

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 644

FINAL READING

Introduced by Bostar, 29; at the request of the Governor; Sanders, 45.

Read first time January 22, 2025

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to foreign entities; to amend sections
2 49-1480, 49-14,126, and 49-14,140, Reissue Revised Statutes of
3 Nebraska, and sections 49-1496, 73-901, 73-903, 73-905, and 73-906,
4 Revised Statutes Cumulative Supplement, 2024; to adopt the Foreign
5 Adversary and Terrorist Agent Registration Act and the Crush
6 Transnational Repression in Nebraska Act; to provide requirements
7 under the Nebraska Political Accountability and Disclosure Act for a
8 lobbyist engaged in lobbying activity or a consultant engaged in
9 influencing activity on behalf of a Chinese military company; to
10 change provisions relating to statements of financial interests; to
11 provide for payments by the Nebraska Accountability and Disclosure
12 Commission to persons reporting certain violations; to provide civil
13 penalties; to define and redefine terms; to change provisions of the
14 Foreign Adversary Contracting Prohibition Act relating to certain
15 allowed contracts; to prohibit certain companies from receiving
16 benefits from incentive programs; to provide requirements and
17 restrictions relating to genetic sequencing activities by medical
18 and research facilities; to provide restrictions relating to the
19 storage of and remote access to genetic sequencing data; to
20 harmonize provisions; to provide an operative date; to provide
21 severability; and to repeal the original sections.

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

1 **Section 1.** Sections 1 to 13 of this act shall be known and may be
2 cited as the Foreign Adversary and Terrorist Agent Registration Act.

3 **Sec. 2.** The purpose of the Foreign Adversary and Terrorist Agent
4 Registration Act is to provide public transparency for the political and
5 propaganda activities and influence operations of agents of adversary
6 nations and foreign terror organizations in Nebraska.

7 **Sec. 3.** For purposes of the Foreign Adversary and Terrorist Agent
8 Registration Act:

9 (1) Adversary nation means those countries listed in 15 C.F.R.
10 791.4, as such regulation existed on April 1, 2025;

11 (2)(a) Agent of a foreign principal means:

12 (i) Any person who directly, or through any other person, within the
13 State of Nebraska, engages in covered activities and who acts:

14 (A) As an agent, representative, employee, or servant, of a foreign
15 principal; or

16 (B) In any other capacity at the order or request or under the
17 direction or control, of a foreign principal or of a person, any of whose
18 activities are directly or indirectly supervised, directed, controlled,
19 financed, or subsidized in whole or in part by, a foreign principal; or

20 (ii) Any person who agrees, consents, assumes, or purports to act
21 as, or who is or purports to be, whether or not pursuant to a contractual
22 relationship, an agent of a foreign principal as defined in subdivision
23 (2)(a)(i) of this section.

24 (b) Agent of a foreign principal does not include any media entity,
25 solely by virtue of any bona fide news or journalistic activities,
26 including the solicitation or acceptance of advertisements,
27 subscriptions, or other compensation therefor, so long as:

28 (i) The media entity is at least eighty percent beneficially owned
29 by citizens of the United States;

30 (ii) Any officers and directors of the media entity are citizens of
31 the United States; and

1 (iii) The media entity is not owned, directed, supervised,
2 controlled, subsidized, or financed, and none of its policies are
3 determined by, any foreign principal or by any agent of a foreign
4 principal required to register under the Foreign Adversary and Terrorist
5 Agent Registration Act;

6 (3) Covered activities means:

7 (a) Engaging in political activities for, or in the interests of, a
8 foreign principal;

9 (b) Acting as a public relations counsel, publicity agent,
10 information-service employee or political consultant for, or in the
11 interests of, a foreign principal;

12 (c) Soliciting, collecting, disbursing, or dispensing contributions,
13 loans, money, or other things of value for, or in the interests of, a
14 foreign principal; or

15 (d) Representing the interests of such foreign principal before any
16 agency or official of this state or a political subdivision of this
17 state;

18 (4) False statement of material fact includes any of the following
19 with respect to a registration statement, a supplement to such statement,
20 or any document filed with or furnished to the Attorney General under the
21 Foreign Adversary and Terrorist Agent Registration Act:

22 (a) A false statement of material fact;

23 (b) An omission of a material fact required to be reported; and

24 (c) An omission of a material fact or copy of a material document
25 necessary to make the statements made in such statement, supplement, or
26 document not misleading;

27 (5) Foreign political party means any organization or any other
28 combination of individuals in a country other than the United States, or
29 any unit or branch thereof, having for an aim or purpose, or which is
30 engaged in any activity devoted in whole or in part to, the
31 establishment, administration, control, or acquisition of administration

1 or control, of a government of a foreign country or a subdivision
2 thereof, or the furtherance or influencing of the political or public
3 interests, policies, or relations of a government of a foreign country or
4 a subdivision thereof;

5 (6) Foreign principal means:

6 (a) A government of a foreign country, any agency or instrumentality
7 of such government, or a foreign political party;

8 (b) A person outside of the United States, unless it is established
9 that such person is an individual and a citizen or permanent resident of
10 and domiciled within the United States, or that such person is not an
11 individual and is organized under or created by the laws of the United
12 States or of any state or other place subject to the jurisdiction of the
13 United States and has its principal place of business within the United
14 States;

15 (c) A partnership, association, corporation, organization, or other
16 combination of persons organized under the laws of, or having its
17 principal place of business in, a foreign country;

18 (d) A partnership, association, corporation, organization, or other
19 combination of persons that is at least twenty percent beneficially owned
20 by a partnership, association, corporation, organization, or other
21 combination of persons organized under the laws of, or having its
22 principal place of business in, a foreign country;

23 (e) Any person that owns or operates in whole or in part an entity
24 described in subdivision (6)(d) of this section;

25 (f) Any person that is owned or operated in whole or in part by a
26 person or entity described in subdivision (6)(a), (b), (c), or (e) of
27 this section; or

28 (g) A foreign terrorist organization;

29 (7) Foreign terrorist organization means an organization included on
30 the United States Department of State's list of designated foreign
31 terrorist organizations pursuant to 8 U.S.C. 1189, as such section

1 existed on April 1, 2025;

2 (8) Government of a foreign country means any person or group of
3 persons exercising sovereign de facto or de jure political jurisdiction
4 over any country, other than the United States, or over any part of such
5 country, and includes any subdivision of any such group and any group or
6 agency to which such sovereign de facto or de jure authority or functions
7 are directly or indirectly delegated. Such term shall include any faction
8 or body of insurgents within a country assuming to exercise governmental
9 authority whether such faction or body of insurgents has or has not been
10 recognized by the United States;

11 (9) Information service employee means any person who is engaged in
12 furnishing, disseminating, or publishing accounts, descriptions,
13 information, or data with respect to the political, industrial,
14 employment, economic, social, cultural, or other benefits, advantages,
15 facts, or conditions of any country other than the United States, any
16 government of a foreign country, any foreign political party, or a
17 partnership, association, corporation, organization, or other combination
18 of individuals organized under the laws of, or having its principal place
19 of business in, a foreign country;

20 (10) Media entity means any:

21 (a) News or press service or association organized under the laws of
22 the United States, any state, or any other place subject to the
23 jurisdiction of the United States;

24 (b) Newspaper, magazine, periodical, or other publication; or

25 (c) Website or application that enables users to create and share
26 content or to participate in social networking;

27 (11) Owned or operated in whole or in part means that a person has
28 the power, directly or indirectly, whether or not exercised, to
29 determine, direct, or decide important matters affecting an entity
30 including through:

31 (a) The ownership of at least twenty percent of the total

1 outstanding voting interest in an entity;

2 (b) Board representation;

3 (c) The ability to appoint or discharge any board members, officers,
4 or directors;

5 (d) Proxy voting, a special share, contractual arrangements, legal
6 obligations, or formal or informal arrangements to act in concert; or

7 (e) Any other means;

8 (12) Person means an individual, a partnership, an association, a
9 corporation, an organization, or any other entity or combination of
10 individuals;

11 (13) Political activities means any activity that the person
12 engaging in believes will, or that the person intends to, in any way
13 influence any agency or official of this state or a political subdivision
14 of this state with reference to formulating, adopting, or changing the
15 domestic or foreign policies of the United States or of the State of
16 Nebraska with reference to the political or public interests, policies,
17 or relations of a government of a foreign country or a foreign political
18 party;

19 (14) Political consultant means any person who engages in informing
20 or advising any other person with reference to the policies of the State
21 of Nebraska or the political or public interest, policies, or relations
22 of a foreign country or of a foreign political party;

23 (15) Political propaganda means information, especially of a biased
24 or misleading nature, used to promote the political cause or point of
25 view of an adversary nation, a foreign terrorist organization, or a
26 political party from an adversary nation or a foreign terrorist
27 organization;

28 (16) Postsecondary educational institution has the same meaning as
29 postsecondary institution in section 85-2403;

30 (17) Prints means newspapers, periodicals, books, pamphlets, sheet
31 music, visiting cards, address cards, printing proofs, engravings,

1 photographs, pictures, drawings, plans, maps, patterns to be cut out,
2 catalogs, prospectuses, and advertisements; printed, engraved,
3 lithographed, or autographed notices of various kinds; and, in general,
4 all impressions or reproductions obtained on paper or other material
5 assimilable to paper, on parchment or on cardboard, by means of printing,
6 engraving, lithography, autography, or any other easily recognizable
7 mechanical process, with the exception of the copying press, stamps with
8 movable or immovable type, and the typewriter;

9 (18) Public relations counsel means any person who engages directly
10 or indirectly in informing, advising, or in any way representing a
11 principal in any public relations matter pertaining to political or
12 public interests, policies, or relations of such principal;

13 (19) Publicity agent means any person who engages directly or
14 indirectly in the publication or dissemination of oral, visual, graphic,
15 written, or pictorial information or matter of any kind, including
16 publication by means of advertising, books, periodicals, newspapers,
17 lectures, broadcasts, motion pictures, or otherwise;

18 (20) Registration statement means the registration statement
19 required to be filed with the Attorney General under section 4 of this
20 act, and any supplements to such statement required to be filed under
21 such section, and includes all documents and papers required to be filed
22 with, or in amendment to, such statement or supplements, whether attached
23 or incorporated by reference; and

24 (21) United States, when used in a geographical sense, means the
25 several states, the District of Columbia, the territories, the insular
26 possessions, and all other places now or hereafter subject to the civil
27 or military jurisdiction of the United States.

28 **Sec. 4.** (1) No person shall act as an agent of a foreign principal
29 from an adversary nation or a foreign terrorist organization unless such
30 person has filed with the Attorney General a true and complete
31 registration statement and supplements to such statement as required by

1 this section or unless such person is exempt from registration under the
2 Foreign Adversary and Terrorist Agent Registration Act. Except as
3 otherwise provided under the act, every person who becomes an agent of a
4 foreign principal from an adversary nation or a foreign terrorist
5 organization shall, within ten days thereafter, file with the Attorney
6 General, in duplicate, a registration statement, under oath on a form
7 prescribed by the Attorney General. The obligation of such an agent to
8 file a registration statement shall, after the tenth day of such person
9 becoming such an agent, continue from day to day, and termination of such
10 status shall not relieve such agent from the obligation to file a
11 registration statement for the period during which such agent was an
12 agent of a foreign principal from an adversary nation or a foreign
13 terrorist organization. The registration statement shall include the
14 following, which shall be regarded as material for the purposes of this
15 subsection:

16 (a) The registrant's name, principal business address, and all other
17 business addresses in the United States or elsewhere, and all residence
18 addresses, if any;

19 (b) The status of the registrant, including:

20 (i) If an individual, such individual's citizenship;

21 (ii) If a partnership, the name, residence addresses, and
22 citizenship of each partner and a true and complete copy of its
23 partnership agreement;

24 (iii) If an association, corporation, organization, or any other
25 combination of individuals, the name, residence addresses, and
26 citizenship of each director and officer and of each person performing
27 the functions of a director or officer and a true and complete copy of
28 its charter, articles of incorporation, association, constitution,
29 operating agreement, certificate of organization, articles of
30 organization, and bylaws and any amendments thereto; and

31 (iv) A copy of every other instrument or document and a statement of

1 the terms and conditions of every oral agreement relating to the
2 registrant's organization, powers, and purposes, and a statement of
3 ownership and control;

4 (c)(i) A comprehensive statement of the nature of the registrant's
5 business;

6 (ii) A complete list of the registrant's employees and a statement
7 of the nature of the work of each;

8 (iii) The name and address of every foreign principal from an
9 adversary nation or a foreign terrorist organization for whom the
10 registrant is acting, assuming or purporting to act, or has agreed to
11 act;

12 (iv) The character of the business or other activities of every such
13 foreign principal from an adversary nation or a foreign terrorist
14 organization, and, if any such principal is not an individual, a
15 statement of the ownership and control of each; and

16 (v) The extent, if any, to which each such foreign principal from an
17 adversary nation or a foreign terrorist organization is supervised,
18 directed, owned, controlled, financed, or subsidized, in whole or in
19 part, by any government of a foreign country or foreign political party,
20 or by any other foreign principal from an adversary nation or a foreign
21 terrorist organization;

22 (d)(i) Copies of each written agreement and the terms and conditions
23 of each oral agreement, including all modifications of such agreements,
24 or, if no agreement exists, a full statement of all the circumstances, by
25 reason of which the registrant is an agent of a foreign principal from an
26 adversary nation or a foreign terrorist organization; and

27 (ii) A comprehensive statement of the nature and method of
28 performance of each such agreement, and of the existing and proposed
29 activity or activities engaged in or to be engaged in by the registrant
30 as agent of a foreign principal from an adversary nation or a foreign
31 terrorist organization for each such principal, including a detailed

1 statement of any such activity that is a political activity;

2 (e) The nature and amount of any contributions, income, money, or
3 thing of value that the registrant has received within the preceding one
4 hundred eighty days from each such foreign principal from an adversary
5 nation or a foreign terrorist organization, either as compensation or for
6 disbursement or otherwise, and the form and time of each such payment and
7 from whom received;

8 (f)(i) A detailed statement of every activity that the registrant is
9 performing, assuming or purporting to perform, directing others to
10 perform, or has agreed to perform for the registrant or for any person
11 other than a foreign principal from an adversary nation or a foreign
12 terrorist organization and that requires registration under this section,
13 including a detailed statement of any such activity that is a political
14 activity;

15 (ii) The name, business, and residence addresses, and if an
16 individual, such individual's citizenship, of any such other person;

17 (iii) The extent to which each such other person is supervised,
18 directed, owned, controlled, financed, or subsidized, in whole or in
19 part, by any government of a foreign country or foreign political party
20 or by any other foreign principal from an adversary nation or a foreign
21 terrorist organization; and

22 (iv) The nature and amount of contributions, income, money, or thing
23 of value, if any, that the registrant has received during the preceding
24 one hundred eighty days from each such other person in connection with
25 any of the activities referred to in subdivision (1)(f)(i) of this
26 section, either as compensation or for disbursement or otherwise, and the
27 form and time of each such payment and from whom received;

28 (g)(i) A detailed statement of the money and other things of value
29 spent or disposed of by the registrant during the preceding one hundred
30 eighty days in furtherance of or in connection with activities that
31 require registration under this section and that have been undertaken by

1 the registrant either as an agent of a foreign principal from an
2 adversary nation or a foreign terrorist organization, for the registrant,
3 or for any other person or in connection with any activities relating to
4 the registrant becoming an agent of such principal; and

5 (ii) A detailed statement of any contributions of money or other
6 things of value made by the registrant during the preceding one hundred
7 eighty days, other than contributions prohibited under 52 U.S.C. 30121,
8 as such section existed on April 1, 2025, in connection with an election
9 to any political office or in connection with any primary election,
10 convention, or caucus held to select candidates for any political office;

11 (h) Copies of each written agreement and the terms and conditions of
12 each oral agreement, including all modifications of such agreements, or,
13 if no agreement exists, a full statement of all the circumstances, by
14 reason of which the registrant is performing, assuming or purporting to
15 perform, directing others to perform, or has agreed to perform for the
16 registrant, for a foreign principal from an adversary nation or a foreign
17 terrorist organization, or for any other person, any activities that
18 require registration under this section;

19 (i) Such other statements, information, or documents pertinent to
20 the purposes of this subsection as the Attorney General, having due
21 regard for the national security and the public interest, may from time
22 to time require; and

23 (j) Such further statements and such further copies of documents as
24 are necessary to make the statements made in the registration statement
25 and supplements to such statement, and the copies of documents furnished
26 therewith, not misleading.

27 (2) Every agent of a foreign principal from an adversary nation or a
28 foreign terrorist organization who has filed a registration statement
29 required by subsection (1) of this section shall, within thirty days
30 after the expiration of each period of six months succeeding such filing,
31 file with the Attorney General a supplement to such statement under oath,

1 on a form prescribed by the Attorney General. Such statement shall set
2 forth, with respect to such preceding six-month period, such facts as the
3 Attorney General, having due regard for the national security and the
4 public interest, deems necessary to make the information required under
5 this section accurate, complete, and current with respect to such six-
6 month period. In connection with the information furnished under
7 subdivisions (1)(c), (d), (f)(i), and (h) of this section, the registrant
8 shall give notice to the Attorney General of any change therein within
9 ten days after such change occurs. If the Attorney General, having due
10 regard for the national security and the public interest, determines that
11 it is necessary to carry out the purposes of the Foreign Adversary and
12 Terrorist Agent Registration Act, the Attorney General may, in any
13 particular case, require supplements to the registration statement to be
14 filed at more frequent intervals with respect to all or particular items
15 of information to be furnished.

16 (3) The registration statement and supplements to such statement
17 shall be executed under oath as follows:

18 (a) If the registrant is an individual, by such individual;

19 (b) If the registrant is a partnership, by the majority of the
20 partners thereof; and

21 (c) If the registrant is a person other than an individual or a
22 partnership, by a majority of the officers thereof or persons performing
23 the functions of officers or by a majority of the board of directors
24 thereof or persons performing the functions of directors, if any.

25 (4) The fact that a registration statement or supplement has been
26 filed shall not:

27 (a) Necessarily be deemed full compliance with the Foreign Adversary
28 and Terrorist Agent Registration Act and the rules and regulations
29 adopted and promulgated under the act on the part of the registrant;

30 (b) Indicate that the Attorney General has in any way passed upon
31 the merits of such statement or supplement; or

1 (c) Preclude liability for willfully:

2 (i) Failing to file a registration statement or supplement when due;

3 or

4 (ii) Making a false statement of a material fact in such statement,
5 supplement, or any other document filed with or furnished to the Attorney
6 General under the Foreign Adversary and Terrorist Agent Registration Act.

7 (5) If any agent of a foreign principal required to register under
8 the Foreign Adversary and Terrorist Agent Registration Act has previously
9 registered with the Attorney General under the act, the Attorney General,
10 in order to eliminate inappropriate duplication, may permit the
11 incorporation by reference in the registration statement or supplements
12 of any information or documents previously filed by such agent.

13 **Sec. 5. (1) Section 4 of this act shall not apply to the following**
14 agents of foreign principals:

15 (a) A duly accredited diplomatic or consular officer of a foreign
16 government who is so recognized by the United States Department of State,
17 while such officer is engaged exclusively in activities that are
18 recognized by the United States Department of State as being within the
19 scope of the functions of such officer;

20 (b) Any official of a foreign government, if such government is
21 recognized by the United States, who is not a public relations counsel,
22 publicity agent, information service employee, or a citizen of the United
23 States, whose name and status and the character of whose duties as such
24 official are of public record in the United States Department of State,
25 while such official is engaged exclusively in activities that are
26 recognized by the United States Department of State as being within the
27 scope of the functions of such official;

28 (c) Any member of the staff of, or any person employed by, a duly
29 accredited diplomatic or consular officer of a foreign government who is
30 so recognized by the United States Department of State, other than a
31 public relations counsel, publicity agent, or information service

1 employee, whose name and status and the character of whose duties as such
2 member or employee are of public record in the United States Department
3 of State, while such member or employee is engaged exclusively in the
4 performance of activities that are recognized by the United States
5 Department of State as being within the scope of the functions of such
6 member or employee;

7 (d) Any person qualified to practice law in the State of Nebraska,
8 insofar as such person engages or agrees to engage in the legal
9 representation of a foreign principal from an adversary nation or a
10 foreign terrorist organization before any state or federal court or
11 agency or any agency of a political subdivision of this state, except
12 that for the purposes of the Foreign Adversary and Terrorist Agent
13 Registration Act, legal representation does not include attempts to
14 influence or persuade agency personnel or officials other than in the
15 course of judicial proceedings, criminal or civil law enforcement
16 inquiries, investigations, or proceedings, or agency proceedings required
17 by statute or regulation to be conducted on the record; or

18 (e) Any person who advocates on behalf of an individual for
19 individualized immigration relief.

20 (2) No person acting as an agent of a foreign principal from an
21 adversary nation or a foreign terrorist organization shall subcontract
22 for services for activities regulated under the Foreign Adversary and
23 Terrorist Agent Registration Act requiring registration as an agent of a
24 foreign principal, or otherwise induce another person to carry out
25 activities that are so regulated under the act unless such person fully
26 informs all parties of their status as such an agent. The requirements of
27 this subsection apply to any person carrying out services or activities
28 regulated under the act requiring registration as an agent of a foreign
29 principal.

30 **Sec. 6.** (1) Every person within the State of Nebraska who is an
31 agent of a foreign principal from an adversary nation or a foreign

1 terrorist organization and who is required to register under the Foreign
2 Adversary and Terrorist Agent Registration Act and who transmits or
3 causes to be transmitted in the United States mail, through digital
4 communication, or by any means or instrumentality of interstate or
5 foreign commerce any informational materials for, or in the interests of,
6 such foreign principal in the form of prints or in any other form that is
7 reasonably adapted to being, that such person believes will be, or that
8 such person intends to be, disseminated or circulated among two or more
9 persons shall, not later than forty-eight hours after the beginning of
10 the transmittal thereof, file with the Attorney General two copies
11 thereof.

12 (2) It shall be unlawful for any person within the State of Nebraska
13 who is an agent of a foreign principal from an adversary nation or a
14 foreign terrorist organization and required to register under the Foreign
15 Adversary and Terrorist Agent Registration Act to transmit or cause to be
16 transmitted in the United States mail, through digital communication, or
17 by any means or instrumentality of interstate or foreign commerce any
18 informational materials for, or in the interests of, such foreign
19 principal without placing in such informational materials a conspicuous
20 statement that the materials are distributed by the agent on behalf of
21 such foreign principal, and that additional information is on file with
22 the Attorney General. The Attorney General may by rule and regulation
23 define what constitutes a conspicuous statement for the purposes of this
24 section.

25 (3) The copies of informational materials required by this section
26 to be filed with the Attorney General shall be available for public
27 inspection under such rules and regulations as the Attorney General may
28 adopt and promulgate.

29 (4) It shall be unlawful for any person within the State of Nebraska
30 who is an agent of a foreign principal from an adversary nation or a
31 foreign terrorist organization required to register under the Foreign

1 Adversary and Terrorist Agent Registration Act to transmit, convey, or
2 otherwise furnish to any agency or official of the state, including any
3 agency or official of a political subdivision of the state, for or in the
4 interests of such foreign principal, any political propaganda, or to
5 request from any such agency or official for, or in the interests of,
6 such foreign principal, any information or advice with respect to any
7 matter pertaining to the political or public interests, policies, or
8 relations of an adversary nation, a foreign terrorist organization, or a
9 political party from an adversary nation or a foreign terrorist
10 organization, or pertaining to the foreign or domestic policies of the
11 United States or the State of Nebraska, unless the propaganda or the
12 request is prefaced or accompanied by a true and accurate statement to
13 the effect that such person is registered as an agent of such foreign
14 principal under the Foreign Adversary and Terrorist Agent Registration
15 Act.

16 (5) Whenever any agent of a foreign principal from an adversary
17 nation or a foreign terrorist organization required to register under the
18 Foreign Adversary and Terrorist Agent Registration Act appears before any
19 committee of the Legislature or a local government to testify for, or in
20 the interests of, such foreign principal, such agent shall, at the time
21 of such appearance, furnish the committee with a copy of such agent's
22 most recent registration statement filed with the Attorney General for
23 inclusion in the records of the committee as part of such agent's
24 testimony.

25 **Sec. 7.** (1) Every person who is an agent of a foreign principal
26 from an adversary nation or a foreign terrorist organization registered
27 under the Foreign Adversary and Terrorist Agent Registration Act shall
28 keep and preserve, while such person is such an agent, such books of
29 account and other records with respect to all activities, the disclosure
30 of which is required under the act, in accordance with such business and
31 accounting practices, as the Attorney General, having due regard for the

1 national security and the public interest, may by rule and regulation
2 require as necessary or appropriate for the enforcement of the act and
3 shall preserve such records for a period of three years following the
4 termination of such status. Until rules and regulations are in effect
5 under this section, every agent of a foreign principal from an adversary
6 nation or a foreign terrorist organization shall keep books of account
7 and shall preserve all written records with respect to such agent's
8 activities. Such books and records shall be open at all reasonable times
9 to the inspection of any official charged with the enforcement of the
10 act.

11 (2) No person shall willfully (a) conceal, destroy, obliterate,
12 mutilate, or falsify, any book or record that is required to be kept
13 under the act, (b) attempt such conduct, or (c) cause such conduct to be
14 done.

15 **Sec. 8.** (1) The Attorney General shall retain in permanent form one
16 copy of each registration statement furnished under the Foreign Adversary
17 and Terrorist Agent Registration Act, and such statement shall be a
18 public record and open to public examination and inspection at such
19 reasonable hours, under such rules and regulations as the Attorney
20 General may adopt and promulgate.

21 (2) The Attorney General shall, upon receipt, promptly transmit one
22 copy of any registration statement filed, and one copy of every amendment
23 or supplement to such statement filed, to the United States Secretary of
24 State for such comment and use as the secretary may determine to be
25 appropriate from the point of view of the foreign relations of the United
26 States. Failure of the Attorney General to transmit such copy shall not
27 be a bar to prosecution under the Foreign Adversary and Terrorist Agent
28 Registration Act.

29 (3) The Attorney General may furnish information obtained by the
30 Attorney General in the administration of the act to state and federal
31 agencies and to committees of the Legislature. The Attorney General may

1 furnish such information as may be appropriate in light of the purposes
2 of the act. This includes, but is not limited to, the names of
3 registrants under the act, copies of registration statements, or parts
4 thereof, and other documents or information filed under the act.

5 (4) The Attorney General shall report to the Legislature every six
6 months concerning administration of the Foreign Adversary and Terrorist
7 Agent Registration Act, including registrations filed pursuant to the
8 act, and the nature, sources, and content of political propaganda
9 disseminated and distributed.

10 (5) The Attorney General shall post a monthly report on the portal
11 described in section 12 of this act concerning administration of the
12 Foreign Adversary and Terrorist Agent Registration Act, including
13 registrations filed pursuant to the act, and the nature, sources, and
14 content of political propaganda disseminated and distributed.

15 **Sec. 9.** For an agent of a foreign principal from an adversary
16 nation or a foreign terrorist organization that is not an individual,
17 each officer or director of such agent or person performing the functions
18 of an officer or a director shall cause such agent to execute and file a
19 registration statement and supplements to such statement as and when such
20 filing is required under section 4 of this act and shall also cause such
21 agent to comply with sections 6 and 7 of this act and all other
22 requirements of the Foreign Adversary and Terrorist Agent Registration
23 Act. Dissolution of any organization acting as an agent of a foreign
24 principal from an adversary nation or a foreign terrorist organization
25 shall not relieve any such agent from complying with this section. In
26 case of the failure of any such agent to comply with any of the
27 requirements of the act, each of such agent's officers, directors, or
28 persons performing the functions of officers or directors shall be
29 subject to prosecution under the act.

30 **Sec. 10.** (1)(a) A person shall not:

31 (i) Willfully violate any provision of the Foreign Adversary and

1 Terrorist Agent Registration Act or any rule or regulation under the act;
2 or

3 (ii) In any registration statement, supplement to such statement, or
4 any other document filed with or furnished to the Attorney General under
5 the act, willfully make a false statement of a material fact.

6 (b) A person who violates this subsection shall be subject to a
7 civil penalty of up to fifty thousand dollars. The total civil penalties
8 a person may be required to pay under this subsection shall not exceed
9 fifty thousand dollars for any violations occurring in the same calendar
10 year. All penalties collected under this section shall be remitted to the
11 State Treasurer for distribution in accordance with Article VII, section
12 5, of the Constitution of Nebraska.

13 (2) If a person found to be in violation of subsection (1) of this
14 section is a student, a faculty member, a researcher, or an adjunct or is
15 otherwise employed by or associated with a postsecondary educational
16 institution, such person may be expelled or dismissed from any role with
17 any postsecondary educational institution in Nebraska and may be
18 prohibited from entering any campus of such an institution in this state.
19 It shall be the purview of the postsecondary educational institution to
20 establish appropriate responses to violations of subsection (1) of this
21 section.

22 (3) Each postsecondary educational institution in Nebraska shall
23 adopt a policy regarding any permanent expulsion and dismissal of persons
24 found to be in violation of subsection (1) of this section.

25 (4) In any proceeding under the act brought by the Attorney General
26 in which it is alleged that a person is an agent of a foreign principal
27 from an adversary nation or a foreign terrorist organization, the
28 specific identity of the principal shall be alleged and it shall be the
29 burden of the Attorney General to prove such identity.

30 (5) Failure to file any registration statement or supplements to
31 such statement as required by section 4 of this act shall be considered a

1 continuing violation for as long as such failure exists, notwithstanding
2 any statute of limitation or other statute to the contrary.

3 (6) Whenever, in the judgment of the Attorney General, any person
4 has engaged in any act or practice that constitutes a violation of the
5 Foreign Adversary and Terrorist Agent Registration Act or any rule or
6 regulation under the act, the Attorney General may apply to the district
7 court for an order enjoining such acts or practices or for an order
8 directing compliance. Upon a showing by the Attorney General that such
9 person has engaged in any such acts or practices, the court may issue a
10 temporary or permanent injunction, restraining order, or such other order
11 that it may deem proper.

12 (7) If the Attorney General determines that a registration statement
13 does not comply with the requirements of the Foreign Adversary and
14 Terrorist Agent Registration Act or the rules and regulations adopted and
15 promulgated under the act, the Attorney General shall notify the
16 registrant in writing, specifying in what respects the statement is
17 deficient. No person shall act as an agent of a foreign principal from an
18 adversary nation or a foreign terrorist organization at any time ten days
19 or more after receipt of such notification without filing an amended
20 registration statement in full compliance with the requirements of the
21 act and the rules and regulations adopted and promulgated under the act.

22 (8) It shall be unlawful for any agent of a foreign principal from
23 an adversary nation or a foreign terrorist organization required to
24 register under the Foreign Adversary and Terrorist Agent Registration Act
25 to be a party to any contract, agreement, or understanding, either
26 express or implied, with such foreign principal pursuant to which the
27 amount or payment of the compensation, fee, or other remuneration of such
28 agent is contingent, in whole or in part, upon the success of any
29 political activities carried on by such agent.

30 **Sec. 11.** (1) All businesses and nonprofit organizations operating
31 within the State of Nebraska shall attest that they are cognizant of and

1 in compliance with the Foreign Adversary and Terrorist Agent Registration
2 Act.

3 (2) The attestation required by this section shall be filed as
4 follows:

5 (a) For a domestic or foreign limited liability company, the
6 attestation shall be included in the biennial report in each odd-numbered
7 year under section 21-125;

8 (b) For a domestic or foreign corporation subject to the Nebraska
9 Model Business Corporation Act, the attestation shall be included in the
10 biennial report in each even-numbered year under section 21-301 or
11 21-304;

12 (c) For a domestic or foreign nonprofit corporation, the attestation
13 shall be included in the biennial report in each odd-numbered year under
14 section 21-19,172;

15 (d) For a domestic or foreign limited liability partnership, the
16 attestation shall be included in the annual report under section 67-456;

17 (e) For banking, insurance, and building and loan association
18 corporations paying fees and making reports to the Director of Insurance
19 or the Director of Banking and Finance, the attestation shall be included
20 on a report filed with the Director of Insurance or the Director of
21 Banking and Finance. Each director shall determine the frequency with
22 which such reports must be filed but shall not require a report to be
23 filed more frequently than on an annual basis; and

24 (f) For any other business or nonprofit organization not described
25 in subdivisions (2)(a) through (e) of this section, the attestation shall
26 be included on the annual or biennial report submitted to the Secretary
27 of State as required by the organic law of the business or nonprofit
28 organization.

29 (3) The Attorney General shall develop the attestation required by
30 this section in consultation with the Secretary of State.

31 (4) The Secretary of State may adopt and promulgate rules and

1 regulations to carry out this section.

2 (5) An unincorporated entity that is of a type that is not created
3 by filing a public organic document with the Secretary of State is exempt
4 from this section.

5 **Sec. 12.** (1) In order to increase public transparency, the Attorney
6 General shall provide information about agents of foreign principals
7 registered in Nebraska on a portal of the Attorney General's website. The
8 portal shall contain the information about each registrant and each
9 registrant's activities within the State of Nebraska.

10 (2) The Attorney General may exchange data with government officials
11 in other states and the federal government in order to increase the
12 transparency and registration compliance of foreign principals from
13 adversary nations or foreign terrorist organizations that operate in
14 multiple states.

15 **Sec. 13.** (1) In order to ensure compliance with the Foreign
16 Adversary and Terrorist Agent Registration Act, if the Attorney General
17 has reasonable cause to believe that any person has engaged in or is
18 engaging in any act or practice in violation of the Foreign Adversary and
19 Terrorist Agent Registration Act, the Attorney General shall have the
20 power to issue civil investigative demands to persons suspected of being
21 agents of foreign principals from adversary nations or foreign terrorist
22 organizations.

23 (2) The Attorney General may adopt and promulgate rules and
24 regulations to carry out the act.

25 (3) In conducting investigations of potential violations of the
26 Foreign Adversary and Terrorist Agent Registration Act and in enforcing
27 the act, the Attorney General shall not infringe upon the protections set
28 forth in the Personal Privacy Protection Act.

29 **Sec. 14.** Sections 14 to 21 of this act shall be known and may be
30 cited as the Crush Transnational Repression in Nebraska Act.

31 **Sec. 15.** The purpose of the Crush Transnational Repression in

1 Nebraska Act is to counter the threat and practice of transnational
2 repression committed by foreign governments or foreign terrorist
3 organizations against the citizens and residents of this state, and to
4 counter the threat and practice of foreign government interstate
5 harassment through extranational enforcement of foreign government laws
6 and directives.

7 **Sec. 16.** For purposes of the Crush Transnational Repression in
8 Nebraska Act:

9 (1) Agent of a foreign principal means an agent directed or
10 controlled by a foreign principal, or the proxies of such agent;

11 (2) Foreign adversary means a foreign adversary as determined
12 pursuant to 15 C.F.R. 791.4 as such regulation existed on April 1, 2025;

13 (3) Foreign political party means any organization or any other
14 combination of individuals in a country other than the United States, or
15 any unit or branch thereof, having for an aim or purpose, or that is
16 engaged in any activity devoted in whole or in part to:

17 (a) The establishment, administration, control, or acquisition of
18 administration or control, of a government of a foreign country or a
19 subdivision thereof; or

20 (b) The furtherance or influencing of the political or public
21 interests, policies, or relations of a government of a foreign country or
22 a subdivision thereof;

23 (4) Foreign principal means:

24 (a) The government of a foreign country or any official or
25 subdivision of such government;

26 (b) A foreign political party or any member or subdivision of such
27 party;

28 (c) A foreign terrorist organization or any member or subdivision of
29 such organization;

30 (d) A partnership, association, corporation, organization, or other
31 combination of persons that is:

1 (i) Organized under the laws of, or has its principal place of
2 business in, a foreign adversary, or a subsidiary of such entity; or

3 (ii) Owned or controlled wholly or in part by any person or
4 combination of persons of a foreign adversary or foreign terrorist
5 organization; or

6 (e) Any entity that is owned or controlled in whole or in part by a
7 person or entity described in subdivision (4)(a), (b), (c), or (d) of
8 this section;

9 (5) Foreign terrorist organization means an organization included on
10 the United States Department of State's list of designated foreign
11 terrorist organizations pursuant to 8 U.S.C. 1189, as such section
12 existed on April 1, 2025;

13 (6)(a) Government of a foreign country means any person or group of
14 persons exercising sovereign de facto or de jure political jurisdiction
15 over any country, other than the United States, or over any part of such
16 country, and includes any subdivision of any such group and any group or
17 agency to which such sovereign de facto or de jure authority or functions
18 are directly or indirectly delegated.

19 (b) Government of a foreign country also includes any faction or
20 body of insurgents within a country, other than the United States,
21 assuming to exercise governmental authority whether such faction or body
22 of insurgents has or has not been recognized by the United States; and

23 (7) Transnational repression includes actions and behaviors
24 emanating from or attributable to a foreign principal committed by an
25 agent of such foreign principal, acting outside or within the foreign
26 principal's territory, with the intention of harassing, intimidating,
27 censoring, or otherwise extending such principal's ability to influence,
28 control, or impose such principal's preferences on the behavior of
29 individuals outside of the principal's territory or jurisdiction. Such
30 actions and behaviors include direct and indirect methods, including
31 physical contact, threats, electronic targeting, actual or credible

1 threats of collective punishment or harassment of individuals under the
2 principal's effective control, financial coercion, abuse of
3 administrative processes, selective prosecution of laws of general
4 application, or the use or direction of social media and
5 telecommunications entities.

6 **Sec. 17.** (1) For purposes of this section:

7 (a) Covered offense means:

8 (i) Assault in the first degree, section 28-308;

9 (ii) Assault in the second degree, section 28-309;

10 (iii) Assault in the third degree, section 28-310;

11 (iv) Terroristic threats, section 28-311.01;

12 (v) Stalking, section 28-311.03;

13 (vi) Violation of a harassment protection order, section 28-311.09;

14 (vii) False imprisonment in the first degree, section 28-314;

15 (viii) False imprisonment in the second degree, section 28-315; and

16 (ix) Attempt, conspiracy, solicitation, being an accessory to,
17 aiding and abetting, aiding the consummation of, or compounding a felony
18 with any of the other offenses in subdivision (1)(a) of this section as
19 the underlying offense; and

20 (b) Protected conduct means conduct that is lawful under local,
21 state, and federal law and consists of:

22 (i) The free exercise of religion;

23 (ii) Speech, orally or in writing in print or digital form, on a
24 matter of public interest or concern;

25 (iii) Petitioning any local, state, or federal government entity for
26 redress of grievances; or

27 (iv) Peaceably assembling.

28 (2) Any person who commits a covered offense shall be punished by
29 the imposition of the next higher penalty classification than the penalty
30 classification prescribed for the covered offense if:

31 (a) The person committing the offense is an agent of a foreign

1 principal who acts knowingly at the direction of, on behalf of, or under
2 the influence of such foreign principal; and

3 (b) The person committed the offense with the intent to:

4 (i) Coerce another person to act on behalf of a foreign principal;

5 (ii) Coerce another person to leave the United States or cause
6 another person to leave the United States;

7 (iii) Cause another person to forebear from engaging in protected
8 conduct; or

9 (iv) Retaliate against another person for engaging in protected
10 conduct.

11 (3) If an offense is punishable as a Class I misdemeanor, the
12 enhanced penalty under this section is a Class IV felony.

13 (4) The allegations supporting an enhancement under this section
14 shall be set forth in the indictment or information, and it shall be the
15 burden of the prosecuting attorney to prove such allegations beyond a
16 reasonable doubt to the judge or jury in the state's case in chief.

17 **Sec. 18.** (1) A person commits an offense if, while acting as the
18 agent of a foreign principal, such person:

19 (a) Intentionally engages in the prevention, detection,
20 investigation, monitoring, surveilling, or prosecution of an offense
21 under the law or rule of a government of a foreign country or a foreign
22 terrorist organization at the direction of such foreign principal,
23 government, or organization; and

24 (b) Such person acts without the knowledge and approval of the
25 appropriate state or federal law enforcement agency of the United States.

26 (2) A violation of this section is a Class IIA felony.

27 **Sec. 19.** The Nebraska State Patrol may prepare or commission an
28 empirical and qualitative report on the threat of transnational
29 repression in Nebraska and electronically submit such report to the
30 Legislature.

31 **Sec. 20.** (1) The Nebraska State Patrol may develop a transnational

1 repression recognition and response training. The training may be
2 regularly updated to address emerging threats and specific information on
3 tactics used by specific foreign principals.

4 (2) Such training may include:

5 (a) How to identify different tactics of transnational repression in
6 physical and nonphysical forms;

7 (b) Those foreign principals that are known to employ transnational
8 repression, including not only those who use it most frequently, but also
9 those who use it most egregiously, including, but not limited to, tools
10 of digital surveillance and other Internet-based tools frequently used to
11 carry out transnational repression activities;

12 (c) Best practices for appropriate local and state law enforcement
13 prevention, reporting, and response tactics; and

14 (d) Information about communities targeted by transnational
15 repression and propaganda that may be perpetuated by foreign principals.

16 **Sec. 21.** (1) The Nebraska State Patrol may develop a centralized
17 and convenient website that allows members of the public to report
18 instances of transnational repression. The website may include options
19 for reporting in languages commonly spoken in Nebraska, including
20 particularly languages of communities affected more frequently by
21 transnational repression.

22 (2) The patrol may conduct a public awareness campaign to inform the
23 public:

24 (a) How to identify and report instances of transnational
25 repression;

26 (b) How to use the website created under this section; and

27 (c) What tools and remedies are available for victims of
28 transnational repression.

29 (3) The patrol may electronically submit reports to the Legislature
30 concerning complaints received on the website, outcomes of such
31 complaints, and any instances of interference by foreign principals in

1 the reporting process.

2 **Sec. 22.** Section 49-1480, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 49-1480 (1) Every person employed, retained, or authorized as a
5 lobbyist shall, before commencing any lobbying activity:

6 (a) File ~~file~~ an application with the Clerk of the Legislature for
7 registration as a lobbyist, and if the clerk is satisfied that the
8 application has been properly prepared the registration shall be deemed
9 to be complete. The application shall be on a form prescribed by the
10 clerk and approved by the Executive Board of the Legislative Council, and
11 shall include as a minimum the following:

12 (i) ~~(1)~~ The name, permanent residence address, and office address of
13 the lobbyist;

14 (ii) ~~(2)~~ The name and address of the principal of such lobbyist;

15 (iii) ~~(3)~~ The nature of the business of such principal and the
16 amounts or sums given or to be given the lobbyist as compensation or
17 reimbursement for lobbying. A lobbyist who is salaried or retained by a
18 principal need only report that portion of compensation or reimbursement
19 reasonably attributable to lobbying;

20 (iv) ~~(4)~~ A description of the business activity of the lobbyist;

21 (v) ~~(5)~~ An identification of the matters on which the principal or
22 lobbyist expects to lobby;

23 (vi) If the principal is a Chinese military company, an affirmative
24 acknowledgment by the lobbyist that such lobbyist is lobbying on behalf
25 of, and thereby acting as an agent of, a foreign adversary of the United
26 States;

27 (vii) ~~(6)~~ If the principal is an industry, trade, or professional
28 association, a specific description of the industry, trade, or profession
29 represented by the principal and the names and addresses of its officers;

30 (viii) ~~(7)~~ If the principal is not an industry, trade, or
31 professional association, a specific description of the interests and

1 groups represented by the principal and the names and addresses of its
2 officers; and

3 (ix) (8) The name and address of any official in the legislative or
4 executive branch, and of any members of any such official's staff or
5 immediate family, who are employed by the lobbyist or any person acting
6 on behalf of such lobbyist if such information is known or reasonably
7 should have been known to the lobbyist.

8 (b) If any such lobbying activity is on behalf of a Chinese military
9 company, disclose that such Chinese military company is a foreign
10 adversary of the United States. For purposes of this subdivision (b),
11 lobbying activity includes, but is not limited to, lobbying by means of
12 telephone, electronic mail, United States mail or other mail delivery
13 service, in-person meetings, or testimony at legislative hearings.

14 (2)(a) Every person employed, retained, or authorized as a
15 consultant for a Chinese military company shall, before commencing any
16 influencing activity in Nebraska for such Chinese military company:

17 (i) File with the commission, on a form prescribed by the
18 commission, information that shall include as a minimum, the following:

19 (A) The name, permanent residence address, and office address of the
20 consultant;

21 (B) The name and address of the Chinese military company represented
22 by such consultant;

23 (C) A description of the business activity of the consultant;

24 (D) An identification of the matters on which the consultant expects
25 to conduct influencing activity on behalf of such Chinese military
26 company;

27 (E) An affirmative acknowledgment by the consultant that such
28 consultant is influencing on behalf of, and thereby acting as an agent
29 of, a foreign adversary of the United States; and

30 (F) The name and address of any official in the legislative or
31 executive branch, and of any members of any such official's staff or

1 immediate family, who are employed by the consultant or any person acting
2 on behalf of such consultant if such information is known or reasonably
3 should have been known to the consultant; and

4 (ii) Disclose that such Chinese military company is a foreign
5 adversary of the United States.

6 (b) For purposes of this subsection, influencing activity includes,
7 but is not limited to, influencing by means of telephone, electronic
8 mail, United States mail or other mail delivery service, or in-person
9 meetings.

10 (3) Any person who violates subdivision (1)(a)(vi) or (1)(b) or
11 subsection (2) of this section shall be subject to a civil penalty of one
12 hundred thousand dollars for each violation. For any subsequent
13 violation, the civil penalty shall be increased by one hundred thousand
14 dollars more than the previously assessed penalty, not to exceed one
15 million dollars per violation. All penalties collected under this section
16 shall be remitted to the State Treasurer for distribution in accordance
17 with Article VII, section 5, of the Constitution of Nebraska.

18 (4) For purposes of this section, Chinese military company has the
19 same meaning as in section 1260H of Public Law 116-283, as such section
20 existed on April 1, 2025, and includes any subsidiary of a Chinese
21 military company or any company owned or controlled, in whole or in part,
22 by a Chinese military company.

23 **Sec. 23.** Section 49-1496, Revised Statutes Cumulative Supplement,
24 2024, is amended to read:

25 49-1496 (1) The statement of financial interests filed pursuant to
26 sections 49-1493 to 49-14,104 shall be on a form prescribed by the
27 commission.

28 (2) Individuals required to file under sections 49-1493 to 49-1495
29 shall file the following information for themselves:

30 (a) The name and address of and the nature of association with any
31 business with which the individual was associated;

1 (b) The name and address of any entity in which a position of
2 trustee was held;

3 (c) The name, address, and nature of business of a person or
4 government body from whom any income in the value of one thousand dollars
5 or more was received and the nature of the services rendered, except that
6 the identification of patrons, customers, patients, or clients of such
7 person from which employment income was received is not required;

8 (d) A description, but not the value, of the following, if the fair
9 market value thereof exceeded one thousand dollars:

10 (i) The nature and location of all real property in the state,
11 except any such real property used as a residence of the individual;

12 (ii) The depository of checking and savings accounts;

13 (iii) The issuer of stocks, bonds, and government securities; and

14 (iv) A description of all other property owned or held for the
15 production of income, except property owned or used by a business with
16 which the individual was associated;

17 (e) The name and address of each creditor to whom the value of one
18 thousand dollars or more was owed or guaranteed by the individual or a
19 member of the individual's immediate family, except for the following:

20 (i) Accounts payable;

21 (ii) Debts arising out of retail installment transactions;

22 (iii) Loans made by financial institutions in the ordinary course of
23 business;

24 (iv) Loans from a relative; and

25 (v) Land contracts that have been properly recorded with the county
26 clerk or the register of deeds;

27 (f) The name, address, and occupation or nature of business of any
28 person from whom a gift in the value of more than one hundred dollars was
29 received, a description of the gift and the circumstances of the gift,
30 and the monetary value category of the gift, based on a good faith
31 estimate by the individual, reported in the following categories:

- 1 (i) \$100.01 - \$200;
- 2 (ii) \$200.01 - \$500;
- 3 (iii) \$500.01 - \$1,000; and
- 4 (iv) \$1,000.01 or more; and

5 (g) An attestation that the individual is not an agent of a foreign
6 principal from an adversary nation or a foreign terrorist organization,
7 as such terms are defined in the Foreign Adversary and Terrorist Agent
8 Registration Act. Such attestation shall be made by checking a box on the
9 form attesting to such fact; and

10 (h) ~~(g)~~ Such other information as the individual or the commission
11 deems necessary, after notice and hearing, to carry out the purposes of
12 the Nebraska Political Accountability and Disclosure Act.

13 **Sec. 24.** Section 49-14,126, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 49-14,126 (1) The commission, upon finding that there has been a
16 violation of the Nebraska Political Accountability and Disclosure Act or
17 any rule or regulation promulgated thereunder, may issue an order
18 requiring the violator to do one or more of the following:

- 19 (a) ~~(1)~~ Cease and desist from the violation;
- 20 (b) ~~(2)~~ File any report, statement, or other information as
21 required;
- 22 (c) ~~(3)~~ Pay a civil penalty of not more than five thousand dollars
23 for each violation of the act, rule, or regulation; or
- 24 (d) ~~(4)~~ Pay the costs of the hearing in a contested case if the
25 violator did not appear at the hearing personally or by counsel.

26 (2) Upon finding that there has been a violation of subdivision (1)
27 (a)(vi) or (1)(b) or subsection (2) of section 49-1480, the commission
28 shall issue an order paying any person who provided the commission
29 information that resulted in the finding of such violation a sum of fifty
30 thousand dollars. Such payment shall be contingent upon the commission
31 recovering any civil penalty sought under subsection (3) of section

1 49-1480.

2 **Sec. 25.** Section 49-14,140, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 49-14,140 The Nebraska Accountability and Disclosure Commission Cash
5 Fund is hereby created. The fund shall consist of funds received by the
6 commission pursuant to sections 49-1449.01, 49-1470, 49-1480.01, 49-1482,
7 49-14,123, and 49-14,123.01 and subdivision (1)(d) ~~(4)~~ of section
8 49-14,126. The fund shall be used by the commission in administering the
9 Nebraska Political Accountability and Disclosure Act. Any money in the
10 Nebraska Accountability and Disclosure Commission Cash Fund available for
11 investment shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act. Transfers may be made from the fund to the General Fund
14 at the direction of the Legislature.

15 On April 25, 2013, the State Treasurer shall transfer \$630,870 from
16 the Campaign Finance Limitation Cash Fund to the Nebraska Accountability
17 and Disclosure Commission Cash Fund to be used for development,
18 implementation, and maintenance of an electronic filing system for
19 campaign statements and other reports under the Nebraska Political
20 Accountability and Disclosure Act and for making such statements and
21 reports available to the public on the website of the commission. The
22 State Treasurer shall transfer the balance of the Campaign Finance
23 Limitation Cash Fund to the Election Administration Fund on or before
24 July 5, 2013, or as soon thereafter as administratively possible.

25 **Sec. 26.** Section 73-901, Revised Statutes Cumulative Supplement,
26 2024, is amended to read:

27 73-901 Sections 73-901 to 73-907 and section 30 of this act shall be
28 known and may be cited as the Foreign Adversary Contracting Prohibition
29 Act.

30 **Sec. 27.** Section 73-903, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 73-903 For purposes of the Foreign Adversary Contracting Prohibition
2 Act:

3 (1) Company means any sole proprietorship, organization,
4 association, corporation, partnership, joint venture, limited
5 partnership, limited liability partnership, limited liability company, or
6 other entity or business association that exists for the purpose of
7 making a profit, including all wholly owned subsidiaries, majority owned
8 subsidiaries, parent companies, or affiliates of any such entity or
9 business association;

10 (2) Foreign adversary means a foreign adversary as determined
11 pursuant to 15 C.F.R. 791.4, as such regulation existed on April 1, 2025
12 ~~7.4~~;

13 (3) Owned in whole or in part means:

14 (a) For a publicly traded company, any share of ownership that
15 entails the ability to direct or influence the operations of the company,
16 the ability to appoint or discharge any board members, officers, or
17 directors, or any other rights beyond those available to a retail
18 investor holding an equivalent share of ownership; and

19 (b) For a privately held company, any share of ownership;

20 (4) Public entity means the state or any department, agency,
21 commission, or other body of state government, including publicly funded
22 institutions of higher education, any political subdivision of the state,
23 and any other public or private agency, person, partnership, corporation,
24 or business entity acting on behalf of any such public entity;

25 (5) Scrutinized company means:

26 (a) Any company organized under the laws of a foreign adversary or
27 having its principal place of business within a foreign adversary, and
28 any subsidiary of any such company;

29 (b) Any company owned in whole or in part or operated by the
30 government of a foreign adversary, an entity controlled by the government
31 of a foreign adversary, or any subsidiary or parent of any such company;

1 or

2 (c) Any company that sells to a public entity a final technology-
3 related product or service that originates with a company described in
4 subdivision (5)(a) or (b) of this section without incorporating that
5 product or service into another final product or service; and

6 (6) Technology-related product or service means a product or service
7 used for information systems, surveillance, light detection and ranging,
8 or communications. The term does not include unmanned aerial systems; and

9 (7) Unmanned aerial system means a powered, aerial vehicle that:

10 (a) Does not carry a human operator and is operated without the
11 possibility of direct human intervention from within or on the aircraft;

12 (b) Uses aerodynamic forces to provide vehicle lift;

13 (c) Can fly autonomously or be piloted remotely; and

14 (d) Can be expendable or recoverable.

15 **Sec. 28.** Section 73-905, Revised Statutes Cumulative Supplement,
16 2024, is amended to read:

17 73-905 (1) A public entity shall require a company that submits a
18 bid or proposal or enters into any contract or contract renewal with any
19 public entity for any technology-related product or service to certify:

20 (a) ~~(1)~~ That the company is not a scrutinized company;

21 (b) ~~(2)~~ That the company will not subcontract with any scrutinized
22 company for any aspect of performance of the contemplated contract; and

23 (c) ~~(3)~~ That any products or services to be provided do not
24 originate with a scrutinized company.

25 (2) This section shall not apply to the contracts described in
26 section 30 of this act.

27 **Sec. 29.** Section 73-906, Revised Statutes Cumulative Supplement,
28 2024, is amended to read:

29 73-906 (1)—No public entity shall enter into any contract or
30 contract renewal that would result in any state or local government funds
31 being transferred:

1 (1) (a) To a scrutinized company in connection with any technology-
2 related product or service; or

3 (2) (b) To any company in connection with any technology-related
4 product or service that originates with a scrutinized company.

5 ~~(2) Notwithstanding subsection (1) of this section, a public entity~~
6 ~~may enter into a contract for goods manufactured by a scrutinized company~~
7 ~~if:~~

8 ~~(a)(i) There is no other reasonable option for procuring such good;~~

9 ~~(ii) The contract is preapproved by the Department of Administrative~~
10 ~~Services; and~~

11 ~~(iii) Not procuring such good would pose a greater threat to the~~
12 ~~state than the threat associated with the good itself; or~~

13 ~~(b) The purchasing entity is an electric supplier that is not out of~~
14 ~~compliance with the Critical Infrastructure Protection requirements~~
15 ~~issued by the North American Electric Reliability Corporation.~~

16 **Sec. 30.** Notwithstanding sections 73-904 and 73-906, a public
17 entity may enter into a contract for goods manufactured by a scrutinized
18 company if:

19 (1)(a) There is no other reasonable option for procuring such goods;

20 (b) The contract is preapproved by the Department of Administrative
21 Services; and

22 (c) Not procuring such good would pose a greater threat to the state
23 than the threat associated with the good itself; or

24 (2) The purchasing entity is an electric supplier that is not out of
25 compliance with the Critical Infrastructure Protection requirements
26 issued by the North American Electric Reliability Corporation.

27 **Sec. 31.** (1) For purposes of this section:

28 (a) Company means any corporation, partnership, association,
29 organization, or other combination of persons;

30 (b) Foreign adversary means those countries listed in 15 C.F.R.
31 791.4, as such regulation existed on April 1, 2025;

1 (c) Foreign adversarial company means a company that:
2 (i) Is organized under the laws of a foreign adversary;
3 (ii) Has its principal place of business within a foreign adversary;
4 (iii) Is owned in whole or in part, operated, or controlled by the
5 government of a foreign adversary; or
6 (iv) Is a subsidiary or parent of any company otherwise described in
7 subdivision (1)(c) of this section; and

8 (d) Government of a foreign adversary means any person or group of
9 persons exercising sovereign de facto or de jure political jurisdiction
10 over any foreign adversary, or over any part of such country, and
11 includes any subdivision of any such group and any group or agency to
12 which such sovereign de facto or de jure authority or functions are
13 directly or indirectly delegated. Such term shall include any faction or
14 body of insurgents within a country assuming to exercise governmental
15 authority whether such faction or body of insurgents has or has not been
16 recognized by the United States.

17 (2) A foreign adversarial company shall be ineligible to receive any
18 benefits under an incentive program of the State of Nebraska, including
19 under:

- 20 (a) The Beginning Farmer Tax Credit Act;
- 21 (b) The Imagine Nebraska Act;
- 22 (c) The Nebraska Advantage Microenterprise Tax Credit Act;
- 23 (d) The Nebraska Advantage Research and Development Act;
- 24 (e) The Nebraska Advantage Rural Development Act;
- 25 (f) The Nebraska Job Creation and Mainstreet Revitalization Act;
- 26 (g) The New Markets Job Growth Investment Act;
- 27 (h) The Urban Redevelopment Act; and
- 28 (i) Any other tax or other incentive program created by legislative
29 or executive action for the purpose of recruitment or retention of
30 businesses in Nebraska.

31 **Sec. 32.** For purposes of sections 32 to 35 of this act:

1 (1) Business means any:

2 (a) Sole proprietorship, organization, association, corporation,
3 partnership, joint venture, limited partnership, limited liability
4 partnership, or limited liability business, including a wholly owned
5 subsidiary, majority-owned subsidiary, parent business, or affiliate of
6 those entities or business associations that exists to make a profit; and

7 (b) Nonprofit organization;

8 (2) Domicile means the country where:

9 (a) A business is registered and headquartered;

10 (b) A business primarily completes its affairs; and

11 (c) The majority stake of ownership of a business is located;

12 (3) Foreign adversary means any foreign government specified in
13 federal code 15 C.F.R. 791.4, as such regulation existed on April 1,
14 2025;

15 (4) Genetic sequencer means any device or platform used to conduct
16 genetic sequencing, resequencing, isolation, or other genetic research;

17 (5) Genetic sequencing means any method used to determine the
18 identity and order of nucleotide bases in the human genome;

19 (6) Human genome means deoxyribonucleic acid or ribonucleic acid
20 found in human cells;

21 (7) Medical facility means a facility that provides any health
22 service and:

23 (a) Receives any money from the State of Nebraska or the United
24 States Government;

25 (b) Is registered with the State of Nebraska to provide any health
26 care service; or

27 (c) Conducts research or testing on, with, or relating to genetic
28 sequencing or the human genome;

29 (8) Operational and research software means any computer program
30 used for any operation, control, analysis, or other necessary function of
31 genetic sequencing or genetic sequencers;

1 (9) Research facility means a facility that conducts research on,
2 with, or relating to genetic sequencing or the human genome; and

3 (10) Software means any program, routine, or set of one or more
4 programs or routines that is used or intended for use to cause the
5 performance of a task or set of tasks relating to genetic sequencing or
6 genetic sequencers by any computer, computer-related peripheral
7 equipment, or combination thereof.

8 **Sec. 33.** No medical facility or research facility shall use any
9 genetic sequencer or operational and research software for genetic
10 sequencing if such genetic sequencer or operational and research software
11 is produced in or by any:

12 (1) Foreign adversary;

13 (2) State-owned enterprise of any foreign adversary;

14 (3) Business domiciled in any foreign adversary; or

15 (4) Subsidiary or affiliate of a business domiciled in any foreign
16 adversary.

17 **Sec. 34.** Any medical facility or research facility that is in
18 possession of any genetic sequencer or operational and research software
19 that is described in section 33 of this act shall:

20 (1) Permanently disable such genetic sequencer or operational and
21 research software; or

22 (2) Remove such genetic sequencer or operational and research
23 software from any facility associated with such medical facility or
24 research facility.

25 **Sec. 35.** (1) Any genetic sequencing data that is utilized in the
26 State of Nebraska shall not be stored within any foreign adversary
27 country.

28 (2) No person shall remotely access genetic sequencing data that is
29 stored in the State of Nebraska from a foreign adversary country.

30 **Sec. 36.** This act becomes operative on October 1, 2025.

31 **Sec. 37.** If any section in this act or any part of any section is

1 declared invalid or unconstitutional, the declaration shall not affect
2 the validity or constitutionality of the remaining portions.

3 **Sec. 38.** Original sections 49-1480, 49-14,126, and 49-14,140,
4 Reissue Revised Statutes of Nebraska, and sections 49-1496, 73-901,
5 73-903, 73-905, and 73-906, Revised Statutes Cumulative Supplement, 2024,
6 are repealed.