

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 512**

Introduced by Brewer, 43.

Read first time January 19, 2021

Committee:

- 1 A BILL FOR AN ACT relating to emergency response; to adopt the Critical
- 2 Infrastructure Utility Worker Protection Act; and to declare an
- 3 emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 5 of this act shall be known and may be  
2 cited as the Critical Infrastructure Utility Worker Protection Act.

3           Sec. 2. For purposes of the Critical Infrastructure Utility Worker  
4 Protection Act, unless the context otherwise requires:

5           (1) Civil defense emergency has the same meaning as in section  
6 81-829.39;

7           (2) Critical infrastructure utility worker means any person employed  
8 in the state by a utility to engineer, construct, repair, maintain,  
9 manage, and operate a utility system, including operations relating to  
10 the reliability, resilience, safety, security, environmental health, and  
11 physical and cyber security of such utility system;

12           (3) Disaster has the same meaning as in section 81-829.39;

13           (4) Emergency has the same meaning as in section 81-829.39;

14           (5) Priority access means access at least equal to that provided to  
15 hospital and medical personnel, law enforcement personnel, or other  
16 emergency responders;

17           (6) Utility means any legal entity, including a political  
18 subdivision, that owns or operates a utility system, or any part thereof,  
19 in this state; and

20           (7) Utility system means the physical and cyber assets and  
21 infrastructure used in providing utility services to wholesale or retail  
22 customers. Utility system includes electrical, gas, water, steam, sewage,  
23 and telecommunications services.

24           Sec. 3. The purposes of the Critical Infrastructure Utility Worker  
25 Protection Act are to:

26           (1) Provide for protection of critical infrastructure utility  
27 workers during any civil defense emergency, disaster, or emergency;

28           (2) Provide priority access to personal protective equipment,  
29 medical screening, testing, preventative health services, medical  
30 treatment, and the administration of vaccines for critical infrastructure  
31 utility workers in the event of an emergency involving a severe threat to

1 human health; and

2 (3) Authorize federal and state financial aid for critical  
3 infrastructure utility workers during any civil defense emergency,  
4 disaster, or emergency involving a severe threat to human health.

5 Sec. 4. Utilities shall maintain a list of critical infrastructure  
6 utility workers by position description without listing individual names.  
7 The list shall not be deemed a public record subject to disclosure  
8 pursuant to sections 84-712 to 84-712.09, but shall be made available to  
9 the Nebraska Emergency Management Agency upon request.

10 Sec. 5. In the event of any civil defense emergency, disaster, or  
11 emergency involving a severe threat to human health, the Governor shall:

12 (1) Ensure that critical infrastructure utility workers are provided  
13 priority access to personal protective equipment, medical screening,  
14 testing, preventive health services, medical treatment, and the  
15 administration of vaccines approved by the federal Food and Drug  
16 Administration;

17 (2) Provide funds from the Governor's Emergency Program established  
18 pursuant to section 81-829.42 to assure the adequate protection and care  
19 of critical infrastructure utility workers; and

20 (3) Take all necessary measures to provide available federal funds  
21 for the adequate protection and care of critical infrastructure utility  
22 workers.

23 Sec. 6. Since an emergency exists, this act takes effect when  
24 passed and approved according to law.