

AMENDMENTS TO LB298

Introduced by Business and Labor.

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

3 Section 1. Section 4-109, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 4-109 For purposes of sections 4-108 to 4-113:

6 (1) Public ~~, public~~ benefits means any grant, contract, loan,
7 professional license, commercial license, welfare benefit, health payment
8 or financial assistance benefit, disability benefit, public or assisted
9 housing benefit, postsecondary education benefit involving direct payment
10 of financial assistance, food assistance benefit, or ~~unemployment benefit~~
11 ~~or~~ any other similar benefit provided by or for which payments or
12 assistance are provided to an individual, a household, or a family
13 eligibility unit by an agency of the United States, the State of
14 Nebraska, or a political subdivision of the State of Nebraska; ~~and~~ -

15 (2) Public benefits does not include unemployment benefits provided
16 pursuant to the Employment Security Law.

17 Sec. 2. Section 48-628.04, Revised Statutes Cumulative Supplement,
18 2020, is amended to read:

19 48-628.04 (1) An individual shall be disqualified for unemployment
20 benefits for any week if the services upon which such benefits are based
21 are performed by an alien, ~~- This section shall apply unless such alien:~~

22 (a) Is an individual who was lawfully admitted for permanent
23 residence at the time such services were performed;

24 (b) Was lawfully present for purposes of performing such services,
25 including, pursuant to 8 U.S.C. 1621(d), all such aliens authorized to
26 work as provided by 8 C.F.R. 274a.12, as such regulation existed on
27 January 1, 2021; or

1 (c) Was permanently residing in the United States under color of law
2 at the time such services were performed, including an alien who was
3 lawfully present in the United States as a result of the application of
4 section 212(d)(5) of the Immigration and Nationality Act, 8 U.S.C.
5 1182(d)(5).

6 (2) Any data or information required of individuals applying for
7 benefits to determine whether benefits are not payable to them because of
8 their alien status shall be uniformly required from all applicants for
9 benefits. In the case of an individual whose application for benefits
10 would otherwise be approved, no determination that benefits to such
11 individual are not payable because of his or her alien status shall be
12 made except upon a preponderance of the evidence.

13 (3) Any individual who qualifies for benefits under subsection (1)
14 of this section shall have his or her employment authorization document
15 verified through the Systematic Alien Verification for Entitlements
16 Program operated by the United States Department of Homeland Security or
17 an equivalent program designated by the United States Department of
18 Homeland Security.

19 Sec. 3. Original section 4-109, Reissue Revised Statutes of
20 Nebraska, and section 48-628.04, Revised Statutes Cumulative Supplement,
21 2020, are repealed.