

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 241**

FINAL READING

Introduced by Hallstrom, 1; Bosn, 25; Holdcroft, 36; Storer, 43; Storm,  
23.

Read first time January 14, 2025

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to data privacy; to define terms; and to
- 2 provide exemption from liability for certain private entities as
- 3 prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** (1) For purposes of this section:

2           (a) Cybersecurity event means an event resulting in unauthorized  
3 access to, or disruption or misuse of, an information system or nonpublic  
4 information stored on an information system;

5           (b) Information system means:

6           (i) A discrete set of electronic information resources organized for  
7 the collection, processing, maintenance, use, sharing, dissemination, or  
8 disposition of electronic nonpublic information; or

9           (ii) A specialized system, including an industrial or process  
10 control system, a telephone switching and private branch exchange system,  
11 and an environmental control system;

12           (c) Nonpublic information means information that is not publicly  
13 available and concerns a person that, because of a name, number, personal  
14 mark, or other identifier, can be used to identify such person, in  
15 combination with the following:

16           (i) A social security number;

17           (ii) A driver's license number or state identification card number;

18           (iii) A financial account number or credit or debit card number;

19           (iv) A security code, access code, or password that would permit  
20 access to such person's financial accounts; or

21           (v) Any biometric record;

22           (d) Private entity means a corporation, religious or charitable  
23 organization, association, partnership, limited liability company,  
24 limited liability partnership, or other private business entity, whether  
25 organized for-profit or not-for-profit; and

26           (e) Publicly available information means information that is  
27 lawfully made available through federal, state, or local government  
28 records or information that a private entity has a reasonable basis to  
29 believe is lawfully made available to the general public.

30           (2) A private entity shall not be liable in a class action resulting  
31 from a cybersecurity event unless the cybersecurity event was caused by

1 willful, wanton, or gross negligence on the part of the private entity.