

ENGROSSED LEGISLATIVE BILL 753

Introduced by Rountree, 3; Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Protection Orders Act; to amend sections 26-101, 26-102, and 26-112, Revised Statutes Supplement, 2025; to provide duties for peace officers relating to military protective orders; to provide that such orders shall be admissible in proceedings under the act; to define a term; to eliminate an unnecessary definition; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

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

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

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

26-102 For purposes of the Protection Orders Act:

- (1) Abuse has the same meaning as in section 42-903;
- (2) Family or household members has the same meaning as in section 42-903;
- (3) Harass has the same meaning as in section 28-311.02;
- (4) Household pet means any animal maintained for companionship or pleasure but does not include any animal kept primarily for commercial purposes or for consumption or any livestock animal as defined in section 54-902;
- (5) Law enforcement agency means the police department or town marshal in incorporated municipalities, the office of the sheriff in unincorporated areas, and the Nebraska State Patrol;
- (6) Military protective order has the same meaning as in 32 C.F.R. 635.19, as such regulation existed on January 1, 2026; and
- (7) Sexual assault offense means:
 - (a) Conduct amounting to sexual assault under section 28-319 or 28-320,

sexual abuse by a school worker under section 28-316.01, sexual assault of a child under section 28-319.01 or 28-320.01, a violation of section 28-311.08, or an attempt to commit any of such offenses; or

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

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

26-112 During any hearing on a protection order:

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

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

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

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

PRESIDENT OF THE LEGISLATURE

THIS IS TO CERTIFY that the within LB 753 was passed by the One Hundred Ninth Legislature of Nebraska at its Second Session on the day of 20.....

CLERK OF THE LEGISLATURE

Approved:

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GOVERNOR