

TWENTY-EIGHTH DAY - FEBRUARY 18, 2026

LEGISLATIVE JOURNAL

**ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION**

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 18, 2026

PRAYER

The prayer was offered by Senator von Gillern.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hughes.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Kelly presiding.

The roll was called and all members were present except Senators Bostar, Dover, Hansen, Juarez, and Moser who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-seventh day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 17, 2026

Brandon Metzler
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 203, 437, 668, and 716 were received in my office on February 12, 2026, and signed on February 17, 2026.

These bills were delivered to the Secretary of State on February 17, 2026.

Sincerely,
(Signed) Jim Pillen
Governor

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1001. Placed on Select File with amendment.

[ER120](#)

1 1. On page 1, strike lines 2 through 20 and insert "2-1207.01,
2 2-1213, 2-1216, 2-1226, 2-1228, 2-1229, 9-204.01, 9-230, 9-230.01, 9-233,
3 9-241.03, 9-241.08, 9-255, 9-701, 9-831, 9-1001, 9-1002, 9-1003, 9-1004,
4 9-1006, and 9-1115, Reissue Revised Statutes of Nebraska, section 2-1207,
5 9-204, and 9-204.04, Revised Statutes Cumulative Supplement, 2024, and
6 sections 2-1205, 2-1210, 9-1,101, and 9-1104, Revised Statutes
7 Supplement, 2025; to change provisions relating to licensed racetrack
8 enclosure terms and conditions, parimutuel wagering, the distribution of
9 amounts deducted from wagers on horseracing, registration of Nebraska-
10 bred horses, simulcast facilities licenses, and assistance to problem
11 gamblers; to provide for administrative fees; to provide for bingo
12 utilizing song titles, musical artists, or music genres as prescribed; to
13 change prize limits for bingo not required to be conducted by a licensed
14 organization and for persons under eighteen years of age to be permitted
15 to play; to change limits on special event bingo permits; to redefine
16 terms; to allow nonprofit organizations to conduct gift enterprises; to
17 provide duties for the Lottery Division of the Department of Revenue; to
18 change provisions relating to the Nebraska Commission on Problem Gambling
19 and place such commission for administrative purposes within the State
20 Racing and Gaming Commission; to change and eliminate provisions relating
21 to the Compulsive Gamblers Assistance Fund; to change provisions relating
22 to the Charitable Gaming Division of the Department of Revenue; to
23 provide an exception to the required age for individuals to play keno at
24 a licensed racetrack enclosure; to harmonize provisions; to repeal the
25 original sections; and to outright repeal section 9-1007, Reissue Revised
26 Statutes of Nebraska."
27 2. On page 33, line 29, strike "Revised Statutes Supplement, 2025"
1 and insert "Reissue Revised Statutes of Nebraska".

LEGISLATIVE BILL 720. Placed on Select File.

LEGISLATIVE BILL 745. Placed on Select File.

LEGISLATIVE BILL 940. Placed on Select File.

LEGISLATIVE BILL 1022. Placed on Select File.

LEGISLATIVE BILL 748. Placed on Select File.

LEGISLATIVE BILL 924. Placed on Select File with amendment.

[ER121](#)

1 1. On page 1, line 4, after the semicolon insert "to provide powers
2 for a learning community coordinating council regarding high school
3 graduation rates;"

LEGISLATIVE BILL 956. Placed on Select File.

LEGISLATIVE BILL 749. Placed on Select File.

LEGISLATIVE BILL 771. Placed on Select File with amendment.**ER119**

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 75-327, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 75-327 (1) A participating driver shall not provide a ride unless it
6 is a prearranged ride. No person shall be a participating driver for a
7 period of more than twelve hours during each twenty-four-hour period.
8 (2)(a) A transportation network company may offer service for
9 compensation, no charge, or suggested compensation.
10 (b) Except as provided in this section, transportation network
11 companies shall not be subject to rate regulation by the commission and
12 shall not be subject to provisions relating to rates and charges
13 prescribed in sections 75-101 to 75-158.
14 (c) A transportation network company shall file with the commission
15 the rates it uses to determine any compensation or suggested compensation
16 on its online-enabled application or platform, including any use of
17 dynamic pricing. The transportation network company shall keep the rate
18 filing current and shall charge rates consistent with the rates it files
19 with the commission.
20 (d) The following requirements apply if the transportation network
21 company uses dynamic pricing through its online-enabled application or
22 platform:
23 (i) The transportation network company's online-enabled application
24 or platform shall provide clear visible indication that dynamic pricing
25 is in effect prior to the passenger requesting a ride;
26 (ii) The transportation network company's online-enabled application
27 or platform shall include a feature that requires the passenger to
28 expressly confirm that he or she understands that dynamic pricing will be
29 used in order for the ride request to be completed;
30 (iii) The transportation network company's online-enabled
31 application or platform shall provide a fare estimator that enables the
32 passenger to estimate the cost under dynamic pricing prior to requesting
33 the ride; and
34 (iv) Dynamic pricing shall not be permitted for seven days after any
35 state of emergency declared by the Governor. The prohibition shall be
36 confined to the areas delineated in the Governor's emergency
37 proclamation. The Governor may further regulate dynamic pricing at his or
38 her discretion during any state of emergency through executive
39 order. ~~Dynamic pricing shall not be permitted during any state of~~
40 ~~emergency declared by the Governor.~~
41 (3) Upon completion of a prearranged ride, a transportation network
42 company shall transmit an electronic receipt to the passenger's email
43 address or online-enabled application documenting the following:
44 (a) The point of origin and destination of the prearranged ride;
45 (b) The total duration and distance of the prearranged ride;
46 (c) The total amount paid, if any, including the base fare and any
47 additional charges incurred for distance traveled or duration of the
48 prearranged ride; and
49 (d) The driver's first name.
50 Sec. 2. Original section 75-327, Reissue Revised Statutes of
51 Nebraska, is repealed.
52 Sec. 3. Since an emergency exists, this act takes effect when
53 passed and approved according to law.
54 2. On page 1, line 4, strike "and"; and in line 5 after "section"
55 insert "; and to declare an emergency".

LEGISLATIVE BILL 743. Placed on Select File.

(Signed) Dunixi Guereca, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Judiciary
Room 1525 1:30 PM

Wednesday, February 25, 2026

- LB1084
- LB1040
- LB1055
- LB1060
- LR316CA

Room 1525 1:30 PM

Thursday, February 26, 2026

- LB909
- LB910
- LB943
- LB952
- LB1254
- LB1255

Room 1525 1:30 PM

Friday, February 27, 2026

- LB854
 - Note: This will be a combined hearing with LB906
 - *This hearing item will operate under annotated committee guidelines
- LB906
 - Note: This will be a combined hearing with LB854
 - *This hearing item will operate under annotated committee guidelines
- LB881
 - Note: This will be a combined hearing with LB963
 - *This hearing item will operate under annotated committee guidelines
- LB963
 - Note: This will be a combined hearing with LB881
 - *This hearing item will operate under annotated committee guidelines
- LB907
 - *This hearing item will operate under annotated committee guidelines

(Signed) Carolyn Bosn, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

General Affairs - LB1235

Sorrentino - LB1100
 Revenue - LB803
 Revenue - LB901
 von Gillern - LB1165
 Legislative Oversight Committee - LB1155

SELECT FILE

LEGISLATIVE BILL 795. Dungan renewed [MO421](#), found and considered on page 713, to reconsider the vote taken on MO414.

Senator Holdcroft moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh requested a role call vote.

The Holdcroft motion to cease debate prevailed with 26 ayes, 12 nays, and 11 not voting.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 25 ayes, 7 nays, and 17 not voting.

Senator M. Cavanaugh requested a roll call vote on the Dungan motion to reconsider.

Voting in the affirmative, 12:

| | | | |
|---------------|-------------|----------|----------|
| Cavanaugh, J. | DeBoer | Guereca | Quick |
| Cavanaugh, M. | Dungan | Hunt | Rountree |
| Conrad | Fredrickson | McKinney | Spivey |

Voting in the negative, 31:

| | | | | |
|------------|-----------|------------|------------|-------------|
| Andersen | Clouse | Hughes | Meyer, G. | Strommen |
| Arch | DeKay | Ibach | Murman | von Gillern |
| Armendariz | Dorn | Jacobson | Riepe | Wordekemper |
| Ballard | Hallstrom | Kauth | Sanders | |
| Bosn | Hansen | Lippincott | Sorrentino | |
| Brandt | Hardin | Lonowski | Storer | |
| Clements | Holdcroft | Meyer, F. | Storm | |

Present and not voting, 3:

| | | |
|--------|--------|----------|
| Bostar | Prokop | Raybould |
|--------|--------|----------|

Excused and not voting, 3:

| | | |
|-------|--------|-------|
| Dover | Juarez | Moser |
|-------|--------|-------|

The Dungan motion to reconsider failed with 12 ayes, 31 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator McKinney offered [MO415](#), found on page 701, to recommit to the Judiciary Committee.

Senator Kauth moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Senator Storer moved for a call of the house. The motion prevailed with 31 ayes, 3 nays, and 15 not voting.

Voting in the affirmative, 30:

| | | | | |
|------------|-----------|------------|-----------|-------------|
| Andersen | Clouse | Holdcroft | Lonowski | Sorrentino |
| Armendariz | DeKay | Hughes | Meyer, F. | Storer |
| Ballard | Dorn | Ibach | Meyer, G. | Storm |
| Bosn | Hallstrom | Jacobson | Murman | Strommen |
| Brandt | Hansen | Kauth | Riepe | von Gillern |
| Clements | Hardin | Lippincott | Sanders | Wordekemper |

Voting in the negative, 11:

| | | | |
|---------------|-------------|----------|----------|
| Cavanaugh, J. | DeBoer | Hunt | Rountree |
| Cavanaugh, M. | Fredrickson | McKinney | Spivey |
| Conrad | Guereca | Quick | |

Present and not voting, 5:

| | | | | |
|------|--------|--------|--------|----------|
| Arch | Bostar | Dungan | Prokop | Raybould |
|------|--------|--------|--------|----------|

Excused and not voting, 3:

| | | |
|-------|--------|-------|
| Dover | Juarez | Moser |
|-------|--------|-------|

The Kauth motion to cease debate prevailed with 30 ayes, 11 nays, 5 present and not voting, and 3 excused and not voting.

Senator McKinney requested a roll call vote on his motion to recommit to committee.

Voting in the affirmative, 9:

| | | | | |
|---------------|--------|---------|----------|--------|
| Cavanaugh, J. | Conrad | Guereca | McKinney | Spivey |
| Cavanaugh, M. | DeBoer | Hunt | Rountree | |

Voting in the negative, 31:

| | | | | |
|------------|-----------|------------|------------|-------------|
| Andersen | Clouse | Hughes | Meyer, G. | Strommen |
| Arch | DeKay | Ibach | Murman | von Gillern |
| Armendariz | Dorn | Jacobson | Riepe | Wordekemper |
| Ballard | Hallstrom | Kauth | Sanders | |
| Bosn | Hansen | Lippincott | Sorrentino | |
| Brandt | Hardin | Lonowski | Storer | |
| Clements | Holdcroft | Meyer, F. | Storm | |

Present and not voting, 6:

| | | |
|--------|-------------|----------|
| Bostar | Fredrickson | Quick |
| Dungan | Prokop | Raybould |

Excused and not voting, 3:

| | | |
|-------|--------|-------|
| Dover | Juarez | Moser |
|-------|--------|-------|

The McKinney motion to recommit to committee failed with 9 ayes, 31 nays, 6 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Dungan offered the following motion:

[MO422](#)

Reconsider the vote taken on MO415.

Senator Lonowski moved the previous question The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 13 ayes, 2 nays, and 34 not voting.

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 27:

| | | | | |
|------------|-----------|------------|------------|-------------|
| Andersen | DeKay | Ibach | Meyer, G. | Strommen |
| Armendariz | Hallstrom | Jacobson | Murman | von Gillern |
| Ballard | Hansen | Kauth | Sanders | Wordekemper |
| Bosn | Hardin | Lippincott | Sorrentino | |
| Clements | Holdcroft | Lonowski | Storer | |
| Clouse | Hughes | Meyer, F. | Storm | |

Voting in the negative, 13:

| | | | | |
|---------------|-------------|---------|----------|--------|
| Cavanaugh, J. | DeBoer | Guereca | McKinney | Spivey |
| Cavanaugh, M. | Dungan | Hunt | Quick | |
| Conrad | Fredrickson | Juarez | Rountree | |

Present and not voting, 5:

| | | | | |
|------|--------|--------|----------|-------|
| Arch | Bostar | Prokop | Raybould | Riepe |
|------|--------|--------|----------|-------|

Excused and not voting, 4:

| | | | |
|--------|------|-------|-------|
| Brandt | Dorn | Dover | Moser |
|--------|------|-------|-------|

The Lonowski motion to cease debate prevailed with 27 ayes, 13 nays, 5 present and not voting, and 4 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Dungan motion to reconsider.

Voting in the affirmative, 13:

| | | | | |
|---------------|-------------|---------|----------|--------|
| Cavanaugh, J. | DeBoer | Guereca | McKinney | Spivey |
| Cavanaugh, M. | Dungan | Hunt | Quick | |
| Conrad | Fredrickson | Juarez | Rountree | |

Voting in the negative, 28:

| | | | | |
|------------|-----------|------------|------------|-------------|
| Andersen | Clouse | Hughes | Meyer, F. | Storm |
| Arch | DeKay | Ibach | Meyer, G. | Strommen |
| Armendariz | Hallstrom | Jacobson | Murman | von Gillern |
| Ballard | Hansen | Kauth | Sanders | Wordekemper |
| Bosn | Hardin | Lippincott | Sorrentino | |
| Clements | Holderoft | Lonowski | Storer | |

Present and not voting, 4:

| | | | |
|--------|--------|----------|-------|
| Bostar | Prokop | Raybould | Riepe |
|--------|--------|----------|-------|

Excused and not voting, 4:

| | | | |
|--------|------|-------|-------|
| Brandt | Dorn | Dover | Moser |
|--------|------|-------|-------|

The Dungan motion to reconsider failed with 13 ayes, 28 nays, 4 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Kauth offered [FA424](#), found on page 193.

The Kauth amendment was withdrawn.

Senator Storer offered [AM2092](#), found on page 701.

SPEAKER ARCH PRESIDING

Senator Conrad offered the following amendment to the Storer amendment:

[FA980](#)

To AM2092, on page 5, line 7, strike "IB" and insert "IC".

Pending.

COMMITTEE REPORT(S)

General Affairs

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

John Michael Coffey - Nebraska Liquor Control Commission
James A Elworth - Nebraska Liquor Control Commission
Robert (Bud) Synhorst - Nebraska Liquor Control Commission

Aye: 8. Andersen, Cavanaugh, J., Clouse, DeKay, Holdcroft, Quick, Rountree, Storm. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Rick Holdcroft, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 835. Placed on General File.

LEGISLATIVE BILL 1160. Placed on General File.

LEGISLATIVE BILL 1062. Placed on General File with amendment.

[AM1859](#)

1 1. Insert the following new section:

2 Sec. 2. Section 44-1523, Revised Statutes Supplement, 2025, is

3 amended to read:

4 44-1523 For purposes of the Unfair Insurance Trade Practices Act:

5 (1) Customer means an individual who purchases, applies to purchase,

6 or is solicited to purchase an insurance product primarily for personal,

7 family, or household purposes;

8 (2) Department means the Department of Insurance;

9 (3) Director means the Director of Insurance;

10 (4) Health insurance lead generator means a person that utilizes a

11 lead generating device to (a) publicize the availability of what is, or

12 what purports to be, a health insurance product or service that the

13 person is not licensed to sell directly to a customer, (b) identify a

14 customer who may want to learn about a health insurance product, or (c)

15 sell or transmit customer information to an insurer or producer for

16 follow-up contact and sales activity;

17 (5) Insured means the party named on a policy or certificate as the

18 individual with legal rights to the benefits provided by such policy or

19 certificate;

20 (6) Insurer means any person, reciprocal exchange, interinsurer,
 21 Lloyds-type insurer or other similar group which includes an incorporated
 22 and individual unincorporated underwriter, a fraternal benefit society,
 23 or other legal entity engaged in the business of insurance, including an
 24 agent, a broker, an insurance consultant, an adjuster, a pharmacy benefit
 25 manager, or a third-party administrator. Insurer also includes a health
 26 maintenance organization, a prepaid limited health service organization,
 27 and a dental, optometric, or other similar health service plan. For
 1 purposes of the Unfair Insurance Trade Practices Act, all such insurers
 2 shall be deemed to be engaged in the business of insurance;
 3 (7) Lead generating device means a communication directed to the
 4 public that, regardless of form, content, or stated purpose, is intended
 5 to result in the compilation or qualification of a list containing names
 6 and other personal information to be used to solicit residents of this
 7 state for the purchase of what is, or what purports to be, a health
 8 insurance product or service;
 9 (8) Person means a natural or artificial entity, including, but not
 10 limited to, an individual, a partnership, a limited liability company, an
 11 association, a trust, or a corporation, including a health insurance lead
 12 generator operating as a natural or artificial entity;
 13 (9) Policy or certificate means any contract of insurance,
 14 indemnity, suretyship, or annuity issued, proposed for issuance, or
 15 intended for issuance by an insurer; and
 16 (10) Recording means an audio reproduction of sales and verification
 17 of calls, including virtual technology calls, in its entirety, used in
 18 the marketing of insurance.
 19 2. Renumber the remaining sections and correct the repealer
 20 accordingly.

LEGISLATIVE BILL 1185. Placed on General File with amendment.
[AM2094](#)

1 1. On page 2, line 25, strike "or"; in line 26 after the semicolon
 2 insert "or"; and after line 26 insert the following new subdivision:
 3 "(vii) Used by a business solely for customer service or strictly to
 4 provide users with information about available commercial services or
 5 products provided by the business, customer service account information,
 6 or other information strictly related to the business's customer
 7 service."
 8 2. On page 3, line 1, strike "develops and".
 9 3. On page 4, line 14, strike "system" and insert "service"; and in
 10 line 29 strike "shall" and insert "may".
 11 4. On page 5, line 15, strike "can" and insert "shall"; in line 18
 12 strike "an" and insert "a conversational"; and in line 19 strike "third
 13 party" and insert "third-party operator".

(Signed) Mike Jacobson, Chairperson

Agriculture

LEGISLATIVE BILL 948. Placed on General File with amendment.
[AM1976](#) is available in the Bill Room.

LEGISLATIVE BILL 894. Placed on General File with amendment.
[AM2004](#) is available in the Bill Room.

(Signed) Barry DeKay, Chairperson

Revenue

LEGISLATIVE BILL 826. Placed on General File.

(Signed) R. Brad von Gillern, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1023 1:30 PM

Wednesday, February 25, 2026

Lynn Mayhew - Environmental Quality Council
Amy Staples - Environmental Quality Council
Dallen R Juelfs - Nebraska Oil and Gas Conservation Commission

(Signed) Tom Brandt, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Riepe - LB1212
Executive Board - LB634
Executive Board - LB1237

MOTION(S) - Print in Journal

Senator Conrad filed the following motion to LB795:

[MO423](#)

Recommit to the Judiciary Committee.

Senator Conrad filed the following motion to LB877:

[MO424](#)

Recommit to the Judiciary Committee.

Senator DeBoer filed the following motions to LB1100:

[MO425](#)

Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO426](#)

Bracket until April 17, 2026.

[MO427](#)

Recommit to the Judiciary Committee.

[MO428](#)

Bracket until April 17, 2026.

[MO429](#)

Recommit to the Judiciary Committee.

[MO430](#)

Recommit to the Judiciary Committee.

Senator Hunt filed the following motions to [LB730](#):

[MO431](#)

Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO432](#)

Bracket until April 17, 2026.

[MO433](#)

Recommit to the Government, Military and Veterans Affairs Committee.

AMENDMENT(S) - Print in Journal

Senator Conrad filed the following amendments to [LB795](#):

[FA977](#)

To AM2092, on page 5, line 5, strike "or any mixture or substance containing a detectable amount of fentanyl"

[FA978](#)

To AM2092, on page 5, line 12, strike "ID" and insert "II"

[FA979](#)

To AM2092, on page 5, line 10, strike "IC" and insert "ID".

[FA981](#)

Strike the enacting clause.

[FA982](#)

Strike Section 2.

Senator Conrad filed the following amendments to [LB877](#):

[FA983](#)

Strike the enacting clause.

[FA984](#)

Strike Section 2.

Senator DeKay filed the following amendment to [LB948](#):

[AM2101](#)

(Amendments to Standing Committee amendments, AM1976)

- 1 1. Strike original sections 12, 34, 37, and 38 and insert the
- 2 following new section:
- 3 Sec. 12. Section 81-2,162.02, Reissue Revised Statutes of Nebraska,
- 4 is amended to read:
- 5 81-2,162.02 For purposes of the Nebraska Commercial Fertilizer and
- 6 ~~Beneficial Substances~~ ~~Soil Conditioner~~ Act, unless the context otherwise
- 7 requires:
- 8 (1) Beneficial substance means any claimed or advertised substance

9 that can be demonstrated by scientific research to be beneficial to soil,
 10 media, or at least one species of plant. Beneficial substance:
 11 (a) Includes any plant biostimulant, soil amendment, chemical or
 12 biological substance that is beneficial to any plant and growing
 13 environment of such plant; and
 14 (b) Does not include any primary or secondary nutrient for plants,
 15 plant micronutrient, pesticide, unmanipulated animal or plant manure, or
 16 commercial fertilizer;
 17 ~~(2) Bulk means nonpackaged;~~~~(1) Director means the Director of~~
 18 ~~Agriculture or his or her duly authorized agent;~~
 19 ~~(2) Department means the Department of Agriculture;~~
 20 (3) Commercial fertilizer means any formula or product distributed
 21 for further distribution or ultimate use as a plant nutrient, intended to
 22 promote plant growth, containing one or more plant nutrients recognized
 23 by the Association of American Plant Food Control Officials in its
 24 official publication. The term commercial fertilizer shall not be deemed
 25 to include unmanipulated animal and vegetable manures but shall be deemed
 26 to include both finished products and fertilizer ingredients capable of
 1 being used in the formulation of a finished product;
 2 ~~(4) Bulk means nonpackaged;~~
 3 ~~(4)(5) Custom-blended product means any individually compounded~~
 4 ~~commercial fertilizer or beneficial substance that is soil conditioner~~
 5 ~~mixed, blended, offered for sale, or sold in Nebraska to a person's~~
 6 ~~specifications, when such person is the ultimate consumer, if the~~
 7 ~~ingredients used in such product which are subject to the registration~~
 8 ~~requirements of section 81-2,162.03 have been so registered;~~
 9 ~~(5) Department means the Department of Agriculture;~~
 10 ~~(6) Director means the Director of Agriculture or his or her duly~~
 11 ~~authorized agent;~~
 12 ~~(7)(6) Distribute means to offer for sale, sell, barter, or~~
 13 ~~otherwise supply commercial fertilizers or beneficial substances~~~~soil~~
 14 ~~conditioners;~~
 15 ~~(8)(7) Fineness means the percentage of weight of the material which~~
 16 ~~will pass United States standard sieves of specified sizes;~~
 17 ~~(9)(8) Grade means the percentage of total nitrogen, available~~
 18 ~~phosphate, and soluble potash;~~
 19 ~~(10)(9) Label means a display of written, printed, or other graphic~~
 20 ~~matter upon the container in which a commercial fertilizer or beneficial~~
 21 ~~substances~~~~soil conditioner~~ is distributed, or a statement accompanying
 22 such product;
 23 ~~(11)(10) Labeling means the label and all other written, printed, or~~
 24 ~~graphic matter accompanying the commercial fertilizer or beneficial~~
 25 ~~substances~~~~soil conditioner~~ at any time or to which reference is made on
 26 the label;
 27 (12) Microorganism means any microbiological organism or mixture of
 28 microbiological organisms intended to produce any physical, chemical,
 29 biochemical, or biological change, or any other change, in soil and is
 30 recognized by the Association of American Plant Food Control Officials in
 31 its official publication;
 1 ~~(13)(11) Official sample means any sample of commercial fertilizer~~
 2 ~~or beneficial substances~~~~soil conditioner~~ taken by the director or his or
 3 her agent;
 4 ~~(12) Product means both commercial fertilizers and soil~~
 5 ~~conditioners;~~
 6 ~~(13) Ton means a net weight of two thousand pounds avoirdupois;~~
 7 (14) Percent or percentage means the percentage by weight;
 8 (15) Person includes individual, cooperative, partnership, limited
 9 liability company, association, firm, and corporation;
 10 (16) Product means both commercial fertilizers and soil
 11 conditioners;

12 ~~(17)(16)~~ Sell or sale includes exchange;

13 ~~(18)(17)~~ Soil conditioner means any formula or product distributed,

14 except unmanipulated animal and vegetable manures, which, when added to

15 the soil, is intended to (a) change the physical condition of the soil or

16 (b) produce a favorable growth, yield, or quality of crops or other soil

17 characteristics but shall not mean a commercial fertilizer, a pesticide

18 as defined in the Pesticide Act, or an agricultural liming material as

19 defined in the Agricultural Liming Materials Act; ~~and~~

20 ~~(19)(18)~~ Specialty product means a product for nonfarm use; ~~and~~;

21 ~~(20)~~ Ton means a net weight of two thousand pounds avoirdupois.

22 Sec. 34. Section 37 of this act becomes operative on January 1,

23 2027. Sections 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22,

24 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 35 of this act become

25 operative three calendar months after the adjournment of this legislative

26 session. The other sections of this act become operative on their

27 effective date.

28 Sec. 37. The following sections are outright repealed: Sections

29 2-3401, 2-3402, 2-3403, 2-3404, 2-3405, 2-3406, 2-3407, 2-3411, 2-3415,

30 and 2-3416, Reissue Revised Statutes of Nebraska.

31 Sec. 38. The following sections are outright repealed: Sections

1 2-2801, 2-2802, 2-2803, 2-2804, 2-2805, 2-2806, 2-2807, 2-2809, 2-2810,

2 2-2811, 2-2812, 2-3408, 2-3409, 2-3410, 2-3412, 2-3414, and 81-201.05,

3 Reissue Revised Statutes of Nebraska.

4 2. On page 11, lines 23 and 24, strike "including refund payments

5 authorized by section 2-3409" and show as stricken.

6 3. On page 17, line 15, strike "All products" and insert "Prior to

7 January 1, 2027, each" and reinstate the stricken "soil conditioner"; and

8 in line 16 after the period insert "Beginning on and after January 1,

9 2027, all products shall be registered before being distributed in this

10 state."

11 4. On page 18, line 29, strike "Any", show as stricken, and insert

12 "Beginning on and after January 1, 2027, any".

13 5. On page 21, strike beginning with "(1)" in line 23 through line

14 28, show the old matter as stricken, and insert the following new

15 subsection:

16 "(1)(a) An inspection fee shall be paid to the director at the rate

17 fixed by the director but not exceeding fifteen cents per ton for:

18 (i) Prior to January 1, 2027, commercial fertilizers and soil

19 conditioners; and

20 (ii) Beginning on and after January 1, 2027, commercial fertilizers

21 and beneficial substances.

22 (b) Such inspection fee shall be paid by the person distributing the

23 product to the ultimate user."

24 6. On page 22, line 14, strike "(4) Every", show as stricken, and

25 insert "(4)(a) Prior to January 1, 2027, every"; in line 15 strike the

26 new matter and reinstate the stricken matter; in line 16 strike "the last

27 day of January and July of each year", show as stricken, and insert "July

28 31, 2026, and December 31, 2026"; strike beginning with "which" in line

29 20 through the comma in line 21 and show as stricken; and in line 22

30 after the period insert paragraphing and "(b) Beginning on and after

31 January 1, 2027, any person who distributes any commercial fertilizer or

1 beneficial substance to the ultimate user in the state shall file, not

2 later than July 31, 2027, and each July 31 thereafter, and January 31,

3 2028, and January 31 of each year thereafter, a semiannual tonnage report

4 on forms provided by the department setting forth the number of net tons

5 of commercial fertilizer and beneficial substances distributed in this

6 state during the preceding six-month period and such other information as

7 the director deems necessary."

Senator DeKay filed the following amendment to LB894:

AM2138

(Amendments to Standing Committee amendments, AM2004)

- 1 1. On page 5, line 28, after "88-529" insert "and, unless otherwise
- 2 provided, all fees received by the commission pursuant to the Grain
- 3 Dealer Act or the Grain Warehouse Act".
- 4 2. On page 8, line 5, strike "(1)" and insert "(1)(a)"; in line 6
- 5 strike "to be operated", show as stricken, and insert "that is not
- 6 licensed under the federal United States Warehouse Act"; and after line 9
- 7 insert the following new subdivision:
- 8 "(b) The commission shall not charge an annual license fee for a
- 9 warehouse that is licensed under the federal United States Warehouse
- 10 Act".
- 11 3. On page 9, strike lines 17 through 30 and insert the following
- 12 new subdivisions:
- 13 "(3)(a) On or before December 1, 2026, the commission shall
- 14 establish the annual license fees that apply beginning July 1, 2027, to
- 15 warehouses that are not licensed under the federal United States
- 16 Warehouse Act and electronically submit a schedule of such fees to the
- 17 Clerk of the Legislature.
- 18 "(b) Beginning in 2027, on or after July 1 of each year, the
- 19 commission may modify the annual license fees established under
- 20 subdivision (a) of this subsection.
- 21 "(c) An annual license fee that is established or modified under this
- 22 subsection shall not exceed the fee established for the applicable
- 23 commodity in the 2025/2026 Rates Charged for AMS Services notice for
- 24 entities with a Commodity Credit Corporation agreement, as such notice
- 25 existed on January 1, 2026, that was published by the Agricultural
- 26 Marketing Service of the United States Department of Agriculture.".
- 1 4. On page 10, strike lines 1 through 6.
- 2 5. On page 11, line 3, strike "General Fund", show as stricken, and
- 3 insert "Grain Dealer and Grain Warehouse Cash Fund".

Senator Brandt filed the following amendment to LB979:

AM2147

- 1 1. Insert the following new section:
- 2 Sec. 15. Section 37-457, Revised Statutes Cumulative Supplement,
- 3 2024, is amended to read:
- 4 37-457 (1) The commission may issue permits for hunting wild turkey
- 5 and prescribe and establish regulations and limitations for the hunting,
- 6 transportation, and possession of wild turkey. The commission may offer
- 7 multiple-year permits or combinations of permits at reduced rates. The
- 8 number of such permits may be limited as provided by the regulations of
- 9 the commission, but the permits shall be disposed of in an impartial
- 10 manner. Such permits may be issued to allow wild turkey hunting in the
- 11 Nebraska National Forest and other game reserves and such other areas as
- 12 the commission may designate whenever the commission deems that
- 13 permitting such hunting would not be detrimental to the proper
- 14 preservation of wildlife in such forest, reserves, or areas.
- 15 (2) The commission may, pursuant to section 37-327, establish and
- 16 charge a nonrefundable application fee of not more than nine dollars for
- 17 turkey permits to be awarded on the basis of a random drawing. The
- 18 commission shall, pursuant to section 37-327, establish and charge a fee
- 19 of not more than ~~forty~~^{thirty-one} dollars for residents and not more than
- 20 ~~two~~^{one} hundred ~~fourteen~~^{sixty-four} dollars for nonresidents for each
- 21 permit issued under this section except as provided in subsection (5) of
- 22 this section. The commission may, pursuant to section 37-327, establish
- 23 and charge a fee of not more than twenty-four dollars for residents and
- 24 not more than seventy-two dollars for nonresidents for the issuance of a
- 25 preference point, in addition to any application fee. The commission

26 shall adopt and promulgate rules and regulations for the issuance of a
 27 preference point.

1 (3) The commission may issue nonresident permits after preference
 2 has been given for the issuance of resident permits as provided in rules
 3 and regulations adopted and promulgated by the commission. The commission
 4 may require a predetermined application period for permit applications in
 5 specified management units.
 6 (4) The provisions of subsection (5) of section 37-447 for the
 7 distribution of deer permits also may apply to the distribution of wild
 8 turkey permits. No permit to hunt wild turkey shall be issued without
 9 payment of the fee required by this section.
 10 (5) The commission shall, pursuant to section 37-327, establish and
 11 charge a fee of not more than twenty-five dollars for residents and not
 12 more than forty-five dollars for nonresidents for a youth wild turkey
 13 permit.
 14 2. Renumber the remaining sections and correct the repealer
 15 accordingly.

Senator DeBoer filed the following amendments to LB1100:

FA985

On page 2, line 6 strike "shall" and insert "may".

FA986

On page 2, line 5 strike "in their place" and insert "now".

FA987

On page 2, line 6 strike "called" and insert "known as".

FA988

Strike the material in FA759 and insert the following, on page 2, line 3 strike "distinctions" and insert "differences".

FA989

Strike the material in FA759 and insert the following as an amendment to LB1100: On page 2, line 5 strike "abolished" and insert "ended".

FA990

Strike Section 1.

FA991

Strike the material in FA759 and insert the following language as a new section to LB1100, "The Legislature shall pass laws to protect the people and value humans beings over companies."

Senator Arch filed the following amendment to LB905:

AM2149

1 1. On page 15, line 25, after the period insert "Any presumptively
 2 eligible member shall serve for a term of four years from the date when
 3 he or she became a member of the board and may be reappointed by the
 4 Governor.".

Senator Holdcroft filed the following amendment to LB512:

FA992

In AM519, strike Section 2.

Senator Jacobson filed the following amendment to [LB525](#):
[AM2076](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 10 of this act shall be known and may be
4 cited as the Agricultural Data Privacy Act.
5 Sec. 2. The Legislature finds that agricultural data is a
6 proprietary business asset that originates from the farm, land, devices,
7 and equipment of agricultural producers. To protect the economic value of
8 this data and the autonomy of Nebraska producers, the sale of such data
9 shall be protected and the security of such data shall be maintained
10 through reasonable safeguards.
11 Sec. 3. For purposes of the Agricultural Data Privacy Act:
12 (1) Affiliate means a person or entity that directly or indirectly
13 controls, is controlled by, or is under common control with a controller
14 or processor;
15 (2) Aggregated data means agricultural data that has been combined
16 with other data from various sources and summarized so that the resulting
17 data cannot reasonably be linked to an identified or identifiable
18 agricultural producer, farm, parcel, device, or equipment;
19 (3) Agricultural data:
20 (a) Means any of the following that is collected, produced, or
21 generated in this state and is linked or reasonably linked to an
22 identified or reasonably identifiable agricultural producer: Agronomic
23 data, climate and weather data, land data, livestock data, management
24 data, and sustainability data; and
25 (b) Does not include aggregated data or derived data;
26 (4) Agricultural producer means the person that is the owner,
27 lessee, or renter of the farm, livestock, land, device, or equipment from
1 which agricultural data originates;
2 (5) Agronomic data means information relating to soil management or
3 crop production, including data relating to any crop, field, planting
4 activity, seed type, yield, disease and pest management, fertilizer type
5 or application, or prescription;
6 (6) Climate and weather data means information regarding the
7 conditions of the atmosphere at a place and time and how such conditions
8 generally prevail in such place over a long period of time that is
9 collected, produced, or generated by the equipment of an agricultural
10 producer or by devices located on the land of an agricultural producer.
11 Climate and weather data:
12 (a) Includes the following information: Precipitation type and
13 amount, wind speed and direction, and temperature; and
14 (b) Does not include information that is made available to the
15 general public by a governmental entity or public source;
16 (7) Controller means a person who or entity that, alone or jointly
17 with others, determines the purpose and means of processing agricultural
18 data;
19 (8) Derived data means data that has been significantly modified,
20 processed, analyzed, or compiled. Derived data includes agronomic
21 insights, reports, and predictive models;
22 (9) Land data means information regarding the physical attributes of
23 a parcel of land, including the types and fertility of soils, the
24 topography, elevation, watershed, and drainage of such parcel, and
25 geospatial information regarding such parcel;
26 (10) Livestock data means information regarding the production of
27 animals by an agricultural producer, including animal identification
28 practices, pedigree information, genetic information, and feed
29 consumption information;
30 (11) Management data means information regarding the management of

31 an agricultural producer's agricultural operations. Farm management data
1 includes:
2 (a) The finances, taxes, and employment of the agricultural
3 producer;
4 (b) The price received or paid for any commodity;
5 (c) Data regarding the compliance of the agricultural producer with
6 any law;
7 (d) Data regarding the supply chain for a commodity that is produced
8 or used by the agricultural producer; and
9 (e) Information regarding the tillage and conservation practices of
10 the agricultural producer;
11 (12) Processor means a person who or entity that processes
12 agricultural data on behalf of a controller;
13 (13)(a) Sale of agricultural data means the exchange of agricultural
14 data for monetary or other valuable consideration by a controller or
15 processor to a third party; and
16 (b) Sale of agricultural data does not include any:
17 (i) Disclosure or transfer of agricultural data to a processor by a
18 controller;
19 (ii) Use of agricultural data by a processor, if such use is
20 authorized by a controller;
21 (iii) Disclosure, transfer, or use of agricultural data for the
22 purpose of a controller or processor providing a service to an
23 agricultural producer;
24 (iv) Disclosure, transfer, or use of agricultural data to an
25 affiliate of the controller or processor;
26 (v) Disclosure that is expressly directed, initiated, or authorized
27 in writing by an agricultural producer to a designated third party,
28 including any input provider, advisor, lender, insurer, cooperative, or
29 digital platform chosen by the producer;
30 (vi) Disclosure that is required by a state or federal law,
31 regulation, subpoena, investigative demand, or court order;
1 (vii) Disclosure that is required for compliance with a state or
2 federal safety, emissions, or environmental obligation;
3 (viii) Disclosure of information that an agricultural producer:
4 (A) Intentionally made available to the general public through a
5 mass media channel; and
6 (B) Did not restrict to a specific audience;
7 (ix) Disclosure or transfer of agricultural data by a controller to
8 a third party as an asset in which the third party assumes control of all
9 or a part of the controller's assets and that is part of a proposed or
10 actual:
11 (A) Merger;
12 (B) Acquisition;
13 (C) Bankruptcy; or
14 (D) Transaction; or
15 (x) Disclosure, transfer, or use that is reasonably necessary to
16 detect, prevent, or respond to any fraud, abuse, cybersecurity threat,
17 illegal conduct, data integrity issue, or equipment misuse;
18 (14) Service means any service that is provided by a controller or
19 processor to an agricultural producer and that may be used to maintain,
20 diagnose, repair, support, secure, improve, or provide any equipment,
21 software, device, technology, product, or service to the agricultural
22 producer, including any telematic service, remote diagnostic, predictive
23 maintenance, warranty administration, safety notification, recall
24 activity, cybersecurity service, product improvement, quality
25 improvement, system performance enhancement, internal algorithm training,
26 over-the-air update, or purchase of a commodity from the agricultural
27 producer; and
28 (15) Sustainability data means information regarding greenhouse-gas

29 emissions, carbon sequestration, and water-quality impact, and any other
30 environmental or conservation practice used to verify sustainability
31 claims.

1 Sec. 4. (1) An agricultural producer is the owner of agricultural
2 data that originates from the farm, land, device, or equipment of such
3 agricultural producer.

4 (2) A controller or processor may maintain and store agricultural
5 data as necessary to provide services to an agricultural producer, unless
6 a written contract between the parties expressly provides to the
7 contrary.

8 Sec. 5. (1) A controller or processor shall not engage in the sale
9 of agricultural data without the express written consent of the
10 agricultural producer.

11 (2) Written consent for the sale of agricultural data shall be
12 obtained through a clear and conspicuous disclosure that is separate from
13 the primary terms of service or data use agreement.

14 Sec. 6. (1) Beginning on January 1, 2027, every new contract or
15 agreement involving the collection or processing of agricultural data in
16 this state shall contain a specific provision stating that the controller
17 or processor is prohibited from selling the agricultural data without the
18 express written consent of the agricultural producer.

19 (2) Any contract provision that waives or limits the requirements of
20 the Agricultural Data Privacy Act is contrary to public policy and is
21 void and unenforceable.

22 Sec. 7. (1) Any controller or processor in custody or possession of
23 agricultural data shall establish, implement, and maintain reasonable
24 administrative, technical, and physical data security practices to
25 protect the confidentiality, integrity, and accessibility of such
26 agricultural data.

27 (2) Such security practices shall be appropriate for the volume and
28 nature of the agricultural data and protect against unauthorized access,
29 use, disclosure, modification, or loss.

30 Sec. 8. (1) The Attorney General may bring an action in the district
31 court of Lancaster County against any controller or processor that
1 violates the Agricultural Data Privacy Act to:

2 (a) Seek injunctive relief; or

3 (b) Recover a civil penalty in the amount of one thousand dollars
4 for each separate violation. Any such civil penalty that is recovered
5 shall be remitted to the State Treasurer for distribution in accordance
6 with Article VII, section 5, of the Constitution of Nebraska.

7 (2) The Agricultural Data Privacy Act shall not be construed to
8 create any new private cause of action. The enforcement authority granted
9 to the Attorney General under this section shall be the exclusive remedy
10 for violations of the Agricultural Data Privacy Act.

11 Sec. 9. (1) Prior to bringing an action to recover a civil penalty
12 for a violation of section 6 or 7 of this act, the Attorney General shall
13 provide a controller or processor with a written notice that identifies
14 the specific provision of section 6 or 7 of this act that the Attorney
15 General alleges has been or is being violated.

16 (2) No such action for a civil penalty shall be initiated if, within
17 forty-five days after receiving the written notice, the controller or
18 processor:

19 (a) Cures each such alleged violation; and

20 (b) Provides the Attorney General with a written statement that
21 specifies that each such alleged violation has been cured and that such
22 controller or processor will refrain from further violations of the
23 Agricultural Data Privacy Act.

24 (3) This section shall not apply to any violation of section 5 of
25 this act.

26 Sec. 10. The Agricultural Data Privacy Act shall not be construed

27 to:

28 (1) Limit or supersede any duty or obligation that is imposed by any

29 federal law or any other law of the State of Nebraska;

30 (2) Relieve any person from any duty or obligation otherwise imposed

31 by law; or

1 (3) Impair, supersede, or otherwise affect the terms of any private

2 contract that is in existence prior to the effective date of this act.

Senator Hunt filed the following amendment to [LB730](#):

[FA993](#)

Strike Section 1.

ANNOUNCEMENT(S)

Senator Hansen announced the Executive Board will conduct its hearing on Wednesday, February 18, 2026, and Thursday, February 19, 2026, in Room 1023 instead of Room 1524.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Spivey name added to LB14.

Senator Spivey name added to LB28.

Senator Spivey name added to LB30.

Senator Spivey name added to LB75.

Senator Spivey name added to LB221.

Senator Spivey name added to LB256.

Senator Spivey name added to LB338.

Senator Spivey name added to LB409.

Senator Spivey name added to LB447.

Senator Spivey name added to LB571.

Senator Spivey name added to LB578.

Senator Raybould name added to LB779.

Senator Raybould name added to LB843.

Senator Riepe name added to LB1044.

Senator M. Cavanaugh name added to LB1087.

Senator Hallstrom name added to LB1159.

Senator Hallstrom name added to LB1230.

VISITOR(S)

Visitors to the Chamber were Keston Rubeck, Creighton; members of AFL-CIO Nebraska; members of Leadership Beatrice; members of Leadership York; students from Blair High School, Blair; members of Project Extra Mile Youth Leadership Network, Omaha.

The Doctor of the Day was Dr. Kip Anderson, Columbus.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Strommen, the Legislature adjourned until 9:00 a.m., Thursday, February 19, 2026.

Brandon Metzler
Clerk of the Legislature

