

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 908**

Introduced by Storm, 23; Lonowski, 33.

Read first time January 08, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Parenting Act; to amend section
- 2 43-2923, Reissue Revised Statutes of Nebraska; to require courts to
- 3 consider certain research in determining the best interests of the
- 4 child; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 43-2923, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           43-2923 The best interests of the child require:

4           (1) A parenting arrangement and parenting plan or other court-  
5 ordered arrangement which provides for a child's safety, emotional  
6 growth, health, stability, and physical care and regular and continuous  
7 school attendance and progress for school-age children;

8           (2) When a preponderance of the evidence indicates domestic intimate  
9 partner abuse, a parenting and visitation arrangement that provides for  
10 the safety of a victim parent;

11           (3) That the child's families and those serving in parenting roles  
12 remain appropriately active and involved in parenting with safe,  
13 appropriate, continuing quality contact between children and their  
14 families when they have shown the ability to act in the best interests of  
15 the child and have shared in the responsibilities of raising the child;

16           (4) That even when parents have voluntarily negotiated or mutually  
17 mediated and agreed upon a parenting plan, the court shall determine  
18 whether it is in the best interests of the child for parents to maintain  
19 continued communications with each other and to make joint decisions in  
20 performing parenting functions as are necessary for the care and healthy  
21 development of the child. If the court rejects a parenting plan, the  
22 court shall provide written findings as to why the parenting plan is not  
23 in the best interests of the child;

24           (5) That certain principles provide a basis upon which education of  
25 parents is delivered and upon which negotiation and mediation of  
26 parenting plans are conducted. Such principles shall include: To minimize  
27 the potentially negative impact of parental conflict on children; to  
28 provide parents the tools they need to reach parenting decisions that are  
29 in the best interests of a child; to provide alternative dispute  
30 resolution or specialized alternative dispute resolution options that are  
31 less adversarial for the child and the family; to ensure that the child's

1 voice is heard and considered in parenting decisions; to maximize the  
2 safety of family members through the justice process; and, in cases of  
3 domestic intimate partner abuse or child abuse or neglect, to incorporate  
4 the principles of victim safety and sensitivity, offender accountability,  
5 and community safety in parenting plan decisions; and

6 (6) In determining custody and parenting arrangements, the court  
7 shall consider the best interests of the minor child, which shall  
8 include, but not be limited to, consideration of the foregoing factors  
9 and:

10 (a) The relationship of the minor child to each parent prior to the  
11 commencement of the action or any subsequent hearing;

12 (b) The desires and wishes of the minor child, if of an age of  
13 comprehension but regardless of chronological age, when such desires and  
14 wishes are based on sound reasoning;

15 (c) The general health, welfare, and social behavior of the minor  
16 child;

17 (d) Credible research showing increased intellectual and social  
18 growth in children who have equal access to both parents;

19 (e) ~~(d)~~ Credible evidence of abuse inflicted on any family or  
20 household member. For purposes of this subdivision, abuse and family or  
21 household member shall have the meanings prescribed in section 42-903;  
22 and

23 (f) ~~(e)~~ Credible evidence of child abuse or neglect or domestic  
24 intimate partner abuse. For purposes of this subdivision, the definitions  
25 in section 43-2922 shall be used.

26 **Sec. 2.** Original section 43-2923, Reissue Revised Statutes of  
27 Nebraska, is repealed.