

AMENDMENTS TO LB295

Introduced by Ballard, 21.

1 1. Insert the following new section:

2 **Section 1.** Section 4-108, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 4-108 (1) Notwithstanding any other provisions of law, unless
5 exempted from verification under section 4-110 or pursuant to federal
6 law, no state agency or political subdivision of the State of Nebraska
7 shall provide public benefits to a person not lawfully present in the
8 United States.

9 (2) Except as provided in section 4-110 or if exempted by federal
10 law, every agency or political subdivision of the State of Nebraska shall
11 verify the lawful presence in the United States of any person who has
12 applied for public benefits administered by an agency or a political
13 subdivision of the State of Nebraska. This section shall be enforced
14 without regard to race, religion, gender, ethnicity, or national origin.

15 (3) No employee of a state agency or political subdivision of the
16 State of Nebraska shall be authorized to participate in any retirement
17 system, including, but not limited to, the systems provided for in the
18 Class V School Employees Retirement Act, the County Employees Retirement
19 Act, the Judges Retirement Act, the Nebraska State Patrol Retirement Act,
20 the School Employees Retirement Act, and the State Employees Retirement
21 Act, unless the employee is a United States citizen or is lawfully
22 present in the United States. The employing state agency or political
23 subdivision of the State of Nebraska and the employee shall maintain at
24 least one of the following documents, which shall be unexpired , if
25 applicable to the particular document or which has an expiration date
26 that has been extended by the United States Department of Homeland
27 Security or the United States Citizenship and Immigration Services so

1 that such document is still valid, to demonstrate United States
2 citizenship or lawful presence in the United States as of the employee's
3 date of hire and produce any such document so maintained upon request of
4 the Public Employees Retirement Board or the Nebraska Public Employees
5 Retirement Systems:

6 (a) A state-issued driver's license;

7 (b) A state-issued identification card;

8 (c) A state-issued motor vehicle learner's permit;

9 (d) ~~(e)~~ A certified copy of a birth certificate or delayed birth
10 certificate issued in any state, territory, or possession of the United
11 States;

12 (e) ~~(d)~~ A Consular Report of Birth Abroad issued by the United
13 States Department of State;

14 (f) ~~(e)~~ A United States passport;

15 (g) ~~(f)~~ A foreign passport with a United States visa;

16 (h) ~~(g)~~ A United States Certificate of Naturalization;

17 (i) ~~(h)~~ A United States Certificate of Citizenship;

18 (j) ~~(i)~~ A tribal certificate of Native American blood or similar
19 document;

20 (k) ~~(j)~~ A United States Citizenship and Immigration Services
21 Employment Authorization Document, Form I-766;

22 (l) ~~(k)~~ A United States Citizenship and Immigration Services
23 Permanent Resident Card, Form I-551; or

24 (m) ~~(l)~~ Any other document issued by the United States Department of
25 Homeland Security or the United States Citizenship and Immigration
26 Services granting employment authorization in the United States and
27 approved by the Public Employees Retirement Board.

28 2. Renumber the remaining sections accordingly.

29 3. Correct the operative date and repealer sections so that the
30 section added by this amendment becomes operative three calendar months
31 after the adjournment of this legislative session.