

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 151

Introduced by Thompson, 14

Read first time January 7, 1999

Committee: Judiciary

A BILL

1 FOR AN ACT relating to the DNA Detention of Sexual and Violent
2 Offenders Act; to amend section 29-4107, Revised Statutes
3 Supplement, 1998; to change provisions relating to DNA
4 samples and fingerprints; to repeal the original section;
5 and to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 29-4107, Revised Statutes Supplement,
2 1998, is amended to read:

3 29-4107. (1) Only individuals (a) who are physicians or
4 registered nurses, (b) who are trained to withdraw human blood for
5 scientific or medical purposes and are obtaining blood specimens
6 while working under orders of or protocols and procedures approved
7 by a physician, registered nurse, or other independent health care
8 practitioner licensed to practice by the state if the scope of
9 practice of that practitioner permits the practitioner to obtain
10 blood specimens, or (c) who are both employed by a licensed
11 institution or facility and have been trained to withdraw human
12 blood for scientific or medical purposes shall draw a DNA sample
13 under the DNA Detection of Sexual and Violent Offenders Act. In
14 addition to the DNA sample, ~~a full set of fingerprints~~ one thumb
15 print or fingerprint shall be taken from the person from whom the
16 DNA sample is being drawn for the exclusive purpose of verifying
17 the identity of such person. The DNA sample and the set of
18 fingerprints shall be delivered to the Nebraska State Patrol within
19 ~~forty-eight hours~~ five working days after drawing the sample.

20 (2) A person authorized to draw DNA samples under this
21 section is not criminally liable for drawing a DNA sample and
22 transmitting DNA records pursuant to the act if he or she performs
23 these activities in good faith and is not civilly liable for such
24 activities if he or she performed such activities in a reasonable
25 manner according to generally accepted medical and other
26 professional practices.

27 Sec. 2. Original section 29-4107, Revised Statutes
28 Supplement, 1998, is repealed.

1 Sec. 3. Since an emergency exists, this act takes effect
2 when passed and approved according to law.