

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 226

FINAL READING

(SECOND)

Introduced by Rogert, 16; Friend, 10.

Read first time January 13, 2009

Committee: Judiciary

A BILL

1 FOR AN ACT relating to minors; to amend sections 30-2604 and
2 43-2101, Reissue Revised Statutes of Nebraska; to provide
3 for authority for certain persons who are eighteen years
4 of age to consent to health care and medical treatment
5 and enter into contracts and leases; to repeal the
6 original sections; and to declare an emergency.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 30-2604, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 30-2604 A parent or a guardian of a minor or
4 incapacitated person, by a properly executed power of attorney, may
5 delegate to another person, for a period not exceeding six months,
6 any of his or her powers regarding care, custody, or property of
7 the minor child or ward, except his or her power to consent to
8 marriage or adoption of a minor ward. A parent or guardian of
9 a minor who is at least eighteen years of age and who is not a
10 ward of the state, by a properly executed power of attorney, may
11 delegate to such minor, for a period not exceeding one year, the
12 parent's or guardian's power to consent to such minor's own health
13 care and medical treatment.

14 Sec. 2. Section 43-2101, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 43-2101 All persons under nineteen years of age are
17 declared to be minors, but in case any person marries under the
18 age of nineteen years, his or her minority ends. Upon becoming the
19 age of majority, a person is considered an adult and acquires all
20 rights and responsibilities granted or imposed by statute or common
21 law, except that a person eighteen years of age or older and who
22 is not a ward of the state may enter into a binding contract or
23 lease of whatever kind or nature and shall be legally responsible
24 therefor.

25 Sec. 3. Original sections 30-2604 and 43-2101, Reissue

1 Revised Statutes of Nebraska, are repealed.

2 Sec. 4. Since an emergency exists, this act takes effect

3 when passed and approved according to law.