

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 29

Introduced by Conrad, 46.

Read first time January 09, 2025

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend
- 2 section 84-920, Reissue Revised Statutes of Nebraska; to create a
- 3 review process for rules and regulations; to require reports as
- 4 prescribed; to harmonize provisions; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) Beginning January 1, 2026, each agency shall conduct
2 a review of all existing and pending rules and regulations and every
3 three years thereafter.

4 (2) Each agency head shall designate an individual who is
5 responsible for oversight of the review.

6 (3) Each agency shall submit electronically a detailed report of its
7 findings along with any supporting documentation to the Clerk of the
8 Legislature on or before June 30 in the year the review is conducted. The
9 report shall indicate whether:

10 (a) The rule or regulation is essential to the health, safety, or
11 welfare of the public;

12 (b) The costs of the rule or regulation outweigh the benefits;

13 (c) The agency has a process in place to measure the effectiveness
14 of the rule or regulation;

15 (d) A less restrictive alternative has been considered; and

16 (e) The rule or regulation was promulgated as the result of a (i)
17 state statutory requirement, (ii) federal mandate, or (iii) court
18 decision.

19 (4) Upon receipt of the agency reports required by this section, the
20 Reference Committee of the Legislature shall reference each report to the
21 appropriate standing committee of the Legislature based on each
22 committee's jurisdictional oversight. The committee shall review the
23 agency report and submit a report electronically to the Clerk of the
24 Legislature by December 15 of such year. Each committee report shall
25 include recommendations for legislation, if necessary, to clarify any
26 rule or regulation or provide recommendations for clarifications to any
27 rule or regulation.

28 (5) Agency rulemaking and regulationmaking authorized by the
29 Administrative Procedure Act shall be suspended during the pendency of
30 the agency review process mandated by this section with the exception of
31 any proposed rule or regulation that:

- 1 (a) Affects the health, safety, or welfare of the public;
- 2 (b) Is time sensitive; or
- 3 (c) Is subject to state or federal statutory deadlines.

4 **Sec. 2.** Section 84-920, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 84-920 Sections 84-901 to 84-920 and section 1 of this act, the
7 Occupational Board Reform Act, and the Personal Privacy Protection Act
8 shall be known and may be cited as the Administrative Procedure Act.

9 **Sec. 3.** Original section 84-920, Reissue Revised Statutes of
10 Nebraska, is repealed.