

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 895

Introduced by DeKay, 40; DeBoer, 10.

Read first time January 08, 2026

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Grain Warehouse Act; to amend sections
- 2 88-527, 88-529, and 88-548, Reissue Revised Statutes of Nebraska; to
- 3 change applicability of the act; to change provisions relating to
- 4 license requirements and annual license fees for warehouses; and to
- 5 repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 88-527, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 88-527 (1) No person shall act as a warehouse operator without a
4 license issued pursuant to the Grain Warehouse Act. Warehouses, including
5 except warehouses that which are licensed under the United States
6 Warehouse Act, shall be licensed and regulated by the commission. The
7 commission shall establish a streamlined process for applicants that hold
8 a valid license under the United States Warehouse Act to apply for a
9 license under the Grain Warehouse Act. Such streamlined process shall
10 provide for reduced application and oversight requirements as determined
11 by the commission. If the applicant is an individual, the application
12 shall include the applicant's social security number. Such warehouses
13 shall be inspected by the commission at least once every twelve months.

14 (2) If the commission determines that additional examinations are
15 necessary after a regular examination is completed at a warehouse, the
16 commission may charge such warehouse for the cost of the additional
17 examinations according to the commission's fee schedule. Warehouses shall
18 only be charged if such examinations are for reasons of irregularities
19 from the previous examination or if financial conditions warrant
20 additional examinations.

21 (3) The commission may make available to the United States
22 Government or any of its agencies, including the Commodity Credit
23 Corporation, the results of inspections made and inspection reports
24 submitted by employees of the commission upon payment of such fees as may
25 be determined by the commission. The fees shall cover the actual cost of
26 the services rendered in regard to providing the information.

27 (4) The commission may charge for inspections conducted at the
28 request of a warehouse licensee.

29 (5) The commission may assess a surveillance fee against the assets
30 of a warehouse licensee for actual expenses incurred by the commission in
31 suspending a license or terminating the operations of a warehouse

1 licensee. The commission may enter into contracts for such purpose and
2 shall keep a record of all surveillance fees collected. All surveillance
3 fees collected by the commission shall be remitted to the State Treasurer
4 for credit to the Nebraska Grain Warehouse Surveillance Cash Fund.

5 (6) The commission may enter into agreements and contracts with
6 regulators in states which border Nebraska for the purpose of licensing
7 or examining any public grain warehouse operator which operates
8 facilities in such states. The commission shall assume all jurisdiction
9 over any warehouse operator headquartered in Nebraska regarding his or
10 her warehouse activity. A warehouse operator headquartered and licensed
11 in another state which acquires facilities in Nebraska is under the
12 jurisdiction of the headquarter state under the terms of such agreement
13 or contract.

14 **Sec. 2.** Section 88-529, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 88-529 The commission shall charge an annual license fee for each
17 warehouse to be operated, except as provided in section 88-531. The fee
18 for any license issued for less than twelve months shall be prorated
19 based on its duration. The annual license fee shall be established by the
20 commission but shall not exceed the fees established for applicable
21 commodities in the 2025/2026 Rates Charged for AMS Services notice for
22 entities with a Commodity Credit Corporation agreement, as such notice
23 existed on January 1, 2026, that was published by the Agricultural
24 Marketing Service of the United States Department of Agriculture. Such
25 fees are due on or before the date established by the commission for each
26 license. as provided in this section.

	Capacity in Bushels			Fee
28	0	–	10,000	\$ 45
29	10,001	–	25,000	57
30	25,001	–	50,000	68
31	50,001	–	75,000	78

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1	75,001	—	100,000	90
2	100,001	—	150,000	102
3	150,001	—	200,000	113
4	200,001	—	250,000	125
5	250,001	—	300,000	135
6	300,001	—	350,000	147
7	350,001	—	400,000	156
8	400,001	—	450,000	170
9	450,001	—	500,000	180
10	500,001	—	600,000	192
11	600,001	—	700,000	203
12	700,001	—	800,000	215
13	800,001	—	900,000	225
14	900,001	—	1,000,000	237
15	1,000,001	—	2,000,000	338
16	2,000,001	—	3,000,000	395
17	3,000,001	—	4,000,000	450
18	4,000,001	—	5,000,000	507
19	5,000,001	—	6,000,000	563
20	6,000,001	—	7,000,000	620
21	7,000,001	—	8,000,000	675
22	8,000,001	—	9,000,000	732
23	9,000,001	—	10,000,000	788
24	10,000,001	—	11,000,000	845
25	11,000,001	—	15,000,000	1,070
26	15,000,001	—	20,000,000	1,350
27	20,000,001	—	25,000,000	1,632
28	25,000,001	—	30,000,000	1,913
29	30,000,001	—	40,000,000	2,475
30	40,000,001	or more		3,375

1 **Sec. 3.** Section 88-548, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 88-548 (1) Any grain dealer, person, firm, corporation, or
4 association in this state licensed under the United States Warehouse Act
5 ~~shall be exempt from the Grain Warehouse Act, except that each licensee~~
6 ~~under the United States Warehouse Act~~ shall (a) annually notify the
7 commission in writing of such license and shall notify the commission at
8 once in writing if the license is terminated, canceled, or suspended and
9 (b) post notification of such licensee's bond under the United States
10 Warehouse Act in a conspicuous place of business listing the total amount
11 of bond on the stored grain.

12 (2) No warehouse licensee, licensee under the United States
13 Warehouse Act, or grain dealer licensed pursuant to section 75-903 shall
14 use end-intake air probes which use a vacuum to collect a sample from a
15 load of grain to determine foreign material content. The commission shall
16 adopt and promulgate rules and regulations regarding approval of grain
17 probes. Any person who violates this subsection shall be guilty of a
18 Class I misdemeanor.

19 **Sec. 4.** Original sections 88-527, 88-529, and 88-548, Reissue
20 Revised Statutes of Nebraska, are repealed.