

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 926

Introduced by Andersen, 49.

Read first time January 09, 2026

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to public assistance; to amend sections 43-512
2 and 68-1724, Revised Statutes Cumulative Supplement, 2024; to change
3 provisions relating to transitional assistance under the aid to
4 dependent children program; to change the maximum time limit for
5 receipt of cash assistance; to eliminate provisions relating to
6 reimbursement for child care expenses and extreme hardship under the
7 Welfare Reform Act; to redefine a term; to change provisions
8 relating to the receipt of cash assistance by minor parents; to
9 harmonize provisions; and to repeal the original sections.
10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 43-512, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 43-512 (1) Any dependent child as defined in section 43-504 or any
4 relative or eligible caretaker of such a dependent child may file with
5 the Department of Health and Human Services a written application for
6 financial assistance for such child on forms furnished by the department.

7 (2) The department, through its agents and employees, shall make
8 such investigation pursuant to the application as it deems necessary or
9 as may be required by the county attorney or authorized attorney. If the
10 investigation or the application for financial assistance discloses that
11 such child has a parent or stepparent who is able to contribute to the
12 support of such child and has failed to do so, a copy of the finding of
13 such investigation and a copy of the application shall immediately be
14 filed with the county attorney or authorized attorney.

15 (3) The department shall make a finding as to whether the
16 application referred to in subsection (1) of this section should be
17 allowed or denied. If the department finds that the application should be
18 allowed, the department shall further find the amount of monthly
19 assistance which should be paid with reference to such dependent child.
20 Except as may be otherwise provided, payments shall be made by unit size
21 and shall be consistent with subdivisions (1)(p), (1)(q), (1)(t), (1)(u),
22 and (1)(v) of section 68-1713. Beginning on August 30, 2015, the maximum
23 payment level for monthly assistance shall be fifty-five percent of the
24 standard of need described in section 43-513.

25 No payments shall be made for amounts totaling less than ten dollars
26 per month except in the recovery of overpayments.

27 (4) The amount which shall be paid as assistance with respect to a
28 dependent child shall be based in each case upon the conditions disclosed
29 by the investigation made by the department. An appeal shall lie from the
30 finding made in each case to the chief executive officer of the
31 department or his or her designated representative. Such appeal may be

1 taken by any taxpayer or by any relative of such child. Proceedings for
2 and upon appeal shall be conducted in the same manner as provided for in
3 section 68-1016.

4 (5)(a) For the purpose of preventing dependency, the department
5 shall adopt and promulgate rules and regulations providing for services
6 to former and potential recipients of aid to dependent children and
7 medical assistance benefits. The department shall adopt and promulgate
8 rules and regulations establishing programs and cooperating with programs
9 of work incentive, work experience, job training, and education. The
10 provisions of this section with regard to determination of need, amount
11 of payment, maximum payment, and method of payment shall not be
12 applicable to families or children included in such programs. Income and
13 assets described in section 68-1201 shall not be included in
14 determination of need under this section.

15 (b) If a recipient of aid to dependent children becomes ineligible
16 for aid to dependent children as a result of increased hours of
17 employment or increased income from employment after having participated
18 in any of the programs established pursuant to subdivision (a) of this
19 subsection, the recipient may be eligible for the following benefits, as
20 provided in rules and regulations of the department in accordance with
21 sections 402, 417, and 1925 of the federal Social Security Act, as
22 amended, Public Law 100-485, in order to help the family during the
23 transition from public assistance to independence:

24 (i) An ongoing transitional payment that is intended to meet the
25 family's ongoing basic needs which may include food, clothing, shelter,
26 utilities, household goods, personal care items, and general incidental
27 expenses during the five months following the time the family becomes
28 ineligible for assistance under the aid to dependent children program, if
29 the family's earned income is at or below one hundred eighty-five percent
30 of the federal poverty level at the time the family becomes ineligible
31 for the aid to dependent children program. Payments shall be made in five

1 monthly payments, each equal to one-fifth of the aid to dependent
2 children payment standard for the family's size at the time the family
3 becomes ineligible for the aid to dependent children program. If during
4 the five-month period, (A) the family's earnings exceed one hundred
5 eighty-five percent of the federal poverty level, (B) the family members
6 are no longer working, (C) the family ceases to be Nebraska residents,
7 (D) there is no longer a minor child in the family's household, or (E)
8 the family again becomes eligible for the aid to dependent children
9 program, the family shall become ineligible for any remaining
10 transitional benefits under this subdivision; and

11 ~~(ii) Child care as provided in subdivision (1)(c) of section~~
12 ~~68-1724; and~~

13 (ii) ~~(iii)~~ Except as may be provided in accordance with subsection
14 (2) of section 68-1713 ~~and subdivision (1)(c) of section 68-1724~~, medical
15 assistance for up to twelve months after the month the recipient becomes
16 employed and is no longer eligible for aid to dependent children.

17 (6) For purposes of sections 43-512 to 43-512.18:

18 (a) Authorized attorney shall mean an attorney, employed by the
19 county subject to the approval of the county board, employed by the
20 department, or appointed by the court, who is authorized to investigate
21 and prosecute child, spousal, and medical support cases. An authorized
22 attorney shall represent the state as provided in section 43-512.03;

23 (b) Child support shall be defined as provided in section 43-1705;

24 (c) Medical support shall include all expenses associated with the
25 birth of a child, cash medical support as defined in section 42-369,
26 health care coverage as defined in section 44-3,144, and medical and
27 hospital insurance coverage or membership in a health maintenance
28 organization or preferred provider organization;

29 (d) Spousal support shall be defined as provided in section 43-1715;

30 (e) State Disbursement Unit shall be defined as provided in section
31 43-3341; and

1 (f) Support shall be defined as provided in section 43-3313.

2 **Sec. 2.** Section 68-1724, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 68-1724 (1) Cash assistance shall be provided for a period or
5 periods of time not to exceed a total of thirty-six ~~sixty~~ months for
6 recipient families with children subject to the following:

7 (a) If the state fails to meet the specific terms of the self-
8 sufficiency contract developed under section 68-1719, the thirty-six-
9 month ~~sixty-month~~ time limit established in this section shall be
10 extended; and

11 (b) The thirty-six-month ~~sixty-month~~ time period for cash assistance
12 shall begin within the first month of eligibility. ÷

13 ~~(c) When no longer eligible to receive cash assistance, assistance~~
14 ~~shall be available to reimburse work-related child care expenses even if~~
15 ~~the recipient family has not achieved economic self-sufficiency. The~~
16 ~~amount of such assistance shall be based on a cost-shared plan between~~
17 ~~the recipient family and the state which shall provide assistance up to~~
18 ~~two hundred percent of the federal poverty level prior to October 1,~~
19 ~~2026, or one hundred eighty-five percent of the federal poverty level on~~
20 ~~and after October 1, 2026. A recipient family may be required to~~
21 ~~contribute up to twenty percent of such family's gross income for child~~
22 ~~care. It is the intent of the Legislature that transitional health care~~
23 ~~coverage be made available on a sliding-scale basis to individuals and~~
24 ~~families with incomes up to one hundred eighty-five percent of the~~
25 ~~federal poverty level if other health care coverage is not available; and~~

26 ~~(d) The self-sufficiency contract shall be revised and cash~~
27 ~~assistance extended when there is no job available for adult members of~~
28 ~~the recipient family. It is the intent of the Legislature that available~~
29 ~~job shall mean a job which results in an income of at least equal to the~~
30 ~~amount of cash assistance that would have been available if receiving~~
31 ~~assistance minus unearned income available to the recipient family.~~

1 ~~The department shall develop policy guidelines to allow for cash~~
2 ~~assistance to persons who have received the maximum cash assistance~~
3 ~~provided by this section and who face extreme hardship without additional~~
4 ~~assistance. For purposes of this section, extreme hardship means a~~
5 ~~recipient family does not have adequate cash resources to meet the costs~~
6 ~~of the basic needs of food, clothing, and housing without continuing~~
7 ~~assistance or the child or children are at risk of losing care by and~~
8 ~~residence with their parent or parents.~~

9 (2) Cash assistance conditions under the Welfare Reform Act shall be
10 as follows:

11 (a) Adults in recipient families shall mean individuals at least
12 nineteen years of age living with and related to a child eighteen years
13 of age or younger and shall include parents ~~, and~~ siblings, ~~uncles,~~
14 ~~aunts, cousins, or grandparents,~~ whether the relationship is biological,
15 adoptive, or step;

16 (b) The payment standard shall be based upon family size;

17 (c) The adults in the recipient family shall ensure that the minor
18 children regularly attend school. Education is a valuable personal
19 resource. The cash assistance provided to the recipient family may be
20 reduced when the parent or parents have failed to take reasonable action
21 to encourage the minor children of the recipient family ages sixteen and
22 under to regularly attend school. ~~No reduction of assistance shall be~~
23 ~~such as may result in extreme hardship.~~ It is the intent of the
24 Legislature that a process be developed to insure communication between
25 the case manager, the parent or parents, and the school to address issues
26 relating to school attendance;

27 (d) Two-parent families which would otherwise be eligible under
28 section 43-504 or a federally approved waiver shall receive cash
29 assistance under this section;

30 (e) For minor parents, the assistance payment shall be based on the
31 minor parent's income. If the minor parent lives with at least one

1 parent, the family's income shall be considered in determining
2 eligibility and cash assistance payment levels for the minor parent. If
3 the minor parent lives independently, support shall be pursued from the
4 parents of the minor parent. If the absent parent of the minor's child is
5 a minor, support from his or her parents shall be pursued. Support from
6 parents as allowed under this subdivision shall not be pursued when the
7 family income is less than two ~~three~~ hundred percent of the federal
8 poverty guidelines; and

9 (f) For adults who are not biological or adoptive parents or
10 stepparents of the child or children in the family, if assistance is
11 requested for the entire family, including the adults, a self-sufficiency
12 contract shall be entered into as provided in section 68-1719. If
13 assistance is requested for only the child or children in such a family,
14 such children shall be eligible after consideration of the family's
15 income and if (i) the family cooperates in pursuing child support and
16 (ii) the minor children of the family regularly attend school.

17 **Sec. 3.** Original sections 43-512 and 68-1724, Revised Statutes
18 Cumulative Supplement, 2024, are repealed.