

ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026
COMMITTEE STATEMENT
LB835

Hearing Date: Monday February 02, 2026
Committee On: Banking, Commerce and Insurance
Introducer: Jacobson
One Liner: Change and eliminate provisions relating to fees of the Secretary of State, notices of liens under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act, the central filing system, effective financing statements, the master lien list, and filed records under the Uniform Commercial Code

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye: 8 Senators Jacobson, Bostar, Dungan, Hallstrom, Hardin, Riepe, von Gillern, Wordekemper

Nay:

Absent:

Present Not Voting:

Testimony:

Proponents:

Senator Mike Jacobson
Colleen Byelick
Ryan McIntosh

Representing:

Opening Presenter
Nebraska Secretary of State
Nebraska Bankers Association

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 835 modernizes Nebraska's filing infrastructure by transitioning from legacy manual indexing to a flexible, digital-first system. The bill systematically replaces rigid statutory requirements, such as manual data entry of debtor addresses and alphabetical indexing, with general mandates that accommodate modern database metadata. It also updates administrative terminology, replacing "transmitted" with "provided" to reflect seamless system-to-system data sharing. These technical updates streamline the management of the Uniform Commercial Code (UCC) database, federal liens, and state tax liens, ensuring that the Secretary of State's office can utilize automated processes while maintaining existing liability protections for state and county employees.

The bill also overhauls the Secretary of State fee schedule to prioritize cost recovery and a subscription-based model. Most notably, it classifies all filing and indexing fees as nonrefundable upon submission, ensuring that administrative



costs are covered even if a filing is rejected. For bulk data users, the bill replaces volume-based pricing with a flat-fee update structure, specifically targeting high-volume aggregators while clarifying that such data is for informational use only. By consolidating multi-tiered registration fees into single annual charges and decoupling county clerk inquiry rates from state mandates, LB 835 provides the Secretary of State with broader authority to manage fee structures and database access without being tethered to outdated statutory caps.

Section-by-Section Summary:

Section 1: Amends Neb. Rev. Stat. § 33-101 to restructure the Secretary of State fee schedule by separating business entity records from UCC database information. The section adds a nonrefundable designation for certificate requests and replaces volume-based pricing with a flat fee bulk structure for large data sets. The previous \$15 charge per one thousand records is replaced by an \$800 initial file fee followed by recurring monthly or weekly updates. This shift targets bulk data aggregators while clarifying that such information is for reference only and does not provide specific legal protections for buyers of farm products.

This section also expands the registry scope to include the Uniform Federal Lien Registration Act and effective financing statements. Administratively, the section streamlines operations by removing \$10 fees for taking acknowledgments and administering oaths. For business records, it removes the \$2,000 cap on batch image requests, allowing per page fees to scale without a limit. These changes reflect a move toward a subscription based model that prioritizes digital bulk data management over manual individual filings.

Section 2: Amends Neb. Rev. Stat. § 52-1001 to replace the word "transmitted" with "provided". This change reflects a broader effort within the bill to move away from legacy "transmission" terminology in favor of more flexible language that accommodates modern digital delivery and system-to-system data sharing.

Section 3: Amends Neb. Rev. Stat. § 52-1003 to streamline the indexing process for federal liens filed with the Secretary of State by removing several prescriptive data entry requirements. Current law requires the Secretary to record specific details such as the debtor address and the total lien amount, but the bill simplifies this to a general mandate to file the notice within an index. This change reflects a transition to automated systems where metadata is captured digitally rather than through manual statutory lists. The section also replaces the word "transmitted" with "provided" for real property liens, ensuring the language remains consistent with other modernized sections of the bill.

Section 3 also modernizes the Uniform Federal Lien Registration Act by deleting obsolete references to filing procedures and fees used before July 2001. By shifting from a strictly alphabetical index to a general lien index for state records, the law accommodates modern digital search tools that no longer depend on traditional alphabetical ordering. While the mechanical filing requirements are being simplified, the existing liability protections for state and county employees are preserved. These updates collectively move the state toward a more efficient and technology neutral framework for managing federal lien records.

Section 4: Amends Neb. Rev. Stat. § 52-1312 to revise the fee structure and access protocols for Nebraska's central filing system for effective financing statements. The bill grants the Secretary of State broader authority to set the registration fee for buyers and agents, replacing the previously fixed \$30 annual fee with a flexible amount to be determined by the office. Furthermore, it consolidates the charging model for accessing farm product lists. Instead of a multi-tiered system involving both a registration fee and separate per product list fees, the section establishes a single annual registration fee not to exceed \$200 for access to the master lien list.

The section also updates the rules for remitting these funds and clarifies the nature of the data provided. It adds a requirement that any funds collected from the publication or distribution of lists be credited to the Secretary of State Cash Fund, ensuring that all revenue related to the master list is handled consistently. Crucially, the section also



cross references new language stating that effective financing statement data obtained through bulk requests is for informational purposes only. This clarification ensures that high-volume data users do not inadvertently receive the specific legal protections intended for registered buyers who use the system for formal verification of farm product liens.

Section 5: Amends Neb. Rev. Stat. § 52-1313 to make the filing and indexing fees nonrefundable. It applies to both the \$14 fee for written records and the \$11 fee for electronic submissions. By labeling these costs as nonrefundable, the law ensures that the Secretary of State retains the fee to cover administrative processing costs even if a filing is later withdrawn or rejected. It also clarifies the legal trigger for the fee by specifying it is due upon presenting a record for filing.

Section 6: Amends Neb. Rev. Stat. § 52-1602 to eliminate the fixed \$30 annual registration fee and the specific fee exception for those already registered under other statutes. Instead, the Secretary of State is granted broader authority to set the registration fee. It also simplifies the cost structure for accessing the master lien list. It replaces the two-tiered system of a registration fee plus an additional annual fee with a single consolidated registration fee for access. This new fee will be determined by the Secretary of State and is capped at \$200 per year.

Section 7: Amends Neb. Rev. Stat. § 77-3903 to simplify the administrative management of personal property state tax liens by removing several prescriptive data entry requirements. Specifically, the section eliminates the mandate that the Secretary of State include a person's residence, the last four digits of their social security or tax identification number, and the total amount due on a single line of the central index. By replacing these granular requirements with a general directive to enter the notice into the index, the law allows the office to utilize modern database management and digital metadata standards rather than following a rigid, manual manual entry format.

This section further streamlines operations by removing the requirement that personal property lien notices be retained in a specific numerical order within a designated file. For real property liens, the section modernizes the terminology by replacing the word "transmitted" with "provided" to describe how the Secretary of State delivers notices to county registers of deeds. These changes align the state tax lien process with the broader technical updates in LB 835, prioritizing flexible digital record keeping over legacy manual indexing rules.

Section 8: Amends Neb. U.C.C. § 9-523 to simplify the statutory requirements for accessing records. It removes subdivision (f)(2), which previously set specific fees for batch requests at \$2 per record or a flat \$2,000 for requests of one thousand records or more. By striking this language, the section eliminates these rigid statutory price caps and the explicit reference to the electronic portal established under section 84-1204 as the primary vehicle for accessing these Uniform Commercial Code filings.

Section 8 also removes the specific directions for depositing and distributing these batch fees into the Records Management Cash Fund via agreements with the State Records Board. This change leaves only a broad mandate for the Secretary of State to offer copies of records to the public in bulk, in any available medium, and on a nonexclusive basis.

Section 9: Amends Neb. U.C.C. § 9-523 to classify all filing and indexing fees as nonrefundable and shifting the point of collection to the moment of submitting a record rather than its final acceptance. This ensures that the Secretary of State retains the \$14 written fee, \$11 electronic fee, or \$100 dollar transmitting utility fee regardless of whether a filing is ultimately rejected or withdrawn. The section also removes the requirement that fees charged by county clerks for inquiries into the centralized computer system must match the state's statutory rates, effectively decoupling local service costs from the Secretary of State's fee schedule.

Section 10: Repealer



Section 11: Outright repeals Neb. Rev. Stat. § 52-1313.01 regarding electronic access to, and fees for, effective financing statements. Because the fees and access rules this statute once covered are now handled by Sections 33-101 and 52-1312, this statute becomes legally redundant.

Mike Jacobson, Chairperson

