited
6 to school-age child care programs and temporary nonresidential child care
7 programs.

8 (4) Upon completion of the requirements in subsection (2) of this
9 section, the department shall issue a youth afterschool credential. The
10 credential shall be valid for one year after the date of issuance and may
11 be renewed through an expedited process established by the department.

12 (5) A licensed child care program or youth-serving program approved
13 by the department may accept a valid youth afterschool credential as
14 verification that the holder has met the initial background check and
15 training requirements under this section.

16 (6) The department may adopt and promulgate rules and regulations to
17 carry out this section, including, but not limited to, application
18 procedures, background check verification, renewal procedures, fees,
19 approval of training providers, and privacy and data-sharing protections.

20 **Sec. 3.** (1) The department shall establish an adult eligibility
21 passport to verify program-ready status for individuals eighteen years of
22 age or older and to provide portability of background check requirements
23 between licensed child care programs and approved youth-serving programs.
24 For purposes of this section, program-ready status means verification
25 that an individual has completed all background check and training
26 requirements established by the department and is eligible for employment
27 under this section.

28 (2) An adult applicant may apply for an adult eligibility passport
29 by submitting all documentation required by the department, including:
30 (a) A full criminal history record information check, including
31 fingerprinting; (b) a check of the child abuse and neglect and sex

1 offender registries; and (c) other background check or documentation
2 required by the department for licensure purposes.

3 (3)(a) An adult eligibility passport shall be valid for one year
4 after the date of issuance and shall serve as proof that the holder has
5 satisfied all state-mandated initial background check requirements for
6 employment under this section.

7 (b) Licensed child care programs and approved youth-serving programs
8 shall accept a current and valid adult eligibility passport as
9 verification that an individual has met the initial background check
10 requirements required by this section.

11 (4) The adult eligibility passport shall be renewable annually
12 through an expedited process established by the department. The
13 department shall automatically update the passport record if new
14 background check information becomes available.

15 (5) The department may impose an application or renewal fee for the
16 adult eligibility passport, which shall not exceed the cost of
17 administering background checks, documentation, and issuance of the
18 passport.

19 (6) The department may adopt and promulgate rules and regulations to
20 carry out this section, including, but not limited to, application
21 procedures, background check verification, renewal procedures, fees,
22 approval of training providers, and privacy and data-sharing protections.

23 **Sec. 4.** Original section 71-1908, Revised Statutes Supplement,
24 2025, is repealed.