

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 and ensure that such records allow for analysis of related  
9 data and delineate:

10 (a) Whether a child is an Indian child under the federal Indian  
11 Child Welfare Act and Nebraska Indian Child Welfare Act;

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

15 (c) Whether the federal Indian Child Welfare Act applies to the  
16 child and, if so, indicate:

17 (i) The date that the state Title IV-E agency was notified by the  
18 Indian tribe or state or tribal court that the federal Indian Child  
19 Welfare Act applies or the date on the return receipt of the notice sent  
20 under subsection (1) of section 43-1505;

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

22 (A) Whether testimony was provided; and

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

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

27 (iv) Whether the case was transferred to the tribe and, if so, who

1 requested the transfer and the reason;

2 (v) The active efforts made with Indian custodians under subsection  
3 (4) of section 43-1505; and

4 (vi) The Indian child's placement pursuant to section 43-1508 and  
5 the reasoning.

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

9 2. Renumber the remaining sections, correct internal references, and  
10 correct the repealer accordingly.