

One Hundred Ninth Legislature - Second Session - 2026

Introducer's Statement of Intent

LB1139

Chairperson: Senator Carolyn Bosn

Committee: Judiciary

The following constitute the reasons for this bill and the purposes which are sought to be accomplished thereby:

In Nebraska, child support or spousal support orders create a lien upon the real or personal property of the person required to pay the support. The lien attaches each time the payment is due and extinguishes each time the payment is made. The lien also applies to the accrual of future child support. This system makes it virtually impossible to have a lien extinguished long enough to transfer property. Currently, the party wanting to sell their property must get a release from their former spouse or go to court to have the lien lifted.

LB1139 would allow a current child support or spousal support order payment history from the Title IV-D Division of the Department of Health and Human Services setting forth evidence that all support payments are current, and have been made as ordered for the previous twelve-month period or the total length of time the order has been in effect, whichever is shorter, is prima facie evidence that such payments are in fact current and such evidence operates to release the lien for purposes of transferring a specific parcel of real property.

Principal Introducer: _____

Senator Bob Hallstrom