

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 608**

Introduced by Bostar, 29.

Read first time January 22, 2025

Committee: Revenue

1 A BILL FOR AN ACT relating to first responders; to amend sections  
2 85-2601, 85-2602, 85-2603, 85-2603.01, and 85-2605, Reissue Revised  
3 Statutes of Nebraska, and section 44-314, Revised Statutes  
4 Cumulative Supplement, 2024; to change the definition of firefighter  
5 for purposes of certain insurance protections; to include  
6 correctional officers, youth detention officers, and children of  
7 first responders within the First Responder Recruitment and  
8 Retention Act; to require reimbursement by the state; to provide  
9 duties for the Coordinating Commission for Postsecondary Education;  
10 to define and redefine terms; to harmonize provisions; and to repeal  
11 the original sections.  
12 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 44-314, Revised Statutes Cumulative Supplement,  
2 2024, is amended to read:

3           44-314 (1) Except as provided in subsection (2) of this section, an  
4 employer providing for an individual or family health insurance policy  
5 for a first responder employee shall not cancel such policy if the first  
6 responder suffers serious bodily injury from an event that occurs while  
7 the first responder is acting in the line of duty and that results in the  
8 first responder falling below the minimum number of working hours needed  
9 to maintain his or her regular individual or family health insurance.

10           (2) Subsection (1) of this section does not prohibit an employer  
11 from canceling such policy if the first responder:

12           (a) Voluntarily ceases to be employed with the employer; or

13           (b) Does not return to employment within twelve months after the  
14 date of injury.

15           (3) For a first responder who dies as a result of an event that  
16 occurs while the first responder is acting in the line of duty, the  
17 employer of such first responder shall not cancel any health insurance  
18 policy covering a spouse or dependent of such first responder for a  
19 period of at least twelve months following such death.

20           (4) For purposes of this section:

21           (a) Employer means any state or local governmental entity that  
22 employs a first responder;

23           (b) First responder means any law enforcement officer, professional  
24 firefighter, or paid individual licensed under a licensure classification  
25 in subdivision (1) of section 38-1217 who provides medical care in order  
26 to prevent loss of life or aggravation of physiological or psychological  
27 illness or injury;

28           (c) Law enforcement officer has the same meaning as in section  
29 81-1401;

30           (d) Line of duty means any action that a first responder is  
31 authorized or obligated by law, rule, or regulation to perform, related

1 to or as a condition of employment or service; and

2 (e) Professional firefighter means an individual who is a  
3 firefighter or firefighter-paramedic as a full-time career and who is a  
4 member of a paid fire department of any of the following entities within  
5 Nebraska:

6 (i) A municipality, including a municipality having a home rule  
7 charter or a municipal authority created pursuant to a home rule charter  
8 that has its own paid fire department;

9 (ii) A rural or suburban fire protection district; or

10 (iii) A fire service providing fire protection to federal or state  
11 military installations.

12 **Sec. 2.** Section 85-2601, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 85-2601 Sections 85-2601 to 85-2608 and section 6 of this act shall  
15 be known and may be cited as the First Responder Recruitment and  
16 Retention Act.

17 **Sec. 3.** Section 85-2602, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 85-2602 For purposes of the First Responder Recruitment and  
20 Retention Act:

21 (1) Associate degree program means a degree program at a community  
22 college, state college, or state university which typically requires  
23 completion of an organized program of study of at least sixty semester  
24 credit hours or an equivalent that can be shown to accomplish the same  
25 goal. Associate degree program does not include a baccalaureate degree  
26 program;

27 (2) Baccalaureate degree program means a degree program at a  
28 community college, state college, or state university which typically  
29 requires completion of an organized program of study of at least one  
30 hundred twenty semester credit hours or an equivalent that can be shown  
31 to accomplish the same goal;

1           (3) Community college means a public postsecondary educational  
2 institution which is part of the community college system and includes  
3 all branches and campuses of such institution located within the State of  
4 Nebraska;

5           (4) Correctional officer means an individual who is employed full-  
6 time by a jail or by the Department of Correctional Services and who is  
7 responsible for the supervision, safety, and security of an adult  
8 correctional facility's population through daily direct contact and  
9 interactions with incarcerated individuals;

10          (5) ~~(4)~~ Law enforcement officer means any individual who is a law  
11 enforcement officer as defined in section 81-1401;

12          (6) ~~(5)~~ Legal dependent has the same meaning as it is used for  
13 purposes of the Free Application for Federal Student Aid;

14          (7) ~~(6)~~ Line of duty means any action that a law enforcement  
15 officer, ~~or~~ professional firefighter, correctional officer, or youth  
16 detention officer is authorized or obligated by law, rule, or regulation  
17 to perform, related to or as a condition of employment or service;

18          (8) ~~(7)~~ Professional firefighter means an individual who is a  
19 firefighter or firefighter-paramedic as a full-time career and who is a  
20 member of a paid fire department of any of the following entities within  
21 Nebraska:

22           (a) A municipality, including a municipality having a home rule  
23 charter or a municipal authority created pursuant to a home rule charter  
24 that has its own paid fire department;

25           (b) A rural or suburban fire protection district; or

26           (c) A fire service providing fire protection to state military  
27 installations;

28          (9) Qualifying child means a child who is a nondependent child of a  
29 correctional officer, law enforcement officer, professional firefighter,  
30 or youth detention officer and who is a legal dependent of another  
31 parent. To be considered a qualifying child, the maternity or paternity

1 of the child shall be verified through a birth certificate or other means  
2 approved by the admission or financial aid office of the state  
3 university, state college, or community college;

4 (10) (8) State college means a public postsecondary educational  
5 institution which is part of the Nebraska state college system and  
6 includes all branches and campuses of such institution located within the  
7 State of Nebraska;

8 (11) (9) State university means a public postsecondary educational  
9 institution which is part of the University of Nebraska and includes all  
10 branches and campuses of such institution located within the State of  
11 Nebraska; and

12 (12) (10) Tuition means the charges and cost of tuition as set by  
13 the governing body of a state university, state college, or community  
14 college; and -

15 (13) Youth detention officer means an individual who is employed  
16 full-time by a juvenile detention facility, as defined in section  
17 83-4,125, and who is responsible for the secure detention and treatment  
18 of a juvenile detention facility's population through daily direct  
19 contact and interactions with detained juveniles.

20 **Sec. 4.** Section 85-2603, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 85-2603 (1)(a) A law enforcement officer shall be entitled to a  
23 waiver of one hundred percent of the resident tuition charges of any  
24 state university, state college, or community college if the officer:

25 (i) Possesses a law enforcement officer certificate under sections  
26 81-1401 to 81-1414.19, unless the Nebraska Police Standards Advisory  
27 Council revoked or suspended such certificate or limited certificate  
28 under subdivision (6) of section 81-1403 and the Nebraska Commission on  
29 Law Enforcement and Criminal Justice has reviewed and approved such  
30 revocation or suspension;

31 (ii) Meets all admission requirements of the state university, state

1 college, or community college;

2 (iii) Pursues studies leading to a degree that relates to a career  
3 in law enforcement from an associate degree program or a baccalaureate  
4 degree program;

5 (iv) Submits the certificate of verification required by subsection  
6 (4) of this section; and

7 (v) Files with the Department of Revenue documentation showing proof  
8 of employment as a law enforcement officer and proof of residence in  
9 Nebraska each year such officer or such officer's legal dependent or  
10 qualifying child applies for and receives the tuition waiver.

11 (b) The officer may receive the tuition waiver for up to five years  
12 if he or she otherwise continues to be eligible for participation.

13 (2)(a) Any legal dependent or qualifying child of a law enforcement  
14 officer who satisfies subsection (1) of this section shall be entitled to  
15 a tuition waiver of one hundred percent of the resident tuition charges  
16 of any state university, state college, or community college for an  
17 associate or baccalaureate degree program if the legal dependent or  
18 qualifying child:

19 (i) Executes an agreement in accordance with section 85-2605;

20 (ii) Has not previously earned a baccalaureate degree;

21 (iii) Completes and submits to the United States Department of  
22 Education a Free Application for Federal Student Aid;

23 (iv) Submits a document to the state university, state college, or  
24 community college confirming that the legal dependent or qualifying child  
25 has satisfied subdivision (2)(a)(iii) of this section. Such document  
26 shall be submitted in a form and manner as prescribed by the state  
27 university, state college, or community college; and

28 (v) Submits the certificate of verification required by subsection  
29 (4) of this section.

30 (b) The legal dependent or qualifying child may receive the tuition  
31 waiver for up to five years if the law enforcement officer and the legal

1 dependent or qualifying child continue to be eligible for participation.  
2 The five years of tuition waiver eligibility starts once the legal  
3 dependent or qualifying child applies for and receives the tuition waiver  
4 for the first time and is available to such legal dependent or qualifying  
5 child for the next consecutive five years.

6 (3) The state university, state college, or community college shall  
7 waive one hundred percent of the officer's, ~~or the~~ legal dependent's, or  
8 qualifying child's tuition remaining due after subtracting awarded  
9 federal financial aid grants and state scholarships and grants for an  
10 eligible law enforcement officer, ~~or~~ legal dependent, or qualifying child  
11 during the time the officer, ~~or~~ legal dependent, or qualifying child is  
12 enrolled. To remain eligible, the officer, ~~or~~ legal dependent, or  
13 qualifying child must comply with all requirements of the institution for  
14 continued attendance and award of an associate degree or a baccalaureate  
15 degree.

16 (4)(a) An application for the tuition waiver shall include a  
17 verification of the law enforcement officer's satisfaction of subsection  
18 (1) of this section. It shall be the responsibility of the officer to  
19 obtain a certificate of verification from his or her superior attesting  
20 to such officer's satisfaction of subsection (1) of this section. The  
21 officer shall include the certificate of verification when the officer or  
22 the officer's legal dependent or qualifying child is applying to the  
23 state university, state college, or community college in order to obtain  
24 tuition waiver upon initial enrollment.

25 (b) The death of a law enforcement officer in the line of duty which  
26 occurs after submission of an application for a tuition waiver shall not  
27 disqualify such officer's otherwise eligible legal dependent or  
28 qualifying child from receiving the tuition waiver. In such case, in lieu  
29 of submitting the certificate of verification provided for in subdivision  
30 (4)(a) of this section, the legal dependent or qualifying child shall  
31 submit a certificate of verification from the officer's superior

1 attesting that:

2 (i) At the time of such death, such officer satisfied subsection (1)  
3 of this section; and

4 (ii) Such officer died in the line of duty.

5 (5) Within forty-five days after receipt of a completed application,  
6 the state university, state college, or community college shall send  
7 written notice of the law enforcement officer's, ~~or~~ legal dependent's, ~~or~~  
8 qualifying child's eligibility or ineligibility for the tuition waiver.  
9 If the officer, ~~or~~ legal dependent, or qualifying child is determined not  
10 to be eligible for the tuition waiver, the notice shall include the  
11 reason or reasons for such determination.

12 **Sec. 5.** Section 85-2603.01, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 85-2603.01 (1)(a) A professional firefighter shall be entitled to a  
15 waiver of one hundred percent of the resident tuition charges of any  
16 state university, state college, or community college if the professional  
17 firefighter:

18 (i) Maintains satisfactory performance with such firefighter's fire  
19 department;

20 (ii) Meets all admission requirements of the state university, state  
21 college, or community college;

22 (iii) Pursues studies leading to a degree that relates to a career  
23 in professional firefighting from an associate degree program or a  
24 baccalaureate degree program;

25 (iv) Submits the certificate of verification required by subsection  
26 (4) of this section; and

27 (v) Files with the Department of Revenue documentation showing proof  
28 of employment as a professional firefighter and proof of residence in  
29 Nebraska each year such professional firefighter or such professional  
30 firefighter's legal dependent or qualifying child applies for and  
31 receives the tuition waiver.



1 (b) The professional firefighter may receive the tuition waiver for  
2 up to five years if such professional firefighter otherwise continues to  
3 be eligible for participation.

4 (2)(a) Any legal dependent or qualifying child of a professional  
5 firefighter who maintains satisfactory performance with such professional  
6 firefighter's fire department shall be entitled to a tuition waiver of  
7 one hundred percent of the resident tuition charges of any state  
8 university, state college, or community college for an associate or  
9 baccalaureate degree program if the legal dependent or qualifying child:

- 10 (i) Executes an agreement in accordance with section 85-2605;
- 11 (ii) Has not previously earned a baccalaureate degree;
- 12 (iii) Completes and submits to the United States Department of  
13 Education a Free Application for Federal Student Aid;
- 14 (iv) Submits a document to the state university, state college, or  
15 community college confirming that the legal dependent or qualifying child  
16 has satisfied subdivision (2)(a)(iii) of this section. Such document  
17 shall be submitted in a form and manner as prescribed by the state  
18 university, state college, or community college; and
- 19 (v) Submits the certificate of verification required by subsection  
20 (4) of this section.

21 (b) The legal dependent or qualifying child may receive the tuition  
22 waiver for up to five years if the professional firefighter and the legal  
23 dependent or qualifying child continue to be eligible for participation.  
24 The five years of tuition waiver eligibility starts once the legal  
25 dependent or qualifying child applies for and receives the tuition waiver  
26 for the first time and is available to such legal dependent or qualifying  
27 child for the next consecutive five years.

28 (3) The state university, state college, or community college shall  
29 waive one hundred percent of the professional firefighter's, ~~or the~~ legal  
30 dependent's, or qualifying child's tuition remaining due after  
31 subtracting awarded federal financial aid grants and state scholarships

1 and grants for an eligible professional firefighter, ~~or~~ legal dependent,  
2 or qualifying child during the time the professional firefighter, ~~or~~  
3 legal dependent, or qualifying child is enrolled. To remain eligible, the  
4 professional firefighter, ~~or~~ legal dependent, or qualifying child must  
5 comply with all requirements of the institution for continued attendance  
6 and award of an associate degree or baccalaureate degree.

7 (4)(a) An application for the tuition waiver shall include a  
8 verification of the professional firefighter's satisfactory performance  
9 as a professional firefighter. It shall be the responsibility of the  
10 professional firefighter to obtain a certificate of verification from the  
11 fire chief of such professional firefighter's fire department attesting  
12 to such professional firefighter's satisfactory performance. The  
13 professional firefighter shall include the certificate of verification  
14 when the professional firefighter or the professional firefighter's legal  
15 dependent or qualifying child is applying to the state university, state  
16 college, or community college in order to obtain tuition waiver upon  
17 initial enrollment.

18 (b) The death of a professional firefighter in the line of duty  
19 which occurs after submission of an application for a tuition waiver  
20 shall not disqualify such firefighter's otherwise eligible legal  
21 dependent or qualifying child from receiving the tuition waiver. In such  
22 case, in lieu of submitting the certificate of verification provided for  
23 in subdivision (4)(a) of this section, the legal dependent or qualifying  
24 child shall submit a certificate of verification from the fire chief of  
25 such firefighter's fire department attesting that:

26 (i) At the time of such death, such firefighter satisfied subsection  
27 (1) of this section; and

28 (ii) Such firefighter died in the line of duty.

29 (5) Within forty-five days after receipt of a completed application,  
30 the state university, state college, or community college shall send  
31 written notice of the professional firefighter's, ~~or~~ legal dependent's,

1 or qualifying child's eligibility or ineligibility for the tuition  
2 waiver. If the professional firefighter, ~~or~~ legal dependent, or  
3 qualifying child is determined not to be eligible for the tuition waiver,  
4 the notice shall include the reason or reasons for such determination.

5 **Sec. 6.** (1)(a) A correctional officer or youth detention officer  
6 shall be entitled to a waiver of one hundred percent of the resident  
7 tuition charges of any state university, state college, or community  
8 college if the officer:

9 (i) Maintains satisfactory performance as a correctional officer or  
10 youth detention officer;

11 (ii) Meets all admission requirements of the state university, state  
12 college, or community college;

13 (iii) Pursues studies leading to a degree that relates to a career  
14 in corrections, youth detention, or law enforcement from an associate  
15 degree program or a baccalaureate degree program;

16 (iv) Submits the certificate of verification required by subsection  
17 (4) of this section; and

18 (v) Files with the Department of Revenue documentation showing proof  
19 of employment as a correctional officer or youth detention officer and  
20 proof of residence in Nebraska each year such officer or such officer's  
21 legal dependent or qualifying child applies for and receives the tuition  
22 waiver.

23 (b) The officer may receive the tuition waiver for up to five years  
24 if he or she otherwise continues to be eligible for participation.

25 (2)(a) Any legal dependent or qualifying child of an officer who  
26 satisfies subsection (1) of this section shall be entitled to a tuition  
27 waiver of one hundred percent of the resident tuition charges of any  
28 state university, state college, or community college for an associate or  
29 baccalaureate degree program if the legal dependent or qualifying child:

30 (i) Executes an agreement in accordance with section 85-2605;

31 (ii) Has not previously earned a baccalaureate degree;

1       (iii) Completes and submits to the United States Department of  
2 Education a Free Application for Federal Student Aid;

3       (iv) Submits a document to the state university, state college, or  
4 community college confirming that the legal dependent or qualifying child  
5 has satisfied subdivision (2)(a)(iii) of this section. Such document  
6 shall be submitted in a form and manner as prescribed by the state  
7 university, state college, or community college; and

8       (v) Submits the certificate of verification required by subsection  
9 (4) of this section.

10       (b) The legal dependent or qualifying child may receive the tuition  
11 waiver for up to five years if the officer and the legal dependent or  
12 qualifying child continue to be eligible for participation. The five  
13 years of tuition waiver eligibility starts once the legal dependent or  
14 qualifying child applies for and receives the tuition waiver for the  
15 first time and is available to such legal dependent or qualifying child  
16 for the next consecutive five years.

17       (3) The state university, state college, or community college shall  
18 wave one hundred percent of the officer's, legal dependent's, or  
19 qualifying child's tuition remaining due after subtracting awarded  
20 federal financial aid grants and state scholarships and grants for an  
21 eligible officer, legal dependent, or qualifying child during the time  
22 the officer, legal dependent, or qualifying child is enrolled. To remain  
23 eligible, the officer, legal dependent, or qualifying child must comply  
24 with all requirements of the institution for continued attendance and  
25 award of an associate degree or a baccalaureate degree.

26       (4)(a) An application for the tuition waiver shall include a  
27 verification of the officer's satisfaction of subsection (1) of this  
28 section. It shall be the responsibility of the officer to obtain a  
29 certificate of verification from his or her superior attesting to such  
30 officer's satisfaction of subsection (1) of this section. The officer  
31 shall include the certificate of verification when the officer or the

1 officer's legal dependent or qualifying child is applying to the state  
2 university, state college, or community college in order to obtain  
3 tuition waiver upon initial enrollment.

4 (b) The death of an officer in the line of duty which occurs after  
5 submission of an application for a tuition waiver shall not disqualify  
6 such officer's otherwise eligible legal dependent or qualifying child  
7 from receiving the tuition waiver. In such case, in lieu of submitting  
8 the certificate of verification provided for in subdivision (4)(a) of  
9 this section, the legal dependent or qualifying child shall submit a  
10 certificate of verification from the officer's superior attesting that:

11 (i) At the time of such death, such officer satisfied subsection (1)  
12 of this section; and

13 (ii) Such officer died in the line of duty.

14 (5) Within forty-five days after receipt of a completed application,  
15 the state university, state college, or community college shall send  
16 written notice of the officer's, legal dependent's, or qualifying child's  
17 eligibility or ineligibility for the tuition waiver. If the officer,  
18 legal dependent, or qualifying child is determined not to be eligible for  
19 the tuition waiver, the notice shall include the reason or reasons for  
20 such determination.

21 (6)(a) For purposes of this subsection:

22 (i) Commission means the Coordinating Commission for Postsecondary  
23 Education; and

24 (ii) Postsecondary educational institution means a state university,  
25 state college, or community college.

26 (b) Beginning July 1, 2026, subject to available appropriations, the  
27 commission shall reimburse each postsecondary educational institution for  
28 fifty percent of the tuition waivers paid under this section in the  
29 preceding year by such postsecondary educational institution.

30 (c) The postsecondary educational institution shall request  
31 reimbursement by submitting documentation in a form and manner prescribed

1 by the commission.

2 (d) If state appropriations are not sufficient to satisfy all of the  
3 claims filed during any year, then the commission shall prorate each  
4 institution's total reimbursement for that year in proportion to the  
5 remaining appropriation. Any reimbursement claims paid on a prorated  
6 basis shall not be refiled.

7 **Sec. 7.** Section 85-2605, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 85-2605 (1) Each legal dependent or qualifying child who is a  
10 tuition waiver recipient under the First Responder Recruitment and  
11 Retention Act shall execute an agreement. Such agreement shall be exempt  
12 from the requirements of the State Procurement Act and shall include the  
13 following terms, as appropriate:

14 (a) The tuition waiver recipient agrees to reside within the State  
15 of Nebraska for a period of five years following the use of the tuition  
16 waiver;

17 (b) Each year during the five-year period following use of the  
18 tuition waiver the tuition waiver recipient agrees to file a tax return  
19 with the Department of Revenue to document that such recipient still  
20 resides in the State of Nebraska;

21 (c) If the tuition waiver recipient fails to annually file a tax  
22 return to prove residency in the State of Nebraska for the five-year  
23 period following the use of the tuition waiver or fails to remain a  
24 resident of Nebraska for the five-year period following the use of the  
25 tuition waiver, the tuition waiver recipient agrees to repay the  
26 community college, state college, or state university that such tuition  
27 waiver recipient attended the amount of tuition that was waived for such  
28 individual if the community college, state college, or state university  
29 requests such payment on the dates and in the amounts requested; and

30 (d) Any residency, filing, or payment obligation incurred by the  
31 tuition waiver recipient under the First Responder Recruitment and

1 Retention Act is canceled in the event of the tuition waiver recipient's  
2 total and permanent disability or death.

3 (2) The five-year residency requirement begins to run after use of  
4 the first tuition waiver and:

5 (a) Completion of the five-year tuition waiver eligibility;

6 (b) Completion of an undergraduate degree at a state college or  
7 state university;

8 (c) Completion of a two-year degree at a community college and  
9 notification by the tuition waiver recipient to the Department of Revenue  
10 that such recipient does not intend to pursue an undergraduate degree or  
11 additional two-year degree using tuition waivers pursuant to the First  
12 Responder Recruitment and Retention Act; or

13 (d) Notification by the tuition waiver recipient to the Department  
14 of Revenue that such recipient does not plan to use additional tuition  
15 waivers pursuant to the First Responder Recruitment and Retention Act.

16 **Sec. 8.** Original sections 85-2601, 85-2602, 85-2603, 85-2603.01,  
17 and 85-2605, Reissue Revised Statutes of Nebraska, and section 44-314,  
18 Revised Statutes Cumulative Supplement, 2024, are repealed.