

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15 Nebraska, is repealed.