

Nebraska Legislative Bills Introduced 2024 (108th Legislature, Second Regular Session)

April 30, 2024 Update – End of Session

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Bill No. and Sponsor	Bill Description	Status
LB961 Dungan	Prohibit noncompete agreements for lower-wage employees Employer Impact: This bill would prohibit noncompete agreements with employees earning \$100,000.00 per year or less. The bill prohibits any agreement that restricts an employee from (a) performing any work for another employer a specified period of time, (b) performing any work for another employer within a specified geographical area, or (c) performing any work for another employer that is similar to the signing employer’s work. Traditional noncompetes are already unenforceable as against public policy in Nebraska, as defined by	1/4/2024 – Date of Introduction 1/8/2024 – Referred to Business and Labor Committee 1/25/2024 – Hearing noticed for February 05, 2024

	<p>caselaw. Thus, the impact of the bill appears to be limited and merely codify the current law. However, given the vague wording of the bill it is possible it could be utilized to try to prohibit additional employment restrictions, such as nonsolicitation provisions. Further comments and possible revisions are necessary to determine the full intent of the bill.</p>	
<p>LB1161 Dungan</p>	<p>Adopt the Consumer and Employment Arbitration Data Reporting Act</p> <p>Employer Impact: This bill would apply to all arbitrations beginning or ongoing as of the date of its passage and require arbitrators within 30 days of the conclusion of the arbitration to collect and publish data from the arbitration.</p> <p>This data must include the name of the arbitrator, their fee, the parties' names, the names of attorneys in the matter, the nature of the dispute, the most recent annual income received by the employee to the arbitration, and the final disposition of the arbitration. This data would be published on a freely accessible public website and available for at least 5 years. Violation of the act would subject an arbitrator to a civil penalty collectible by the Nebraska Attorney General.</p>	<p>1/11/2024 – Date of Introduction</p> <p>1/16/2024 – Referred to Judiciary Committee</p> <p>2/14/2024 – Hearing noticed for February 21, 2024</p>
<p>LB827 Blood</p>	<p>Adopt the Entertainment Industry Child Performer Protection Act</p> <p>Employer Impact: This bill would impose restrictions and conditions on employers who employ individuals under the age of 18 ("Child Performers") to work in the entertainment industry. Employers must receive a pre-authorization certificate from the Department of Labor to hire Child Performers. Moreover, the bill would restrict the amount of hours Child Performers may work per day (depending on their age), the times when Child</p>	<p>1/3/2024: Date of introduction</p> <p>1/5/2024: Referred to Business and Labor Committee</p> <p>1/11/2024: Notice of Hearing for January 22, 2024</p> <p>1/22/2024: Blood AM2111 filed</p>

	<p>Performers may work, and require employers to withhold 15% of the Child Performer's wages to be placed in a trust account.</p> <p>Currently, Nebraska permits employers to apply for a special permit to exempt Child Performers from child labor laws. If enacted, this Act would eliminate this exemption and impose Child Performer-specific restrictions on employers that are not present under current Nebraska child labor laws.</p>	
<p>LB885</p> <p>Boster</p>	<p>Provide requirements for insurance coverage of lung cancer screening</p> <p>Employer Impact: If enacted, the bill would prohibit self-funded employee benefit 4 plans from charging a deductible, coinsurance, or any other cost-sharing requirement for lung 6 cancer screening for adults at least fifty years of age and not older than 8 eighty years of age.</p>	<p>1/3/2024: Date of introduction</p> <p>1/5/2024: Referred to Banking, Commerce and Insurance Committee</p> <p>1/11/2024: Notice of Hearing for January 22, 2024</p>
<p>LB 954</p> <p>Kauth</p>	<p>Adopt the Biometric Autonomy Liberty Law</p> <p>Employer Impact: If enacted, the bill would impact an employer's ability to require employees to provide or submit to the collection of biometric data, as well as the employer's duties related to the storage and retention of biometric data.</p>	<p>1/3/2024: Date of introduction</p> <p>1/5/2024: Kauth MO1163 Bracket until April 15, 2024 filed</p> <p>1/5/2024: Kauth M01164 Indefinitely postpone filed</p> <p>1/8/2024: Referred to Judiciary Committee</p> <p>1/17/2024: Referred to Banking, Commerce and Insurance Committee</p> <p>1/17/2024: Halloran name added.</p> <p>1/19/2024: Notice of hearing for February 27, 2024</p>
<p>LB 1076</p> <p>Cavanaugh</p>	<p>A bill to enact the Public Contract Provider Open Meetings Act</p> <p>Employer Impact: the bill states that the policy of Nebraska is that</p>	<p>1/9/2024: Date of introduction.</p> <p>1/10/2024: Referred to Government, Military and Veterans Affairs Committee</p>

	meetings related to public contracts are public business and should not be conducted in secret. If enacted, the bill provides that meetings of a governing board of a provider (defined as a private entity that is a party to a public contract) shall be open to the public with exceptions detailed in the bill	2/13/2024: Notice of hearing for February 22, 2024
LB 977 Blood	A bill amending statutes prohibiting discrimination to include military or veteran status. Employer Impact: If enacted, the bill adds “military or veteran status” to the list of protected characteristics under state laws related to discrimination in employment, housing, credit, etc.	1/5/2024: Date of introduction 1/9/2024: Referred to Judiciary Committee 1/19/2024: Notice of hearing for January 26, 2024 1/25/2024: Blood AM2176 filed
LB875 Hughes	Prohibit sales of alcohol or beer for consumption off the premises at less than cost under the Nebraska Liquor Control Act Impact: Would prohibit persons with retail licenses to sell alcoholic liquor or beer for consumption, from selling it at less than the cost to the licensee to purchase the alcoholic liquor or beer.	01/03/2024 Introduced 01/05/2024 Referred to General Affairs Committee 01/22/2024 Notice of hearing for February 5, 2024 01/26/2024 Hughes AM2205 filed to include “within six months of the invoice date.” 02/27/2024 Placed on General File with AM2476 General Affairs AM2476 filed
LB906 Riepe	Change provisions relating to child labor laws Impact: Would reclassify child labor violations of sections 48-302 to 48-313 from Class II Misdemeanors to Class I Misdemeanors, for anyone employing children under 16 years of age. Would modify language under 48-312 to expand who can visit the places of employment to ascertain whether any children are employed contrary to the relevant laws, to include the Department of Labor, any	01/04/2024 Introduced 01/08/2024 Referred to Business & Labor Committee 01/11/2024 Notice of hearing for January 22, 2024 02/13/2024 Paced on General File 02/20/2024 Speaker priority bill 03/04/2024 Advanced to Enrollment and Review initial

	<p>agent or employee of the department, or any attendance officer.</p>	<p>03/12/2024 Placed on Select File</p> <p>03/18/2024 Advanced to Enrollment and Review for Engrossment</p> <p>03/25/2024 Placed on Final Reading</p> <p>03/28/2024 Passed on Final Reading 45-0-4; President/Speaker signed; Presented to Governor</p> <p>04/02/2024 Approved by Governor</p>
<p>LB1017</p> <p>Bson</p>	<p>Change the schedule of compensation for certain injuries resulting in disability under the Nebraska Workers' Compensation Act</p> <p>Impact: Would amend section 48-121, to change the schedule of compensation loss or loss of use of more than one specific part of body from injury or illness resulting in disability.</p>	<p>01/05/2024 Introduced</p> <p>01/09/2024 Referred to Business & Labor Committee</p> <p>01/31/2024 Notice of hearing for February 12, 2024</p> <p>02/14/2024 Business and Labor priority bill</p> <p>02/27/2024 Placed on General File with AM2683; Business and Labor AM2683 filed</p> <p>02/29/2024 McDonnell AM2769 to AM2683 filed</p> <p>03/04/2024 Cavanaugh, M. MO1223 Bracket until April 11, 2024 filed; Cavanaugh, M. MO1224 Recommit to the Business and Labor Committee filed; Cavanaugh, M. MO1225 Recommit to the Business and Labor Committee filed; Cavanaugh, M. MO1226 Indefinitely postpone filed; Cavanaugh, M. MO1227 Indefinitely postpone pursuant to Rule 6, Sec. 3(f) filed</p> <p>03/21/2024 McDonnell AM2769 withdrawn; Business and Labor AM2683 adopted; Advanced to Enrollment and Review Initial</p> <p>04/02/2024 Placed on Select File</p>

		<p>04/09/2024 Cavanaugh, M. MO1223 withdrawn; Cavanaugh, M. MO1224 withdrawn; Cavanaugh, M. MO1225 withdrawn; Cavanaugh, M. MO1226 withdrawn; Cavanaugh, M. MO1227 withdrawn; Advanced to Enrollment and Review for Engrossment; Placed on Final Reading</p> <p>04/11/2024 Dispensing of reading at large approved; Passed on Final Reading 38-8-3; President/Speaker signed; Presented to Governor</p>
<p>LB1214</p> <p>Health & Human Services Committee</p>	<p>LB1214 - Change provisions relating to a criminal background check for certain professions under the Uniform Credentialing Act</p> <p>Impact: Would amend 38-131, Revised Statutes Supplement, 2023; to change requirements relating to a criminal background check as prescribed and to repeal the original section. Lists out professions subject to the requirement and eliminates the catch-all language of “or to practice a profession which is authorized to prescribe controlled substances.”</p>	<p>01/16/2024 Introduced</p> <p>01/17/2024 Referred to Health & Human Services Committee</p> <p>01/23/2024 Notice of hearing for February 1, 2024</p> <p>02/13/2024 Placed on General File</p> <p>04/02/2024 Advanced to Enrollment and Review Initial</p> <p>04/04/2024 Placed on Select File</p> <p>04/09/2024 Advanced to Enrollment and Review for Engrossment; Placed on Final Reading</p> <p>04/11/2024 Passed on Final Reading 46-0-3; President/Speaker signed; Presented to Governor</p>
<p>LB902</p> <p>DeBoer</p>	<p>Prohibit assisted living facilities from requiring third-party payment guarantees as condition for application.</p> <p>Impact: Would amend § 71-5905 to include new subsection (5) to prohibit facilities from requiring a third-party payment guarantee as a condition of admission, expedited admission, or continued stay in the facility.</p> <p>If a person other than the resident states an intent to guarantee</p>	<p>1/4/24 Date of Introduction</p> <p>1/8/24 Referred to Health and Human Services Committee</p> <p>1/17/24 Referred to Judiciary Committee</p> <p>1/24/24 Notice of Hearing for January 31, 2024</p> <p>2/2/24 DeBoer AM2314 Filed, adding “Nothing in this subsection shall permit an individual with legal</p>

	<p>payment of a resident, the person shall execute a separate written agreement. No provision in the separate agreement shall conflict with the new law and the separate agreement must be provided to the guarantor with the following statements:</p> <ul style="list-style-type: none"> • “Do not sign this agreement unless you voluntarily agree to be financially liable for paying the patient’s expenses;” • “You may change your mind within forty-eight hours after signing this agreement by notifying the facility that you want to revoke this agreement;” and • “You may call the state long-term care ombudsman for an explanation of your rights.” 	<p>access to a resident’s income or resources to avoid legal liability for violation of such individual’s fiduciary duty.”</p> <p>3/7/24 Placed on General File</p>
<p>LB1018 Holdcroft</p>	<p>Positions of public employment shall no longer require postsecondary education as condition of employment and to equalize wages and benefits.</p> <p>Impact: Applicable to public employers (state agency or political subdivision of the state), public employers shall no longer require postsecondary education (college degree) for application for public employment, provided applicant possesses qualifying career and life skills.</p> <p>In addition, public employers shall give equal hiring, wage and benefit consideration to persons without postsecondary education.</p> <p>This provision does NOT apply to The University of Nebraska or state colleges; the judicial branch of state government; positions for which a postsecondary degree is required by state or federal law; or positions for</p>	<p>1/5/24 Date of Introduction</p> <p>1/9/24 Referred to Government, Military and Veteran’s Affairs Committee</p> <p>1/23/24 Notice of hearing for February 2, 2024</p> <p>2/1/24 Holdcroft AM2255 filed – no substantive change</p>

	which application of this section would jeopardize federal funding.	
<p>LB1227</p> <p>Ballard</p>	<p>Amendment to Professional Employer Organization Registration Act to require broader coverage for employer-offered employee health benefit plans.</p> <p>Impact: Amends § 48-2706(8) to include new, subsection (b). If passed, the Act would require that a professional employer organization offer a health benefit plan that is either: (a) Fully insured by an authorized insurer or (b) In compliance with the registration requirements of the Multiple Employer Welfare Arrangement Act and the federal Employee Retirement Income Security Act of 1974.</p> <p>The prior version of this Act merely included that a plan be fully insured by an authorized insurer.</p>	<p>1/16/24 Date of Introduction</p> <p>1/17/24 Referred to Baking, Commerce and Insurance Committee</p> <p>1/19/24 Notice of hearing for February 5, 2024</p>
<p>LB993</p> <p>Ibach</p>	<p>Adopt the Apprenticeship Grant Act</p> <p>Impact: Allows business to apply to the Department of Economic Development for reimbursement of wages or tuition for apprentices in a registered program, who also must be in a public assistance program such as SNAP Next. If a business receives the reimbursement, it should have a full-time job waiting for the apprentice that offers wages high enough to reduce the worker's reliance on government economic aid. Grants are limited to \$37,000 per apprentice and 100 apprentices per business.</p> <p>Proposed Amendments: AM 2372 would amend LB 993 by limiting the total number of grants available to a business to 5 within a 12 month period. The amendment also</p>	<p>1/5/2024 Date of Introduction</p> <p>1/9/2024 Referred to Business and Labor Committee</p> <p>1/11/2024 Notice of hearing for January 22, 2024</p> <p>2/13/2024 Placed on General File with AM2373</p> <p>2/13/2024 Business and Labor fAM2373 filed (pending committee amendments)</p> <p>4/3/2024 Amendments to Committee Amendments filed</p>

	establishes a sunset date of June 30, 2030	
LB1170 Riepe	<p>Change provisions of the Employment Security Law relating to benefit amounts and periods of disqualification for benefits</p> <p>Impact: Changes the amount of unemployment benefits an individual could receive, reduces the number of weeks that an individual must apply for work/accept work to qualify for benefits, and reduces the number of weeks an individual is disqualified for benefits if discharged for misconduct</p>	<p>1/11/2024 Date of Introduction</p> <p>1/16/2024 Referred to Business and Labor Committee</p> <p>1/25/2024 Notice of hearing for February 5, 2024</p> <p>2/13/2024 Placed on General File</p> <p>2/14/2024 Business and Labor Priority Bill</p> <p>3/4/2024 - 3/5/2024 M. Cavanaugh made multiple efforts to push this bill through, which failed</p> <p>3/5/2024 M. Cavanaugh motion to reconsider the vote</p> <p>3/5/2024 Motion to reconsider pending</p>
LB842 McKinney	<p>Create more affordable housing, redefine terms related to affordable housing, change the activities that qualify for eligibility from the Affordable Housing Trust Fund</p> <p>Impact: Changes the definition of housing construction activities that are eligible for assistance from the Affordable Housing Trust Fund:</p> <ul style="list-style-type: none"> • Focus is on households rather than families for dwelling units. • Clarify education programs for purchase and postpurchase education. • Adds reentry or transitional housing projects to list of activities. <p>Sets upper limit on what percentage of income can be charged of tenants to be considered affordable housing. Limit would be 30% of tenant's annual income in monthly rental costs including utilities to be</p>	<p>1/3/24 Date of introduction</p> <p>1/5/24 Referred to Urban Affairs Committee</p> <p>1/17/24 Notice of hearing for January 30, 2024</p> <p>3/5/24 Amendment AM2778 filed with Urban Affairs Committee</p> <p>3/5/24 Placed on General File with AM2778</p> <p>4/18/24 Indefinitely postponed</p>

	<p>considered affordable housing. Sets thresholds for median income by local area to determine if housing is affordable.</p> <p>Local authorities, and village trustees have the authority to determine the appropriate housing zoning laws for their locations.</p> <p>AM2778: Changed the following:</p> <ul style="list-style-type: none"> • minimum housing dwelling size to 700 square feet. • Sets household income for affordability at 120% of the area's median income. • Sets all rental costs (including tenant paid utilities) to not exceed the maximum amount allowed under the state/federal housing program or, if no program is involved, sets the maximum rent at 1/12th of 30% of 120% of the median income in the area (a cap of about \$30 of rent for every \$1,000 of income for the area). • Areas for determining the median income are to be set following the US HUD determinations. • Owner-occupied housing unites must have an after-construction appraised value of at least \$125,000 but no more than \$300,000 to construct. • Affordable housing education programs for prospective buyers are those approved by US HUD. 	
<p>LB896 Ballard</p>	<p>Change provisions of the Revised Statutes Cumulative Supplement relating to telehealth services. Removes requirement that a signed</p>	<p>1/3/24 Date of introduction</p>

	<p>statement need to be collected on paper or electronic mode of patient consent and added to the medical record. Allows for verbal consent to be given during the telehealth consultation.</p> <p>Impact: Telehealth providers will still be required to provide all statements in written form about the patients right to refuse the telehealth consultation without risk to future treatment; a statement regarding the existing confidentiality protections for telehealth; a statement that the patient shall have access to all of the information relating from the telehealth consultation; a statement that dissemination of any patient identifiable images or information from the telehealth consultation shall not occur without the written consent of the patient.</p> <p>The only requirement that has changed is obtaining written consent that the patient understands the notices provided. Verbal consent is okay but no other requirements are changed.</p>	<p>1/5/24 Referred to Health and Human Services Committee</p> <p>1/17/24 Notice of hearing for January 26, 2024</p> <p>3/6/24 DeKay name added to bill</p> <p>4/18/24 Indefinitely postponed</p>
<p>LB955</p> <p>Bostar</p>	<p>Require Business entities to provide certain notices to purchasers of gift certificates and gift cards.</p> <p>Impact: Adds a requirement to all sellers of gift cards, or gift certificates to inform the purchaser of prepaid card scams.</p> <p>This applies to all certificates, cards, or other prefunded instrument that can be used either at single merchants, affiliated merchants, or un affiliated merchants. The instrument can be reloaded or of single value, is issued in a specified amount, is purchased on a prepaid basis, and is honored upon presentation.</p>	<p>1/3/24 Date of introduction</p> <p>1/8/24 Referred to Banking, Commerce, and Insurance Committee</p> <p>1/17/24 Notice of hearing for January 30, 2024</p> <p>4/18/24 Indefinitely Postponed</p>

	<p>Must provide the following notice:</p> <p>"Protect yourself from prepaid card scams, including requests 14 related to lotteries, taxes, employment status, or utility payments. Do 15 not provide any prepaid card information to someone you do not know, 16 including the PIN number or card number. If you feel that you are a victim of fraud, contact local law enforcement."</p> <p>If the purchase is done electronically, the notice may be given in electronic format on a payment system screen before finalizing payment; or may be posted in a conspicuous manner in the place where the sale occurs.</p> <p>Civil penalty not to exceed \$1,000 per violation and equitable relief may be sought by the Attorney General.</p>	
<p>LB1139 Cavanaugh</p>	<p>Adopt the Paid Family and Medical Leave Insurance Act</p> <p>Impact: Amends the Nebraska Revised Statutes to adopt the Paid Family and Medical Leave. Leave Fund and program would have to be implemented no later than January 1, 2026 by the Commissioner. Paid Family and Medical Leave Insurance Act benefits are concurrent with the federal Family and Medical Leave Act of 1993 benefits if applicable.</p> <p>Sets definitions of activities that qualify for leave benefits. Sets framework for enforcement actions against employers that retaliate against employees that take advantage of leave benefits. Maximum leave would be 10 weeks</p>	<p>1/11/24 Date of Introduction</p> <p>1/16/24 Referred to Business and Labor Committee</p> <p>1/25/24 Notice of Hearing for February 5, 2024</p> <p>1/31/2024 Conrad name added</p> <p>2/15/2024 Cavanaugh, M. AM2502 filed</p> <p>4/18/24 Indefinitely Postponed</p>

	<p>or 60 workdays during a benefit year if leave is taken intermittently.</p> <p>Sets framework for amount of benefits to be paid: 90% of the portion of wages that is at or below 50% of the state average weekly wage, and 50% of the average weekly wage that is above the state average weekly wage. Aggregate amount shall not exceed 66% of the state average weekly wage.</p> <p>Employers can elect to participate by submitting an application to the Commissioner. Employees are only covered if working for an employer that has elected to participate. Employers must provide written notice regarding the Act to each covered individual upon hiring and on a yearly basis.</p> <p>Amendment AM2502: Proposed a new subsection that requires a covered individual to have paid 6 months' worth of contributions before being eligible for leave benefits. Also, does not allow a covered individual to terminate participation in the program after receiving paid benefits until having paid contributions for an additional 6 months' after returning from leave, or paying a contribution amount equal to the leave benefits received.</p>	
<p>LB 1213 Walz</p>	<p>Require employers to provide twenty hours of paid leave per year for school-related activities</p> <p>Impact: Any employer that has 15 or more employees for each working day on at least 20 calendar weeks in the current or preceding year is covered.</p>	<p>1/16/24 Date of Introduction</p> <p>1/17/24 Referred to Business and Labor Committee</p> <p>1/25/24 Notice of hearing for February 5, 2024</p> <p>4/18/24 Indefinitely Postponed</p>

	<p>School activities leave means leave taken for school-related activities of a family member including parent-teacher conference, disciplinary meetings, extracurricular or athletic competitions, volunteer activities, and orientation programs. Covered family members are biological children, adopted children, foster children, stepchildren, or a legal ward.</p> <p>Employer shall grant a minimum of 20 hours of leave per calendar year.</p>	
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