

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 378

Introduced by Andersen, 49; Clements, 2; Clouse, 37; Hansen, 16;
Holdcroft, 36; Kauth, 31; Lippincott, 34; McKeon, 41;
Sanders, 45; Sorrentino, 39.

Read first time January 16, 2025

Committee: Education

- 1 A BILL FOR AN ACT relating to postsecondary education; to require each
- 2 public or private two-year or four-year college or university
- 3 provide a report to the Attorney General and the Legislature
- 4 relating to certain funding from a foreign source as prescribed; to
- 5 provide powers and duties to the Attorney General; and to provide a
- 6 civil penalty.
- 7 Be it enacted by the people of the State of Nebraska,

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

2 (a) Contract means any agreement between a covered institution and a
3 foreign source for the acquisition by purchase, lease, or barter of
4 property or services, for the direct benefit or use of either of the
5 parties;

6 (b) Covered institution means any public or private two-year or
7 four-year college or university having a campus or place of business in
8 Nebraska;

9 (c) Foreign source means:

10 (i) A foreign government, including an agency of a foreign
11 government;

12 (ii) A legal entity, governmental or otherwise, created solely under
13 the laws of a foreign government;

14 (iii) An individual who is not a citizen or a national of the United
15 States or a trust territory or protectorate thereof; and

16 (iv) An agent of any entity or individual described in subdivision
17 (1)(c)(i), (ii), or (iii) of this section, including a subsidiary or
18 affiliate of a foreign legal entity acting on behalf of any such entity
19 or individual; and

20 (d) Reportable funding means any contract, gift, grant, endowment,
21 award, or donation, payment in exchange for services, capital investment,
22 salary, wage, compensation fee, or other monetary exchange, including any
23 pledge, promise, agreement or expressed intention by the foreign source
24 to provide funding which exceeds fifty dollars in value or is expected to
25 exceed fifty dollars in value over the projected length of the funding
26 relationship between the covered institution and the foreign source.

27 (2)(a) Except as provided in subdivision (b) of this subsection, on
28 the first day of each calendar quarter, each covered institution shall
29 provide a report, in a manner prescribed by the Attorney General,
30 detailing all reportable funding received by the covered institution from
31 a foreign source during the previous calendar quarter to the Attorney

1 General and electronically to the Legislature. The report shall include:

2 (i) The amount of reportable funding received;

3 (ii) A description of the type of reportable funding and the purpose

4 for such funding, including whether the reportable funding is part of an

5 ongoing relationship with the foreign source;

6 (iii) A detailed description of the foreign source providing the

7 funding, including the name and address of the entity or individual

8 providing the funding; and

9 (iv) A copy of any contract, agreement, pledge, or memorandum of

10 understanding associated with the funding.

11 (b) This section shall not require reporting of payments made to a

12 covered institution by a natural person who would otherwise qualify as a

13 foreign source for tuition or related fees to support an individual

14 enrolled or planning to attend at a covered institution.

15 (c) The Attorney General shall post the report on the Attorney

16 General's website and such report shall be available to the public.

17 (3) The Attorney General shall enforce this section. A covered

18 institution that violates this section may be subject to a civil penalty

19 imposed by the Attorney General of up to ten thousand dollars for each

20 violation and forfeiture of any reportable funding received but not

21 reported.