

LEGISLATIVE BILL 226

Approved by the Governor March 3, 2010

Introduced by Rogert, 16; Friend, 10.

FOR AN ACT relating to minors; to amend sections 30-2604 and 43-2101, Reissue Revised Statutes of Nebraska; to provide for authority for certain persons who are eighteen years of age to consent to health care and medical treatment and enter into contracts and leases; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 30-2604, Reissue Revised Statutes of Nebraska, is amended to read:

30-2604 A parent or a guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding six months, any of his or her powers regarding care, custody, or property of the minor child or ward, except his or her power to consent to marriage or adoption of a minor ward. A parent or guardian of a minor who is at least eighteen years of age and who is not a ward of the state, by a properly executed power of attorney, may delegate to such minor, for a period not exceeding one year, the parent's or guardian's power to consent to such minor's own health care and medical treatment.

Sec. 2. Section 43-2101, Reissue Revised Statutes of Nebraska, is amended to read:

43-2101 All persons under nineteen years of age are declared to be minors, but in case any person marries under the age of nineteen years, his or her minority ends. Upon becoming the age of majority, a person is considered an adult and acquires all rights and responsibilities granted or imposed by statute or common law, except that a person eighteen years of age or older and who is not a ward of the state may enter into a binding contract or lease of whatever kind or nature and shall be legally responsible therefor.

Sec. 3. Original sections 30-2604 and 43-2101, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.