

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1060

Introduced by Murman, 38; Clements, 2; Lonowski, 33; Sorrentino, 39;
Storm, 23.

Read first time January 14, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to children and families; to adopt the Child
- 2 Placement Services Preservation Act; and to provide severability.
- 3 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 7 of this act shall be known and may be
2 cited as the Child Placement Services Preservation Act.

3 **Sec. 2.** The Legislature finds and declares that:

4 (1) The State of Nebraska has a critical need to find and retain
5 safe, loving, and supportive homes for children, especially because the
6 number of children needing foster care and adoption placement outnumber
7 the homes available for placement;

8 (2) In order to serve the best interests of the children of this
9 state, the State of Nebraska has a longstanding public-private
10 partnership with a diverse group of faith-based and non-faith-based
11 organizations that work side by side to find and retain safe, loving, and
12 supportive homes for children. Significantly, faith-based organizations
13 have a lengthy history of providing child placement services which
14 predates government involvement;

15 (3) Having as many qualified child-placing agencies in Nebraska as
16 possible is a substantial benefit to the children of Nebraska who are in
17 need of these placement services and to all of the citizens of Nebraska
18 because the more qualified agencies taking part in this process there
19 are, the greater the likelihood that permanent placement can be achieved
20 for each child; and

21 (4) In order to preserve the support that child-placing agencies
22 offer children and families, the government should not take adverse
23 action against child-placing agencies based on their sincerely held
24 religious beliefs.

25 **Sec. 3.** For purposes of the Child Placement Services Preservation
26 Act:

27 (1) Adverse action includes, but is not limited to, denying a child-
28 placing agency's application for funding, refusing to renew an agency's
29 funding, canceling an agency's funding, declining to enter into a
30 contract with an agency, refusing to renew a contract with an agency,
31 canceling a contract with an agency, denying issuance of a license to an

1 agency, refusing to renew an agency's license, canceling an agency's
2 license, taking an enforcement action against an agency, treating an
3 agency less favorably than similarly situated agencies in regard to
4 participation in a government program, or taking any other action that
5 materially alters the terms or conditions of an agency's funding,
6 contract, or license;

7 (2) Child placement service means arranging the placement of
8 children with foster care and adoptive parents, including placement,
9 promoting foster care and adoption, and recruiting, screening, and
10 training the foster care and adoptive parents;

11 (3) Child-placing agency or agency has the same meaning as in
12 section 71-1926;

13 (4) Department means the Department of Health and Human Services;
14 and

15 (5) State includes the state, its agencies, and its political
16 subdivisions.

17 **Sec. 4.** (1) To the fullest extent permitted by state and federal
18 law, a child-placing agency shall not be required to provide or
19 facilitate any child placement service if the service conflicts with, or
20 provide or facilitate any child placement service under circumstances
21 that conflict with, the child-placing agency's sincerely held religious
22 beliefs.

23 (2) If a child-placing agency declines to provide or facilitate any
24 child placement service under subsection (1) of this section, the child-
25 placing agency shall promptly provide the person seeking such service
26 with at least one of the following:

27 (a) Contact information for another child-placing agency that is
28 capable of providing the declined service;

29 (b) A list of other child-placing agencies capable of providing the
30 declined service which includes contact information for such agencies; or

31 (c) A link to a web page on the department's web site that includes

1 a list of other child-placing agencies capable of providing the declined
2 service and contact information for the agencies.

3 **Sec. 5.** To the fullest extent permitted by state and federal law,
4 the state shall not take an adverse action against a child-placing agency
5 because the agency declines to provide or facilitate a child placement
6 service that conflicts with the child-placing agency's sincerely held
7 religious beliefs.

8 **Sec. 6.** A child-placing agency aggrieved by a violation of section
9 5 of this act may assert that violation as a defense in any
10 administrative or judicial proceeding.

11 **Sec. 7.** The Child Placement Services Preservation Act shall be
12 construed liberally so as to effectuate its purposes.

13 **Sec. 8.** If any section in this act or any part of any section is
14 declared invalid or unconstitutional, the declaration shall not affect
15 the validity or constitutionality of the remaining portions.