

**ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025**  
**COMMITTEE STATEMENT**  
**LB229**

---

**Hearing Date:** Monday January 27, 2025  
**Committee On:** Business and Labor  
**Introducer:** Hallstrom  
**One Liner:** Exclude marketplace network contractors working for marketplace network platforms from the Employment Security Law

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File

---

**Vote Results:**

<b>Aye:</b>	6	Senators Hansen, Ibach, Kauth, McKeon, Raybould, Sorrentino
<b>Nay:</b>	1	Senator McKinney
<b>Absent:</b>		
<b>Present Not Voting:</b>		

---

**Testimony:**

**Proponents:**

Senator Bob Hallstrom  
Kristen Hassebrook

**Representing:**

Opening Presenter  
Uber Technologies

**Opponents:**

Susan Martin

**Representing:**

Nebraska State AFL-CIO

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

---

**Summary of purpose and/or changes:**

LB 229 amends Neb. Rev. Stat. §48-604, to specifically remove individuals engaged with a Marketplace Network Platform from the definition of employment as defined for purposes of the Employment Security Law.

These individuals are typically workers engaged in services utilizing tech applications such as Uber, Lyft, and DoorDash.

The bill specifies the nature of their employment as independent contractors and the limits to which a Marketplace Network Platform can direct and control the independent contractor.

**Section-by-Section Summary:**

Section 1: Adds subsection (6)(w)(i) to Neb. Rev. Stat. §48-604. The term employment, pursuant to (6)(w)(i), shall not include any services provided by a Marketplace Network Contractor ("Contractor") doing work for a Marketplace



Network Platform ("Platform") if certain conditions are met. Those conditions are:

- There is an agreement in writing that the Contractor is not an employee of the Platform.
- The Platform does not unilaterally set the working hours for the Contractor.
- The Platform does not prohibit Contractor from finding employment other than with the Platform, except while providing services for the Platform.
- The Platform cannot terminate Contractor's contract for not accepting a specific service request.

A Marketplace Network Contractor is defined as:

- A person who enters a written agreement with a Platform,
- Who uses the Platform's digital network to connect with those seeking services offered by the Contractor,
- Who performs those services using the Platform's digital network in exchange for payment, and
- Who does not perform those services at a physical business location operated by the Platform in Nebraska.

A Marketplace Network Contractor is specifically not a person transporting freight, sealed or closed envelopes, boxes, parcels, or other similar sealed or closed containers for compensation.

A Marketplace Network Platform is defined as a person that maintains a digital network to facilitate services by the Contractors to those seeking those services, only receiving requests for services through the digital network or mobile application and not by telephone, facsimile, or in person at a retail location.

Section 2: Repeals the original sections being amended.

---

Kathleen Kauth, Chairperson

