

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 966

Introduced by Kintner, 2.

Read first time January 14, 2016

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to refugees; to adopt the Refugee Resettlement
- 2 Agency Indemnification Act; to provide a cause of action; to provide
- 3 a civil penalty; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 3 of this act shall be known and may be
2 cited as the Refugee Resettlement Agency Indemnification Act.

3 Sec. 2. For purposes of the Refugee Resettlement Agency
4 Indemnification Act:

5 (1) High-risk country means any of the following countries or
6 territories:

7 (a) Afghanistan;

8 (b) Algeria;

9 (c) Bahrain;

10 (d) Bangladesh;

11 (e) Egypt;

12 (f) Eritrea;

13 (g) Indonesia;

14 (h) Iran;

15 (i) Iraq;

16 (j) Jordan;

17 (k) Kazakhstan;

18 (l) Kuwait;

19 (m) Kyrgyzstan;

20 (n) Lebanon;

21 (o) Libya;

22 (p) Mali;

23 (q) Morocco;

24 (r) Nigeria;

25 (s) North Korea;

26 (t) Oman;

27 (u) Pakistan;

28 (v) Qatar;

29 (w) Russia;

30 (x) Saudi Arabia;

31 (y) Somalia;

- 1 (z) Sudan;
- 2 (aa) Syria;
- 3 (bb) Tajikistan;
- 4 (cc) Tunisia;
- 5 (dd) Turkey;
- 6 (ee) United Arab Emirates;
- 7 (ff) Uzbekistan;
- 8 (gg) Yemen; or
- 9 (hh) The Palestinian Territories;

10 (2) Refugee means any person (a) who has been (i) approved refugee
11 status pursuant to section 207 of the Immigration and Nationality Act, 8
12 U.S.C. 1157, or (ii) granted asylum pursuant to section 208 of such act,
13 8 U.S.C. 1158, and (b) who is a citizen of a high-risk country; and

14 (3) Refugee resettlement agency means any nongovernmental agency
15 which receives refugees for resettlement in the State of Nebraska.

16 Sec. 3. (1) A refugee resettlement agency shall be liable to
17 indemnify the state or any political subdivision for the cost of
18 prosecution of and shall be liable for damages or injuries to any victims
19 proximately caused by any criminal acts committed by any refugee accepted
20 by such agency for relocation within the State of Nebraska within five
21 years after the date such refugee is relocated within the State of
22 Nebraska. The state, any political subdivision, or a victim so aggrieved
23 may commence a civil action against such refugee resettlement agency in
24 any district court of this state.

25 (2) Beginning on July 1, 2016 and each July 1 thereafter, a refugee
26 resettlement agency shall annually submit to the Department of Insurance
27 a form prescribed by the department certifying that such agency has the
28 financial capacity to meet the obligations of this section for up to
29 twenty-five million dollars. The department may impose and collect a
30 civil penalty on any refugee resettlement agency that fails to make such
31 certification. Each day of continued noncompliance shall constitute a

1 separate offense. The civil penalty shall be in an amount not to exceed
2 one thousand dollars per day of noncompliance multiplied by the number of
3 refugees accepted by such agency that have relocated within the State of
4 Nebraska within the five years preceding the final day of noncompliance
5 or within the period beginning on the effective date of this act and
6 ending on the final day of noncompliance, whichever period is shorter.
7 Any civil penalty collected under this subsection shall be remitted to
8 the State Treasurer to be disposed of in accordance with Article VII,
9 section 5, of the Constitution of Nebraska.

10 Sec. 4. Since an emergency exists, this act takes effect when
11 passed and approved according to law.