

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1093

Introduced by Ballard, 21.

Read first time January 15, 2026

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to the One-Call Notification System Act; to
- 2 amend section 76-2308, Reissue Revised Statutes of Nebraska; to
- 3 redefine a term; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 76-2308, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 76-2308 Excavation shall mean any activity in which earth, rock, or
4 other material in or on the ground is moved or otherwise displaced by
5 means of tools, equipment, or explosives and shall include grading,
6 trenching, digging, ditching, drilling, augering, tunneling, scraping,
7 and cable or pipe plowing or driving but shall not include (1) normal
8 maintenance of roads if the maintenance does not change the original road
9 grade and does not involve the road ditch, (2) tilling of soil and
10 gardening for seeding and other agricultural purposes, (3) digging of
11 graves or in landfills in planned locations, (4) maintenance or
12 rebuilding of railroad track or facilities located on a railroad right-
13 of-way by the railroad company or its contractors when such maintenance
14 or rebuilding does not change the track grade, ~~or~~ (5) hand digging around
15 the base of a pole for pole inspection as part of routine maintenance or
16 replacement of a pole when the replacement pole is similarly sized and is
17 installed in the existing hole, or (6) hand digging by a
18 telecommunications service, community antenna television service, or
19 broadband service provider to a depth not exceeding eighteen inches for
20 the purpose of connecting a customer to the service provider's network.

21 **Sec. 2.** Original section 76-2308, Reissue Revised Statutes of
22 Nebraska, is repealed.