

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 122**

Introduced by Coash, 27.

Read first time January 09, 2009

Committee: Health and Human Services

A BILL

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

5 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.

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

13          28-720 All cases entered into the central register of  
14 child protection cases maintained pursuant to section 28-718 shall  
15 be classified as one of the following:

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

23           (2) Court pending, if a criminal complaint, indictment,  
24 or information or a juvenile petition under subdivision (3)(a) of  
25 section 43-247, which relates or pertains to the subject of the

1 report of abuse or neglect, has been filed and is pending in a  
2 court of competent jurisdiction; or

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

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9 Revised Statutes of Nebraska, are repealed.