

LEGISLATIVE BILL 22

Approved by the Governor August 15, 2002

Introduced by Thompson, 14

AN ACT relating to state wards; to amend section 43-118.01, Revised Statutes Supplement, 2000; to change provisions relating to adoption assistance payments; and to repeal the original section.

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

Section 1. Section 43-118.01, Revised Statutes Supplement, 2000, is amended to read:

43-118.01. (1) For adoptions decreed on or after January 1, 2000, and on or before October 1, 2002, every individual or couple that adopts a ward of the State of Nebraska shall be entitled to a payment of one thousand dollars for the year of adoption and for up to four succeeding years. Payments shall be made after approval of an application submitted by the adoptive parent or parents to the Department of Health and Human Services. The application shall be on a form prescribed by the department. An application shall be submitted during January of the year following the year for which the payment is sought. An applicant shall be eligible for payment for the year of adoption and for the earliest of four subsequent years or until the adopted child reaches the age of majority, is emancipated, or is no longer living in the home of the adoptive parent or parents. To be eligible for payment in the years subsequent to the adoption, the requirements of this section must be met for the entire year.

(2) The department shall review all applications for eligibility for payment. The department shall approve or deny payment within thirty days after receipt of the application. If approved, the department shall certify the necessary information to the Director of Administrative Services for the issuance of a warrant. Warrants shall be issued within thirty days after certification. Any person aggrieved by a decision of the department may appeal. The appeal shall be in accordance with the Administrative Procedure Act.

(3) The department shall adopt and promulgate rules and regulations to carry out this section.

Sec. 2. Original section 43-118.01, Revised Statutes Supplement, 2000, is repealed.