

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 899

Introduced by Lonowski, 33; Storm, 23.

Read first time January 08, 2026

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Engineers and Architects Regulation
- 2 Act; to amend sections 81-3437.01 and 81-3451, Reissue Revised
- 3 Statutes of Nebraska, and section 81-3449, Revised Statutes
- 4 Supplement, 2025; to change the requirements for using seals; to
- 5 eliminate an exception relating to the practice of architecture by
- 6 certain nonresidents; to change and eliminate provisions relating to
- 7 certain applications relating to engineers; to harmonize provisions;
- 8 and to repeal the original sections.
- 9 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 81-3437.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 81-3437.01 (1) Each licensee authorized to practice architecture or
4 engineering must obtain a seal. The design of the seal shall be
5 determined by the board. If a professional engineer's license has been
6 issued in a specific discipline, the discipline shall be specified on the
7 seal. The following information shall be on the seal: State of Nebraska;
8 licensee's name; licensee's license number; and the words Architect or
9 Professional (discipline) Engineer.

10 (2) Whenever the seal is applied, the licensee's signature and the
11 date of the seal's application shall be placed across or adjacent to the
12 seal in a manner that does not obscure the licensee's name or the license
13 number on the seal. The board may adopt and promulgate rules and
14 regulations for application of the seal.

15 (3) The seal ~~and the date of its placement~~ shall be on all technical
16 submissions and calculations whenever presented to a client or any public
17 or governmental agency. It shall be unlawful for a licensee to affix his
18 or her seal or to permit his or her seal to be affixed to any document
19 after the expiration of the certificate or for the purpose of aiding or
20 abetting any other person to evade or attempt to evade the Engineers and
21 Architects Regulation Act.

22 (4) The seal ~~and date~~ shall be placed on all originals, copies,
23 tracings, or other reproducible drawings and the first page ~~and last~~
24 ~~pages~~ of specifications, reports, and studies in such a manner that the
25 seal, signature, and date will be reproduced and be in compliance with
26 rules and regulations of the board. The application of the licensee's
27 seal shall constitute certification that the work was done by the
28 licensee or under the licensee's control.

29 (5) In the case of a temporary permit issued to a licensee of
30 another state, the licensee shall use his or her state of licensure seal
31 and shall affix his or her signature and temporary permit to all his or

1 her work.

2 **Sec. 2.** Section 81-3449, Revised Statutes Supplement, 2025, is
3 amended to read:

4 81-3449 The provisions of the Engineers and Architects Regulation
5 Act regulating the practice of architecture do not apply to the following
6 activities:

7 (1) The construction, remodeling, alteration, or renovation of a
8 detached single-family through four-family dwelling of less than five
9 thousand square feet of above grade finished space. Any detached or
10 attached sheds, storage buildings, and garages incidental to the dwelling
11 are not included in the tabulation of finished space. Such exemption may
12 be increased by rule and regulation of the board adopted pursuant to the
13 Negotiated Rulemaking Act but shall not exceed the Type V, column B,
14 limitations set forth by the allowable height and building areas table in
15 the state building code adopted in section 71-6403;

16 (2) The construction, remodeling, alteration, or renovation of a
17 one-story commercial or industrial building or structure of less than
18 five thousand square feet of above grade finished space which does not
19 exceed thirty feet in height unless such building or structure, or the
20 remodeling or repairing thereof, provides for the employment, housing, or
21 assembly of twenty or more persons. Any detached or attached sheds,
22 storage buildings, and garages incidental to the building or structure
23 are not included in the tabulation of finished space. Such exemption may
24 be increased by rule and regulation of the board adopted pursuant to the
25 Negotiated Rulemaking Act but shall not exceed the Type V, column B,
26 limitations set forth by the allowable height and building areas table in
27 the state building code adopted in section 71-6403;

28 (3) The construction, remodeling, alteration, or renovation of farm
29 buildings, including barns, silos, sheds, or housing for farm equipment
30 and machinery, livestock, poultry, or storage, if the structures are
31 designed to be occupied by no more than twenty persons. Such exemption

1 may be increased by rule and regulation of the board adopted pursuant to
2 the Negotiated Rulemaking Act but shall not exceed the Type V, column B,
3 limitations set forth by the allowable height and building areas table in
4 the state building code adopted in section 71-6403;

5 (4) Any public works project with contemplated expenditures for a
6 completed project that do not exceed one hundred thousand dollars. The
7 board shall adjust the dollar amount in this subdivision every fifth
8 year. The first such adjustment after August 27, 2011, shall be effective
9 on July 1, 2014. The adjusted amount shall be equal to the then current
10 amount adjusted by the cumulative percentage change in the Consumer Price
11 Index for All Urban Consumers published by the Federal Bureau of Labor
12 Statistics for the five-year period preceding the adjustment date. The
13 amount shall be rounded to the next highest one-thousand-dollar amount;

14 (5) Any alteration, renovation, or remodeling of a building if the
15 alteration, renovation, or remodeling does not affect architectural or
16 engineering safety features of the building;

17 (6) The teaching, including research and service, of architectural
18 subjects in a college or university offering a degree in architecture
19 accredited by the National Architectural Accrediting Board;

20 (7) The preparation of submissions to architects, building
21 officials, or other regulating authorities by the manufacturer, supplier,
22 or installer of any materials, assemblies, components, or equipment that
23 describe or illustrate the use of such items, the preparation of any
24 details or shop drawings required of the contractor by the terms of the
25 construction documents, or the management of construction contracts by
26 persons customarily engaged in contracting work;

27 (8) The preparation of technical submissions or the administration
28 of construction contracts by employees of a person or organization
29 lawfully engaged in the practice of architecture if such employees are
30 acting under the direct supervision of an architect;

31 (9) A public service provider or an organization who employs a

1 licensee performing professional services for itself;

2 ~~(10) A nonresident who holds the certification issued by the~~
3 ~~National Council of Architectural Registration Boards offering to render~~
4 ~~the professional services involved in the practice of architecture. The~~
5 ~~nonresident shall not perform any of the professional services involved~~
6 ~~in the practice of architecture until licensed as provided in the~~
7 ~~Engineers and Architects Regulation Act. The nonresident shall notify the~~
8 ~~board in writing that (a) he or she holds a National Council of~~
9 ~~Architectural Registration Boards certificate and is not currently~~
10 ~~licensed in Nebraska but will be present in Nebraska for the purpose of~~
11 ~~offering to render architectural services, (b) he or she will deliver a~~
12 ~~copy of the notice to every potential client to whom the applicant offers~~
13 ~~to render architectural services, and (c) he or she promises to apply~~
14 ~~immediately to the board for licensure if selected as the architect for~~
15 ~~the project;~~

16 ~~(10) (11)~~ The practice by a qualified member of another legally
17 recognized profession who is otherwise licensed or certified by this
18 state or any political subdivision to perform services consistent with
19 the laws of this state, the training, and the code of ethics of the
20 respective profession, if such qualified member does not represent
21 himself or herself to be practicing architecture and does not represent
22 himself or herself to be an architect;

23 ~~(11) (12)~~ Financial institutions making disbursements of funds in
24 connection with construction projects;

25 ~~(12) (13)~~ Earthmoving and related work associated with soil and
26 water conservation practices performed on farmland or any land owned by a
27 political subdivision that is not subject to a permit from the Department
28 of Water, Energy, and Environment or for work related to livestock waste
29 facilities that are not subject to a permit by the Department of Water,
30 Energy, and Environment; and

31 ~~(13) (14)~~ The work of employees and agents of a political

1 subdivision or a nonprofit entity organized for the purpose of furnishing
2 electrical service performing, in accordance with other requirements of
3 law, their customary duties in the administration and enforcement of
4 codes, permit programs, and land-use regulations and their customary
5 duties in utility and public works construction, operation, and
6 maintenance.

7 **Sec. 3.** Section 81-3451, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-3451 (1) The following shall be considered as the minimum
10 evidence satisfactory to the board that an applicant is eligible for
11 enrollment as an engineer-intern:

12 (a)(i) Graduation from a program accredited by the Engineering
13 Accreditation Commission of ABET;

14 (ii) Graduation from a program accredited by the Canadian
15 Engineering Accreditation Board; or

16 (iii) Meeting the Education Standard of the National Council of
17 Examiners for Engineering and Surveying as determined by the council;

18 (b) Passage of an examination in the fundamentals of engineering as
19 accepted by the Board of Engineers and Architects;

20 (c) Submittal of an application accompanied by the fee established
21 by the board; and

22 (d) Demonstration of good reputation and good ethical character by
23 attestation of references. The names and complete addresses of references
24 acceptable to the board shall be included in the application for
25 enrollment.

26 ~~(2)(a) The following shall be considered as the minimum evidence~~
27 ~~satisfactory to the board that an applicant is eligible for admission to~~
28 ~~the examination on the principles and practice of engineering that is~~
29 ~~adopted by the board;~~

30 ~~(i)(A) Graduation from a program accredited by the Engineering~~
31 ~~Accreditation Commission of ABET;~~

1 ~~(B) Graduation from a program accredited by the Canadian Engineering~~
2 ~~Accreditation Board; or~~

3 ~~(C) Meeting the Education Standard of the National Council of~~
4 ~~Examiners for Engineering and Surveying as determined by the council;~~

5 ~~(ii) Passage of an examination in the fundamentals of engineering as~~
6 ~~accepted by the Board of Engineers and Architects;~~

7 ~~(iii) Submittal of an application accompanied by the fee established~~
8 ~~by the board; and~~

9 ~~(iv) Demonstration of good reputation and good ethical character by~~
10 ~~attestation of references. The names and complete addresses of references~~
11 ~~acceptable to the board shall be included in the application.~~

12 ~~(b) A candidate who fails the principles and practice of engineering~~
13 ~~examination may apply for reexamination, which may be granted upon~~
14 ~~payment of a fee established by the board. In the event of a second or~~
15 ~~subsequent failure, the examinee may, at the discretion of the board, be~~
16 ~~required to appear before the board with evidence of having acquired the~~
17 ~~necessary additional knowledge to qualify before admission to the~~
18 ~~examination.~~

19 ~~(2) (3)~~ The following shall be considered as the minimum evidence
20 satisfactory to the board that an applicant is eligible for licensure as
21 a professional engineer:

22 ~~(a)(i) Graduation from a program accredited by the Engineering~~
23 ~~Accreditation Commission of ABET;~~

24 ~~(ii) Graduation from a program accredited by the Canadian~~
25 ~~Engineering Accreditation Board; or~~

26 ~~(iii) Meeting the Education Standard of the National Council of~~
27 ~~Examiners for Engineering and Surveying as determined by the council;~~

28 ~~(b) Passage of an examination in the fundamentals of engineering~~
29 ~~that is accepted by the Board of Engineers and Architects;~~

30 ~~(c) (a) Passage of an examination in the principles and practice of~~
31 ~~engineering that is accepted by the board examination as set forth in~~

1 ~~subsection (2) of this section;~~

2 ~~(d) (b)~~ A record of four years or more of progressive post-
3 accredited-degree experience on engineering projects of a grade and
4 character which indicates to the board that the applicant may be
5 competent to practice engineering;

6 ~~(e)~~ Submittal of an application for licensure as a professional
7 engineer accompanied by a fee established by the board;

8 ~~(f) (c)~~ Demonstration of good reputation and good ethical character
9 by attestation of references. The names and complete addresses of
10 references acceptable to the board shall be included in the application
11 for licensure; and

12 ~~(g) (d)~~ Successful passage of an examination on the statutes, rules,
13 and other requirements unique to this state.

14 ~~(3) (4)~~ An individual holding a license to practice engineering
15 issued by a proper authority of any jurisdiction, based on credentials
16 that do not conflict with subsection ~~subsections~~ (2) and ~~(3)~~ of this
17 section and other provisions of the Engineers and Architects Regulation
18 Act, may, upon application, be licensed as a professional engineer after:

19 (a) Demonstration of good reputation and good ethical character by
20 attestation of references. The names and complete addresses of references
21 acceptable to the board shall be included in the application for
22 licensure; and

23 (b) Successful passage of an examination on the statutes, rules, and
24 other requirements unique to this state.

25 ~~(4) (5)~~ An individual who has been licensed to practice engineering
26 for fifteen years or more in one or more jurisdictions and who has
27 practiced engineering for fifteen years in compliance with the licensing
28 laws in the jurisdictions where his or her engineering practice has
29 occurred since initial licensure may, upon application, be licensed as a
30 professional engineer after:

31 (a) Demonstration of good reputation and good ethical character by

1 attestation of references. The names and complete addresses of references
2 acceptable to the board shall be included in the application for
3 licensure; and

4 (b) Successful passage of an examination on the statutes, rules, and
5 other requirements unique to this state.

6 (5) ~~(6)~~ The board may designate a professional engineer as being
7 licensed in a specific discipline or branch of engineering signifying the
8 area in which the professional engineer has demonstrated competence.

9 (6) ~~(7)~~ Upon application to the board in writing and payment of a
10 fee established by the board, an individual who holds a valid license to
11 practice engineering in another jurisdiction may be issued a temporary
12 permit, valid for a definite period of time, to provide engineering
13 services for a specific project. An individual may not be issued more
14 than one temporary permit. No right to practice engineering accrues to
15 such applicant with respect to any other work not set forth in the
16 temporary permit. Temporary permit holders are subject to all of the
17 provisions of the Engineers and Architects Regulation Act governing the
18 practice of engineering.

19 (7) ~~(8)~~ None of the examination materials described in this section
20 shall be considered public records.

21 (8) ~~(9)~~ The board or its agent shall direct the time and place of
22 the engineering examinations referenced in subsections (1) and ~~(2)~~ ~~and~~ ~~(3)~~
23 of this section.

24 (9) ~~(10)~~ The board may adopt the examinations and grading procedures
25 of the National Council of Examiners for Engineering and Surveying. The
26 board may also adopt guidelines published by the council.

27 (10) ~~(11)~~ Licensure shall be effective upon issuance.

28 **Sec. 4.** Original sections 81-3437.01 and 81-3451, Reissue Revised
29 Statutes of Nebraska, and section 81-3449, Revised Statutes Supplement,
30 2025, are repealed.