

Age of majority could change to 18

Written by Joseph Moore
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Nebraska News Service

LINCOLN—Eighteen-year-olds are not considered adults under Nebraska law as they are in most other states. That would change under a bill proposed by Sen. Tyson Larson of O'Neill.

The Legislature's Judiciary Committee heard testimony March 15 on LB 355. The bill would lower Nebraska's age of majority from 19 to 18.

Nebraska is currently one of only three states—along with Alabama and Mississippi—that has an age of majority over 18.

During his introductory remarks before the committee, Larson said the 26th Amendment to the U.S. Constitution allows 18-year-olds to vote, and males are required to enroll in the Selective Service System on their 18th birthday.

"Eighteen-year-olds should be given all the rights adults receive in Nebraska," Larson said.

In 2009, the Legislature passed LB 226, which gave 18-year-olds the right to make medical decisions with parental permission and enter into legally binding contracts like residential lease agreements.

Larson said that legislation did not go far enough and called for a "broad, across the board change" to the age of majority.

He said there are instances where cell phone companies refuse to allow 18-year-olds to enter into phone contracts because the companies are unaware of the changes to the law.

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Larson added an amendment to the current bill that would keep the age of majority 19 under for Medicaid after the State Department of Health and Human Services warned that the age change could result in Nebraska losing more than \$1 billion in federal Medicaid funds.

This is due to a provision of the Affordable Care Act that prevents states from changing their eligibility requirements for Medicaid until 2014 when new, nationwide eligibility standards for the program will take effect.

Bruce Rieker of the Nebraska Hospital Association testified against the age change.

He said he appreciated the Medicaid amendment but believes the bill would deny 18-year-olds access to state and federal aid for mental or physical care.

“Cutting them off at 18 is counterproductive,” Rieker said.

Sen. Brad Ashford of Omaha responded by saying that many 17- and 18-year-olds are already not getting the care they need.

“In reality, 17- and 18-year-olds in this state are in deep, deep trouble,” Ashford said.

Jim Cunningham of the Nebraska Catholic Bishops Conference testified as neutral on the bill.

He said changing the age of majority from 19 to 18 would reduce the amount of Aid to Dependent Children (ADC) payments to some low-income families.

ADC provides cash assistance to low-income families with minor children. The payments are used to pay for basic living expenses like rent, utilities, food and clothing.

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“A lot of 18-year-olds are still living at home,” Cunningham said. He said the bill would deny low-income families with 18-year-old dependents an important means of cash assistance.

Cunningham also warned that the bill would cut off child support payments to parents with 18-year-old children, but said that a provision could be added to the bill that would allow for the continuation of child support payments through age 19 or graduation from high school.

No one testified in support of the bill.

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