

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 105
Final Reading

Introduced by Lathrop, 12.

Read first time January 10, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Child Care Licensing Act; to amend section
2 71-1908, Reissue Revised Statutes of Nebraska; to require
3 liability insurance as prescribed; to harmonize
4 provisions; to provide an operative date; and to repeal
5 the original section.

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

1 Section 1. Section 71-1908, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-1908 (1) Sections 71-1908 to 71-1923 and section 2 of
4 this act shall be known and may be cited as the Child Care Licensing
5 Act.

6 (2) The Legislature finds that there is a present and
7 growing need for quality child care programs and facilities. There is
8 a need to establish and maintain licensure of persons providing such
9 programs to ensure that such persons are competent and are using safe
10 and adequate facilities. The Legislature further finds and declares
11 that the development and supervision of programs are a matter of
12 statewide concern and should be dealt with uniformly on the state and
13 local levels. There is a need for cooperation among the various state
14 and local agencies which impose standards on licensees, and there
15 should be one agency which coordinates the enforcement of such
16 standards and informs the Legislature about cooperation among the
17 various agencies.

18 Sec. 2. An applicant for a license under the Child Care
19 Licensing Act shall provide to the department written proof of
20 liability insurance coverage of at least one hundred thousand dollars
21 per occurrence prior to issuance of the license. A licensee subject
22 to the Child Care Licensing Act on the operative date of this act
23 shall obtain such liability insurance coverage and provide written
24 proof to the department within thirty days after the operative date
25 of this act. Failure by a licensee to maintain the required level of

1 liability insurance coverage shall be deemed noncompliance with the
2 Child Care Licensing Act. If the licensee is the State of Nebraska or
3 a political subdivision, the licensee may utilize a risk retention
4 group or a risk management pool for purposes of providing such
5 liability insurance coverage or may self-insure all or part of such
6 coverage.

7 Sec. 3. This act becomes operative on July 1, 2014.

8 Sec. 4. Original section 71-1908, Reissue Revised
9 Statutes of Nebraska, is repealed.