

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 876

FINAL READING

Introduced by Holdcroft, 36; Cavanaugh, M., 6; Hardin, 48; Lippincott, 34; Sanders, 45; Halloran, 33; Murman, 38; Lowe, 37; Walz, 15; Jacobson, 42; Hughes, 24; Albrecht, 17; von Gillern, 4; DeKay, 40; Brewer, 43; Erdman, 47; Hansen, 16; Aguilar, 35; Dorn, 30; Kauth, 31; Moser, 22; Linehan, 39; Dover, 19; Ibach, 44; Bosn, 25; Ballard, 21; Meyer, 41; Conrad, 46; Clements, 2; McDonnell, 5; Riepe, 12; Bostelman, 23; Bostar, 29; DeBoer, 10.

Read first time January 03, 2024

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to infants; to amend section 29-121, Reissue
- 2 Revised Statutes of Nebraska; to adopt the Newborn Safe Haven Act;
- 3 to change provisions relating to the act of leaving a child as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 and 2 of this act and section 29-121 shall be
2 known and may be cited as the Newborn Safe Haven Act.

3 Sec. 2. (1) Subject to available funding, it is the intent of the
4 Legislature to appropriate sixty-five thousand dollars to the Department
5 of Health and Human Services for fiscal year 2024-25 and ten thousand
6 dollars each fiscal year thereafter, to develop, implement, and maintain
7 a public information program to inform the general public of the Newborn
8 Safe Haven Act.

9 (2) Components of the program shall include, but not be limited to:

10 (a) Creation and maintenance of a permanent, interactive website
11 that provides information to the public about the Newborn Safe Haven Act,
12 including authorized drop-off locations;

13 (b) Distribution of literature at statewide locations, as determined
14 by the department, including the toll-free telephone number of the
15 National Safe Haven Alliance;

16 (c) Development of educational, promotional, and informational
17 materials in print, audio, video, electronic, and other media formats
18 which includes the toll-free telephone number of the National Safe Haven
19 Alliance; and

20 (d) Training to carry out the provisions of the Newborn Safe Haven
21 Act for emergency care providers, 911 operators, hospital staff,
22 firefighters, law enforcement officers, or any member of the public
23 expressing an interest in such training.

24 Sec. 3. Section 29-121, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 29-121 (1) No person shall be prosecuted for any crime based solely
27 upon the act of leaving a child ~~ninety~~ ~~thirty~~ days old or younger in the
28 custody of an employee on duty at: (a) A a hospital licensed by the State
29 of Nebraska; (b) a staffed fire station; (c) a staffed law enforcement
30 agency; or (d) an emergency care provider.

31 (2) The hospital, staffed fire station, staffed law enforcement

1 agency, or emergency care provider shall promptly contact appropriate
2 authorities to take custody of the child.

3 Sec. 4. Original section 29-121, Reissue Revised Statutes of
4 Nebraska, is repealed.