

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 241

Introduced by Hallstrom, 1; Bosn, 25; Holdcroft, 36; Storer, 43; Storm,
23.

Read first time January 14, 2025

Committee:

- 1 A BILL FOR AN ACT relating to data privacy; to define terms; and to
- 2 provide exemption from liability for certain private entities as
- 3 prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) For purposes of this section:

2 (a) Cybersecurity event means an event resulting in unauthorized
3 access to, or disruption or misuse of, an information system or nonpublic
4 information stored on an information system;

5 (b) Information system means:

6 (i) A discrete set of electronic information resources organized for
7 the collection, processing, maintenance, use, sharing, dissemination, or
8 disposition of electronic nonpublic information; or

9 (ii) A specialized system, including an industrial or process
10 control system, a telephone switching and private branch exchange system,
11 and an environmental control system;

12 (c) Nonpublic information means information that is not publicly
13 available and concerns a person that, because of a name, number, personal
14 mark, or other identifier, can be used to identify such person, in
15 combination with the following:

16 (i) A social security number;

17 (ii) A driver's license number or state identification card number;

18 (iii) A financial account number or credit or debit card number;

19 (iv) A security code, access code, or password that would permit
20 access to such person's financial accounts; or

21 (v) Any biometric record;

22 (d) Private entity means a corporation, religious or charitable
23 organization, association, partnership, limited liability company,
24 limited liability partnership, or other private business entity, whether
25 organized for-profit or not-for-profit; and

26 (e) Publicly available information means information that is
27 lawfully made available through federal, state, or local government
28 records or information that a private entity has a reasonable basis to
29 believe is lawfully made available to the general public.

30 (2) A private entity shall not be liable in a class action resulting
31 from a cybersecurity event unless the cybersecurity event was caused by

1 willful, wanton, or gross negligence on the part of the private entity.