

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 897**

Introduced by Lonowski, 33; Lippincott, 34; McKeon, 41.

Read first time January 08, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to the open burning ban; to amend section  
2 81-520.02, Reissue Revised Statutes of Nebraska; to change a  
3 penalty; to provide a fee for violating the open burning ban; and to  
4 repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1       **Section 1.** Section 81-520.02, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3       81-520.02 (1) Any person violating the statewide open burning ban  
4 established by section 81-520.01 or violating sections 81-520.03 to  
5 81-520.05 shall be guilty of a Class III IV misdemeanor.

6       (2) In addition to the penalty provided in subsection (1) of this  
7 section, a municipality or rural or suburban fire protection district may  
8 charge a fee to such person to cover the costs incurred by a municipality  
9 or rural or suburban fire protection district in responding to and  
10 extinguishing any fire resulting from a violation of sections 81-520.01  
11 or 81-520.03 to 81-520.05. Municipalities and rural and urban fire  
12 protection districts may establish a fee structure consistent with the  
13 approximate cost for responding to and extinguishing such fire.

14       **Sec. 2.** Original section 81-520.02, Reissue Revised Statutes of  
15 Nebraska, is repealed.