

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 122

FINAL READING

Introduced by Coash, 27; Howard, 9.

Read first time January 09, 2009

Committee: Judiciary

A BILL

1 FOR AN ACT relating to children; to amend sections 28-718
2 and 28-720, Reissue Revised Statutes of Nebraska; to
3 change terminology in the central register of child
4 protection cases; to harmonize provisions; and to repeal
5 the original sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-718, Reissue Revised Statutes of
2 Nebraska, is amended to read:

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

15 Sec. 2. Section 28-720, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 28-720 All cases entered into the central register of
18 child protection cases maintained pursuant to section 28-718 shall
19 be classified as one of the following:

20 (1) Court substantiated, if a court of competent
21 jurisdiction has entered a judgment of guilty against the subject
22 of the report of child abuse or neglect upon a criminal complaint,
23 indictment, or information or there has been an adjudication of
24 jurisdiction of a juvenile court over the child under subdivision
25 (3) (a) of section 43-247 which relates or pertains to the report

1 of child abuse or neglect;

2 (2) Court pending, if a criminal complaint, indictment,
3 or information or a juvenile petition under subdivision (3)(a) of
4 section 43-247, which relates or pertains to the subject of the
5 report of abuse or neglect, has been filed and is pending in a
6 court of competent jurisdiction; or

7 (3) ~~Inconclusive,~~ Agency substantiated, if the
8 department's determination of child abuse or neglect against the
9 subject of the report of child abuse or neglect was ~~made,~~ supported
10 by a preponderance of the evidence, and based upon an investigation
11 pursuant to section 28-713.

12 Sec. 3. Original sections 28-718 and 28-720, Reissue
13 Revised Statutes of Nebraska, are repealed.