

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB704

Hearing Date: Wednesday February 26, 2025
Committee On: Judiciary
Introducer: McKinney
One Liner: Change provisions relating to the review and modification of an incarcerated parent's child support order

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 Terrell McKinney
Spike Eickholt

Representing:

Opening Presenter
ACLU of Nebraska

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 704 creates a process for reviewing and potentially modifying child support obligations when a parent is incarcerated, with specific timelines and hearing options.

Section-by-Section Summary:

Section 1: Amends § 43-512.12 to provide that the Department of Health and Human Services will review a noncustodial parent's child support order when the parent is to be incarcerated for more than 180 days. The Department shall send notice to the parties informing them of the review and requiring them to submit financial information. The Department must complete the review and notify the parties of its determination within ninety days of learning that the noncustodial parent is to be incarcerated.

Section 2: Amends § 43-512.13 to provide a process for determining whether to modify an incarcerated parent's child support obligations and for the noncustodial parent to be granted a hearing by the Department of Health and Human



Services. The Department shall make a final determination whether or not to decrease the amount of child support, and such final determination shall not be considered a contested case for purposes of the Administrative Procedure Act.

Section 3: Repealer.

Explanation of amendments:

The Judiciary Committee amendment, AM 575, is a white-copy amendment that strikes and replaces the original sections as modified, making two changes to LB 704. First, it changes the timeline for the Department of Health and Human Services to complete its review under Section 43-512.12 from ninety days to one hundred and twenty days. Second, it replaces references to a “hearing” in Section 43-512.13 with “conference.”

Carolyn Bosn, Chairperson

