

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 649

Introduced by Kintner, 2; Brasch, 16; Craighead, 6; Ebke, 32; Groene, 42;
Larson, 40; Lindstrom, 18; Murante, 49; Schilz, 47;
Schnoor, 15.

Read first time January 21, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to public records; to amend section 84-712.01,
- 2 Reissue Revised Statutes of Nebraska; to provide that certain votes
- 3 of public officials are public record; and to repeal the original
- 4 section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-712.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 84-712.01 (1) Except when any other statute expressly provides that
4 particular information or records shall not be made public, public
5 records shall include all records and documents, regardless of physical
6 form, of or belonging to this state, any county, city, village, political
7 subdivision, or tax-supported district in this state, or any agency,
8 branch, department, board, bureau, commission, council, subunit, or
9 committee of any of the foregoing. Data which is a public record in its
10 original form shall remain a public record when maintained in computer
11 files. All votes taken by public officials in the course of their public
12 duties shall be considered public record.

13 (2) When a custodian of a public record of a county provides to a
14 member of the public, upon request, a copy of the public record by
15 transmitting it from a modem to an outside modem, a reasonable fee may be
16 charged for such specialized service. Such fee may include a reasonable
17 amount representing a portion of the amortization of the cost of computer
18 equipment, including software, necessarily added in order to provide such
19 specialized service. This subsection shall not be construed to require a
20 governmental entity to acquire computer capability to generate public
21 records in a new or different form when that new form would require
22 additional computer equipment or software not already possessed by the
23 governmental entity.

24 (3) Sections 84-712 to 84-712.03 shall be liberally construed
25 whenever any state, county, or political subdivision fiscal records,
26 audit, warrant, voucher, invoice, purchase order, requisition, payroll,
27 check, receipt, or other record of receipt, cash, or expenditure
28 involving public funds is involved in order that the citizens of this
29 state shall have the full right to know of and have full access to
30 information on the public finances of the government and the public
31 bodies and entities created to serve them.

1 Sec. 2. Original section 84-712.01, Reissue Revised Statutes of
2 Nebraska, is repealed.