

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1096

Introduced by Bostar, 29; at the request of the Governor.

Read first time January 15, 2026

Committee: Judiciary

1 A BILL FOR AN ACT relating to state security; to amend section 84-712.05,
2 Reissue Revised Statutes of Nebraska, and section 86-125, Revised
3 Statutes Supplement, 2025; to provide for criminal penalties; to
4 provide duties for the Attorney General; to adopt the Preventing
5 Lethal Agricultural and National Threats Act; to adopt the Critical
6 Infrastructure Protection Act; to authorize the withholding of
7 records relating to critical water infrastructure as provided; to
8 provide a civil penalty for certain communications providers as
9 prescribed; to harmonize provisions; to provide severability; and to
10 repeal the original sections.

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

1 **Section 1.** Sections 1 to 5 of this act shall be known and may be
2 cited as the Preventing Lethal Agricultural and National Threats Act.

3 **Sec. 2.** For purposes of the Preventing Lethal Agricultural and
4 National Threats Act:

5 (1) Department means the Department of Agriculture; and

6 (2) High-risk agricultural pathogen or pest means:

7 (a) Any disease or pest included in the list of diseases or pests of
8 concern, as such list existed on January 1, 2026, established by the
9 Animal and Plant Health Inspection Service of the United States
10 Department of Agriculture pursuant to 7 U.S.C. 8914; and

11 (b) Any agent, toxin, or organism designated under section 5 of this
12 act as a high-risk agricultural pathogen or pest.

13 **Sec. 3.** (1) Except as otherwise provided in this section, no person
14 shall:

15 (a) Knowingly import a high-risk agricultural pathogen or pest into
16 this state; or

17 (b) Import a high-risk agricultural pathogen or pest into this state
18 with a conscious disregard of a substantial or unjustifiable risk that
19 the high-risk agricultural pathogen or pest could cause significant harm
20 to crops, livestock, or agricultural ecosystems.

21 (2) A person may import a high-risk agricultural pathogen or pest
22 into this state if such person possesses a permit or authorization for
23 such importation from the department.

24 **Sec. 4.** (1) Except as otherwise provided in this section, a
25 violation of section 3 of this act is a Class III felony.

26 (2) A violation of section 3 of this act is a Class IIA felony if
27 the violation:

28 (a) Involves concealment of the origin of a high-risk agricultural
29 pathogen or pest;

30 (b) Is committed by a person acting on behalf of, or funded by, a
31 foreign government; or

1 (c) Results in actual economic damage exceeding one million dollars.

2 **Sec. 5.** (1) The department may adopt and promulgate rules and
3 regulations that designate any agent, toxin, or organism as a high-risk
4 agricultural pathogen or pest if such agent, toxin, or organism is
5 capable of causing significant harm to crops, livestock, or agricultural
6 ecosystems.

7 (2) The department may adopt and promulgate rules and regulations to
8 carry out the Preventing Lethal Agricultural and National Threats Act.

9 **Sec. 6.** Sections 6 to 13 of this act shall be known and may be
10 cited as the Critical Infrastructure Protection Act.

11 **Sec. 7.** The purpose of the Critical Infrastructure Protection Act
12 is to protect critical infrastructure in Nebraska by prohibiting foreign
13 adversaries from accessing state critical infrastructure, assessing
14 Nebraska's vulnerability to sanctioned communications equipment, and
15 prohibiting the use of foreign adversary cameras and laser sensor
16 technologies in Nebraska transportation systems.

17 **Sec. 8.** For purposes of the Critical Infrastructure Protection Act:

18 (1) Company means:

19 (a) A for-profit sole proprietorship, an organization, an
20 association, a corporation, a partnership, a joint venture, a limited
21 partnership, a limited liability partnership, or a limited liability
22 company, including a wholly owned subsidiary or majority-owned subsidiary
23 of those entities or business associations that exist to make a profit;
24 or

25 (b) A nonprofit organization;

26 (2) Critical infrastructure means systems and assets, whether
27 physical or virtual, so vital to Nebraska or the United States that the
28 incapacity or destruction of such systems and assets would have a
29 debilitating impact on state or national security, state or national
30 economic security, state or national public health, or any combination of
31 such matters. Critical infrastructure may be publicly or privately owned

1 and includes, but is not limited to:

2 (a) Gas and oil production, storage, or delivery systems;

3 (b) Water supply, refinement, storage, or delivery systems;

4 (c) Telecommunications networks;

5 (d) Electrical power delivery systems;

6 (e) Emergency services;

7 (f) Transportation systems and services; and

8 (g) Personal data or otherwise classified information storage
9 systems, including cybersecurity;

10 (3) Cybersecurity means the measures taken to protect a computer,
11 computer network, computer system, or other technology infrastructure
12 against unauthorized use or access;

13 (4) Domicile means the country:

14 (a) In which the company is registered;

15 (b) Where the company's affairs are primarily completed; or

16 (c) Where the majority of ownership shares in the company are held;

17 (5) Foreign adversary means those countries listed in 15 C.F.R.
18 791.4, as such regulation existed on January 1, 2026;

19 (6) Foreign principal means:

20 (a) The government or any official of the government of a foreign
21 adversary;

22 (b) A political party of a foreign adversary or a member of such
23 political party or any subdivision of such political party;

24 (c)(i) A partnership, an association, a corporation, an
25 organization, or any other combination of persons organized under the
26 laws of or having its principal place of business in a foreign adversary;

27 (ii) A subsidiary of an entity described in subdivision (b)(c)(i) of
28 this section; or

29 (iii) An entity owned or controlled wholly or in part by any person,
30 entity, or collection of persons or entities described in subdivision (6)
31 (c)(i) or (ii) of this section;

1 (d) Any person who is domiciled in a foreign adversary and is not a
2 citizen or lawful permanent resident of the United States; and

3 (e) Any person, entity, or collection of persons or entities,
4 described in subdivisions (6)(a) through (d) of this section having a
5 controlling interest in a partnership, association, corporation,
6 organization, trust, or any other legal entity or subsidiary formed for
7 the purpose of owning real property; and

8 (7) Software means any program or routine, or any set of one or more
9 programs or routines, which are used or intended for use to cause one or
10 more computers or pieces of computer-related peripheral equipment, or any
11 combination thereof, to perform a task or set of tasks, as it relates to
12 state infrastructure, or any operational software.

13 **Sec. 9.** (1) A company or other entity constructing, repairing,
14 operating, or otherwise having significant access to critical
15 infrastructure shall not enter into an agreement relating to critical
16 infrastructure in this state with a foreign principal if the agreement
17 would allow the foreign principal to directly or remotely access or
18 control critical infrastructure in this state.

19 (2) A governmental entity shall not enter into a contract or other
20 agreement relating to critical infrastructure in this state with a
21 company that is a foreign principal if the agreement would allow the
22 foreign principal to directly or remotely access or control critical
23 infrastructure in this state.

24 (3) Notwithstanding subsections (1) and (2) of this section, a
25 company or other entity may enter into a contract or agreement relating
26 to critical infrastructure with a foreign principal if all of the
27 following apply:

28 (a) There is no other reasonable option for addressing the need
29 relevant to state critical infrastructure;

30 (b) The contract or agreement is preapproved by the Attorney
31 General; and

1 (c) Not entering into such a contract or agreement would pose a
2 greater threat to the state than the threat associated with entering into
3 the contract.

4 **Sec. 10.** (1) In order to access critical infrastructure, a company
5 shall annually file a registration form with and pay a registration fee
6 to the Attorney General. The registration form shall be on a form
7 prescribed by the Attorney General.

8 (2) To qualify for access to critical infrastructure, a company
9 shall:

10 (a) Identify all employees in the organization that have access to
11 critical infrastructure;

12 (b) Before hiring a person described in subdivision (2)(a) of this
13 section or allowing such person to continue to have access to critical
14 infrastructure, obtain all criminal history record information related to
15 such person and any other background information considered necessary by
16 the company or required by the Attorney General to protect critical
17 infrastructure from foreign adversary infiltration or interference;

18 (c) Prohibit foreign nationals of a foreign adversary from access to
19 critical infrastructure;

20 (d) Disclose any ownership of, partnership with, or control from a
21 person or entity not domiciled within the United States;

22 (e) Store and process all data generated by critical infrastructure
23 on servers outside of foreign adversaries;

24 (f) Not use cloud service providers or data centers that are
25 entities of foreign adversaries;

26 (g) Immediately report all cyberattacks, security breaches, or
27 suspicious activity to the Attorney General; and

28 (h) Be compliant with section 9 of this act.

29 (3) The Attorney General shall set the registration fee in an amount
30 sufficient to cover the costs of administering the registration process
31 but not to exceed one hundred fifty dollars.

1 (4) If, after receipt of the registration form and fee, the Attorney
2 General determines that the company qualifies for access to critical
3 infrastructure under this section, the registration shall be approved and
4 the company shall be allowed access to critical infrastructure.

5 **Sec. 11.** (1) The Attorney General shall be notified by the owner of
6 any critical infrastructure of any proposed sale or transfer of, or
7 investment in, such critical infrastructure to or by a person or entity
8 domiciled outside of the United States or an entity with any foreign
9 adversary ownership.

10 (2) The Attorney General shall have no more than thirty days
11 following such notice to investigate the proposed sale, transfer, or
12 investment. If the Attorney General finds, within a reasonable suspicion,
13 that such proposed sale, transfer, or investment threatens state critical
14 infrastructure security, state economic security, state public health, or
15 any combination of such, the Attorney General shall file a civil action
16 requesting an injunction to prevent the proposed sale, transfer, or
17 investment.

18 (3) If the court finds that such sale, transfer, or investment poses
19 a reasonable threat to state critical infrastructure security, state
20 economic security, state or national public health, or any combination of
21 such, the court shall grant the injunction.

22 (4)(a) The Attorney General shall notify owners of critical
23 infrastructure of known or suspected cyber threats, vulnerabilities, and
24 foreign adversary activities in a manner consistent with the goals of:

25 (i) Identifying and closing similar exploits in critical
26 infrastructure installations or processes, especially after being
27 notified of cyberattacks, security breaches, or suspicious activity
28 pursuant to subdivision (2)(g) of section 10 of this act; and

29 (ii) Maintaining operational security and normal functioning of
30 critical infrastructure.

31 (b) Any notice given pursuant to this subsection shall protect the

1 rights of private owners of critical infrastructure, including, but not
2 limited to, by reducing the extent to which trade secrets or other
3 proprietary information is shared between entities, but only to the
4 extent that such precaution does not inhibit the ability of the Attorney
5 General to effectively communicate the threat of a known or suspected
6 exploit or foreign adversary activity.

7 Sec. 12. (1) All software used in critical infrastructure located
8 within or serving Nebraska shall not include any software produced by a
9 company headquartered in and subject to the laws of a foreign adversary
10 or a company under the direction or control of a foreign adversary.

11 (2) All software used in state critical infrastructure in operation
12 within or serving Nebraska, including any state critical infrastructure
13 which is not permanently disabled, shall have all software prohibited by
14 subsection (1) of this section removed and replaced with software which
15 is not prohibited by subsection (1) of this section.

16 (3) Any state critical infrastructure provider that removes,
17 discontinues, or replaces any prohibited software shall not be required
18 to obtain any additional permits from any state agency or political
19 subdivision for the removal, discontinuance, or replacement of such
20 software as long as the state agency or political subdivision is properly
21 notified of the necessary replacements and the replacement software is
22 similar to the existing software.

23 Sec. 13. (1) On or after September 1, 2026, the Attorney General
24 shall create a public list of prohibited network-connected technologies
25 that shall not be connected to critical infrastructure operating networks
26 starting thirty days after the technology is put on the list. Such list:

27 (a) May include, but is not limited to:
28 (i) School bus infraction detection systems;
29 (ii) Speed detection systems;
30 (iii) Traffic infraction detectors;
31 (iv) Camera systems used for enforcing traffic;

1 (v) Video surveillance technologies;
2 (vi) Light detection and ranging technology;
3 (vii) Batteries;
4 (viii) Battery management systems;
5 (ix) Routers;
6 (x) Modems;
7 (xi) Smart meters;
8 (xii) Solar inverters;
9 (xiii) Solar panels; and
10 (xiv) Cryptocurrency mining devices; and
11 (b) Shall include, but is not limited to, any network-connected
12 technologies where the original equipment manufacturer was controlled by
13 a foreign principal.

14 (2) Beginning on September 1, 2026, a governmental entity or
15 critical infrastructure provider shall not:

16 (a) Knowingly add any prohibited network-connected technology to any
17 critical infrastructure operating network; or
18 (b) Renew a contract with a vendor of a school bus infraction
19 detection system, a speed detection system, a traffic infraction
20 detector, or any other camera system used for enforcing traffic if such
21 technology is a prohibited network-connected technology.

22 **Sec. 14.** Section 84-712.05, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 84-712.05 The following records, unless publicly disclosed in an
25 open court, open administrative proceeding, or open meeting or disclosed
26 by a public entity pursuant to its duties, may be withheld from the
27 public by the lawful custodian of the records:

28 (1) Personal information in records regarding a student, prospective
29 student, or former student of any educational institution or exempt
30 school that has effectuated an election not to meet state approval or
31 accreditation requirements pursuant to section 79-1601 when such records

1 are maintained by and in the possession of a public entity, other than
2 routine directory information specified and made public consistent with
3 20 U.S.C. 1232g, as such section existed on February 1, 2013, and
4 regulations adopted thereunder;

5 (2) Medical records, other than records of births and deaths and
6 except as provided in subdivisions (5) and (27) of this section, in any
7 form concerning any person; records of elections filed under section
8 44-2821; and patient safety work product under the Patient Safety
9 Improvement Act;

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

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

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

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

28 (b) Relating to the cause of or circumstances surrounding the death
29 of an employee arising from or related to his or her employment if, after
30 an investigation is concluded, a family member of the deceased employee
31 makes a request for access to or copies of such records. This subdivision

1 does not require access to or copies of informant identification, the
2 names or identifying information of members of the public making
3 complaints or inquiries, other information which would compromise an
4 ongoing criminal investigation, or information which may be withheld from
5 the public under another provision of law. For purposes of this
6 subdivision, family member means a spouse, child, parent, sibling,
7 grandchild, or grandparent by blood, marriage, or adoption;

8 (6) The identity and personal identifying information of an alleged
9 victim of sexual assault or sex trafficking as provided in section
10 29-4316;

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

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

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

27 (10) Information that relates details of physical and cyber assets
28 of critical energy infrastructure, critical water infrastructure, or
29 critical electric infrastructure, including (a) specific engineering,
30 vulnerability, or detailed design information about proposed or existing
31 critical energy infrastructure, critical water infrastructure, or

1 critical electric infrastructure that (i) relates details about the
2 production, generation, transportation, transmission, or distribution of
3 energy or water, (ii) could be useful to a person in planning an attack
4 on such critical infrastructure, and (iii) does not simply give the
5 general location of the critical infrastructure and (b) the identity of
6 personnel whose primary job function makes such personnel responsible for
7 (i) providing or granting individuals access to physical or cyber assets
8 or (ii) operating and maintaining physical or cyber assets, if a
9 reasonable person, knowledgeable of the electric utility or water or
10 energy industry, would conclude that the public disclosure of such
11 identity could create a substantial likelihood of risk to such physical
12 or cyber assets. Subdivision (10)(b) of this section shall not apply to
13 the identity of a chief executive officer, general manager, vice
14 president, or board member of a public entity that manages critical
15 energy infrastructure, critical water infrastructure, or critical
16 electric infrastructure. The lawful custodian of the records must provide
17 a detailed job description for any personnel whose identity is withheld
18 pursuant to subdivision (10)(b) of this section. For purposes of
19 subdivision (10) of this section, critical energy infrastructure,
20 critical water infrastructure, and critical electric infrastructure mean
21 existing and proposed systems and assets, including a system or asset of
22 the bulk-power system, whether physical or virtual, the incapacity or
23 destruction of which would negatively affect security, economic security,
24 public health or safety, or any combination of such matters;

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

31 (a) Amounts paid persons or entities with which the division has

1 entered into contractual relationships;

2 (b) Amounts of prizes paid; or

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

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

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

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

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

1 the federal Native American Graves Protection and Repatriation Act;

2 (16) Records or portions of records kept by public bodies which

3 maintain collections of archaeological, historical, or paleontological

4 significance which reveal the names and addresses of donors of such

5 articles of archaeological, historical, or paleontological significance

6 unless the donor approves disclosure, except as the records or portions

7 thereof may be needed to carry out the purposes of the Unmarked Human

8 Burial Sites and Skeletal Remains Protection Act or the federal Native

9 American Graves Protection and Repatriation Act;

10 (17) Library, archive, and museum materials acquired from

11 nongovernmental entities and preserved solely for reference, research, or

12 exhibition purposes, for the duration specified in subdivision (17)(b) of

13 this section, if:

14 (a) Such materials are received by the public custodian as a gift,

15 purchase, bequest, or transfer; and

16 (b) The donor, seller, testator, or transferor conditions such gift,

17 purchase, bequest, or transfer on the materials being kept confidential

18 for a specified period of time;

19 (18) Job application materials submitted by applicants, other than

20 finalists or a priority candidate for a position described in section

21 85-106.06 selected using the enhanced public scrutiny process in section

22 85-106.06, who have applied for employment by any public body as defined

23 in section 84-1409. For purposes of this subdivision, (a) job application

24 materials means employment applications, resumes, reference letters, and

25 school transcripts and (b) finalist means any applicant who is not an

26 applicant for a position described in section 85-106.06 and (i) who

27 reaches the final pool of applicants, numbering four or more, from which

28 the successful applicant is to be selected, (ii) who is an original

29 applicant when the final pool of applicants numbers less than four, or

30 (iii) who is an original applicant and there are four or fewer original

31 applicants;

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

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

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

12 (22) Draft records obtained by the Nebraska Retirement Systems
13 Committee of the Legislature and the Governor from Nebraska Public
14 Employees Retirement Systems pursuant to subsection (4) of section
15 84-1503;

16 (23) All prescription drug information submitted pursuant to section
17 71-2454, all data contained in the prescription drug monitoring system,
18 and any report obtained from data contained in the prescription drug
19 monitoring system;

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

26 (25) The security standards, procedures, policies, plans,
27 specifications, diagrams, and access lists and other security-related
28 records of the State Racing and Gaming Commission, those persons or
29 entities with which the commission has entered into contractual
30 relationships, and the names of any individuals placed on the list of
31 self-excluded persons with the commission as provided in section 9-1118.

1 Nothing in this subdivision shall allow the commission to withhold from
2 the public any information relating to the amount paid any person or
3 entity with which the commission has entered into a contractual
4 relationship, the amount of any prize paid, the name of the prize winner,
5 and the city, village, or county where the prize winner resides;

6 (26) Records relating to the nature, location, or function of
7 cybersecurity by the State of Nebraska or any of its political
8 subdivisions or any other public entity subject to sections 84-712 to
9 84-712.09, including, but not limited to, devices, programs, or systems
10 designed to protect computer, information technology, or communications
11 systems against terrorist or other attacks. The Nebraska Information
12 Technology Commission shall adopt and promulgate rules and regulations to
13 implement this subdivision;

14 (27) Vital event records, unless all information designated as
15 confidential under the Vital Statistics Act or all personally
16 identifiable information is redacted by the Department of Health and
17 Human Services;

18 (28) Information or records from historical indexes within one
19 hundred years after the event date of the information or record; and

20 (29) The certificate number for any vital event certificate.

21 **Sec. 15.** Section 86-125, Revised Statutes Supplement, 2025, is
22 amended to read:

23 86-125 Notwithstanding the provisions of section 86-124:

24 (1) Any communications provider providing service in Nebraska shall
25 file a registration form with and pay a registration fee to the Public
26 Service Commission. Any communications provider shall register with the
27 commission prior to providing service. The commission shall prescribe the
28 registration form to be filed pursuant to this section;

29 (2) A communications provider providing the services described in
30 subdivision (8)(a) (7)(a) of this section shall provide the commission
31 with the name, address, telephone number, and email address of a contact

1 person concerning:

2 (a) The Nebraska Telecommunications Universal Service Fund Act and
3 related surcharges, if applicable;

4 (b) The Telecommunications Relay System Act and related surcharges,
5 if applicable;

6 (c) The 911 Service System Act and related surcharges, if
7 applicable; and

8 (d) Consumer complaints and inquiries;

9 (3) A communications provider providing the services described in
10 subdivision (8)(b) (7)(b) of this section shall provide the commission
11 with the name, address, telephone number, and email address of a person
12 with managerial responsibility for Nebraska operations;

13 (4) A communications provider shall:

14 (a) Submit a registration fee at the time of submission of the
15 registration form. The commission shall set the fee in an amount
16 sufficient to cover the costs of administering the registration process
17 but not to exceed fifty dollars;

18 (b) Keep the information required by this section current and notify
19 the commission of any changes to such information within sixty days after
20 the change; and

21 (c) Certify to the commission by January 1 each year that such
22 communications provider does not use or provide any communications
23 equipment or service deemed to pose a threat to national security
24 identified on the Covered List developed pursuant to 47 C.F.R. 1.50002,
25 as such regulation existed on January 1, 2023, and published by the
26 Public Safety and Homeland Security Bureau of the Federal Communications
27 Commission pursuant to the Federal Secure and Trusted Communications
28 Networks Act of 2019, 47 U.S.C. 1601 et seq., as such act existed on
29 January 1, 2023, and the rules adopted pursuant to such act by the
30 Federal Communications Commission on November 11, 2022, in its Report and
31 Order FCC 22-84;

1 (5) The commission shall may, pursuant to section 75-156,
2 administratively fine any communications provider which violates this
3 section;

4 (6) In addition to other penalties and relief provided by law, the
5 Attorney General shall, upon a finding that the violation is proven by
6 clear and convincing evidence, assess a civil penalty of up to ten
7 thousand dollars per day against any communications provider for a
8 violation of subdivision (4)(c) of this section.

9 (7) (6) This section applies to all communications providers
10 providing service in Nebraska except for those communications providers
11 otherwise regulated under the Nebraska Telecommunications Regulation Act;
12 and

13 (8) (7) For purposes of this section, communications provider means
14 any entity that:

15 (a) Uses telephone numbers or Internet protocol addresses or their
16 functional equivalents or successors to provide information of a user's
17 choosing by aid of wire, cable, wireless, satellite, or other like
18 connection, whether part of a bundle of services or offered separately,
19 (i) which provides or enables real-time or interactive voice
20 communications and (ii) in which the voice component is the primary
21 function; or

22 (b) Provides any service, whether part of a bundle of services or
23 offered separately, used for transmission of information of a user's
24 choosing regardless of the transmission medium or technology employed,
25 that connects to a network that permits the end user to engage in
26 electronic communications, including, but not limited to, service
27 provided directly (i) to the public or (ii) to such classes of users as
28 to be effectively available directly to the public.

29 **Sec. 16.** If any section in this act or any part of any section is
30 declared invalid or unconstitutional, the declaration shall not affect
31 the validity or constitutionality of the remaining portions.

1 **Sec. 17.** Original section 84-712.05, Reissue Revised Statutes of
2 Nebraska, and section 86-125, Revised Statutes Supplement, 2025, are
3 repealed.