

AMENDMENTS TO LB1015

(Amendments to Standing Committee amendments, AM1927)

Introduced by Harr, 8.

1           1. Insert the following new section:

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

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

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,

1 check, receipt, or other record of receipt, cash, or expenditure  
2 involving public funds is involved in order that the citizens of this  
3 state shall have the full right to know of and have full access to  
4 information on the public finances of the government and the public  
5 bodies and entities created to serve them.

6 (4) No public record obtained directly or indirectly from the state  
7 or a political subdivision of the state shall be used for purposes of  
8 advertising or marketing or for any other commercial purpose.

9 2. Renumber the remaining sections and correct the repealer  
10 accordingly.