

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 728

Introduced by Harms, 48.

Read first time January 09, 2014

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Developmental Disabilities Services Act;
2 to amend section 83-1217.01, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to criminal
4 history record information checks for certain employees
5 of the Division of Developmental Disabilities of the
6 Department of Health and Human Services; to repeal the
7 original section; and to outright repeal section
8 83-1217.02, Revised Statutes Cumulative Supplement, 2012.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-1217.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 83-1217.01 ~~Employees~~ (1) Each employee of state-operated
4 services and facilities providing developmental disabilities services
5 shall be subject to the criminal history record information check
6 requirements of subdivision (9) of section 83-1217 and section
7 83-1217.02. file a complete set of his or her legible fingerprints
8 with the department. The department shall transmit such fingerprints
9 to the Nebraska State Patrol which shall transmit a copy of the
10 applicant's fingerprints to the Identification Division of the
11 Federal Bureau of Investigation for a national criminal history
12 record information check.

13 (2) The national criminal history record information
14 check shall include information concerning the employee from federal
15 repositories of such information and repositories of such information
16 in other states if authorized by federal law for use by the
17 department.

18 (3) The Nebraska State Patrol shall undertake a search
19 for Nebraska criminal history record information concerning the
20 employee. The Nebraska State Patrol shall issue a report to the
21 department which contains the results of the criminal history record
22 information check conducted by the Nebraska State Patrol.

23 (4) Criminal history record information subject to
24 federal confidentiality requirements shall remain confidential and
25 may be released only upon the written authorization of the employee.

1 (5) The department, in cooperation with the Nebraska
2 State Patrol, shall adopt and promulgate rules and regulations to
3 carry out this section.

4 Sec. 2. Original section 83-1217.01, Reissue Revised
5 Statutes of Nebraska, is repealed.

6 Sec. 3. The following section is outright repealed:
7 Section 83-1217.02, Revised Statutes Cumulative Supplement, 2012.