

AMENDMENTS TO LB935

Introduced by Judiciary.

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

3           **Section 1.** Section 7-203, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           7-203 For purposes of the Legal Education for Public Service and  
6 Rural Practice Loan Repayment Assistance Act:

7           (1) Board means the Legal Education for Public Service and Rural  
8 Practice Loan Repayment Assistance Board;

9           (2) Designated legal profession shortage area means a rural area  
10 located within any county in Nebraska having a population of less than  
11 seventy-five ~~fifteen~~ thousand inhabitants and not included within a  
12 metropolitan statistical area as defined by the United States Department  
13 of Commerce, Bureau of the Census, and determined by the board to be  
14 underserved by available legal representation;

15           (3) Educational loans means loans received as an educational  
16 benefit, scholarship, or stipend toward a juris doctorate degree and  
17 either (a) made, insured, or guaranteed by a governmental unit or (b)  
18 made under a program funded in whole or in part by a governmental unit or  
19 nonprofit institution; and

20           (4) Public legal service means providing legal service to indigent  
21 persons while employed by a tax-exempt charitable organization.

22           **Sec. 42.** Section 59-1608.04, Revised Statutes Cumulative Supplement,  
23 2024, is amended to read:

24           59-1608.04 (1) The State Settlement Cash Fund is created. The fund  
25 shall be maintained by the Department of Justice and administered by the  
26 Attorney General. Except as otherwise provided by law, the fund shall  
27 consist of all recoveries received pursuant to the Consumer Protection

1 Act, including any money, funds, securities, or other things of value in  
2 the nature of civil damages or other payment, except criminal penalties,  
3 whether such recovery is by way of verdict, judgment, compromise, or  
4 settlement in or out of court, or other final disposition of any case or  
5 controversy, or any other payments received on behalf of the state by the  
6 Department of Justice and administered by the Attorney General for the  
7 benefit of the state or the general welfare of its citizens, but  
8 excluding all funds held in a trust capacity where specific benefits  
9 accrue to specific individuals, organizations, or governments. The fund  
10 may be expended for any allowable legal purposes as determined by the  
11 Attorney General. Transfers from the State Settlement Cash Fund may be  
12 made at the direction of the Legislature to the Nebraska Capital  
13 Construction Fund, the Legal Education for Public Service and Rural  
14 Practice Loan Repayment Assistance Fund, the Nebraska State Patrol Cash  
15 Fund, the Financial Literacy Cash Fund, and the General Fund. To provide  
16 necessary financial accountability and management oversight, revenue from  
17 individual settlement agreements or other separate sources credited to  
18 the State Settlement Cash Fund may be tracked and accounted for within  
19 the state accounting system through the use of separate and distinct  
20 funds, subfunds, or any other available accounting mechanism specifically  
21 approved by the Accounting Administrator for use by the Department of  
22 Justice. Any money in the fund available for investment shall be invested  
23 by the state investment officer pursuant to the Nebraska Capital  
24 Expansion Act and the Nebraska State Funds Investment Act. Beginning  
25 October 1, 2024, any investment earnings from investment of money in the  
26 fund shall be credited to the General Fund.

27 (2) The State Treasurer shall transfer two million five hundred  
28 thousand dollars from the State Settlement Cash Fund to the Nebraska  
29 Capital Construction Fund on July 1, 2013, or as soon thereafter as  
30 administratively possible.

31 (3) The State Treasurer shall transfer eight hundred seventy-six

1 thousand nine hundred ninety-eight dollars from the State Settlement Cash  
2 Fund to the General Fund on or before June 30, 2018, on such dates and in  
3 such amounts as directed by the budget administrator of the budget  
4 division of the Department of Administrative Services.

5 (4) The State Treasurer shall transfer one million seven hundred  
6 fifty-six thousand six hundred thirty-nine dollars from the State  
7 Settlement Cash Fund to the General Fund on or before June 30, 2019, on  
8 such dates and in such amounts as directed by the budget administrator of  
9 the budget division of the Department of Administrative Services.

10 (5) The State Treasurer shall transfer one hundred twenty-five  
11 thousand dollars from the State Settlement Cash Fund to the Legal  
12 Education for Public Service and Rural Practice Loan Repayment Assistance  
13 Fund on or before April 30, 2018, on such dates and in such amounts as  
14 directed by the budget administrator of the budget division of the  
15 Department of Administrative Services.

16 (6) The State Treasurer shall transfer one hundred fifty thousand  
17 dollars from the State Settlement Cash Fund to the Legal Education for  
18 Public Service and Rural Practice Loan Repayment Assistance Fund on or  
19 before July 9, 2018, on such dates and in such amounts as directed by the  
20 budget administrator of the budget division of the Department of  
21 Administrative Services.

22 (7) The State Treasurer shall transfer ten thousand dollars from the  
23 State Settlement Cash Fund to the Legal Education for Public Service and  
24 Rural Practice Loan Repayment Assistance Fund on the operative date of  
25 this section, or as soon thereafter as administratively possible.

26 **Sec. 45.** Sections 35, 36, and 37 of this act become operative on  
27 July 1, 2026. Sections 19, 26, 27, 28, 29, 30, 31, 32, 34, 39, and 47 of  
28 this act become operative on January 1, 2027. Sections 1, 2, 3, 4, 5, 6,  
29 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 33,  
30 38, 42, 43, 44, and 48 of this act become operative three calendar months  
31 after the adjournment of this legislative session. The other sections of

1 this act become operative on their effective date.

2       **Sec. 46.** If any section in this act or any part of any section is  
3 declared invalid or unconstitutional, the declaration shall not affect  
4 the validity or constitutionality of the remaining portions.

5       **Sec. 47.** Original section 29-4315, Revised Statutes Cumulative  
6 Supplement, 2024, and sections 28-358.01 and 42-927, Revised Statutes  
7 Supplement, 2025, are repealed.

8       **Sec. 48.** Original sections 7-203, 25-824, 25-1802, 25-1804, 27-804,  
9 29-2204.02, 29-2308, 29-4103, 42-371, 84-941.01, and 86-2,103, Reissue  
10 Revised Statutes of Nebraska, sections 28-311.08 and 59-1608.04, Revised  
11 Statutes Cumulative Supplement, 2024, and sections 26-102, 26-114,  
12 28-101, 28-311.02, 28-311.04, 28-1205, and 28-1206, Revised Statutes  
13 Supplement, 2025, are repealed.

14       **Sec. 49.** Original sections 43-1409 and 43-1412.01, Reissue Revised  
15 Statutes of Nebraska, are repealed.

16       **Sec. 50.** Since an emergency exists, this act takes effect when  
17 passed and approved according to law.