

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 805

Introduced by von Gillern, 4; Sanders, 45.

Read first time January 18, 2023

Committee:

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-2,103, Reissue
- 2 Revised Statutes of Nebraska; to require schools to allow youth
- 3 organizations to provide information, services, and activities as
- 4 prescribed; to define terms; to require background checks; to
- 5 harmonize provisions; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) School has the same meaning as in section 79-101; and

3 (b) Youth organization means a corporation chartered by Congress and
4 listed in 36 U.S.C. Subtitle II, Part B, as of January 1, 2023.

5 (2)(a) Each school shall, upon request, allow a representative of
6 any youth organization to provide (i) oral or written information to the
7 students of such school regarding the youth organization and how such
8 youth organization furthers the educational interests and civic
9 involvement of students in a manner consistent with good citizenship and
10 (ii) services and activities to any student of such school who is a
11 member of such youth organization.

12 (b) Each requesting youth organization shall be permitted to provide
13 such information, services, and activities in the school building or on
14 the school grounds of each school at least once during each school year.

15 (3) Each school shall make a good faith effort to select a date,
16 time, and location for each requesting youth organization to provide such
17 information, services, or activities that is mutually agreeable to the
18 school and to the youth organization.

19 (4) Prior to allowing a representative of a youth organization to
20 provide information, services, or activities at a school pursuant to this
21 section, such representative shall be subject to a background check.
22 Except as otherwise provided by this section or by the rules and
23 regulations of the Nebraska State Patrol, the parameters of the
24 background check shall be determined by the relevant school district. A
25 school district may prohibit any representative of a youth organization
26 that has been convicted of a felony from providing information, services,
27 or activities pursuant to this section at any school in such school
28 district. Each representative of a youth organization is responsible for
29 all costs associated with obtaining such background check.

30 Sec. 2. Section 79-2,103, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 79-2,103 Except as provided in section 1 of this act, any Any
2 person, whether a pupil of any public school or not, who enters upon the
3 school grounds or any school building for the purpose of rushing or
4 soliciting, while there, any pupil of a public school to join any
5 fraternity, society, or association organized outside of the schools
6 shall be guilty of a misdemeanor and upon conviction thereof shall be
7 fined not less than two dollars nor more than ten dollars.

8 Sec. 3. Original section 79-2,103, Reissue Revised Statutes of
9 Nebraska, is repealed.