

E AND R AMENDMENTS TO LB 519

Introduced by Slama, 1, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. Section 25-21,299, Reissue Revised Statutes of Nebraska,  
4 is amended to read:

5           25-21,299 (1) Any trafficking victim, ~~or~~ his or her parent or legal  
6 guardian, ~~or personal representative in the event of such victim's death,~~  
7 who suffered or continues to suffer personal or mental psychological  
8 injury, ~~death, or any other damages proximately caused by as a result of~~  
9 such human trafficking may bring a civil action against any person who  
10 knowingly (a) engaged in human trafficking of such victim within this  
11 state or (b) aided or assisted in with the human trafficking of such  
12 victim within this state.

13           (2) A plaintiff who prevails in a civil action brought pursuant to  
14 the Human Trafficking Victims Civil Remedy Act may recover his or her  
15 ~~actual~~ damages proximately caused by the actions of the defendant plus  
16 any and all attorney's fees and costs reasonably associated with the  
17 civil action. ~~In addition to all other remedies available under the act,~~  
18 ~~the court may also award temporary, preliminary, and permanent injunctive~~  
19 ~~relief as the court deems necessary and appropriate.~~

20           (3) Damages recoverable pursuant to subsection (2) of this section  
21 include all damages otherwise recoverable under the law and include, but  
22 are not limited to:

23           (a) The physical pain and mental suffering the plaintiff has  
24 experienced and is reasonably certain to experience in the future;

25           (b) The reasonable value of the medical, hospital, nursing, and care  
26 and supplies reasonably needed by and actually provided to the plaintiff  
27 and reasonably certain to be needed and provided in the future;

1           (c) The reasonable value of transportation, housing, and child care  
2 reasonably needed and actually incurred by the plaintiff;

3           (d) The reasonable value of the plaintiff's labor and services the  
4 plaintiff has lost because he or she was a trafficking victim;

5           (e) The reasonable monetary value of the harm caused by the  
6 documentation and circulation of the human trafficking;

7           (f) The reasonable costs incurred by the plaintiff to relocate away  
8 from the defendant or the defendant's associates;

9           (g) In the event of death, damages available as in other actions for  
10 wrongful death; and

11           (h) The reasonable costs incurred by the plaintiff to participate in  
12 the criminal investigation or prosecution or attend criminal proceedings  
13 related to trafficking the plaintiff.

14           (4) In addition to all remedies available under this section, the  
15 court may enter an order of attachment pursuant to sections 25-1001 to  
16 25-1010.

17           Sec. 2. Section 27-404, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19           27-404 (1) Evidence of a person's character or a trait of his or her  
20 character is not admissible for the purpose of proving that he or she  
21 acted in conformity therewith on a particular occasion, except:

22           (a) Evidence of a pertinent trait of his or her character offered by  
23 an accused, or by the prosecution to rebut the same;

24           (b) Evidence of a pertinent trait of character of the victim of the  
25 crime offered by an accused or by the prosecution to rebut the same, or  
26 evidence of a character trait of peacefulness of the victim offered by  
27 the prosecution in a homicide case to rebut evidence that the victim was  
28 the first aggressor. In a sexual assault case, reputation, opinion, or  
29 other evidence of past sexual behavior of the victim is governed by  
30 section 27-412; or

31           (c) Evidence of the character of a witness as provided in sections

1 27-607 to 27-609.

2 (2) Evidence of other crimes, wrongs, or acts is not admissible to  
3 prove the character of a person in order to show that he or she acted in  
4 conformity therewith. It may, however, be admissible for other purposes,  
5 such as proof of motive, opportunity, intent, preparation, plan,  
6 knowledge, identity, or absence of mistake or accident.

7 (3) When such evidence is admissible pursuant to this section, in  
8 criminal cases evidence of other crimes, wrongs, or acts of the accused  
9 may be offered in evidence by the prosecution if the prosecution proves  
10 to the court by clear and convincing evidence that the accused committed  
11 the crime, wrong, or act. Such proof shall first be made outside the  
12 presence of any jury.

13 (4) Regarding the admissibility in a civil or criminal action of  
14 evidence of a person's commission of another offense or offenses of  
15 sexual assault under sections 28-319 to 28-322.04 and section 8 of this  
16 act, see sections 27-413 to 27-415.

17 Sec. 3. Section 27-413, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 27-413 For purposes of sections 27-414 and 27-415, offense of sexual  
20 assault means sexual assault under section 28-319 or 28-320, sexual  
21 assault of a child under section 28-319.01 or 28-320.01, sexual assault  
22 by use of an electronic communication device under section 28-320.02,  
23 sexual abuse of an inmate or parolee under sections 28-322.01 to  
24 28-322.03, sexual abuse of a protected individual under section  
25 28-322.04, sexual abuse of a detainee under section 8 of this act, an  
26 attempt or conspiracy to commit any of the crimes listed in this section,  
27 or the commission of or conviction for a crime in another jurisdiction  
28 that is substantially similar to any crime listed in this section.

29 Sec. 4. Section 28-101, Revised Statutes Cumulative Supplement,  
30 2018, is amended to read:

31 28-101 Sections 28-101 to 28-1357 and 28-1601 to 28-1603 and

1 sections 8 and 12 of this act shall be known and may be cited as the  
2 Nebraska Criminal Code.

3 Sec. 5. Section 28-115, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 28-115 (1) Except as provided in subsection (2) of this section, any  
6 person who commits any of the following criminal offenses against a  
7 pregnant woman shall be punished by the imposition of the next higher  
8 penalty classification than the penalty classification prescribed for the  
9 criminal offense:

10 (a) Assault in the first degree, section 28-308;

11 (b) Assault in the second degree, section 28-309;

12 (c) Assault in the third degree, section 28-310;

13 (d) Sexual assault in the first degree, section 28-319;

14 (e) Sexual assault in the second or third degree, section 28-320;

15 (f) Sexual assault of a child in the first degree, section  
16 28-319.01;

17 (g) Sexual assault of a child in the second or third degree, section  
18 28-320.01;

19 (h) Sexual abuse of an inmate or parolee in the first degree,  
20 section 28-322.02;

21 (i) Sexual abuse of an inmate or parolee in the second degree,  
22 section 28-322.03;

23 (j) Sexual abuse of a protected individual in the first or second  
24 degree, section 28-322.04;

25 (k) Sexual abuse of a detainee under section 8 of this act;

26 (l) ~~(k)~~ Domestic assault in the first, second, or third degree,  
27 section 28-323;

28 (m) ~~(l)~~ Assault on an officer, an emergency responder, a state  
29 correctional employee, a Department of Health and Human Services  
30 employee, or a health care professional in the first degree, section  
31 28-929;

1           (n) ~~(m)~~ Assault on an officer, an emergency responder, a state  
2       correctional employee, a Department of Health and Human Services  
3       employee, or a health care professional in the second degree, section  
4       28-930;

5           (o) ~~(n)~~ Assault on an officer, an emergency responder, a state  
6       correctional employee, a Department of Health and Human Services  
7       employee, or a health care professional in the third degree, section  
8       28-931;

9           (p) ~~(o)~~ Assault on an officer, an emergency responder, a state  
10      correctional employee, a Department of Health and Human Services  
11      employee, or a health care professional using a motor vehicle, section  
12      28-931.01;

13          (q) ~~(p)~~ Assault by a confined person, section 28-932;

14          (r) ~~(q)~~ Confined person committing offenses against another person,  
15      section 28-933; and

16          (s) ~~(r)~~ Proximately causing serious bodily injury while operating a  
17      motor vehicle, section 60-6,198.

18          (2) The enhancement in subsection (1) of this section does not apply  
19      to any criminal offense listed in subsection (1) of this section that is  
20      already punishable as a Class I, IA, or IB felony. If any criminal  
21      offense listed in subsection (1) of this section is punishable as a Class  
22      I misdemeanor, the penalty under this section is a Class IIIA felony.

23          (3) The prosecution shall allege and prove beyond a reasonable doubt  
24      that the victim was pregnant at the time of the offense.

25          Sec. 6. Section 28-318, Reissue Revised Statutes of Nebraska, is  
26      amended to read:

27          28-318 As used in sections 28-317 to 28-322.04 and section 8 of this  
28      act, unless the context otherwise requires:

29          (1) Actor means a person accused of sexual assault;

30          (2) Intimate parts means the genital area, groin, inner thighs,  
31      buttocks, or breasts;

1 (3) Past sexual behavior means sexual behavior other than the sexual  
2 behavior upon which the sexual assault is alleged;

3 (4) Serious personal injury means great bodily injury or  
4 disfigurement, extreme mental anguish or mental trauma, pregnancy,  
5 disease, or loss or impairment of a sexual or reproductive organ;

6 (5) Sexual contact means the intentional touching of the victim's  
7 sexual or intimate parts or the intentional touching of the victim's  
8 clothing covering the immediate area of the victim's sexual or intimate  
9 parts. Sexual contact ~~shall~~ also means ~~mean~~ the touching by the victim of  
10 the actor's sexual or intimate parts or the clothing covering the  
11 immediate area of the actor's sexual or intimate parts when such touching  
12 is intentionally caused by the actor. Sexual contact includes ~~shall~~  
13 ~~include~~ only such conduct which can be reasonably construed as being for  
14 the purpose of sexual arousal or gratification of either party. Sexual  
15 contact ~~shall~~ also includes ~~include~~ the touching of a child with the  
16 actor's sexual or intimate parts on any part of the child's body for  
17 purposes of sexual assault of a child under sections 28-319.01 and  
18 28-320.01;

19 (6) Sexual penetration means sexual intercourse in its ordinary  
20 meaning, cunnilingus, fellatio, anal intercourse, or any intrusion,  
21 however slight, of any part of the actor's or victim's body or any object  
22 manipulated by the actor into the genital or anal openings of the  
23 victim's body which can be reasonably construed as being for nonmedical,  
24 ~~or nonhealth, or nonlaw enforcement~~ purposes. Sexual penetration shall  
25 not require emission of semen;

26 (7) Victim means the person alleging to have been sexually  
27 assaulted;

28 (8) Without consent means:

29 (a)(i) The victim was compelled to submit due to the use of force or  
30 threat of force or coercion, or (ii) the victim expressed a lack of  
31 consent through words, or (iii) the victim expressed a lack of consent

1 through conduct, or (iv) the consent, if any was actually given, was the  
2 result of the actor's deception as to the identity of the actor or the  
3 nature or purpose of the act on the part of the actor;

4 (b) The victim need only resist, either verbally or physically, so  
5 as to make the victim's refusal to consent genuine and real and so as to  
6 reasonably make known to the actor the victim's refusal to consent; and

7 (c) A victim need not resist verbally or physically where it would  
8 be useless or futile to do so; and

9 (9) Force or threat of force means (a) the use of physical force  
10 which overcomes the victim's resistance or (b) the threat of physical  
11 force, express or implied, against the victim or a third person that  
12 places the victim in fear of death or in fear of serious personal injury  
13 to the victim or a third person where the victim reasonably believes that  
14 the actor has the present or future ability to execute the threat.

15 Sec. 7. Section 28-322.01, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 28-322.01 (1) A person commits the offense of sexual abuse of an  
18 inmate or parolee if such person subjects an inmate or parolee to sexual  
19 penetration or sexual contact as those terms are defined in section  
20 28-318. It is not a defense to a charge under this section that the  
21 inmate or parolee consented to such sexual penetration or sexual contact.

22 (2) An otherwise lawful pat-down or body cavity search by a person  
23 is not a violation of this section.

24 Sec. 8. (1) For purposes of this section:

25 (a) Detainee means an individual who has been:

26 (i) Arrested by a person;

27 (ii) Detained by a person, regardless of whether the detainee has  
28 been arrested or charged; or

29 (iii) Placed into the custody of a person, regardless of whether the  
30 detainee has been arrested or charged;

31 (b) Law enforcement agency means an agency or department of this

1 state or of any political subdivision of this state which is responsible  
2 for the prevention and detection of crime; the enforcement of the penal,  
3 traffic, or highway laws of this state or any political subdivision of  
4 this state; and the enforcement of arrest warrants. Law enforcement  
5 agency includes a police department, an office of the town marshal, an  
6 office of the county sheriff, the Nebraska State Patrol, and any  
7 department to which a deputy state sheriff is assigned as provided in  
8 section 84-106; and

9 (c) Person means an individual:

10 (i) Who is employed by a law enforcement agency, including an  
11 individual working under contract with the agency;

12 (ii) To whom the law enforcement agency has authorized or delegated  
13 authority to make arrests, to place a detainee in detention or custody,  
14 or to otherwise exercise control over a detainee or a detainee's  
15 activities; and

16 (iii) Who is not the spouse of a detainee.

17 (2) A person commits the offense of sexual abuse of a detainee if  
18 the person engages in sexual penetration or sexual contact with a  
19 detainee. It is not a defense to a charge under this section that the  
20 detainee consented to such sexual penetration or sexual contact.

21 (3) An otherwise lawful pat-down or body cavity search by a person  
22 is not a violation of this section.

23 (4) Any person who engages in sexual penetration with a detainee is  
24 guilty of sexual abuse of a detainee in the first degree. Sexual abuse of  
25 a detainee in the first degree is a Class IIA felony.

26 (5) Any person who engages in sexual contact with a detainee is  
27 guilty of sexual abuse of a detainee in the second degree. Sexual abuse  
28 of a detainee in the second degree is a Class IIIA felony.

29 Sec. 9. Section 28-707, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 28-707 (1) A person commits child abuse if he or she knowingly,

1 intentionally, or negligently causes or permits a minor child to be:

2 (a) Placed in a situation that endangers his or her life or physical  
3 or mental health;

4 (b) Cruelly confined or cruelly punished;

5 (c) Deprived of necessary food, clothing, shelter, or care;

6 (d) Placed in a situation to be sexually exploited through sex  
7 trafficking of a minor as defined in section 28-830 or by allowing,  
8 encouraging, or forcing such minor child to ~~solicit for or~~ engage in  
9 ~~prostitution~~, debauchery, public indecency, or obscene or pornographic  
10 photography, films, or depictions;

11 (e) Placed in a situation to be sexually abused as defined in  
12 section 28-319, 28-319.01, or 28-320.01; or

13 (f) Placed in a situation to be a trafficking victim as defined in  
14 section 28-830.

15 (2) The statutory privilege between patient and physician, between  
16 client and professional counselor, and between husband and wife shall not  
17 be available for excluding or refusing testimony in any prosecution for a  
18 violation of this section.

19 (3) Child abuse is a Class I misdemeanor if the offense is committed  
20 negligently and does not result in serious bodily injury as defined in  
21 section 28-109 or death.

22 (4) Child abuse is a Class IIIA felony if the offense is committed  
23 knowingly and intentionally and does not result in serious bodily injury  
24 as defined in section 28-109 or death.

25 (5) Child abuse is a Class IIIA felony if the offense is committed  
26 negligently and results in serious bodily injury as defined in section  
27 28-109.

28 (6) Child abuse is a Class IIA felony if the offense is committed  
29 negligently and results in the death of such child.

30 (7) Child abuse is a Class II felony if the offense is committed  
31 knowingly and intentionally and results in serious bodily injury as

1 defined in such section.

2 (8) Child abuse is a Class IB felony if the offense is committed  
3 knowingly and intentionally and results in the death of such child.

4 (9) For purposes of this section, negligently refers to criminal  
5 negligence and means that a person knew or should have known of the  
6 danger involved and acted recklessly, as defined in section 28-109, with  
7 respect to the safety or health of the minor child.

8 Sec. 10. Section 28-710, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 28-710 (1) Sections 28-710 to 28-727 shall be known and may be cited  
11 as the Child Protection and Family Safety Act.

12 (2) For purposes of the Child Protection and Family Safety Act:

13 (a) Alternative response means a comprehensive assessment of (i)  
14 child safety, (ii) the risk of future child abuse or neglect, (iii)  
15 family strengths and needs, and (iv) the provision of or referral for  
16 necessary services and support. Alternative response is an alternative to  
17 traditional response and does not include an investigation or a formal  
18 determination as to whether child abuse or neglect has occurred, and the  
19 subject of the report shall not be entered into the central registry of  
20 child protection cases maintained pursuant to section 28-718;

21 (b) Child abuse or neglect means knowingly, intentionally, or  
22 negligently causing or permitting a minor child to be:

23 (i) Placed in a situation that endangers his or her life or physical  
24 or mental health;

25 (ii) Cruelly confined or cruelly punished;

26 (iii) Deprived of necessary food, clothing, shelter, or care;

27 (iv) Left unattended in a motor vehicle if such minor child is six  
28 years of age or younger;

29 (v) Placed in a situation to be sexually ~~Sexually~~ abused; ~~or~~

30 (vi) Placed in a situation to be sexually ~~Sexually~~ exploited through  
31 sex trafficking of a minor as defined in section 28-830 or by allowing,

1 encouraging, or forcing such person to ~~solicit for or~~ engage in  
2 ~~prostitution,~~ debauchery, public indecency, or obscene or pornographic  
3 photography, films, or depictions; or

4 (vii) Placed in a situation to be a trafficking victim as defined in  
5 section 28-830;

6 (c) Comprehensive assessment means an analysis of child safety, risk  
7 of future child abuse or neglect, and family strengths and needs on a  
8 report of child abuse or neglect. Comprehensive assessment does not  
9 include a determination as to whether the child abuse or neglect occurred  
10 but does determine the need for services and support to address the  
11 safety of children and the risk of future abuse or neglect;

12 (d) Department means the Department of Health and Human Services;

13 (e) Investigation means fact gathering related to the current safety  
14 of a child and the risk of future child abuse or neglect that determines  
15 whether child abuse or neglect has occurred and whether child protective  
16 services are needed;

17 (f) Law enforcement agency means the police department or town  
18 marshal in incorporated municipalities, the office of the sheriff in  
19 unincorporated areas, and the Nebraska State Patrol;

20 (g) Out-of-home child abuse or neglect means child abuse or neglect  
21 occurring outside of a child's family home, including in day care homes,  
22 foster homes, day care centers, residential child-caring agencies as  
23 defined in section 71-1926, and other child care facilities or  
24 institutions, and the community. Out-of-home child abuse or neglect also  
25 includes cases in which the subject of the report of child abuse or  
26 neglect is not a member of the child's household, no longer has access to  
27 the child, is unknown, or cannot be identified;

28 (h) Review, Evaluate, and Decide Team means an internal team of  
29 staff within the department and shall include no fewer than two  
30 supervisors or administrators and two staff members knowledgeable on the  
31 policies and practices of the department, including, but not limited to,

1 the structured review process. County attorneys, child advocacy centers,  
2 or law enforcement agency personnel may attend team reviews upon request  
3 of a party;

4 (i) Traditional response means an investigation by a law enforcement  
5 agency or the department pursuant to section 28-713 which requires a  
6 formal determination of whether child abuse or neglect has occurred; and

7 (j) Subject of the report of child abuse or neglect or subject of  
8 the report means the person or persons identified in the report as  
9 responsible for the child abuse or neglect.

10 Sec. 11. Section 28-713, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 28-713 (1) Unless an intake is assigned to alternative response,  
13 upon the receipt of a call reporting child abuse and neglect as required  
14 by section 28-711:

15 (a) ~~(1)~~ It is the duty of the law enforcement agency to investigate  
16 the report, to take immediate steps to protect the child, and to  
17 institute legal proceedings if appropriate. In situations of alleged out-  
18 of-home child abuse or neglect if the person or persons to be notified  
19 have not already been notified and the person to be notified is not the  
20 subject of the report of child abuse or neglect, the law enforcement  
21 agency shall immediately notify the person or persons having custody of  
22 each child who has allegedly been abused or neglected that such report of  
23 alleged child abuse or neglect has been made and shall provide such  
24 person or persons with information of the nature of the alleged child  
25 abuse or neglect. The law enforcement agency may request assistance from  
26 the department during the investigation and shall, by the next working  
27 day, notify either the hotline or the department of receipt of the  
28 report, including whether or not an investigation is being undertaken by  
29 the law enforcement agency. A copy of all reports, whether or not an  
30 investigation is being undertaken, shall be provided to the department;

31 (b) ~~(2)~~ In situations of alleged out-of-home child abuse or neglect

1 if the person or persons to be notified have not already been notified  
2 and the person to be notified is not the subject of the report of child  
3 abuse or neglect, the department shall immediately notify the person or  
4 persons having custody of each child who has allegedly been abused or  
5 neglected that such report of alleged child abuse or neglect has been  
6 made and shall provide such person or persons with information of the  
7 nature of the alleged child abuse or neglect and any other information  
8 that the department deems necessary. The department shall investigate for  
9 the purpose of assessing each report of child abuse or neglect to  
10 determine the risk of harm to the child involved. The department shall  
11 also provide such social services as are necessary and appropriate under  
12 the circumstances to protect and assist the child and to preserve the  
13 family;

14 (c) ~~(3)~~ The department may make a request for further assistance  
15 from the appropriate law enforcement agency or take such legal action as  
16 may be appropriate under the circumstances;

17 (d) ~~(4)~~ The department shall, by the next working day after  
18 receiving a report of child abuse or neglect under this subsection  
19 ~~subdivision (1)~~ of this section, make a written report or a summary on  
20 forms provided by the department to the proper law enforcement agency in  
21 the county and enter in the tracking system of child protection cases  
22 maintained pursuant to section 28-715 all reports of child abuse or  
23 neglect opened for investigation and any action taken; and

24 (e) ~~(5)~~ The department shall, upon request, make available to the  
25 appropriate investigating law enforcement agency and the county attorney  
26 a copy of all reports relative to a case of suspected child abuse or  
27 neglect.

28 (2)(a) In addition to the responsibilities under subsection (1) of  
29 this section, upon the receipt of any report that a child is a reported  
30 or suspected victim of sex trafficking of a minor or labor trafficking of  
31 a minor as defined in section 28-830 and without regard to the subject of

1 the report, the department shall:

2 (i) Assign the case to staff for an in-person investigation. The  
3 department shall assign a report for investigation regardless of whether  
4 or not the subject of the report is a member of the child's household or  
5 family or whether the subject is known or unknown, including cases of  
6 out-of-home child abuse and neglect;

7 (ii) Conduct an in-person investigation and appropriately coordinate  
8 with law enforcement agencies, the local child advocacy center, and the  
9 child abuse and neglect investigation team under section 28-729;

10 (iii) Use specialized screening and assessment instruments to  
11 identify whether the child is a victim of sex trafficking of a minor or  
12 labor trafficking of a minor or at high risk of becoming such a victim  
13 and determine the needs of the child and family to prevent or respond to  
14 abuse, neglect, and exploitation. On or before December 1, 2019, the  
15 department shall develop and adopt these instruments in consultation with  
16 knowledgeable organizations and individuals, including representatives of  
17 child advocacy centers, behavioral health providers, child welfare and  
18 juvenile justice service providers, law enforcement representatives, and  
19 prosecutors; and

20 (iv) Provide for or refer and connect the child and family to  
21 services deemed appropriate by the department in the least restrictive  
22 environment, or provide for safe and appropriate placement, medical  
23 services, mental health care, or other needs as determined by the  
24 department based upon the department's assessment of the safety, risk,  
25 and needs of the child and family to respond to or prevent abuse,  
26 neglect, and exploitation.

27 (b) On or before July 1, 2020, the department shall adopt rules and  
28 regulations on the process of investigation, screening, and assessment of  
29 reports of child abuse or neglect and the criteria for opening an ongoing  
30 case upon allegations of sex trafficking of a minor or labor trafficking  
31 of a minor.

1           (3) When a preponderance of the evidence indicates that a child is a  
2 victim of abuse or neglect as a result of being a trafficking victim as  
3 defined in section 28-830, the department shall identify the child as a  
4 victim of trafficking, regardless of whether the subject of the report is  
5 a member of the child's household or family or whether the subject is  
6 known or unknown. The child shall be included in the department's data  
7 and reporting on the numbers of child victims of abuse, neglect, and  
8 trafficking.

9           Sec. 12. On or before December 1, 2019, the Department of Health  
10 and Human Services shall make publicly available information on programs  
11 and services available for referral by the department to respond to the  
12 safety and needs of children reported or suspected to be victims of sex  
13 trafficking of a minor or labor trafficking of a minor as defined in  
14 section 28-830 and their families. The department shall develop this  
15 information in consultation with representatives of child advocacy  
16 centers, behavioral health providers, child welfare and juvenile justice  
17 service providers, law enforcement representatives, and prosecutors.

18           Sec. 13. Section 29-110, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20           29-110 (1) Except as otherwise provided by law, no person shall be  
21 prosecuted for any felony unless the indictment is found by a grand jury  
22 within three years next after the offense has been done or committed or  
23 unless a complaint for the same is filed before the magistrate within  
24 three years next after the offense has been done or committed and a  
25 warrant for the arrest of the defendant has been issued.

26           (2) Except as otherwise provided by law, no person shall be  
27 prosecuted, tried, or punished for any misdemeanor or other indictable  
28 offense below the grade of felony or for any fine or forfeiture under any  
29 penal statute unless the suit, information, or indictment for such  
30 offense is instituted or found within one year and six months from the  
31 time of committing the offense or incurring the fine or forfeiture or

1 within one year for any offense the punishment of which is restricted by  
2 a fine not exceeding one hundred dollars and to imprisonment not  
3 exceeding three months.

4 (3) Except as otherwise provided by law, no person shall be  
5 prosecuted for kidnapping under section 28-313, false imprisonment under  
6 section 28-314 or 28-315, child abuse under section 28-707, pandering  
7 under section 28-802, debauching a minor under section 28-805, or an  
8 offense under section 28-813, ~~28-813.01, or 28-1463.03~~ when the victim is  
9 under sixteen years of age at the time of the offense (a) unless the  
10 indictment for such offense is found by a grand jury within seven years  
11 next after the offense has been committed or within seven years next  
12 after the victim's sixteenth birthday, whichever is later, or (b) unless  
13 a complaint for such offense is filed before the magistrate within seven  
14 years next after the offense has been committed or within seven years  
15 next after the victim's sixteenth birthday, whichever is later, and a  
16 warrant for the arrest of the defendant has been issued.

17 (4) Except as otherwise provided by law, no person shall be  
18 prosecuted for a violation of subsection (2) or (3) of section 28-831 (a)  
19 unless the indictment for such offense is found by a grand jury within  
20 seven years next after the offense has been committed or within seven  
21 years next after the victim's eighteenth birthday, whichever is later, or  
22 (b) unless a complaint for such offense is filed before the magistrate  
23 within seven years next after the offense has been committed or within  
24 seven years next after the victim's eighteenth birthday, whichever is  
25 later, and a warrant for the arrest of the defendant has been issued.

26 (5) Except as otherwise provided by law, no person shall be  
27 prosecuted for an offense under section 28-813.01 or 28-1463.05 (a)  
28 unless the indictment for such offense is found by a grand jury within  
29 seven years next after the offense has been committed or within seven  
30 years next after the victim's eighteenth birthday, whichever is later, or  
31 (b) unless a complaint for such offense is filed before the magistrate

1 within seven years next after the offense has been committed or within  
2 seven years next after the victim's eighteenth birthday, whichever is  
3 later, and a warrant for the arrest of the defendant has been issued.

4       (6) (4) No person shall be prosecuted for a violation of the  
5 Securities Act of Nebraska under section 8-1117 unless the indictment for  
6 such offense is found by a grand jury within five years next after the  
7 offense has been done or committed or unless a complaint for such offense  
8 is filed before the magistrate within five years next after the offense  
9 has been done or committed and a warrant for the arrest of the defendant  
10 has been issued.

11       (7) (5) No person shall be prosecuted for criminal impersonation  
12 under section 28-638, identity theft under section 28-639, or identity  
13 fraud under section 28-640 unless the indictment for such offense is  
14 found by a grand jury within five years next after the offense has been  
15 done or committed or unless a complaint for such offense is filed before  
16 the magistrate within five years next after the offense has been done or  
17 committed and a warrant for the arrest of the defendant has been issued.

18       (8) (6) No person shall be prosecuted for a violation of section  
19 68-1017 if the aggregate value of all funds and other benefits obtained  
20 or attempted to be obtained is five hundred dollars or more unless the  
21 indictment for such offense is found by a grand jury within five years  
22 next after the offense has been done or committed or unless a complaint  
23 for such offense is filed before the magistrate within five years next  
24 after the offense has been done or committed and a warrant for the arrest  
25 of the defendant has been issued.

26       (9) (7) No person shall be prosecuted for knowing and intentional  
27 abuse, neglect, or exploitation of a vulnerable adult or senior adult  
28 under section 28-386 unless the indictment for such offense is found by a  
29 grand jury within six years next after the offense has been done or  
30 committed or unless a complaint for such offense is filed before the  
31 magistrate within six years next after the offense has been done or

1 committed and a warrant for the arrest of the defendant has been issued.

2 (10) ~~(8)~~ There shall not be any time limitations for prosecution or  
3 punishment for treason, murder, arson, forgery, sexual assault in the  
4 first or second degree under section 28-319 or 28-320, sexual assault of  
5 a child in the second or third degree under section 28-320.01, incest  
6 under section 28-703, ~~or~~ sexual assault of a child in the first degree  
7 under section 28-319.01, labor trafficking of a minor or sex trafficking  
8 of a minor under subsection (1) of section 28-831, or an offense under  
9 section 28-1463.03; nor shall there be any time limitations for  
10 prosecution or punishment for sexual assault in the third degree under  
11 section 28-320 when the victim is under sixteen years of age at the time  
12 of the offense.

13 (11) ~~(9)~~ The time limitations prescribed in this section shall  
14 include all inchoate offenses pursuant to the Nebraska Criminal Code and  
15 compounding a felony pursuant to section 28-301.

16 (12) ~~(10)~~ The time limitations prescribed in this section shall not  
17 extend to any person fleeing from justice.

18 (13) ~~(11)~~ When any suit, information, or indictment for any crime or  
19 misdemeanor is limited by any statute to be brought or exhibited within  
20 any other time than is limited by this section, then the suit,  
21 information, or indictment shall be brought or exhibited within the time  
22 limited by such statute.

23 (14) ~~(12)~~ If any suit, information, or indictment is quashed or the  
24 proceedings set aside or reversed on writ of error, the time during the  
25 pendency of such suit, information, or indictment so quashed, set aside,  
26 or reversed shall not be reckoned within this statute so as to bar any  
27 new suit, information, or indictment for the same offense.

28 (15) ~~(13)~~ The changes made to this section by Laws 2004, LB 943,  
29 shall apply to offenses committed prior to April 16, 2004, for which the  
30 statute of limitations has not expired as of such date and to offenses  
31 committed on or after such date.

1           ~~(16)~~ ~~(14)~~ The changes made to this section by Laws 2005, LB 713,  
2 shall apply to offenses committed prior to September 4, 2005, for which  
3 the statute of limitations has not expired as of such date and to  
4 offenses committed on or after such date.

5           ~~(17)~~ ~~(15)~~ The changes made to this section by Laws 2009, LB 97, and  
6 Laws 2006, LB 1199, shall apply to offenses committed prior to May 21,  
7 2009, for which the statute of limitations has not expired as of such  
8 date and to offenses committed on or after such date.

9           ~~(18)~~ ~~(16)~~ The changes made to this section by Laws 2010, LB809,  
10 shall apply to offenses committed prior to July 15, 2010, for which the  
11 statute of limitations has not expired as of such date and to offenses  
12 committed on or after such date.

13           ~~(19)~~ ~~(17)~~ The changes made to this section by Laws 2016, LB934,  
14 shall apply to offenses committed prior to April 19, 2016, for which the  
15 statute of limitations has not expired as of such date and to offenses  
16 committed on or after such date.

17           (20) The changes made to this section by this legislative bill shall  
18 apply to offenses committed prior to the effective date of this act for  
19 which the statute of limitations has not expired as of such date and to  
20 offenses committed on or after such date.

21           Sec. 14. Section 29-4003, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23           29-4003 (1)(a) The Sex Offender Registration Act applies to any  
24 person who on or after January 1, 1997:

25           (i) Has ever pled guilty to, pled nolo contendere to, or been found  
26 guilty of any of the following:

27           (A) Kidnapping of a minor pursuant to section 28-313, except when  
28 the person is the parent of the minor and was not convicted of any other  
29 offense in this section;

30           (B) False imprisonment of a minor pursuant to section 28-314 or  
31 28-315;

1 (C) Sexual assault pursuant to section 28-319 or 28-320;

2 (D) Sexual assault of a child in the second or third degree pursuant  
3 to section 28-320.01;

4 (E) Sexual assault of a child in the first degree pursuant to  
5 section 28-319.01;

6 (F) Sexual abuse of a vulnerable adult or senior adult pursuant to  
7 subdivision (1)(c) of section 28-386;

8 (G) Incest of a minor pursuant to section 28-703;

9 (H) Pandering of a minor pursuant to section 28-802;

10 (I) Visual depiction of sexually explicit conduct of a child  
11 pursuant to section 28-1463.03 or 28-1463.05;

12 (J) Knowingly possessing any visual depiction of sexually explicit  
13 conduct which has a child as one of its participants or portrayed  
14 observers pursuant to section 28-813.01;

15 (K) Criminal child enticement pursuant to section 28-311;

16 (L) Child enticement by means of an electronic communication device  
17 pursuant to section 28-320.02;

18 (M) Debauching a minor pursuant to section 28-805; or

19 (N) Attempt, solicitation, aiding or abetting, being an accessory,  
20 or conspiracy to commit an offense listed in subdivisions (1)(a)(i)(A)  
21 through (1)(a)(i)(M) of this section;

22 (ii) Has ever pled guilty to, pled nolo contendere to, or been found  
23 guilty of any offense that is substantially equivalent to a registrable  
24 offense under subdivision (1)(a)(i) of this section by any village, town,  
25 city, state, territory, commonwealth, or other jurisdiction of the United  
26 States, by the United States Government, by court-martial or other  
27 military tribunal, or by a foreign jurisdiction, notwithstanding a  
28 procedure comparable in effect to that described under section 29-2264 or  
29 any other procedure to nullify a conviction other than by pardon;

30 (iii) Is incarcerated in a jail, a penal or correctional facility,  
31 or any other public or private institution or is under probation or

1 parole as a result of pleading guilty to or being found guilty of a  
2 registrable offense under subdivision (1)(a)(i) or (ii) of this section  
3 prior to January 1, 1997; or

4 (iv) Enters the state and is required to register as a sex offender  
5 under the laws of another village, town, city, state, territory,  
6 commonwealth, or other jurisdiction of the United States.

7 (b) In addition to the registrable offenses under subdivision (1)(a)  
8 of this section, the Sex Offender Registration Act applies to any person  
9 who on or after January 1, 2010:

10 (i)(A) Except as provided in subdivision (1)(b)(i)(B) of this  
11 section, has ever pled guilty to, pled nolo contendere to, or been found  
12 guilty of any of the following:

13 (I) Murder in the first degree pursuant to section 28-303;

14 (II) Murder in the second degree pursuant to section 28-304;

15 (III) Manslaughter pursuant to section 28-305;

16 (IV) Assault in the first degree pursuant to section 28-308;

17 (V) Assault in the second degree pursuant to section 28-309;

18 (VI) Assault in the third degree pursuant to section 28-310;

19 (VII) Stalking pursuant to section 28-311.03;

20 (VIII) Violation of section 28-311.08 requiring registration under  
21 the act pursuant to subsection (5) of section 28-311.08;

22 (IX) Kidnapping pursuant to section 28-313;

23 (X) False imprisonment pursuant to section 28-314 or 28-315;

24 (XI) Sexual abuse of an inmate or parolee in the first degree  
25 pursuant to section 28-322.02;

26 (XII) Sexual abuse of an inmate or parolee in the second degree  
27 pursuant to section 28-322.03;

28 (XIII) Sexual abuse of a protected individual pursuant to section  
29 28-322.04;

30 (XIV) Incest pursuant to section 28-703;

31 (XV) Child abuse pursuant to subdivision (1)(d) or (e) of section

1 28-707;

2 (XVI) Enticement by electronic communication device pursuant to  
3 section 28-833; or

4 (XVII) Attempt, solicitation, aiding or abetting, being an  
5 accessory, or conspiracy to commit an offense listed in subdivisions (1)  
6 (b)(i)(A)(I) through (1)(b)(i)(A)(XVI) of this section.

7 (B) In order for the Sex Offender Registration Act to apply to the  
8 offenses listed in subdivisions (1)(b)(i)(A)(I), (II), (III), (IV), (V),  
9 (VI), (VII), (IX), and (X) of this section, a court shall have found that  
10 evidence of sexual penetration or sexual contact, as those terms are  
11 defined in section 28-318, was present in the record, which shall include  
12 consideration of the factual basis for a plea-based conviction and  
13 information contained in the presentence report;

14 (ii) Has ever pled guilty to, pled nolo contendere to, or been found  
15 guilty of any offense that is substantially equivalent to a registrable  
16 offense under subdivision (1)(b)(i) of this section by any village, town,  
17 city, state, territory, commonwealth, or other jurisdiction of the United  
18 States, by the United States Government, by court-martial or other  
19 military tribunal, or by a foreign jurisdiction, notwithstanding a  
20 procedure comparable in effect to that described under section 29-2264 or  
21 any other procedure to nullify a conviction other than by pardon; or

22 (iii) Enters the state and is required to register as a sex offender  
23 under the laws of another village, town, city, state, territory,  
24 commonwealth, or other jurisdiction of the United States.

25 (c) In addition to the registrable offenses under subdivisions (1)  
26 (a) and (b) of this section, the Sex Offender Registration Act applies to  
27 any person who on or after January 1, 2020:

28 (i) Has ever pled guilty to, pled nolo contendere to, or been found  
29 guilty of sexual abuse of a detainee under section 8 of this act; or

30 (ii) Has ever pled guilty to, pled nolo contendere to, or been found  
31 guilty of any offense that is substantially equivalent to a registrable

1 offense under subdivision (1)(c)(i) of this section by any village, town,  
2 city, state, territory, commonwealth, or other jurisdiction of the United  
3 States, by the United States Government, by court-martial or other  
4 military tribunal, or by a foreign jurisdiction, notwithstanding a  
5 procedure comparable in effect to that described under section 29-2264 or  
6 any other procedure to nullify a conviction other than by pardon.

7 (2) A person appealing a conviction of a registrable offense under  
8 this section shall be required to comply with the act during the appeals  
9 process.

10 Sec. 15. Section 43-4406, Revised Statutes Cumulative Supplement,  
11 2018, is amended to read:

12 43-4406 On or before each September 15, the department shall report  
13 electronically to the Health and Human Services Committee of the  
14 Legislature the following information regarding child welfare services,  
15 with respect to children served by any lead agency or the pilot project  
16 and children served by the department:

17 (1) The percentage of children served and the allocation of the  
18 child welfare budget, categorized by service area and by lead agency or  
19 the pilot project, including:

20 (a) The percentage of children served, by service area and the  
21 corresponding budget allocation; and

22 (b) The percentage of children served who are wards of the state and  
23 the corresponding budget allocation;

24 (2) The number of siblings in out-of-home care placed with siblings  
25 as of the June 30 immediately preceding the date of the report,  
26 categorized by service area and by lead agency or the pilot project;

27 (3) The number of waivers granted under subsection (2) of section  
28 71-1904;

29 (4) An update of the information in the report of the Children's  
30 Behavioral Health Task Force pursuant to sections 43-4001 to 43-4003,  
31 including:

1 (a) The number of children receiving mental health and substance  
2 abuse services annually by the Division of Behavioral Health of the  
3 department;

4 (b) The number of children receiving behavioral health services  
5 annually at the Hastings Regional Center;

6 (c) The number of state wards receiving behavioral health services  
7 as of September 1 immediately preceding the date of the report;

8 (d) Funding sources for children's behavioral health services for  
9 the fiscal year ending on the immediately preceding June 30;

10 (e) Expenditures in the immediately preceding fiscal year by the  
11 division, categorized by category of behavioral health service and by  
12 behavioral health region; and

13 (f) Expenditures in the immediately preceding fiscal year from the  
14 medical assistance program and CHIP as defined in section 68-969 for  
15 mental health and substance abuse services, for all children and for  
16 wards of the state;

17 (5) The following information as obtained for each service area and  
18 lead agency or the pilot project:

19 (a) Case manager education, including college degree, major, and  
20 level of education beyond a baccalaureate degree;

21 (b) Average caseload per case manager;

22 (c) Average number of case managers per child during the preceding  
23 twelve months;

24 (d) Average number of case managers per child for children who have  
25 been in the child welfare system for three months, for six months, for  
26 twelve months, and for eighteen months and the consecutive yearly average  
27 for children until the age of majority or permanency is attained;

28 (e) Monthly case manager turnover;

29 (f) Monthly face-to-face contacts between each case manager and the  
30 children on his or her caseload;

31 (g) Monthly face-to-face contacts between each case manager and the

1 parent or parents of the children on his or her caseload;

2 (h) Case documentation of monthly consecutive team meetings per  
3 quarter;

4 (i) Case documentation of monthly consecutive parent contacts per  
5 quarter;

6 (j) Case documentation of monthly consecutive child contacts with  
7 case manager per quarter;

8 (k) Case documentation of monthly consecutive contacts between child  
9 welfare service providers and case managers per quarter;

10 (l) Timeliness of court reports; and

11 (m) Non-court-involved children, including the number of children  
12 served, the types of services requested, the specific services provided,  
13 the cost of the services provided, and the funding source;

14 (6) All placements in residential treatment settings made or paid  
15 for by the child welfare system, the Office of Juvenile Services, the  
16 State Department of Education or local education agencies, any lead  
17 agency or the pilot project through letters of agreement, and the medical  
18 assistance program, including, but not limited to:

19 (a) Child variables;

20 (b) Reasons for placement;

21 (c) The percentage of children denied medicaid-reimbursed services  
22 and denied the level of placement requested;

23 (d) With respect to each child in a residential treatment setting:

24 (i) If there was a denial of initial placement request, the length  
25 and level of each placement subsequent to denial of initial placement  
26 request and the status of each child before and immediately after, six  
27 months after, and twelve months after placement;

28 (ii) Funds expended and length of placements;

29 (iii) Number and level of placements;

30 (iv) Facility variables; and

31 (v) Identification of specific child welfare services unavailable in

1 the child's community that, if available, could have prevented the need  
2 for residential treatment; and

3 (e) Identification of child welfare services unavailable in the  
4 state that, if available, could prevent out-of-state placements;

5 (7) From any lead agency or the pilot project, the percentage of its  
6 accounts payable to subcontracted child welfare service providers that  
7 are thirty days overdue, sixty days overdue, and ninety days overdue;

8 (8) For any individual involved in the child welfare system  
9 receiving a service or a placement through the department or its agent  
10 for which referral is necessary, the date when such referral was made by  
11 the department or its agent and the date and the method by which the  
12 individual receiving the services was notified of such referral. To the  
13 extent the department becomes aware of the date when the individual  
14 receiving the referral began receiving such services, the department or  
15 its agent shall document such date; ~~and~~

16 (9) The number of sexual abuse allegations that occurred for  
17 children being served by the Division of Children and Family Services of  
18 the Department of Health and Human Services and placed at a residential  
19 child-caring agency and the number of corresponding (a) screening  
20 decision occurrences by category, (b) open investigations by category,  
21 and (c) agency substantiations, court substantiations, and court-pending  
22 status cases; and -

23 (10) Information on children who are reported or suspected victims  
24 of sex trafficking of a minor or labor trafficking of a minor, as defined  
25 in section 28-830, including:

26 (a) The number of reports to the statewide toll-free number pursuant  
27 to section 28-711 alleging sex trafficking of a minor or labor  
28 trafficking of a minor and the number of children alleged to be victims;

29 (b) The number of substantiated victims of sex trafficking of a  
30 minor or labor trafficking of a minor, including demographic information  
31 and information on whether the children were already served by the

1 department;

2 (c) The number of children determined to be reported or suspected  
3 victims of sex trafficking of a minor or labor trafficking of a minor,  
4 including demographic information and information on whether the children  
5 were previously served by the department;

6 (d) The types and costs of services provided to children who are  
7 reported or suspected victims of sex trafficking of a minor or labor  
8 trafficking of a minor; and

9 (e) The number of ongoing cases opened due to allegations of sex  
10 trafficking of a minor or labor trafficking of a minor and number of  
11 children and families served through these cases.

12 Sec. 16. Section 83-4,143, Revised Statutes Cumulative Supplement,  
13 2018, is amended to read:

14 83-4,143 (1) It is the intent of the Legislature that the court  
15 target the felony offender (a) who is eligible and by virtue of his or  
16 her criminogenic needs is suitable to be sentenced to intensive  
17 supervision probation with placement at the incarceration work camp, (b)  
18 for whom the court finds that other conditions of a sentence of intensive  
19 supervision probation, in and of themselves, are not suitable, and (c)  
20 who, without the existence of an incarceration work camp, would, in all  
21 likelihood, be sentenced to prison.

22 (2) When the court is of the opinion that imprisonment is  
23 appropriate, but that a brief and intensive period of regimented,  
24 structured, and disciplined programming within a secure facility may  
25 better serve the interests of society, the court may place an offender in  
26 an incarceration work camp for a period not to exceed one hundred eighty  
27 days as a condition of a sentence of intensive supervision probation. The  
28 court may consider such placement if the offender (a) is a male or female  
29 offender convicted of a felony offense in a district court, (b) is  
30 medically and mentally fit to participate, with allowances given for  
31 reasonable accommodation as determined by medical and mental health

1 professionals, and (c) has not previously been incarcerated for a violent  
2 felony crime. Offenders convicted of a crime under sections 28-319 to  
3 28-322.04 and section 8 of this act or of any capital crime are not  
4 eligible to be placed in an incarceration work camp.

5 (3) It is also the intent of the Legislature that the Board of  
6 Parole may recommend placement of felony offenders at the incarceration  
7 work camp. The offenders recommended by the board shall be offenders  
8 currently housed at other Department of Correctional Services adult  
9 correctional facilities and shall complete the incarceration work camp  
10 programming prior to release on parole.

11 (4) When the Board of Parole is of the opinion that a felony  
12 offender currently incarcerated in a Department of Correctional Services  
13 adult correctional facility may benefit from a brief and intensive period  
14 of regimented, structured, and disciplined programming immediately prior  
15 to release on parole, the board may direct placement of such an offender  
16 in an incarceration work camp for a period not to exceed one hundred  
17 eighty days as a condition of release on parole. The board may consider  
18 such placement if the felony offender (a) is medically and mentally fit  
19 to participate, with allowances given for reasonable accommodation as  
20 determined by medical and mental health professionals, and (b) has not  
21 previously been incarcerated for a violent felony crime. Offenders  
22 convicted of a crime under sections 28-319 to 28-322.04 and section 8 of  
23 this act or of any capital crime are not eligible to be placed in an  
24 incarceration work camp.

25 (5) The Director of Correctional Services may assign a felony  
26 offender to an incarceration work camp if he or she believes it is in the  
27 best interests of the felony offender and of society, except that  
28 offenders convicted of a crime under sections 28-319 to 28-322.04 and  
29 section 8 of this act ~~28-321~~ or of any capital crime are not eligible to  
30 be assigned to an incarceration work camp pursuant to this subsection.

31 Sec. 17. Section 86-291, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 86-291 The Attorney General or any county attorney may make  
3 application to any district court of this state for an order authorizing  
4 or approving the interception of wire, electronic, or oral  
5 communications, and such court may grant, subject to sections 86-271 to  
6 86-295, an order authorizing or approving the interception of wire,  
7 electronic, or oral communications by law enforcement officers having  
8 responsibility for the investigation of the offense as to which  
9 application is made, when such interception may provide or has provided  
10 evidence of the commission of the offense of murder, kidnapping, robbery,  
11 bribery, extortion, dealing in narcotic or other dangerous drugs, labor  
12 trafficking or sex trafficking, labor trafficking of a minor or sex  
13 trafficking of a minor, sexual assault of a child or a vulnerable adult,  
14 visual depiction or possessing a visual depiction of sexually explicit  
15 conduct of a child, or child enticement by means of a computer, or any  
16 conspiracy to commit any such offense.

17 At the same time a county attorney first makes application to the  
18 district court for an initial order authorizing or approving the  
19 interception of wire, electronic, or oral communications, the county  
20 attorney shall submit the application to the Attorney General or his or  
21 her designated deputy or assistant. Within twenty-four hours of receipt  
22 by the office of the Attorney General of the application from the county  
23 attorney, the Attorney General or his or her designated deputy or  
24 assistant, as the case may be, shall state to the district court where  
25 the order is sought his or her recommendation as to whether the order  
26 should be granted. The court shall not issue the order until it has  
27 received the recommendation or until seventy-two hours after receipt of  
28 the application from the county attorney, whichever is sooner, unless the  
29 court finds exigent circumstances existing which necessitate the  
30 immediate issuance of the order. The court may issue the order and  
31 disregard the recommendation of the Attorney General or his or her

1 designated deputy or assistant.

2       Sec. 18. Original sections 25-21,299, 27-404, 27-413, 28-115,  
3 28-318, 28-322.01, 28-707, 28-710, 28-713, 29-110, 29-4003, and 86-291,  
4 Reissue Revised Statutes of Nebraska, and sections 28-101, 43-4406, and  
5 83-4,143, Revised Statutes Cumulative Supplement, 2018, are repealed.

6       2. On page 1, strike beginning with "criminal" in line 1 through  
7 line 7 and insert "crimes and offenses; to amend sections 25-21,299,  
8 27-404, 27-413, 28-115, 28-318, 28-322.01, 28-707, 28-710, 28-713,  
9 29-110, 29-4003, and 86-291, Reissue Revised Statutes of Nebraska, and  
10 sections 28-101, 43-4406, and 83-4,143, Revised Statutes Cumulative  
11 Supplement, 2018; to change provisions relating to a civil action under  
12 the Human Trafficking Victims Civil Remedy Act, evidence of sexual  
13 assault under the Nebraska Evidence Rules, and enhanced penalties for  
14 certain crimes against pregnant women; to define and redefine terms; to  
15 change provisions relating to sexual abuse of an inmate or parolee; to  
16 prohibit sexual abuse of detainees by employees and agents of law  
17 enforcement agencies; to provide penalties; to change provisions relating  
18 to child abuse; to redefine terms, change provisions relating to human  
19 trafficking and child welfare services, and provide duties for the  
20 Department of Health and Human Services under the Child Protection and  
21 Family Safety Act; to change statutes of limitations for labor and sex  
22 trafficking, labor and sex trafficking of a minor, and offenses involving  
23 visual depictions of sexually explicit conduct and sexually explicit  
24 acts; to add registrable offenses under the Sex Offender Registration  
25 Act; to require reporting regarding victims of sex and labor trafficking  
26 of a minor as prescribed; to change provisions relating to eligibility  
27 for participation in incarceration work camp and interception of  
28 communications; to harmonize provisions; and to repeal the original  
29 sections."