



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 122

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: March 18, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The intent of LB 122 is to replace the term “inconclusive” with the term “agency substantiated” as a finding on the Child Abuse and Neglect Registry. LB 122 revises Nebraska Revised Statute 28-720 which provides for classifications of findings on the Child Abuse and Neglect Registry. There are three Central Registry findings for child abuse and neglect:

- “Court substantiated”, based upon a court’s judgment of guilt;
- “Court pending”, based upon a filing pending in court;
- “Inconclusive”, which is defined in law as the department’s determination, made by a preponderance of evidence, of child abuse or neglect against the subject of the abuse or neglect report.

LB 122 eliminates “inconclusive”, which is commonly misunderstood to mean that no conclusion was made about reported child abuse or neglect. It replaces it with the term “agency substantiated”, which more accurately reflects the determination made by the Department that the abuse or neglect was more likely to have occurred than not (preponderance of evidence).

Principal Introducer: _____
Senator Colby Coash