

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 835

FINAL READING

Introduced by Mello, 5; Coash, 27.

Read first time January 08, 2016

Committee: Judiciary

1 A BILL FOR AN ACT relating to consumer protection; to amend sections
2 8-2601, 8-2602, 8-2603, 8-2604, 8-2605, 8-2606, 8-2608, 8-2609,
3 8-2610, 8-2611, 8-2612, 8-2613, 8-2614, 8-2615, 20-149, 59-1611,
4 59-1614, 87-301, 87-302, 87-303, 87-802, 87-803, and 87-804, Reissue
5 Revised Statutes of Nebraska; to change provisions relating to the
6 Credit Report Protection Act, Consumer Protection Act, Uniform
7 Deceptive Trade Practices Act, and Financial Data Protection and
8 Consumer Notification of Data Security Breach Act of 2006; to
9 harmonize provisions; to provide operative dates; and to repeal the
10 original sections.
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 8-2601, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 8-2601 Sections 8-2601 to 8-2615 and sections 4, 9, 10, 11, 13, and
4 19 of this act shall be known and may be cited as the Credit Report
5 Protection Act.

6 Sec. 2. Section 8-2602, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 8-2602 For purposes of the Credit Report Protection Act:

9 (1) Consumer reporting agency means any person which, for monetary
10 fees, for dues, or on a cooperative nonprofit basis, regularly engages in
11 whole or in part in the practice of assembling or evaluating consumer
12 credit information or other information on consumers for the purpose of
13 furnishing consumer reports to third parties and which uses any means or
14 facility of interstate commerce for the purpose of preparing or
15 furnishing consumer reports;

16 (2) Credit report has the same meaning as consumer report as defined
17 in 15 U.S.C. 1681a(d);

18 (3) (2) File, when used in connection with information on any
19 consumer or protected consumer, means all of the information on that
20 consumer or protected consumer recorded and retained by a consumer
21 reporting agency regardless of how the information is stored. File does
22 not include a record;

23 (4) Protected consumer means an individual who is (a) under sixteen
24 years of age at the time a request for the placement of a security freeze
25 is made or (b) an incapacitated person for whom a guardian or guardian ad
26 litem has been appointed ~~(3) Minor means a person who is under nineteen~~
27 ~~years of age;~~

28 (5) Record means a compilation of information that (a) identifies a
29 protected consumer, (b) is created by a consumer reporting agency solely
30 for the purpose of complying with section 4 of this act, and (c) may not
31 be created or used to consider the protected consumer's credit

1 worthiness, credit standing, credit capacity, character, general
2 reputation, personal characteristics, or mode of living;

3 (6) Representative means a person who provides to a consumer
4 reporting agency sufficient proof of authority to act on behalf of a
5 protected consumer;

6 (7) (4) Security freeze means:

7 (a) A a notice placed in a consumer's file as provided in section
8 8-2603 that prohibits the consumer reporting agency from releasing a
9 credit report, or any other information derived from the file, in
10 connection with the extension of credit or the opening of a new account,
11 without the express authorization of the consumer; ~~and~~

12 (b) If a consumer reporting agency does not have a file pertaining
13 to a protected consumer, a restriction that:

14 (i) Is placed on the protected consumer's record in accordance with
15 section 4 of this act; and

16 (ii) Prohibits the consumer reporting agency from releasing the
17 protected consumer's record except as provided in the Credit Report
18 Protection Act; or

19 (c) If a consumer reporting agency has a file pertaining to the
20 protected consumer, a restriction that:

21 (i) Is placed on the protected consumer's credit report in
22 accordance with section 4 of this act; and

23 (ii) Prohibits the consumer reporting agency from releasing the
24 protected consumer's credit report or any information derived from the
25 protected consumer's credit report except as provided in section 9 of
26 this act;

27 (8) Sufficient proof of authority means documentation that shows a
28 representative has authority to act on behalf of a protected consumer.
29 Sufficient proof of authority includes, but is not limited to, an order
30 issued by a court of law, a lawfully executed and valid power of
31 attorney, or a written notarized statement signed by a representative

1 that expressly describes the authority of the representative to act on
2 behalf of a protected consumer. A representative who is a parent may
3 establish sufficient proof of authority by providing a certified or
4 official copy of the protected consumer's birth certificate;

5 (9) Sufficient proof of identification means information or
6 documentation that identifies a consumer, a protected consumer, or a
7 representative of a protected consumer. Sufficient proof of
8 identification includes, but is not limited to, a social security number
9 or a copy of a social security card, a certified or official copy of a
10 birth certificate, a copy of a valid driver's license, or any other
11 government-issued identification; and

12 (10) (5) Victim of identity theft means a consumer or protected
13 consumer who has a copy of an official police report evidencing that the
14 consumer or protected consumer has alleged to be a victim of identity
15 theft.

16 Sec. 3. Section 8-2603, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 8-2603 A consumer, ~~including a minor at the request of a parent or~~
19 ~~custodial parent or guardian if appointed,~~ may elect to place a security
20 freeze on his or her file by submitting a request at the address or other
21 point of contact and in the manner specified by making a request by
22 certified mail to the consumer reporting agency.

23 Sec. 4. (1) A consumer reporting agency shall place a security
24 freeze for a protected consumer if:

25 (a) The consumer reporting agency receives a request from the
26 representative for the placement of the security freeze under this
27 section; and

28 (b) The representative:

29 (i) Submits the request to the consumer reporting agency at the
30 address or other point of contact and in the manner specified by the
31 consumer reporting agency;

1 (ii) Provides to the consumer reporting agency:

2 (A) Sufficient proof of identification of the protected consumer and
3 the representative; and

4 (B) Sufficient proof of authority to act on behalf of the protected
5 consumer; and

6 (iii) Pays to the consumer reporting agency a fee as provided in
7 section 13 of this act.

8 (2) If a consumer reporting agency does not have a file pertaining
9 to a protected consumer when the consumer reporting agency receives a
10 request described in subdivision (1)(a) of this section, the consumer
11 reporting agency shall create a record for the protected consumer.

12 (3) Within thirty days after receiving a request that meets the
13 requirements of this section, a consumer reporting agency shall place a
14 security freeze for the protected consumer.

15 Sec. 5. Section 8-2604, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 8-2604 If a security freeze is in place with respect to a consumer's
18 or protected consumer's file, the consumer reporting agency shall not
19 release a credit report or any other information derived from the file to
20 a third party without the prior express authorization of the consumer,
21 protected consumer, or representative. This section does not prevent a
22 consumer reporting agency from advising a third party that a security
23 freeze is in effect with respect to a consumer's or protected consumer's
24 file.

25 Sec. 6. Section 8-2605, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 8-2605 (1) A consumer reporting agency shall place a security freeze
28 on a file no later than three business days after receiving a request
29 under section 8-2603 by certified mail.

30 (2) Until July 1, 2008, a consumer reporting agency shall, within
31 ten business days after receiving a request under section 8-2603, send a

1 written confirmation of the security freeze to the consumer and provide
2 the consumer with a unique personal identification number or password to
3 be used by the consumer when providing authorization for the release of a
4 credit report or any other information derived from his or her file for a
5 specified period of time. Beginning July 1, 2008, a consumer reporting
6 agency shall send such confirmation and provide such identification
7 number or password to the consumer within five business days after
8 receiving a request under section 8-2603.

9 (3) The written confirmation required under subsection (2) of this
10 section shall include a warning which shall read as follows: WARNING TO
11 PERSONS SEEKING A CREDIT FREEZE AS PERMITTED BY THE CREDIT REPORT
12 PROTECTION ACT: YOU MAY BE DENIED CREDIT AS A RESULT OF A FREEZE PLACED
13 ON YOUR CREDIT.

14 Sec. 7. Section 8-2606, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 8-2606 (1) When a consumer requests a security freeze under section
17 8-2603, the consumer reporting agency shall disclose the process of
18 placing and temporarily lifting the security freeze, including the
19 process for allowing access to his or her credit report or any other
20 information derived from his or her file for a specified period of time
21 by temporarily lifting the security freeze.

22 (2) If a consumer wishes to allow his or her credit report or any
23 other information derived from his or her file to be accessed for a
24 specified period of time by temporarily lifting the security freeze
25 placed under section 8-2603, the consumer shall contact the consumer
26 reporting agency, request that the freeze be temporarily lifted, and
27 provide the following:

28 (a) Sufficient proof of identification of the consumer ~~Proper~~
29 ~~identification, which means that information generally deemed sufficient~~
30 ~~to identify a person. Only if the consumer is unable to provide~~
31 ~~sufficiently self-identifying information may a consumer reporting agency~~

1 ~~require additional information concerning the consumer's employment and~~
2 ~~personal or family history in order to verify the consumer's identity;~~

3 (b) The unique personal identification number or password provided
4 by the consumer reporting agency under section 8-2605; and

5 (c) The proper information regarding the specified time period.

6 (3)(a) Until January 1, 2009, a consumer reporting agency that
7 receives a request from a consumer to temporarily lift a security freeze
8 placed under section 8-2603 on his or her file shall comply with the
9 request no later than three business days after receiving the request.

10 (b) A consumer reporting agency shall develop procedures involving
11 the use of a telephone, the Internet, or other electronic media to
12 receive and process a request from a consumer to temporarily lift a
13 security freeze placed under section 8-2603 on his or her file in an
14 expedited manner. By January 1, 2009, a consumer reporting agency shall
15 comply with a request to temporarily lift a security freeze within
16 fifteen minutes after receiving such request by telephone or through a
17 secure electronic method.

18 (4) A consumer reporting agency is not required to temporarily lift
19 a security freeze within the time provided in subsection (3) of this
20 section if:

21 (a) The consumer fails to meet the requirements of subsection (2) of
22 this section; or

23 (b) The consumer reporting agency's ability to temporarily lift the
24 security freeze within the time provided in subsection (3) of this
25 section is prevented by:

26 (i) An act of God, including fire, earthquake, hurricane, storm, or
27 similar natural disaster or phenomena;

28 (ii) An unauthorized or illegal act by a third party, including
29 terrorism, sabotage, riot, vandalism, labor strike or dispute disrupting
30 operations, or similar occurrence;

31 (iii) Operational interruption, including electrical failure,

1 unanticipated delay in equipment or replacement part delivery, computer
2 hardware or software failure inhibiting response time, or similar
3 disruption;

4 (iv) Governmental action, including an emergency order or
5 regulation, judicial or law enforcement action, or similar directive;

6 (v) Regularly scheduled maintenance, during other than normal
7 business hours, of the consumer reporting agency's system or updates to
8 such system;

9 (vi) Commercially reasonable maintenance of, or repair to, the
10 consumer reporting agency's system that is unexpected or unscheduled; or

11 (vii) Receipt of a removal request outside of normal business hours.
12 For purposes of this subsection, normal business hours means Sunday
13 through Saturday, between the hours of 6:00 a.m. and 9:30 p.m., in the
14 applicable time zone in this state.

15 Sec. 8. Section 8-2608, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 8-2608 A consumer reporting agency shall remove a security freeze
18 placed under section 8-2603 within three business days after receiving a
19 request for removal from the consumer who provides both of the following:

20 (1) Sufficient proof of identity of the consumer ~~Proper~~
21 ~~identification as specified in subdivision (2)(a) of section 8-2606;~~ and

22 (2) The unique personal identification number or password referred
23 to in subdivision (2)(b) of section 8-2606.

24 Sec. 9. A security freeze for a protected consumer shall remain in
25 effect unless removed in accordance with section 10 or 11 of this act. A
26 consumer reporting agency may not release the protected consumer's credit
27 report, any information derived from the protected consumer's credit
28 report, or any record created for the protected consumer.

29 Sec. 10. If a protected consumer or the representative wishes to
30 remove a security freeze placed under section 4 of this act for the
31 protected consumer, the protected consumer or the representative shall:

1 (1) Submit a request for the removal of the security freeze to the
2 consumer reporting agency at the address or other point of contact and in
3 the manner specified by the consumer reporting agency; and

4 (2) Provide to the consumer reporting agency:

5 (a)(i) In the case of a request by the protected consumer:

6 (A) Proof that the sufficient proof of authority for the
7 representative to act on behalf of the protected consumer is no longer
8 valid; and

9 (B) Sufficient proof of identification of the protected consumer; or

10 (ii) In the case of a request by the representative:

11 (A) Sufficient proof of identification of the protected consumer and
12 the representative; and

13 (B) Sufficient proof of authority to act on behalf of the protected
14 consumer; and

15 (b) Payment of a fee as provided in section 13 of this act.

16 Within thirty days after receiving a request that meets the
17 requirements of this section, the consumer reporting agency shall remove
18 the security freeze for the protected consumer.

19 Sec. 11. A consumer reporting agency may remove a security freeze
20 for a protected consumer or delete a record of a protected consumer if
21 the security freeze was placed or the record was created based on a
22 material misrepresentation of fact by the protected consumer or the
23 protected consumer's representative.

24 Sec. 12. Section 8-2609, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 8-2609 (1) A consumer reporting agency may charge a fee of three
27 dollars for placing, temporarily lifting, or removing a security freeze
28 placed under section 8-2603 unless:

29 (a) The consumer is a minor; or

30 (a) (b)(i) The consumer is a victim of identity theft; and

31 (b) (ii) The consumer provides the consumer reporting agency with a

1 copy of an official police report documenting the identity theft.

2 (2) A consumer reporting agency shall reissue the same or a new
3 personal identification number or password required under section 8-2605
4 one time without charge and may charge a fee of no more than five dollars
5 for subsequent reissuance of the personal identification number or
6 password.

7 Sec. 13. (1) A consumer reporting agency may charge a fee of three
8 dollars for each placement or removal of a security freeze for a
9 protected consumer.

10 (2) A consumer reporting agency shall not charge any fee under this
11 section if:

12 (a)(i) The protected consumer is a victim of identity theft; and

13 (ii) The protected consumer's representative provides the consumer
14 reporting agency with a copy of an official police report documenting the
15 identity theft; or

16 (b)(i) A request for the placement or removal of a security freeze
17 is for a protected consumer who is under the age of sixteen years at the
18 time of the request; and

19 (ii) The consumer reporting agency has a credit report pertaining to
20 the protected consumer.

21 Sec. 14. Section 8-2610, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 8-2610 If a security freeze is in place, a consumer reporting agency
24 may not change any of the following official information in a file
25 without sending a written confirmation of the change to the consumer,
26 protected consumer, or representative within thirty days after the change
27 is made: Name, date of birth, social security number, and address. In the
28 case of an address change, the written confirmation shall be sent to both
29 the new address and the former address. Written confirmation is not
30 required for technical modifications of a consumer's or protected
31 consumer's official information, including name and street abbreviations,

1 complete spellings, or transposition of numbers or letters.

2 Sec. 15. Section 8-2611, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 8-2611 (1) A consumer reporting agency may not suggest or otherwise
5 state or imply to a third party that a security freeze on a consumer's or
6 protected consumer's file reflects a negative credit score, history,
7 report, or rating.

8 (2) If a third party requests access to a credit report or any other
9 information derived from a file in connection with an application for
10 credit or the opening of an account and the consumer, protected consumer,
11 or representative has placed a security freeze on his or her file and
12 does not allow his or her file to be accessed during that specified
13 period of time, the third party may treat the application as incomplete.

14 Sec. 16. Section 8-2612, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 8-2612 The Credit Report Protection Act does not prohibit a consumer
17 reporting agency from furnishing to a governmental agency a consumer's or
18 protected consumer's name, address, former address, place of employment,
19 or former place of employment.

20 Sec. 17. Section 8-2613, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 8-2613 The Credit Report Protection Act does not apply to the use of
23 a credit report or any information derived from the file by any of the
24 following:

25 (1) A person or entity, a subsidiary, affiliate, or agent of that
26 person or entity, an assignee of a financial obligation owing by the
27 consumer or protected consumer to that person or entity, or a prospective
28 assignee of a financial obligation owing by the consumer or protected
29 consumer to that person or entity in conjunction with the proposed
30 purchase of the financial obligation, with which the consumer or
31 protected consumer has or had prior to assignment an account or contract,

1 including a demand deposit account, or to whom the consumer or protected
2 consumer issued a negotiable instrument, for the purposes of reviewing
3 the account or collecting the financial obligation owing for the account,
4 contract, or negotiable instrument. For purposes of this subdivision,
5 reviewing the account includes activities related to account maintenance,
6 monitoring, credit line increases, and account upgrades and enhancements;

7 (2) A subsidiary, affiliate, agent, assignee, or prospective
8 assignee of a person to whom access has been granted under section 8-2606
9 for purposes of facilitating the extension of credit or other permissible
10 use;

11 (3) Any federal, state, or local governmental entity, including, but
12 not limited to, a law enforcement agency, a court, or an agent or
13 assignee of a law enforcement agency or court;

14 (4) A private collection agency acting under a court order, warrant,
15 or subpoena;

16 (5) Any person or entity for the purposes of prescreening as
17 provided for by the federal Fair Credit Reporting Act, 15 U.S.C. 1681, as
18 such act existed on September 1, 2007;

19 (6) Any person or entity administering a credit file monitoring
20 subscription service to which the consumer or protected consumer has
21 subscribed;

22 (7) Any person or entity for the purpose of providing a consumer,
23 protected consumer, or representative with a copy of the consumer's or
24 protected consumer's credit report or any other information derived from
25 his or her file upon the consumer's, protected consumer's, or
26 representative's request; and

27 (8) Any person or entity for use in setting or adjusting a rate,
28 adjusting a claim, or underwriting for insurance purposes.

29 Sec. 18. Section 8-2614, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 8-2614 The following entities are not consumer reporting agencies

1 for purposes of the Credit Report Protection Act and are not required to
2 place a security freeze ~~on a file~~ under section 8-2603 or section 4 of
3 this act:

4 (1) A check services or fraud prevention services company that
5 issues reports on incidents of fraud or authorizations for the purpose of
6 approving or processing negotiable instruments, electronic funds
7 transfers, or similar methods of payment;

8 (2) A deposit account information service company that issues
9 reports regarding account closures due to fraud, substantial overdrafts,
10 automatic teller machine abuse, or similar negative information regarding
11 a consumer or protected consumer, to inquiring banks or other financial
12 institutions for use only in reviewing a consumer's, protected
13 consumer's, or representative's ~~consumer~~ request for a deposit account at
14 the inquiring bank or financial institution; and

15 (3) A consumer reporting agency that acts only as a reseller of
16 credit information by assembling and merging information contained in the
17 data base of another consumer reporting agency, or multiple consumer
18 reporting agencies, and does not maintain a permanent data base of credit
19 information from which new credit reports are produced. A consumer
20 reporting agency shall honor any security freeze placed on a file by
21 another consumer reporting agency.

22 Sec. 19. Sections 4, 9, 10, 11, and 13 of this act shall not apply
23 to any person or entity that maintains a data base used solely for the
24 following:

- 25 (1) Criminal record information;
- 26 (2) Personal loss history information;
- 27 (3) Fraud prevention or detection;
- 28 (4) Employment screening; or
- 29 (5) Tenant screening.

30 Sec. 20. Section 8-2615, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 8-2615 The Attorney General shall enforce the Credit Report
2 Protection Act. For purposes of the act, the Attorney General may issue
3 subpoenas, adopt and promulgate rules and regulations, and seek
4 injunctive relief and a monetary award for civil penalties, attorney's
5 fees, and costs. Any person who violates the act shall be subject to a
6 civil penalty of not more than two thousand dollars for each violation.
7 The Attorney General may also seek and recover actual damages for each
8 consumer or protected consumer injured by a violation of the act.

9 Sec. 21. Section 20-149, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 20-149 Any consumer reporting agency doing business in this state
12 which is required to furnish information to a consumer, protected
13 consumer as defined in section 8-2602, or representative as defined in
14 section 8-2602 pursuant to 15 U.S.C. 1681g to 1681j as such sections
15 existed on January 1, 2016 ~~they exist on August 26, 1983~~, shall, upon the
16 request of such ~~the~~ consumer, protected consumer, or representative and
17 at a reasonable charge, provide such ~~the~~ consumer, protected consumer, or
18 representative with a typewritten or photostatic copy of any consumer
19 report, investigative report, or any credit report or other file
20 information which it has on file or has prepared concerning such consumer
21 or protected consumer, if such consumer, protected consumer, or
22 representative has complied with 15 U.S.C. 1681h as such section existed
23 on January 1, 2016 ~~it exists on August 26, 1983~~. If such report uses a
24 code to convey information about such ~~the~~ consumer or protected consumer,
25 such ~~the~~ consumer, protected consumer, or representative shall be
26 provided with a key to such code. For the purposes of this section, the
27 definitions found in 15 U.S.C. 1681a as such section existed on January
28 1, 2016 ~~it exists on August 26, 1983~~, shall apply. Any person violating
29 this section shall be guilty of a Class IV misdemeanor.

30 Sec. 22. Section 59-1611, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 59-1611 (1) Whenever the Attorney General believes that any person
2 may be in possession, custody, or control of any original or copy of any
3 book, record, report, memorandum, paper, communication, tabulation, map,
4 chart, photograph, mechanical transcription, or other tangible document
5 or recording, wherever situated, which he or she believes to be relevant
6 to the subject matter of an investigation of a possible violation of
7 sections 59-1602 to 59-1606, the Attorney General may, prior to the
8 institution of a civil proceeding thereon, execute in writing and cause
9 to be served upon such a person a civil investigative demand requiring
10 such person to produce such documentary material and permit inspection
11 and copying thereof. This section shall not be applicable to criminal
12 prosecutions.

13 (2) Each such demand shall:

14 (a) State the statute and section or sections thereof the alleged
15 violation of which is under investigation, and the general subject matter
16 of the investigation;

17 (b) Describe the class or classes of documentary material to be
18 produced thereunder with reasonable specificity so as fairly to indicate
19 the material demanded;

20 (c) Prescribe a return date within which the documentary material
21 shall be produced; and

22 (d) Identify the members of the Attorney General's staff to whom
23 such documentary material shall be made available for inspection and
24 copying.

25 (3) No such demand shall:

26 (a) Contain any requirement which would be unreasonable or improper
27 if contained in a subpoena duces tecum issued by a court of this state;
28 or

29 (b) Require the disclosure of any documentary material which would
30 be privileged, or which for any other reason would not be required by a
31 subpoena duces tecum issued by a court of this state.

1 (4) Service of any such demand may be made by:

2 (a) Delivering a duly executed copy thereof to the person to be
3 served, or, if such person is not a natural person, to any officer of the
4 person to be served;

5 (b) Delivering a duly executed copy thereof to the principal place
6 of business in this state of the person to be served; or

7 (c) Mailing by certified mail a duly executed copy thereof addressed
8 to the person to be served at the principal place of business in this
9 state, or, if such person has no place of business in this state, to his
10 or her principal office or place of business.

11 (5) Documentary material demanded pursuant to the provisions of this
12 section shall be produced for inspection and copying during normal
13 business hours at the principal office or place of business of the person
14 served, or at such other times and places as may be agreed upon by the
15 person served and the Attorney General.

16 (6) No documentary material produced pursuant to a demand, or copies
17 thereof, shall, unless otherwise ordered by a district court for good
18 cause shown, be produced for inspection or copying by, nor shall the
19 contents thereof be disclosed to, other than an authorized employee of
20 the Attorney General, without the consent of the person who produced such
21 material, except that:

22 (a) ~~Under~~ under such reasonable terms and conditions as the Attorney
23 General shall prescribe, the copies of such documentary material shall be
24 available for inspection and copying by the person who produced such
25 material or any duly authorized representative of such person; -

26 (b) The Attorney General may provide copies of such documentary
27 material to an official of this or any other state, or an official of the
28 federal government, who is charged with the enforcement of federal or
29 state antitrust or consumer protection laws, if such official agrees in
30 writing to not disclose such documentary material to any person other
31 than the official's authorized employees, except as such disclosure is

1 permitted under subdivision (c) of this subsection; and

2 (c) The Attorney General or any assistant attorney general or an
3 official authorized to receive copies of documentary material under
4 subdivision (b) of this subsection may use such copies of documentary
5 material as he or she determines necessary in the enforcement of the
6 Consumer Protection Act or any state or federal consumer protection laws
7 that any state or federal official has authority to enforce, including
8 presentation before any court, except that any such material which
9 contains trade secrets shall not be presented except with the approval of
10 the court in which action is pending after adequate notice to the person
11 furnishing such material.

12 (7) At any time before the return date specified in the demand, or
13 within twenty days after the demand has been served, whichever period is
14 shorter, a petition to extend the return date for or to modify or set
15 aside a demand issued pursuant to subsection (1) of this section, stating
16 good cause, may be filed in the district court for Lancaster County, or
17 in such other county where the parties reside. A petition by the person
18 on whom the demand is served, stating good cause, to require the Attorney
19 General or any person to perform any duty imposed by the provisions of
20 this section, and all other petitions in connection with a demand, may be
21 filed in the district court for Lancaster County or in the county where
22 the parties reside.

23 (8) Whenever any person fails to comply with any civil investigative
24 demand for documentary material duly served upon him or her under this
25 section, or whenever satisfactory copying or reproduction of any such
26 material cannot be done and such person refuses to surrender such
27 material, the Attorney General may file, in the district court of the
28 county in which such person resides, is found, or transacts business, and
29 serve upon such person a petition for an order of such court for the
30 enforcement of this section, except that if such person transacts
31 business in more than one county such petition shall be filed in the

1 county in which such person maintains his or her principal place of
2 business or in such other county as may be agreed upon by the parties to
3 such petition. Whenever any petition is filed in the district court of
4 any county under this section, such court shall have jurisdiction to hear
5 and determine the matter so presented and to enter such order as may be
6 required to carry into effect the provisions of this section.
7 Disobedience of any order entered under this section by any court shall
8 be punished as a contempt thereof.

9 Sec. 23. Section 59-1614, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 59-1614 Any person who violates section 59-1603 or 59-1604 or the
12 terms of any injunction issued as provided in the Consumer Protection Act
13 shall forfeit and pay a civil penalty of not more than five hundred
14 ~~twenty-five~~ thousand dollars.

15 Any person who violates section 59-1602 shall pay a civil penalty of
16 not more than two thousand dollars for each violation, except that such
17 penalty shall not apply to any radio or television broadcasting station
18 which broadcasts, or to any publisher, printer, or distributor of any
19 newspaper, magazine, billboard, or other advertising medium who
20 publishes, prints, or distributes advertising in good faith without
21 knowledge of its false, deceptive, or misleading character and no such
22 good faith publication, printing, or distribution shall be considered a
23 violation of section 59-1602.

24 For the purpose of this section, the district court which issues any
25 injunction shall retain jurisdiction, and the cause shall be continued,
26 and in such cases the Attorney General acting in the name of the state
27 may petition for the recovery of civil penalties.

28 With respect to violations of sections 59-1603 and 59-1604, the
29 Attorney General, acting in the name of the state, may seek recovery of
30 such penalties in a civil action.

31 Sec. 24. Section 87-301, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 87-301 For purposes of the Uniform Deceptive Trade Practices Act,
3 unless the context otherwise requires:

4 (1) Access software provider means a provider of software, including
5 client or server software, or enabling tools that do any one or more of
6 the following: (a) Filter, screen, allow, or disallow content; (b) pick,
7 choose, analyze, or digest content; or (c) transmit, receive, display,
8 forward, cache, search, subset, organize, reorganize, or translate
9 content;

10 (2) Appropriate inventory repurchase program means a program by
11 which a plan or operation repurchases, upon request and upon commercially
12 reasonable terms, when the salesperson's business relationship with the
13 company ends, current and marketable inventory in the possession of the
14 salesperson that was purchased by the salesperson for resale. Any such
15 plan or operation shall clearly describe the program in its recruiting
16 literature, sales manual, or contract with independent salespersons,
17 including the disclosure of any inventory that is not eligible for
18 repurchase under the program;

19 (3) Article means a product as distinguished from its trademark,
20 label, or distinctive dress in packaging;

21 (4) Attorney General means the Attorney General of the State of
22 Nebraska or the county attorney of any county with the consent and advice
23 of the Attorney General;

24 (5) Cable operator means any person or group of persons (a) who
25 provides cable service over a cable system and directly or through one or
26 more affiliates owns a significant interest in such cable system or (b)
27 who otherwise controls or is responsible for, through any arrangement,
28 the management and operation of such a cable system;

29 (6) Certification mark means a mark used in connection with the
30 goods or services of a person other than the certifier to indicate
31 geographic origin, material, mode of manufacture, quality, accuracy, or

1 other characteristics of the goods or services or to indicate that the
2 work or labor on the goods or services was performed by members of a
3 union or other organization;

4 (7) Collective mark means a mark used by members of a cooperative,
5 association, or other collective group or organization to identify goods
6 or services and distinguish them from those of others, or to indicate
7 membership in the collective group or organization;

8 (8) Commercially reasonable terms means the repurchase of current
9 and marketable inventory within twelve months from the date of purchase
10 at not less than ninety percent of the original net cost, less
11 appropriate setoffs and legal claims, if any;

12 (9) Compensation means a payment of any money, thing of value, or
13 financial benefit;

14 (10) Consideration means anything of value, including the payment of
15 cash or the purchase of goods, services, or intangible property. The term
16 does not include the purchase of goods or services furnished at cost to
17 be used in making sales and not for resale or time and effort spent in
18 pursuit of sales or recruiting activities;

19 (11) Covered file-sharing program means a computer program,
20 application, or software that enables the computer on which such program,
21 application, or software is installed to designate files as available for
22 searching by and copying to one or more other computers, to transmit such
23 designated files directly to one or more other computers, and to request
24 the transmission of such designated files directly from one or more other
25 computers. Covered file-sharing program does not mean a program,
26 application, or software designed primarily to operate as a server that
27 is accessible over the Internet using the Internet Domain Name System, to
28 transmit or receive email messages, instant messaging, real-time audio or
29 video communications, or real-time voice communications, or to provide
30 network or computer security, network management, hosting and backup
31 services, maintenance, diagnostics, technical support or repair, or to

1 detect or prevent fraudulent activities;

2 (12) Current and marketable has its plain and ordinary meaning but
3 excludes inventory that is no longer within its commercially reasonable
4 use or shelf-life period, was clearly described to salespersons prior to
5 purchase as seasonal, discontinued, or special promotion products not
6 subject to the plan or operation's inventory repurchase program, or has
7 been used or opened;

8 (13) Information content provider means any person or entity that is
9 responsible, in whole or in part, for the creation or development of
10 information provided through the Internet or any other interactive
11 computer service;

12 (14) Interactive computer service means any information service,
13 system, or access software provider that provides or enables computer
14 access by multiple users to a computer server, including specifically a
15 service or system that provides access to the Internet and such systems
16 operated or services offered by libraries or educational institutions;

17 (15) Inventory includes both goods and services, including company-
18 produced promotional materials, sales aids, and sales kits that the plan
19 or operation requires independent salespersons to purchase;

20 (16) Inventory loading means that the plan or operation requires or
21 encourages its independent salespersons to purchase inventory in an
22 amount which exceeds that which the salesperson can expect to resell for
23 ultimate consumption or to a consumer in a reasonable time period, or
24 both;

25 (17) Investment means any acquisition, for a consideration other
26 than personal services, of personal property, tangible or intangible, for
27 profit or business purposes, and includes, without limitation,
28 franchises, business opportunities, and services. It does not include
29 real estate, securities registered under the Securities Act of Nebraska,
30 or sales demonstration equipment and materials furnished at cost for use
31 in making sales and not for resale;

1 (18) Mark means a word, a name, a symbol, a device, or any
2 combination of a word, name, symbol, or device in any form or
3 arrangement;

4 (19) Person means a natural person, a corporation, a government, ~~or~~
5 a governmental subdivision or agency, a business trust, an estate, a
6 trust, a partnership, a joint venture, a limited liability company, an
7 unincorporated association, a sole proprietorship, or two or more of any
8 of such persons ~~the foregoing~~ having a joint or common interest, or any
9 other legal or commercial entity;

10 (20) Pyramid promotional scheme means any plan or operation in which
11 a participant gives consideration for the right to receive compensation
12 that is derived primarily from the recruitment of other persons as
13 participants in the plan or operation rather than from the sales of
14 goods, services, or intangible property to participants or by
15 participants to others. A limitation as to the number of persons who may
16 participate, or the presence of additional conditions affecting
17 eligibility, or upon payment of anything of value by a person whereby the
18 person obtains any other property in addition to the right to receive
19 consideration, does not change the identity of the scheme as a pyramid
20 promotional scheme;

21 (21) Referral or chain referral sales or leases means any sales
22 technique, plan, arrangement, or agreement whereby the seller or lessor
23 gives or offers to give a rebate or discount or otherwise pays or offers
24 to pay value to the buyer or lessee as an inducement for a sale or lease
25 in consideration of the buyer or lessee giving to the seller or lessor
26 the names of prospective buyers or lessees or otherwise aiding the seller
27 or lessor in making a sale or lease to another person if the earning of
28 the rebate, discount, or other value is contingent upon the occurrence of
29 an event subsequent to the time the buyer or lessee agrees to buy or
30 lease;

31 (22) Service mark means a mark used in the sale or advertising of

1 services to identify the services of one person and distinguish them from
2 the services of others;

3 (23) Telecommunications service means the offering of
4 telecommunications for a fee directly to the public, or to such classes
5 of users as to be effectively available directly to the public,
6 regardless of the facilities used;

7 (24) Trademark means a any word, a name, a symbol, a or device, or
8 any combination of a word, name, symbol, or device thereof adopted and
9 used by a person to identify goods made or sold by such person and to
10 distinguish such goods from goods made or sold by others;

11 (25) Trade name means a word, or a name, or any combination of a
12 word or name ~~the foregoing~~ in any form or arrangement used by a person to
13 identify such person's business, vocation, or occupation and distinguish
14 such business, vocation, or occupation from the business, vocation, or
15 occupation of others; and

16 (26) Use or promote the use of, for purposes of subdivision (a)(13)
17 ~~(a)(12)~~ of section 87-302, means contrive, prepare, establish, plan,
18 operate, advertise, or otherwise induce or attempt to induce another
19 person to participate in a pyramid promotional scheme, including a
20 pyramid promotional scheme run through the Internet, email, or other
21 electronic communications.

22 Sec. 25. Section 87-302, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 87-302 (a) A person engages in a deceptive trade practice when, in
25 the course of his or her business, vocation, or occupation, he or she:

26 (1) Passes off goods or services as those of another;

27 (2) Causes likelihood of confusion or of misunderstanding as to the
28 source, sponsorship, approval, or certification of goods or services;

29 (3) Causes likelihood of confusion or of misunderstanding as to
30 affiliation, connection, or association with, or certification by,
31 another;

1 (4) Uses deceptive representations or designations of geographic
2 origin in connection with goods or services;

3 (5) Represents that goods or services have sponsorship, approval,
4 characteristics, ingredients, uses, benefits, or quantities that they do
5 not have or that a person has a sponsorship, approval, status,
6 affiliation, or connection that he or she does not have;

7 (6) Represents that goods or services do not have sponsorship,
8 approval, characteristics, ingredients, uses, benefits, or quantities
9 that they have or that a person does not have a sponsorship, approval,
10 status, affiliation, or connection that he or she has;

11 (7 6) Represents that goods are original or new if they are
12 deteriorated, altered, reconditioned, reclaimed, used, or secondhand,
13 except that sellers may repair damage to and make adjustments on or
14 replace parts of otherwise new goods in an effort to place such goods in
15 compliance with factory specifications;

16 (8 7) Represents that goods or services are of a particular
17 standard, quality, or grade, or that goods are of a particular style or
18 model, if they are of another;

19 (9 8) Disparages the goods, services, or business of another by
20 false or misleading representation of fact;

21 (10 9) Advertises goods or services with intent not to sell them as
22 advertised or advertises the price in any manner calculated or tending to
23 mislead or in any way deceive a person;

24 (11 ~~10~~) Advertises goods or services with intent not to supply
25 reasonably expectable public demand, unless the advertisement discloses a
26 limitation of quantity;

27 (12 ~~11~~) Makes false or misleading statements of fact concerning the
28 reasons for, existence of, or amounts of price reductions;

29 (13 ~~12~~) Uses or promotes the use of or establishes, operates, or
30 participates in a pyramid promotional scheme in connection with the
31 solicitation of such scheme to members of the public. This subdivision

1 shall not be construed to prohibit a plan or operation, or to define a
2 plan or operation as a pyramid promotional scheme, based on the fact that
3 participants in the plan or operation give consideration in return for
4 the right to receive compensation based upon purchases of goods,
5 services, or intangible property by participants for personal use,
6 consumption, or resale so long as the plan or operation does not promote
7 or induce inventory loading and the plan or operation implements an
8 appropriate inventory repurchase program;

9 (14 13) With respect to a sale or lease to a natural person of goods
10 or services purchased or leased primarily for personal, family,
11 household, or agricultural purposes, uses or employs any referral or
12 chain referral sales technique, plan, arrangement, or agreement;

13 (15 14) Knowingly makes a false or misleading statement in a privacy
14 policy, published on the Internet or otherwise distributed or published,
15 regarding the use of personal information submitted by members of the
16 public;

17 (16 15) Uses any scheme or device to defraud by means of:

18 (i) Obtaining money or property by knowingly false or fraudulent
19 pretenses, representations, or promises; or

20 (ii) Selling, distributing, supplying, furnishing, or procuring any
21 property for the purpose of furthering such scheme;

22 (17 16) Offers an unsolicited check, through the mail or by other
23 means, to promote goods or services if the cashing or depositing of the
24 check obligates the endorser or payee identified on the check to pay for
25 goods or services. This subdivision does not apply to an extension of
26 credit or an offer to lend money;

27 (18 17) Mails or causes to be sent an unsolicited billing statement,
28 invoice, or other document that appears to obligate the consumer to make
29 a payment for services or merchandise he or she did not order;

30 (19)(i) (18)(i) Installs, offers to install, or makes available for
31 installation or download a covered file-sharing program on a computer not

1 owned by such person without providing clear and conspicuous notice to
2 the owner or authorized user of the computer that files on that computer
3 will be made available to the public and without requiring intentional
4 and affirmative activation of the file-sharing function of such covered
5 file-sharing program by the owner or authorized user of the computer; or

6 (ii) Prevents reasonable efforts to block the installation,
7 execution, or disabling of a covered file-sharing program; ~~or~~

8 (20 ~~19~~) Violates any provision of the Nebraska Foreclosure
9 Protection Act; or ~~-~~

10 (21) In connection with the solicitation of funds or other assets
11 for any charitable purpose, or in connection with any solicitation which
12 represents that funds or assets will be used for any charitable purpose,
13 uses or employs any deception, fraud, false pretense, false promise,
14 misrepresentation, unfair practice, or concealment, suppression, or
15 omission of any material fact.

16 (b) In order to prevail in an action under the Uniform Deceptive
17 Trade Practices Act, a complainant need not prove competition between the
18 parties.

19 (c) This section does not affect unfair trade practices otherwise
20 actionable at common law or under other statutes of this state.

21 Sec. 26. Section 87-303, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 87-303 (a) A person likely to be damaged by a deceptive trade
24 practice of another may bring an action for, and the court may grant, an
25 injunction under the principles of equity against the person committing
26 the deceptive trade practice. The court may order such additional
27 equitable relief as it deems necessary to protect the public from further
28 violations, including temporary and permanent injunctive relief. Proof of
29 monetary damage, loss of profits, or intent to deceive is not required.
30 Relief granted for the copying of an article shall be limited to the
31 prevention of confusion or misunderstanding as to source.

1 (b) Costs shall be allowed to the prevailing party unless the court
2 otherwise directs. The court in its discretion may award attorneys' fees
3 to the prevailing party if (1) the party complaining of a deceptive trade
4 practice has brought an action which he or she knew to be groundless or
5 (2) the party charged with a deceptive trade practice has willfully
6 engaged in the trade practice knowing it to be deceptive.

7 (c) A claim filed for a violation of the Uniform Deceptive Trade
8 Practices Act shall be proved by a preponderance of the evidence.

9 (d) The relief provided in this section is in addition to remedies
10 otherwise available against the same conduct under the common law or
11 other statutes of this state.

12 (e) Subdivision (a)(13) ~~(a)(12)~~ of section 87-302 shall not be
13 construed to authorize a civil action against an interactive computer
14 service, provider of telecommunications service, or cable operator for
15 the actions of an information content provider.

16 Sec. 27. Section 87-802, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 87-802 For purposes of the Financial Data Protection and Consumer
19 Notification of Data Security Breach Act of 2006:

20 (1) Breach of the security of the system means the unauthorized
21 acquisition of unencrypted computerized data that compromises the
22 security, confidentiality, or integrity of personal information
23 maintained by an individual or a commercial entity. Good faith
24 acquisition of personal information by an employee or agent of an
25 individual or a commercial entity for the purposes of the individual or
26 the commercial entity is not a breach of the security of the system if
27 the personal information is not used or subject to further unauthorized
28 disclosure. Acquisition of personal information pursuant to a search
29 warrant, subpoena, or other court order or pursuant to a subpoena or
30 order of a state agency is not a breach of the security of the system;

31 (2) Commercial entity includes a corporation, business trust,

1 estate, trust, partnership, limited partnership, limited liability
2 partnership, limited liability company, association, organization, joint
3 venture, government, governmental subdivision, agency, or
4 instrumentality, or any other legal entity, whether for profit or not for
5 profit;

6 (3) Encrypted means converted by use of an algorithmic process to
7 transform data into a form in which the data is rendered unreadable or
8 unusable without use of a confidential process or key. Data shall not be
9 considered encrypted if the confidential process or key was or is
10 reasonably believed to have been acquired as a result of the breach of
11 the security of the system;

12 (4) Notice means:

13 (a) Written notice;

14 (b) Telephonic notice;

15 (c) Electronic notice, if the notice provided is consistent with the
16 provisions regarding electronic records and signatures set forth in 15
17 U.S.C. 7001, as such section existed on January 1, 2006;

18 (d) Substitute notice, if the individual or commercial entity
19 required to provide notice demonstrates that the cost of providing notice
20 will exceed seventy-five thousand dollars, that the affected class of
21 Nebraska residents to be notified exceeds one hundred thousand residents,
22 or that the individual or commercial entity does not have sufficient
23 contact information to provide notice. Substitute notice under this
24 subdivision requires all of the following:

25 (i) Electronic mail notice if the individual or commercial entity
26 has electronic mail addresses for the members of the affected class of
27 Nebraska residents;

28 (ii) Conspicuous posting of the notice on the web site of the
29 individual or commercial entity if the individual or commercial entity
30 maintains a web site; and

31 (iii) Notice to major statewide media outlets; or

1 (e) Substitute notice, if the individual or commercial entity
2 required to provide notice has ten employees or fewer and demonstrates
3 that the cost of providing notice will exceed ten thousand dollars.
4 Substitute notice under this subdivision requires all of the following:

5 (i) Electronic mail notice if the individual or commercial entity
6 has electronic mail addresses for the members of the affected class of
7 Nebraska residents;

8 (ii) Notification by a paid advertisement in a local newspaper that
9 is distributed in the geographic area in which the individual or
10 commercial entity is located, which advertisement shall be of sufficient
11 size that it covers at least one-quarter of a page in the newspaper and
12 shall be published in the newspaper at least once a week for three
13 consecutive weeks;

14 (iii) Conspicuous posting of the notice on the web site of the
15 individual or commercial entity if the individual or commercial entity
16 maintains a web site; and

17 (iv) Notification to major media outlets in the geographic area in
18 which the individual or commercial entity is located;

19 (5) Personal information means either of the following:

20 (a) A Nebraska resident's first name or first initial and last
21 name in combination with any one or more of the following data elements
22 that relate to the resident if either the name or the data elements are
23 not encrypted, redacted, or otherwise altered by any method or technology
24 in such a manner that the name or data elements are unreadable:

25 (i a) Social security number;

26 (ii b) Motor vehicle operator's license number or state
27 identification card number;

28 (iii c) Account number or credit or debit card number, in
29 combination with any required security code, access code, or password
30 that would permit access to a resident's financial account;

31 (iv d) Unique electronic identification number or routing code, in

1 combination with any required security code, access code, or password; or
2 (v e) Unique biometric data, such as a fingerprint, voice print, or
3 retina or iris image, or other unique physical representation; or -

4 (b) A user name or email address, in combination with a password or
5 security question and answer, that would permit access to an online
6 account.

7 Personal information does not include publicly available information
8 that is lawfully made available to the general public from federal,
9 state, or local government records; and

10 (6) Redact means to alter or truncate data such that no more than
11 the last four digits of a social security number, motor vehicle
12 operator's license number, state identification card number, or account
13 number is accessible as part of the personal information.

14 Sec. 28. Section 87-803, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 87-803 (1) An individual or a commercial entity that conducts
17 business in Nebraska and that owns or licenses computerized data that
18 includes personal information about a resident of Nebraska shall, when it
19 becomes aware of a breach of the security of the system, conduct in good
20 faith a reasonable and prompt investigation to determine the likelihood
21 that personal information has been or will be used for an unauthorized
22 purpose. If the investigation determines that the use of information
23 about a Nebraska resident for an unauthorized purpose has occurred or is
24 reasonably likely to occur, the individual or commercial entity shall
25 give notice to the affected Nebraska resident. Notice shall be made as
26 soon as possible and without unreasonable delay, consistent with the
27 legitimate needs of law enforcement and consistent with any measures
28 necessary to determine the scope of the breach and to restore the
29 reasonable integrity of the computerized data system.

30 (2) If notice of a breach of security of the system is required by
31 subsection (1) of this section, the individual or commercial entity shall

1 also, not later than the time when notice is provided to the Nebraska
2 resident, provide notice of the breach of security of the system to the
3 Attorney General.

4 (3 2) An individual or a commercial entity that maintains
5 computerized data that includes personal information that the individual
6 or commercial entity does not own or license shall give notice to and
7 cooperate with the owner or licensee of the information of any breach of
8 the security of the system when it becomes aware of a breach if use of
9 personal information about a Nebraska resident for an unauthorized
10 purpose occurred or is reasonably likely to occur. Cooperation includes,
11 but is not limited to, sharing with the owner or licensee information
12 relevant to the breach, not including information proprietary to the
13 individual or commercial entity.

14 (4 3) Notice required by this section may be delayed if a law
15 enforcement agency determines that the notice will impede a criminal
16 investigation. Notice shall be made in good faith, without unreasonable
17 delay, and as soon as possible after the law enforcement agency
18 determines that notification will no longer impede the investigation.

19 Sec. 29. Section 87-804, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 87-804 (1) An individual or a commercial entity that maintains its
22 own notice procedures which are part of an information security policy
23 for the treatment of personal information and which are otherwise
24 consistent with the timing requirements of section 87-803, is deemed to
25 be in compliance with the notice requirements of section 87-803 if the
26 individual or the commercial entity notifies affected Nebraska residents
27 and the Attorney General in accordance with its notice procedures in the
28 event of a breach of the security of the system.

29 (2) An individual or a commercial entity that is regulated by state
30 or federal law and that maintains procedures for a breach of the security
31 of the system pursuant to the laws, rules, regulations, guidances, or

1 guidelines established by its primary or functional state or federal
2 regulator is deemed to be in compliance with section 87-803 if the
3 individual or commercial entity notifies affected Nebraska residents and
4 the Attorney General in accordance with the maintained procedures in the
5 event of a breach of the security of the system.

6 Sec. 30. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
7 15, 16, 17, 18, 19, 20, 21, and 31 of this act become operative on
8 January 1, 2017. The other sections of this act become operative three
9 calendar months after the adjournment of this legislative session.

10 Sec. 31. Original sections 8-2601, 8-2602, 8-2603, 8-2604, 8-2605,
11 8-2606, 8-2608, 8-2609, 8-2610, 8-2611, 8-2612, 8-2613, 8-2614, 8-2615,
12 and 20-149, Reissue Revised Statutes of Nebraska, are repealed.

13 Sec. 32. Original sections 59-1611, 59-1614, 87-301, 87-302,
14 87-303, 87-802, 87-803, and 87-804, Reissue Revised Statutes of Nebraska,
15 are repealed.