

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1050

Introduced by Campbell, 25.

Read first time January 22, 2014

Committee:

A BILL

1 FOR AN ACT relating to child care; to amend sections 43-2618 and
2 71-1912, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to inspections of certain child care
4 facilities as prescribed; and to repeal the original
5 sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-2618, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 43-2618 All family child care homes ~~required to be~~
4 ~~licensed under section 71-1911 or~~ which are registered pursuant to
5 section 43-2609 shall be inspected within sixty days of ~~licensure or~~
6 registration. ~~All family child care homes licensed under section~~
7 ~~71-1911 shall be inspected after the initial inspection pursuant to~~
8 ~~section 71-1912.~~ All family child care homes registered under section
9 43-2609 shall be inspected at least every two years after the initial
10 inspection. It is the intent of the Legislature that registered
11 family child care homes be inspected annually if sufficient funds are
12 made available under the federal Child Care and Development Block
13 Grant Act of 1990 for such purposes.

14 Sec. 2. Section 71-1912, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 71-1912 (1) Before issuance of a license, the department
17 shall investigate or cause an investigation to be made, when it deems
18 necessary, to determine if the applicant or person in charge of the
19 program meets or is capable of meeting the physical well-being,
20 safety, and protection standards and the other rules and regulations
21 of the department adopted and promulgated under the Child Care
22 Licensing Act. The department may investigate the character of
23 applicants and licensees, any member of the applicant's or licensee's
24 household, and the staff and employees of programs by making a
25 national criminal history record information check. The department

1 may at any time inspect or cause an inspection to be made of any
2 place where a program is operating to determine if such program is
3 being properly conducted.

4 (2) All inspections by the department shall be
5 unannounced except for initial licensure visits and consultation
6 visits. Initial licensure visits are announced visits necessary for a
7 provisional license to be issued to a family child care home I,
8 family child care home II, child care center, or school-age-only or
9 preschool program. Consultation visits are announced visits made at
10 the request of a licensee for the purpose of consulting with a
11 department specialist on ways of improving the program.

12 (3) An unannounced inspection of any place where a
13 program is operating shall be conducted by the department or the
14 city, village, or county pursuant to subsection (2) of section
15 71-1914 at least annually for a program licensed to provide child
16 care for fewer than thirty children and at least twice every year for
17 a program licensed to provide child care for thirty or more children.

18 (4) Whenever an inspection is made, the findings shall be
19 recorded in a report designated by the department. The public shall
20 have access to the results of these inspections upon a written or
21 oral request to the department. The request must include the name and
22 address of the program. Additional unannounced inspections shall be
23 performed as often as is necessary for the efficient and effective
24 enforcement of the Child Care Licensing Act.

25 Sec. 3. Original sections 43-2618 and 71-1912, Reissue

1 Revised Statutes of Nebraska, are repealed.