

ONE HUNDRED FIFTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 153

Introduced by Pansing Brooks, 28; Baker, 30; Hansen, 26; McCollister, 20;
Morfeld, 46.

PURPOSE: Article I, section 1, of the Constitution of Nebraska states that all persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty, and the pursuit of happiness. Article 1, section 3, states that no person shall be deprived of life, liberty, or property, without due process of law, nor be denied equal protection of the laws.

Further, under both section 28-707 of the Nebraska Criminal Code and section 28-710 of the Child Protection and Family Safety Act, child abuse is defined as knowingly, intentionally, or negligently causing or permitting a minor child to be, among other things, placed in a situation that endangers his or her life or physical or mental health.

In order to protect the civil rights of lesbian, gay, bisexual, and transgender (LGBT) youth, six states have banned conversion therapy, which is the practice of attempting to change a person's sexual orientation or gender identity.

Recognizing the need to protect the civil rights and safety of Nebraska's vulnerable youth, this study shall include an examination of the following:

(1) Whether forcing or coercing a minor into a conversion therapy program constitutes a civil rights violation;

(2) Whether minors in Nebraska are currently being detained in conversion therapy facilities without due process of law;

(3) Whether conversion therapy programs designed to change the sexual orientation of minors constitute a form of child abuse under existing Nebraska law;

(4) The existence and practice of conversion therapy in Nebraska for

minors; and

(5) The risks and harm to minors that are associated with the practice of conversion therapy.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.