

ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026
COMMITTEE STATEMENT
LB70

Hearing Date: Friday January 24, 2025
Committee On: Judiciary
Introducer: DeBoer
One Liner: Provide for adoption by a second adult person and change provisions relating to adoptions

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Wendy DeBoer
Josephine Litwinowicz
Joey Adler Ruane
Shilo Jorgensen
Charmaine Jorgensen
Scout Richters

Representing:

Opening Presenter
Higher Power Church
Out Nebraska
Self
Self
ACLU Nebraska

Opponents:

Marion Miner

Representing:

Nebraska Catholic Conference

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 70 amends Nebraska adoption laws to allow a second adult to adopt a minor child with one legal parent and with whom the second adult has a parent-child relationship. In effect, the bill creates a statutory framework for second-parent adoption in limited circumstances and harmonizes related provisions to reflect the legal recognition of two parents following such an adoption.

Explanation of amendments:

The Committee considered and adopted an amendment (AM 1660) which strikes and replaces the original sections. In addition to non-substantive clean-up and harmonizing changes, AM 1660 adds two conditions for the adoption of a minor child by a second adult person: (1) the child must be the biological child of the second adult person and (2) the



second adult person has not previously had parental rights to the child terminated.

Section-by-Section Summary:

Section 1: Amends section 43-101, regarding who may adopt and limitations on the number of parents, to permit the adoption of a minor child by a second adult person when the child has a sole legal parent, provided that: (1) the sole legal parent consents; (2) the child has a parent-child relationship with the second adult person; (3) the child must be the biological child of the second adult person; (4) the second adult person has not previously had parental rights to the child terminated; and (5) an adoptive home study is completed as required. LB 70 included conditions (1), (2), and (5). AM 1660 added conditions (3) and (4).

This section would also allow an adult child to be adopted by another adult when the adult child's parents had abandoned the child for a substantial portion of time since the adult child reached the age of majority or the adult child has a sole legal parent who consents.

Lastly, this section provides that married individuals may only adopt if both spouses participate in the adoption petition and prohibits adoptions that would result in a minor or adult having more than two legal parents.

Section 2: Amends section 43-101.01 to define "sole legal parent" as a legal parent with respect to whom no other person has parental rights. This definition is central to the second-parent adoption framework and is cross-referenced throughout the amendment.

Section 3: Amends section 43-102 to make harmonizing changes to adoption consent requirements to account for adoptions by a second adult person.

Section 4: Amends section 43-104 to revise adoption consent requirements to account for adoptions by a second adult person. In such cases, consent is required from the sole legal parent, and the consent must affirm that the child has a sole legal parent who wishes for the adoption to occur.

Sections 5–7: Amends sections 43-104.08, 43-104.13, and 43-104.15, regarding notice to biological fathers, to make harmonizing changes to notice provisions applicable when a biological mother seeks to relinquish a child for adoption or joins in a petition for adoption by a second adult person.

Section 8: Amends section 43-107, regarding adoptive home studies, to change home study requirements to accommodate second-parent adoptions. In particular, the section allows courts to rely on a prior adoptive home study in certain circumstances and clarifies when a new study is required. Courts retain discretion to order additional investigations when necessary to protect the best interests of the child.

Sections 9 to 14: Amends sections 43-512.04, and 43-1401, 43-1402, 43-1404, 43-1405, and 43-1410, regarding child support and paternity, to make extensive harmonizing changes to child support, paternity, and settlement statutes to reflect that, following a second-parent adoption, both legal parents may be responsible for support and subject to enforcement proceedings. The amendment aligns terminology and liability provisions to avoid ambiguity about parental obligations.

Section 15: Amends section 43-2924 to provide that the Parenting Act applies to disputes between parents of a child adopted by a second adult person, while preserving existing exclusions for actions brought by county attorneys or authorized attorneys in support or paternity cases. This section also eliminates obsolete provisions.

Section 16: Repealer.



Carolyn Bosn, Chairperson

