

AMENDMENTS TO LB 147

Introduced by Pirsch, 4.

1           1. Strike original sections 2, 3, and 4 and insert the  
2 following sections:

3           Sec. 2. Section 28-718, Revised Statutes Supplement,  
4 2009, is amended to read:

5           28-718 (1) There shall be a central register of  
6 child protection cases maintained in the department containing  
7 records of all reports of child abuse or neglect opened for  
8 investigation as provided in section 28-713 and classified as  
9 either court substantiated or agency substantiated as provided in  
10 section 28-720. The department may change records classified as  
11 inconclusive prior to August 30, 2009, to agency substantiated. The  
12 department shall give public notice of the changes made to this  
13 section and subsection (3) of section 28-720 by Laws 2009, LB 122,  
14 within thirty days after August 30, 2009, by having such notice  
15 published in a newspaper or newspapers of general circulation  
16 within the state.

17           (2) The department shall determine whether a name-change  
18 order received from the clerk of a district court pursuant to  
19 section 25-21,271 is for a person on the central register of child  
20 protection cases and, if so, shall include the changed name with  
21 the former name in the register and file or cross-reference the  
22 information under both names.

23           Sec. 3. Section 29-4004, Revised Statutes Supplement,

1 2009, is amended to read:

2           29-4004 (1) Any person subject to the Sex Offender  
3 Registration Act shall register within three working days after  
4 becoming subject to the act at a location designated by the  
5 Nebraska State Patrol for purposes of accepting such registration.

6           (2) Any person required to register under the act shall  
7 inform the sheriff of the county in which he or she resides, in  
8 person, and complete a form as prescribed by the Nebraska State  
9 Patrol for such purpose, if he or she has a new address, temporary  
10 domicile, or habitual living location, within three working days  
11 before the change. The sheriff shall submit such information to the  
12 sex offender registration and community notification division of  
13 the Nebraska State Patrol on the day it is received and in a manner  
14 prescribed by the Nebraska State Patrol for such purpose.

15           (3) Any person required to register under the act shall  
16 inform the sheriff of the county in which he or she resides, in  
17 person, and complete a form as prescribed by the Nebraska State  
18 Patrol for such purpose, if he or she has a new address, temporary  
19 domicile, or habitual living location in a different county in  
20 this state, within three working days before the address change.  
21 The sheriff shall submit such information to the sex offender  
22 registration and community notification division of the Nebraska  
23 State Patrol on the day it is received and in a manner as  
24 prescribed by the Nebraska State Patrol for such purpose. If the  
25 change in address, temporary domicile, or habitual living location  
26 is to a location within the State of Nebraska, the division shall  
27 notify the sheriff of each affected county of the new address,

1 temporary domicile, or habitual living location, within three  
2 working days. The person shall report to the county sheriff of  
3 his or her new county of residence and register with such county  
4 sheriff within three working days after the address change.

5 (4) Any person required to register under the act shall  
6 inform the sheriff of the county in which he or she resides, in  
7 person, and complete a form as prescribed by the Nebraska State  
8 Patrol for such purpose, if he or she moves to a new out-of-state  
9 address, within three working days before the address change.  
10 The sheriff shall submit such information to the sex offender  
11 registration and notification division of the Nebraska State Patrol  
12 on the day it is received and in a manner as prescribed by the  
13 Nebraska State Patrol for such purpose. If the change in address,  
14 temporary domicile, or habitual living location is to a location  
15 outside of the State of Nebraska, the division shall notify the  
16 sheriff of each affected county in Nebraska and the other state's,  
17 country's, or territory's central repository for sex offender  
18 registration of the new out-of-state address, temporary domicile,  
19 or habitual living location, within three working days.

20 (5) Any person required to register under the act who is  
21 employed, carries on a vocation, or attends school shall inform, in  
22 person, the sheriff of the county in which he or she is employed,  
23 carries on a vocation, or attends school and complete a form as  
24 prescribed by the Nebraska State Patrol for such purpose, within  
25 three working days after becoming employed, carrying on a vocation,  
26 or attending school. The person shall also notify the sheriff,  
27 in person, of any changes in employment, vocation, or school of

1 attendance, and complete a form as prescribed by the Nebraska  
2 State Patrol for such purpose, within three working days after  
3 the change. The sheriff shall submit such information to the sex  
4 offender registration and community notification division of the  
5 Nebraska State Patrol on the day it is received and in a manner as  
6 prescribed by the Nebraska State Patrol for such purpose.

7 (6) Any person required to register under the act who  
8 is residing, has a temporary domicile, or is habitually living in  
9 another state, and is employed, carries on a vocation, or attends  
10 school in this state, shall report and register, in person, with  
11 the sheriff of the county in which he or she is employed, carries  
12 on a vocation, or attends school in this state and complete a  
13 form as prescribed by the Nebraska State Patrol for such purpose,  
14 within three working days after becoming employed, carrying on  
15 a vocation, or attending school. The person shall also notify  
16 the sheriff of any changes in employment, vocation, or school of  
17 attendance, in person, and complete a form as prescribed by the  
18 Nebraska State Patrol for such purpose, within three working days  
19 after the change. The sheriff shall submit such information to the  
20 sex offender registration and community notification division of  
21 the Nebraska State Patrol on the day it is received and in a manner  
22 as prescribed by the Nebraska State Patrol for such purpose. For  
23 purposes of this subsection:

24 (a) Attends school means enrollment in any educational  
25 institution in this state on a full-time or part-time basis; and

26 (b) Is employed or carries on a vocation means any  
27 full-time or part-time employment, with or without compensation,

1 which lasts for a duration of more than fourteen days or for an  
2 aggregate period exceeding thirty days in a calendar year.

3 (7) Any person incarcerated for a registrable offense  
4 under section 29-4003 in a jail, penal or correctional facility,  
5 or other public or private institution shall be registered by  
6 the jail, penal or correctional facility, or public or private  
7 institution prior to his or her discharge, parole, furlough, work  
8 release, or release. The person shall be informed and information  
9 shall be obtained as required in section 29-4006.

10 (8) Any person required to register or who is registered  
11 under the act, but is incarcerated for more than three working  
12 days, shall inform the sheriff of the county in which he or  
13 she is incarcerated, in writing, within three working days after  
14 incarceration, of his or her incarceration and his or her expected  
15 release date, if any such date is available. The sheriff shall  
16 forward the information regarding incarceration to the sex offender  
17 registration and community notification division of the Nebraska  
18 State Patrol immediately on the day on which it was received and in  
19 a manner prescribed by the Nebraska State Patrol for such purpose.

20 (9) Any person required to register or who is registered  
21 under the act who no longer has a residence, temporary domicile, or  
22 habitual living location shall report such change in person to the  
23 sheriff of the county in which he or she is located, within three  
24 working days after such change in residence, temporary domicile,  
25 or habitual living location. Such person shall update his or her  
26 registration, in person, to the sheriff of the county in which  
27 he or she is located, on a form approved by the sex offender

1 registration and community notification division of the Nebraska  
2 State Patrol at least once every thirty calendar days during the  
3 time he or she remains without residence, temporary domicile, or  
4 habitual living location.

5 (10) Each registering entity shall forward all written  
6 information, photographs, and fingerprints obtained pursuant to the  
7 act to the sex offender registration and community notification  
8 division of the Nebraska State Patrol on the day it is received  
9 and in a manner prescribed by the Nebraska State Patrol for such  
10 purpose. The information shall be forwarded on forms furnished by  
11 the division. The division shall maintain a central registry of sex  
12 offenders required to register under the act. Any collected DNA  
13 samples shall be forwarded to the State DNA Data Base.

14 (11) The sex offender registration and community  
15 notification division of the Nebraska State Patrol shall determine  
16 whether a name-change order received from the clerk of a district  
17 court pursuant to section 25-21,271 is for a person in the central  
18 registry of sex offenders and, if so, shall include the changed  
19 name with the former name in the registry, file or cross-reference  
20 the information under both names, and notify the sheriff of the  
21 county in which such person then resides.

22 Sec. 4. This act becomes operative on January 1, 2012.

23 Sec. 5. Original sections 28-718 and 29-4004, Revised  
24 Statutes Supplement, 2009, are repealed.