

E AND R AMENDMENTS TO LB 1062

Introduced by Larson, 40, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Before a final decree of adoption is issued,  
4 the Department of Health and Human Services and the adoptive parent  
5 or parents shall enter into a written adoption assistance agreement  
6 stating the terms of assistance as provided for by sections  
7 43-117 to 43-118 if the child is eligible for such assistance and  
8 designating a guardian for the child in case of the death of the  
9 adoptive parent or parents.

10           Sec. 2. Payment of adoption assistance provided for by  
11 section 43-117 ceases upon the death of the adoptive parent or  
12 parents except (1) in cases in which the adoption assistance  
13 agreement provides for assignment to a guardian or conservator or  
14 (2) for up to six months pending the appointment of a guardian or  
15 conservator if the child is placed in the temporary custody of a  
16 family member or other individual.

17           Payment of adoption assistance provided by section 43-117  
18 ceases upon placement of the child with the Department of Health  
19 and Human Services or a child placement agency.

20           Sec. 3. Section 43-118, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           43-118 All actions of the Department of Health and  
23 Human Services under the programs authorized by sections 43-117 to

1 43-117.02 and sections 1 and 2 of this act shall be subject to the  
2 following criteria:

3 (1) The child so adopted shall have been a child for whom  
4 adoption would not have been possible without the financial aid  
5 provided for by sections 43-117 to 43-117.02 and sections 1 and 2  
6 of this act; and

7 (2) The department shall adopt and promulgate rules and  
8 regulations for the administration of sections 43-117 to 43-118 and  
9 sections 1 and 2 of this act.

10 Sec. 4. Section 43-147, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12 43-147 The Legislature finds that:

13 (1) Finding adoptive families for children for whom state  
14 assistance is provided pursuant to sections 43-117 and 43-118  
15 to 43-118 and sections 1 and 2 of this act and assuring the  
16 protection of the interests of the children affected during the  
17 entire assistance period require special measures when the adoptive  
18 parents move to other states or are residents of another state; and

19 (2) Providing medical and other necessary services for  
20 children, with state assistance, is more difficult when the  
21 services are provided in other states.

22 Sec. 5. Original sections 43-118 and 43-147, Reissue  
23 Revised Statutes of Nebraska, are repealed.