

STATE TELEMARKETING LAWS

Nebraska

Telemarketing and Robocall Laws

Statutes, rules, and how they differ from the TCPA



By Adam Young and Harrison Gevirtz

<https://tcpa.com/state-telemarketing-laws/nebraska/>

01. Dialing-Announcing Devices Act

NEB. REV. STAT. §§ 86-236 TO 86-257

PSC permits for prerecorded-message devices, no robocalls to cell or charged numbers, hours, identification, company lists and a fax ban.

02. Telemarketing and Prize Promotions

NEB. REV. STAT. §§ 86-212 TO 86-235

Unsolicited consumer telephone sales: payment authorization, a five-business-day cancellation right, prize disclosures and records.

AT A GLANCE

Nebraska at a glance

WHY NEBRASKA MATTERS

Nebraska requires a \$500 state permit for each robocall device, random dialing only, and Sunday and holiday robocalls only from 1 p.m. to 9 p.m. Consumers get five business days to cancel unsolicited telephone sales.



Who and what is covered

Under § 86-242(1), a "telephone solicitation" is a call or message using an automatic dialing-announcing device to encourage a purchase. Live calls with no recording are outside it.

Text messages

No Nebraska statute governs marketing texts, and no reported decision says whether a text is covered. The definition reads as drafted for voice calls.

Aa. **Devices**

Equipment that selects and dials numbers and automatically plays a recorded message.

Bb. **Exclusions**

Prior permission, business relationship, nonprofit, noncommercial, no ad, or live operator.

Cc. **Sales act**

Sellers making unsolicited consumer telephone calls to sell goods, services or prizes.

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No robocalls to cell phones

Section 86-244 bars automated solicitations to cellular, paging and other numbers where the person called is charged for the call. Calls made with prior express invitation or permission are excluded, so the ban reaches unconsented calls.

Protected lines

No robocalls to 911 and emergency lines, hospital and nursing home rooms, or several lines of one business at once.

Form of permission

The statute does not say what form permission must take. Federal rules require prior express written consent.

01. Company-specific list

NEB. REV. STAT. § 86-248(1)(B), (2)

Automated solicitations need procedures for a list of subscribers who do not want calls: a written policy, trained staff and recorded requests.

02. Business lines covered too

NEB. REV. STAT. § 86-248(2)

The protections reach "a residential or business telephone subscriber." No sharing a request without consent; affiliates are included.

DO-NOT-CALL

Do-not-call and opt-outs

IN PRACTICE

Nebraska has no state do-not-call list and no statute incorporating the national registry. Scrub against the national registry under federal law, and honor company-specific requests.



Calling hours and Sundays

Section 86-248(1) and PSC rule § 003.01 set the hours for automated solicitations to residential lines, at the local time of the party called.

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p.m. start, Sundays

Sundays and legal holidays:
automated calls only from 1:00
p.m. to 9:00 p.m. (291 NAC ch.
11, § 003.01).



8 a.m. to 9 p.m.

Monday through Saturday. The same hours apply to non-solicitation automated messages.



Live calls

Live-operator calls with no recorded message have no state hours rule; federal hours apply.

Dialers and messages

Nebraska covers any device that selects and dials numbers and plays a recorded message. A system calling a stored list is covered even if it falls outside the federal autodialer test after Facebook v. Duguid.

Random dialing only

Sequential dialing is barred; a detectable, predictable pattern counts as sequential (§ 86-251). No text or caller ID spoofing statute.

Aa. **Identify**

State the caller within the first 25 seconds and give a callback number or address.

Bb. **Length**

No solicitation message may run longer than two minutes (§ 003.02).

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Cc. **Release**

Free the line within five seconds after the called person hangs up (§ 86-249).



Robocall device permits

Under § 86-250(1), no one may operate an automatic dialing-announcing device for telephone solicitations without a current Public Service Commission permit for that device.

\$500

Fee per device

Paid with each application, which lists the device, calling times, call volume and call length.



Two-year permit

Renewal is a new application. The PSC may deny or modify a permit that would degrade service.



File the script

Sellers file the message with the PSC and file changes within five days; joint liability with vendors.

Lawsuits and penalties



Actual

Telemarketing act: a consumer with loss or harm recovers actual damages, fees and costs. No damages floor.

\$2,000

Attorney General civil penalty per telemarketing act violation; each violation is also a Class I misdemeanor.

\$10,000



PSC civil penalty per day under the device act, on clear and convincing evidence. No private action.



Nebraska vs. the TCPA

Nebraska is stricter on robocall permits, Sunday and holiday hours, message length and scripts, cancellation, business-line opt-outs and faxes. It is looser in that it has no state list, no statutory damages and no text or spoofing law.

Nebraska

\$500 device permit, Sunday robocalls 1 p.m. to 9 p.m., two-minute messages, five days to cancel a sale.

Federal TCPA

No equipment permit, no day-of-week rule, a national registry, and \$500 per violation, up to triple.

Agency enforcement

No reported Nebraska appellate decision or federal opinion construing either act was located for this summary, so enforcement rests on the statutes and the agencies.

Faxes need permission

Unsolicited fax ads are barred, and unlike federal law there is no business relationship exception (§§ 86-243, 86-245).

Aa. **PSC**

Investigates, issues 20-day ex parte cease and desist orders, and suspends permits.

Bb. **Seizure**

Devices calling emergency lines or patient rooms may be seized without a warrant.

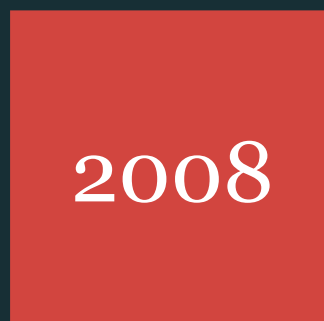
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Cc. **AG**

Seeks civil penalties of up to \$2,000 per telemarketing act violation.



Amendment history



LB 720

Live-operator and no-ad exclusions, joint liability and script filing.



LB 545

Amended only the appeal provision of the device act, § 86-255.



PSC rules

Chapter 11 rules last issued Feb. 27, 2018; republished in 2024.



LB 888

Amended § 75-156; the PSC penalty cap stays \$10,000 per day.

01. Robocall devices

NEB. REV. STAT. §§ 86-244 TO 86-251

- Get a \$500 PSC permit per device; renew every two years.
- File each script; file changes within five days.
- Dial randomly; no robocalls to cell or charged numbers.
- Identify in 25 seconds; keep messages under two minutes.

02. Hours, lists and sales

291 NAC CH. 11; §§ 86-224 TO 86-230

- Robocalls 8 a.m. to 9 p.m.; Sundays, holidays 1 to 9 p.m.
- Keep a company list covering business lines too.
- Give notice of the five-day cancel right; keep records 24 months.

CHECKLIST

Compliance checklist

PLEASE NOTE

This checklist summarizes state law for general information and is not legal advice. Statutes change; confirm current text with the official source.



Sources behind this deck

NEBRASKA STATUTES

[Neb. Rev. Stat. § 86-242](#) telephone solicitation defined

[Neb. Rev. Stat. § 86-243](#) unsolicited advertisement

[Neb. Rev. Stat. § 86-244](#) prohibited destinations

[Neb. Rev. Stat. § 86-245](#) fax advertising

[Neb. Rev. Stat. § 86-248](#) hours and do-not-call procedures

[Neb. Rev. Stat. § 86-250](#) device permits

[Neb. Rev. Stat. § 86-251](#) random dialing

[Neb. Rev. Stat. § 86-253](#) PSC enforcement

NEBRASKA STATUTES (CONTINUED)

[Neb. Rev. Stat. § 86-256](#) non-solicitation devices

[Neb. Rev. Stat. § 86-225](#) cancellation right

[Neb. Rev. Stat. § 86-233](#) private remedy

[Neb. Rev. Stat. § 86-235](#) civil penalty

[Neb. Rev. Stat. § 75-156](#) PSC civil penalties

NEBRASKA PSC

[291 Neb. Admin. Code ch. 11](#) automatic dialing-announcing device rules

FEDERAL LAW

[47 U.S.C. § 227](#) Telephone Consumer Protection Act

[47 C.F.R. § 64.1200](#) FCC telemarketing and robocall rules

[16 C.F.R. Part 310](#) FTC Telemarketing Sales Rule

Read the full Nebraska guide: <https://tcpa.com/state-telemarketing-laws/nebraska/>

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The law changes

Current as of October 15, 2026. Statutes, FCC and FTC rules and court decisions change, and some changes are adopted before they take effect. This deck may not reflect later developments.

Courts disagree. Courts in different places can read the same rule differently. Case summaries are not predictions: any other matter turns on its own facts, court and law.

Check the official source. Verify each point against the statute, rule or opinion on the Sources slide. If an official source and this deck differ, the official source controls.

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Read the full Nebraska guide on TCPA.com

The guide covers the device act, PSC permits and hours, company do-not-call rules, the telemarketing act, penalties and a checklist, with links to the official sources.



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Adam Young is a Miami entrepreneur, the CEO of Ringba and the author of The Pay Per Call Revolution, with more than a decade in telecom, call routing and performance marketing. At TCPA.com he writes about the TCPA, robocall enforcement, tech support fraud cases and what DOJ, FTC and FCC actions mean for companies that make calls. His goal is simple: keep good companies compliant and keep scammers off the phone network.

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