

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 970

Introduced by Lautenbaugh, 18.

Read first time January 16, 2014

Committee: Executive Board

A BILL

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

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

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

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

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

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