

NEBRASKA ADMINISTRATIVE CODE

Title 48 - DEPARTMENT OF BANKING AND FINANCE

Chapter 13 - APPROVED EXCHANGES FOR THE SECTION 8-1110(5) EXCHANGE EXEMPTION

001 GENERAL.

001.01 This Rule has been promulgated pursuant to authority delegated to the Director in Sections 8-1120 and 8-1110(5) of the Securities Act of Nebraska ("Act").

001.02 The Department has determined that this Rule relating to Section 8-1110(5) of the Act is consistent with investor protection and is in the public interest.

001.03 The definitions in 48 NAC 2 apply to the provisions of this Rule, unless otherwise specified.

001.04 Federal statutes and rules of the Securities and Exchange Commission ("SEC") and of the Financial Industry Regulatory Authority ("FINRA") referenced herein means those statutes and rules as amended on or before the effective date of this Rule. A copy of the statutes or rules referenced in this Rule is available as an appendix to this rule at [www.ndbf.nebraska.gov](http://www.ndbf.nebraska.gov).

001.05 The provisions of this Rule do not apply to any security that is a federal covered security pursuant to the provisions of Section 18(b)(1) of the Securities Act of 1933.

002 DESIGNATION OF APPROVED EXCHANGES: Stock exchanges specified by or approved under Section 8-1110(5) of the Securities Act of Nebraska, are as follows:

002.01 The securities exchanges specified by Section 18(b)(1) of the Securities Act of 1933 and 17 CFR 230.146; and

002.02 The Chicago Stock Exchange.

003 DISCLOSURE. Nothing in this exemption is intended to relieve, or should be construed as in any way relieving, sellers or persons acting on behalf of sellers from providing to prospective investors disclosure adequate to satisfy the provisions of Section 8-1102(1) of the Act.

004 BURDEN OF PROOF. In any proceeding involving this Rule, the burden of proving the exemption from registration is upon the person claiming the exemption.