

AMENDMENTS TO LB 255

(Amendments to Final Reading copy)

Introduced by McGill

1           1. Insert the following new section:

2           Sec. 9. Section 43-247, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           43-247 The juvenile court shall have exclusive original  
5 jurisdiction as to any juvenile defined in subdivision (1) of this  
6 section who is under the age of sixteen, as to any juvenile defined  
7 in subdivision (3) of this section, and as to the parties and  
8 proceedings provided in subdivisions (5), (6), and (8) of this  
9 section. As used in this section, all references to the juvenile's  
10 age shall be the age at the time the act which occasioned the  
11 juvenile court action occurred. The juvenile court shall have  
12 concurrent original jurisdiction with the district court as to any  
13 juvenile defined in subdivision (2) of this section. The juvenile  
14 court shall have concurrent original jurisdiction with the district  
15 court and county court as to any juvenile defined in subdivision  
16 (1) of this section who is age sixteen or seventeen, any juvenile  
17 defined in subdivision (4) of this section, and any proceeding  
18 under subdivision (7) or (11) of this section. The juvenile court  
19 shall have concurrent original jurisdiction with the county court  
20 as to any proceeding under subdivision (9) or (10) of this section.  
21 Notwithstanding any disposition entered by the juvenile court  
22 under the Nebraska Juvenile Code, the juvenile court's jurisdiction

1 over any individual adjudged to be within the provisions of this  
2 section shall continue until the individual reaches the age of  
3 majority or the court otherwise discharges the individual from its  
4 jurisdiction.

5 The juvenile court in each county as herein provided  
6 shall have jurisdiction of:

7 (1) Any juvenile who has committed an act other than  
8 a traffic offense which would constitute a misdemeanor or an  
9 infraction under the laws of this state, or violation of a city or  
10 village ordinance;

11 (2) Any juvenile who has committed an act which would  
12 constitute a felony under the laws of this state;

13 (3) Any juvenile (a) who is homeless or destitute, or  
14 without proper support through no fault of his or her parent,  
15 guardian, or custodian; who is abandoned by his or her parent,  
16 guardian, or custodian; who lacks proper parental care by reason of  
17 the fault or habits of his or her parent, guardian, or custodian;  
18 whose parent, guardian, or custodian neglects or refuses to provide  
19 proper or necessary subsistence, education, or other care necessary  
20 for the health, morals, or well-being of such juvenile; whose  
21 parent, guardian, or custodian is unable to provide or neglects  
22 or refuses to provide special care made necessary by the mental  
23 condition of the juvenile; or who is in a situation or engages in  
24 an occupation, including prostitution, dangerous to life or limb or  
25 injurious to the health or morals of such juvenile, (b) who, by  
26 reason of being wayward or habitually disobedient, is uncontrolled  
27 by his or her parent, guardian, or custodian; who departs himself

1 or herself so as to injure or endanger seriously the morals or  
2 health of himself, herself, or others; or who is habitually truant  
3 from home or school, or (c) who is mentally ill and dangerous as  
4 defined in section 71-908;

5 (4) Any juvenile who has committed an act which would  
6 constitute a traffic offense as defined in section 43-245;

7 (5) The parent, guardian, or custodian of any juvenile  
8 described in this section;

9 (6) The proceedings for termination of parental rights as  
10 provided in the Nebraska Juvenile Code;

11 (7) The proceedings for termination of parental rights as  
12 provided in section 42-364;

13 (8) Any juvenile who has been voluntarily relinquished,  
14 pursuant to section 43-106.01, to the Department of Health and  
15 Human Services or any child placement agency licensed by the  
16 Department of Health and Human Services;

17 (9) Any juvenile who was a ward of the juvenile court at  
18 the inception of his or her guardianship and whose guardianship has  
19 been disrupted or terminated;

20 (10) The adoption or guardianship proceedings for a  
21 child over which the juvenile court already has jurisdiction under  
22 another provision of the Nebraska Juvenile Code; and

23 (11) The paternity or custody determination for a child  
24 over which the juvenile court already has jurisdiction.

25 Notwithstanding the provisions of the Nebraska Juvenile  
26 Code, the determination of jurisdiction over any Indian child as  
27 defined in section 43-1503 shall be subject to the Nebraska Indian

1 Child Welfare Act; and the district court shall have exclusive  
2 jurisdiction in proceedings brought pursuant to section 71-510.

3           2. On page 1, line 2; and page 32, line 4, strike "and  
4 28-831" and insert "28-831, and 43-247".

5           3. Renumber the remaining sections accordingly.