

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1258

Introduced by Hansen, 16; Holdcroft, 36; Raybould, 28; Storm, 23.

Read first time January 21, 2026

Committee: Agriculture

1 A BILL FOR AN ACT relating to livestock; to amend sections 11-201,
2 54-170, 54-171, 54-171.01, 54-172, 54-176, 54-179, 54-180, 54-182,
3 54-187.01, 54-193, 54-194, 54-196, 54-197, 54-198, 54-199, 54-1,100,
4 54-1,101, 54-1,102, 54-1,103, 54-1,104, 54-1,105, 54-1,108,
5 54-1,115, 54-1,116, 54-1,118, 54-1,124.01, 54-1,125, 54-1,126,
6 54-1,127, 54-1,128, 54-1,129, 54-1,131, 54-415, 54-1160.01,
7 60-3,135, 60-480.01, 81-1021, and 84-1005, Reissue Revised Statutes
8 of Nebraska, and sections 81-1316 and 84-1411, Revised Statutes
9 Supplement, 2025; to rename the Livestock Brand Act as the Livestock
10 Protection Act; to eliminate the Nebraska Brand Committee; to
11 provide for the Division of Brand Registration, Brand Inspection,
12 and Livestock Theft Investigation and a brand recorder in the
13 Department of Agriculture; to eliminate the brand inspection area
14 and mandatory branding requirements within such area; to change
15 provisions relating to brand inspections and fees and to define,
16 redefine, and eliminate terms under the Livestock Protection Act; to
17 eliminate provisions relating to registered feedlots and open
18 markets under the Livestock Protection Act; to provide for the
19 transition of brand inspection duties from the Nebraska Brand
20 Committee to the Department of Agriculture; to change provisions
21 relating to estrays; to change provisions relating to undercover
22 license plates, undercover drivers' licenses, identification
23 requirements for certain motor vehicles, the State Personnel System,

1 the regular work hours of certain state employees, and virtual
2 conferencing under the Open Meetings Act; to state legislative
3 intent; to harmonize provisions; to provide an operative date; to
4 repeal the original sections; and to outright repeal sections
5 54-175, 54-175.01, 54-179.01, 54-179.02, 54-179.03, 54-179.04,
6 54-186, 54-187.02, 54-188, 54-191, 54-192, 54-195, 54-1,106,
7 54-1,109, 54-1,110, 54-1,111, 54-1,112, 54-1,113, 54-1,114,
8 54-1,117, 54-1,119, 54-1,120, 54-1,121, and 54-1,122, Reissue
9 Revised Statutes of Nebraska.

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

1 **Section 1.** It is the intent of the Legislature through enactment of
2 the Livestock Protection Act to, no later than September 1, 2026:

3 (1) Create the Division of Brand Registration, Brand Inspection, and
4 Livestock Theft Investigation under the Department of Agriculture;

5 (2) Provide for the registration of brands and the renewal of such
6 registration;

7 (3) Provide for statewide voluntary brand inspections, as proof of
8 ownership, upon request for a fee;

9 (4) Allow producers to use their registered brands to brand their
10 cattle;

11 (5) Provide for statewide uniformity of livestock protection;

12 (6) Protect and strengthen Nebraska's livestock industry and
13 competitiveness;

14 (7) Provide for an advisory committee to provide feedback to the
15 division. Such committee may consist of representatives from the
16 livestock industry; and

17 (8) Provide for the adoption and promulgation of rules and
18 regulations relating to livestock protection.

19 **Sec. 2.** Section 11-201, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 11-201 It shall be the duty of the Risk Manager:

22 (1) To prescribe the amount, terms, and conditions of any bond or
23 equivalent commercial insurance when the amount or terms are not fixed by
24 any specific statute. The Risk Manager, in prescribing the amount,
25 deductibles, conditions, and terms, shall consider the type of risks, the
26 relationship of the premium to risks involved, the past and projected
27 trends for premiums, the ability of the Tort Claims Fund, the State Self-
28 Insured Property Fund, and state agencies to pay the deductibles, and any
29 other factors the manager may, in his or her discretion, deem necessary
30 in order to accomplish the provisions of sections 2-1201, 3-103, 8-104,
31 8-105, 9-807, 11-119, 11-121, 11-201, 11-202, 37-110, 48-158, 48-609,

1 48-618, 48-804.03, 53-109, 54-191, 55-123, 55-126, 55-127, 55-150,
2 57-917, 60-1303, 60-1502, 71-222.01, 72-1241, 77-366, 80-401.02, 81-111,
3 81-151, 81-5,167, 81-8,128, 81-8,141, 81-1108.14, 81-2002, 83-128,
4 84-106, 84-206, and 84-801;

5 (2) To pass upon the sufficiency of and approve the surety on the
6 bonds or equivalent commercial insurance of all officers and employees of
7 the state, when approval is not otherwise prescribed by any specific
8 statute;

9 (3) To arrange for the writing of corporate surety bonds or
10 equivalent commercial insurance for all the officers and employees of the
11 state who are required by statute to furnish bonds;

12 (4) To arrange for the writing of the blanket corporate surety bond
13 or equivalent commercial insurance required by this section; and

14 (5) To order the payment of corporate surety bond or equivalent
15 commercial insurance premiums out of the State Insurance Fund created by
16 section 81-8,239.02.

17 All state employees not specifically required to give bond by
18 section 11-119 shall be bonded under a blanket corporate surety bond or
19 insured under equivalent commercial insurance for faithful performance
20 and honesty in an amount determined by the Risk Manager.

21 The Risk Manager may separately bond any officer, employee, or group
22 thereof under a separate corporate surety bond or equivalent commercial
23 insurance policy for performance and honesty pursuant to the standards
24 set forth in subdivision (1) of this section if the corporate surety or
25 commercial insurer will not bond or insure or excludes from coverage any
26 officer, employee, or group thereof under the blanket bond or commercial
27 insurance required by this section, or if the Risk Manager finds that the
28 reasonable availability or cost of the blanket bond or commercial
29 insurance required under this section is adversely affected by any of the
30 following factors: The loss experience, types of risks to be bonded or
31 insured, relationship of premium to risks involved, past and projected

1 trends for premiums, or any other factors.

2 Surety bonds of collection agencies, as required by section 45-608,
3 and detective agencies, as required by section 71-3207, shall be approved
4 by the Secretary of State. The Attorney General shall approve all bond
5 forms distributed by the Secretary of State.

6 **Sec. 3.** Section 54-170, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 54-170 Sections 54-170 to 54-1,131 and sections 1, 8 to 10, 12, 14,
9 15, and 39 to 43 of this act shall be known and may be cited as the
10 Livestock Protection Brand Act.

11 **Sec. 4.** Section 54-171, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 54-171 For purposes of the Livestock Protection Brand Act, the
14 definitions found in sections 54-171.01 to 54-190 and sections 8 to 10,
15 12, and 14 of this act shall be used.

16 **Sec. 5.** Section 54-172, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 54-172 Bill of sale means a formal instrument for the conveyance or
19 transfer of title to livestock or other goods and chattels. The bill of
20 sale shall state the purchaser's name and address, the date of transfer,
21 the guarantee of title, the number of livestock transferred, the sex of
22 such livestock, the brand or brands, the location of the brand or brands
23 or a statement to the effect that the animal is unbranded, any approved
24 nonvisual identifiers, and the name and address of the seller. The
25 signature of the seller shall be attested by at least one witness or
26 acknowledged by a notary public or by some other officer authorized by
27 state law to take acknowledgments. For any conveyance or transfer of
28 title to cattle subject to assessment imposed pursuant to the federal
29 Beef Promotion and Research Order, 7 C.F.R. part 1260, for which the
30 purchaser is the collecting person pursuant to 7 C.F.R. 1260.311 for
31 purposes of collecting and remitting such assessment, the bill of sale

1 shall include a notation of the amount the purchaser collected from the
2 seller or deducted from the sale proceeds for the assessment. A properly
3 executed bill of sale means a bill of sale that is provided by the seller
4 and received by the purchaser.

5 **Sec. 6.** Section 54-176, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 54-176 Brand inspector means a person employed by, or a contracted
8 service provider retained by, the department the Nebraska Brand
9 Committee, or some other brand inspection agency, inside or outside of
10 the State of Nebraska, for the purpose of identifying brands, marks, or
11 other identifying characteristics of livestock or approved nonvisual
12 identifiers to determine the existence of such brands, marks, or
13 identifying characteristics or identifiers and from such determinations
14 in conjunction with any documentation or other satisfactory evidence of
15 ownership attempt to establish correct and true ownership of such
16 livestock, and generally carry out the provisions and enforcement of all
17 laws pertaining to brands, brand inspection, physical inspection,
18 electronic inspection, and associated livestock laws.

19 **Sec. 7.** Section 54-179, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 54-179 Certificate of inspection means the official document issued
22 and signed by a brand inspector attesting to the true ownership of
23 livestock as determined by the inspector and any authorizing (1) movement
24 of livestock from a point of origin within the brand inspection area to a
25 destination either inside or outside of the brand inspection area or
26 outside of this state, (2) slaughter of livestock as specified on such
27 certificate, or (3) the change of ownership of livestock as specified on
28 such certificate. A certificate of inspection shall designate, as needed,
29 the name of the shipper, consignor, or seller of the livestock, the
30 purchaser or consignee of the livestock, the destination of the
31 livestock, the vehicle license number or carrier number, the miles driven

1 by an inspector to perform inspection, the amount of inspection fees
2 collected, the number and sex of the livestock to be moved or
3 slaughtered, any brands on the livestock, any approved nonvisual
4 identifiers, and the brand owner. A certificate of inspection shall be
5 construed and is intended to be documentary evidence of ownership on all
6 livestock covered by such document.

7 **Sec. 8.** Department means the Department of Agriculture.

8 **Sec. 9.** Director means the Director of Agriculture.

9 **Sec. 10.** Division means the Division of Brand Registration, Brand
10 Inspection, and Livestock Theft Investigation established pursuant to
11 section 15 of this act.

12 **Sec. 11.** Section 54-180, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 54-180 Estray means any livestock found running at large upon public
15 or private lands, either fenced or unfenced, whose owner is unknown in
16 the area where found, any such livestock which is branded with a brand
17 which is not on record in the office of the brand recorder ~~Nebraska Brand~~
18 ~~Committee~~, or any livestock for which ownership has not been established
19 as provided in section 54-1,118.

20 **Sec. 12.** Section 54-187.01, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 54-187.01 Inspection Physical inspection means an inspection for
23 purposes of the Livestock Protection Brand Act performed by a brand
24 inspector an employee of the Nebraska Brand Committee physically present
25 at the location of the inspected animals to verify ownership through
26 visual observation of brands or other distinguishing markings and
27 physical characteristics of the livestock and examination of any
28 associated documentary or other evidence of ownership.

29 **Sec. 13.** Section 54-182, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 54-182 Investigator means an employee of the department ~~Nebraska~~

1 ~~Brand Committee~~ who is also a deputy state sheriff and has the duty,
2 responsibility, and authority to enforce all state statutes pertaining to
3 brands, brand inspection, ~~physical inspection, electronic inspection,~~ and
4 associated livestock laws and to investigate independently or in
5 conjunction with other state or local law enforcement agencies instances
6 of unlawful taking or disposition of livestock or any other crime
7 involving fraud or deception pertaining to livestock or the ownership,
8 sale, transport, and possession of livestock. An investigator is also
9 responsible for the investigation of all problems associated with brands,
10 brand inspection, and associated livestock enforcement problems. An
11 investigator shall also be available for assignment by the department to
12 any investigation and enforcement activities under animal health
13 authorities assigned to the department.

14 **Sec. 14.** Section 54-171.01, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 ~~54-171.01 Nonvisual~~ Approved nonvisual identifier means a nonvisual
17 method of livestock identification, including approved by the Nebraska
18 ~~Brand Committee~~ such as an electronic device, a nose print, a retinal
19 scan, a DNA match, or any other such nonvisual method of livestock
20 identification.

21 **Sec. 15.** (1) The Division of Brand Registration, Brand Inspection,
22 and Livestock Theft Investigation is established in the department. The
23 purpose of the division is to protect brand and livestock owners in this
24 state from the theft of livestock through established brand recording,
25 the availability of brand inspection services, and livestock theft
26 investigation.

27 (2) The director shall appoint a brand recorder who shall be the
28 administrative head of the division. The brand recorder shall:

29 (a) Be responsible for the receipt and processing of applications
30 for new livestock brands, the issuance of brand registration
31 certificates, the transfer of ownership of existing livestock brands, and

1 the maintenance of accurate and permanent records relating to livestock
2 brands;

3 (b) With the approval of the director, for the purpose of carrying
4 out the Livestock Protection Act:

5 (i) Hire brand inspectors, investigators, and assistants;

6 (ii) Enter a contract with a service provider; and

7 (iii) Enter an agreement with a state or local governmental agency;

8 (c) Establish qualifications for employees of the division or for
9 contracts or agreements that are made by the division for the provision
10 of brand inspection services;

11 (d) Develop and provide any training material or program related to
12 the provision of brand inspection services;

13 (e) Be the point of contact for requests for brand inspection;

14 (f) Assign a brand inspector to provide inspection services and to
15 issue a brand inspection certificate on behalf of the division;

16 (g) Be the point of contact for reports of missing or stolen
17 livestock and reports of fraud or deception pertaining to livestock or
18 the ownership, sale, transport, and possession of livestock;

19 (h) Assign an investigator to investigate the reports described in
20 subdivision (g) of this subsection;

21 (i) Cooperate and coordinate with the Attorney General, the Nebraska
22 State Patrol, and any other state or local law enforcement agency in the
23 investigation of instances of unlawful taking or disposition of livestock
24 or any other crime involving fraud or deception pertaining to livestock
25 or the ownership, sale, transport, and possession of livestock;

26 (j) Advise the director regarding any memorandum of understanding or
27 contractual arrangement with the Attorney General, the Nebraska State
28 Patrol, and any other state or local agency regarding specialized
29 training of investigators employed by the division;

30 (k) Assess and collect fees and charges for brand inspection
31 services, brand registration, transfer of brands, and brand

1 documentation, and related fees and charges under the Livestock
2 Protection Act; and

3 (1) Recommend to the director any revision of rules and regulations
4 adopted and promulgated under the Livestock Protection Act.

5 **Sec. 16.** Section 54-193, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 54-193 The brand recorder ~~Nebraska Brand Committee~~ shall
8 periodically have published in book form, electronic medium, or any such
9 other method ~~prescribed by the committee~~ a list of all brands recorded
10 with the division brand committee at the time of such publication. Such
11 publication may be supplemented from time to time. The publication shall
12 contain a facsimile of all recorded brands, together with the owner's
13 name and post office address, and shall be arranged in convenient form
14 for reference. The brand recorder ~~committee~~ shall send, without any
15 charge, the publication as required by section 51-413 to the Nebraska
16 Publications Clearinghouse and shall provide the publication to each
17 inspector of record and to the county sheriff of each county in the State
18 of Nebraska, which shall be kept as a matter of public record. The
19 publication may be sold to the general public for a price equal to or
20 less than the actual cost of production.

21 **Sec. 17.** Section 54-194, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 54-194 The brand recorder ~~may director of the Nebraska Brand~~
24 ~~Committee or the chairperson of the brand committee shall have the~~
25 ~~authority to~~ sign all certificates and other documents that may by law
26 require certification by signature. Such documents shall include, but not
27 be limited to, new brand certificates, brand transfer certificates,
28 duplicate brand certificates, and brand renewal receipts. A facsimile of
29 the department brand committee seal and the signature of the brand
30 recorder shall also be placed on all brand certificates.

31 **Sec. 18.** Section 54-196, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 54-196 The department Nebraska Brand Committee may adopt and
3 promulgate rules and regulations to carry out the Livestock Protection
4 Brand Act and section 54-415.

5 **Sec. 19.** Section 54-197, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 54-197 The Nebraska Brand Inspection and Theft Prevention Fund is
8 created. Fees and money collected pursuant to the Livestock Protection
9 Brand Act not otherwise provided for in the act shall be remitted to the
10 State Treasurer for credit to the fund. The fund shall be used by the
11 department Nebraska Brand Committee in the administration and enforcement
12 of the act ~~and section 54-415~~. All expenses and salaries provided for
13 under such act or incurred by reason thereof shall be paid out of the
14 fund. Any money in the fund available for investment shall be invested by
15 the state investment officer pursuant to the Nebraska Capital Expansion
16 Act and the Nebraska State Funds Investment Act.

17 **Sec. 20.** Section 54-198, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 54-198 (1) Any person may record a brand, which he or she has the
20 exclusive right to use in this state, and it is unlawful to use any brand
21 for branding any livestock unless the person using such brand has
22 recorded that brand with the brand recorder Nebraska Brand Committee. A
23 brand is a mark consisting of symbols, characters, numerals, or a
24 combination of such intended as a visual means of ownership
25 identification when applied to the hide of an animal. Only a hot iron or
26 freeze brand or other method approved by the brand recorder brand
27 committee shall be used to apply a brand to a live animal.

28 (2) A hot iron brand or freeze brand may be used for in-herd
29 identification purposes such as for year or production records. With
30 respect to hot iron brands used for in-herd identification, the numerals
31 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9 in singular or triangular position are

1 reserved on both the right and left shoulder of all cattle, except that
2 such shoulder location for a single-number hot iron brand may be used for
3 year branding for in-herd identification purposes, and an alphabetical
4 letter may be substituted for one of the numerals used in a triangular
5 configuration for in-herd identification purposes. Hot iron brands used
6 for in-herd identification shall be used in conjunction with the recorded
7 hot iron brand and shall be on the same side of the animal as the
8 recorded hot iron brand. Freeze branding for in-herd identification may
9 be applied in any location and any configuration with any combination of
10 numerals or alphabetical letters.

11 (3) It shall be unlawful to knowingly maintain a herd containing one
12 or more animals which the possessor has branded, or caused to be branded,
13 in violation of this section or any other provision of the Livestock
14 Protection Brand Act.

15 **Sec. 21.** Section 54-199, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 54-199 (1) To record a brand, a person shall forward to the brand
18 recorder ~~Nebraska Brand Committee~~ a facsimile or description of the brand
19 desired to be recorded, a written application, and a recording fee and
20 research fee established by the department ~~brand committee~~. Such
21 recording fee may vary according to the number of locations and methods
22 of brand requested but shall not be more than one hundred fifty dollars
23 per application. Such research fee shall be charged on all applications
24 and shall not be more than fifty dollars per application.

25 (2) For recording of visual brands, upon receipt of a facsimile of
26 the brand, an application, and the required fee, the brand recorder
27 committee shall determine compliance with the following requirements:

28 (a) The brand shall be an identification mark that is applied to the
29 hide of a live animal by hot iron branding or by either hot iron branding
30 or freeze branding. The brand shall be on either side of the animal in
31 any one of three locations, the shoulder, ribs, or hip;

1 (b) The brand is not recorded under the name of any other person and
2 does not conflict with or closely resemble a prior recorded brand;

3 (c) The brand application specifies the left or right side of the
4 animal and the location on that side of the animal where the brand is to
5 be placed;

6 (d) The brand is not recorded as a trade name nor as the name of any
7 profit or nonprofit corporation, unless such trade name or corporation is
8 of record, in current good standing, with the Secretary of State; and

9 (e) The brand is, in the judgment of the brand recorder committee,
10 legible, adequate, and of such a nature that the brand when applied can
11 be properly read and identified ~~by employees of the brand committee~~.

12 (3) All ~~visual~~ brands shall be recorded as a hot iron brand only
13 unless a co-recording as a freeze brand or other approved method of
14 branding is requested by the applicant. The brand recorder committee
15 shall approve co-recording a brand as a freeze brand unless the brand
16 would not be distinguishable from in-herd identification applied by
17 freeze branding.

18 (4) If the facsimile, the description, or the application does not
19 comply with the requirements of this section, the brand recorder committee
20 shall not record such brand as requested but shall return the
21 recording fee to the forwarding person. The power of examination and
22 rejection is vested in the brand recorder committee, and if the brand
23 recorder committee determines that the application for a ~~visual~~ brand
24 falls within the category set out in subdivision (2)(e) of this section,
25 it shall decide whether or not a recorded brand shall be issued. The
26 brand recorder committee shall make such examination as promptly as
27 possible. If the brand is recorded, the ownership vests from the date of
28 filing of the application.

29 (5) ~~The brand committee may by rule and regulation provide for the~~
30 ~~use of approved nonvisual identifiers for purposes of enrolling cattle~~
31 ~~identified by such method of livestock identification. Such method of~~

1 ~~livestock identification shall be approved only if it functions as~~
2 ~~satisfactory evidence of ownership for the purpose of enrollment of~~
3 ~~cattle and for electronic inspection authorized under section 54-1,108.~~
4 ~~Before approving any nonvisual identifier, the brand committee shall~~
5 ~~consider the degree to which such method may be susceptible to error,~~
6 ~~failure, or fraudulent alteration. Any rule or regulation shall be~~
7 ~~adopted and promulgated only after public hearing conducted in compliance~~
8 ~~with the Administrative Procedure Act.~~

9 **Sec. 22.** Section 54-1,100, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 54-1,100 (1) A recorded brand is the property of the person causing
12 such record to be made and is subject to sale, assignment, transfer,
13 devise, and descent as personal property. Any instrument of writing
14 evidencing the sale, assignment, or transfer of a recorded brand shall be
15 effective upon its recording with the brand recorder Nebraska Brand
16 Committee. No such instrument shall be accepted for recording if the
17 brand recorder committee has been duly notified of the existence of a
18 lien or security interest against livestock owned or thereafter acquired
19 by the owner of such brand by the holder of such lien or security
20 interest. Written notification from the holder of such lien or security
21 interest that the lien or security interest has been satisfied or consent
22 from the holder of such lien or security interest shall be required in
23 order for the brand recorder committee to accept for recording an
24 instrument selling, assigning, or transferring such recorded brand.
25 Except as provided in subsection (2) of this section, the fee for
26 recording such an instrument shall be established by the brand recorder
27 committee and shall not be more than forty dollars. Such instrument shall
28 give notice to all third persons of the matter recorded in the instrument
29 and shall be acknowledged by a notary public or any other officer
30 qualified under law to administer oaths.

31 (2) The owner of a recorded brand may lease the brand to another

1 person upon compliance with this subsection and subject to the approval
2 of the brand recorder committee. The lessee shall pay a filing fee
3 established by the brand recorder committee not to exceed one hundred
4 dollars. The leased recorded brand may expire as agreed in the lease, but
5 in no event shall such leased recorded brand exceed the original
6 expiration date.

7 **Sec. 23.** Section 54-1,101, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 54-1,101 (1) The owner of a recorded brand is entitled to one
10 certified copy of the record of such brand from the brand recorder
11 ~~Nebraska Brand Committee~~ without charge. Additional certified copies of
12 the record may be obtained by anyone upon the payment of one dollar for
13 each copy.

14 (2) Copies of any other document maintained by the brand recorder of
15 ~~the brand committee~~ may be requested, and a fee of one dollar shall be
16 collected for each page copied. Only personnel authorized by the brand
17 recorder committee shall make copies and collect such fees. The party
18 requesting the copies is responsible for payment of the fee and shall
19 reimburse the brand recorder committee for the research time necessary to
20 furnish the requested documents at a rate of not less than twenty nor
21 more than forty dollars per hour of research time. The rate shall be
22 reviewed and set annually by the department brand committee.

23 **Sec. 24.** Section 54-1,102, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 54-1,102 (1) A recorded brand may be applied by its owner until its
26 expiration date.

27 (2) ~~The On and after January 1, 1994, the expiration date of a~~
28 recorded brand is the last day of the calendar quarter of the renewal
29 year as designated by the brand recorder ~~Nebraska Brand Committee~~ in the
30 records of the brand recorder committee.

31 (3) The brand recorder committee shall notify every owner of a

1 recorded brand of its expiration date at least sixty days prior to the
2 expiration date, and the owner of the recorded brand shall pay a renewal
3 fee established by the department brand committee which shall not be more
4 than two hundred dollars and furnish such other information as may be
5 required by the brand recorder committee. The renewal fee is due and
6 payable on or before the expiration date and renews a recorded brand for
7 a period of four years regardless of the number of locations on one side
8 of an animal on which the brand is recorded. If any owner fails, refuses,
9 or neglects to pay the renewal fee by the expiration date, the brand
10 shall expire and be forfeited.

11 (4) The brand recorder shall committee has the authority to hold an
12 expired brand for one year following the date of expiration. An expired
13 brand may be reinstated by the same owner during such one-year period
14 upon return of a brand application form and payment of the recording fee
15 and research fee for such brand established by the department brand
16 committee under section 54-199 plus a penalty of five dollars for each
17 month or part of a month which has passed since the date of expiration. A
18 properly reinstated brand may be transferred to another person during
19 such one-year period upon completion of a transfer form, with a notarized
20 bill of sale signed by the prior owner attached to such transfer form.

21 **Sec. 25.** Section 54-1,103, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 54-1,103 (1) Cattle brands consisting of alphabetical letters A
24 through Z, and numbers 1, 2, 3, 4, 5, 6, 7, 8, and 9 on the left or right
25 jaw are reserved for assignment by the brand recorder, as designated by
26 the Nebraska Brand Committee. The brand recorder shall not assign such
27 brands to any person in the State of Nebraska unless authorized by the
28 brand committee, and it shall be unlawful for any person to use such
29 brands except as provided in subsection (2) of this section.

30 (2) Every person when spaying heifers, upon request of the owner
31 thereof, shall brand such heifers with the alphabetical letter O on the

1 left jaw and furnish the owner with a certificate that all heifers so
2 branded have been properly spayed by a licensed veterinarian. Permission
3 may be granted by the brand recorder committee to state and federal
4 animal disease control agencies to require the use of the letters F, V,
5 B, S, and T and an open-end spade on either the right or left jaw of
6 cattle in a manner consistent with animal disease control laws.

7 **Sec. 26.** Section 54-1,104, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 54-1,104 There is a recorded brand consisting of the alphabetical
10 letter N on the entire right and left sides which is assigned to the
11 division ~~Nebraska Brand Committee~~ to be used only by authorized personnel
12 of the division ~~brand~~ committee to permanently identify livestock which
13 are suspected of having been stolen and may be used as evidence in any
14 court proceeding. It shall in no way signify that the division ~~brand~~
15 committee (1) is the owner of livestock so branded or (2) claims
16 ownership in any livestock carrying such brand. It shall only be
17 construed and intended that livestock so branded are evidence or portions
18 of evidence seized relative to an alleged theft of livestock.

19 **Sec. 27.** Section 54-1,105, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 54-1,105 (1) Cattle branded with a Nebraska-recorded visual brand
22 shall be branded so that the recorded brand of the owner shows
23 distinctly.

24 (2) If the owners of recorded brands which conflict with or closely
25 resemble each other maintain their herds in close proximity to each
26 other, the brand recorder ~~Nebraska Brand Committee~~ has the authority to
27 decide, after hearing as to which at least ten days' written notice has
28 been given, any dispute arising therefrom and to direct such change or
29 changes in the position or positions where such recorded brand or brands
30 are to be placed as will remove any confusion that might result from such
31 conflict or close resemblance.

1 **Sec. 28.** Section 54-1,108, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 54-1,108 (1) (1)(a) All physical inspections for brands provided for
4 in the Livestock Protection Brand Act or section 54-415 shall be from
5 sunrise to sundown or during such other hours and under such conditions
6 as the brand recorder Nebraska Brand Committee determines. The division
7 shall provide inspection services upon the request of any:

8 (a) Law enforcement agency;
9 (b) Order of any court of competent jurisdiction;
10 (c) Bank, credit agency, or lending institution with a legal or
11 financial interest in the cattle;

12 (d) Livestock auction market or packing plant requesting such
13 inspection services;

14 (e) Party to a transaction involving the transfer of possession or
15 ownership of livestock; or

16 (f) Livestock owner who is missing cattle. The brand committee shall
17 assess a fifty dollar late notice surcharge if a request for a physical
18 inspection is made less than forty-eight hours prior to the date of
19 inspection.

20 (b) A physical inspection shall be required when brands applied by
21 hot iron or freeze branding methods are the exclusive means of ownership
22 identification and in all other cases that do not qualify for electronic
23 inspection as provided in subsection (2) of this section.

24 (c) Beginning October 1, 2021, a physical inspection fee of eighty-
25 five cents per head until June 30, 2023, and beginning July 1, 2023, a
26 fee established by the Nebraska Brand Committee, of not more than one
27 dollar and ten cents per head shall be charged for all cattle inspected
28 in accordance with the Livestock Brand Act or section 54-415, inspected
29 within the brand inspection area or brand inspection service area by
30 court order, inspected at the request of any bank, credit agency, or
31 lending institution with a legal or financial interest in such cattle, or

1 ~~inspected at the request of a neighboring livestock owner with missing~~
2 ~~cattle. The inspection fee for court-ordered inspections shall be paid~~
3 ~~from the proceeds of the sale of such cattle if ordered by the court or~~
4 ~~by either party as the court directs. For other inspections, the person~~
5 ~~requesting the inspection of such cattle is responsible for the~~
6 ~~inspection fee. Brand inspections requested by either a purchaser or~~
7 ~~seller of cattle located within the brand inspection service area shall~~
8 ~~be provided upon the same terms and charges as brand inspections~~
9 ~~performed within the brand inspection area. If estray cattle are~~
10 ~~identified as a result of the inspection, such cattle shall be processed~~
11 ~~in the manner provided by section 54-415.~~

12 ~~(d) The actual mileage incurred by the inspector to perform a~~
13 ~~physical inspection shall be paid by the party requesting inspection and~~
14 ~~paid at the rate established by the Department of Administrative Services~~
15 ~~pursuant to section 81-1176.~~

16 ~~(2)(a) The department shall establish an inspection fee (e) For~~
17 ~~physical inspections performed outside of the brand inspection area that~~
18 ~~are not provided for in subdivision (c) of this subsection, the fee shall~~
19 ~~be the inspection fee established in such subdivision plus a fee to cover~~
20 ~~the actual expense of performing the inspection, including mileage at the~~
21 ~~rate established by the Department of Administrative Services and an~~
22 ~~hourly rate, not to exceed thirty dollars per hour, for the travel and~~
23 ~~inspection time incurred by the department brand committee to perform~~
24 ~~such inspection. The division brand committee shall charge and collect~~
25 ~~such the actual expense fee. Such fee shall apply to inspections~~
26 ~~performed outside the brand inspection area as part of an investigation~~
27 ~~into known or alleged violations of the Livestock Protection Brand Act~~
28 ~~and shall be charged against the person committing the violation.~~

29 (b) Such fee shall be paid:

30 (i) By the person committing the violation;

31 (ii) For court-ordered inspections, as directed by the court from

1 the proceeds of the sale of the cattle or any party to the court
2 proceeding; or

3 (iii) By the person requesting the inspection of such cattle.

4 ~~(2)(a) The brand committee may provide for electronic inspection of~~
5 ~~enrolled cattle identified by approved nonvisual identifiers pursuant to~~
6 ~~subsection (5) of section 54-199. The brand committee shall establish~~
7 ~~procedures for enrollment of such cattle with the brand committee which~~
8 ~~shall include providing acceptable certification or evidence of~~
9 ~~ownership. Electronic inspection shall not require agency employees to be~~
10 ~~present, except that random audits shall occur.~~

11 ~~(b) Beginning October 1, 2021, an electronic inspection fee not to~~
12 ~~exceed eighty-five cents per head until June 30, 2023, and beginning July~~
13 ~~1, 2023, a fee established by the brand committee of not more than one~~
14 ~~dollar and ten cents per head shall be charged for all cattle subjected~~
15 ~~to electronic inspection in accordance with the Livestock Brand Act or~~
16 ~~section 54-415.~~

17 ~~(c) A certified bill of sale for sale of calves shall be provided to~~
18 ~~qualified dairies once the required information is electronically~~
19 ~~transferred to the brand committee on calves under thirty days of age.~~
20 ~~The fee shall be the same as for an electronic inspection under~~
21 ~~subdivision (2)(b) of this section.~~

22 ~~(d) A certified transportation permit shall be provided to qualified~~
23 ~~dairies after the required information is electronically transferred to~~
24 ~~the brand committee on calves under thirty days of age which are moved~~
25 ~~out of the inspection area. The fee shall be the same as for an~~
26 ~~electronic inspection under subdivision (2)(b) of this section.~~

27 ~~(e) On or before December 1, 2021, the brand committee shall report~~
28 ~~to the Legislature any actions taken or necessary for implementing~~
29 ~~electronic inspection authorized by this subsection, including personnel~~
30 ~~and other resources utilized to support electronic inspection, how the~~
31 ~~brand committee's information technology capabilities are utilized to~~

1 support electronic inspection, a listing of approved nonvisual
2 identifiers, the requirements for enrolling cattle identified by approved
3 nonvisual identifiers, current and anticipated utilization of electronic
4 inspection by the livestock industry, and the fees required to recover
5 costs of performing electronic inspection.

6 (3) Any person who has reason to believe that cattle were shipped
7 erroneously due to an inspection error occurred during a brand inspection
8 may request a reinspection. The person making such request shall be
9 responsible for the expenses incurred as a result of the reinspection
10 unless the results of the reinspection substantiate the claim of
11 inspection error, in which case the division brand committee shall be
12 responsible for the reinspection expenses.

13 **Sec. 29.** Section 54-1,115, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 54-1,115 (1) Any person, other than the owner or the owner's
16 employee, using a motor vehicle or trailer to transport livestock or
17 carcasses over any land within the State of Nebraska not owned or rented
18 by such person or who is so transporting such livestock upon a highway,
19 public street, or thoroughfare within the State of Nebraska shall have in
20 his or her possession a livestock transportation authority form or ,
21 certificate of inspection , or shipping certificate from a registered
22 feedlot, authorizing such movement as to each head of livestock
23 transported by such vehicle.

24 (2) A livestock transportation authority form shall be in writing
25 and shall state the name of the owner of the livestock, the owner's post
26 office address, the place from which the livestock are being moved,
27 including the name of the ranch, if any, the destination, the name and
28 address of the carrier, the license number and make of motor vehicle to
29 which consigned, together with the number of livestock and a description
30 thereof including kind, sex, breed, color, and marks, if any, and in the
31 case of livestock shipments originating within the brand inspection area,

1 the brands, if ~~there are~~ any. The authority form shall be signed by the
2 owner of the livestock or the owner's authorized agent.

3 (3) Any peace officer, based upon probable cause to question the
4 ownership of the livestock being transported, may stop a motor vehicle or
5 motor vehicle and trailer and request exhibition of any authority form or
6 certificate required by this section.

7 (4) A violation of this section is an infraction. ~~A peace officer~~
8 ~~shall have the authority to write a citation, which shall be waivable, to~~
9 ~~offenders in violation of this section. A fine under this section shall~~
10 ~~not exceed two hundred dollars per head for each offense. Violations~~
11 ~~shall be charged in the county in which the offense occurred.~~

12 **Sec. 30.** Section 54-1,116, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 54-1,116 (1) All livestock sold or otherwise disposed of shall be
15 accompanied by a properly executed bill of sale in writing, satisfactory
16 evidence of ownership, or, ~~for cattle~~, a certificate of inspection. All
17 owners of or persons possessing livestock have a duty to exhibit, upon
18 request of any person, the bill of sale or other satisfactory evidence of
19 ownership of the livestock.

20 (2) A violation of this section is an infraction. ~~A peace officer~~
21 ~~shall have the authority to write a citation, which shall be waivable, to~~
22 ~~offenders in violation of this section. A fine under this section shall~~
23 ~~not exceed two hundred dollars per head for each offense. Violations~~
24 ~~shall be charged in the county in which the offense occurred.~~

25 **Sec. 31.** Section 54-1,118, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 54-1,118 If any livestock inspected under the Livestock Protection
28 ~~Brand Act or section 54-415~~ is unbranded or bears a brand or brands in
29 addition to, or other than, the recorded brand or brands of the shipper
30 or seller, then the shipper or seller may be required to establish his or
31 her ownership of such livestock by exhibiting to the brand inspector

1 Nebraska Brand Committee a bill of sale to such livestock or by other
2 satisfactory evidence of ownership. If ownership of the livestock is not
3 established:

4 (1) Such livestock shall be considered an estray;

5 (2) The department shall notify the county sheriff of the county in
6 which such livestock is inspected or is located; and

7 (3) Such livestock shall be disposed of pursuant to section
8 54-415. , the livestock may be sold, and the selling agent who sells such
9 livestock shall hold the proceeds of the sale. If any shipper or seller
10 who has offered such livestock for sale refuses to accept the bids
11 offered, ownership must be established, or a cash bond posted with the
12 selling agent in an amount equal to the approximate value of the
13 livestock and payable to the brand committee, before such livestock may
14 be removed from the premises. When ownership has been established the
15 cash bond shall be returned to the person who or which posted it.

16 The shipper or seller of the livestock is required to establish
17 ownership of such livestock within sixty days after its sale. If such
18 shipper or seller establishes ownership of such livestock, the Nebraska
19 Brand Committee shall order the selling agent of such livestock to pay
20 the proceeds of sale to the shipper or seller. If such shipper or seller
21 fails to establish ownership within the sixty days, such livestock shall
22 be considered an estray and the Nebraska Brand Committee shall order the
23 selling agent to pay the proceeds of sale over to the brand committee.
24 All funds that the brand committee receives from the sale of any estray
25 shall be placed in a separate custodial fund known as the estray fund.
26 The brand committee shall determine the ownership of estrays that
27 originate within the brand inspection area. Such funds shall be disposed
28 of in the manner provided in section 54-415.

29 **Sec. 32.** Section 54-1,124.01, Reissue Revised Statutes of Nebraska,
30 is amended to read:

31 54-1,124.01 A person commits a Class III felony if:

1 (1) Such person willfully and knowingly performs or causes to be
2 performed any act to:

3 (a) Apply, remove, damage, or alter a ~~an~~ approved nonvisual
4 identifier; or

5 (b) Expunge, alter, render inaccessible, or otherwise corrupt
6 information recorded or embedded on or in a ~~an~~ approved nonvisual
7 identifier; and

8 (2) Such conduct is done with the intent to deprive an owner of
9 livestock or falsely assert ownership of livestock.

10 **Sec. 33.** Section 54-1,125, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 54-1,125 (1) Any person who offers as evidence of ownership for any
13 livestock sold, traded, or otherwise disposed of as provided in the
14 Livestock Protection ~~Brand~~ Act or section 54-415, any forged, altered, or
15 otherwise falsely prepared document or form, knowing the same to be
16 forged, altered, or otherwise falsely prepared, is guilty of the Class IV
17 felony of criminal possession of a forged instrument as defined in
18 section 28-604.

19 (2) Any person who forges, alters, or otherwise changes in any
20 manner any of the forms or documents which are satisfactory evidence of
21 ownership or any other form or document required by or provided for in
22 the Livestock Protection ~~Brand~~ Act or section 54-415, is guilty of second
23 degree forgery as defined in section 28-603, and shall be punished in
24 accordance with such section.

25 (3) Any person who knowingly misrepresents or misuses any
26 certificate of inspection or other satisfactory evidence of ownership is
27 guilty of a Class II misdemeanor.

28 **Sec. 34.** Section 54-1,126, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 54-1,126 Any person who violates any provision of the Livestock
31 Protection ~~Brand~~ Act is guilty of a Class II misdemeanor unless another

1 penalty is specifically provided for such violation.

2 **Sec. 35.** Section 54-1,127, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 54-1,127 Whenever any person is arrested for a violation of the
5 Livestock Protection Brand Act or section 54-415 punishable as a
6 misdemeanor, the arresting peace officer shall, except as otherwise
7 provided in this section, take the name and address of such person and
8 the license number of his or her motor vehicle. The peace officer shall
9 issue a summons or otherwise notify him or her in writing to appear at a
10 time and place to be specified in such summons or notice. Such time shall
11 be at least five days after such arrest, unless the person arrested
12 demands an earlier hearing. Such person, if he or she so desires, has a
13 right to an immediate hearing or a hearing within twenty-four hours at a
14 convenient hour, such hearing to be before a magistrate within the county
15 where such offense was committed. The peace officer shall thereupon, and
16 upon the giving by such person of his or her written promise to appear at
17 such time and place, forthwith release him or her from custody. Any
18 person refusing to give such written promise to appear shall be taken
19 immediately by the arresting peace officer before the nearest or most
20 accessible magistrate.

21 **Sec. 36.** Section 54-1,128, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 54-1,128 (1) An owner may brand cattle with a brand recorded or
24 registered in another state when:

25 (a) Cattle are purchased at a livestock auction market licensed
26 under the Livestock Auction Market Act or congregated at another location
27 approved by the brand recorder ~~Nebraska Brand Committee~~;

28 (b) The cattle will be imminently exported from Nebraska;

29 (c) The cattle are branded at the livestock auction market or other
30 approved location; and

31 (d) An out-of-state brand permit has been obtained prior to branding

1 the cattle.

2 (2) An application for an out-of-state brand permit shall be made to
3 ~~the brand recorder a brand inspector~~ and shall include a description of
4 the brand, a written application, and a fee not to exceed fifty dollars
5 as determined by the department. The ~~brand recorder~~ Nebraska Brand
6 Committee. A ~~brand inspector~~ shall evaluate and may approve an out-of-
7 state brand permit within a reasonable period of time.

8 (3) ~~Cattle branded under an out-of-state brand permit shall remain~~
9 ~~subject to all other brand inspection requirements under the Livestock~~
10 ~~Brand Act.~~

11 (4) ~~A violation of this section is an infraction. A peace officer~~
12 ~~shall have the authority to write a citation, which shall be waivable, to~~
13 ~~offenders in violation of this section. A fine under this section shall~~
14 ~~not exceed two hundred dollars per head for each offense. Violations~~
15 ~~shall be charged in the county in which the offense occurred.~~

16 **Sec. 37.** Section 54-1,129, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 54-1,129 The owner or operator of any livestock auction market, as
19 defined in section 54-1158, or packing plant ~~located in any county~~
20 ~~outside the brand inspection area~~ may voluntarily elect to provide brand
21 inspection for all cattle brought to such livestock auction market or
22 packing plant ~~from within the brand inspection area~~ upon compliance with
23 sections 54-1,129 to 54-1,131.

24 **Sec. 38.** Section 54-1,131, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 54-1,131 Inspection provided for in sections 54-1,129 to 54-1,131
27 shall be conducted in the manner established by the Livestock Protection
28 Brand Act. The owner or operator making such election may be required to
29 guarantee to the brand recorder Nebraska Brand Committee that inspection
30 fees derived from such livestock auction market or packing plant will be
31 sufficient, in each twelve-month period, to pay the per diem and mileage

1 of the inspectors required and that he or she will reimburse the
2 department committee for any deficit incurred in any such twelve-month
3 period. Such guarantee shall be secured by a corporate surety bond, to be
4 approved by the Secretary of State, in a penal sum to be established by
5 the department Nebraska Brand Committee.

6 Sec. 39. On and after January 1, 2027, positions of employment in
7 the Nebraska Brand Committee related to the powers, duties, and functions
8 transferred to the department pursuant to this legislative bill are
9 transferred to the department. For purposes of the transition, employees
10 of the Nebraska Brand Committee shall be considered employees of the
11 department and shall retain their rights under the state personnel system
12 or pertinent bargaining agreement, and their service shall be deemed
13 continuous. This section does not grant any employee any new right or
14 benefit that is not otherwise provided by law or bargaining agreement or
15 preclude the department or the director from exercising any of the
16 prerogatives of management set forth in section 81-1311 or as otherwise
17 provided by law. This section is not an amendment to or a substitute for
18 the provisions of any existing bargaining agreement.

19 Sec. 40. On January 1, 2027, any appropriation and salary limit
20 provided in any legislative bill enacted by the One Hundred Ninth
21 Legislature to Agency No. 39, Nebraska Brand Committee, shall be null and
22 void, and any such amounts are hereby appropriated to Agency No. 18,
23 Department of Agriculture: Program No. 75, Division of Brand
24 Registration, Brand Inspection, and Livestock Theft Investigation. Any
25 financial obligations of the Nebraska Brand Committee that remain unpaid
26 as of January 1, 2027, and that are subsequently certified as valid
27 encumbrances to the accounting division of the Department of
28 Administrative Services pursuant to sections 81-138.01 to 81-138.04,
29 shall be paid by the Department of Agriculture from the unexpended
30 balance of the appropriation to the Division of Brand Registration, Brand
31 Inspection, and Livestock Theft Investigation of the Department of

1 Agriculture on January 1, 2027.

2 Sec. 41. On and after January 1, 2027, whenever the Nebraska Brand
3 Committee is referred to or designated by any contract or other document
4 in connection with the duties and functions of the department, such
5 reference or designation shall apply to the department. All contracts
6 entered into by the Nebraska Brand Committee prior to January 1, 2027, in
7 connection with the duties and functions of the Nebraska Brand Committee
8 that are transferred by this legislative bill are hereby recognized, with
9 the department succeeding to all rights and obligations under such
10 contracts. Any cash funds, custodial funds, gifts, trusts, grants, and
11 appropriations of funds from prior fiscal years available to satisfy
12 obligations incurred under such contracts shall be transferred and
13 appropriated to such department for the payments of such obligations. All
14 documents and records transferred, or copies of the same, may be
15 authenticated or certified by such department for all legal purposes.

16 Sec. 42. (1) No suit, action, or other proceeding, judicial or
17 administrative, lawfully commenced prior to January 1, 2027, or that
18 could have been commenced prior to such date, by or against the Nebraska
19 Brand Committee, or an employee or agent of the Nebraska Brand Committee
20 in such employee's or agent's official capacity or in relation to the
21 discharge of his or her official duties, shall abate by reason of the
22 transfer of duties and functions from the Nebraska Brand Committee to the
23 department.

24 (2) Any suit, action, or other proceeding, judicial or
25 administrative, that was lawfully commenced prior to January 1, 2027,
26 under the Livestock Brand Act shall be subject to the provisions of the
27 act as they existed prior to such date.

28 Sec. 43. (1) On and after January 1, 2027, unless otherwise
29 specified, whenever any provision of law refers to the Nebraska Brand
30 Committee in connection with duties and functions of the Department of
31 Agriculture, such law shall be construed as referring to the Department

1 of Agriculture.

2 (2) All rules and regulations adopted and promulgated prior to
3 January 1, 2027, under the Livestock Protection Act shall continue to be
4 effective to the extent that such rules and regulations do not conflict
5 with the changes made by this legislative bill.

6 (3) All certificates or other forms of approval issued in accordance
7 with the Livestock Protection Act prior to January 1, 2027, shall remain
8 valid as issued for purposes of the changes made by this legislative bill
9 unless revoked or otherwise terminated by law.

10 **Sec. 44.** Section 54-415, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 54-415 (1) Any person taking up an estray in this state within the
13 brand inspection area or brand inspection service area shall report the
14 same within seven days thereafter to the Nebraska Brand Committee. Any
15 person taking up an estray in any other area of the state shall report
16 such estray the same to the county sheriff of the county where the estray
17 was taken. If the animal is determined to be an estray by a
18 representative of the Nebraska Brand Committee or the county sheriff, as
19 the case may be, such animal shall, as promptly as may be practicable, be
20 sold through the most convenient livestock auction market. The proceeds
21 of such sale, after deducting the selling expenses, shall be paid over to
22 the Nebraska Brand Committee to be placed in the estray fund identified
23 in section 54-1,118, if such estray was taken up within the brand
24 inspection area or brand inspection service area, and otherwise to the
25 treasurer of the county in which such estray was taken up.

26 (2) During the time such proceeds are impounded, any person taking
27 up such estray may file a claim with the Nebraska Brand Committee or the
28 county treasurer, as the case may be, for the expense of feeding and
29 keeping such estray while in his or her possession. When such claim is
30 filed, it shall be the duty of the Nebraska Brand Committee or the county
31 board shall, as the case may be, to decide on the validity of the claim

1 so filed and allow the claim for such amount as may be deemed equitable.

2 ~~(3) If when the estray is taken up within the brand inspection area~~
3 ~~or brand inspection service area, such proceeds shall be impounded for~~
4 ~~one year, unless ownership is determined sooner by the Nebraska Brand~~
5 ~~Committee, and if ownership is not determined within such one year~~
6 ~~period, the proceeds shall be paid into the permanent school fund, less~~
7 ~~the actual expenses incurred in the investigation and processing of the~~
8 ~~estray fund. Any amount deducted as actual expenses incurred shall be~~
9 ~~deposited in the Nebraska Brand Inspection and Theft Prevention Fund.~~
10 ~~When the estray is taken up outside the brand inspection area or brand~~
11 ~~inspection service area and ownership of the estray cannot be determined~~
12 ~~by the county board, the county board shall then order payment of the~~
13 ~~balance of the sale proceeds, less expenses, to the permanent school~~
14 ~~fund.~~

15 ~~(4) If the brand committee or the county board determines ownership~~
16 ~~of an estray sold in accordance with this section by means of evidence of~~
17 ~~ownership other than the owner's recorded Nebraska brand, an amount not~~
18 ~~to exceed the actual investigative costs or expenses may be deducted from~~
19 ~~the proceeds of the sale.~~

20 ~~(5) Any person who violates this section is guilty of a Class II~~
21 ~~misdemeanor.~~

22 ~~(6) The definitions found in the Livestock Protection Act sections~~
23 ~~54-171.01 to 54-190 apply to this section.~~

24 **Sec. 45.** Section 54-1160.01, Reissue Revised Statutes of Nebraska,
25 is amended to read:

26 ~~54-1160.01 The owner or operator of any livestock auction market~~
27 ~~located in any county outside the brand inspection area created in~~
28 ~~section 54-1,109 may voluntarily elect to provide brand inspection as~~
29 ~~provided in sections 54-1,129 to 54-1,131.~~

30 **Sec. 46.** Section 60-3,135, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-3,135 (1)(a) Undercover license plates may be issued to federal,
2 state, county, city, or village law enforcement agencies and shall be
3 used only for legitimate criminal investigatory purposes. Undercover
4 license plates may also be issued to the Nebraska State Patrol, the Game
5 and Parks Commission, deputy state sheriffs employed under the Livestock
6 Protection Act for state law enforcement purposes, deputy state sheriffs
7 employed by the ~~Nebraska Brand Committee~~ and State Fire Marshal for state
8 law enforcement purposes, persons employed by the Tax Commissioner for
9 state revenue enforcement purposes, the Department of Health and Human
10 Services for the purposes of communicable disease control, the prevention
11 and control of those communicable diseases which endanger the public
12 health, the enforcement of drug control laws, or other investigation
13 purposes, the Department of Agriculture for special investigative
14 purposes, and the Insurance Fraud Prevention Division of the Department
15 of Insurance for investigative purposes. Undercover license plates shall
16 not be used on personally owned vehicles or for personal use of
17 government-owned vehicles.

18 (b) The director shall prescribe a form for agencies to apply for
19 undercover license plates. The form shall include a space for the name
20 and signature of the contact person for the requesting agency, a
21 statement that the undercover license plates are to be used only for
22 legitimate criminal investigatory purposes, and a statement that
23 undercover license plates are not to be used on personally owned vehicles
24 or for personal use of government-owned vehicles.

25 (2) The agency shall include the name and signature of the contact
26 person for the agency on the form and pay the fee prescribed in section
27 60-3,102. If the undercover license plates will be used for the
28 investigation of a specific event rather than for ongoing investigations,
29 the agency shall designate on the form an estimate of the length of time
30 the undercover license plates will be needed. The contact person in the
31 agency shall sign the form and verify the information contained in the

1 form.

2 (3) Upon receipt of a completed form, the director shall determine
3 whether the undercover license plates will be used by an approved agency
4 for a legitimate purpose pursuant to subsection (1) of this section. If
5 the director determines that the undercover license plates will be used
6 for such a purpose, he or she may issue the undercover license plates in
7 the form and under the conditions he or she determines to be necessary.
8 The decision of the director regarding issuance of undercover license
9 plates is final.

10 (4) The department shall keep records pertaining to undercover
11 license plates confidential, and such records shall not be subject to
12 public disclosure.

13 (5) The contact person shall return the undercover license plates to
14 the department if:

15 (a) The undercover license plates expire and are not renewed;
16 (b) The purpose for which the undercover license plates were issued
17 has been completed or terminated; or
18 (c) The director requests their return.

19 (6) A state agency, board, or commission that uses motor vehicles
20 from the transportation services bureau of the Department of
21 Administrative Services shall notify the bureau immediately after
22 undercover license plates have been assigned to the motor vehicle and
23 shall provide the equipment and license plate number and the undercover
24 license plate number to the bureau. The transportation services bureau
25 shall maintain a list of state-owned motor vehicles which have been
26 assigned undercover license plates. The list shall be confidential and
27 not be subject to public disclosure.

28 (7) The contact person shall be held accountable to keep proper
29 records of the number of undercover plates possessed by the agency, the
30 particular license plate numbers for each motor vehicle, and the person
31 who is assigned to the motor vehicle. This record shall be confidential

1 and not be subject to public disclosure.

2 **Sec. 47.** Section 60-480.01, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-480.01 (1)(a) Undercover drivers' licenses may be issued to
5 federal, state, county, city, or village law enforcement agencies and
6 shall be used only for legitimate criminal investigatory purposes.
7 Undercover drivers' licenses may also be issued to the Nebraska State
8 Patrol, the Game and Parks Commission, deputy state sheriffs employed
9 under the Livestock Protection Act for state law enforcement purposes,
10 ~~deputy state sheriffs employed by the Nebraska Brand Committee and State~~
11 ~~Fire Marshal for state law enforcement purposes, persons employed by the~~
12 ~~Tax Commissioner for state revenue enforcement purposes, the Department~~
13 ~~of Health and Human Services for the purposes of communicable disease~~
14 ~~control, the prevention and control of those communicable diseases which~~
15 ~~endanger the public health, the enforcement of drug control laws, or~~
16 ~~other investigation purposes, the Department of Agriculture for special~~
17 ~~investigative purposes, and the Insurance Fraud Prevention Division of~~
18 ~~the Department of Insurance for investigative purposes. Undercover~~
19 ~~drivers' licenses are not for personal use.~~

20 (b) The director shall prescribe a form for agencies to apply for
21 undercover drivers' licenses. The form shall include a space for the name
22 and signature of the contact person for the requesting agency, a
23 statement that the undercover drivers' licenses are to be used only for
24 legitimate criminal investigatory purposes, and a statement that
25 undercover drivers' licenses are not for personal use.

26 (2) The agency shall include the name and signature of the contact
27 person for the agency on the form and pay the fees prescribed in section
28 60-4,115. If the undercover drivers' licenses will be used for the
29 investigation of a specific event rather than for ongoing investigations,
30 the agency shall designate on the form an estimate of the length of time
31 the undercover drivers' licenses will be needed. The contact person in

1 the agency shall sign the form and verify the information contained in
2 the form.

3 (3) Upon receipt of a completed form, the director shall determine
4 whether the undercover drivers' licenses will be used by an approved
5 agency for a legitimate purpose pursuant to subsection (1) of this
6 section. If the director determines that the undercover drivers' licenses
7 will be used for such a purpose, he or she may issue the undercover
8 drivers' licenses in the form and under the conditions he or she
9 determines to be necessary. The decision of the director regarding
10 issuance of undercover drivers' licenses is final.

11 (4) The Department of Motor Vehicles shall keep records pertaining
12 to undercover drivers' licenses confidential, and such records shall not
13 be subject to public disclosure. Any person who receives information
14 pertaining to undercover drivers' licenses in the course of his or her
15 employment and who discloses any such information to any unauthorized
16 individual shall be guilty of a Class III misdemeanor.

17 (5) The contact person shall return the undercover drivers' licenses
18 to the Department of Motor Vehicles if:

19 (a) The undercover drivers' licenses expire and are not renewed;
20 (b) The purpose for which the undercover drivers' licenses were
21 issued has been completed or terminated;
22 (c) The persons for whom the undercover drivers' licenses were
23 issued cease to be employees of the agency; or
24 (d) The director requests their return.

25 **Sec. 48.** Section 81-1021, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 81-1021 (1) All motor vehicles acquired by the State of Nebraska
28 except any vehicle rented as a bureau fleet vehicle shall be indelibly
29 and conspicuously lettered, in plain letters of a contrasting color or
30 reflective material:

31 (a) On each side thereof with the words State of Nebraska and

1 following such words the name of whatever board, department, bureau,
2 division, institution, including the University of Nebraska or state
3 college, office, or other state expending agency of the state to which
4 the motor vehicle belongs; and

5 (b) On the back thereof with the words State of Nebraska.

6 (2) This section shall not apply to motor vehicles used or
7 controlled by:

8 (a) The Nebraska State Patrol, the Public Service Commission, the
9 Game and Parks Commission, deputy state sheriffs employed under the
10 Livestock Protection Act for state law enforcement purposes, deputy state
11 sheriffs employed by the Nebraska Brand Committee and State Fire Marshal
12 for state law enforcement purposes, inspectors employed by the Nebraska
13 Liquor Control Commission, and persons employed by the Tax Commissioner
14 for state revenue enforcement purposes, the exemption for state law
15 enforcement purposes and state revenue enforcement purposes being
16 confined strictly to the seven agencies specifically named;

17 (b) The Department of Health and Human Services or the Department of
18 Correctional Services for the purpose of apprehending and returning
19 escaped offenders or parole violators to facilities in the Department of
20 Correctional Services and transporting offenders and personnel of the
21 Department of Correctional Services and patients and personnel of the
22 Department of Health and Human Services who are engaged in off-campus
23 program activities;

24 (c) The Military Department;

25 (d) Vocational rehabilitation counselors and the Department of
26 Health and Human Services for the purposes of communicable disease
27 control, for the prevention and control of those communicable diseases
28 which endanger the public health, or used by the Department of Health and
29 Human Services in the enforcement of drug control laws or for other
30 investigation purposes;

31 (e) The Department of Agriculture for special investigative

1 purposes;

2 (f) The Nebraska Motor Vehicle Industry Licensing Board for
3 investigative purposes;

4 (g) The Insurance Fraud Prevention Division of the Department of
5 Insurance for investigative purposes; and

6 (h) The Department of Justice.

7 **Sec. 49.** Section 81-1316, Revised Statutes Supplement, 2025, is
8 amended to read:

9 81-1316 (1) All agencies and personnel of state government shall be
10 covered by sections 81-1301 to 81-1319 and shall be considered subject to
11 the State Personnel System, except the following:

12 (a) All personnel of the office of the Governor;

13 (b) All personnel of the office of the Lieutenant Governor;

14 (c) All personnel of the office of the Secretary of State;

15 (d) All personnel of the office of the State Treasurer;

16 (e) All personnel of the office of the Attorney General;

17 (f) All personnel of the office of the Auditor of Public Accounts;

18 (g) All personnel of the Legislature;

19 (h) All personnel of the court systems;

20 (i) All personnel of the Board of Educational Lands and Funds;

21 (j) All personnel of the Public Service Commission;

22 (k) All personnel of the Tax Equalization and Review Commission
23 ~~Nebraska Brand Committee~~;

24 (l) All personnel of the Commission of Industrial Relations;

25 (m) All personnel of the State Department of Education;

26 (n) All personnel of the Nebraska state colleges and the Board of
27 Trustees of the Nebraska State Colleges;

28 (o) All personnel of the University of Nebraska;

29 (p) All personnel of the Coordinating Commission for Postsecondary
30 Education;

31 (q) All personnel of the Governor's Policy Research Office;

1 (r) All personnel of the Commission on Public Advocacy;

2 (s) All agency heads;

3 (t)(i) The Director of Behavioral Health of the Division of
4 Behavioral Health; (ii) the Director of Children and Family Services of
5 the Division of Children and Family Services; (iii) the Director of
6 Developmental Disabilities of the Division of Developmental Disabilities;
7 (iv) the Director of Medicaid and Long-Term Care of the Division of
8 Medicaid and Long-Term Care; and (v) the Director of Public Health of the
9 Division of Public Health;

10 (u) The chief medical officer established under section 81-3115, the
11 Administrator of the Office of Juvenile Services, and the chief executive
12 officers of the Beatrice State Developmental Center, Lincoln Regional
13 Center, Norfolk Regional Center, Hastings Regional Center, Central
14 Nebraska Veterans' Home, Norfolk Veterans' Home, Eastern Nebraska
15 Veterans' Home, Western Nebraska Veterans' Home, and each youth
16 rehabilitation and treatment center;

17 (v) The chief executive officers of all facilities operated by the
18 Department of Correctional Services and the medical director for the
19 department appointed pursuant to section 83-4,156;

20 (w) All personnel employed as pharmacists, physicians,
21 psychiatrists, or psychologists by the Department of Correctional
22 Services;

23 (x) All personnel employed as pharmacists, physicians,
24 psychiatrists, psychologists, service area administrators, or facility
25 operating officers of the Department of Health and Human Services or the
26 Department of Veterans' Affairs;

27 (y) Deputies and examiners of the Department of Banking and Finance
28 and the Department of Insurance as set forth in sections 8-105 and
29 44-119, except for those deputies and examiners who remain in the State
30 Personnel System;

31 (z) All personnel of the Tax Equalization and Review Commission;

1 (z) (aa) The associate director of the Conservation Division of the
2 Nebraska State Historical Society and all personnel employed as a
3 Conservator I or Conservator II of the Conservation Division of the
4 Nebraska State Historical Society;

5 (aa) (bb) Assistant directors and deputies of the Nebraska Public
6 Employees Retirement Systems; and

7 (bb) (cc) The Chief Water Officer, assistant directors, and deputies
8 of the Department of Water, Energy, and Environment.

9 (2) At each agency head's discretion, up to the following number of
10 additional positions may be exempted from the State Personnel System,
11 based on the following agency size categories:

	Number of Agency Employees	Number of Noncovered Positions
14	less than 25	0
15	25 to 100	1
16	101 to 250	2
17	251 to 500	3
18	501 to 1000	4
19	1001 to 2000	5
20	2001 to 3000	8
21	3001 to 4000	11
22	4001 to 5000	40
23	over 5000	50

24 The purpose of having such noncovered positions shall be to allow
25 agency heads the opportunity to recruit, hire, and supervise critical,
26 confidential, or policymaking personnel without restrictions from
27 selection procedures, compensation rules, career protections, and
28 grievance privileges. Persons holding the noncovered positions shall
29 serve at the pleasure of the agency head and shall be paid salaries set
30 by the agency head. An agency with over five thousand employees shall
31 provide notice in writing to the Health and Human Services Committee of

1 the Legislature when forty noncovered positions have been filled by the
2 agency head pursuant to this subsection.

3 (3) No changes to this section or to the number of noncovered
4 positions within an agency shall affect the status of personnel employed
5 on the date the changes become operative without their prior written
6 agreement. A state employee's career protections or coverage by personnel
7 rules and regulations shall not be revoked by redesignation of the
8 employee's position as a noncovered position without the prior written
9 agreement of such employee.

10 **Sec. 50.** Section 84-1005, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 84-1005 Subsection (2) of section 84-1001 shall not apply to (1)
13 employees of the University of Nebraska, the state colleges, ~~the Nebraska~~
14 ~~Brand Committee~~, or the Nebraska Oil and Gas Conservation Commission, (2)
15 the Superintendent of Law Enforcement and Public Safety, his or her
16 deputies and assistants, members of the Nebraska State Patrol, or carrier
17 enforcement officers designated under section 60-1303, or (3) the
18 employees of the Division of Motor Fuels of the office of the Tax
19 Commissioner who render service on such days and maintain such hours as
20 the Governor may designate, except that when employees are required to
21 work on any day designated as a paid holiday, subsections (4) and (5) of
22 section 84-1001 shall apply.

23 **Sec. 51.** Section 84-1411, Revised Statutes Supplement, 2025, is
24 amended to read:

25 84-1411 (1)(a) Except as provided in subsection (9) of this section,
26 each public body shall give reasonable advance publicized notice of the
27 time and place of each meeting as provided in this subsection. Such
28 notice shall be transmitted to all members of the public body and to the
29 public.

30 (b)(i) Except as provided in subdivision (1)(b)(ii) of this section,
31 in the case of a public body described in subdivision (1)(a)(i) of

1 section 84-1409 or such body's advisory committees, such notice shall be
2 given by:

3 (A)(I) Publication in a newspaper of general circulation within the
4 public body's jurisdiction that is finalized for printing prior to the
5 time and date of the meeting, (II) posting on such newspaper's website,
6 if available, and (III) posting on a statewide website, if available,
7 established and maintained as a repository for such notices by a majority
8 of Nebraska newspapers. Such notice shall be placed in the newspaper and
9 on the websites by the newspaper; or

10 (B)(I) Posting to the newspaper's website, if available, and (II)
11 posting to a statewide website, if available, established and maintained
12 as a repository for such notices by a majority of Nebraska newspapers if
13 no edition of a newspaper of general circulation within the public body's
14 jurisdiction is to be finalized for printing prior to the time and date
15 of the meeting. Such notice shall be placed in the newspaper and on the
16 websites by the newspaper.

17 (ii) In the case of the governing body of a city of the second class
18 or village, any advisory committee of such governing body, or the
19 governing body of a rural or suburban fire protection district, such
20 notice shall be given by:

21 (A)(I) Publication in a newspaper of general circulation within the
22 public body's jurisdiction that is finalized for printing prior to the
23 time and date of the meeting, (II) posting on such newspaper's website,
24 if available, and (III) posting on a statewide website, if available,
25 established and maintained as a repository for such notices by a majority
26 of Nebraska newspapers. Such notice shall be placed in the newspaper and
27 on the websites by the newspaper;

28 (B)(I) Posting to the newspaper's website, if available, and (II)
29 posting on a statewide website, if available, established and maintained
30 as a repository for such notices by a majority of Nebraska newspapers if
31 no edition of a newspaper of general circulation within the public body's

1 jurisdiction is to be finalized for printing prior to the time and date
2 of the meeting. Such notice shall be placed in the newspaper and on the
3 websites by the newspaper; or

4 (C) Posting written notice in three conspicuous public places in
5 such city, village, or district. Such notice shall be posted by the
6 public body in the same three places for each meeting.

7 (iii) In the case of a public body not described in subdivision (1)
8 (b)(i) or (ii) of this section, such notice shall be given by a method
9 designated by the public body.

10 (iv) In case of refusal, neglect, or inability of the newspaper to
11 publish the notice, the public body shall (A) post such notice on its
12 website, if available, (B) request the newspaper submit a post on a
13 statewide website, if available, established and maintained as a
14 repository for such notices by a majority of Nebraska newspapers, and (C)
15 post such notice in a conspicuous public place in such public body's
16 jurisdiction. The public body shall keep a written record of such posting
17 pursuant to subdivision (1)(b)(iv)(A) and (C) of this section and a
18 written record of the request to the newspaper pursuant to subdivision
19 (1)(b)(iv)(B) of this section. The record of such posting shall be
20 evidence that such posting was done as required and shall be sufficient
21 to fulfill the requirement of publication.

22 (c) In addition to a method of notice required by subdivision (1)(b)
23 (i) or (ii) of this section, such notice may also be provided by any
24 other appropriate method designated by such public body or such advisory
25 committee.

26 (d) Each public body shall record the methods and dates of such
27 notice in its minutes.

28 (e) Such notice shall contain an agenda of subjects known at the
29 time of the publicized notice or a statement that the agenda, which shall
30 be kept continually current, shall be readily available for public
31 inspection at the principal office of the public body during normal

1 business hours. Agenda items shall be sufficiently descriptive to give
2 the public reasonable notice of the matters to be considered at the
3 meeting. Except for items of an emergency nature, the agenda shall not be
4 altered later than (i) twenty-four hours before the scheduled
5 commencement of the meeting or (ii) forty-eight hours before the
6 scheduled commencement of a meeting of a city council or village board
7 scheduled outside the corporate limits of the municipality. The public
8 body shall have the right to modify the agenda to include items of an
9 emergency nature only at such public meeting.

10 (2)(a) The following entities may hold a meeting by means of virtual
11 conferencing if the requirements of subdivision (2)(b) of this section
12 are met:

13 (i) A state agency, state board, state commission, state council, or
14 state committee, or an advisory committee of any such state entity;

15 (ii) An organization, including the governing body, created under
16 the Interlocal Cooperation Act, the Joint Public Agency Act, or the
17 Municipal Cooperative Financing Act;

18 (iii) The governing body of a public power district having a
19 chartered territory of more than one county in this state;

20 (iv) The governing body of a public power and irrigation district
21 having a chartered territory of more than one county in this state;

22 (v) An educational service unit;

23 (vi) The Educational Service Unit Coordinating Council;

24 (vii) An organization, including the governing body, of a risk
25 management pool or its advisory committees organized in accordance with
26 the Intergovernmental Risk Management Act;

27 (viii) A community college board of governors;

28 (ix) ~~The Nebraska Brand Committee;~~

29 (ix) (x) A local public health department;

30 (x) (xi) A metropolitan utilities district;

31 (xi) (xii) A regional metropolitan transit authority; and

1 (xii) (xiii) A natural resources district.

2 (b) The requirements for holding a meeting by means of virtual
3 conferencing are as follows:

4 (i) Reasonable advance publicized notice is given as provided in
5 subsection (1) of this section, including providing access to a dial-in
6 number or link to the virtual conference;

7 (ii) In addition to the public's right to participate by virtual
8 conferencing, reasonable arrangements are made to accommodate the
9 public's right to attend at a physical site and participate as provided
10 in section 84-1412, including reasonable seating, in at least one
11 designated site in a building open to the public and identified in the
12 notice, with: At least one member of the entity holding such meeting, or
13 his or her designee, present at each site; a recording of the hearing by
14 audio or visual recording devices; and a reasonable opportunity for
15 input, such as public comment or questions, is provided to at least the
16 same extent as would be provided if virtual conferencing was not used;

17 (iii) At least one copy of all documents being considered at the
18 meeting is available at any physical site open to the public where
19 individuals may attend the virtual conference. The public body shall also
20 provide links to an electronic copy of the agenda, all documents being
21 considered at the meeting, and the current version of the Open Meetings
22 Act; and

23 (iv) Except as otherwise provided in this subdivision, subsection
24 (1) of section 70-1014, subsection (2) of section 70-1014.02, or
25 subsection (4) of section 79-2204, no more than one-half of the meetings
26 of the state entities, advisory committees, boards, councils,
27 organizations, or governing bodies are held by virtual conferencing in a
28 calendar year. In the case of (A) an organization created under the
29 Interlocal Cooperation Act that sells electricity or natural gas, (B) an
30 organization created under the Municipal Cooperative Financing Act, (C) a
31 governing body of a risk management pool and any advisory committee of

1 such governing body, or (D) any advisory committee of any state entity
2 created in response to the Opioid Prevention and Treatment Act, such
3 organization, governing body, or committee may hold more than one-half of
4 its meetings by virtual conferencing if such organization holds at least
5 one meeting each calendar year that is not by virtual conferencing.

6 (3) Virtual conferencing, emails, faxes, or other electronic
7 communication shall not be used to circumvent any of the public
8 government purposes established in the Open Meetings Act.

9 (4) The secretary or other designee of each public body shall
10 maintain a list of the news media requesting notification of meetings and
11 shall make reasonable efforts to provide advance notification to them of
12 the time and place of each meeting and the subjects to be discussed at
13 that meeting.

14 (5) When it is necessary to hold an emergency meeting without
15 reasonable advance public notice, the nature of the emergency shall be
16 stated in the minutes and any formal action taken in such meeting shall
17 pertain only to the emergency. Such emergency meetings may be held by
18 virtual conferencing. The provisions of subsection (4) of this section
19 shall be complied with in conducting emergency meetings. Complete minutes
20 of such emergency meetings specifying the nature of the emergency and any
21 formal action taken at the meeting shall be made available to the public
22 by no later than the end of the next regular business day.

23 (6) A public body may allow a member of the public or any other
24 witness to appear before the public body by means of virtual
25 conferencing.

26 (7)(a) Notwithstanding subsections (2) and (5) of this section, if
27 an emergency is declared by the Governor pursuant to the Emergency
28 Management Act as defined in section 81-829.39, a public body the
29 territorial jurisdiction of which is included in the emergency
30 declaration, in whole or in part, may hold a meeting by virtual
31 conferencing during such emergency if the public body gives reasonable

1 advance publicized notice as described in subsection (1) of this section.
2 The notice shall include information regarding access for the public and
3 news media. In addition to any formal action taken pertaining to the
4 emergency, the public body may hold such meeting for the purpose of
5 briefing, discussion of public business, formation of tentative policy,
6 or the taking of any action by the public body.

7 (b) The public body shall provide access by providing a dial-in
8 number or a link to the virtual conference. The public body shall also
9 provide links to an electronic copy of the agenda, all documents being
10 considered at the meeting, and the current version of the Open Meetings
11 Act. Reasonable arrangements shall be made to accommodate the public's
12 right to hear and speak at the meeting and record the meeting. Subsection
13 (4) of this section shall be complied with in conducting such meetings.

14 (c) The nature of the emergency shall be stated in the minutes.
15 Complete minutes of such meeting specifying the nature of the emergency
16 and any formal action taken at the meeting shall be made available for
17 inspection as provided in subsection (5) of section 84-1413.

18 (8) In addition to any other statutory authorization for virtual
19 conferencing, any public body not listed in subdivision (2)(a) of this
20 section may hold a meeting by virtual conferencing if:

21 (a) The purpose of the virtual meeting is to discuss items that are
22 scheduled to be discussed or acted upon at a subsequent non-virtual open
23 meeting of the public body;

24 (b) No action is taken by the public body at the virtual meeting;
25 and

26 (c) The public body complies with subdivisions (2)(b)(i) and (ii) of
27 this section.

28 (9) This section does not apply to a meeting of the Nebraska Power
29 Review Board or a public power district, a public power and irrigation
30 district, an electric membership association, an electric cooperative
31 company, a municipality having a generation and distribution system, or a

1 registered group of municipalities if such meeting is subject to section
2 70-1034.

3 **Sec. 52.** This act becomes operative on January 1, 2027.

4 **Sec. 53.** Original sections 11-201, 54-170, 54-171, 54-171.01,
5 54-172, 54-176, 54-179, 54-180, 54-182, 54-187.01, 54-193, 54-194,
6 54-196, 54-197, 54-198, 54-199, 54-1,100, 54-1,101, 54-1,102, 54-1,103,
7 54-1,104, 54-1,105, 54-1,108, 54-1,115, 54-1,116, 54-1,118, 54-1,124.01,
8 54-1,125, 54-1,126, 54-1,127, 54-1,128, 54-1,129, 54-1,131, 54-415,
9 54-1160.01, 60-3,135, 60-480.01, 81-1021, and 84-1005, Reissue Revised
10 Statutes of Nebraska, and sections 81-1316 and 84-1411, Revised Statutes
11 Supplement, 2025, are repealed.

12 **Sec. 54.** The following sections are outright repealed: Sections
13 54-175, 54-175.01, 54-179.01, 54-179.02, 54-179.03, 54-179.04, 54-186,
14 54-187.02, 54-188, 54-191, 54-192, 54-195, 54-1,106, 54-1,109, 54-1,110,
15 54-1,111, 54-1,112, 54-1,113, 54-1,114, 54-1,117, 54-1,119, 54-1,120,
16 54-1,121, and 54-1,122, Reissue Revised Statutes of Nebraska.