

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 139

FINAL READING

Introduced by Kolterman, 24; Lowe, 37; Lindstrom, 18; Briese, 41.

Read first time January 11, 2019

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to the Contractor Registration Act; to amend
- 2 section 48-2117, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to a data base of contractors; to provide for a
- 4 presumption; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-2117, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 48-2117 (1) The Department of Labor, in conjunction with the
4 Department of Revenue, shall create a data base of contractors who are
5 registered under the Contractor Registration Act and the Nebraska Revenue
6 Act of 1967.

7 (2) The data base shall be accessible on the web site of the
8 Department of Labor.

9 (3) The data base shall include, but not be limited to, the
10 following information with respect to each registered contractor:

11 (a) Whether the contractor carries workers' compensation insurance
12 in accordance with the Nebraska Workers' Compensation Act;

13 (b) Whether the contractor is self-insured in accordance with the
14 Nebraska Workers' Compensation Act; or

15 (c) Whether the contractor is a sole proprietor with no employees
16 and does not carry workers' compensation insurance pursuant to the
17 Nebraska Workers' Compensation Act.

18 (4) The information described in subdivision (3)(c) of this section,
19 as it is listed in the data base, creates a presumption of no coverage
20 that may be rebutted by an insurer acknowledging coverage for a claimed
21 covered event.

22 (5) The information required under subsection (3) of this section
23 and the presumption provided in subsection (4) of this section are solely
24 for the purpose of establishing premiums for workers' compensation
25 insurance and shall not affect liability under the Nebraska Workers'
26 Compensation Act or compliance efforts pursuant to section 48-145.01.

27 (6) ~~(2)~~ Any contractor that fails to comply with the requirements of
28 the Contractor Registration Act or Nebraska Revenue Act of 1967 shall be
29 removed from the data base.

30 Sec. 2. Original section 48-2117, Reissue Revised Statutes of
31 Nebraska, is repealed.