

AMENDMENTS TO LB553

Introduced by

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. (1) Any sole proprietor or self-employed person who does  
4 not elect to bring himself or herself within the provisions of the  
5 Nebraska Workers' Compensation Act shall file with the administrator of  
6 the Nebraska Workers' Compensation Court a written nonelection of  
7 workers' compensation coverage. The administrator of the compensation  
8 court shall develop a nonelection form to be used for purposes of this  
9 subsection. The form shall include an acknowledgment in which the  
10 individual signing the form acknowledges that he or she is not electing  
11 workers' compensation coverage and that such nonelection is not a waiver  
12 of any rights or remedies available to such individual in a civil action  
13 related to personal injuries arising out of and in the course of the  
14 individual's employment. Such nonelection of workers' compensation  
15 coverage is not enforceable if it is required as a condition of  
16 employment.

17           (2) An individual who files a nonelection of workers' compensation  
18 coverage under subsection (1) of this section may terminate such  
19 nonelection by filing a written notice of termination with the  
20 administrator of the compensation court. The administrator of the  
21 compensation court shall develop a form to be used for the notice of  
22 termination. Following the filing of the notice of termination, the  
23 status of the individual filing such notice shall be the same as if the  
24 nonelection of coverage had not been made. Such individual may then elect  
25 to bring himself or herself within the provisions of the Nebraska  
26 Workers' Compensation Act, except that such election shall not be  
27 effective as to any injury sustained or disease incurred less than one

1 week after the notice of termination is filed.

2 (3) The administrator of the compensation court shall maintain a  
3 list of those individuals who have filed a nonelection of workers'  
4 compensation coverage pursuant to subsection (1) of this section or a  
5 notice of termination pursuant to subsection (2) of this section, and  
6 such list shall be a public record open to public inspection.

7 Sec. 2. Section 48-1,110, Revised Statutes Cumulative Supplement,  
8 2016, is amended to read:

9 48-1,110 Sections 48-101 to 48-1,117 and section 1 of this act shall  
10 be known and may be cited as the Nebraska Workers' Compensation Act.

11 Sec. 3. Original section 48-1,110, Revised Statutes Cumulative  
12 Supplement, 2016, is repealed.