

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1153**

Introduced by Lathrop, 12.

Read first time January 19, 2012

Committee: Judiciary

A BILL

1 FOR AN ACT relating to juveniles; to amend section 43-2,129, Revised  
2 Statutes Supplement, 2011; to require certain juvenile  
3 court-ordered treatment or services to be provided in a  
4 timely manner; to harmonize provisions; to repeal the  
5 original section; and to declare an emergency.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) When the juvenile court has ordered  
2 treatment or services for a juvenile or a juvenile's family in  
3 accordance with a plan for the juvenile under section 43-285 or in  
4 the context of a juvenile court proceeding relating to a juvenile  
5 other than a juvenile who has been committed to a youth  
6 rehabilitation and treatment center, if a service coordinator or  
7 provider operating under a contract with the department, or a  
8 subcontractor thereof, is unable or fails to provide such court-  
9 ordered treatment or services within five business days after  
10 issuance of the court order, the department shall directly arrange  
11 for such treatment or services within three business days after the  
12 failure of timely provision of such treatment or services as required  
13 by this section, notwithstanding the provisions of any contract  
14 between the department and the service coordinator or provider.

15           (2) When the provision of treatment or services is a  
16 matter of immediate and urgent necessity for the health, safety, or  
17 welfare of a juvenile under the jurisdiction of the juvenile court  
18 and the service coordinator or provider operating under a contract  
19 with the department, or any subcontractor thereof, is unable or fails  
20 to provide such treatment or services immediately, the department  
21 shall directly arrange for such treatment or services immediately,  
22 notwithstanding the provisions of any contract between the department  
23 and the service coordinator or provider.

24           Sec. 2. Section 43-2,129, Revised Statutes Supplement,  
25 2011, is amended to read:

1                   43-2,129 Sections 43-245 to 43-2,129 and section 1 of  
2 this act shall be known and may be cited as the Nebraska Juvenile  
3 Code.

4                   Sec. 3. Original section 43-2,129, Revised Statutes  
5 Supplement, 2011, is repealed.

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