

AMENDMENTS TO LB847

Introduced by Business and Labor.

1           1. Strike the original sections and insert the following new  
2 sections:

3           **Section 1.** Sections 1 to 6 of this act shall be known and may be  
4 cited as the Nebraska Registered Apprenticeship Act.

5           **Sec. 2.** For purposes of the Nebraska Registered Apprenticeship Act,  
6 unless the context otherwise requires:

7           (1) Apprentice means a worker who is at least sixteen years of age  
8 and who is employed to learn an apprenticeable occupation under standards  
9 of apprenticeship fulfilling the requirements of 29 C.F.R. 29.5, as such  
10 regulation existed on January 1, 2026;

11           (2) Apprenticeable occupation means an occupation that is specified  
12 by industry and to which all of the following apply:

13           (a) The occupation involves skills that are customarily learned in a  
14 practical way through a structured, systematic program of on-the-job  
15 supervised learning;

16           (b) The occupation is clearly identified and commonly recognized  
17 throughout an industry;

18           (c) The occupation involves the progressive attainment of manual,  
19 mechanical, or technical skills and knowledge which, in accordance with  
20 the industry standard for the occupation, would require the completion of  
21 at least two thousand hours of on-the-job learning to attain; and

22           (d) The occupation requires related instruction to supplement the  
23 on-the-job learning;

24           (3) Apprenticeship agreement means a written agreement, accepted and  
25 recorded by the Nebraska Office of Registered Apprenticeship, between an  
26 apprentice and an apprenticeship sponsor that contains the terms and  
27 conditions of the apprentice's employment and training consistent with 29

1 C.F.R. part 29 and the Nebraska Registered Apprenticeship Act;

2 (4) Apprenticeship program means a program registered with the  
3 United States Department of Labor, Office of Apprenticeship, or the  
4 Nebraska Office of Registered Apprenticeship that includes terms and  
5 conditions for the qualification, recruitment, selection, employment, and  
6 training of apprentices, including the requirement for a written  
7 apprenticeship agreement;

8 (5) Apprenticeship sponsor means an entity operating an  
9 apprenticeship program or an entity in whose name an apprenticeship  
10 program is being operated, which entity is registered with or approved by  
11 the United States Department of Labor, Office of Apprenticeship, or the  
12 Nebraska Office of Registered Apprenticeship. Apprenticeship sponsor  
13 includes a lead apprenticeship sponsor and an employer that provides  
14 training through a lead apprenticeship sponsor;

15 (6) Cancellation means the termination of the registration of a  
16 quality pre-apprenticeship program or apprenticeship program at the  
17 request of the apprenticeship sponsor or the termination of an  
18 apprenticeship agreement at the request of the apprentice;

19 (7) Commissioner means the Commissioner of Labor;

20 (8) Department means the Department of Labor;

21 (9) Employee organization means (a) any labor union, (b) any  
22 organization of any kind, or any agency or employee representation  
23 committee, association, group, or plan, in which employees participate  
24 and which exists for the purpose, in whole or in part, of dealing with  
25 employers concerning an employee benefit plan or other matters incidental  
26 to employment relationships, and (c) any employees' beneficiary  
27 association organized for the purpose, in whole or in part, of  
28 establishing an employee benefit plan;

29 (10) Employer means a person or organization employing an  
30 apprentice, whether or not such person or organization is a party to an  
31 apprenticeship agreement with the apprentice;

1       (11) Employer organization means a collective organization of  
2 manufacturers, retailers, or other employers of wage labor which seeks to  
3 coordinate the behavior of its member companies in matters of mutual  
4 interest;

5       (12) Large apprenticeship program means an apprenticeship program  
6 with more than three hundred fifty active apprentices;

7       (13) Lead apprenticeship sponsor means a trade organization, labor  
8 organization, employer association, or other incorporated entity  
9 representing a group of apprenticeship sponsors;

10       (14) On-the-job training means training provided by an employer to  
11 which all of the following apply:

12       (a) The training is provided to a paid apprentice who is engaged in  
13 productive work in an occupation, and the work provides knowledge or  
14 skills essential to the full and adequate performance of the occupation;  
15 and

16       (b) The training is limited in duration as appropriate to the  
17 occupation for which the apprentice is being trained, based on the  
18 content of the training, the apprentice's prior work experience, and the  
19 apprentice's service strategy, as appropriate;

20       (15) Public member means a member of the Nebraska Apprenticeship  
21 Council who is not representing an employer organization or employee  
22 organization and who is familiar with apprenticeable occupations;

23       (16) Quality pre-apprenticeship program means a program or set of  
24 strategies, registered by the Nebraska Office of Registered  
25 Apprenticeship, including basic skills training, academic skills  
26 remediation, or introduction to the industry, that is designed to prepare  
27 individuals for entry into an apprenticeship program;

28       (17)(a) Registered apprenticeship program means a program to which  
29 all of the following apply:

30       (i) The program has been accepted and recorded by the Nebraska  
31 Office of Registered Apprenticeship;

1       (ii) The program includes all of the following:

2       (A) Employer involvement;

3       (B) On-the-job training;

4       (C) Related training instruction from a lead apprenticeship sponsor;

5       (D) Paid work experience; and

6       (E) Receipt of a portable state or nationally recognized credential;

7       and

8       (iii) The program is for the recruitment, selection, employment, and  
9       training of apprentices and is developed pursuant to 29 C.F.R part 29 and  
10       any rules and regulations adopted and promulgated pursuant to the  
11       Nebraska Registered Apprenticeship Act.

12       (b) Registered apprenticeship program includes a youth  
13       apprenticeship that otherwise qualifies as a registered apprenticeship  
14       program;

15       (18) Registration agency means the state agency that is responsible  
16       for registering apprenticeship programs and apprentices, providing  
17       technical assistance, and conducting reviews for compliance with federal  
18       law;

19       (19) Related training instruction means an organized and systematic  
20       form of instruction, other than on-the-job training, to which all of the  
21       following apply:

22       (a) The instruction is designed to provide an apprentice with  
23       knowledge of the subjects related to the apprentice's occupation; and

24       (b) The instruction is given in a classroom, through occupational or  
25       industrial courses, through correspondence or online courses, or through  
26       other forms of self-study;

27       (20) Small apprenticeship program means an apprenticeship program  
28       with three hundred fifty or fewer active apprentices; and

29       (21) Youth apprenticeship means an apprenticeship program that is  
30       designed specifically for an apprentice twenty-four years of age or  
31       under.

1       **Sec. 3.** (1) The Nebraska Office of Registered Apprenticeship is  
2 established within the department in accordance with 29 U.S.C. 50 and 29  
3 C.F.R. part 29. The office shall be operated and managed by the  
4 commissioner or the commissioner's designee.

5       (2) The office is established for all of the following purposes:

6       (a) To serve as the state apprenticeship agency as defined in 29  
7 C.F.R. 29.2, as such regulation existed on January 1, 2026;

8       (b) To serve as the registration agency for this state;

9       (c) To establish standards of apprenticeship for quality pre-  
10 apprenticeships, youth apprenticeships, registered apprenticeships, and  
11 other apprenticeships;

12       (d) To establish requirements regarding the registration of quality  
13 pre-apprenticeship programs, registered youth apprenticeship programs,  
14 registered apprenticeship programs, and other apprenticeship programs in  
15 the state when the sponsor of such programs chooses to certify or  
16 register the programs with the office; and

17       (e) To resolve disputes between parties to an apprenticeship  
18 agreement.

19       **Sec. 4.** (1) The Nebraska Office of Registered Apprenticeship shall  
20 develop standards to create a nationally recognized state apprenticeship  
21 completion credential in compliance with, but not exceeding, standards  
22 established in 29 C.F.R. 29.5 for completing a registered apprenticeship  
23 program.

24       (2)(a) The office shall approve or deny the registration of a  
25 registered apprenticeship program, whether for a new program or expansion  
26 of an existing program. The office shall provide an entity whose  
27 registration is not approved with specific reasons for the disapproval  
28 and an option for modifying the application for registration.

29       (b) The office shall approve or deny the registration of a new  
30 apprenticeship sponsor who is providing related training instruction. The  
31 applying sponsor's apprentices may enroll in an apprenticeship program

1 while approval is pending; however, training shall not begin until the  
2 registration is approved. The office shall provide an apprenticeship  
3 sponsor whose registration is not approved with specific reasons for the  
4 disapproval and an option for modifying the application for registration.

5 (3) The office shall establish competency-based apprenticeship  
6 frameworks based on the regional and statewide collection of valuable  
7 credentials.

8 (4) The office shall establish a plan to provide reciprocal  
9 approval, for federal purposes, to apprentices, apprenticeship programs,  
10 and standards that are registered in other states by the United States  
11 Department of Labor, Office of Apprenticeship, or a registration agency,  
12 if such reciprocity is requested by the apprenticeship sponsor.  
13 Apprenticeship sponsors seeking reciprocal approval shall meet wage and  
14 hour provisions and apprentice ratio standards of this state.

15 (5) The office may consider advice provided by the Nebraska  
16 Apprenticeship Council when completing the office's duties as set forth  
17 in this section.

18 (6) The office shall serve as the registration agency for quality  
19 pre-apprenticeships, youth apprenticeships, registered apprenticeships,  
20 and other apprenticeships.

21 (7) The office shall develop a plan providing a procedure for the  
22 cancellation or deregistration of programs and for temporary suspension,  
23 cancellation, or deregistration of apprenticeship agreements.

24 (8) The office shall not require affiliation with a labor  
25 organization, employer organization, or other limited-membership  
26 organization as a criterion of an apprenticeship program. This subsection  
27 does not prohibit labor organizations, employer organizations, and  
28 limited-membership organizations from requiring membership to participate  
29 in the apprenticeship training provided by the organization.

30 **Sec. 5.** (1) The Nebraska Apprenticeship Council is established as  
31 an advisory council within the department pursuant to 29 C.F.R. 29.13(a)

1 (2), as such regulation existed on January 1, 2026.

2 (2) Members of the council shall be appointed by the Governor for  
3 terms of three years.

4 (3)(a) The council shall include at least five voting members  
5 appointed by the Governor. The members must be primarily based in  
6 Nebraska and familiar with apprenticeable occupations. Familiarity with  
7 apprenticeable occupations shall be determined by actual experience with  
8 a Nebraska apprenticeship program.

9 (b) The council shall have an equal number of representatives of  
10 employer organizations and employee organizations and include public  
11 members who shall not number in excess of the number named to represent  
12 either employer organizations or employee organizations. The council  
13 shall be comprised of representatives with experience in both large  
14 apprenticeship programs and small apprenticeship programs in Nebraska.

15 (c) The Governor shall appoint a chairperson of the council from  
16 among the voting members.

17 (d) The commissioner, or the commissioner's designee, shall serve as  
18 an ex officio, nonvoting member.

19 (4) The council shall do all of the following:

20 (a) Advise the Nebraska Office of Registered Apprenticeship  
21 regarding the duties set forth in the Nebraska Registered Apprenticeship  
22 Act; and

23 (b) Provide community outreach and education regarding the benefits  
24 of apprenticeship.

25 **Sec. 6.** The department shall be responsible for implementation and  
26 enforcement of the Nebraska Registered Apprenticeship Act. The department  
27 may adopt and promulgate rules and regulations as necessary to carry out  
28 the act.

29 **Sec. 7.** Section 29-431, Revised Statutes Cumulative Supplement,  
30 2024, is amended to read:

31 29-431 As used in sections 28-416, 29-422, 29-424, 29-425, 29-431 to

1 29-434, ~~48-1231~~, and 53-173, unless the context otherwise requires,  
2 infraction means the violation of any law, ordinance, order, rule, or  
3 regulation, not including those related to traffic, which is not  
4 otherwise declared to be a misdemeanor or a felony. Infraction includes  
5 violations of section 60-6,267 and beginning January 1, 2024, section  
6 60-6,279.

7 **Sec. 8.** Section 48-302, Revised Statutes Cumulative Supplement,  
8 2024, is amended to read:

9 48-302 (1) No child under sixteen years of age shall be employed or  
10 permitted or suffered to work in any employment as defined in section  
11 48-301 within this state unless the person or corporation employing the  
12 child procures and keeps on file, accessible to the attendance officers  
13 and to the Department of Labor and its assistants and employees, an  
14 employment certificate as prescribed in section 48-304 and keeps one  
15 complete list of all such children employed in the building on file in  
16 the building in which such children are employed.

17 (2) Upon the termination of the employment of a child or when a  
18 child reaches the age of sixteen so registered whose certificate is so  
19 filed, such certificate shall be retained by the employer for at least  
20 twelve months transmitted by the employer to the person authorizing the  
21 certificate pursuant to section 48-303 and shall be accessible to the  
22 attendance officers and to the Department of Labor and its assistants and  
23 employees upon request turned over to such child upon demand.

24 (3) Any attendance officer or the Department of Labor or its  
25 assistants and employees may demand that any employer in whose place of  
26 business a child apparently under the age of sixteen years is employed or  
27 permitted or suffered to work, and whose employment certificate is not  
28 then filed as required by this section, either furnish within ten days  
29 satisfactory evidence that such child is in fact over sixteen years of  
30 age or cease to employ or permit or suffer such child to work in such  
31 place of business. The same evidence of the age of such child may be

1 required from such employer as is required on the issuance of an  
2 employment certificate as provided in section 48-304, and the employer  
3 furnishing such evidence shall not be required to furnish any further  
4 evidence of the age of the child.

5 (4) In case such employer fails to produce and deliver to the  
6 attendance officer or the Commissioner of Labor within ten days after  
7 demand such evidence of the age of any child as may be required under the  
8 provisions of section 48-304 and continues to employ such child or permit  
9 or suffer such child to work in such place of business, proof of the  
10 giving of such notice and of such failure to produce and file such  
11 evidence shall be prima facie evidence in any prosecution brought for a  
12 violation of this section that such child is under sixteen years of age  
13 and is unlawfully employed.

14 **Sec. 9.** Section 48-303, Revised Statutes Cumulative Supplement,  
15 2024, is amended to read:

16 48-303 Except as otherwise provided in this section, an employment  
17 certificate shall be approved only by the principal of the school the  
18 child attends or by a person authorized by him or her in writing or, when  
19 there is no principal, by a person authorized by the chief administrative  
20 officer of the school or the superintendent of the school district in  
21 which the child resides, except that no person authorized by this section  
22 may approve such certificate for any child then in or about to enter his  
23 or her own employment or the employment of a firm or corporation of which  
24 he or she is a member, officer, or employee or in whose business he or  
25 she is interested. If a child who resides outside of Nebraska ~~in an~~  
26 ~~adjoining~~ state seeks to work in Nebraska, the Department of Labor may  
27 approve the employment certificate. The officer or person approving such  
28 certificate may administer the oath provided for therein or in any  
29 investigation or examination necessary for the approval thereof. No fee  
30 shall be charged for approving any such certificate or for administering  
31 any oath or rendering any services related thereto. The school approving

1 the employment certificate, or the department if the department has  
2 approved the employment certificate, shall establish and maintain proper  
3 records where copies of all such certificates and all documents connected  
4 therewith shall be filed and preserved and shall provide the necessary  
5 clerical services for carrying out sections 48-302 to 48-313. The person  
6 who issued the employment certificate shall report to the department any  
7 complaint concerning the conditions of employment of a child for whom a  
8 certificate is in force. Upon receipt of the report, the department shall  
9 make such investigation as it deems advisable to protect an individual  
10 child or to promote the youth-work program.

11 **Sec. 10.** Section 48-309, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 48-309 The age and schooling certificate provided for herein shall  
14 be made out upon blank forms prescribed and furnished ~~in triplicate~~ by  
15 the Department of Labor.

16 **Sec. 11.** Section 48-602, Revised Statutes Supplement, 2025, is  
17 amended to read:

18 48-602 For purposes of the Employment Security Law, unless the  
19 context otherwise requires:

20 (1) Agricultural labor means services performed:

21 (a) On a farm, in the employ of any employer, in connection with  
22 cultivating the soil or in connection with raising or harvesting any  
23 agricultural or horticultural commodity, including the raising, shearing,  
24 feeding, caring for, training, and management of livestock, bees,  
25 poultry, fur-bearing animals, and wildlife;

26 (b) In the employ of the owner, tenant, or other operator of a farm,  
27 in connection with the operation, management, conservation, improvement,  
28 or maintenance of such farm and its tools and equipment or in salvaging  
29 timber or clearing land of brush and other debris left by a windstorm, if  
30 the major part of such service is performed on a farm;

31 (c) In connection with the production or harvesting of any commodity

1 in connection with the operation or maintenance of ditches, canals,  
2 reservoirs, or waterways, not owned or operated for profit, used  
3 exclusively for supplying and storing water for farming purposes;

4 (d)(i) In the employ of the operator of a farm in handling,  
5 planting, drying, packing, packaging, processing, freezing, grading,  
6 storing, or delivering to storage or to market or to a carrier for  
7 transportation to market, in its unmanufactured state, any agricultural  
8 or horticultural commodity, but only if such operator produced more than  
9 one-half of the commodity with respect to which such service is  
10 performed, or (ii) in the employ of a group of operators of farms, or a  
11 cooperative organization of which such operators are members, in the  
12 performance of service described in subdivision (1)(d)(i) of this  
13 section, but only if such operators produced more than one-half of the  
14 commodity with respect to which such service is performed. Subdivisions  
15 (1)(d)(i) and (ii) of this section shall not be deemed to be applicable  
16 with respect to service performed in connection with commercial canning  
17 or commercial freezing or in connection with any agricultural or  
18 horticultural commodity after its delivery to a terminal market for  
19 distribution for consumption; or

20 (e) On a farm operated for profit if such service is not in the  
21 course of the employer's trade or business;

22 (2) Base period means the first four of the last five completed  
23 calendar quarters immediately preceding the first day of an individual's  
24 benefit year, except that if the individual is not monetarily eligible  
25 for unemployment benefits as determined pursuant to section 48-627.01  
26 based upon wages paid during the first four of the five most recently  
27 completed calendar quarters, the department shall make a redetermination  
28 of monetary eligibility based upon an alternative base period which  
29 consists of the last four completed calendar quarters immediately  
30 preceding the first day of the claimant's benefit year;

31 (3) Benefits means the money payments payable to an individual with

1 respect to his or her unemployment;

2 (4) Benefit year, with respect to any individual, means the one-year  
3 period beginning with the first day of the first week with respect to  
4 which the individual first files a valid claim for benefits, and  
5 thereafter the one-year period beginning with the first day of the first  
6 week with respect to which the individual next files a valid claim for  
7 benefits after the termination of his or her last preceding benefit year.  
8 Any claim for benefits made in accordance with section 48-629 shall be  
9 deemed to be a valid claim for the purpose of this subdivision if the  
10 individual has been paid the wages for insured work required under  
11 section 48-627.01. For the purposes of this subdivision a week with  
12 respect to which an individual files a valid claim shall be deemed to be  
13 in, within, or during that benefit year which includes the greater part  
14 of such week;

15 (5) Calendar quarter means the period of three consecutive calendar  
16 months ending on March 31, June 30, September 30, or December 31, or the  
17 equivalent thereof as the Commissioner of Labor may by rule and  
18 regulation prescribe;

19 (6) Client means any individual, partnership, limited liability  
20 company, corporation, or other legally recognized entity that contracts  
21 with a professional employer organization to obtain professional employer  
22 services relating to worksite employees through a professional employer  
23 agreement;

24 (7) Combined tax means the employer liability consisting of  
25 contributions and the state unemployment insurance tax;

26 (8) Combined tax rate means the rate which is applied to wages to  
27 determine the combined taxes due;

28 (9) Commissioner means the Commissioner of Labor;

29 (10) Commodity means an agricultural commodity as defined in section  
30 15(g) of the federal Agricultural Marketing Act, as amended, 12 U.S.C.  
31 1141j;

1 (11) Contribution rate means the percentage of the combined tax rate  
2 used to determine the contribution portion of the combined tax;

3 (12) Contributions means that portion of the combined tax based upon  
4 the contribution rate portion of the combined tax rate which is deposited  
5 in the state Unemployment Compensation Fund as required by sections  
6 48-648 and 48-649 to 48-649.04;

7 (13) Crew leader means an individual who furnishes individuals to  
8 perform service in agricultural labor for any other person, pays, either  
9 on his or her own behalf or on behalf of such other person, the  
10 individuals so furnished by him or her for the service in agricultural  
11 labor performed by them, and has not entered into a written agreement  
12 with such other person under which such individual is designated as an  
13 employee of such other person;

14 (14) Department means the Department of Labor;

15 (15) Employers engaged in the construction industry means all  
16 employers primarily engaged in business activities classified as sector  
17 23 business activities under the North American Industry Classification  
18 System;

19 (16) Employment office means a free public employment office or  
20 branch thereof, operated by this state or maintained as a part of a  
21 state-controlled system of public employment offices, including public  
22 employment offices operated by an agency of a foreign government;

23 (17) Farm means stock, dairy, poultry, fruit, fur-bearing animal,  
24 and truck farms, plantations, ranches, nurseries, ranges, greenhouses, or  
25 other similar structures used primarily for the raising of agricultural  
26 or horticultural commodities, and orchards;

27 (18) Fund means the Unemployment Compensation Fund established by  
28 section 48-617 to which all contributions and payments in lieu of  
29 contributions required and from which all benefits provided shall be  
30 paid;

31 (19) Hearing officer means a person employed by the Department of

1 Labor who conducts hearings, contested cases, or other proceedings  
2 pursuant to the Employment Security Law;

3 (20) Hospital means an institution which has been licensed,  
4 certified, or approved by the Department of Health and Human Services as  
5 a hospital;

6 (21) Insured work means employment for employers;

7 (22) Leave of absence means any absence from work: (a) Mutually and  
8 voluntarily agreed to by the employer and the employee; (b) mutually and  
9 voluntarily agreed to between the employer and the employee's bargaining  
10 agent; or (c) to which the employee is entitled as a matter of state or  
11 federal law;

12 (23) Paid vacation leave means a period of time while employed or  
13 following separation from employment in which the individual renders no  
14 services to the employer but is entitled to receive vacation pay equal to  
15 or exceeding his or her base weekly wage;

16 (24) Payments in lieu of contributions means the money payments to  
17 the Unemployment Compensation Fund required by sections 48-649.04,  
18 48-652, 48-660.01, and 48-661;

19 (25) Professional employer agreement means a written professional  
20 employer services contract whereby:

21 (a) A professional employer organization agrees to provide payroll  
22 services, employee benefit administration, or personnel services for a  
23 majority of the employees providing services to the client at a client  
24 worksite;

25 (b) The agreement is intended to be ongoing rather than temporary in  
26 nature; and

27 (c) Employer responsibilities for worksite employees, including  
28 those of hiring, firing, and disciplining, are shared between the  
29 professional employer organization and the client by contract. The term  
30 professional employer agreement shall not include a contract between a  
31 parent corporation, company, or other entity and a wholly owned

1 subsidiary;

2 (26) Professional employer organization means any individual,  
3 partnership, limited liability company, corporation, or other legally  
4 recognized entity that enters into a professional employer agreement with  
5 a client or clients for a majority of a client's workforce at a client  
6 worksite. The term professional employer organization does not include an  
7 insurer as defined in section 44-103 or a temporary help firm;

8 (27) Standard rate means the rate assigned to category twenty for  
9 that year under section 48-649.03. The standard rate shall be not less  
10 than five and four-tenths percent of the employer's annual taxable  
11 payroll;

12 (28) State includes, in addition to the states of the United States  
13 of America, any dependency of the United States, the Commonwealth of  
14 Puerto Rico, the Virgin Islands, and the District of Columbia;

15 (29) State unemployment insurance tax means that portion of the  
16 combined tax which is based upon the state unemployment insurance tax  
17 rate portion of the combined tax rate and which is deposited in the  
18 Workforce Development Program Cash Fund and the Business Innovation Cash  
19 Fund as required by sections 48-648 and 48-649 to 48-649.04;

20 (30) State unemployment insurance tax rate means the percentage of  
21 the combined tax rate used to determine the state unemployment insurance  
22 tax portion of the combined tax;

23 (31) Temporary employee means an employee of a temporary help firm  
24 assigned to work for the clients of such temporary help firm;

25 (32) Temporary help firm means a firm that hires its own employees  
26 and assigns them to clients to support or supplement the client's  
27 workforce in work situations such as employee absences, temporary skill  
28 shortages, seasonal workloads, and special assignments and projects;

29 (33) Unemployed means an individual during any week in which the  
30 individual performs no service and with respect to which no wages are  
31 payable to the individual or any week of less than full-time work if the

1 wages payable with respect to such week are less than the individual's  
2 weekly benefit amount, but does not include any individual on a leave of  
3 absence or on paid vacation leave. When an agreement between the employer  
4 and a bargaining unit representative does not allocate vacation pay  
5 allowance or pay in lieu of vacation to a specified period of time during  
6 a period of temporary layoff or plant shutdown, the payment by the  
7 employer or his or her designated representative will be deemed to be  
8 wages as defined in this section in the week or weeks the vacation is  
9 actually taken;

10 (34) Unemployment Trust Fund means the trust fund in the Treasury of  
11 the United States of America established under section 904 of the federal  
12 Social Security Act, 42 U.S.C. 1104, as such section existed on January  
13 1, 2015, which receives credit from the state Unemployment Compensation  
14 Fund;

15 (35) Wages, except with respect to services performed in employment  
16 as provided in subdivisions (4)(c) and (d) of section 48-604, means all  
17 remuneration for personal services, including commissions and bonuses,  
18 remuneration for personal services paid under a contract of hire, and the  
19 cash value of all remunerations in any medium other than cash. The  
20 reasonable cash value of remuneration in any medium other than cash shall  
21 be estimated and determined in accordance with rules and regulations  
22 adopted and promulgated by the commissioner. Wages includes tips which  
23 are received while performing services which constitute employment and  
24 which are included in a written statement furnished to the employer  
25 pursuant to section 6053(a) of the Internal Revenue Code as defined in  
26 section 49-801.01.

27 With respect to services performed in employment in agricultural  
28 labor as is provided in subdivision (4)(c) of section 48-604, wages means  
29 cash remuneration and the cash value of commodities not intended for  
30 personal consumption by the worker and his or her immediate family for  
31 such services. With respect to services performed in employment in

1 domestic service as is provided in subdivision (4)(d) of section 48-604,  
2 wages means cash remuneration for such services.

3 The term wages does not include:

4 (a) The amount of any payment, including any amount paid by an  
5 employer for insurance or annuities or into a fund to provide for such  
6 payment, made to, or on behalf of, an individual in employment or any of  
7 his or her dependents under a plan or system established by an employer  
8 which makes provision for such individuals generally or for a class or  
9 classes of such individuals, including any amount paid by an employer for  
10 insurance or annuities or into a fund to provide for any such payment, on  
11 account of (i) sickness or accident disability, except, in the case of  
12 payments made to an employee or any of his or her dependents, this  
13 subdivision (i) shall exclude from wages only payments which are received  
14 under a workers' compensation law, (ii) medical and hospitalization  
15 expenses in connection with sickness or accident disability, or (iii)  
16 death;

17 (b) The payment by an employer, without deduction from the  
18 remuneration of the employee, of the tax imposed upon an employee under  
19 section 3101 of the Internal Revenue Code as defined in section  
20 49-801.01;

21 (c) Any payment on account of sickness or accident disability, or  
22 medical or hospitalization expenses in connection with sickness or  
23 accident disability, made by an employer to, or on behalf of, an  
24 individual after the expiration of six calendar months following the last  
25 calendar month in which such individual worked for such employer;

26 (d) Any payment made to, or on behalf of, an individual or his or  
27 her beneficiary (i) from or to a trust described in section 401(a) of the  
28 Internal Revenue Code as defined in section 49-801.01 which is exempt  
29 from tax under section 501(a) of the Internal Revenue Code as defined in  
30 section 49-801.01 at the time of such payment unless such payment is made  
31 to an employee of the trust as remuneration for services rendered as such

1 employee and not as a beneficiary of the trust or (ii) under or to an  
2 annuity plan which, at the time of such payment, meets the requirements  
3 of section 401 of the Internal Revenue Code as defined in section  
4 49-801.01;

5 (e) Any payment made to, or on behalf of, an employee or his or her  
6 beneficiary (i) under a simplified employee pension as defined by the  
7 commissioner, (ii) under or to an annuity contract as defined by the  
8 commissioner, other than a payment for the purchase of such contract  
9 which is made by reason of a salary reduction agreement, whether  
10 evidenced by a written instrument or otherwise, (iii) under or to an  
11 exempt governmental deferred compensation plan as defined by the  
12 commissioner, (iv) to supplement pension benefits under a plan or trust,  
13 as defined by the commissioner, to take into account some portion or all  
14 of the increase in the cost of living since retirement, but only if such  
15 supplemental payments are under a plan which is treated as a welfare  
16 plan, or (v) under a cafeteria benefits plan;

17 (f) Remuneration paid in any medium other than cash to an individual  
18 for service not in the course of the employer's trade or business;

19 (g) Benefits paid under a supplemental unemployment benefit plan  
20 which satisfies the eight points set forth in Internal Revenue Service  
21 Revenue Ruling 56-249 as the ruling existed on January 1, 2015, and is in  
22 compliance with the standards set forth in Internal Revenue Service  
23 Revenue Rulings 58-128 and 60-330 as the rulings existed on January 1,  
24 2015; and

25 (h) Remuneration for service performed in the employ of any state in  
26 the exercise of his or her duties as a member of the Army National Guard  
27 or Air National Guard or in the employ of the United States of America as  
28 a member of any military reserve unit;

29 (36) Week means such period of seven consecutive days as the  
30 commissioner may by rule and regulation prescribe;

31 (37) Week of unemployment with respect to any individual means any

1 week during which he or she performs less than full-time work and the  
2 wages payable to him or her with respect to such week are less than his  
3 or her weekly benefit amount;

4 (38) Wholly owned subsidiary means a corporation, company, or other  
5 entity which has eighty percent or more of its outstanding voting stock  
6 or membership owned or controlled, directly or indirectly, by the parent  
7 entity; and

8 (39) Worksite employee has the same meaning as the term covered  
9 employee in section 48-2702.

10 **Sec. 12.** Section 48-622.01, Revised Statutes Supplement, 2025, is  
11 amended to read:

12 48-622.01 There is hereby created in the state treasury a special  
13 fund to be known as the State Unemployment Insurance Trust Fund. The fund  
14 terminates on July 1, 2025, and the State Treasurer shall transfer any  
15 money in the fund on such date to the Workforce Development Program Cash  
16 Fund. Beginning July 1, 2025, all state unemployment insurance tax  
17 collected under sections 48-648 to 48-661, less refunds, shall be paid  
18 into the Workforce Development Program Cash Fund and the Business  
19 Innovation Cash Fund.

20 **Sec. 13.** Section 48-648, Revised Statutes Supplement, 2025, is  
21 amended to read:

22 48-648 (1) With respect to wages for employment, combined tax shall  
23 accrue and become payable by each employer not otherwise entitled to make  
24 payments in lieu of contributions for each calendar year in which he or  
25 she is subject to the Employment Security Law. Such combined tax shall  
26 become due and be paid by each employer to the commissioner for the  
27 Workforce Development Program Cash Fund, the Business Innovation Cash  
28 Fund, and the Unemployment Trust Fund in such manner and at such times as  
29 the commissioner may, by rule and regulation, prescribe. Such combined  
30 tax shall not be deducted, in whole or in part, from the wages of  
31 individuals in such employer's employ.

1           (2) The commissioner may require any employer whose annual payroll  
2 for either of the two preceding calendar years has equaled or exceeded  
3 one hundred thousand dollars to file combined tax returns and pay  
4 combined taxes owed by an electronic method approved by the commissioner,  
5 except when the employer establishes to the satisfaction of the  
6 commissioner that filing the combined tax return or payment of the tax by  
7 an electronic method would create a hardship for the employer.

8           (3) In the payment of any combined tax, a fractional part of a cent  
9 shall be disregarded unless it amounts to one-half cent or more, in which  
10 case it shall be increased to one cent. If the combined tax due for any  
11 reporting period is less than five dollars, the employer need not remit  
12 the combined tax.

13           (4) If two or more related corporations or limited liability  
14 companies concurrently employ the same individual and compensate such  
15 individual through a common paymaster which is one of such corporations  
16 or limited liability companies, each such corporation or limited  
17 liability company shall be considered to have paid as remuneration to  
18 such individual only the amounts actually disbursed by it to such  
19 individual and shall not be considered to have paid as remuneration to  
20 such individual amounts actually disbursed to such individual by another  
21 of such corporations or limited liability companies. An employee of a  
22 wholly owned subsidiary shall be considered to be concurrently employed  
23 by the parent corporation, company, or other entity and the wholly owned  
24 subsidiary whether or not both companies separately provide remuneration.

25           (5) The professional employer organization shall report and pay  
26 combined tax, penalties, and interest owed for wages earned by worksite  
27 employees under the client's employer account number using the client's  
28 combined tax rate. The client is liable for the payment of unpaid  
29 combined tax, penalties, and interest owed for wages paid to worksite  
30 employees, and the worksite employees shall be considered employees of  
31 the client for purposes of the Employment Security Law.

1 (6) The Commissioner of Labor may require by rule and regulation  
2 that each employer subject to the Employment Security Law shall submit to  
3 the commissioner quarterly wage reports on such forms and in such manner  
4 as the commissioner may prescribe. The commissioner may require by rule  
5 and regulation an annual administrative and operational support fee for  
6 such reports for employers eligible for experience rating under section  
7 48-649.03 regardless of their election to be contributory or  
8 reimbursable. The annual administrative and operational support fee shall  
9 be a graduated fee based upon gross wages paid for the prior calendar  
10 year. Each employer shall be assigned a fee category pursuant to the  
11 table below.

12 <u>Gross Wages Paid - Previous Calendar</u>	13 <u>Category</u>
14 <u>Year</u>	
15 <u>\$0</u>	16 <u>1</u>
17 <u>\$0.01 to \$49,999.99</u>	18 <u>2</u>
19 <u>\$50,000 to \$99,999.99</u>	20 <u>3</u>
21 <u>\$100,000 to \$249,999.99</u>	22 <u>4</u>
23 <u>\$250,000 to \$499,999.99</u>	24 <u>5</u>
25 <u>\$500,000 to \$999,999.99</u>	26 <u>6</u>
27 <u>\$1,000,000 to \$1,999,999.99</u>	28 <u>7</u>
29 <u>\$2,000,000 to \$2,999,999.99</u>	30 <u>8</u>
<u>\$3,000,000 to \$3,999,999.99</u>	<u>9</u>
<u>\$4,000,000 to \$4,999,999.99</u>	<u>10</u>
<u>\$5,000,000 to \$5,999,999.99</u>	<u>11</u>
<u>\$6,000,000 to \$6,999,999.99</u>	<u>12</u>
<u>\$7,000,000 to \$7,999,999.99</u>	<u>13</u>
<u>\$8,000,000 to \$8,999,999.99</u>	<u>14</u>
<u>\$9,000,000 to \$9,999,999.99</u>	<u>15</u>
<u>\$10,000,000 or more</u>	<u>16</u>

30 The commissioner shall remit the annual administrative and

1 operational support fee to the State Treasurer for credit to the  
2 Contractor, Business, and Professional Employer Organization Registration  
3 Cash Fund. If the balance of the Contractor, Business, and Professional  
4 Employer Organization Registration Cash Fund reaches or exceeds fifteen  
5 million dollars at the close of any fiscal year, the commissioner shall,  
6 by rule and regulation, ratably reduce the annual administrative and  
7 operational support fee for the subsequent year in an amount sufficient  
8 to maintain the fund balance at or below such amount. The commissioner  
9 may require any employer whose annual payroll for either of the two  
10 preceding calendar years has equaled or exceeded one hundred thousand  
11 dollars to file wage reports by an electronic method approved by the  
12 commissioner, except when the employer establishes to the satisfaction of  
13 the commissioner that filing by an electronic method would create a  
14 hardship for the employer. The quarterly wage reports shall be used by  
15 the commissioner to make monetary determinations of claims for benefits.

16 **Sec. 14.** Section 48-649.01, Revised Statutes Supplement, 2025, is  
17 amended to read:

18 48-649.01 (1) By December 1 of each calendar year, the commissioner  
19 shall determine the state unemployment insurance tax rate for the  
20 following year based on information available through the department.

21 (2) If the state unemployment insurance tax rate is determined to be  
22 zero percent pursuant to subsection (1) of this section, the contribution  
23 rate for all employers shall equal one hundred percent of the combined  
24 tax rate.

25 (3) If the state unemployment insurance tax rate is not zero percent  
26 as determined in this section, the combined tax rate shall be divided so  
27 that not less than fifty ~~eighty~~ percent of the combined tax rate equals  
28 the contribution rate and not more than fifty ~~twenty~~ percent of the  
29 combined tax rate equals the state unemployment insurance tax rate except  
30 for employers who are assigned a combined tax rate of five and four-  
31 tenths percent or more. For those employers, the state unemployment

1 insurance tax rate shall equal zero and their combined tax rate shall  
2 equal their contribution rate.

3 (4) On or before December 31 of each calendar year, the commissioner  
4 shall designate the percentage and proportion of the state unemployment  
5 insurance tax rate that shall be remitted to the Workforce Development  
6 Program Cash Fund for the support of workforce development programs and  
7 to the Business Innovation Cash Fund for the support of workforce  
8 innovation programs. The department shall execute a memorandum of  
9 understanding with the Department of Economic Development before  
10 September 30 of each calendar year to ensure the commissioner receives  
11 sufficient information regarding the current status of programs  
12 administered under the Business Innovation Act, including any data  
13 necessary for the commissioner to make an informed determination pursuant  
14 to this section.

15 **Sec. 15.** Section 48-657, Revised Statutes Supplement, 2025, is  
16 amended to read:

17 48-657 (1)(a) If any employer defaults in any payment of combined  
18 tax or interest, the commissioner may make in any manner feasible and  
19 cause to be filed as a secured transaction as provided in article 9,  
20 Uniform Commercial Code, and in the real estate mortgage records of any  
21 county in which such employer is engaged in business or owns real or  
22 personal property, a statement, under oath, showing the amount of  
23 combined tax and interest in default, which statement, when filed for  
24 record, shall operate as a lien and mortgage on all of the real and  
25 personal property of the employer, subject only to the liens of prior  
26 record, and the property of such employer shall be subject to seizure and  
27 sale for the payment of such combined taxes and interest. Such lien on  
28 personal property may be enforced or dissolved in the manner provided by  
29 article 9, Uniform Commercial Code, and such liens on real estate may be  
30 enforced or dissolved in the manner provided by Chapter 25, article 21,  
31 in the enforcing and dissolving of real estate mortgages. This

1 subdivision shall only apply to liens filed prior to May 1, 1999.

2 (b) A lien for unpaid combined taxes filed or recorded pursuant to  
3 subdivision (a) of this subsection shall lapse at the earlier of its  
4 expiration date or the fifth anniversary of the filing or recording date,  
5 unless the commissioner files a notice of continuation in the place of  
6 the original filing or recording and with the appropriate filing officer  
7 in the manner provided for in the Uniform State Tax Lien Registration and  
8 Enforcement Act before such lien lapses. A notice of continuation shall  
9 include all of the information required by the act, the date of the  
10 filing or recording of the original lien, and a statement that the  
11 original lien is to be continued for ten years. Thereafter, such lien  
12 shall be enforced and notices of continuation filed in accordance with  
13 the act.

14 (c) On and after May 1, 1999, if any employer defaults in any  
15 payment of combined tax or interest, the commissioner may file a lien  
16 against such employer in accordance with the Uniform State Tax Lien  
17 Registration and Enforcement Act. Such liens shall set forth the amount  
18 of combined tax and interest in default and shall be continued and  
19 enforced as provided in the Uniform State Tax Lien Registration and  
20 Enforcement Act.

21 (2) It shall be the duty of the State of Nebraska, or any department  
22 or agency thereof, county boards, the contracting board of all cities,  
23 villages, and school districts, all public boards empowered by law to  
24 enter into a contract by public bidding for the erecting and finishing or  
25 the repairing of any public building, bridge, highway, or other public  
26 structure or improvement, and any officer or officers so empowered by law  
27 to enter into such contract to provide in such contract that the person,  
28 persons, firm, or corporation to whom the contract is awarded will pay to  
29 the Unemployment Compensation Fund of the State of Nebraska, the Business  
30 Innovation Cash Fund, and the Workforce Development Program Cash Fund  
31 unemployment combined tax and interest due under the Employment Security

1 Law on wages paid to individuals employed in the performance of such  
2 contract.

3 (3) No contract referred to in subsection (2) of this section shall  
4 be entered into by the State of Nebraska, a department or agency thereof,  
5 an officer or officers, or a board referred to in such subsection unless  
6 the contract contains the proviso mentioned in such subsection.

7 (4) Before final payment may be made on the final three percent of  
8 any such contract awarded on or after June 1, 1957, the State of  
9 Nebraska, department or agency thereof, officer or officers, or board  
10 awarding the contract must have received from the contractor a written  
11 clearance from the commissioner certifying that all payments then due of  
12 combined tax or interest which may have arisen under such contract have  
13 been made by the contractor or his or her subcontractor to the  
14 Unemployment Compensation Fund.

15 (5) The final three percent of any such contract referred to in  
16 subsection (4) of this section may be paid if the contractor has supplied  
17 a bond with a satisfactory surety company guaranteeing full payment to  
18 the Unemployment Compensation Fund, the Business Innovation Cash Fund,  
19 and the Workforce Development Program Cash Fund of all combined tax and  
20 interest due under the Employment Security Law.

21 **Sec. 16.** Section 48-1231, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 48-1231 (1) An employee having a claim for wages which are not paid  
24 within thirty days of the regular payday designated or agreed upon may  
25 institute suit for such unpaid wages in the proper court. If an employee  
26 establishes a claim and secures judgment on the claim, such employee  
27 shall be entitled to recover the full amount of the judgment and all  
28 costs of such suit, including reasonable attorney's fees. If the cause is  
29 taken to an appellate court and the employee recovers a judgment, the  
30 appellate court shall award reasonable attorney's fees to the employee.  
31 If the employee fails to recover a judgment in excess of the amount that

1 may have been tendered within thirty days of the regular payday by an  
2 employer, such employee shall not recover the attorney's fees provided by  
3 this subsection. If the court finds that no reasonable dispute existed as  
4 to the fact that wages were owed or as to the amount of such wages, the  
5 court may order the employee to pay the employer's attorney's fees and  
6 costs of the action as assessed by the court.

7 (2) If an employee works for an employer that is not subject to the  
8 Nebraska Fair Employment Practice Act and such employee is aggrieved by a  
9 violation of section 48-1235, the employee may bring a suit against such  
10 employer in the proper court to recover the damages sustained by reason  
11 of such violation. If an employee prevails in a suit brought pursuant to  
12 this subsection, such employee shall be entitled to recover the full  
13 amount of the judgment and all costs of such suit, including reasonable  
14 attorney's fees. If the cause is taken to an appellate court and the  
15 employee recovers a judgment, the appellate court shall award reasonable  
16 attorney's fees to the employee.

17 ~~(3) An employer who fails to furnish a wage statement under~~  
18 ~~subsection (2) of section 48-1230 shall be guilty of an infraction as~~  
19 ~~defined in section 29-431 and shall be subject to a fine pursuant to~~  
20 ~~section 29-436.~~

21 (3) (4) If an employee institutes suit against an employer under  
22 subsection (1) or (2) of this section, any citation that is issued  
23 against such employer under section 48-1234 and that relates directly to  
24 the facts in dispute shall be admitted into evidence unless specifically  
25 excluded by the court. If a citation has been contested as described in  
26 subsection (3) of section 48-1234, it shall not be admitted into evidence  
27 under this subsection until after such contest has been resolved.

28 **Sec. 17.** Section 48-1233, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 48-1233 (1) The Commissioner of Labor shall have the authority to  
31 subpoena records and witnesses related to the enforcement of the Nebraska

1 Wage Payment and Collection Act. The commissioner or his or her agent may  
2 inspect all related records and gather testimony on any matter relative  
3 to the enforcement of the act when the information sought is relevant to  
4 a lawful investigative purpose and is reasonable in scope.

5 (2) In case of contumacy by or refusal to obey a subpoena issued to  
6 any person, any court of competent jurisdiction, upon application by the  
7 commissioner, may issue to that person an order requiring such person to  
8 appear before the commissioner or the officer designated by the  
9 commissioner to produce documentary evidence if so ordered or to give  
10 evidence touching on the matter under investigation or in question. Any  
11 failure to obey the order of the court may be punished by the court as a  
12 contempt of the court.

13 **Sec. 18.** Section 48-1234, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 48-1234 (1) The Commissioner of Labor shall issue a citation to an  
16 employer when an investigation reveals that the employer may have  
17 violated the Nebraska Wage Payment and Collection Act ~~, other than a~~  
18 ~~violation of subsection (2) of section 48-1230.~~

19 (2) When a citation is issued, the commissioner shall notify the  
20 employer of the proposed administrative penalty, if any, by certified  
21 mail or any other manner of delivery by which the United States Postal  
22 Service can verify delivery or by any method of service recognized under  
23 Chapter 25, article 5. The administrative penalty shall be not more than  
24 five hundred dollars in the case of a first violation and not more than  
25 five thousand dollars in the case of a second or subsequent violation.

26 (3) The employer has fifteen working days after the date of the  
27 citation or penalty to contest such citation or penalty. Notice of  
28 contest shall be sent to the commissioner who shall provide a hearing in  
29 accordance with the Administrative Procedure Act.

30 (4) Any employer who has an unpaid citation for a violation of the  
31 Nebraska Wage Payment and Collection Act shall be barred from contracting

1 with the state or any political subdivision until such citation is paid.  
2 If a citation has been contested as described in subsection (3) of this  
3 section, it shall not be considered an unpaid citation under this  
4 subsection until after such contest has been resolved.

5 (5) Citations issued under this section and the names of employers  
6 who have been issued a citation shall be made available to the public  
7 upon request, except that this subsection shall not apply to any  
8 citations that are being contested as described in subsection (3) of this  
9 section.

10 **Sec. 19.** Section 48-1706, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 48-1706 Each application shall be accompanied by a fee. The  
13 Commissioner of Labor shall establish the amount of the fee, which shall  
14 not exceed seven hundred fifty dollars, by rule and regulation. The fee  
15 shall be established with due regard for the costs of administering the  
16 Farm Labor Contractors Act. All fees so collected shall be deposited in  
17 the Contractor, Business, and Professional Employer Organization  
18 Registration Cash Fund.

19 **Sec. 20.** Section 48-2107, Revised Statutes Cumulative Supplement,  
20 2024, is amended to read:

21 48-2107 ~~(1)~~—Each application or renewal under section 48-2105 shall  
22 be signed by the applicant and accompanied by a fee not to exceed forty  
23 dollars. The commissioner may adopt and promulgate rules and regulations  
24 to establish the criteria for acceptability of filing documents and  
25 making payments electronically. The criteria may include requirements for  
26 electronic signatures. The commissioner may refuse to accept any  
27 electronic filings or payments that do not meet the criteria established.  
28 The fee shall not be required when an amendment to an application is  
29 submitted. The commissioner shall remit the fees collected under this  
30 subsection to the State Treasurer for credit to the Contractor, Business,  
31 and Professional Employer Organization Registration Cash Fund.

1           ~~(2) A contractor shall not be required to pay the fee under~~  
2 ~~subsection (1) of this section if (a) the contractor is self-employed and~~  
3 ~~does not pay more than three thousand dollars annually to employ other~~  
4 ~~persons in the business and the application contains a statement made~~  
5 ~~under oath or equivalent affirmation setting forth such information or~~  
6 ~~(b) the contractor only engages in the construction of water wells or~~  
7 ~~installation of septic systems. At any time that a contractor no longer~~  
8 ~~qualifies for exemption from the fee, the fee shall be paid to the~~  
9 ~~department. Any false statement made under subdivision (2)(a) of this~~  
10 ~~section shall be a violation of section 28-915.01.~~

11           **Sec. 21.** Section 48-2710, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13           48-2710 (1) The department shall adopt a schedule of fees for  
14 initial registration, annual registration renewal, and limited  
15 registration, not to exceed two thousand five hundred dollars for initial  
16 registration, one thousand five hundred dollars for annual registration  
17 renewal, and one thousand dollars for limited registration. Such fees  
18 shall not exceed those reasonably necessary for the administration of the  
19 Professional Employer Organization Registration Act.

20           (2) Fees imposed pursuant to this section shall be remitted to the  
21 State Treasurer for credit to the Contractor, Business, and Professional  
22 Employer Organization Registration Cash Fund.

23           **Sec. 22.** Section 48-2905, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           48-2905 (1) The commissioner may make such investigations as he or  
26 she finds necessary or appropriate to determine whether there is  
27 compliance with the Employee Classification Act. Investigations shall  
28 take place at the times and places as the commissioner directs. For  
29 purposes of any investigation under this section, the commissioner or any  
30 person designated by him or her may interview persons at the worksite,  
31 take photographs, and utilize other reasonable investigatory techniques.

1 The conduct of the investigation shall be such as to preclude  
2 unreasonable disruption of the operations of the worksite. Investigations  
3 may be conducted, without prior notice, by correspondence, telephone  
4 conversations, or review of materials submitted to the department.

5 (2) The commissioner or any officer designated by him or her shall  
6 have the power to administer oaths and affirmations, issue subpoenas,  
7 compel the attendance of witnesses, take evidence, and require the  
8 production of any books, papers, correspondence, memoranda, agreements,  
9 or other documents or records which the commissioner deems relevant or  
10 material to the inquiry.

11 (3) In case of contumacy by or refusal to obey a subpoena issued to  
12 any person, any court of competent jurisdiction, upon application by the  
13 commissioner, may issue to that person an order requiring such person to  
14 appear before the commissioner or the officer designated by the  
15 commissioner to produce documentary evidence if so ordered or to give  
16 evidence touching on the matter under investigation or in question. Any  
17 failure to obey the order of the court may be punished by the court as a  
18 contempt of the court.

19 ~~(4) The department shall establish and operate a hotline and website~~  
20 ~~for individuals to report suspected violations of the Employee~~  
21 ~~Classification Act. The hotline and website may be operated in~~  
22 ~~conjunction with the requirements of the Contractor Registration Act. At~~  
23 ~~a minimum, the department shall require the reporting individual to~~  
24 ~~provide contact information and a description of the suspected violation~~  
25 ~~including the name of the business and job site location. Except to the~~  
26 ~~extent needed in any administrative hearing, civil action, or criminal~~  
27 ~~proceeding brought to enforce the Employment Security Law, Nebraska~~  
28 ~~Revenue Act of 1967, or Nebraska Workers' Compensation Act, information~~  
29 ~~obtained by the department under this section or obtained from any~~  
30 ~~individual pursuant to the administration of the Employee Classification~~  
31 ~~Act shall be held confidential.~~

1           **Sec. 23.** Section 81-406, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           81-406 (1) The Contractor, Business, and Professional Employer  
4 Organization Registration Cash Fund is created. The fund shall be  
5 administered by the Department of Labor and shall consist of fees  
6 collected by the department pursuant to the Farm Labor Contractors Act,  
7 the Contractor Registration Act, and the Professional Employer  
8 Organization Registration Act, the annual administrative and operational  
9 support fee described in section 48-648, and such sums as are  
10 appropriated to the fund by the Legislature.

11           (2) The fund shall be used for:

12           (a) Enforcing enforcing and administering:

13           (i) The Employment Security Law;

14           (ii) The ~~the~~ Farm Labor Contractors Act;

15           (iii) The ~~, the~~ Contractor Registration Act;

16           (iv) The ~~, the~~ Employee Classification Act;

17           (v) The ~~, and the~~ Professional Employer Organization Registration  
18 Act; -

19           (vi) The Non-English-Speaking Workers Protection Act;

20           (vii) The Wage and Hour Act;

21           (viii) The Nebraska Wage Payment and Collection Act;

22           (ix) The Nebraska Healthy Families and Workplaces Act;

23           (x) The child labor provisions found in sections 48-302 to 48-313;

24           (xi) The veterans preference provisions found in sections 48-225 to  
25 48-231 and section 48-238;

26           (xii) The military employment provisions found in sections 55-160 to  
27 55-166; and

28           (xiii) The onsite safety and health consultation program provided to  
29 private sector employers under 29 C.F.R. part 1908;

30           (b) Any other purposes related to the proper administration of  
31 programs under the Department of Labor, as determined by the Commissioner

1 of Labor; and

2 (c) Workforce development grants to be used in accordance with  
3 subsection (2) of section 81-407. No transfer from the Contractor,  
4 Business, and Professional Employer Organization Registration Cash Fund  
5 shall be made to the Workforce Development Program Cash Fund for this  
6 purpose except on written authorization by the Governor at the request of  
7 the Commissioner of Labor.

8 ~~(3) Any money in the fund available for investment shall be invested~~  
9 ~~by the state investment officer pursuant to the Nebraska Capital~~  
10 ~~Expansion Act and the Nebraska State Funds Investment Act. Money in the~~  
11 ~~Contractor and Professional Employer Organization Registration Cash Fund~~  
12 ~~may be transferred to the General Fund at the direction of the~~  
13 ~~Legislature.~~

14 ~~The State Treasurer shall transfer one million seven hundred~~  
15 ~~thousand dollars from the Contractor and Professional Employer~~  
16 ~~Organization Registration Cash Fund to the General Fund on or before June~~  
17 ~~15, 2018, on such dates and in such amounts as directed by the budget~~  
18 ~~administrator of the budget division of the Department of Administrative~~  
19 ~~Services.~~

20 **Sec. 24.** Section 81-1201.21, Revised Statutes Supplement, 2025, is  
21 amended to read:

22 81-1201.21 (1) There is hereby created the Job Training Cash Fund.  
23 The fund shall be under the direction of the Department of Economic  
24 Development. Money may be transferred to the fund pursuant to subdivision  
25 (1)(b)(iii) of section 48-621 and from the Cash Reserve Fund at the  
26 direction of the Legislature. The department shall establish a subaccount  
27 for all money transferred from the Cash Reserve Fund to the Job Training  
28 Cash Fund on or after July 1, 2005.

29 (2) The money in the Job Training Cash Fund or the subaccount  
30 established in subsection (1) of this section shall be used (a) to  
31 provide reimbursements for job training activities, including employee

1 assessment, preemployment training, on-the-job training, training  
2 equipment costs, and other reasonable costs related to helping industry  
3 and business locate or expand in Nebraska, (b) to provide upgrade skills  
4 training of the existing labor force necessary to adapt to new technology  
5 or the introduction of new product lines, or (c) as provided in section  
6 79-2308. The department shall give a preference to job training  
7 activities carried out in whole or in part within an enterprise zone  
8 designated pursuant to the Enterprise Zone Act or an opportunity zone  
9 designated pursuant to the federal Tax Cuts and Jobs Act, Public Law  
10 115-97.

11 (3) The department shall establish a subaccount within the fund to  
12 provide training grants for training employees and potential employees of  
13 businesses that (a) employ twenty-five or fewer employees on the  
14 application date, (b) employ, or train for potential employment,  
15 residents of rural areas of Nebraska, or (c) are located in or employ, or  
16 train for potential employment, residents of high-poverty areas as  
17 defined in section 81-1203. The department shall calculate the amount of  
18 prior year investment income earnings accruing to the fund and allocate  
19 such amount to the subaccount for training grants under this subsection.  
20 The subaccount shall also be used as provided in the Teleworker Job  
21 Creation Act. The department shall give a preference to training grants  
22 for businesses located in whole or in part within an enterprise zone  
23 designated pursuant to the Enterprise Zone Act.

24 (4) On April 5, 2018, any funds that were dedicated to carrying out  
25 sections 25 to 27 of this act ~~81-1210.01 to 81-1210.03~~ but were not yet  
26 expended shall be transferred to the Intern Nebraska Cash Fund.

27 (5) Transfers may be made from the Job Training Cash Fund to the  
28 General Fund at the direction of the Legislature. Any money in the Job  
29 Training Cash Fund available for investment shall be invested by the  
30 state investment officer pursuant to the Nebraska Capital Expansion Act  
31 and the Nebraska State Funds Investment Act.

1           **Sec. 25.** Section 81-1210.01, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3           ~~81-1210.01~~ For purposes of sections 25 to 27 of this act ~~81-1210.01~~  
4 ~~to 81-1210.03~~:

5           (1) Department means the Department of Labor ~~Economic Development~~;

6           (2) Internship means employment of a student in a professional or  
7 technical position for a limited period of time, by a business in  
8 Nebraska, in which the student:

9           (a) Gains valuable applied work experiences;

10           (b) Increases knowledge and develops connections that assist with  
11 career decisionmaking;

12           (c) Has the opportunity to match with an employer seeking talent to  
13 evaluate, develop, and retain; or

14           (d) Receives credited or certified training for skilled positions  
15 that will help resolve skilled workforce shortages and create talent  
16 pipelines for Nebraska industries; and

17           (3) Student means any person who:

18           (a) Is in eleventh or twelfth grade in a public or private high  
19 school or a school which elects pursuant to section 79-1601 not to meet  
20 accreditation or approval requirements in Nebraska;

21           (b) Is enrolled in a college, a university, a certified training  
22 institution, or some other institution of higher education; or

23           (c) Applies for an internship within twelve months following  
24 graduation from a public or private secondary school, a school that  
25 elects pursuant to section 79-1601 not to meet accreditation or approval  
26 requirements in Nebraska, or a college, a university, a certified  
27 training institution, or some other institution of higher education.

28           **Sec. 26.** Section 81-1210.02, Reissue Revised Statutes of Nebraska,  
29 is amended to read:

30           ~~81-1210.02~~ (1) The intent of sections 25 to 27 of this act  
31 ~~81-1210.01 to 81-1210.03~~ is to provide students with valuable internship

1 opportunities in order to retain such students in the State of Nebraska  
2 at institutions of higher education, convert students to full-time  
3 employment in Nebraska, and attract workers to Nebraska by assisting  
4 Nebraska businesses willing to provide paid internships.

5 (2) A business may apply to the department for a grant to assist in  
6 providing a student an internship if:

7 (a) The business certifies that the internship meets the definition  
8 of internship in section 25 of this act ~~81-1210.01~~;

9 (b) The business will pay the student at least the state minimum  
10 hourly wage for the internship;

11 (c) The internship will be completed within the State of Nebraska;

12 (d) The internship will be completed within a period of no more than  
13 twenty-four months; and

14 (e) The internship will be for a duration sufficient to allow the  
15 student to gain significant valuable work experience and knowledge.

16 (3)(a) The department may provide grants for internships to  
17 reimburse the cost of wages paid to businesses with less than one hundred  
18 fifty full-time-equivalent employees.

19 (b) The department may also provide grants for internships to any  
20 business to reimburse the costs for any of the following:

21 (i) Tuition reimbursement for courses at institutions of higher  
22 education;

23 (ii) Internship housing;

24 (iii) Transportation expenses relating to internships; and

25 (iv) Internship administrative or recruitment costs.

26 (c) The maximum grant award per internship is seven thousand five  
27 hundred dollars.

28 (4) A business may apply for no more than two grants for the same  
29 student and shall not be awarded more than one hundred grants total in  
30 any twelve-month period.

31 (5) A business may allow a student to telecommute if the business is

1 located in Nebraska and the college, university, or other institution of  
2 higher education in which the student is enrolled is in Nebraska.

3 (6) The department shall, to the extent possible, assure that the  
4 distribution of grants under sections 25 to 27 of this act ~~81-1210.01 to~~  
5 ~~81-1210.03~~ provides equitable access to the grants by all geographic  
6 areas of the state.

7 (7) The department shall, to the extent possible, assure that the  
8 grants awarded pursuant to sections 25 to 27 of this act ~~81-1210.01 to~~  
9 ~~81-1210.03~~ are for internships which provide valuable learning  
10 opportunities for students who will be seeking employment in a  
11 professional or technical field.

12 (8) The department shall not allocate more than one million five  
13 hundred thousand dollars in any one fiscal year from the Job Training  
14 Cash Fund or its subaccounts for purposes of this section. The department  
15 may receive funds from public, private, or other sources for purposes of  
16 this section.

17 (9) The department shall develop a qualified action plan by January  
18 1 of each even-numbered year. The plan shall, at a minimum, set forth the  
19 department's priorities and selection criteria for awarding grants for  
20 internships. In order to encourage students from across Nebraska to  
21 pursue internships, the plan shall also include strategies for  
22 affirmatively marketing internships to Nebraska students in high schools,  
23 colleges, universities, and other institutions of higher education in  
24 Nebraska. Such strategies shall place an emphasis on marketing to  
25 underserved student populations as defined by the department in the plan.  
26 The department shall submit the plan to the Governor for approval.

27 ~~(10) The department shall execute a memorandum of understanding with~~  
28 ~~the Department of Labor before December 31, 2022, to ensure the exchange~~  
29 ~~of available Department of Labor data throughout the continuum from~~  
30 ~~prekindergarten to postsecondary education to the workforce. The~~  
31 department may utilize data and agreements under sections 79-776, 85-110,

1 85-309, and 85-1511.

2 (11) The department shall submit an annual report to the Governor  
3 and the Legislature on or before July 1 of each year which includes, but  
4 is not limited to, a description of the demand for internship grants and  
5 programs under sections 25 to 27 of this act ~~81-1210.01 to 81-1210.03~~  
6 from all geographic regions in Nebraska, a listing of the recipients and  
7 amounts of internship grants awarded in the previous fiscal year, the  
8 impact of the internship grants, and an evaluation of the internship  
9 grants and programs under sections 25 to 27 of this act ~~81-1210.01 to~~  
10 ~~81-1210.03~~ based on the documented goals of the recipients. The report  
11 submitted to the Legislature shall be submitted electronically. The  
12 department may require recipients to provide periodic performance reports  
13 to enable the department to fulfill the requirements of this subsection.  
14 The report shall contain no information that is protected by state or  
15 federal confidentiality laws.

16 (12) The department may enter into a contract with a Nebraska-based  
17 nonprofit entity for the purposes of carrying out any or all of the  
18 provisions of sections 25 to 27 of this act ~~81-1210.01 to 81-1210.03~~.

19 **Sec. 27.** Section 81-1210.03, Reissue Revised Statutes of Nebraska,  
20 is amended to read:

21 ~~81-1210.03~~ The department may adopt and promulgate rules and  
22 regulations to govern the award and disbursement of grants pursuant to  
23 sections 25 to 27 of this act ~~81-1210.01 to 81-1210.03~~.

24 **Sec. 28.** Section 81-1210.04, Revised Statutes Supplement, 2025, is  
25 amended to read:

26 ~~81-1210.04~~ (1) The Intern Nebraska Cash Fund is created. The fund  
27 shall be used to carry out sections 25 to 27 of this act ~~81-1210.01 to~~  
28 ~~81-1210.03~~. The fund shall consist of money transferred to the fund by  
29 the Legislature and money donated as gifts, bequests, or other  
30 contributions from public or private entities. Transfers may be made from  
31 the fund to the General Fund at the direction of the Legislature. Any

1 money in the Intern Nebraska Cash Fund available for investment shall be  
2 invested by the state investment officer pursuant to the Nebraska Capital  
3 Expansion Act and the Nebraska State Funds Investment Act.

4 (2) The Department of Labor Economic Development, or any entity with  
5 which the department contracts for such purpose, may use up to five  
6 percent of any appropriation to carry out sections 25 to 27 of this act  
7 ~~81-1210.01 to 81-1210.03~~ for administrative services.

8 **Sec. 29.** Section 81-12,152, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 81-12,152 Sections 81-12,152 to 81-12,166 and section 32 of this act  
11 shall be known and may be cited as the Business Innovation Act.

12 **Sec. 30.** Section 81-12,154, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 81-12,154 The purpose of the Business Innovation Act is to encourage  
15 and support the transfer of Nebraska-based technology and innovation in  
16 rural and urban areas of Nebraska in order to create high growth, high  
17 technological companies, small businesses, and microenterprises and to  
18 enhance creation of wealth and quality jobs. The Legislature finds that  
19 the act will:

20 (1) Provide technical assistance planning grants pursuant to section  
21 81-12,157 to facilitate phase one applications for the federal grant  
22 program;

23 (2) Provide financial assistance pursuant to section 81-12,157 to  
24 companies receiving phase one and phase two grants pursuant to the  
25 federal grant program;

26 (3) Provide financial assistance pursuant to section 81-12,158 to  
27 companies or individuals creating prototypes;

28 (4) Establish a financial assistance program pursuant to section  
29 81-12,159 for innovation in value-added agriculture;

30 (5) Establish a financial assistance program for innovation in  
31 biosciences;

1 (6) Establish a financial assistance program pursuant to section  
2 81-12,160 to identify commercial products and processes;

3 (7) Provide financial assistance pursuant to section 81-12,161 to  
4 companies using Nebraska public or private college and university  
5 researchers and facilities for applied research projects;

6 (8) Provide support and funding pursuant to section 81-12,162 for  
7 microlending entities, microenterprise entities, and innovation hubs; ~~and~~

8 (9) Provide support for locally owned and operated Nebraska-based,  
9 high growth businesses by providing technical resources to foster  
10 development, growth, and high wage creation. For purposes of this  
11 subdivision, Nebraska-based, high growth business means a corporation,  
12 partnership, limited liability company, limited partnership, or limited  
13 liability partnership registered with the Secretary of State that has two  
14 to fifty employees and has annual sales of no less than five hundred  
15 thousand dollars and no more than two million five hundred thousand  
16 dollars; ~~and -~~

17 (10) Establish that any entity receiving financial assistance under  
18 the Business Innovation Act and that employs any person in this state,  
19 whether or not such entity is subject to the Employment Security Law,  
20 shall be required to submit to the Department of Labor quarterly wage  
21 reports on such forms and in such manner as the Commissioner of Labor may  
22 require.

23 **Sec. 31.** Section 81-12,155, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 81-12,155 In selecting projects to receive financial assistance  
26 under the Business Innovation Act, the department shall develop a  
27 qualified action plan by January 1 of each even-numbered year. The plan  
28 shall set forth selection criteria to be used to determine priorities  
29 which are appropriate to local conditions and the state's economy,  
30 including the state's immediate need for innovation development, proposed  
31 increases in jobs and investment, private dollars leveraged, industry

1 support and participation, and repayment, in part or in whole, of  
2 financial assistance awarded under the act. The plan shall also include  
3 selection criteria establishing that any entity applying for financial  
4 assistance under the Business Innovation Act that employs any person in  
5 this state, whether or not such entity is subject to the Employment  
6 Security Law, shall be required to submit to the Department of Labor  
7 quarterly wage reports on such forms and in such manner as the  
8 Commissioner of Labor may require. The department shall submit the plan  
9 to the Governor for approval.

10 **Sec. 32.** (1) The Business Innovation Cash Fund is created. The fund  
11 shall be used to carry out the Business Innovation Act, except that the  
12 fund shall not be used for purposes of sections 81-12,155.01 and  
13 81-12,163.01. The fund shall consist of deposits to the fund as required  
14 by sections 48-648 and 48-649 to 48-649.04. Any money in the fund  
15 available for investment shall be invested by the state investment  
16 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
17 State Funds Investment Act.

18 (2) Money in the fund shall be expended by the department for the  
19 purpose of:

20 (a) Carrying out the Business Innovation Act, except that such money  
21 shall not be expended for the purpose of carrying out the Bioscience  
22 Innovation Program; and

23 (b) Payment of unemployment benefits if determined necessary by the  
24 Commissioner of Labor.

25 (3) The department, or any entity with which the department  
26 contracts for such purpose, may use up to five percent of any  
27 appropriation from the fund for administrative expenses.

28 **Sec. 33.** The Revisor of Statutes shall assign sections 25 to 28 of  
29 this act to Chapter 81, article 4.

30 **Sec. 34.** Original sections 48-309, 48-1231, 48-1233, 48-1234,  
31 48-1706, 48-2710, 48-2905, 81-406, 81-1210.01, 81-1210.02, 81-1210.03,

1 81-12,152, 81-12,154, and 81-12,155, Reissue Revised Statutes of  
2 Nebraska, sections 29-431, 48-302, 48-303, and 48-2107, Revised Statutes  
3 Cumulative Supplement, 2024, and sections 48-602, 48-622.01, 48-648,  
4 48-649.01, 48-657, 81-1201.21, and 81-1210.04, Revised Statutes  
5 Supplement, 2025, are repealed.

6 **Sec. 35.** The following sections are outright repealed: Sections  
7 48-307, 48-2906, and 48-2909, Reissue Revised Statutes of Nebraska.