

THIRTY-FOURTH DAY - FEBRUARY 26, 2026**LEGISLATIVE JOURNAL****ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION****THIRTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 26, 2026

PRAYER

The prayer was offered by Reverend Sarah Rentzel Jones, First Central Congregational Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Moser.

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 Sanders and Spivey who were excused; and Senators Armendariz, Bostar, Hughes, and Prokop who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-third day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 352. Introduced by Brandt, 32.

WHEREAS, Erwin H. Schopp, of Plymouth, Nebraska, was captured and died as a prisoner of war during World War II and has since been accounted for on January 24, 2025; and

WHEREAS, Schopp was a member of Headquarters Battery, 59th Coastal Artillery Regiment during the invasion on the Philippine Islands by the Japanese in December 1941; and

WHEREAS, Schopp was among the thousands of United States and Filipino service members who were then captured and interned at POW camps; and

WHEREAS, Schopp died on January 1, 1943, where he was believed to be held at Cabanatuan POW camp and was buried in the local Cabanatuan Camp Cemetery in Common Grave 836; and

WHEREAS, the Legislature recognizes that the Defense POW/MIA Accounting Agency has never stopped looking for fallen military to respect the fallen and their families, friends, and communities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature thanks Erwin H. Schopp for his service to the United States.
2. That a copy of this resolution be sent to the family of Erwin H. Schopp.

Laid over.

ANNOUNCEMENT(S)

Senator Hardin announced the Health and Human Services Committee will conduct its hearing on Thursday, February 26, 2026, at 1:30 p.m., instead of 12:30 p.m. in Room 1510.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 341, 342, 343, and 344 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 341, 342, 343, and 344.

GENERAL FILE

LEGISLATIVE BILL 455. Senator Raybould renewed [MO76](#), found on page 796, First Session, 2025, and considered on pages 813 and 818, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

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

Senator Hallstrom moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

The motion to cease debate prevailed with 25 ayes, 7 nays, and 17 not voting.

The Raybould motion to indefinitely postpone prior to the bill being read failed with 12 ayes, 28 nays, 4 present and not voting, 1 absent and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO467](#)

Reconsider the vote taken on MO76.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 720. Placed on Final Reading.

LEGISLATIVE BILL 745. Placed on Final Reading.

LEGISLATIVE BILL 759. Placed on Select File with amendment.

[ER126](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 13
 2 and insert "law; to amend sections 13-2041, 54-2428, 57-1601, 57-1620,
 3 81-1505, 81-1532, 81-1586, 81-1587, 81-15102, 81-15,123, 81-15,124.01,
 4 81-15,124.02, 81-15,196, 81-15,261, 81-15,265, 81-15,267, 81-15,268,
 5 81-15,270, 81-15,273, 81-15,274, 81-15,275, 81-15,277, 81-15,288,
 6 81-15,289, and 81-15,291, Reissue Revised Statutes of Nebraska, and
 7 sections 46-606, 46-1217, 58-712, 61-303, 73-813, 81-502, 81-1561,
 8 81-15,262, 81-15,263, 81-15,299, 81-15,300, 81-15,313, and 81-15,315,
 9 Revised Statutes Supplement, 2025; to change provisions relating to the
 10 Integrated Solid Waste Management Cash Fund; to change fees for water
 11 wells, livestock waste control, pollutant discharge, and hazardous waste
 12 regulation; to change the membership of the Water Well Standards and
 13 Contractors' Licensing Board; to change penalty and enforcement
 14 provisions relating to the Nebraska Geologic Storage of Carbon Dioxide
 15 Act; to harmonize references regarding the Department of Water, Energy,
 16 and Environment with changes made by Laws 2025, LB317; to provide for
 17 entry upon property under the Perkins County Canal Project Act; to create
 18 the Water Quality and Quantity Cash Fund; to change provisions relating
 19 to the allocation and distribution of funds from the Nebraska Litter
 20 Reduction and Recycling Fund; to change and eliminate provisions
 21 regarding authority of the Department of Water, Energy, and Environment
 22 relating to the regulation of swimming pools, recreation camps, and
 23 mobile home parks; to require local governments to regulate swimming
 24 pools, recreation camps, and mobile home parks; to eliminate provisions
 25 relating to a private water supply and private sewage disposal
 26 facilities; to terminate the Environmental Safety Cash Fund; to eliminate
 27 obsolete provisions; to harmonize provisions; to provide operative dates;
 1 to repeal the original sections; to outright repeal sections 81-15,266,
 2 81-15,269, 81-15,272, 81-15,276, 81-15,280, 81-15,281, 81-15,282,
 3 81-15,283, 81-15,284, 81-15,285, 81-15,286, 81-15,287, and 81-15,290,
 4 Reissue Revised Statutes of Nebraska, and section 81-15,292, Revised
 5 Statutes Supplement, 2025; and to declare an emergency."

LEGISLATIVE BILL 721. Placed on Select File.

LEGISLATIVE BILL 903. Placed on Select File with the attached amendment.

[ER125](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 68-1212, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 68-1212 For all cases in which a court has awarded a juvenile to the
6 care of the Department of Health and Human Services according to
7 subsection (1) of section 43-285 and for any noncourt and voluntary
8 cases, the case manager shall be an employee of the department. Such case
9 manager shall be responsible for and shall directly oversee: Case
10 planning; service authorization; investigation of compliance; monitoring
11 and evaluation of the care and services provided to children and
12 families; and decisionmaking regarding the determination of visitation
13 and the care, placement, medical services, psychiatric services,
14 training, and expenditures on behalf of each juvenile under subsection
15 (1) of section 43-285. Such case manager shall be responsible for
16 decisionmaking and direct preparation regarding the proposed plan for the
17 care, placement, services, and permanency of the juvenile filed with the
18 court required under subsection (2) of section 43-285. The health and
19 safety of the juvenile shall be the paramount concern in the proposed
20 plan. When appropriate, the case manager may refer (1) families with a
21 child, two years of age or younger, for evidence-based home visitation
22 services as provided in the Family Home Visitation Act and (2) families
23 with a child, three years of age or younger, to early intervention
24 services as defined in section 43-2505.

25 Sec. 2. Original section 68-1212, Revised Statutes Cumulative
26 Supplement, 2024, is repealed.

27 Sec. 3. The following section is outright repealed: Section 68-2306,
1 Revised Statutes Supplement, 2025.

2 2. On page 1, strike beginning with the third occurrence of "for" in
3 line 3 through line 4 and insert "and early intervention services for
4 certain families by case managers as prescribed; to eliminate a provision
5 relating to the applicability of the Family Home Visitation Act; to
6 repeal the original section; and to outright repeal section 68-2306,
7 Revised Statutes Supplement, 2025."

LEGISLATIVE BILL 954. Placed on Select File.

LEGISLATIVE BILL 778. Placed on Select File.

LEGISLATIVE BILL 834. Placed on Select File.

LEGISLATIVE BILL 883. Placed on Select File.

LEGISLATIVE BILL 797. Placed on Select File.

LEGISLATIVE BILL 798. Placed on Select File.

(Signed) Dunixi Guereca, Chairperson

Business and Labor

LEGISLATIVE BILL 819. Placed on General File with amendment.
[AM2134](#) is available in the Bill Room.

LEGISLATIVE BILL 847. Placed on General File with amendment.
[AM2141](#) is available in the Bill Room.

(Signed) Kathleen Kauth, Chairperson

Health and Human Services

LEGISLATIVE BILL 926. Placed on General File.

(Signed) Brian Hardin, Chairperson

Natural Resources

The Natural Resources 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.

Dallen R Juelfs - Nebraska Oil and Gas Conservation Commission

Aye: 7. Brandt, Clouse, DeKay, Hughes, Juarez, Moser, Raybould. Nay: 0.
Absent: 1. Conrad. Present and not voting: 0.

The Natural Resources 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.

Lynn Mayhew - Environmental Quality Council
Amy Staples - Environmental Quality Council

Aye: 7. Brandt, Clouse, DeKay, Hughes, Juarez, Moser, Raybould. Nay: 0.
Absent: 1. Conrad. Present and not voting: 0.

(Signed) Tom Brandt, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hansen filed the following amendment to LB1001:
[AM2320](#)

(Amendments to Standing Committee amendments, AM1946)

- 1 1. Insert the following new sections:
- 2 Sec. 20. Section 9-401, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 9-401 Sections 9-401 to 9-437 and section 23 of this act shall be
- 5 known and may be cited as the Nebraska Lottery and Raffle Act.
- 6 Sec. 21. Section 9-411, Reissue Revised Statutes of Nebraska, is
- 7 amended to read:
- 8 9-411 (1) Lottery shall mean a gambling scheme in which (a)
- 9 participants pay or agree to pay something of value for an opportunity to
- 10 win, (b) winning opportunities are represented by tickets differentiated
- 11 by sequential enumeration, and (c) winners are determined by a random
- 12 drawing of the tickets or by the method set forth in section 9-426.01 or
- 13 section 23 of this act.
- 14 (2) Except as provided in section 23 of this act, lottery Lottery
- 15 shall not include (a) any raffle as defined in section 9-415, (b) any
- 16 gambling scheme which uses any mechanical, computer, electronic, or video
- 17 gaming device which has the capability of awarding something of value,
- 18 free games redeemable for something of value, or tickets or stubs
- 19 redeemable for something of value, (c) any activity which is authorized

20 or regulated under the Nebraska Bingo Act, the Nebraska County and City
 21 Lottery Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small
 22 Lottery and Raffle Act, the State Lottery Act, section 9-701, or Chapter
 23 2, article 12, or (d) any activity which is prohibited under Chapter 28,
 24 article 11.

25 Sec. 22. Section 9-415, Reissue Revised Statutes of Nebraska, is
 26 amended to read:

1 9-415 (1) Raffle shall mean a gambling scheme in which (a)
 2 participants pay or agree to pay something of value for an opportunity to
 3 win, (b) winning opportunities are represented by tickets differentiated
 4 by sequential enumeration, (c) winners are determined by a random drawing
 5 of the tickets or by the method set forth in section 9-426.01 or section
 6 23 of this act, and (d) at least eighty percent of all of the prizes to
 7 be awarded are merchandise prizes which are not directly or indirectly
 8 redeemable for cash by the licensed organization conducting the raffle or
 9 any agent of the organization.

10 (2) Except as provided in section 23 of this act, raffle Raffle shall
 11 not include (a) any gambling scheme which uses any mechanical, computer,
 12 electronic, or video gaming device which has the capability of awarding
 13 something of value, free games redeemable for something of value, or
 14 tickets or stubs redeemable for something of value, (b) any activity
 15 which is authorized or regulated under the Nebraska Bingo Act, the
 16 Nebraska County and City Lottery Act, the Nebraska Pickle Card Lottery
 17 Act, the Nebraska Small Lottery and Raffle Act, the State Lottery Act,
 18 section 9-701, or Chapter 2, article 12, or (c) activity which is
 19 prohibited under Chapter 28, article 11.

20 Sec. 23. (1) A licensed organization may conduct a lottery or
 21 raffle that includes a progressive jackpot and multiple drawing dates for
 22 a game such as, but not limited to, the Queen of Hearts. In order to
 23 conduct a lottery or raffle in the method described in this section, such
 24 licensee shall (a) register each such lottery or raffle game with the
 25 department and (b) post the rules for such lottery or raffle in a visible
 26 location where such lottery or raffle is conducted or where tickets for
 27 such lottery or raffle are sold.

28 (2) A licensed organization may sell a ticket for a lottery or
 29 raffle conducted pursuant to this section through a vending or dispensing
 30 device.

31 (3) The department may adopt and promulgate rules and regulations
 1 for the conduct of a lottery or raffle utilizing the method authorized
 2 pursuant to this section.

3 Sec. 24. Section 9-427, Revised Statutes Cumulative Supplement,
 4 2024, is amended to read:

5 9-427 (1) The gross proceeds of any lottery or raffle shall be used
 6 solely for lawful purposes, awarding of prizes, and allowable expenses.

7 (2) Except as provided in subsection (3) of this section, not ~~Not~~
 8 less than sixty-five percent of the gross proceeds of any lottery or
 9 raffle shall be used for the awarding of prizes, and not more than ten
 10 percent of the gross proceeds of a lottery or raffle shall be used to pay
 11 the allowable expenses of operating such scheme, except that if prizes
 12 are donated to the licensed organization to be awarded in connection with
 13 a raffle, the prizes awarded shall have a fair market value equal to at
 14 least sixty-five percent of the gross proceeds of the raffle and the
 15 licensed organization shall use the proceeds for allowable expenses,
 16 optional additional prizes, and a lawful purpose.

17 (3) A lottery or raffle conducted pursuant to section 23 of this act
 18 shall only require fifty percent of the gross proceeds of such lottery or
 19 raffle to be used for awarding of prizes.

20 Sec. 25. Section 9-431, Reissue Revised Statutes of Nebraska, is
 21 amended to read:

22 9-431 Each licensed organization conducting a lottery or raffle

23 conducted pursuant to the Nebraska Lottery and Raffle Act shall have its
 24 name and identification number clearly printed on each lottery or raffle
 25 ticket or stub used in such lottery or raffle. No such ticket or stub
 26 shall be sold unless such name and identification number is so printed
 27 thereon. In addition, all lottery or raffle tickets or stubs shall bear a
 28 number, which numbers shall be in sequence and clearly printed on the
 29 ticket or stub.

30 Except as provided for a lottery or raffle conducted pursuant to
 31 section 23 of this act, eachEach ticket or stub shall have an equal
 1 chance of being chosen in the drawing. Each ticket or stub shall be
 2 constructed of the same material, shall have the same surface, and shall
 3 be substantially the same shape, size, form and weight.
 4 Each licensed organization conducting a lottery or raffle shall keep
 5 a record of all locations where its tickets or stubs are sold. In
 6 addition to other authorized sales, a licensed organization conducting a
 7 raffle conducted pursuant to the Nebraska Lottery and Raffle Act may also
 8 sell tickets or stubs for such raffles on its website and at events, and
 9 such tickets or stubs may be purchased using a debit card online on the
 10 website and at events in addition to other authorized methods of payment.
 11 Sec. 26. Section 9-501, Reissue Revised Statutes of Nebraska, is

12 amended to read:
 13 9-501 Sections 9-501 to 9-513 and section 29 of this act shall be
 14 known and may be cited as the Nebraska Small Lottery and Raffle Act.
 15 Sec. 27. Section 9-507, Reissue Revised Statutes of Nebraska, is
 16 amended to read:

17 9-507 (1) Lottery shall mean a gambling scheme in which (a)
 18 participants pay or agree to pay something of value for an opportunity to
 19 win, (b) winning opportunities are represented by tickets differentiated
 20 by sequential enumeration, (c) the winners are to be determined by a
 21 random drawing of the tickets or by the method set forth in section
 22 9-511.01 or section 29 of this act, and (d) the holders of the winning
 23 tickets are to receive something of value.

24 (2) Except as provided in section 29 of this act, lotteryLottery
 25 shall not include (a) any raffle, (b) any gambling scheme which uses any
 26 mechanical, computer, electronic, or video gaming device which has the
 27 capability of awarding something of value, free games redeemable for
 28 something of value, or tickets or stubs redeemable for something of
 29 value, (c) any activity authorized or regulated under the Nebraska Bingo
 30 Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and
 31 Raffle Act, the Nebraska Pickle Card Lottery Act, the State Lottery Act,
 1 section 9-701, or Chapter 2, article 12, or (d) any activity prohibited
 2 under Chapter 28, article 11.

3 Sec. 28. Section 9-509, Reissue Revised Statutes of Nebraska, is
 4 amended to read:

5 9-509 (1) Raffle shall mean a gambling scheme in which (a)
 6 participants pay or agree to pay something of value for an opportunity to
 7 win, (b) winning opportunities are represented by tickets differentiated
 8 by sequential enumeration, (c) winners are to be determined by a random
 9 drawing of tickets or by the method set forth in section 9-511.01 or
 10 section 29 of this act, and (d) at least eighty percent of all of the
 11 prizes to be awarded are merchandise prizes which are not directly or
 12 indirectly redeemable for cash by the qualifying nonprofit organization
 13 conducting the raffle or any agent of the organization.

14 (2) Except as provided in section 29 of this act, raffleRaffle shall
 15 not include (a) any gambling scheme which uses any mechanical, computer,
 16 electronic, or video gaming device which has the capability of awarding
 17 something of value, free games redeemable for something of value, or
 18 tickets or stubs redeemable for something of value, (b) any activity
 19 authorized or regulated under the Nebraska Bingo Act, the Nebraska County
 20 and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska

21 Pickle Card Lottery Act, the State Lottery Act, section 9-701, or Chapter
22 2, article 12, or (c) any activity prohibited under Chapter 28, article
23 11.

24 Sec. 29. (1) A qualifying nonprofit organization may conduct a
25 lottery or raffle that includes a progressive jackpot and multiple
26 drawing dates for a game such as, but not limited to, the Queen of
27 Hearts. In order to conduct a lottery or raffle in the method described
28 in this section, such organization shall (a) register each such lottery
29 or raffle game with the department and (b) post the rules for such
30 lottery or raffle in a visible location where such lottery or raffle is
31 conducted or where tickets for such lottery or raffle are sold.

1 (2) A qualifying nonprofit organization may sell a ticket for a
2 lottery or raffle conducted pursuant to this section through a vending or
3 dispensing device.

4 (3) The department may adopt and promulgate rules and regulations
5 for the conduct of a lottery or raffle utilizing the method authorized
6 pursuant to this section.

7 Sec. 30. Section 9-511, Revised Statutes Cumulative Supplement,
8 2024, is amended to read:

9 9-511 Any qualifying nonprofit organization may conduct a lottery or
10 raffle that has gross proceeds not greater than fifteen thousand dollars.
11 Except as provided for a lottery or raffle conducted pursuant to section
12 29 of this act, each chance in such lottery or raffle shall have an
13 equal likelihood of being a winning chance. The gross proceeds shall be
14 used solely for charitable or community betterment purposes, awarding of
15 prizes, and expenses. Any qualifying nonprofit organization may conduct
16 one lottery per calendar month that has gross proceeds not greater than
17 fifteen thousand dollars. Any qualifying nonprofit organization may
18 conduct one or more raffles in a calendar month if the total gross
19 proceeds from such raffles do not exceed fifteen thousand dollars during
20 such month.

21 2. Renumber the remaining sections and correct the repealer
22 accordingly.

Senator Storer filed the following amendment to LB816:
AM2323

(Amendments to Standing Committee amendments, AM1814)

1 1. Insert the following new sections:

2 Sec. 5. Section 71-919, Revised Statutes Supplement, 2025, is
3 amended to read:

4 71-919 (1)(a) A law enforcement officer may take a person into
5 emergency protective custody, cause him or her to be taken into emergency
6 protective custody, or continue his or her custody if he or she is
7 already in custody if the officer has probable cause to believe:

8 (i) Such person is mentally ill and dangerous or a dangerous sex
9 offender and that the harm described in section 71-908 or subdivision (1)
10 of section 83-174.01 is likely to occur before mental health board
11 proceedings under the Nebraska Mental Health Commitment Act or the Sex
12 Offender Commitment Act may be initiated to obtain custody of the person;
13 or

14 (ii) For a person domiciled within Indian country in Nebraska, that
15 such person is mentally ill and dangerous or a dangerous sex offender
16 under tribal law and that harm comparable to that described in section
17 71-908 or subdivision (1) of section 83-174.01 or the equivalent under
18 tribal law is likely to occur before mental health proceedings under
19 tribal law may be initiated to obtain custody of the person.

20 (b) Such person shall be admitted to an appropriate and available
21 medical facility, jail, or Department of Correctional Services facility
22 as provided in subsection (2) of this section.

23 (c)(i) Except as provided in subdivision (1)(c)(ii) of this section,

24 each county shall make arrangements with appropriate facilities inside or
25 outside the county for such purpose and shall pay the cost of the
26 emergency protective custody of persons from such county in such
1 facilities.

2 (ii) For a subject domiciled within Indian country in Nebraska for
3 whom emergency protective custody is initiated under tribal law, the
4 tribe shall make arrangements with appropriate facilities inside or
5 outside the tribe for such purpose and shall make arrangements for
6 payment of the cost of the emergency protective custody of persons from
7 such tribe in such facilities.

8 (d) A mental health professional who has probable cause to believe
9 that a person is mentally ill and dangerous or a dangerous sex offender
10 may cause such person to be taken into custody and shall have a limited
11 privilege to hold such person until a law enforcement officer or other
12 authorized person arrives to take custody of such person.

13 (2)(a) For purposes of this subsection, convicted sex offender means
14 a person with a prior conviction for an offense listed in section
15 29-4003.

16 (b) A person taken into emergency protective custody under this
17 section who is not a convicted sex offender shall be admitted to an
18 appropriate and available medical facility, except that such person may
19 instead be admitted to a jail or other facility with an available mental
20 health bed under the Regional Mental Health Expansion Pilot Program Act
21 until an appropriate medical facility is available.

22 (c) A person taken into emergency protective custody under this
23 section who is not a convicted sex offender shall be admitted to a jail
24 or Department of Correctional Services facility unless a medical or
25 psychiatric emergency exists for which treatment at a medical facility is
26 required. The person in emergency protective custody shall remain at the
27 medical facility until the medical or psychiatric emergency has passed
28 and it is safe to transport such person, at which time the person shall
29 be transferred to an available jail or Department of Correctional
30 Services facility.

31 (3)(a) Except as provided in subdivision (3)(b) of this section,
1 upon admission to a facility or jail of a person taken into emergency
2 protective custody by a law enforcement officer under this section, such
3 officer shall execute a written certificate prescribed and provided by
4 the Department of Health and Human Services. The certificate shall allege
5 the officer's belief that the person in custody is mentally ill and
6 dangerous or a dangerous sex offender and shall contain a summary of the
7 person's behavior supporting such allegations. A copy of such certificate
8 shall be immediately forwarded to the county attorney.

9 (b) In the case of a subject domiciled within Indian country who is
10 taken into emergency protective custody by a law enforcement officer
11 under tribal law, upon admission to a facility or jail, such officer
12 shall execute written documentation in a format provided by the tribe. At
13 a minimum, such documentation shall clearly identify the subject,
14 identify the relevant tribe, allege the officer's belief that the person
15 in custody is mentally ill and dangerous or a dangerous sex offender
16 under tribal law, and contain a summary of the subject's behavior
17 supporting such allegations. A copy of such documentation shall be
18 immediately forwarded to the appropriate tribal prosecutor or tribal
19 official.

20 (4)(a) The administrator of the facility or jail shall have such
21 person evaluated by a mental health professional as soon as reasonably
22 possible but not later than thirty-six hours after admission. The mental
23 health professional shall not be the mental health professional who
24 causes such person to be taken into custody under this section and shall
25 not be a member or alternate member of the mental health board that will
26 preside over any hearing under the Nebraska Mental Health Commitment Act

27 or the Sex Offender Commitment Act with respect to such person. Upon the
 28 agreement of all parties, the evaluation may be conducted by
 29 videoconferencing if the mental health professional thinks it appropriate
 30 under the circumstances.

31 (b) A person shall be released from emergency protective custody
 1 after completion of such evaluation unless the mental health professional
 2 determines, in his or her clinical opinion, that such person is mentally
 3 ill and dangerous or a dangerous sex offender. In the case of a subject
 4 domiciled within Indian country who is taken into emergency protective
 5 custody under tribal law, the mental health professional shall notify an
 6 appropriate tribal prosecutor or official of such release.

7 Sec. 6. Section 71-1203, Revised Statutes Supplement, 2025, is
 8 amended to read:

9 71-1203 For purposes of the Sex Offender Commitment Act:

10 (1) The definitions found in sections 71-904.02, 71-904.03, 71-905,
 11 71-906, 71-907, 71-910, 71-911, 71-914.01, 71-914.02, 71-914.03, and
 12 83-174.01 apply;

13 (2) Administrator means the administrator or other chief
 14 administrative officer of a treatment facility, medical facility, jail,
 15 or Department of Correctional Services facility or his or her designee;

16 (3) Outpatient treatment means treatment ordered by a mental health
 17 board directing a subject to comply with specified outpatient treatment
 18 requirements, including, but not limited to, (a) taking prescribed
 19 medication, (b) reporting to a mental health professional or treatment
 20 facility for treatment or for monitoring of the subject's condition, or
 21 (c) participating in individual or group therapy or educational,
 22 rehabilitation, residential, or vocational programs;

23 (4)(a) Subject means any person concerning whom (i) a certificate
 24 has been filed under section 71-1204, (ii) a certificate has been filed
 25 under section 71-919 and such person is held pursuant to subdivision (2)
 26 ~~(c)~~(b) of section 71-919, or (iii) a petition has been filed under the
 27 Sex Offender Commitment Act.

28 (b) Subject also includes a person who is a member of a tribe or
 29 eligible for membership in a tribe, who is domiciled within Indian
 30 country in Nebraska, and concerning whom sex offender involuntary
 31 commitment or emergency protective custody proceedings have been
 1 initiated under tribal law.

2 (c) Subject does not include any person under eighteen years of age
 3 unless such person is an emancipated minor; and

4 (5) Treatment facility means a facility which provides services for
 5 persons who are dangerous sex offenders.

6 Sec. 7. Sections 1, 2, 3, and 4 of this act become operative three
 7 calendar months after the adjournment of this legislative session. The
 8 other sections of this act become operative on their effective date.

9 Sec. 8. Original sections 71-919 and 71-1203, Revised Statutes
 10 Supplement, 2025, are repealed.

11 Sec. 9. Since an emergency exists, this act takes effect when
 12 passed and approved according to law.

GENERAL FILE

LEGISLATIVE BILL 455. Senator M. Cavanaugh renewed [MO467](#), found
 and considered in this day's Journal, to reconsider the vote taken on MO76.

Senator Holdcroft 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 18 ayes, 3 nays, and 28 not voting.

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

Voting in the affirmative, 25:

Andersen	Clouse	Holdcroft	Meyer, F.	Sorrentino
Ballard	DeKay	Ibach	Meyer, G.	Storer
Bosn	Hallstrom	Kauth	Moser	Storm
Brandt	Hansen	Lippincott	Murman	Strommen
Clements	Hardin	Lonowski	Raybould	von Gillern

Voting in the negative, 13:

Cavanaugh, J.	DeBoer	Guereca	McKinney	Rountree
Cavanaugh, M.	Dungan	Hunt	Prokop	
Conrad	Fredrickson	Juarez	Quick	

Present and not voting, 4:

Arch	Bostar	Riepe	Wordekemper
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Excused and not voting, 7:

Armendariz	Dover	Jacobson	Spivey
Dorn	Hughes	Sanders	

The motion to cease debate prevailed with 25 ayes, 13 nays, 4 present and not voting, and 7 excused and not voting.

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

Voting in the affirmative, 13:

Cavanaugh, J.	DeBoer	Guereca	McKinney	Rountree
Cavanaugh, M.	Dungan	Hunt	Prokop	
Conrad	Fredrickson	Juarez	Quick	

Voting in the negative, 28:

Andersen	Clouse	Ibach	Moser	Storm
Arch	DeKay	Kauth	Murman	Strommen
Ballard	Hallstrom	Lippincott	Raybould	von Gillern
Bosn	Hansen	Lonowski	Riepe	Wordekemper
Brandt	Hardin	Meyer, F.	Sorrentino	
Clements	Holdcroft	Meyer, G.	Storer	

Present and not voting, 1:

Bostar

Excused and not voting, 7:

Armendariz	Dover	Jacobson	Spivey
Dorn	Hughes	Sanders	

The M. Cavanaugh motion to reconsider failed with 13 ayes, 28 nays, 1 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Title read. Considered.

Committee [AM678](#), found on page 863, First Session, 2025, was offered.

Pending.

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 737. Placed on General File.

(Signed) Brian Hardin, Chairperson

Revenue

LEGISLATIVE BILL 1067. Placed on General File with amendment.

[AM2213](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 58-703, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:
5 58-703 The Affordable Housing Trust Fund is created. The fund shall
6 receive money pursuant to section 76-903 and may include revenue from
7 sources recommended by the housing advisory committee established in
8 section 58-704, appropriations from the Legislature, transfers authorized
9 by the Legislature, grants, private contributions, repayment of loans,
10 and all other sources. The Department of Economic Development as part of
11 its comprehensive housing affordability strategy shall administer the

12 Affordable Housing Trust Fund.

13 ~~Transfers may be made from the Affordable Housing Trust Fund to the~~
14 ~~General Fund, the Behavioral Health Services Fund, the Lead-Based Paint~~
15 ~~Hazard Control Cash Fund, the Middle Income Workforce Housing Investment~~
16 ~~Fund, the Rural Workforce Housing Investment Fund, and the Site and~~
17 ~~Building Development Fund at the direction of the Legislature.~~

18 Sec. 2. Section 76-901, Revised Statutes Supplement, 2025, is
19 amended to read:

20 76-901 There is hereby imposed a tax on the grantor executing the
21 deed as defined in section 76-203 upon the transfer of a beneficial
22 interest in or legal title to real estate at the rate of ~~threetwo~~ dollars
23 and thirty-two cents for each one thousand dollars value or fraction
24 thereof for transfers before January 1, 2032, and at the rate of two
25 dollars and thirty-two cents for each one thousand dollars value or
26 fraction thereof for transfers on or after January 1, 2032. For purposes
27 of sections 76-901 to 76-908, value means (1) in the case of any deed,
1 not a gift, the amount of the full actual consideration thereof, paid or
2 to be paid, including the amount of any lien or liens assumed, and (2) in
3 the case of a gift or any deed with nominal consideration or without
4 stated consideration, the current market value of the property
5 transferred. Such tax shall be evidenced by stamps to be attached to the
6 deed. All deeds purporting to transfer legal title or beneficial interest
7 shall be presumed taxable unless it clearly appears on the face of the
8 deed or sufficient documentary proof is presented to the register of
9 deeds that the instrument is exempt under section 76-902.

10 Sec. 3. Section 76-903, Revised Statutes Supplement, 2025, is
11 amended to read:

12 76-903 The Tax Commissioner shall design such stamps in such
13 denominations as in his or her judgment will be the most advantageous to
14 all persons concerned. When any deed subject to the tax imposed by
15 section 76-901 is offered for recordation, the register of deeds shall
16 ascertain and compute the amount of the tax due thereon and shall collect
17 such amount as a prerequisite to acceptance of the deed for recordation.
18 If a dispute arises concerning the taxability of the transfer, the
19 register of deeds shall not record the deed until the disputed tax is
20 paid. If a disputed tax has been paid, the taxpayer may file for a refund
21 pursuant to section 76-908. The taxpayer may also seek a declaratory
22 ruling pursuant to rules and regulations adopted and promulgated by the
23 Department of Revenue. From each ~~threetwo~~ dollars and thirty-two cents of
24 tax collected pursuant to section 76-901 for transfers before January 1,
25 2032, the register of deeds shall retain fifty cents to be placed in the
26 county general fund and shall remit the balance to the State Treasurer
27 who shall credit ninety-five cents of such amount to the Affordable
28 Housing Trust Fund, twenty-five cents of such amount to the Site and
29 Building Development Fund, twenty-five cents of such amount to the
30 Homeless Shelter Assistance Trust Fund, thirty cents of such amount to
31 the Behavioral Health Services Fund, ~~and~~ seven cents of such amount to
1 the Domestic Violence and Sex Trafficking Survivor Housing Assistance
2 Fund, fifty cents of such amount to the Rural Workforce Housing
3 Investment Fund, and fifty cents of such amount to the Middle Income
4 Workforce Housing Investment Fund. From each two dollars and thirty-two
5 cents of tax collected pursuant to section 76-901 for transfers on or
6 after January 1, 2032, the register of deeds shall retain fifty cents to
7 be placed in the county general fund and shall remit the balance to the
8 State Treasurer who shall credit ninety-five cents of such amount to the
9 Affordable Housing Trust Fund, twenty-five cents of such amount to the
10 Site and Building Development Fund, twenty-five cents of such amount to
11 the Homeless Shelter Assistance Trust Fund, thirty cents of such amount
12 to the Behavioral Health Services Fund, and seven cents of such amount to
13 the Domestic Violence and Sex Trafficking Survivor Housing Assistance

14 Fund. Except as provided in subsection (6) of section 81-1230, subsection
15 (3) of section 81-1231, subsection (6) of section 81-1239, and subsection
16 (3) of section 81-1240, any money remitted to the State Treasurer under
17 this section shall only be used to credit the funds described in this
18 section and any purpose authorized by the funds such money is credited to
19 and shall not be used for any other purpose.

20 Sec. 4. Section 77-1327, Revised Statutes Supplement, 2025, is
21 amended to read:

22 77-1327 (1) It is the intent of the Legislature that accurate and
23 comprehensive information be developed by the Property Tax Administrator
24 and made accessible to the taxing officials and property owners in order
25 to ensure the uniformity and proportionality of the assessments of real
26 property valuations in the state in accordance with law and to provide
27 the statistical and narrative reports pursuant to section 77-5027.

28 (2) All transactions of real property for which the statement
29 required in section 76-214 is filed shall be available for development of
30 a sales file by the Property Tax Administrator. All transactions with
31 stated consideration of more than one hundred dollars or upon which more
1 than ~~three~~two dollars and thirty-two cents in documentary stamp taxes for
2 transactions before January 1, 2032, or two dollars and thirty-two cents
3 in documentary stamp taxes for transactions on or after January 1, 2032,
4 are paid shall be considered sales. All sales shall be deemed to be arm's
5 length transactions unless determined to be otherwise under
6 professionally accepted mass appraisal techniques. The Department of
7 Revenue shall not overturn a determination made by a county assessor
8 regarding the qualification of a sale unless the department reviews the
9 sale and determines through the review that the determination made by the
10 county assessor is incorrect.

11 (3) The Property Tax Administrator annually shall make and issue
12 comprehensive assessment ratio studies of the average level of
13 assessment, the degree of assessment uniformity, and the overall
14 compliance with assessment requirements for each major class of real
15 property subject to the property tax in each county. The comprehensive
16 assessment ratio studies shall be developed in compliance with
17 professionally accepted mass appraisal techniques and shall employ such
18 statistical analysis as deemed appropriate by the Property Tax
19 Administrator, including measures of central tendency and dispersion. The
20 comprehensive assessment ratio studies shall be based upon the sales file
21 as developed in subsection (2) of this section and shall be used by the
22 Property Tax Administrator for the analysis of the level of value and
23 quality of assessment for purposes of section 77-5027 and by the Property
24 Tax Administrator in establishing the adjusted valuations required by
25 section 79-1016. Such studies may also be used by assessing officials in
26 establishing assessed valuations.

27 (4) For purposes of determining the level of value of agricultural
28 and horticultural land subject to special valuation under sections
29 77-1343 to 77-1347.01, the Property Tax Administrator shall annually make
30 and issue a comprehensive study developed in compliance with
31 professionally accepted mass appraisal techniques to establish the level
1 of value if in his or her opinion the level of value cannot be developed
2 through the use of the comprehensive assessment ratio studies developed
3 in subsection (3) of this section.

4 (5) County assessors and other taxing officials shall electronically
5 report data on the assessed valuation and other features of the property
6 assessment process for such periods and in such form and content as the
7 Property Tax Administrator shall deem appropriate. The Property Tax
8 Administrator shall so construct and maintain the system used to collect
9 and analyze the data to enable him or her to make intracounty comparisons
10 of assessed valuation, including school districts and other political
11 subdivisions, as well as intercounty comparisons of assessed valuation,

12 including school districts and other political subdivisions. The Property
13 Tax Administrator shall include analysis of real property sales pursuant
14 to land contracts and similar transfers at the time of execution of the
15 contract or similar transfer.

16 Sec. 5. Section 81-1230, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 81-1230 (1) The Rural Workforce Housing Investment Fund is created.
19 Funding for the grant program described in section 81-1229 shall come
20 from the Rural Workforce Housing Investment Fund. The Rural Workforce
21 Housing Investment Fund shall receive money pursuant to section 76-903
22 and may include revenue from appropriations from the Legislature, grants,
23 private contributions, and other sources. In addition, the State
24 Treasurer shall make a one-time transfer of seven million three hundred
25 thousand dollars on or before October 1, 2017, from the Affordable
26 Housing Trust Fund to the Rural Workforce Housing Investment Fund. Any
27 money in the Rural Workforce Housing Investment Fund available for
28 investment shall be invested by the state investment officer pursuant to
29 the Nebraska Capital Expansion Act and the Nebraska State Funds
30 Investment Act.

31 (2) The department shall administer the Rural Workforce Housing
1 Investment Fund and may seek additional private or nonstate funds to use
2 in the grant program, including, but not limited to, contributions from
3 the Nebraska Investment Finance Authority and other interested parties.

4 (3) Interest earned by the department on grant funds shall be
5 applied to the grant program.

6 (4) If a nonprofit development organization fails to engage in the
7 initial qualified activity within twenty-four months after receiving
8 initial grant funding, the nonprofit development organization shall
9 return the grant funds to the department for credit to the General Fund.

10 (5) If a nonprofit development organization fails to allocate any
11 remaining initial grant funding on a qualified activity within twenty-
12 four months after engaging in the initial qualified activity, the
13 nonprofit development organization shall return such unallocated grant
14 funds to the department for credit to the Rural Workforce Housing
15 Investment Fund.

16 (6) Beginning July 1, 2027, any funds held by the department in the
17 Rural Workforce Housing Investment Fund shall be transferred to the
18 General Fund.

19 Sec. 6. Section 81-1239, Revised Statutes Supplement, 2025, is
20 amended to read:

21 81-1239 (1) The Middle Income Workforce Housing Investment Fund is
22 created. Funding for the grant program described in section 81-1238 shall
23 come from the Middle Income Workforce Housing Investment Fund. The Middle
24 Income Workforce Housing Investment Fund shall receive money pursuant to
25 section 76-903 and may include revenue transferred at the direction of
26 the Legislature, grants, private contributions, and other sources. Any
27 money in the Middle Income Workforce Housing Investment Fund available
28 for investment shall be invested by the state investment officer pursuant
29 to the Nebraska Capital Expansion Act and the Nebraska State Funds
30 Investment Act.

31 (2) The department shall establish a subaccount within the Middle
1 Income Workforce Housing Investment Fund that shall be used to fund
2 affordable housing and related land parcel preparation activities under
3 the Economic Recovery Act as described in subdivisions (4)(d) and (e) of
4 section 81-12,241.

5 (3) The department shall administer the Middle Income Workforce
6 Housing Investment Fund and may seek additional private or nonstate funds
7 to use in the grant program under the Middle Income Workforce Housing
8 Investment Act, including, but not limited to, contributions from the
9 Nebraska Investment Finance Authority and other interested parties.

10 (4) Interest earned by the department on grant funds shall be
 11 applied to the grant program.
 12 (5) If a nonprofit development organization, or a recipient of
 13 subaccount funds described in subsection (2) of this section, fails to
 14 engage in a qualified activity within twenty-four months after receiving
 15 initial grant funding, the nonprofit development organization or
 16 recipient of subaccount funds shall return the grant proceeds to the
 17 department for credit to the General Fund.
 18 (6) Beginning July 1, 2029, any funds held by the department in the
 19 Middle Income Workforce Housing Investment Fund shall be transferred to
 20 the General Fund.
 21 Sec. 7. Original section 81-1230, Reissue Revised Statutes of
 22 Nebraska, section 58-703, Revised Statutes Cumulative Supplement, 2024,
 23 and sections 76-901, 76-903, 77-1327, and 81-1239, Revised Statutes
 24 Supplement, 2025, are repealed.

(Signed) R. Brad von Gillern, Chairperson

AMENDMENT(S) - Print in Journal

Senator Strommen filed the following amendment to LB834:

AM2252

1 1. Insert the following new sections:
 2 Sec. 3. Section 60-149, Revised Statutes Cumulative Supplement,
 3 2024, is amended to read:
 4 60-149 (1)(a) If a certificate of title has previously been issued
 5 for a vehicle in this state, the application for a new certificate of
 6 title shall be accompanied by the certificate of title duly assigned
 7 except as otherwise provided in the Motor Vehicle Certificate of Title
 8 Act.
 9 (b) Except for manufactured homes or mobile homes as provided in
 10 subsection (2) of this section, if a certificate of title has not
 11 previously been issued for the vehicle in this state or if a certificate
 12 of title is unavailable, the application shall be accompanied by:
 13 (i) A manufacturer's or importer's certificate except as otherwise
 14 provided in subdivision (viii) of this subdivision;
 15 (ii) A duly certified copy of the manufacturer's or importer's
 16 certificate;
 17 (iii) An affidavit by the owner affirming ownership in the case of
 18 an all-terrain vehicle, a utility-type vehicle, or a minibike;
 19 (iv) A certificate of title from another state;
 20 (v) A court order issued by a court of record, a manufacturer's
 21 certificate of origin, or an assigned registration certificate, if the
 22 law of the state from which the vehicle was brought into this state does
 23 not have a certificate of title law;
 24 (vi) Evidence of ownership as provided for in section 30-24,125,
 25 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
 26 60-2401 to 60-2411;
 27 (vii) Documentation prescribed in section 60-142.01, 60-142.02,
 1 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of
 2 compliance with section 76-1607;
 3 (viii) A manufacturer's or importer's certificate and an affidavit
 4 by the owner affirming ownership in the case of a minitruck;
 5 (ix) In the case of a motor vehicle, a trailer, an all-terrain
 6 vehicle, a utility-type vehicle, or a minibike, an affidavit by the
 7 holder of a motor vehicle auction dealer's license as described in
 8 subdivision (11) of section 60-1406 affirming that the certificate of
 9 title is unavailable and that the vehicle (A) is a salvage vehicle
 10 through payment of a total loss settlement, (B) is a salvage vehicle

11 purchased by the auction dealer, or (C) has been donated to an
12 organization operating under section 501(c)(3) of the Internal Revenue
13 Code as defined in section 49-801.01; or
14 (x) A United States Government Certificate to Obtain Title to a
15 Vehicle.

16 (c) If the application for a certificate of title in this state is
17 accompanied by a valid certificate of title issued by another state which
18 meets that state's requirements for transfer of ownership, then the
19 application may be accepted by this state.

20 (d) If a certificate of title has not previously been issued for the
21 vehicle in this state and the applicant is unable to provide such
22 documentation, the applicant may apply for a bonded certificate of title
23 as prescribed in section 60-167.

24 (2)(a) If the application for a certificate of title for a
25 manufactured home or a mobile home is being made in accordance with
26 subdivision (4)(b) of section 60-137 or if the certificate of title for a
27 manufactured home or a mobile home is unavailable, the application shall
28 be accompanied by proof of ownership in the form of:

29 (i) A duly assigned manufacturer's or importer's certificate;

30 (ii) A certificate of title from another state;

31 (iii) A court order issued by a court of record;

1 (iv) Evidence of ownership as provided for in the Disposition of
2 Personal Property Landlord and Tenant Act or section 30-24,125, sections
3 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections 60-2401 to
4 60-2411; or documentation of compliance with section 76-1607; or

5 (v) Assessment records for the manufactured home or mobile home from
6 the county assessor and an affidavit by the owner affirming ownership.

7 (b) If the applicant cannot produce proof of ownership described in
8 subdivision (a) of this subsection, he or she may submit to the
9 department such evidence as he or she may have, and the department may
10 thereupon, if it finds the evidence sufficient, issue the certificate of
11 title or authorize the county treasurer to issue a certificate of title,
12 as the case may be.

13 (3) For purposes of this section, certificate of title includes a
14 salvage certificate, a salvage branded certificate of title, or any other
15 document of ownership issued by another state or jurisdiction for a
16 salvage vehicle. Only a salvage branded certificate of title shall be
17 issued to any vehicle conveyed upon a salvage certificate, a salvage
18 branded certificate of title, or any other document of ownership issued
19 by another state or jurisdiction for a salvage vehicle. A previously
20 salvage branded certificate of title may be issued if, prior to
21 application, the applicant's vehicle has been repaired and inspected as
22 provided in section 60-146.

23 (4) The county treasurer shall retain the evidence of title
24 presented by the applicant and on which the certificate of title is
25 issued.

26 (5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of
27 this section, the holder of a motor vehicle auction dealer's license
28 shall certify that (i) it has made at least two written attempts and has
29 been unable to obtain the properly endorsed certificate of title to the
30 property noted in the affidavit from the owner and (ii) thirty days have
31 expired after the mailing of a written notice regarding the intended
1 disposition of the property noted in the affidavit by certified mail,
2 return receipt requested, to the last-known address of the owner and to
3 any lien or security interest holder of record of the property noted in
4 the affidavit.

5 (b) The notice under subdivision (5)(a)(ii) of this section shall
6 contain a description of the property noted in the affidavit and a
7 statement that title to the property noted in the affidavit shall vest in
8 the holder of the motor vehicle auction dealer's license thirty days

9 after the date such notice was mailed.

10 (c) The mailing of notice and the expiration of thirty days under
11 subdivision (5)(a)(ii) of this section shall extinguish any lien or
12 security interest of a lienholder or security interest holder in the
13 property noted in the affidavit, unless the lienholder or security
14 interest holder has claimed such property within such thirty-day period.
15 The holder of a motor vehicle auction dealer's license shall transfer
16 possession of the property noted in the affidavit to the lienholder or
17 security interest holder claiming such property.

18 Sec. 4. Section 60-166, Revised Statutes Supplement, 2025, is
19 amended to read:

20 60-166 (1)(a) This subsection applies prior to the implementation
21 date designated by the Director of Motor Vehicles pursuant to subsection
22 (2) of section 60-1508.

23 (b) In the event of (i) the transfer of ownership of a vehicle by
24 operation of law as upon inheritance, devise, bequest, order in
25 bankruptcy, insolvency, replevin, or execution sale or as provided in
26 sections 30-24,125, 52-601.01 to 52-605, 60-1901 to 60-1911, and 60-2401
27 to 60-2411, (ii) the engine of a vehicle being replaced by another
28 engine, (iii) a vehicle being sold to satisfy storage or repair charges
29 or under section 76-1607, or (iv) repossession being had upon default in
30 performance of the terms of a chattel mortgage, trust receipt,
31 conditional sales contract, or other like agreement, the county treasurer
1 of any county or the department, upon the surrender of the prior
2 certificate of title or the manufacturer's or importer's certificate, or
3 when that is not possible, upon presentation of satisfactory proof of
4 ownership and right of possession to such vehicle, and upon payment of
5 the appropriate fee and the presentation of an application for
6 certificate of title, may issue to the applicant a certificate of title
7 thereto.

8 (2)(a) This subsection applies beginning on the implementation date
9 designated by the director pursuant to subsection (2) of section 60-1508.

10 (b) In the event of (i) the transfer of ownership of a vehicle by
11 operation of law as upon inheritance, devise, bequest, order in
12 bankruptcy, insolvency, replevin, or execution sale or as provided in the
13 Disposition of Personal Property Landlord and Tenant Act or section
14 30-24,125, sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, and
15 sections 60-2401 to 60-2411, (ii) the engine of a vehicle being replaced
16 by another engine, (iii) a vehicle being sold to satisfy storage or
17 repair charges or under section 76-1607, or (iv) repossession being had
18 upon default in performance of the terms of a chattel mortgage, trust
19 receipt, conditional sales contract, or other like agreement, and upon
20 acceptance of an electronic certificate of title record after
21 repossession, in addition to the title requirements in this section, the
22 county treasurer of any county or the department, upon the surrender of
23 the prior certificate of title or the manufacturer's or importer's
24 certificate, or when that is not possible, upon presentation of
25 satisfactory proof of ownership and right of possession to such vehicle,
26 and upon payment of the appropriate fee and the presentation of an
27 application for certificate of title, may issue to the applicant a
28 certificate of title thereto.

29 (3) If the prior certificate of title issued for such vehicle
30 provided for joint ownership with right of survivorship, a new
31 certificate of title shall be issued to a subsequent purchaser upon the
1 assignment of the prior certificate of title by the surviving owner and
2 presentation of satisfactory proof of death of the deceased owner.

3 (4) Only an affidavit by the person or agent of the person to whom
4 possession of such vehicle has so passed, setting forth facts entitling
5 him or her to such possession and ownership, together with a copy of a
6 court order or an instrument upon which such claim of possession and

7 ownership is founded, shall be considered satisfactory proof of ownership
 8 and right of possession, except that if the applicant cannot produce such
 9 proof of ownership, he or she may submit to the department such evidence
 10 as he or she may have, and the department may thereupon, if it finds the
 11 evidence sufficient, issue the certificate of title or authorize any
 12 county treasurer to issue a certificate of title, as the case may be.

13 (5) If from the records of the county treasurer or the department
 14 there appear to be any liens on such vehicle, such certificate of title
 15 shall comply with section 60-164, 60-165, or 60-165.02 regarding such
 16 liens unless the application is accompanied by proper evidence of their
 17 satisfaction or extinction.

18 Sec. 5. Section 69-2302, Revised Statutes Cumulative Supplement,
 19 2024, is amended to read:

20 69-2302 For purposes of the Disposition of Personal Property
 21 Landlord and Tenant Act:

22 (1) Landlord means the owner, lessor, or sublessor of furnished or
 23 unfurnished premises, including self-service storage units or facilities,
 24 for rent or his or her agent or successor in interest;

25 (2) Mobile home has the same meaning as in section 76-1463;

26 (3) Mobile home park has the same meaning as in section 76-1464;

27 (4) Mobile home space has the same meaning as in section 76-1465;

28 (5)(2) Owner means one or more persons, jointly or severally, in
 29 whom is vested (a) all or part of the legal title to property or (b) all
 30 or part of the beneficial ownership and a right to present use and
 31 enjoyment of premises and shall include a mortgagee in possession;

1 (6) Personal property means movable property not affixed to land.

2 Personal property includes, but is not limited to, goods, wares,
 3 merchandise, motor vehicles, mobile homes, watercraft, household items,
 4 and furnishings;

5 (7)(3) Premises means:

6 (a) A dwelling unit as defined in section 76-1410 or section
 7 76-1459 or a distinct portion of a dwelling unit, the facilities and
 8 appurtenances in such dwelling unit, and the grounds, areas, and
 9 facilities held out for the use of tenants generally or the use of which
 10 is promised to the tenants;

11 (b) A mobile home space or mobile home park; or

12 (c) Self-service (b) self-service storage units or facilities;

13 (8)(4) Reasonable belief means the knowledge or belief a prudent
 14 person should have without making an investigation, including any
 15 investigation of public records, except that when the landlord has
 16 specific information indicating that such an investigation would more
 17 probably than not reveal pertinent information and the cost of such an
 18 investigation would be reasonable in relation to the probable value of
 19 the personal property involved, reasonable belief shall include the
 20 actual knowledge or belief a prudent person would have if such
 21 investigation were made;

22 (9)(5) Reasonable costs of storage includes:

23 (a) Reasonable costs actually incurred, the reasonable value of
 24 labor actually provided, or both in removing personal property from its
 25 original location on the vacated premises to the place of storage,
 26 including disassembly and transportation; and

27 (b) Reasonable storage costs actually incurred which shall not
 28 exceed the fair rental value of the space reasonably required for the
 29 storage of the personal property; and

30 (10)(6) Tenant means a person entitled under a rental agreement to
 31 occupy any premises for rent or storage uses to the exclusion of others
 1 whether such premises are used as a dwelling unit or self-service storage
 2 unit or facility or not.

3 Sec. 6. Section 69-2303, Reissue Revised Statutes of Nebraska, is
 4 amended to read:

5 69-2303 (1) Except as otherwise provided in subsection (5) of
 6 section 76-1414, when personal property remains on the premises after a
 7 tenancy has terminated or expired and the premises have been vacated by
 8 the tenant, the landlord shall give written notice as provided in
 9 subsection (2) of this section to such tenant and to any other person the
 10 landlord reasonably believes to be the owner of the property.

11 (2)(a) The notice required by subsection (1) of this section shall
 12 describe the property in a manner reasonably adequate to permit the owner
 13 of the property to identify it. The notice may describe all or a portion
 14 of the property, but the limitation of liability provided by section
 15 69-2309 shall not protect the landlord from any liability arising from
 16 the disposition of property not described in the notice, except that the
 17 notice need not describe the contents of any:

18 (i) ~~Trunk~~ trunk, valise, box, or other container which is locked,
 19 fastened, or tied in a manner which deters immediate access to its
 20 contents; or

21 (ii) Mobile home which is locked in a manner which deters immediate
 22 access to its interior may be described as such without describing its
 23 contents.

24 (b) The notice shall state that reasonable costs of storage may be
 25 charged before the property is returned, the location where the property
 26 may be claimed, and the date on or before which such property must be
 27 claimed.

28 (c) The date specified in the notice shall be a date not less than
 29 seven days after the notice is personally delivered or, if mailed, not
 30 less than fourteen days after the notice is deposited in the mail.

31 (d) The notice shall be given within six months of the date of
 1 expiration of the lease of the property or the date of discovery of the
 2 abandonment, whichever is later.

3 (3) The notice shall be personally delivered or sent by first-class
 4 mail, postage prepaid, to the person to be notified at his or her last-
 5 known address and, if there is reason to believe that the notice sent to
 6 that address will not be received by him or her, also delivered or sent
 7 to such other address, if any, known to the landlord at which such person
 8 may reasonably be expected to receive the notice.

9 Sec. 7. Section 69-2308, Reissue Revised Statutes of Nebraska, is
 10 amended to read:

11 69-2308 (1) If the personal property is not released pursuant to
 12 section 69-2307, it shall be sold at public sale by competitive bidding,
 13 except that if the landlord reasonably believes that the total resale
 14 value of the property not released is less than two thousand dollars, he
 15 or she may retain such property for his or her own use or dispose of it
 16 in any manner he or she chooses. At such time as the decision to sell or
 17 to retain is made, any locked mobile home or trunk, valise, box, or other
 18 container shall be opened, if practicable, with as little damage as
 19 possible, and its contents evaluated. Nothing in this section shall be
 20 construed to preclude the landlord or the tenant from bidding on the
 21 property at the public sale. The successful bidder's title shall be
 22 subject to ownership rights, liens, and security interests which have
 23 priority by law.

24 (2) Notice of the time and place of the public sale shall be given
 25 by advertisement of the sale published once a week for two consecutive
 26 weeks in a newspaper of general circulation in the county where the sale
 27 is to be held. If there is no newspaper of general circulation in the
 28 county where the sale is to be held, the advertisement shall be posted no
 29 fewer than ten days before the sale in not less than six conspicuous
 30 places in the neighborhood of the proposed sale. The sale shall be held
 31 at the nearest suitable place to the place where the personal property is
 1 held or stored. The advertisement shall include a description of the
 2 goods, the name of the former tenant, and the time and place of the sale.

3 The sale shall take place no sooner than ten days after the first
4 publication. The last publication shall be no less than five days before
5 the sale is to be held. Notice of sale may be published before the last
6 of the dates specified for taking possession of the property in any
7 notice given pursuant to section 69-2303.

8 (3) The notice of the sale shall describe the property to be sold in
9 a manner reasonably adequate to permit the owner of the property to
10 identify it. The notice may describe all or a portion of the property,
11 but the limitation of liability provided by section 69-2309 shall not
12 release the landlord from any liability arising from the disposition of
13 property not described in the notice.

14 (4) After deduction of the reasonable costs of storage, advertising,
15 and sale, any proceeds of the sale not claimed by the former tenant, an
16 owner other than such tenant, or another person having an interest in the
17 proceeds shall, not later than thirty days after the date of sale, be
18 remitted to the State Treasurer for disposition pursuant to the Uniform
19 Disposition of Unclaimed Property Act. The former tenant, other owner, or
20 other person having interest in the proceeds may claim the proceeds by
21 complying with the act. If the State Treasurer pays the proceeds or any
22 part thereof to a claimant, neither the State Treasurer nor any employee
23 thereof shall be liable to any other claimant as to the amount paid.

24 Sec. 8. Section 76-14,109, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 76-14,109 (1) If a tenant abandons a mobile home on a mobile home
27 space, the mobile home ~~shall~~ may not be removed from the mobile home space
28 by the tenant or his or her agent without:

29 (a) ~~A~~ a signed written authorization from the landlord granting
30 clearance for removal, showing all money due and owing paid in full; ~~or~~
31 (b) Compliance with the Disposition of Personal Property Landlord
and Tenant Act; or
32 (c) ~~An~~ an agreement reached with the legal owner and the landlord.

3 (2) A mobile home shall be considered to be abandoned if the tenant
4 has defaulted in rent and has, by absence of at least thirty days or by
5 words or actions, reasonably indicated an intention not to continue the
6 tenancy.

7 (3) Nothing in this section shall prohibit a landlord from removing
8 an abandoned mobile home from the mobile home space and placing it in
9 storage at the owner's expense or from utilizing any other legal remedy.

10 2. Renumber the remaining sections and correct the repealer
11 accordingly.

Senator Strommen filed the following amendment to LB979:
AM2331

1 1. Insert the following new sections:
2 Sec. 14. Section 37-455, Revised Statutes Supplement, 2025, is
3 amended to read:

4 37-455 (1) The commission may issue a limited permit for deer,
5 antelope, wild turkey, ~~or~~ elk, or mountain lion to a person who is a
6 qualifying landowner or leaseholder or a member of such person's
7 immediate family as described in this section. The commission may issue
8 nonresident landowner limited permits after preference has been given for
9 the issuance of resident permits as provided in rules and regulations
10 adopted and promulgated by the commission. Except as provided in
11 subsection (4) of this section, a permit shall be valid during the
12 predetermined period established by the commission pursuant to sections
13 37-447 to 37-450, 37-452, 37-456, or 37-457. Upon receipt of an
14 application in proper form as prescribed by the rules and regulations of
15 the commission, the commission may issue (a) a limited deer, antelope, or
16 wild turkey permit valid for hunting on all of the land which is owned or
17 leased by the qualifying landowner or leaseholder if such lands are

18 identified in the application or (b) a limited elk or mountain lion
19 permit valid for hunting on the entire elk or mountain lion management
20 unit of which the land of the qualifying landowner or leaseholder
21 included in the application is a part.

22 (2)(a) The commission shall adopt and promulgate rules and
23 regulations prescribing procedures and forms and create requirements for
24 documentation by an applicant or permittee to determine whether the
25 applicant or permittee is a Nebraska resident and is a qualifying
26 landowner or leaseholder of the described property or is a member of the
27 immediate family of such qualifying landowner or leaseholder. The
1 commission may adopt and promulgate rules and regulations that create
2 requirements for documentation to designate one qualifying landowner
3 among partners of a partnership or officers or shareholders of a
4 corporation that owns or leases eighty acres or more of farm or ranch
5 land for agricultural purposes and among beneficiaries of a trust that
6 owns or leases eighty acres or more of farm or ranch land for
7 agricultural purposes. Only a person who is a qualifying landowner or
8 leaseholder or a member of such person's immediate family may apply for a
9 limited permit. An applicant may apply for no more than one permit per
10 species per year except as otherwise provided in subsection (4) of this
11 section and the rules and regulations of the commission. For purposes of
12 this section, member of a person's immediate family means and is limited
13 to the spouse of such person, any child or stepchild of such person or of
14 the spouse of such person, any spouse of any such child or stepchild, any
15 grandchild or stepgrandchild of such person or of the spouse of such
16 person, any spouse of such grandchild or stepgrandchild, any sibling of
17 such person sharing ownership in the property, and any spouse of any such
18 sibling.

19 (b) The conditions applicable to permits issued pursuant to sections
20 37-447 to 37-450, 37-452, 37-456, or 37-457, whichever is appropriate,
21 shall apply to limited permits issued pursuant to this section, except
22 that the commission may pass commission orders for species harvest
23 allocation pertaining to the sex and age of the species harvested which
24 are different for a limited permit than for other hunting permits. For
25 purposes of this section, white-tailed deer and mule deer shall be
26 treated as one species.

27 (3)(a) To qualify for a limited permit to hunt deer or antelope, the
28 applicant shall be a Nebraska resident who (i) owns or leases eighty
29 acres or more of farm or ranch land for agricultural purposes or a member
30 of such person's immediate family or (ii) is the partner, officer,
31 shareholder, or beneficiary designated as the qualifying landowner by a
1 partnership, corporation, or trust as provided in the rules and
2 regulations under subdivision (2)(a) of this section or a member of the
3 immediate family of the partner, officer, shareholder, or beneficiary.
4 The number of limited permits issued annually per species for each farm
5 or ranch shall not exceed the total acreage of the farm or ranch divided
6 by eighty. The fee for a limited permit to hunt deer or antelope shall be
7 one-half the fee for the regular permit for such species.

8 (b) A nonresident of Nebraska who owns three hundred twenty acres or
9 more of farm or ranch land in the State of Nebraska for agricultural
10 purposes or a member of such person's immediate family may apply for a
11 limited deer or antelope permit. The number of limited permits issued
12 annually per species for each farm or ranch shall not exceed the total
13 acreage of the farm or ranch divided by three hundred twenty. The fee for
14 such a permit to hunt deer or antelope shall be one-half the fee for a
15 nonresident permit to hunt such species.

16 (c) The commission may adopt and promulgate rules and regulations
17 providing for the issuance of an additional limited deer permit to a
18 qualified individual for the taking of a deer without antlers at a fee
19 equal to or less than the fee for the original limited permit.

20 (4)(a) In addition to any limited permit to hunt deer issued to a
21 qualifying landowner under subsection (3) of this section, the commission
22 shall issue up to eight limited permits to hunt deer during the three
23 days of Saturday through Monday immediately preceding the opening day of
24 firearm deer hunting season to any qualifying landowner meeting the
25 requirements of subdivision (b) of this subsection and designated members
26 of his or her immediate family. The fee for each permit issued under this
27 subsection shall be five dollars. Permits shall be issued subject to the
28 following:

29 (i) No more than eight permits may be issued per qualifying
30 landowner to the landowner or designated members of his or her immediate
31 family, except that no more than one permit shall be issued per person
1 for the qualifying landowner or any designated member of his or her
2 immediate family;

3 (ii) Of the eight permits that may be issued, no more than six
4 permits may be issued to persons who are younger than nineteen years of
5 age and no more than two permits may be issued to persons who are
6 nineteen years of age or older; and

7 (iii) For a Nebraska resident landowner, the number of permits
8 issued shall not exceed the total acreage of the farm or ranch divided by
9 eighty, and for a nonresident landowner, the number of permits issued
10 shall not exceed the total acreage of the farm or ranch divided by three
11 hundred twenty.

12 (b) For purposes of this subsection, the qualifying criteria for a
13 Nebraska resident described in subdivisions (3)(a)(i) and (ii) of this
14 section and the ownership criteria for a nonresident of Nebraska
15 described in subdivision (3)(b) of this section apply.

16 (c) The commission may adopt and promulgate rules and regulations to
17 carry out this subsection.

18 (5)(a) To qualify for a limited permit to hunt wild turkey, the
19 applicant shall be a Nebraska resident who (i) owns or leases eighty
20 acres or more of farm or ranch land for agricultural purposes or a member
21 of such person's immediate family or (ii) is the partner, officer,
22 shareholder, or beneficiary designated as the qualifying landowner by a
23 partnership, corporation, or trust as provided in the rules and
24 regulations under subdivision (2)(a) of this section or a member of the
25 immediate family of the partner, officer, shareholder, or beneficiary.
26 The number of limited permits issued annually per season for each farm or
27 ranch shall not exceed the total acreage of the farm or ranch divided by
28 eighty. An applicant may apply for no more than one limited permit per
29 season. The fee for a limited permit to hunt wild turkey shall be one-
30 half the fee for the regular permit to hunt wild turkey.

31 (b) A nonresident of Nebraska who owns three hundred twenty acres or
1 more of farm or ranch land in the State of Nebraska for agricultural
2 purposes or a member of such person's immediate family may apply for a
3 limited permit to hunt wild turkey. Only one limited wild turkey permit
4 per three hundred twenty acres may be issued annually for each wild
5 turkey season under this subdivision. The fee for such a permit to hunt
6 shall be one-half the fee for a nonresident permit to hunt wild turkey.

7 (6)(a) To qualify for a limited permit to hunt elk, (i) the
8 applicant shall be (A) a Nebraska resident who owns three hundred twenty
9 acres or more of farm or ranch land for agricultural purposes, or is the
10 partner, officer, shareholder, or beneficiary designated as the
11 qualifying landowner by a partnership, corporation, or trust as provided
12 in the rules and regulations under subdivision (2)(a) of this section,
13 (B) a Nebraska resident who leases six hundred forty acres or more of
14 farm or ranch land for agricultural purposes or has a combined total of
15 six hundred forty leased and owned acres of farm or ranch land used for
16 agricultural purposes, or is the partner, officer, shareholder, or
17 beneficiary designated as the qualifying landowner by a partnership,

18 corporation, or trust as provided in the rules and regulations under
19 subdivision (2)(a) of this section, (C) a nonresident of Nebraska who
20 owns at least one thousand two hundred eighty acres of farm or ranch land
21 for agricultural purposes, or is the partner, officer, shareholder, or
22 beneficiary designated as the qualifying landowner by a partnership,
23 corporation, or trust as provided in the rules and regulations under
24 subdivision (2)(a) of this section, or (D) a member of such owner's or
25 lessee's immediate family and (ii) the qualifying farm or ranch land of
26 the applicant shall be within an area designated as an elk management
27 zone by the commission in its rules and regulations.

28 (b) An applicant shall not be issued a limited bull elk permit more
29 than once every three years, and the commission may give preference to a
30 person who did not receive a limited elk permit or a specified type of
31 limited elk permit during the previous years.

1 (c) The fee for a resident landowner limited permit to hunt elk
2 shall not exceed one-half the fee for the regular permit to hunt elk. The
3 fee for a nonresident landowner limited permit to hunt elk shall not
4 exceed three times the cost of a resident elk permit.

5 (d) The number of applications allowed for limited elk permits for
6 each farm or ranch shall not exceed the total acreage of the farm or
7 ranch divided by the minimum acreage requirements established for the
8 property. No more than one person may qualify for the same described
9 property.

10 (7)(a) To qualify for a limited permit to hunt mountain lions, (i)
11 the applicant shall be (A) a Nebraska resident who owns three hundred
12 twenty acres or more of farm or ranch land for agricultural purposes, or
13 is the partner, officer, shareholder, or beneficiary designated as the
14 qualifying landowner by a partnership, corporation, or trust as provided
15 in the rules and regulations under subdivision (2)(a) of this section,
16 (B) a Nebraska resident who leases six hundred forty acres or more of
17 farm or ranch land for agricultural purposes or has a combined total of
18 six hundred forty leased and owned acres of farm or ranch land used for
19 agricultural purposes, or is the partner, officer, shareholder, or
20 beneficiary designated as the qualifying landowner by a partnership,
21 corporation, or trust as provided in the rules and regulations under
22 subdivision (2)(a) of this section, or (C) a member of such owner's or
23 lessee's immediate family and (ii) the qualifying farm or ranch land of
24 the applicant shall be within an area designated as a mountain lion
25 management zone by the commission in its rules and regulations.

26 (b) The commission may give preference to a person who did not
27 receive a limited mountain lion permit during the previous years.
28 (c) The application fee for a resident landowner limited permit to
29 hunt mountain lions shall not exceed one-half the application fee for the
30 regular permit to hunt mountain lions.

31 (d) The number of applications allowed for limited mountain lion
1 permits for each farm or ranch shall not exceed the total acreage of the
2 farm or ranch divided by the minimum acreage requirements established for
3 the property. No more than one person may qualify for the same described
4 property.

5 Sec. 15, Section 37-456, Revised Statutes Cumulative Supplement,
6 2024, is amended to read:

7 37-456 The issuance of limited antelope permits pursuant to section
8 37-455 in any management unit shall not exceed seventy-five percent of
9 the regular permits authorized for such antelope management unit. The
10 issuance of limited elk permits pursuant to section 37-455 in any
11 management unit shall not exceed seventy-five percent of the regular
12 permits authorized for such elk management unit. The issuance of limited
13 mountain lion permits pursuant to section 37-455 in any management unit
14 shall not exceed seventy-five percent of the regular permits authorized
15 for such mountain lion management unit.

16 2. Renumber the remaining sections, correct internal references, and
17 correct the repealer accordingly.

Senator M. Cavanaugh filed the following amendment to LB958:
AM2345

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 68-901, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:
5 68-901 Sections 68-901 to 68-9,111 and section 2 of this act shall
6 be known and may be cited as the Medical Assistance Act.
7 Sec. 2. (1) For purposes of this section:
8 (a) Assessment tool means any standardized instrument, including the
9 InteRAI assessment system or successor tools, used by the department to
10 evaluate functional eligibility, service needs, or service tier
11 assignments for medicaid or home and community-based services waiver
12 participants;
13 (b) Clinical interviewing means a type of directed conversation
14 applied in a variety of contexts, including assessment and treatment
15 planning for persons applying for, or receiving, services under the
16 medical assistance program or a home and community-based services waiver
17 authorized under section 1915(c) of the federal Social Security Act, as
18 amended. Clinical interviewing may include the use of standard assessment
19 materials but allows the interviewer, based on training and patient
20 responses, to determine the questions to ask, clarify ambiguities, and
21 adapt the questions to the patient's comprehension in order to enhance
22 understanding; and
23 (c) Waiver participant means an individual applying for, or
24 receiving, services under a home and community-based services waiver
25 authorized under section 1915(c) of the federal Social Security Act, as
26 amended.
27 (2) The department shall ensure that all employees and contractors
1 who administer or utilize assessment tools for waiver participants
2 receive training in clinical interviewing techniques. Such training shall
3 include, but not be limited to:
4 (a) Proper administration of assessment tools;
5 (b) Techniques for adapting questions to the comprehension and
6 communication needs of the individual being assessed;
7 (c) Methods for clarifying ambiguous or incomplete responses; and
8 (d) Procedures that ensure accurate and complete assessment results.
9 (3) The department shall communicate eligibility determinations,
10 service tier assignments, and service hour determinations to a waiver
11 participant, or a parent, guardian, or caregiver of a waiver participant,
12 in a timely, clear, and specific manner. Such communication shall
13 include:
14 (a) A complete explanation of the assigned service tier or
15 eligibility determination;
16 (b) A clear and precise explanation of the assessment tool results;
17 (c) A description of the scoring methodology and metrics used in the
18 assessment tool; and
19 (d) Information regarding the right to appeal the determination.
20 (4) If a determination results in a reduction of a waiver
21 participant's service tier, authorized service hours, or service
22 provision, the department shall conduct an immediate supervisory review
23 of the assessment and determination prior to final implementation of the
24 reduction.
25 (5) If an appeal is requested, the waiver participant, or the parent
26 or guardian of a waiver participant, shall have the right to obtain an
27 independent evaluation of the assessment and determination. The cost of
28 such independent evaluation shall be paid by the state, and the

29 evaluation shall be included as evidence in the appeal hearing.
 30 (6) No later than August 1, 2026, and August 1, 2027, the department
 31 shall submit a report to the Legislative Oversight Committee of the
 1 Legislature, the Health and Human Services Committee of the Legislature,
 2 and the office of the Public Counsel regarding the implementation and use
 3 of assessment tools for waiver participants. The report shall include,
 4 but not be limited to:
 5 (a) The metrics used in the assessment tools;
 6 (b) An explanation of algorithms, case-mix methodologies, or scoring
 7 matrices used to determine eligibility or service tiers;
 8 (c) The number and percentage of waiver participants whose service
 9 tiers remained the same, increased, or decreased, and the reasons for
 10 such changes;
 11 (d) Aggregate assessment results compared to previous years'
 12 assessments and service tier determinations;
 13 (e) Any identified disparities, trends, or implementation
 14 challenges;
 15 (f) Any other information necessary to evaluate the effectiveness,
 16 accuracy, and fairness of the assessment tools;
 17 (g) The ways in which the department is complying with the Ensuring
 18 Access to Medicaid Final Rule, including requirements related to
 19 grievance procedures, critical incident reporting, and appeal processes
 20 for waiver participants; and
 21 (h) The procedures implemented by medicaid managed care contractors
 22 relating to grievances, critical incidents, and appeals for waiver
 23 participants.
 24 Sec. 3. Original section 68-901, Revised Statutes Cumulative
 25 Supplement, 2024, is repealed.
 26 Sec. 4. Since an emergency exists, this act takes effect when passed
 27 and approved according to law.

Senator Bostar filed the following amendment to [LB1096](#):
[AM2313](#) is available in the Bill Room.

VISITOR(S)

Visitors to the Chamber were Ronda Anderson, Cedar Rapids, IA; students from Faith Lutheran School, Lincoln; students from Trio Upward Bound Math and Science, Omaha; students from Tara Heights, Elementary, Papillion; students from Legacy Schools, Omaha.

The Doctor of the Day was Dr. Dave Hoelting, Pender.

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Ballard, the Legislature adjourned until 9:00 a.m., Friday, February 27, 2026.

Brandon Metzler
 Clerk of the Legislature