

PROJECT EXTRA MILE 2019 Legislative Bill Tracking

Bill #	Sponsor(s)	Description	Bill Status	Additional Information
LB11	Blood Urban Affairs	Provide for interlocal agreements regarding nuisances	<i>Approved by Gov. 3/12/19</i>	Permits City and County to enter into an interlocal agreement for joint and cooperative action within extraterritorial zoning jurisdiction to prevent nuisances.
LB39	Hilkemann Transportation and Telecommunications McDonnell name added	Change provisions relating to occupant protection system enforcement and change certain violations from secondary to primary enforcement	Hearing 3/4/19	Requires all passengers of a vehicle to utilize a seatbelt; infraction results in a primary offense and a fine of \$25.
LB56	Lowe General Affairs	Change special designated licensure provisions under the Nebraska Liquor Control Act	<i>Approved by Gov. 3/12/19</i>	Permits the Nebraska Liquor Control Commission (LCC) to deliver a special designated license (SDL) to the licensee electronically. Reduces the number of days prior to the event from 21 to 12 if the local governing body has established an expedited process for SDL applications.
LB91	Wayne Judiciary	Provide for deferred judgments by courts as prescribed	Hearing 3/20/19	<ul style="list-style-type: none"> • Permits a court to defer sentencing of a defendant pending upon successful completion of probation. • The defendant's charge may be dismissed without judgment upon successful completion of probation and payment or waiver of all administrative & programming fees. • A defendant is not eligible for deferred judgement if: <ul style="list-style-type: none"> ○ Have previously been convicted of a felony ○ Have been granted deferred judgement 2 or more times ○ Had been granted deferment within the past 5 years for a felony ○ Are not eligible for probation ○ The defendant is a business entity • Court must first determine if deferred judgement will provide maximum opportunity for rehabilitation and protect the community from further offenses by the defendant • Upon judgement, the court must specify, in writing, reasons and supporting facts for decision

				<ul style="list-style-type: none"> • Probation limits are: <ul style="list-style-type: none"> ○ For a felony, not less than 2 years or more than 5 years ○ For a misdemeanor, not less than 1 year or more than 2 years ○ The term may be extended for up to 1 year ○ The term may be reduced if the purpose of probation has been fulfilled and fees paid
LB110	Wishart Judiciary <i>*Wishart priority</i>	Adopt the Medical Cannabis Act	<i>General File</i> 5/10/19	AM21 pending AM1680 pending AM1865 pending MO96 withdrawn MO97 withdrawn
LB120 <i>Support</i>	Crawford Education	Require teacher and school staff to receive training on behavioral and mental health	Hearing 3/4/19	Requires at least one hour of behavioral and mental health training for nurses, teachers, counselors, psychologists, administrators, social workers, etc. during contract hours. New training topics include trauma-informed care, early detection of behavioral and mental health problems, effective responses for educators, etc.
LB149	Quick; Albrecht, Bolz, Cavanaugh, Hilkemann, Howard, McDonnell, Pansing Brooks, Vargas, Walz, Wishart General Affairs <i>*Quick priority</i>	Change provisions relating to vapor products	<i>Approved by Gov.</i> 5/30/19	Increases legal age of use of vapor products to 19; Violation will result in a Class V misdemeanor. Misrepresenting one's age in order to purchase vapor products shall be guilty of a Class V misdemeanor. Sale to an individual under 21 will result in a Class III misdemeanor. AM901 adopted AM1478 lost AM1228 lost FA62 adopted ER104 adopted AM1679 lost AM965 adopted
LB154 <i>Support</i>	Brewer; Gragert, Pansing Brooks Judiciary Cavanaugh, DeBoer, Slama, Erdman,	Authorize a study to improve reporting and investigation of missing Native American women	<i>Approved by Gov.</i> 3/12/19	Requires Nebraska State Patrol to research how to increase state criminal justice protective and investigative resources for reporting and identifying Native American women and children in Nebraska by working with the Commission on Indian Affairs and the Department of

	Hunt, McCollister name added			Justice. Results and recommendations must be provided to the Legislature by 6/1/2020. AM36 adopted
LB174	Bolz; Hilkemann Appropriations Wayne name added	State intent relating to appropriations for the Office of Violence Prevention	Hearing 3/6/19	Appropriates \$1.525M/fiscal year to the Nebraska Commission on Law Enforcement and Criminal Justice for the Office of Violence Prevention to be used for increasing grant awards, developing an annual statewide strategic plan, increase administrative capacity, and develop a technical assistance partnership with the University of Nebraska. This appropriation does not sunset.
LB200	Wishart Health & Human Services	Change provisions relating to licensure under the Health Care Facility Licensure Act of alcoholism centers providing civil protective custody of intoxicated persons	<i>Approved by Gov. 3/13/19</i>	Prohibits the Department of Health and Human Services from denying a license application or renewal of a facility due to the use of locked doors for civil protective custody services, as long as they are only used while the individual is a danger to themselves or others. AM90 adopted ER20 adopted
LB213	McCollister Judiciary	Provide for setting aside certain infraction, misdemeanor, and felony convictions	Hearing 1/25/19	Restricts the ability of a person to petition to set aside an infraction, misdemeanor or felony to those sentenced to one year or less of imprisonment. A petition shall be denied if filed: 1) By any person with a criminal charge pending in any court in the United States or other country; 2) During any period in which the person is required to register under the Sex Offender Registration Act; 3) For any misdemeanor or felony motor vehicle offense under 28-306 (motor vehicle homicide) or the Nebraska Rules of the Road, including reckless and willful reckless driving, driving under the influence of alcohol or drugs, or driving under a revocation period or; 4) Within 2 years after a previous petition denial.
LB235 ** <i>Oppose</i>	Crawford General Affairs	Change provisions relating to making and serving alcoholic liquor by nonlicensed persons as prescribed	<i>Approved by Gov. 3/13/19</i>	Expands the limited exception for home brewers to participate in brew competitions to include exhibitions,

	Blood, Hunt name added			festivals and tastings, including those for nonprofit fundraisers.
LB314 ** Support	Briese; Friesen Revenue Brandt, Pansing Brooks, Halloran name added	Adopt the Remote Seller Sales Tax Collection Act and change revenue and taxation provisions	Hearing 2/14/19	<p>Provide property tax relief by eliminating certain sales tax exemptions and increasing other sales and excise taxes such as those levied on alcohol and cigarettes. Taxes on all alcoholic beverages increases to the equivalent of \$0.10 per standard drink.</p> <ul style="list-style-type: none"> • Tax on beer increases from \$0.31 to \$1.38/gallon • Tax on wine increases from \$0.95 to \$3.51/gallon • Tax on farm wine increases from \$0.06 to \$2.62/gallon • Tax on spirits increases from \$3.75 to \$12.28/gallon • Increased revenue from alcohol taxes is diverted to the Property Tax Credit Cash Fund • Tax on cigarettes increases from \$0.64 to \$2.14/pack • Expands taxable services • Expands taxable food to include candy, soft drinks, and bottled water • Defines vaping products as tobacco products for tax purposes.
LB322	Crawford; Blood Judiciary	Change provisions relating to enforcement of certain tobacco restriction provisions	<i>General File</i> 2/26/19	<p>Permits youth ages 15 to 17 to assist law enforcement or private contractors hired by a licensee in conducting tobacco compliance checks. Requires written parental consent, that the youth not consume the tobacco product, written notice from the contractor of the compliance check on the outcome of the check to a licensee that refused the sale, and that prevention coalitions shall not subject a business to more than one check every 30 days.</p> <p>AM271 pending</p>
LB335 * Support	Hansen, M Judiciary	Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail	Hearing 2/13/19	<ul style="list-style-type: none"> • Finds that alternatives to incarceration should be considered in order to reduce the cost to taxpayers, successfully rehabilitate offenders and ensure public safety. • Establishes a 24/7 sobriety program that requires abstinence from alcohol and other drugs for a

				<p>specified period of time during which the individual is tested at least twice per day.</p> <ul style="list-style-type: none"> • Participation in the program is voluntary by each County Sheriff or his/her designee. • A test in violation of the 24/7 sobriety program will result in: <ul style="list-style-type: none"> ➤ 1st sanction – continuous 12-hour sanction (jail or detoxification center) & release back into program ➤ 2nd sanction – 24 hours in jail with release back into the program ➤ 3rd to 5th sanction – 48 hours served in jail and participant’s bond reset by the court ➤ 6th sanction – removal from the 24/7 sobriety program and participant shall be ineligible for further participation in the program for that case. • Participants may opt for a continuous alcohol monitoring device and be responsible for the cost of said device. • Reasonable fees not to exceed \$3 per day shall be established by the sheriff or designated agency to cover costs incurred but may be waived by court if participant has demonstrated inability to pay. • If program participant is arrested for a DUI while in the program, the participant may petition the court to remain if he/she is able to demonstrate 30 consecutive days without sanctions being imposed.
<p>LB378 <i>Oppose</i></p>	<p>Hansen, B; Albrecht, Brewer, Clements, Dorn, Erdman, Friesen, Gragert, Groene, Halloran, Lowe, Murman, Slama, Wishart Transportation & Telecommunications Linehan, Morfeld name added</p>	<p>Change helmet provisions for autocycles, motorcycles, and mopeds</p>	<p><i>General File</i> <i>5/1/19</i></p>	<p>Provides an exemption for those 21 years and older to not be required to wear a helmet while on an autocycle, motorcycle, or moped. Requires eye protection for operators of autocycles, motorcycles and mopeds.</p> <p>AM1663 pending AM1662 pending AM1664 pending AM1659 pending AM1665 pending</p>

LB429	Wayne Revenue	Change tax provisions for cigars, cheroots, and stogies	Hearing 3/27/19	Establishes the maximum tax on cigars, cheroots, or stogies as 50 cents for each cigar, cheroot, or stogie.
LB445	McDonnell; Cavanaugh, DeBoer, Groene, Halloran, Hilkemann, Hunt, Kolowski, Lathrop, Linehan, Murman, Slama, Vargas, Walz, Wayne, Wishart Urban Affairs *Speaker priority Erdman, Brewer, Geist, Lowe name added	Require a city of the metropolitan class to provide an annual budget report relating to use of any occupation tax levied and collected	<i>Approved by Gov. 5/2/19</i>	Requires any municipality to annually report on the collection and use of any occupation tax levied and collected no later than 90 days after the end of the fiscal year. The report must include, but is not limited to: <ul style="list-style-type: none"> • Purpose for imposing the tax • Amount of tax collected • Itemization of how tax was expended or budgeted to be spent • Scheduled or projected termination of the tax AM520 adopted AM641 adopted ER68 adopted
LB497 ** <i>Support</i>	Friesen; Albrecht, Bostelman, Brandt, Brewer, Briese, Dorn, Erdman, Gragert, Halloran, Hughes, Murman Revenue Kolterman name added	Adopt the School District Property Tax Authority Act and change revenue and taxation provisions	Hearing 2/14/19	Rebuild the Cash Reserve Fund by eliminating certain sales tax exemptions and increasing other sales and excise taxes such as those levied on alcohol and cigarettes. <ul style="list-style-type: none"> • Tax on beer increases from \$0.31 to \$1.38/gallon • Tax on wine increases from \$0.95 to \$3.51/gallon • Tax on farm wine increases from \$0.06 to \$2.62/gallon • Tax on spirits increases from \$3.75 to \$12.28/gallon • Alcohol tax revenue continues to be deposited into the General Fund • Tax on cigarettes increases from \$0.64 to \$2.14/pack • Expands taxable services • Terminates grocery tax exemption on 1/1/2020
LB500 <i>Oppose</i>	Morfeld Judiciary	Prohibit participation in pretrial diversion programs for certain driving under the influence and driver's license offenses	Hearing 2/13/19	Allows a person who has been arrested but not yet convicted of a first-time, non-aggravated DUI to be eligible for pretrial diversion.
LB579 <i>Oppose</i>	Quick Judiciary	Authorize issuance of ignition interlock permits to persons who caused serious bodily injury while driving under the influence	<i>Indefinitely postponed 5/31/19</i>	AM345 pending

<p>LB584** Oppose</p>	<p>Hilgers General Affairs Slama name added</p>	<p>Change farm winery provisions and provide for a promotional special designated license</p>	<p><i>Indefinitely postponed</i> 5/31/19</p>	<ul style="list-style-type: none"> • Decreases Nebraska grown grape requirement from 75% to 60% • Increases the gallonage production requirement from 30,000 to 50,000 gallons for the requirement to use a licensed wholesaler • Establishes “craft wineries” by allowing the sale of wine at the farm winery and 4 (instead of 1) branch outlets in reasonable amounts • Permits the farm winery to sell beer or other alcoholic beverages so long as they hold the appropriate license • Establishes a promotional special designated license for craft breweries, microdistilleries, and farm wineries to be used once in a 12-month period for sale of product at festivals, bazaars, picnics, carnivals, and similar functions conducted outside the licensed premise. Establishes a fee of \$250. <p>AM903 pending Partially adopted as amendment into LB592</p>
<p>LB591** Support</p>	<p>Briese General Affairs</p>	<p>Provide for alcohol impact zones and provide duties for the Nebraska Liquor Control Commission</p>	<p>Hearing 3/18/19</p>	<ul style="list-style-type: none"> • Defines alcohol impact zones as geographical areas that are adversely affected by chronic public inebriation or illegal activity associated with sales or consumption of alcoholic liquor. • Permits a city council, village board of trustees, or county board to apply to the Nebraska Liquor Control Commission for the creation of an alcohol impact zone. The application must include the following information regarding the request: <ol style="list-style-type: none"> 1. A description of the issue and geographical area; 2. Evidence demonstrating the need for the zone and how chronic public inebriation or illegal activity associated with liquor sales or consumption in the area: <ul style="list-style-type: none"> ▪ How it contributes to the deterioration of general quality of life, ▪ How it threatens the welfare, health, peace or safety of visitors and occupants of the area,

				<ul style="list-style-type: none"> ▪ Demonstrates a pervasive pattern of public intoxication of public consumption of liquor • Requires the city council, village board of trustees, or county board to submit a report to the Commission one year after the creation of the impact zone, and every 5 years thereafter, clearly demonstrating the effectiveness of the conditions or restrictions. • The impact zone shall remain in effect until the Commission repeals the creation of it.
LB592 ** Support	Briese General Affairs * General Affairs priority bill	Provide additional powers to the Nebraska Liquor Control Commission to suspend sales of alcoholic liquor	<i>Approved by Gov. 5/30/19</i>	<ul style="list-style-type: none"> • Decreases Nebraska grown grape requirement from 75% to 60% • Establishes “craft wineries” by allowing the sale of wine at the farm winery and 4 (instead of 1) branch outlets in reasonable amounts <p>MO37 withdrawn AM1359 adopted AM1587 lost ER124 adopted</p>
LB614 * Support	Crawford Revenue Pansing Brooks name added	Change revenue and taxation provisions	Hearing 3/1/19	<p>Provide property tax relief by eliminating certain sales tax exemptions and increasing other sales and excise taxes such as those levied on liquor and cigarettes.</p> <ul style="list-style-type: none"> • Tax on spirits increases from \$3.75 to \$8.02/gallon • Tax on cigarettes increases from \$0.64 to \$2.14/pack • Expands taxable food to include candy, soft drinks, and bottled water <p>AM186 pending</p>
LB635 ** Support	Hilkemann General Affairs	Change membership of the Nebraska Liquor Control Commission	Hearing 2/11/19	Expands the number of Nebraska Liquor Control Commissioners from three to five.
LB682 ** Oppose	Vargas General Affairs	Provide for taxing spirits as proof gallons	Hearing 3/25/19	<p>Alters spirits taxes to be taxed by proof gallon, rather than by the gallon.</p> <p>(Proof measures the alcohol content of spirits by multiplying the percent of alcohol by volume by two. Converting U.S. gallons into proof gallons:</p>

				<ol style="list-style-type: none"> 1. Multiply U.S. gallons by the percent of alcohol by volume 2. Multiply by two 3. Divide by 100.)
LB710	Cavanaugh Revenue	Change provisions relating to tobacco including sales, crimes, a tax increase, and distribution of funds	Hearing 2/28/19	<ul style="list-style-type: none"> • Creates the Behavioral Health Provider Stabilization Fund to be used to leverage federal funds for behavioral health services provider rate reimbursement. • Increases taxes on cigarettes from \$0.64 to \$2.14 and allocates the additional \$1.50 to various public health and health care funds and programs.
LB723 ** <i>Oppose</i>	Vargas; Blood, Wayne General Affairs	Change taxes on manufacturers and wholesalers under the Nebraska Liquor Control Act	Hearing 3/25/19	<p>Decreases alcohol excise taxes as follows:</p> <ul style="list-style-type: none"> • Tax on beer decreases from \$0.31 to \$0.25/gallon • Tax on wine decreases from \$0.95 to \$0.90/gallon • Tax on farm wine decreases from \$0.06 to \$0.05/gallon • Tax on spirits decreases from \$3.75 to \$3.50/gallon
LB734 ** <i>Support</i>	Hunt General Affairs Briese name added	Provide for licensure of charter bus services under the Nebraska Liquor Control Act	<i>General File</i> 3/13/19	<p>Requires charter bus services to be licensed by the Liquor Control Commission to be able to consume alcohol on board the bus. Establishes an annual license fee of \$75.</p> <p>AM545 pending</p>
LB736	Murman; Halloran Government, Military and Veterans Affairs	Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities	Hearing 2/28/19	<p>Beginning January 1, 2020:</p> <ul style="list-style-type: none"> • Occupation tax or license fees may not be greater than \$25 annually • Metropolitan cities may not impose an occupation tax or license fee on a profession or business that provides good or services unless the profession or business was subject to a tax or fee on January 1, 2020 • No licensing requirement shall be imposed by a metropolitan city on any profession or business which is subject to state licensing requirements

* Testimony, including submission of written comments, provided by Project Extra Mile

** Oral testimony was provided for bills

The 106th Legislature, First Regular Session adjourned Sine Die on May 31, 2019.

Prepared by Project Extra Mile

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