

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 753

Introduced by Rountree, 3.

Read first time January 07, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Protection Orders Act; to amend
- 2 sections 26-101, 26-102, and 26-112, Revised Statutes Supplement,
- 3 2025; to provide duties for peace officers relating to military
- 4 protective orders; to provide that such orders shall be admissible
- 5 in proceedings under the act; to define a term; to eliminate an
- 6 unnecessary definition; to harmonize provisions; and to repeal the
- 7 original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 26-101, Revised Statutes Supplement, 2025, is
2 amended to read:

3 26-101 Sections 26-101 to 26-125 and section 4 of this act shall be
4 known and may be cited as the Protection Orders Act.

5 **Sec. 2.** Section 26-102, Revised Statutes Supplement, 2025, is
6 amended to read:

7 26-102 For purposes of the Protection Orders Act:

8 (1) Abuse has the same meaning as in section 42-903;

9 ~~(2) Course of conduct has the same meaning as in section 28-311.02;~~

10 (2) ~~(3)~~ Family or household members has the same meaning as in
11 section 42-903;

12 (3) ~~(4)~~ Harass has the same meaning as in section 28-311.02;

13 (4) ~~(5)~~ Household pet means any animal maintained for companionship
14 or pleasure but does not include any animal kept primarily for commercial
15 purposes or for consumption or any livestock animal as defined in section
16 54-902;

17 (5) ~~(6)~~ Law enforcement agency means the police department or town
18 marshal in incorporated municipalities, the office of the sheriff in
19 unincorporated areas, and the Nebraska State Patrol; ~~and~~

20 (6) Military protective order has the same meaning as in 32 C.F.R.
21 635.19, as such regulation existed on January 1, 2026; and

22 (7) Sexual assault offense means:

23 (a) Conduct amounting to sexual assault under section 28-319 or
24 28-320, sexual abuse by a school worker under section 28-316.01, sexual
25 assault of a child under section 28-319.01 or 28-320.01, a violation of
26 section 28-311.08, or an attempt to commit any of such offenses; or

27 (b) Subjecting or attempting to subject another person to sexual
28 contact or sexual penetration without such person's consent, as such
29 terms are defined in section 28-318.

30 **Sec. 3.** Section 26-112, Revised Statutes Supplement, 2025, is
31 amended to read:

1 26-112 During any hearing on a protection order: ~~7~~

2 (1) The ~~the~~ petition and affidavit shall be deemed to have been
3 offered into evidence, and they shall be admitted into evidence unless
4 specifically excluded by the court; ~~and 7~~

5 (2) A military protective order may be admitted as evidence of the
6 respondent's past conduct and the need for a protection order.

7 **Sec. 4.** When a peace officer arrests any person who is a member of
8 the armed forces of the United States, the officer shall determine
9 whether a military protective order registered in the Federal Bureau of
10 Investigation's National Crime Information Center database has been
11 issued against such person. If the peace officer has probable cause to
12 believe that such person has violated such military protective order, the
13 peace officer shall notify the appropriate authority that issued such
14 order.

15 **Sec. 5.** Original sections 26-101, 26-102, and 26-112, Revised
16 Statutes Supplement, 2025, are repealed.