

ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026
COMMITTEE STATEMENT (UPDATED)
LB525

Hearing Date: Monday February 03, 2025
Committee On: Banking, Commerce and Insurance
Introducer: Jacobson
One Liner: Adopt the Agricultural Data Privacy Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Jacobson, Bostar, Dungan, Hallstrom, Hardin, Riepe, von Gillern, Wordekemper
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Mike Jacobson
Sherry Vinton
John Hansen
Kevin Kenney

Representing:

Opening Presenter
Nebraska Department of Agriculture
Nebraska Farmers Union
Self

Opponents:

Representing:

Neutral:

Dean Edson
Phil Erdman
Rocky Weber
Bruce Reiker

Representing:

Nebraska Association of Resources Districts
Iowa Nebraska Equipment Dealers Association
Nebraska Cooperative Council
Ag Leaders Working Group

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 525 would adopt the Agricultural Data Privacy Act (Act), a comprehensive set of statutes designed to protect the privacy of agricultural producers in Nebraska and to safeguard the larger agriculture industry in Nebraska. The bill does this by requiring potential controllers and controllers of agricultural data to enter into written consent agreements with ag data owners before the potential controllers or controllers can provide, use, or sell an owner's agricultural data. The Act also provides for how such written agreements are to be created.

The Act also states that no private causes of action are created under the Act, but rather the Attorney General's Office shall have enforcement powers under the Act.



Explanation of amendments:

The committee had a hearing on AM1710 to LB525 on February 17th, 2026. The committee adopted AM2221, a white copy amendment rewrite of AM1710 and a renumbering of AM2076, which replaces the entirety of LB525.

Testifiers on AM1710 on February 17th, 2026:

Proponents:

Senator Mike Jacobson , Opening Presenter
Cicely Batie, Governor's Policy Research Office
Michael Dibbern, Nebraska Corn Growers Association
Bruce Rieker, Nebraska Farm Bureau
John Hansen, Nebraska Farmers Union
Rocky Weber, Nebraska Cooperative Council
Dean Edson, Nebraska Association of Resources Districts

Opponents: None

Neutral:

Scott Merritt, Nebraska Agri-Business Association
Phil Erdman, Iowa Nebraska Equipment Dealers Association
April Price, John Deere
Shirley Niemeyer, Self

Section by Section Summary of AM 2221:

Section 1: Names the Act and identifies what sections make up the Act.

Section 2: Provides the legislative findings for the Act.

Section 3: Defines the terms utilized throughout the Act.

Section 4: Establishes that an agricultural producer is the sole owner of any agricultural data that originates from their specific farm, land, devices, or equipment. Additionally, the section allows a data controller or processor to maintain and store agricultural data as needed to fulfill their service obligations to the producer unless a written contract between the parties expressly states otherwise.

Section 5: Establishes a strict barrier against the unauthorized monetization of sensitive farm information by prohibiting any data controller or processor from selling agricultural data without the express written consent of the producer. Written consent must be obtained through a disclosure that is both clear and conspicuous. This disclosure must be separate from the primary terms of service or the general data use agreement. By requiring this separation, the legislation ensures that Nebraska producers are making an intentional and informed decision before their data is treated as a secondary commodity.

Section 6: Starting January 1, 2027, every new contract or agreement involving the collection or processing of agricultural data in Nebraska must explicitly include a provision that prohibits the selling of such data unless the agricultural producer has given express written consent. Furthermore, any contract provision attempting to waive or limit the Act is contrary to public policy and void and unenforceable.

Section 7: Requires data controllers or processors to develop and maintain a comprehensive security framework



consisting of administrative, technical, and physical data security practices designed to ensure the confidentiality, integrity, and accessibility of the agricultural data.

Section 8: Authorizes the Attorney General to initiate legal proceedings in the district court of Lancaster County against any data controller or processor found in violation of the Act. The Attorney General may seek injunctive relief to halt improper data practices or pursue a civil penalty of one thousand dollars for each individual violation. Any funds recovered through these civil penalties are directed to the State Treasurer to be distributed according to the state's constitutional requirements for school funds. The section states that the Act does not create any new private cause of action. The enforcement authority granted to the Attorney General serves as the sole and exclusive remedy for any violations of the Act.

Section 9: Establishes a "right to cure" process that must be followed before the Attorney General can pursue civil penalties for specific violations. Specifically, for alleged violations related to sections 6 or 7 of the bill, the Attorney General is required to provide the data controller or processor with written notice detailing the specific violations. The alleged violator then has a 45-day window to rectify the issues and provide a written statement to the Attorney General confirming that the violations have been cured and pledging to remain in compliance with the Act moving forward. Successfully curing the violations within this timeframe grants the entity immunity from a civil penalty action for those specific violations. However, this section does not apply to violations of section 5 of the bill.

Section 10: Provides that the Act shall not be construed to limit or supersede federal or state laws, shall not relieve any individual of existing legal duties or obligations, and shall not impair or supersede any contracts in existence before the Act's effective date. This ensures a stable transition for the agricultural industry, allowing current operations to continue while maintaining the primacy of broader legal requirements.

Mike Jacobson, Chairperson

