

LEGISLATIVE BILL 139

Approved by the Governor March 21, 2019

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

A BILL FOR AN ACT relating to the Contractor Registration Act; to amend section 48-2117, Reissue Revised Statutes of Nebraska; to change provisions relating to a data base of contractors; to provide for a presumption; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

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

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

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

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

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 Original section 48-2117, Reissue Revised Statutes of Nebraska, is repealed.