

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1120**

Introduced by Johnson, 37.

Read first time January 23, 2008

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Nebraska Health Care Certificate of  
2 Need Act; to amend section 71-5830.01, Reissue Revised  
3 Statutes of Nebraska; to change provisions relating  
4 to exemptions; to repeal the original section; and to  
5 declare an emergency.  
6 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 71-5830.01, Reissue Revised Statutes  
2 of Nebraska, is amended to read:

3                   71-5830.01 Notwithstanding any other provisions of the  
4 Nebraska Health Care Certificate of Need Act, a certificate of need  
5 is not required for:

6                   (1) A change in classification between an intermediate  
7 care facility, a nursing facility, or a skilled nursing facility;  
8 and

9                   (2) A project of a county in which is located a city of  
10 the metropolitan class for which a bond issue has been approved by  
11 the electorate of such county on or after January 1, 1994. and

12                   ~~(3) A project of a federally recognized Indian tribe  
13 to be located on tribal lands within the exterior boundaries of  
14 the State of Nebraska where a determination has been made by the  
15 tribe's governing body that the cultural needs of the tribe's  
16 members cannot be adequately met by existing facilities if such  
17 project has been approved by the tribe's governing body.~~

18                   Sec. 2. Original section 71-5830.01, Reissue Revised  
19 Statutes of Nebraska, is repealed.

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