

AMENDMENTS TO LB820

Introduced by Sorrentino, 39.

1 1. Strike original section 40 and insert the following new section:

2 **Sec. 46.** Section 84-1307, Revised Statutes Supplement, 2025, is
3 amended to read:

4 84-1307 (1) The membership of the retirement system shall be
5 composed of all persons who are or were employed by the State of Nebraska
6 and who maintain an account balance with the retirement system.

7 (2)(a) ~~(2)~~ The following employees of the State of Nebraska are
8 authorized to participate in the retirement system:

9 (i) ~~(a)~~ All permanent full-time employees who have attained the age
10 of eighteen years shall begin participation in the retirement system upon
11 employment;

12 (ii) ~~All~~ and ~~(b)~~ ~~all~~ permanent part-time employees who have attained
13 the age of eighteen years may exercise the option to begin participation
14 in the retirement system within the first thirty days of employment
15 except as provided in section 84-1322; and -

16 (iii) All temporary employees who were prior contributing members of
17 the retirement system and who are returning to service with the state
18 prior to having a one-hundred-twenty-day break in service pursuant to
19 subsection (5) of section 84-1322 shall begin participation in the
20 retirement system within the first thirty days of employment as a
21 temporary employee.

22 (b) An employee who exercises the option to begin participation in
23 the retirement system pursuant to this section shall remain in the
24 retirement system until his or her termination of employment or
25 retirement, regardless of any change of status as a permanent or
26 temporary employee.

27 (3) No employee shall be authorized to participate in the retirement

1 system provided for in the State Employees Retirement Act unless the
2 employee is a United States citizen or is lawfully present in the United
3 States. The employing state agency and the employee shall:

4 (a) Maintain at least one approved identification document as
5 defined in section 4-108; and

6 (b) Produce any such approved identification document so maintained
7 upon request of the Public Employees Retirement Board or the Nebraska
8 Public Employees Retirement Systems. maintain at least one of the
9 following documents, which shall be unexpired if applicable to the
10 particular document or which has an expiration date that has been
11 extended by the United States Department of Homeland Security or the
12 United States Citizenship and Immigration Services so that such document
13 is still valid, to demonstrate United States citizenship or lawful
14 presence in the United States as of the employee's date of hire and
15 produce any such document so maintained upon request of the retirement
16 board or the Nebraska Public Employees Retirement Systems:

17 ~~(a) A state-issued driver's license;~~

18 ~~(b) A state-issued identification card;~~

19 ~~(c) A state-issued motor vehicle learner's permit;~~

20 ~~(d) A certified copy of a birth certificate or delayed birth~~
21 ~~certificate issued in any state, territory, or possession of the United~~
22 ~~States;~~

23 ~~(e) A Consular Report of Birth Abroad issued by the United States~~
24 ~~Department of State;~~

25 ~~(f) A United States passport;~~

26 ~~(g) A foreign passport with a United States visa;~~

27 ~~(h) A United States Certificate of Naturalization;~~

28 ~~(i) A United States Certificate of Citizenship;~~

29 ~~(j) A tribal certificate of Native American blood or similar~~
30 ~~document;~~

31 ~~(k) A United States Citizenship and Immigration Services Employment~~

1 ~~Authorization Document, Form I-766;~~

2 ~~(1) A United States Citizenship and Immigration Services Permanent~~
3 ~~Resident Card, Form I-551; or~~

4 ~~(m) Any other document issued by the United States Department of~~
5 ~~Homeland Security or the United States Citizenship and Immigration~~
6 ~~Services granting employment authorization in the United States and~~
7 ~~approved by the retirement board.~~

8 (4) For purposes of this section: ~~τ~~

9 (a) Permanent ~~permanent~~ full-time employees includes employees of
10 the Legislature or Legislative Council who work one-half or more of the
11 regularly scheduled hours during each pay period of the legislative
12 session; ~~and~~

13 (b) Permanent ~~permanent~~ part-time employees includes employees of
14 the Legislature or Legislative Council who work less than one-half of the
15 regularly scheduled hours during each pay period of the legislative
16 session; ~~and τ~~

17 (c) Temporary employees includes employees of the Legislature or
18 Legislative Council who are hired for (i) a limited period of time of
19 less than six months or six months or more and less than or equal to
20 twelve months or two thousand eighty hours or (ii) a grant-funded
21 position or a special project.

22 (5)(a) Within the first one hundred eighty days of employment, a
23 full-time employee may apply to the board for vesting credit for years of
24 participation in another Nebraska governmental plan, as defined by
25 section 414(d) of the Internal Revenue Code. During the years of
26 participation in the other Nebraska governmental plan, the employee must
27 have been a full-time employee, as defined in the Nebraska governmental
28 plan in which the credit was earned. The board may adopt and promulgate
29 rules and regulations governing the assessment and granting of vesting
30 credit.

31 (b) If the contributory retirement plan or contract let pursuant to

1 section 48-609, as such section existed prior to January 1, 2018, is
2 terminated, employees of the Department of Labor who are active
3 participants in such contributory retirement plan or contract on the date
4 of termination of such plan or contract shall be granted vesting credit
5 for their years of participation in such plan or contract.

6 (6) Any employee who qualifies for membership in the retirement
7 system pursuant to this section may not be disqualified for membership in
8 the retirement system solely because such employee also maintains
9 separate employment which qualifies the employee for membership in
10 another public retirement system, nor may membership in this retirement
11 system disqualify such an employee from membership in another public
12 retirement system solely by reason of separate employment which qualifies
13 such employee for membership in this retirement system.

14 (7) State agencies shall ensure that employees authorized to
15 participate in the retirement system pursuant to this section shall
16 enroll and make required contributions to the retirement system
17 immediately upon becoming an employee. Information necessary to determine
18 membership in the retirement system shall be provided by the employer.