

AMENDMENTS TO LB43

(Amendments to Standing Committee amendments, AM2076)

Introduced by Brewer, 43.

1           1. Insert the following new section:

2           Sec. 21. Section 84-1412, Revised Statutes Cumulative Supplement,  
3   2022, is amended to read:

4           84-1412 (1) Subject to the Open Meetings Act, the public has the  
5   right to attend and the right to speak at meetings of public bodies, and  
6   all or any part of a meeting of a public body, except for closed sessions  
7   called pursuant to section 84-1410, may be videotaped, televised,  
8   photographed, broadcast, or recorded by any person in attendance by means  
9   of a tape recorder, a camera, video equipment, or any other means of  
10   pictorial or sonic reproduction or in writing. Except for closed sessions  
11   called pursuant to section 84-1410, a public body shall allow members of  
12   the public an opportunity to speak at each meeting.

13          (2) It shall not be a violation of subsection (1) of this section  
14   for any public body to make and enforce reasonable rules and regulations  
15   regarding the conduct of persons attending, speaking at, videotaping,  
16   televising, photographing, broadcasting, or recording its meetings,  
17   including meetings held by virtual conferencing. ~~A body may not be~~  
18   ~~required to allow citizens to speak at each meeting, but it may not~~  
19   ~~forbid public participation at all meetings.~~

20          (3) No public body shall require members of the public to identify  
21   themselves as a condition for admission to the meeting nor shall such  
22   body require that the name of any member of the public be placed on the  
23   agenda prior to such meeting in order to speak about items on the agenda.  
24   The body shall require any member of the public desiring to address the  
25   body to identify himself or herself, including an address and the name of  
26   any organization represented by such person unless the address

1 requirement is waived to protect the security of the individual.

2 (4) No public body shall, for the purpose of circumventing the Open  
3 Meetings Act, hold a meeting in a place known by the body to be too small  
4 to accommodate the anticipated audience.

5 (5) No public body shall be deemed in violation of this section if  
6 it holds its meeting in its traditional meeting place which is located in  
7 this state.

8 (6) No public body shall be deemed in violation of this section if  
9 it holds a meeting outside of this state if, but only if:

10 (a) A member entity of the public body is located outside of this  
11 state and the meeting is in that member's jurisdiction;

12 (b) All out-of-state locations identified in the notice are located  
13 within public buildings used by members of the entity or at a place which  
14 will accommodate the anticipated audience;

15 (c) Reasonable arrangements are made to accommodate the public's  
16 right to attend, hear, and speak at the meeting, including making virtual  
17 conferencing available at an instate location to members, the public, or  
18 the press, if requested twenty-four hours in advance;

19 (d) No more than twenty-five percent of the public body's meetings  
20 in a calendar year are held out-of-state;

21 (e) Out-of-state meetings are not used to circumvent any of the  
22 public government purposes established in the Open Meetings Act; and

23 (f) The public body publishes notice of the out-of-state meeting at  
24 least twenty-one days before the date of the meeting in a legal newspaper  
25 of statewide circulation.

26 (7) Each public body shall, upon request, make a reasonable effort  
27 to accommodate the public's right to hear the discussion and testimony  
28 presented at a meeting.

29 (8) Public bodies shall make available at the meeting or the instate  
30 location for virtual conferencing as required by subdivision (6)(c) of  
31 this section, for examination and copying by members of the public, at

1 least one copy of all reproducible written material to be discussed at an  
2 open meeting, either in paper or electronic form. Public bodies shall  
3 make available at least one current copy of the Open Meetings Act posted  
4 in the meeting room at a location accessible to members of the public. At  
5 the beginning of the meeting, the public shall be informed about the  
6 location of the posted information.

7 2. On page 8, strike the new matters in lines 12 to 14.

8 3. On page 17, line 17, after "subdivisions" insert "or any other  
9 public entity subject to sections 84-712 to 84-712.09".

10 4. On page 18, strike beginning with "In" in line 1 through the  
11 period in line 3; and strike beginning with "limits" in line 10 through  
12 "liberty" in line 11 and insert "is consistent with an individual's  
13 fundamental constitutional rights".

14 5. On page 22, line 1, strike "or"; in line 16 strike the period and  
15 insert "; or"; and after line 16 insert the following new subdivision:

16 "(1) Subject to compliance with section 8-112, any request for, or  
17 release of, information, a record, or a report, obtained by the  
18 Department of Banking and Finance from a nonprofit organization.".

19 6. On page 23, line 3, strike "and 84-920" and insert "84-920, and  
20 84-1412".

21 7. Renumber the remaining sections and correct the operative date  
22 section so that the section added by this amendment becomes operative  
23 three calendar months after the adjournment of this legislative session.