

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB13

Hearing Date: Friday January 25, 2019
Committee On: Revenue
Introducer: Blood
One Liner: Provide a sales tax exemption for breast pumps and related supplies and exempt breast-feeding from public indecency offenses

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	6	Senators Crawford, Groene, Kolterman, Lindstrom, Linehan, McCollister
Nay:	2	Senators Briese, Friesen
Absent:		
Present Not Voting:		

Oral Testimony:

Proponents:

Senator Carol Blood
Jessica McClure
Sofia Jawed-Wessel
Andi Curry Grubb
Danielle Savington
Scout Richters

Representing:

Introducer
Self
Self
Planned Parenthood of the Heartland
Self
ACLU of Nebraska

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

The bill exempts from sales and use tax:
Breast pumps;
Repair and replacement parts;
Breast pump kits; and
Collection and storage supplies.

The bill goes on to define these terms and conforms to the existing definition of bundled transactions:

77-2701.48 (4)(c) a transaction that includes taxable products and nontaxable products and the purchase price or sales price of the taxable products is de minimus. De minimus means the seller's purchase price or sales price of the taxable products is ten percent or less of the total purchase price or sales price of the bundled products.

The bill also provides that breast feeding in a public place is not public indecency. The operative date is set for October 1, 2019.

Explanation of amendments:

Strike the original sections and insert the following new sections:

Section 1. Section 28-806, Reissue Revised Statutes of Nebraska, is amended to read:

28-806 (1) A person, eighteen years of age or over, commits public indecency if such person performs or procures, or assists any other person to perform, in a public place and where the conduct may reasonably be expected to be viewed by members of the public:

- (a) An act of sexual penetration; or
 - (b) An exposure of the genitals of the body done with intent to affront or alarm any person; or
 - (c) A lewd fondling or caressing of the body of another person of the same or opposite sex.
- (2) Public indecency is a Class II misdemeanor.
- (3) It shall not be a violation of this section for an individual to breast-feed a child in a public place.

Sec. 2. Original section 28-806, Reissue Revised Statutes of Nebraska, is repealed

Lou Ann Linehan, Chairperson