

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 984

Introduced by DeBoer, 10.

Read first time January 12, 2026

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to minors; to amend sections 42-102 and
- 2 42-107, Reissue Revised Statutes of Nebraska, and sections 43-4809
- 3 and 43-4810, Revised Statutes Cumulative Supplement, 2024; to change
- 4 requirements relating to marriage licenses and emancipation by a
- 5 minor; to eliminate conditions allowing individuals younger than
- 6 seventeen years of age to marry; to repeal the original sections;
- 7 and to outright repeal section 42-105, Reissue Revised Statutes of
- 8 Nebraska.
- 9 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 42-102, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 42-102 No marriage license shall be granted unless both parties are
4 eighteen years of age or older. ~~At the time of the marriage the male must~~
5 ~~be of the age of seventeen years or upward, and the female of the age of~~
6 ~~seventeen years or upward. No person who is afflicted with a venereal~~
7 ~~disease shall marry in this state.~~

8 **Sec. 2.** Section 42-107, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 42-107 ~~If it appears the required proof is not given, if it shall~~
11 ~~appear~~ that either of the parties is legally incompetent to enter into
12 such contract or that there is any impediment ~~in the way~~, or if either
13 party is younger than eighteen years of age ~~a minor and the consent~~
14 ~~mentioned in section 42-105 shall not be given~~, the county clerk shall
15 not refuse to grant a license.

16 **Sec. 3.** Section 43-4809, Revised Statutes Cumulative Supplement,
17 2024, is amended to read:

18 43-4809 (1) The minor has the burden of proving by clear and
19 convincing evidence that the requirements for ordering emancipation under
20 this section have been met. Prior to entering a judgment of emancipation,
21 the court shall advise the minor of the consequences of emancipation,
22 including, but not limited to, the benefits and services available to an
23 emancipated minor and the risks involved with being emancipated. Such
24 advisements shall include, at a minimum, the words to the following
25 effect:

26 (a) If you become emancipated, you will have some of the rights that
27 come with adulthood. These rights include: Handling your own affairs;
28 living where you choose; entering into contracts; keeping and spending
29 your money; making decisions regarding your own health care, medical
30 care, dental care, and mental health care, without parental knowledge;
31 enlisting in the military without your parent's consent; ~~marrying without~~

1 ~~your parent's consent~~; applying for public assistance; suing someone or
2 being sued; enrolling in school or college; and owning real property;

3 (b) Even if you are emancipated, you still must: Stay in school as
4 required by Nebraska law; be subject to child labor laws and work permit
5 rules limiting the number of hours you can work; and be of legal age to
6 consume alcohol; and

7 (c) When you become emancipated: You lose your right to have
8 financial support for basic living expenses for food, clothing, and
9 shelter, and health care paid for by your parents or guardian; your
10 parents or guardian will no longer be legally or financially responsible
11 if you injure someone; and being emancipated does not automatically make
12 you eligible for public assistance or benefits.

13 (2) If, after hearing, the court determines that emancipation is in
14 the best interests of the minor and that the minor understands his or her
15 rights and responsibilities under sections 43-4801 to 43-4812 as an
16 emancipated minor, the court shall enter a judgment of emancipation. In
17 making its determination regarding the petition for emancipation, the
18 court shall determine whether the petitioner has proven each of the facts
19 set forth in subdivision (9) of section 43-4803.

20 **Sec. 4.** Section 43-4810, Revised Statutes Cumulative Supplement,
21 2024, is amended to read:

22 43-4810 (1) A judgment of emancipation removes the disability of
23 minority insofar as that disability may affect: (a) Establishment of his
24 or her own residence; (b) incurring indebtedness or contractual
25 obligations of any kind; (c) consenting to medical, dental, or
26 psychiatric care without the consent, knowledge, or liability of parents
27 or a guardian; (d) enlisting in the military without a parent's or
28 guardian's consent; (e) ~~marrying without a parent's or guardian's~~
29 ~~consent~~; ~~(f)~~ being individually eligible for public assistance; ~~(f)~~ ~~(g)~~
30 the litigation and settlement of controversies; ~~(g)~~ ~~(h)~~ enrolling in any
31 school or college; and ~~(h)~~ ~~(i)~~ acquiring, encumbering, and conveying

1 property or any interest therein. For the purposes described in this
2 subsection, the minor shall be considered in law as an adult and any
3 obligation or benefit he or she incurs is enforceable by and against such
4 minor without regard to his or her minority.

5 (2) A minor emancipated by court order shall be considered to have
6 the rights and responsibilities of an adult, except for those specific
7 constitutional and statutory age requirements regarding voting, use of
8 alcoholic beverages, gambling, use of tobacco, and other health and
9 safety regulations relevant to the minor because of his or her age.

10 (3) The emancipated minor shall be provided a certified copy of the
11 judgment of emancipation at the time the judgment is entered. Upon
12 presentation of the judgment of emancipation, a third party shall be
13 allowed to retain a copy of the same as proof of the minor's ability to
14 act as stated in this section.

15 (4) Unless otherwise provided in the judgment of emancipation, the
16 judgment of emancipation shall explicitly suspend any order regarding
17 custody, parenting time, or support of the minor and be reported by the
18 district court clerk to the jurisdiction that issued such order.

19 **Sec. 5.** Original sections 42-102 and 42-107, Reissue Revised
20 Statutes of Nebraska, and sections 43-4809 and 43-4810, Revised Statutes
21 Cumulative Supplement, 2024, are repealed.

22 **Sec. 6.** The following section is outright repealed: Section 42-105,
23 Reissue Revised Statutes of Nebraska.