

LEGISLATIVE BILL 876

Approved by the Governor April 15, 2024

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.

A BILL FOR AN ACT relating to infants; to amend section 29-121, Reissue Revised Statutes of Nebraska; to adopt the Newborn Safe Haven Act; to change provisions relating to the act of leaving a child as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

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

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

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

(2) The hospital, staffed fire station, staffed law enforcement agency, or emergency care provider shall promptly contact appropriate authorities to take custody of the child.

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 Original section 29-121, Reissue Revised Statutes of Nebraska, is repealed.