

## LEGISLATIVE BILL 1204

Approved by the Governor April 2, 2024

Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to law; to amend sections 9-402, 9-422, 9-426, 9-427, 9-429, 9-502, 9-511, 9-823, 28-1105.01, 28-1422, 28-1429, 53-123.01, 59-1523, 77-4003, 77-4005, 77-4006, 77-4012, 77-4013, 77-4017, 77-4019, and 77-4020, Reissue Revised Statutes of Nebraska, sections 28-1418.01, 28-1420, 28-1425, and 84-712.05, Revised Statutes Cumulative Supplement, 2022, and sections 53-101, 53-103, 53-123.16, 77-4001, and 77-4025, Revised Statutes Supplement, 2023; to define and redefine terms; to change provisions relating to the Nebraska Lottery and Raffle Act and the Nebraska Small Lottery and Raffle Act; to provide for the anonymity of winners of certain prizes under the State Lottery Act; to prohibit actions relating to unlicensed tobacco products manufacturers, wholesalers, and retailers; to change provisions relating to issuance, revocation, and forfeiture of certain tobacco licenses; to prohibit conduct relating to controlled or counterfeit controlled substances; to prohibit delivery sales of electronic nicotine delivery systems and provide requirements for packaging and advertising of such systems; to provide requirements for e-liquid containers; to authorize a holder of a microdistillery license and a holder of a manufacturer's license to operate a rickhouse under the Nebraska Liquor Control Act; to require certification of manufacturers of electronic nicotine delivery systems under the Tobacco Products Tax Act; to provide duties for such manufacturers; to provide powers and duties for the Tax Commissioner; to provide penalties; to change public records disclosure provisions as prescribed; to harmonize provisions; to eliminate provisions relating to a small lottery; to repeal the original sections; and to outright repeal section 9-510, Reissue Revised Statutes of Nebraska.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 9-402, Reissue Revised Statutes of Nebraska, is amended to read:

9-402 (1) The purpose of the Nebraska Lottery and Raffle Act is to protect the health and welfare of the public, to protect the economic welfare and interest in certain lotteries and raffles with gross proceeds greater than fifteen ~~one thousand dollars and certain raffles with gross proceeds greater than five thousand dollars~~, to insure that the profits derived from the operation of any such lottery or raffle are accurately reported in order that their revenue-raising potential be fully exposed, to insure that the profits are used for legitimate purposes, and to prevent the purposes for which the profits of any such lottery or raffle are to be used from being subverted by improper elements.

(2) The purpose of the Nebraska Lottery and Raffle Act is also to completely and fairly regulate each level of the traditional marketing scheme of tickets or stubs for such lotteries and raffles to insure fairness, quality, and compliance with the Constitution of Nebraska. To accomplish such purpose, the regulation and licensure of nonprofit organizations and any other person involved in the marketing scheme are necessary.

(3) The Nebraska Lottery and Raffle Act shall apply to all lotteries and raffles with gross proceeds greater than fifteen ~~in excess of one thousand dollars~~, except for lotteries by the sale of pickle cards conducted in accordance with the Nebraska Pickle Card Lottery Act, lotteries conducted by a county, city, or village in accordance with the Nebraska County and City Lottery Act, and lottery games conducted in accordance with the State Lottery Act, ~~and to all raffles with gross proceeds in excess of five thousand dollars.~~

(4) All such lotteries and raffles shall be played and conducted only by the methods permitted in the Nebraska Lottery and Raffle Act ~~act~~. No other form, means of selection, or method of play shall be allowed.

Sec. 2. Section 9-422, Reissue Revised Statutes of Nebraska, is amended to read:

9-422 No person, except a licensed organization operating pursuant to the Nebraska Lottery and Raffle Act, shall conduct any lottery or raffle with gross proceeds greater than fifteen ~~in excess of one thousand dollars or any raffle with gross proceeds in excess of five thousand dollars~~. Any lottery or raffle conducted in violation of this section is hereby declared to be a public nuisance. Any person who violates this section shall be guilty of a Class III misdemeanor. Nothing in this section shall be construed to apply to any lottery conducted in accordance with the Nebraska County and City Lottery Act, any lottery by the sale of pickle cards conducted in accordance with the Nebraska Pickle Card Lottery Act, or any lottery game conducted pursuant to the State Lottery Act.

Sec. 3. Section 9-426, Reissue Revised Statutes of Nebraska, is amended to read:

9-426 (1) A licensed organization may obtain from the department a special permit to conduct one raffle and one lottery. The cost of the special permit

shall be ten dollars. The special permit shall exempt the licensed organization from subsection (2) ~~subsections (2) and (3)~~ of section 9-427 and from section 9-430. The organization shall comply with all other requirements of the Nebraska Lottery and Raffle Act.

(2) The special permit shall be valid for one year and shall be issued by the department upon the proper application by the licensed organization. The special permit shall become invalid upon termination, revocation, or cancellation of the organization's license to conduct a lottery or raffle. The application shall be in such form and contain such information as the department may prescribe.

(3) No licensed organization conducting a raffle or lottery pursuant to a special permit shall pay persons selling tickets or stubs for the raffle or lottery, except that nothing in this subsection shall prohibit the awarding of prizes to such persons based on ticket or stub sales.

Sec. 4. Section 9-427, Reissue Revised Statutes of Nebraska, is amended to read:

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

~~(2) Not less than sixty-five percent of the gross proceeds of any lottery shall be used for the awarding of prizes, and not more than ten percent of the gross proceeds shall be used to pay the allowable expenses of operating such scheme.~~

~~(2)~~ (3) Not less than sixty-five percent of the gross proceeds of any lottery or raffle shall be used for the awarding of prizes, and not more than ten percent of the gross proceeds of a lottery or raffle shall be used to pay the allowable expenses of operating such scheme, except that if prizes are donated to the licensed organization to be awarded in connection with a such raffle, the prizes awarded shall have a fair market value equal to at least sixty-five percent of the gross proceeds of the raffle and the licensed organization shall use the proceeds for allowable expenses, optional additional prizes, and a lawful purpose.

Sec. 5. Section 9-429, Reissue Revised Statutes of Nebraska, is amended to read:

9-429 Any licensed organization or any other organization ~~or person~~ conducting a lottery or raffle activity required to be licensed pursuant to the Nebraska Lottery and Raffle Act shall pay to the department a tax of two percent of the gross proceeds of each lottery or raffle having gross proceeds greater of more than fifteen one thousand dollars or raffle having gross proceeds of more than five thousand dollars. Such tax shall be remitted annually by September 30 each year on forms approved and provided by the department. The department shall remit the tax to the State Treasurer for credit to the Charitable Gaming Operations Fund. All deficiencies of the tax imposed by this section shall accrue interest and be subject to a penalty as provided for sales and use taxes in the Nebraska Revenue Act of 1967.

Sec. 6. Section 9-502, Reissue Revised Statutes of Nebraska, is amended to read:

9-502 ~~(1)~~ (1) The purpose of the Nebraska Small Lottery and Raffle Act is to allow qualifying nonprofit organizations to conduct lotteries and raffles with gross proceeds not greater than fifteen one thousand dollars ~~or raffles with gross proceeds not greater than five thousand dollars~~ subject to minimal regulation.

~~(2)~~ (2) The Nebraska Small Lottery and Raffle Act shall apply to all lotteries and raffles with gross proceeds not greater than fifteen one thousand dollars, except for lotteries by the sale of pickle cards conducted in accordance with the Nebraska Pickle Card Lottery Act, lotteries conducted by a county, city, or village in accordance with the Nebraska County and City Lottery Act, and lottery games conducted pursuant to the State Lottery Act, ~~and to all raffles with gross proceeds not greater than five thousand dollars.~~

~~(3)~~ (3) All such lotteries and raffles shall be played and conducted only by the methods permitted in the Nebraska Small Lottery and Raffle Act act. No other form or method shall be authorized or permitted.

Sec. 7. Section 9-511, Reissue Revised Statutes of Nebraska, is amended to read:

9-511 Any qualifying nonprofit organization may conduct a lottery or raffle that has gross proceeds not greater than fifteen five thousand dollars. Each chance in such lottery or raffle shall have an equal likelihood of being a winning chance. The gross proceeds shall be used solely for charitable or community betterment purposes, awarding of prizes, and expenses. Any qualifying nonprofit organization may conduct one lottery per calendar month that has gross proceeds not greater than fifteen thousand dollars. Any qualifying nonprofit organization may conduct one or more raffles in a calendar month if the total gross proceeds from such raffles do not exceed fifteen five thousand dollars during such month.

Sec. 8. Section 9-823, Reissue Revised Statutes of Nebraska, is amended to read:

9-823 The Tax Commissioner shall adopt and promulgate rules and regulations necessary to carry out the State Lottery Act. The rules and regulations shall include provisions relating to the following:

- (1) The lottery games to be conducted subject to the following conditions:
  - (a) No lottery game shall use the theme of dog racing or horseracing;
  - (b) In any lottery game utilizing tickets, each ticket in such game shall bear a unique number distinguishing it from every other ticket in such lottery game;

(c) No name of an elected official shall appear on the tickets of any lottery game; and

(d) In any instant-win game, the overall estimated odds of winning some prize shall be printed on each ticket and shall also be available at the office of the division at the time such lottery game is offered for sale to the public;

(2) The retail sales price for lottery tickets;

(3) The types and manner of payment of prizes to be awarded for winning tickets in lottery games;

(4) The method for determining winners, the frequency of drawings, if any, or other selection of winning tickets subject to the following conditions:

(a) No lottery game shall be based on the results of a dog race, horserace, or other sports event;

(b) If the lottery game utilizes the drawing of winning numbers, a drawing among entries, or a drawing among finalists (i) the drawings shall be witnessed by an independent certified public accountant, (ii) any equipment used in the drawings shall be inspected by the independent certified public accountant and an employee of the division or designated agent both before and after the drawing, and (iii) the drawing shall be recorded on videotape with an audio track; and

(c) Drawings in an instant-win game, other than grand prize drawings or other runoff drawings, shall not be held more often than weekly. Drawings or selections in an online game shall not be held more often than daily;

(5) The validation and manner of payment of prizes to the holders of winning tickets subject to the following conditions:

(a) The prize shall be given to the person who presents a winning ticket, except that for awards in excess of five hundred dollars, the winner shall also provide his or her social security number or tax identification number;

(b) A prize may be given to only one person per winning ticket, except that a prize shall be divided between the holders of winning tickets if there is more than one winning ticket per prize;

(c) For the convenience of the public, the director may authorize lottery game retailers to pay winners of up to five hundred dollars after performing validation procedures on their premises appropriate to the lottery game involved;

(d) No prize shall be paid to any person under nineteen years of age, and any prize resulting from a lottery ticket held by a person under nineteen years of age shall be awarded to the parent or guardian or custodian of the person under the Nebraska Uniform Transfers to Minors Act;

(e) No prize shall be paid for tickets that are stolen, counterfeit, altered, fraudulent, unissued, produced or issued in error, unreadable, not received or not recorded by the division by acceptable deadlines, lacking in captions that confirm and agree with the lottery play symbols as appropriate to the lottery game involved, or not in compliance with additional specific rules and regulations and public or confidential validation and security tests appropriate to the particular lottery game involved;

(f) No particular prize in any lottery game shall be paid more than once. In the event of a binding determination by the director that more than one claimant is entitled to a particular prize, the sole right of such claimants shall be the award to each of them of an equal share in the prize; ~~and~~

(g) After the expiration of the claim period for prizes for each lottery game, the director shall make available a detailed tabulation of the total number of tickets actually sold in the lottery game and the total number of prizes of each prize denomination that were actually claimed and paid; and

(h) The division and any lottery contractor shall not publicly disclose the identity of any person awarded a prize of two hundred fifty thousand dollars or more except upon written authorization of such person;

(6) Requirements for eligibility for participation in grand prize drawings or other runoff drawings, including requirements for submission of evidence of eligibility;

(7) The locations at which tickets may be sold except that no ticket may be sold at a retail liquor establishment holding a license for the sale of alcoholic liquor at retail for consumption on the licensed premises unless the establishment holds a Class C liquor license with a sampling designation as provided in subsection (6) of section 53-124;

(8) The method to be used in selling tickets;

(9) The contracting with persons as lottery game retailers to sell tickets and the manner and amount of compensation to be paid to such retailers;

(10)(a) The form and type of marketing of informational and educational material.

(b) Beginning on September 1, 2019, all lottery advertisements shall disclose the odds of winning the prize with the largest value for any lottery game in a clear and conspicuous manner. Such disclosure shall be in a font size of not less than thirty-five percent of the largest font used in the advertisement, except that for any online advertisement, such disclosure shall be in a font size of at least ten points. This subdivision (b) shall not apply to advertisements printed, distributed, broadcast, or otherwise disseminated or conducted prior to September 1, 2019;

(11) Any arrangements or methods to be used in providing proper security in the storage and distribution of tickets or lottery games; and

(12) All other matters necessary or desirable for the efficient and economical operation and administration of lottery games and for the convenience of the purchasers of tickets and the holders of winning tickets.

Sec. 9. Section 28-1105.01, Reissue Revised Statutes of Nebraska, is amended to read:

28-1105.01 (1) A person commits the offense of gambling debt collection if he or she employs any force or intimidation or threatens force or intimidation in order to collect any debt which results from gambling as described in defined by sections 9-510, 28-1101 to 28-1109, and 28-1117.

(2) Gambling debt collection is a Class III felony.

Sec. 10. Section 28-1418.01, Revised Statutes Cumulative Supplement, 2022, is amended to read:

28-1418.01 For purposes of sections 28-1418 to 28-1429.03 and sections 15 to 18 of this act:

(1) Alternative nicotine product means any noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. Alternative nicotine product does not include any electronic nicotine delivery system, cigarette, cigar, or other tobacco product, or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act;

(2) Cigarette means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains (a) any roll of tobacco wrapped in paper or in any substance not containing tobacco, (b) tobacco, in any form, that is functional in the product which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette, or (c) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subdivision (2)(a) of this section;

(3) Delivery sale means to sell, give, or furnish products (a) by mail or delivery service, (b) through the Internet or a computer network, (c) by telephone, or (d) through any other electronic method;

(4)(a) (3)(a) Electronic nicotine delivery system means any product or device containing nicotine, tobacco, or tobacco derivatives that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to simulate smoking by delivering the nicotine, tobacco, or tobacco derivatives in vapor, fog, mist, gas, or aerosol form to a person inhaling from the product or device.

(b) Electronic nicotine delivery system includes, but is not limited to, the following:

(i) Any substance containing nicotine, tobacco, or tobacco derivatives, whether sold separately or sold in combination with a product or device that is intended to deliver to a person nicotine, tobacco, or tobacco derivatives in vapor, fog, mist, gas, or aerosol form;

(ii) Any product or device marketed, manufactured, distributed, or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, or similar products, names, descriptors, or devices; and

(iii) Any component, part, or accessory of such a product or device that is used during operation of the product or device when sold in combination with any substance containing nicotine, tobacco, or tobacco derivatives.

(c) Electronic nicotine delivery system does not include the following:

(i) An alternative nicotine product, cigarette, cigar, or other tobacco product, or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act; or

(ii) Any component, part, or accessory of such a product or device that is used during operation of the product or device when not sold in combination with any substance containing nicotine, tobacco, or tobacco derivatives;

(5) (4) Self-service display means a retail display that contains a tobacco product, a tobacco-derived product, an electronic nicotine delivery system, or an alternative nicotine product and is located in an area openly accessible to a retailer's customers and from which such customers can readily access the product without the assistance of a salesperson. Self-service display does not include a display case that holds tobacco products, tobacco-derived products, electronic nicotine delivery systems, or alternative nicotine products behind locked doors; and

(6) (5) Tobacco specialty store means a retail store that (a) derives at least seventy-five percent of its revenue from tobacco products, tobacco-derived products, electronic nicotine delivery systems, or alternative nicotine products and (b) does not permit persons under the age of twenty-one years to enter the premises unless accompanied by a parent or legal guardian, ~~except that until January 1, 2022, a tobacco specialty store may allow an employee who is nineteen or twenty years of age to work in the store.~~

Sec. 11. Section 28-1420, Revised Statutes Cumulative Supplement, 2022, is amended to read:

28-1420 (1) A ~~It shall be unlawful for any person, partnership, limited liability company, or corporation shall not to~~ sell, keep for sale, or give away in course of trade, any cigars, tobacco, electronic nicotine delivery systems, cigarettes, or cigarette material to anyone without first obtaining a license as provided in sections 28-1421 and 28-1422.

(2) A ~~It shall also be unlawful for any wholesaler shall not to~~ sell or deliver any cigars, tobacco, electronic nicotine delivery systems, cigarettes, or cigarette material to any person, partnership, limited liability company, or

corporation who, at the time of such sale or delivery, is not the recipient of a valid tobacco license for the current year to retail the same as provided in such sections 28-1421 and 28-1422.

~~(3) A It shall also be unlawful for any person, partnership, limited liability company, or corporation shall not to purchase or receive, for purposes of resale, any cigars, tobacco, electronic nicotine delivery systems, cigarettes, or cigarette material if such person, partnership, limited liability company, or corporation is not the recipient of a valid tobacco license under sections 28-1421 and 28-1422 to retail such tobacco products at the time the same are purchased or received.~~

~~(4) A wholesaler or retailer shall not purchase or receive, for purposes of resale, any cigars, tobacco, electronic nicotine delivery systems, cigarettes, or cigarette material if the manufacturer of such products does not hold any license or certification required by the Tobacco Products Tax Act at the time such products are purchased or received.~~

~~(5) A tobacco product manufacturer shall not sell or deliver any cigars, tobacco, electronic nicotine delivery systems, cigarettes, or cigarette material to any wholesaler or retailer who, at the time of such sale or delivery, is not the recipient of a valid tobacco license under sections 28-1421 and 28-1422 for the current year to sell such products at wholesale or retail.~~

~~(6) A whoever shall be person found guilty of violating this section is shall be guilty of a Class III misdemeanor for each offense.~~

Sec. 12. Section 28-1422, Reissue Revised Statutes of Nebraska, is amended to read:

28-1422 (1) Every person, partnership, limited liability company, or corporation desiring a license under sections 28-1420 to 28-1429 shall file with the clerk or finance department of the city, town, or village where his, her, their, or its place of business is located, if within the limits of a city, town, or village, or with the clerk of the county where such place of business is located, if outside the limits of any city, town, or village, a written application stating:

(a) The ~~the~~ name of the person, partnership, limited liability company, or corporation for whom such license is desired;

(b) An email address for contacting such person, partnership, limited liability company, or corporation; and

(c) The ~~the~~ exact location of the place of business. and

(2) Each applicant shall also deposit with such application the amount of the license fee provided in section 28-1423.

(3) If the applicant is an individual, the application shall include the applicant's social security number.

(4) Any clerk or finance department that grants such a license shall notify the Tax Commissioner of such granting and transmit all applicable application materials received to the Tax Commissioner.

Sec. 13. Section 28-1425, Revised Statutes Cumulative Supplement, 2022, is amended to read:

28-1425 Any licensee who shall sell, give, or furnish in any way to any person under the age of twenty-one years, or who shall willingly allow to be taken from his or her place of business by any person under the age of twenty-one years, any cigars, tobacco, cigarettes, cigarette material, electronic nicotine delivery systems, or alternative nicotine products is guilty of a Class III misdemeanor. Any officer, director, or manager having charge or control, either separately or jointly with others, of the business of any corporation which violates sections 28-1419, 28-1420 to 28-1429, and 28-1429.03 and sections 15 to 18 of this act, if he or she has knowledge of such violation, shall be subject to the penalties provided in this section. In addition to the penalties provided in this section, such licensee shall be subject to the additional penalty of a revocation and forfeiture of his, her, their, or its license, at the discretion of the court before whom the complaint for violation of such sections may be heard. If such license is revoked and forfeited, all rights under such license shall at once cease and terminate and a new license shall not be issued until the expiration of the period provided for in section 28-1429.

Sec. 14. Section 28-1429, Reissue Revised Statutes of Nebraska, is amended to read:

28-1429 (1) ~~If a In the event that the license issued under sections 28-1420 to 28-1429 is of a licensee hereunder shall be revoked and forfeited as provided in section 28-1425 for a violation of section 15 or 16 of this act, no new license shall be issued to such licensee until the expiration of five years after the date of such revocation and forfeiture.~~

(2) ~~If a license issued under sections 28-1420 to 28-1429 is revoked and forfeited as provided in section 28-1425 for any other violation of sections 28-1418 to 28-1429.03 and sections 17 and 18 of this act, no new license shall be issued to such licensee until the expiration of one year from after the date of such revocation and forfeiture except as otherwise provided in section 28-1423.~~

Sec. 15. ~~A person holding a license under sections 28-1420 to 28-1429 who sells, gives, or furnishes in any way to any consumer in this state, or who willingly allows to be taken from such licensee's place of business by any person, any controlled substance or counterfeit substance, as such terms are defined in section 28-401, shall be, in addition to the penalties provided for in the Uniform Controlled Substances Act, subject to the additional penalty of revocation and forfeiture of such license as provided in sections 28-1425 and~~

28-1429 at the discretion of the court.

Sec. 16. (1) A person shall not, by delivery sale, sell, give, or furnish to any consumer in this state any electronic nicotine delivery system. A violation of this subsection is a Class I misdemeanor.

(2) Any common carrier that knowingly transports any electronic nicotine delivery system in any form for a person who is in violation of subsection (1) of this section is guilty of a Class I misdemeanor.

(3) In addition to any other penalty, a violation of this section shall constitute a deceptive trade practice under the Uniform Deceptive Trade Practices Act and shall be subject to any remedies or penalties available for a violation of such act.

(4) All electronic nicotine delivery systems that are sold, given, or furnished in violation of this section are subject to seizure, forfeiture, and destruction and shall not be purchased or sold in the state. The cost of such seizure, forfeiture, and destruction shall be borne by the person from whom the products are seized.

(5) This section does not apply to the following:

(a) The shipment of electronic nicotine delivery systems to a foreign trade zone that is established under 19 U.S.C. 81a et seq. and that is located in this state if the products are from outside of this country, were ordered by a distributor in another state, and are not distributed in this state;

(b) A government employee who is acting in the course of the employee's official duties; or

(c) The shipment of electronic nicotine delivery systems to a university that is acquiring the systems to conduct basic and applied research, if the systems are exempt from federal excise tax under 26 U.S.C. 5704(a).

Sec. 17. (1) A person holding a license under sections 28-1420 to 28-1429 shall ensure that any e-liquid container for an electronic nicotine delivery system sold by such person:

(a) Meets any applicable packaging standards imposed by the federal Child Nicotine Poisoning Prevention Act of 2015, 15 U.S.C. 1472a; and

(b) Has a label that meets the nicotine addictiveness warning statement requirements set forth in 21 C.F.R. 1143.3.

(2) For purposes of this section, e-liquid container means a container holding any consumable material as defined in section 77-4003.01.

Sec. 18. A person holding a license under sections 28-1420 to 28-1429 shall not market, advertise, sell, or cause to be sold an electronic nicotine delivery system if the system's container, packaging, or advertising:

(1) Depicts a cartoon-like fictional character that mimics a character primarily aimed at entertaining minors;

(2) Imitates or mimics trademarks or trade dress of products that are or have been primarily marketed to minors;

(3) Includes a symbol that is primarily used to market products to minors;

(4) Includes an image of a celebrity; or

(5) Is designed to disguise the fact that it is an electronic nicotine delivery system.

Sec. 19. Section 53-101, Revised Statutes Supplement, 2023, is amended to read:

53-101 Sections 53-101 to 53-1,122 and section 21 of this act shall be known and may be cited as the Nebraska Liquor Control Act.

Sec. 20. Section 53-103, Revised Statutes Supplement, 2023, is amended to read:

53-103 For purposes of the Nebraska Liquor Control Act, the definitions found in sections 53-103.01 to 53-103.51 and section 21 of this act apply.

Sec. 21. Rickhouse means an offsite bonded warehouse which is kept and maintained for the purpose of storing spirits in barrels for aging in order to impart flavor from the barrel into the spirits.

Sec. 22. Section 53-123.01, Reissue Revised Statutes of Nebraska, is amended to read:

53-123.01 (1) A manufacturer's license shall allow the manufacture, storage, and sale of alcoholic liquor to wholesale licensees in this state and to such persons outside the state as may be permitted by law, except that nothing in the Nebraska Liquor Control Act shall prohibit a manufacturer of beer from distributing tax-paid samples of beer at the premises of a licensed manufacturer for consumption on the premises. A manufacturer's license issued pursuant to this section shall be the only license required by the Nebraska Liquor Control Act for the manufacture and retail sale of beer manufactured on the licensed premises for consumption on the licensed premises.

(2)(a) A licensee who or which first obtains a craft brewery license pursuant to section 53-123.14, holds such license for not less than three years, and operates a brewpub or microbrewery on the licensed premises of such craft brewery license shall obtain a manufacturer's license when the manufacture of beer on the licensed premises exceeds twenty thousand barrels per year. The manufacturer's license shall authorize the continued retail sale of beer for consumption on or off the premises but only to the extent the premises were previously licensed as a craft brewery. The sale of any beer other than beer manufactured by the licensee, wine, or alcoholic liquor for consumption on the licensed premises shall require the appropriate retail license. The holder of such manufacturer's license may continue to operate up to five retail locations which are in operation at the time such manufacturer's license is issued and shall divest itself from retail locations in excess of five locations. The licensee shall not begin operation at any new retail location even if the licensee's production is reduced below twenty thousand

barrels per year.

(b) The holder of such manufacturer's license may obtain an annual catering license pursuant to section 53-124.12, a special designated license pursuant to section 53-124.11, or an entertainment district license pursuant to section 53-123.17.

(3) A holder of a manufacturer's license to manufacture spirits may operate a rickhouse that meets the requirements for a distilled spirit plant pursuant to 26 U.S.C. 5178, as such section existed on January 1, 2024, if such manufacturer receives authorization from the commission and notifies the commission of the location of such rickhouse in a manner prescribed by the commission.

Sec. 23. Section 53-123.16, Revised Statutes Supplement, 2023, is amended to read:

53-123.16 (1) Any person who operates a microdistillery shall obtain a license pursuant to the Nebraska Liquor Control Act. A license to operate a microdistillery shall permit the licensee to produce a maximum of one hundred thousand gallons of liquor per year in the aggregate from all physical locations comprising the licensed premises. For purposes of this section, licensed premises may include up to five separate physical locations. A microdistillery may also sell to licensed wholesalers for sale and distribution to licensed retailers. A microdistillery license issued pursuant to this section shall be the only license required by the Nebraska Liquor Control Act for the manufacture and retail sale of microdistilled product for consumption on or off the licensed premises, except that the sale of any beer, wine, or alcoholic liquor, other than microdistilled product manufactured by the microdistillery licensee, by the drink for consumption on the microdistillery premises shall require the appropriate retail license. Any license held by the operator of a microdistillery shall be subject to the act. A holder of a microdistillery license may obtain an annual catering license pursuant to section 53-124.12, a special designated license pursuant to section 53-124.11, an entertainment district license pursuant to section 53-123.17, or a promotional farmers market special designated license pursuant to section 53-124.16. The commission may, upon the conditions it determines, grant to any microdistillery licensed under this section a special license authorizing the microdistillery to purchase and to import, from such persons as are entitled to sell the same, wines or spirits to be used solely as ingredients and for the sole purpose of blending with and flavoring microdistillery products as a part of the microdistillation process.

(2) A holder of a microdistillery license may directly sell for resale up to five hundred gallons per calendar year of microdistilled products produced at its licensed premises directly to retail licensees located in the State of Nebraska which hold the appropriate retail license if the holder of the microdistillery license:

(a) Self-distributes its microdistilled products utilizing only persons employed by the microdistillery licensee; and

(b) Complies with all relevant statutes, rules, and regulations that apply to Nebraska wholesalers regarding distribution of microdistilled products.

(3) A holder of a microdistillery license may store and warehouse tax-paid products produced on such licensee's licensed premises in a designated, secure, offsite storage facility if the holder of the microdistillery license receives authorization from the commission and notifies the commission of the location of the storage facility and maintains, at the microdistillery and at the storage facility, a separate perpetual inventory of the product stored at the storage facility. Consumption of alcoholic liquor at the storage facility is strictly prohibited.

(4) A holder of a microdistillery license may operate a rickhouse that meets the requirements for a distilled spirit plant pursuant to 26 U.S.C. 5178, as such section existed on January 1, 2024, if such licensee receives authorization from the commission and notifies the commission of the location of such rickhouse in a manner prescribed by the commission.

(5) ~~(4)~~ The commission may adopt and promulgate rules and regulations relating to the distribution rights of microdistillery licensees.

Sec. 24. Section 59-1523, Reissue Revised Statutes of Nebraska, is amended to read:

59-1523 (1) The cigarette tax division of the Tax Commissioner may, after notice and hearing, revoke or suspend for any violation of section 59-1520 the:

(a) License or licenses of any person licensed under sections 28-1418 to 28-1429.03 and sections 15 to 18 of this act or sections 77-2601 to 77-2622; or -

(b) License or certification of any person licensed or certified under the Tobacco Products Tax Act.

(2) Cigarettes that are acquired, held, owned, possessed, transported, sold, or distributed in or imported into this state in violation of section 59-1520 are declared to be contraband goods and are subject to seizure and forfeiture. Any cigarettes so seized and forfeited shall be destroyed. Such cigarettes shall be declared to be contraband goods whether the violation of section 59-1520 is knowing or otherwise.

Sec. 25. Section 77-4001, Revised Statutes Supplement, 2023, is amended to read:

77-4001 Sections 77-4001 to 77-4025 and sections 29 and 30 of this act shall be known and may be cited as the Tobacco Products Tax Act.

Sec. 26. Section 77-4003, Reissue Revised Statutes of Nebraska, is amended to read:

77-4003 Cancel shall mean to discontinue for up to five years all rights and privileges under a license or certification.

Sec. 27. Section 77-4005, Reissue Revised Statutes of Nebraska, is amended to read:

77-4005 Revoke shall mean to permanently void and recall all rights and privileges of a person to obtain a license or certification.

Sec. 28. Section 77-4006, Reissue Revised Statutes of Nebraska, is amended to read:

77-4006 Suspend shall mean to temporarily interrupt for up to one year all rights and privileges under a license or certification.

Sec. 29. (1) Each manufacturer of electronic nicotine delivery systems that are sold at retail in this state, whether directly or through a distributor, wholesaler, retailer, or similar intermediary or intermediaries, shall be certified as provided in this section.

(2) An application for certification under this section shall be made on a form and in a manner prescribed by the Tax Commissioner. The application shall include:

(a) The name and address of the applicant or, if the applicant is a firm, partnership, limited liability company, or association, the name and address of each of its members or, if the applicant is a corporation, the name and address of each of its officers and the address of its principal place of business;

(b) The location of the principal place of business to be licensed;

(c) If applicable, a copy of the Prevent All Cigarette Trafficking (PACT) Act Registration Form (ATF Form 5070.1) as submitted by the applicant to the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice, and an attestation that the applicant is in compliance with, and will continue to comply with, all applicable requirements of 15 U.S.C. 375 and 376;

(d) An attestation that the applicant will comply with all applicable laws of Nebraska and of the applicant's principal place of business;

(e) For an applicant with a principal place of business outside the United States, a declaration, in a form prescribed by the Tax Commissioner, from each of its importers into the United States of any of its brands to be sold in the State of Nebraska, that the importer accepts joint and several liability with the applicant for all liability imposed in accordance with Tobacco Products Tax Act, including any fees, costs, attorney's fees, and penalties imposed under the act;

(f) An attestation that the applicant's products fully comply with the requirements of the United States Customs and Border Protection agency, including accurate Entry Summary forms (CPB Form 7501), and that the applicant is not in violation of 18 U.S.C. 541, 542, or 545;

(g) A list of each type or model of electronic nicotine delivery system of the manufacturer which is sold in this state; and

(h) Such other information as the Tax Commissioner may require for the purpose of administering the Tobacco Products Tax Act.

(3) An application for a certification under this section shall be accompanied by a nonrefundable fee in an amount equal to seventy-five dollars for each type or model of electronic nicotine delivery system which is sold in this state.

(4) A manufacturer shall not cause to be sold at retail in this state any type or model of electronic nicotine delivery system not included in the application under this section without first:

(a) Filing an amended certification form in a form and manner prescribed by the Tax Commissioner; and

(b) Paying the appropriate fee under subsection (3) of this section.

(5) Upon receipt of an application in proper form and payment of the fee, the Tax Commissioner shall issue a certification to the applicant, except as provided in section 77-4013. A certification shall not be assignable, shall be valid only for the person in whose name it is issued, and shall be continuously valid unless suspended, canceled, or revoked by the Tax Commissioner.

(6) A manufacturer who is certified under this section shall have established sufficient contact with this state for the exercise of personal jurisdiction over the manufacturer in any matter or issue arising under the Tobacco Products Tax Act.

Sec. 30. (1) Any nonresident manufacturer of electronic nicotine delivery systems that has not registered to do business in the State of Nebraska as a foreign corporation or business entity shall, as a condition precedent to being certified pursuant to section 29 of this act, appoint and continually engage without interruption the services of an agent in the State of Nebraska to act as agent for the service of process on whom all process, and any action or proceeding against such manufacturer concerning or arising out of the enforcement of the Tobacco Products Tax Act, may be served in any manner authorized by law. Such service shall constitute legal and valid service of process on the manufacturer. The manufacturer shall provide the name, address, telephone number, and proof of the appointment and availability of such agent to the Tax Commissioner.

(2) The manufacturer shall provide notice to the Tax Commissioner thirty calendar days prior to termination of the authority of an agent and shall further provide proof to the satisfaction of the Tax Commissioner of the appointment of a new agent no less than five calendar days prior to the termination of an existing agent appointment. In the event an agent terminates an agency appointment, the manufacturer shall notify the Tax Commissioner of the termination within five calendar days and shall include proof to the

satisfaction of the Tax Commissioner of the appointment of a new agent.

Sec. 31. Section 77-4012, Reissue Revised Statutes of Nebraska, is amended to read:

77-4012 The Tax Commissioner may revoke, cancel, or suspend any license or certification for a violation of the Tobacco Products Tax Act or any rule or regulation adopted and promulgated by the Tax Commissioner in administering the act. If a license or certification is revoked, canceled, or suspended, the licensee or certified manufacturer shall immediately surrender such license or certification to the Tax Commissioner. No determination of revocation, cancellation, or suspension shall be made until notice has been given and a hearing has been held by the Tax Commissioner as provided in section 77-4019, if requested by the licensee or certified manufacturer.

Sec. 32. Section 77-4013, Reissue Revised Statutes of Nebraska, is amended to read:

77-4013 The Tax Commissioner may restore licenses or certifications which have been revoked, canceled, or suspended, but the Tax Commissioner shall not issue a new license or certification after the revocation of such a license or certification unless he or she is satisfied that the former licensee or certified manufacturer will comply with the Tobacco Products Tax Act. A person whose license or certification has previously been revoked, canceled, or suspended shall pay the Tax Commissioner a fee of twenty-five dollars for the issuance of a license or certification after each revocation, cancellation, or suspension.

Sec. 33. Section 77-4017, Reissue Revised Statutes of Nebraska, is amended to read:

77-4017 (1) Every person licensed or certified under the Tobacco Products Tax Act licensee shall keep complete and accurate records for all places of business, including itemized invoices of tobacco products (a) held, purchased, manufactured, or brought in or caused to be brought into this state or (b) for a person licensee located outside of this state, shipped or transported to retailers in this state. Such records shall be of sufficient detail to identify the manufacturer of each tobacco product held, purchased, manufactured, or brought in or caused to be brought into this state. For snuff, such records shall also include the net weight as listed by the manufacturer.

(2) All books, records, and other papers and documents required to be kept by this section shall be preserved for a period of at least three years after the due date of the tax imposed by the Tobacco Products Tax Act unless the Tax Commissioner, in writing, authorizes their destruction or disposal at an earlier date.

(3) At any time during usual business hours, duly authorized agents or employees of the Tax Commissioner may enter any place of business of a person licensed or certified under the Tobacco Products Tax Act licensee and inspect the premises, the records required to be kept pursuant to this section, and the tobacco products contained in such place of business for purposes of determining whether or not such person licensee is in full compliance with the act. Refusal to permit such inspection by a duly authorized agent or employee of the Tax Commissioner shall be grounds for revocation, cancellation, or suspension of the license or certification.

Sec. 34. Section 77-4019, Reissue Revised Statutes of Nebraska, is amended to read:

77-4019 (1) A licensee may request a hearing on any proposed notice of deficiency issued by the Tax Commissioner.

(2) Any person licensed or certified under the Tobacco Products Tax Act A licensee may also request a hearing after notice that the Tax Commissioner intends to revoke, cancel, or suspend a license or certification.

(3) Such request shall be made within twenty days after the receipt of the notice of deficiency or the notice that the Tax Commissioner intends to revoke, cancel, or suspend a license or certification.

(4) At such hearing the Tax Commissioner, or any officer or employee of the Tax Commissioner designated in writing, may examine any books, papers, or memoranda bearing upon the matter at issue and require the attendance of any person licensed or certified under the Tobacco Products Tax Act licensee or any officer or employee of such person licensee having knowledge pertinent to such hearing. The Tax Commissioner or his or her designee shall have the power to administer oaths to persons testifying at such hearing.

(5) During the hearing, the Tax Commissioner or his or her designee shall not be bound by the technical rules of evidence, and no informality in any proceeding or in the manner of taking testimony shall invalidate any order or decision made or approved by the Tax Commissioner.

Sec. 35. Section 77-4020, Reissue Revised Statutes of Nebraska, is amended to read:

77-4020 Within a reasonable time after the hearing pursuant to section 77-4019, the Tax Commissioner shall make a final decision or final determination and notify the licensee or certified manufacturer by mail of such decision or determination. If any tax or additional tax becomes due, such notice shall be accompanied by a demand for payment of any tax due. A licensee or certified manufacturer may appeal the decision of the Tax Commissioner, and the appeal shall be in accordance with the Administrative Procedure Act.

Sec. 36. Section 77-4025, Revised Statutes Supplement, 2023, is amended to read:

77-4025 (1) There is hereby created a cash fund in the Department of Revenue to be known as the Tobacco Products Administration Cash Fund. All revenue collected or received by the Tax Commissioner from the license fees,

certification fees, and taxes imposed by the Tobacco Products Tax Act shall be remitted to the State Treasurer for credit to the Tobacco Products Administration Cash Fund, except that all such revenue relating to electronic nicotine delivery systems shall be remitted to the State Treasurer for credit to the General Fund.

(2) All costs required for administration of the Tobacco Products Tax Act shall be paid from the Tobacco Products Administration Cash Fund. Credits and refunds allowed under the act shall be paid from the Tobacco Products Administration Cash Fund. Any receipts, after credits and refunds, in excess of the amounts sufficient to cover the costs of administration may be transferred to the General Fund at the direction of the Legislature.

(3) Any money in the Tobacco Products Administration Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 37. Section 84-712.05, Revised Statutes Cumulative Supplement, 2022, is amended to read:

84-712.05 The following records, unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by the lawful custodian of the records:

(1) Personal information in records regarding a student, prospective student, or former student of any educational institution or exempt school that has effectuated an election not to meet state approval or accreditation requirements pursuant to section 79-1601 when such records are maintained by and in the possession of a public entity, other than routine directory information specified and made public consistent with 20 U.S.C. 1232g, as such section existed on February 1, 2013, and regulations adopted thereunder;

(2) Medical records, other than records of births and deaths and except as provided in subdivision (5) of this section, in any form concerning any person; records of elections filed under section 44-2821; and patient safety work product under the Patient Safety Improvement Act;

(3) Trade secrets, academic and scientific research work which is in progress and unpublished, and other proprietary or commercial information which if released would give advantage to business competitors and serve no public purpose;

(4) Records which represent the work product of an attorney and the public body involved which are related to preparation for litigation, labor negotiations, or claims made by or against the public body or which are confidential communications as defined in section 27-503;

(5) Records developed or received by law enforcement agencies and other public bodies charged with duties of investigation or examination of persons, institutions, or businesses, when the records constitute a part of the examination, investigation, intelligence information, citizen complaints or inquiries, informant identification, or strategic or tactical information used in law enforcement training, except that this subdivision shall not apply to records so developed or received:

(a) Relating to the presence of and amount or concentration of alcohol or drugs in any body fluid of any person; or

(b) Relating to the cause of or circumstances surrounding the death of an employee arising from or related to his or her employment if, after an investigation is concluded, a family member of the deceased employee makes a request for access to or copies of such records. This subdivision does not require access to or copies of informant identification, the names or identifying information of citizens making complaints or inquiries, other information which would compromise an ongoing criminal investigation, or information which may be withheld from the public under another provision of law. For purposes of this subdivision, family member means a spouse, child, parent, sibling, grandchild, or grandparent by blood, marriage, or adoption;

(6) The identity and personal identifying information of an alleged victim of sexual assault or sex trafficking as provided in section 29-4316;

(7) Appraisals or appraisal information and negotiation records concerning the purchase or sale, by a public body, of any interest in real or personal property, prior to completion of the purchase or sale;

(8) Personal information in records regarding personnel of public bodies other than salaries and routine directory information;

(9) Information solely pertaining to protection of the security of public property and persons on or within public property, such as specific, unique vulnerability assessments or specific, unique response plans, either of which is intended to prevent or mitigate criminal acts the public disclosure of which would create a substantial likelihood of endangering public safety or property; computer or communications network schema, passwords, and user identification names; guard schedules; lock combinations; or public utility infrastructure specifications or design drawings the public disclosure of which would create a substantial likelihood of endangering public safety or property, unless otherwise provided by state or federal law;

(10) Information that relates details of physical and cyber assets of critical energy infrastructure or critical electric infrastructure, including (a) specific engineering, vulnerability, or detailed design information about proposed or existing critical energy infrastructure or critical electric infrastructure that (i) relates details about the production, generation, transportation, transmission, or distribution of energy, (ii) could be useful to a person in planning an attack on such critical infrastructure, and (iii) does not simply give the general location of the critical infrastructure and

(b) the identity of personnel whose primary job function makes such personnel responsible for (i) providing or granting individuals access to physical or cyber assets or (ii) operating and maintaining physical or cyber assets, if a reasonable person, knowledgeable of the electric utility or energy industry, would conclude that the public disclosure of such identity could create a substantial likelihood of risk to such physical or cyber assets. Subdivision (10)(b) of this section shall not apply to the identity of a chief executive officer, general manager, vice president, or board member of a public entity that manages critical energy infrastructure or critical electric infrastructure. The lawful custodian of the records must provide a detailed job description for any personnel whose identity is withheld pursuant to subdivision (10)(b) of this section. For purposes of subdivision (10) of this section, critical energy infrastructure and critical electric infrastructure mean existing and proposed systems and assets, including a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of such matters;

(11) The security standards, procedures, policies, plans, specifications, diagrams, access lists, and other security-related records of the Lottery Division of the Department of Revenue and those persons or entities with which the division has entered into contractual relationships. Nothing in this subdivision shall allow the division to withhold from the public any information relating to:

(a) Amounts amounts paid persons or entities with which the division has entered into contractual relationships; ~~or~~

(b) Amounts amounts of prizes paid; ~~or~~

(c) ~~The the~~ name of any the prize winner awarded a prize of less than two hundred fifty thousand dollars, and the city, village, or county where the prize winner resides;

(12) With respect to public utilities and except as provided in sections 43-512.06 and 70-101, personally identified private citizen account payment and customer use information, credit information on others supplied in confidence, and customer lists;

(13) Records or portions of records kept by a publicly funded library which, when examined with or without other records, reveal the identity of any library patron using the library's materials or services;

(14) Correspondence, memoranda, and records of telephone calls related to the performance of duties by a member of the Legislature in whatever form. The lawful custodian of the correspondence, memoranda, and records of telephone calls, upon approval of the Executive Board of the Legislative Council, shall release the correspondence, memoranda, and records of telephone calls which are not designated as sensitive or confidential in nature to any person performing an audit of the Legislature. A member's correspondence, memoranda, and records of confidential telephone calls related to the performance of his or her legislative duties shall only be released to any other person with the explicit approval of the member;

(15) Records or portions of records kept by public bodies which would reveal the location, character, or ownership of any known archaeological, historical, or paleontological site in Nebraska when necessary to protect the site from a reasonably held fear of theft, vandalism, or trespass. This section shall not apply to the release of information for the purpose of scholarly research, examination by other public bodies for the protection of the resource or by recognized tribes, the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or the federal Native American Graves Protection and Repatriation Act;

(16) Records or portions of records kept by public bodies which maintain collections of archaeological, historical, or paleontological significance which reveal the names and addresses of donors of such articles of archaeological, historical, or paleontological significance unless the donor approves disclosure, except as the records or portions thereof may be needed to carry out the purposes of the Unmarked Human Burial Sites and Skeletal Remains Protection Act or the federal Native American Graves Protection and Repatriation Act;

(17) Library, archive, and museum materials acquired from nongovernmental entities and preserved solely for reference, research, or exhibition purposes, for the duration specified in subdivision (17)(b) of this section, if:

(a) Such materials are received by the public custodian as a gift, purchase, bequest, or transfer; and

(b) The donor, seller, testator, or transferor conditions such gift, purchase, bequest, or transfer on the materials being kept confidential for a specified period of time;

(18) Job application materials submitted by applicants, other than finalists or a priority candidate for a position described in section 85-106.06 selected using the enhanced public scrutiny process in section 85-106.06, who have applied for employment by any public body as defined in section 84-1409. For purposes of this subdivision, (a) job application materials means employment applications, resumes, reference letters, and school transcripts and (b) finalist means any applicant who is not an applicant for a position described in section 85-106.06 and (i) who reaches the final pool of applicants, numbering four or more, from which the successful applicant is to be selected, (ii) who is an original applicant when the final pool of applicants numbers less than four, or (iii) who is an original applicant and there are four or fewer original applicants;

(19)(a) Records obtained by the Public Employees Retirement Board pursuant to section 84-1512 and (b) records maintained by the board of education of a Class V school district and obtained by the board of trustees or the Public Employees Retirement Board for the administration of a retirement system provided for under the Class V School Employees Retirement Act pursuant to section 79-989;

(20) Social security numbers; credit card, charge card, or debit card numbers and expiration dates; and financial account numbers supplied to state and local governments by citizens;

(21) Information exchanged between a jurisdictional utility and city pursuant to section 66-1867;

(22) Draft records obtained by the Nebraska Retirement Systems Committee of the Legislature and the Governor from Nebraska Public Employees Retirement Systems pursuant to subsection (4) of section 84-1503;

(23) All prescription drug information submitted pursuant to section 71-2454, all data contained in the prescription drug monitoring system, and any report obtained from data contained in the prescription drug monitoring system;

(24) Information obtained by any government entity, whether federal, state, county, or local, regarding firearm registration, possession, sale, or use that is obtained for purposes of an application permitted or required by law or contained in a permit or license issued by such entity. Such information shall be available upon request to any federal, state, county, or local law enforcement agency; and

(25) The security standards, procedures, policies, plans, specifications, diagrams, and access lists and other security-related records of the State Racing and Gaming Commission, those persons or entities with which the commission has entered into contractual relationships, and the names of any individuals placed on the list of self-excluded persons with the commission as provided in section 9-1118. Nothing in this subdivision shall allow the commission to withhold from the public any information relating to the amount paid any person or entity with which the commission has entered into a contractual relationship, the amount of any prize paid, the name of the prize winner, and the city, village, or county where the prize winner resides.

Sec. 38. Original sections 9-402, 9-422, 9-426, 9-427, 9-429, 9-502, 9-511, 9-823, 28-1105.01, 28-1422, 28-1429, 53-123.01, 59-1523, 77-4003, 77-4005, 77-4006, 77-4012, 77-4013, 77-4017, 77-4019, and 77-4020, Reissue Revised Statutes of Nebraska, sections 28-1418.01, 28-1420, 28-1425, and 84-712.05, Revised Statutes Cumulative Supplement, 2022, and sections 53-101, 53-103, 53-123.16, 77-4001, and 77-4025, Revised Statutes Supplement, 2023, are repealed.

Sec. 39. The following section is outright repealed: Section 9-510, Reissue Revised Statutes of Nebraska.