

AMENDMENTS TO LB1288

Introduced by Blood, 3.

1 1. Insert the following new sections:

2 Section 1. Section 43-1501, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 43-1501 Sections 43-1501 to 43-1517 and section 2 of this act shall  
5 be known and may be cited as the Nebraska Indian Child Welfare Act.

6 Sec. 2. (1) On or before December 1, 2025, the department shall  
7 ensure records are kept on each case under the Nebraska Indian Child  
8 Welfare Act. The department shall ensure that such records are complete,  
9 accurate, and sufficiently detailed to prepare the report required by  
10 this section. Such records shall delineate:

11 (a) Whether a child is a member of, eligible for membership in, or  
12 affiliated with an Indian tribe and, if so, indicate all such Indian  
13 tribes; and

14 (b) Whether the federal Indian Child Welfare Act and the Nebraska  
15 Indian Child Welfare Act apply to the child and, if so, indicate:

16 (i) The date that the state Title IV-E agency first had reason to  
17 know either such act may apply or the date on the return receipt of the  
18 notice sent under subsection (1) of section 43-1505;

19 (ii) The following regarding the qualified expert witness:

20 (A) Whether oral or written testimony was provided; and

21 (B) Under which portion of subdivision (15) of section 43-1503 the  
22 person is considered a qualified expert witness;

23 (iii) Whether any tribe has intervened in the case and the date of  
24 such intervention;

25 (iv) Whether the case was transferred to the tribe and, if so, who  
26 requested the transfer and the reason;

27 (v) A description of all active efforts made under each provision of

1 subdivisions (1)(a) through (h) of section 43-1503 and any other active  
2 efforts made;

3 (vi) For each active effort described under subdivision (1)(b)(v) of  
4 this section, the date the department was provided with the tribal  
5 affiliation, if any, of each provider of services, extended family  
6 member, or tribal government representative; and

7 (vii) The Indian child's placement pursuant to section 43-1508 and  
8 the reasoning.

9 (2) On or before December 1, 2025, and on or before each December 1  
10 thereafter, the department shall provide a report of deidentified data  
11 collected under this section to the Commission on Indian Affairs.

12 2. Renumber the remaining sections, correct internal references, and  
13 correct the repealer accordingly.