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AMENDMENTS TO LB1236

Introduced by Hansen, 16.

1. Strike the original sections and insert the following new sections:

Section 1. (1) The Clerk of the Legislature is authorized to distribute the session laws, the journal of the Legislature, and the statutes of the state. The session laws, journal, and statutes may be published in print or electronic format or in both formats.

(2) The session laws and journal shall be compiled and published by the Clerk of the Legislature after each regular session of the Legislature. The session laws shall contain all the laws passed by the preceding session as well as those passed during any special session since the last regular session. The session laws shall also contain a certified copy of the Constitution of Nebraska as required by section 49-1701. The clerk shall distribute one copy of the session laws and the journal to each member of the Legislature and shall distribute a second copy to any member of the Legislature upon such member's request.

(3) The Revisor of Statutes shall cause the statutes to be printed pursuant to section 49-704 and the policy described in subsection (4) of this section. The printer shall deliver all completed copies to the Clerk of the Legislature for distribution.

(4) The Clerk of the Legislature shall provide copies of the session laws, journal, and statutes for distribution to judges, county officers and offices, state officers and agencies, libraries, and other persons pursuant to a policy adopted by the Executive Board of the Legislative Council. The clerk shall distribute such copies by the most expeditious and economic means as the clerk determines pursuant to the policy adopted by the executive board. Any person may send a request to the clerk for printed copies of the session laws, journal, or statutes and shall pay

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the cost of production and delivery of such copies as such costs are determined by the clerk based on prices prescribed by the executive board pursuant to the policy. The clerk may sell or otherwise dispose of copies determined to be surplus or superseded pursuant to the policy.

Sec. 2. Section 49-501, Reissue Revised Statutes of Nebraska, is amended to read:

49-501 The Secretary of State is ~~hereby~~ authorized to distribute the laws and journals of the state.

This section terminates on January 1, 2027.

Sec. 3. Section 49-501.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-501.01 The session laws and journal of the Legislature shall be compiled and published by the Clerk of the Legislature after each regular session of the Legislature. The session laws and journal may be published in print or electronic format or in both formats. The session laws shall contain all the laws passed by the preceding session as well as those passed during any special session since the last regular session. The session laws shall also contain a certified copy of the Constitution of Nebraska as required by section 49-1701. The clerk shall distribute one copy of the session laws and journal to each person who was a member of the Legislature by which the laws were enacted and shall distribute a second copy to any such person upon such person's ~~his or her~~ request. The clerk shall provide the session laws and journals to the Secretary of State for distribution pursuant to sections 49-501 to 49-509.01.

This section terminates on January 1, 2027.

Sec. 4. Section 49-502, Reissue Revised Statutes of Nebraska, is amended to read:

49-502 The county clerk shall distribute one copy of the session laws to the clerk of the district court for the use of the district court in all counties of the state except Lancaster and Douglas Counties, and in those counties one copy for each district judge in the county, to the

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judge of the county court, to the county attorney, and to the county law library. The county clerk ~~He or she~~ shall also reserve one copy each of the laws and journals for the county clerk's own use ~~himself or herself~~ and give one copy to each clerk magistrate in the county.

This section terminates on January 1, 2027.

Sec. 5. Section 49-503, Reissue Revised Statutes of Nebraska, is amended to read:

49-503 The county clerk of each county shall make a requisition to ~~upon~~ the Secretary of State for copies of the session laws and the journal of the Legislature for the use of such ~~the~~ county ~~of which he or she is clerk~~. The county clerk shall make the requisition for session laws based on the classification of the county by population as provided in section 23-1114.01. A Class 1 county may request a maximum of three sets, a Class 2 county may request a maximum of five sets, a Class 3 county may request a maximum of seven sets, a Class 4 county may request a maximum of ten sets, a Class 5 county may request a maximum of twelve sets, a Class 6 county may request a maximum of twenty sets, and a Class 7 county may request a maximum of twenty-five sets. The county clerk shall make a requisition for less than the maximum amount authorized if the county clerk ~~he or she~~ finds that a lesser amount is sufficient for the needs of the county. The county clerk shall make a requisition for one copy of the journal of the Legislature. The Secretary of State shall forward the session laws and journal to each county by the most expeditious and economic means and in print or electronic format as he or she determines, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

This section terminates on January 1, 2027.

Sec. 6. Section 49-504, Reissue Revised Statutes of Nebraska, is amended to read:

49-504 Each county officer shall deliver to such officer's ~~his~~ successor in office all laws and journals which shall have come into such

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officer's ~~his~~ possession under the provisions of sections 49-502 and 49-503 as soon after such officer's ~~his~~ successor shall have qualified as such successor or as the county clerk may require.

This section terminates on January 1, 2027.

Sec. 7. Section 49-505, Reissue Revised Statutes of Nebraska, is amended to read:

49-505 After the ~~above~~ distribution under sections 49-502 to 49-504, the copies of laws and journals remaining in the hands of the county clerk may, upon ~~their application, be distributed to~~ the request of the librarians of any public libraries within the county for whose support an annual tax is levied, be distributed to such librarians.

This section terminates on January 1, 2027.

Sec. 8. Section 49-506, Revised Statutes Supplement, 2025, is amended to read:

49-506 After the Secretary of State has made the distribution provided by section 49-503, he or she shall deliver additional copies of the session laws and the journal of the Legislature pursuant to this section in print or electronic format as he or she determines, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

One copy of the session laws shall be delivered to the Lieutenant Governor, the State Treasurer, the Auditor of Public Accounts, the Reporter of Decisions, the State Court Administrator, the State Fire Marshal, the Department of Administrative Services, the Department of Agriculture, the Department of Banking and Finance, the State Department of Education, the Department of Insurance, the Department of Labor, the Department of Motor Vehicles, the Department of Revenue, the Department of Transportation, the Department of Veterans' Affairs, the Department of Water, Energy, and Environment, the Military Department, the Nebraska State Patrol, the Nebraska Commission on Law Enforcement and Criminal Justice, each of the Nebraska state colleges, the Game and Parks

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Commission, the Nebraska Library Commission, the Nebraska Liquor Control Commission, the Nebraska Accountability and Disclosure Commission, the Public Service Commission, the State Real Estate Commission, the Nebraska State Historical Society, the Public Employees Retirement Board, the Risk Manager, the Legislative Fiscal Analyst, the Public Counsel, the materiel division of the Department of Administrative Services, the State Records Administrator, the budget division of the Department of Administrative Services, the Tax Equalization and Review Commission, the inmate library at all state penal and correctional institutions, the Commission on Public Advocacy, and the Library of Congress; two copies to the Governor, the Secretary of State, the Commission of Industrial Relations, and the Coordinating Commission for Postsecondary Education, one of which shall be for use by the community colleges; three copies to the Department of Health and Human Services; four copies to the Nebraska Publications Clearinghouse; five copies to the Attorney General; nine copies to the Revisor of Statutes; sixteen copies to the Supreme Court and the Legislative Council; and thirty-five copies to the University of Nebraska College of Law.

One copy of the journal of the Legislature shall be delivered to the Governor, the Lieutenant Governor, the State Treasurer, the Auditor of Public Accounts, the Reporter of Decisions, the State Court Administrator, the Nebraska State Historical Society, the Legislative Fiscal Analyst, the Tax Equalization and Review Commission, the Commission on Public Advocacy, and the Library of Congress; two copies to the Secretary of State and the Commission of Industrial Relations; four copies to the Nebraska Publications Clearinghouse; five copies to the Attorney General and the Revisor of Statutes; eight copies to the Clerk of the Legislature; thirteen copies to the Supreme Court and the Legislative Council; and thirty-five copies to the University of Nebraska College of Law. The remaining copies shall be delivered to the State Librarian who shall use the same, so far as required for exchange

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purposes, in building up the State Library and in the manner specified in sections 49-507 to 49-509.

This section terminates on January 1, 2027.

Sec. 9. Section 49-507, Reissue Revised Statutes of Nebraska, is amended to read:

49-507 The State Librarian or the State Librarian's ~~his or her~~ designee shall issue one copy each of the session laws and journals to the United States District Attorney, the United States Marshal, the register and receiver of the United States land offices in the state, and each United States Commissioner residing in the state. The State Librarian shall determine whether the copies issued are in print or a reasonably available electronic format, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

This section terminates on January 1, 2027.

Sec. 10. Section 49-508, Reissue Revised Statutes of Nebraska, is amended to read:

49-508 The new members of each Legislature shall be furnished by the State Librarian or his or her designee, at the commencement of the first session for which they are elected, with one copy of each of the session laws and journals of the preceding session, with a second copy furnished to any such member upon such member's ~~his or her~~ request.

This section terminates on January 1, 2027.

Sec. 11. Section 49-509, Reissue Revised Statutes of Nebraska, is amended to read:

49-509 Any remaining copies of the session laws and journals in the hands of the State Librarian shall be sold by the Supreme Court at a price of fifteen dollars for bound print copies of the session laws and forty dollars for bound print copies of the journal, except that after two years have elapsed from the date of publication, the court may sell any bound print copies of the session laws and journals at a price of

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twenty-five cents per volume. Any remaining copies of the session laws and journals in electronic format shall be sold by the Supreme Court at a price not to exceed the amount necessary to recover the cost of production, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

The proceeds shall be remitted to the General Fund. When there is no longer a demand for session laws and journals over two years old, the Supreme Court may dispose of such session laws and journals in such manner as it deems proper.

This section terminates on January 1, 2027.

Sec. 12. Section 49-509.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-509.01 The Clerk of the Legislature is hereby authorized and directed to sell unbound print copies of the session laws and unbound print copies of the daily journal of each legislative session at such price as shall be prescribed by the Executive Board of the Legislative Council, which price shall not exceed the amount necessary to recover costs. For the unbound print journal and laws of a special session, when published separately from that of a regular session, the price shall be as recommended by the Clerk of the Legislature and approved by the Executive Board of the Legislative Council.

This section terminates on January 1, 2027.

Sec. 13. Section 49-617, Revised Statutes Supplement, 2025, is amended to read:

49-617 The Revisor of Statutes shall cause the statutes to be printed. The printer shall deliver all completed copies to the Supreme Court. Such ~~These~~ copies shall be held and disposed of by the court as follows: Sixty copies to the State Library to exchange for statutes of other states; five copies to the State Library to keep for daily use; not to exceed twenty-five copies to the Legislative Council for bill drafting and related services to the Legislature and executive state officers; as

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many copies to the Attorney General as there are ~~he or she has~~ attorneys on the Attorney General's ~~his or her~~ staff; as many copies to the Commission on Public Advocacy as it has attorneys on its staff; up to sixteen copies to the State Court Administrator; thirteen copies to the Tax Commissioner; eight copies to the Nebraska Publications Clearinghouse; six copies to the Public Service Commission; four copies to the Secretary of State; three copies to the Tax Equalization and Review Commission; four copies to the Clerk of the Legislature for use in the clerk's ~~his or her~~ office and three copies to be maintained in the legislative chamber, one copy on each side of the chamber and one copy at the desk of the Clerk of the Legislature, under control of the sergeant at arms; three copies to the Department of Health and Human Services; two copies each to the Governor of the state, the Chief Justice and each judge of the Supreme Court, each judge of the Court of Appeals, the Clerk of the Supreme Court, the Reporter of Decisions, the Commissioner of Labor, the Auditor of Public Accounts, and the Revisor of Statutes; one copy each to the Secretary of State of the United States, each Indian tribal court located in the State of Nebraska, the library of the Supreme Court of the United States, the Adjutant General, the Air National Guard, the Commissioner of Education, the State Treasurer, the Board of Educational Lands and Funds, the Director of Agriculture, the Director of Administrative Services, the Director of Economic Development, the director of the Nebraska Public Employees Retirement Systems, the Director-State Engineer, the Director of Banking and Finance, the Director of Insurance, the Director of Motor Vehicles, the Director of Veterans' Affairs, the Director of Water, Energy, and Environment, the Director of Correctional Services, the Nebraska Emergency Operating Center, each judge of the Nebraska Workers' Compensation Court, each commissioner of the Commission of Industrial Relations, the Nebraska Liquor Control Commission, the State Real Estate Commission, the secretary of the Game and Parks Commission, the Board of Pardons, each

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state institution under the Department of Health and Human Services, each state institution under the State Department of Education, the State Surveyor, the Nebraska State Patrol, the materiel division of the Department of Administrative Services, the personnel division of the Department of Administrative Services, the Nebraska Motor Vehicle Industry Licensing Board, the Board of Trustees of the Nebraska State Colleges, each of the Nebraska state colleges, each district judge of the State of Nebraska, each judge of the county court, each judge of a separate juvenile court, the Lieutenant Governor, each United States Senator from Nebraska, each United States Representative from Nebraska, each clerk of the district court for the use of the district court, the clerk of the Nebraska Workers' Compensation Court, each clerk of the county court, each county attorney, each county public defender, each county law library, and the inmate library at all state penal and correctional institutions, and each member of the Legislature shall be entitled to two complete sets, and two complete sets of such volumes as are necessary to update previously issued volumes, but each member of the Legislature and each judge of any court referred to in this section shall be entitled, on request, to an additional complete set. Copies of the statutes distributed without charge, as listed in this section, shall be the property of the state or governmental subdivision of the state and not the personal property of the particular person receiving a copy. Distribution of statutes to the library of the College of Law of the University of Nebraska shall be as provided in sections 85-176 and 85-177.

<u>This section terminates on January 1, 2027.</u>

Sec. 14. Section 49-704, Reissue Revised Statutes of Nebraska, is amended to read:

49-704 (1) The Revisor of Statutes may, subject to the approval of the Executive Board of the Legislative Council, negotiate and enter into a contract without advertising for bids for the editing, printing,

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binding, and publication, under the Revisor's ~~his~~ supervision and direction, of the supplements and reissued or replacement volumes to the statutes of Nebraska.

(2) The Revisor of Statutes shall cause a sufficient number of copies of such volumes to be printed under contract according to specifications to be formulated by the Revisor of Statutes after taking into consideration the requests made pursuant to the policy described in section 1 of this act.

Sec. 15. Section 49-707, Revised Statutes Cumulative Supplement, 2024, is amended to read:

49-707 The supplements and reissued or replacement volumes of the statutes of Nebraska shall be sold and distributed by the Clerk of the Legislature ~~Supreme Court~~ at such price as shall be prescribed by the Executive Board of the Legislative Council pursuant to the policy described in section 1 of this act, which price shall be sufficient to recover all costs of publication and distribution.

~~The Supreme Court may sell for one dollar per volume any compilation or revision of the statutes of Nebraska that has been superseded by a later official revision, compilation, or replacement volume. The Supreme Court may dispose of any unsold superseded volumes in any manner it deems proper.~~

All money received by the Clerk of the Legislature ~~Supreme Court~~ from the sale of the supplements and reissued or replacement volumes shall be paid into the state treasury to the credit of the Nebraska Statutes Cash Fund or the Nebraska Statutes Distribution Cash Fund, as appropriate. That portion of the money received that represents the costs of publication shall be credited to the Nebraska Statutes Cash Fund, and that portion of the money received that represents the costs of distribution shall be credited to the Nebraska Statutes Distribution Cash Fund. The Clerk of the Legislature ~~court~~ shall take receipts for all such money paid into the funds.

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~~Supplements and reissued volumes shall be furnished and delivered free of charge in the same number and to the same parties as are designated in section 49-617.~~

Sec. 16. Section 49-708, Reissue Revised Statutes of Nebraska, is amended to read:

49-708 The Nebraska Statutes Cash Fund is created. The fund shall consist of funds received pursuant to section 49-707. The fund shall be used by the Revisor of Statutes to perform the duties required by subdivision (4) of section 49-702 and section 49-704, except that transfers may be made from the fund to the General Fund at the direction of the Legislature. Any money in the Nebraska Statutes Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

The Nebraska Statutes Distribution Cash Fund is created. The fund shall consist of funds received pursuant to section 49-707. The fund shall be used by the Clerk of the Legislature ~~Supreme Court~~ to perform the duties required by such section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 17. Section 49-1701, Reissue Revised Statutes of Nebraska, is amended to read:

49-1701 (1) Except as provided in subsection (6) of this section, following each regular session of the Legislature, the Revisor of Statutes shall compile an updated copy of the Constitution of Nebraska, showing all sections as they exist at that time and including notes after the end of each section as follows:

(a) For each section, the Revisor of Statutes shall provide a note referencing the source of such section and any amendments thereto;

(b) If a section is declared unconstitutional or inoperative, in

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whole or in part, by the final judgment of a federal court or the Nebraska Supreme Court, the Revisor of Statutes shall provide a note to that effect. The Attorney General shall assist the Revisor of Statutes in complying with this subdivision by promptly notifying the Revisor of Statutes when any section is declared unconstitutional or inoperative; and

(c) For any section, the Revisor of Statutes may provide additional notes at his or her discretion.

(2) The Revisor of Statutes shall, within two days after the Legislature has adjourned sine die, transmit the updated copy of the Constitution of Nebraska as compiled under subsection (1) of this section to the Secretary of State for his or her review to determine whether the updated copy accurately reflects the text of the Constitution of Nebraska as it exists at that time. If the Secretary of State determines that any changes are necessary, he or she shall, within five days after receipt of the updated copy, notify the Revisor of Statutes of the changes. The Revisor of Statutes shall make such changes and then promptly return the updated copy to the Secretary of State for further review. If the Secretary of State determines that no changes are necessary or that all necessary changes have been made by the Revisor of Statutes, the Secretary of State shall certify the updated copy as an accurate reflection of the text of the Constitution of Nebraska as it exists at that time. The Secretary of State shall then transmit the certified copy to the Clerk of the Legislature for distribution no later than ten days after the Legislature has adjourned sine die.

(3) After receiving the certified copy of the Constitution of Nebraska from the Secretary of State pursuant to subsection (2) of this section, the Clerk of the Legislature shall:

(a) Make the certified copy available in electronic form on the Legislature’s website;

(b) Include the certified copy in the session laws compiled and

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published pursuant to section 1 of this act ~~49-501.01~~; and

(c) Print pamphlets of the certified copy for distribution to the public upon request.

(4) The certified copies printed by the Clerk of the Legislature pursuant to subdivisions (3)(b) and (3)(c) of this section shall constitute the official version of the Constitution of Nebraska and may be cited as prima facie evidence of the law in all courts of this state.

(5) The Secretary of State shall maintain in his or her office a copy of every edition of the Constitution of Nebraska certified pursuant to this section.

(6) Following any regular session of the Legislature, if the Revisor of Statutes determines that there have been no changes to the text of the Constitution of Nebraska and no changes to the notes required by subsection (1) of this section, the Revisor of Statutes may decide not to compile an updated copy of the Constitution of Nebraska for that year. If the Revisor of Statutes decides not to compile an updated copy for the year, he or she shall notify the Secretary of State and the Clerk of the Legislature of such fact and the Clerk of the Legislature shall continue to use the most recent year's certified copy for purposes of subsection (3) of this section.

Sec. 18. Section 83-901, Reissue Revised Statutes of Nebraska, is amended to read:

83-901 The purpose of sections ~~49-617,~~ 68-621, 72-249, 72-1302 to 72-1304, 81-101, 81-102, 81-1021, 83-101.08, 83-107.01, 83-108, 83-112, 83-135, 83-139, 83-140, 83-144, 83-145, 83-147 to 83-150, 83-153 to 83-156, 83-170 to 83-173, 83-186, 83-188, 83-443, and 83-901 to 83-916 is to establish an agency of state government for the custody, study, care, discipline, training, and treatment of persons in the correctional and detention institutions and for the study, training, and treatment of persons under the supervision of other correctional services of the state so that they may be prepared for lawful community living. Correctional

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services shall be so diversified in program and personnel as to facilitate individualization of treatment.

Sec. 19. Section 84-502, Reissue Revised Statutes of Nebraska, is amended to read:

84-502 It shall be the duty of the Secretary of State:

(1) To countersign and affix the seal of the state to all commissions required by law to be issued by the Governor;

(2) To keep a register of all such commissions specifying the person to whom granted, the office conferred, the date of signing the commission, and, when bond or an equivalent commercial insurance policy is taken, the date and amount thereof and the names of the sureties;

(3) To make and keep proper indexes to the records and all public acts, resolutions, papers, and documents in his or her office;

(4) To give any person requiring the same, and paying the lawful fees therefor, a copy of any law, act, resolution, record, or paper in his or her office, and attach thereto his or her certificate under the seal of the state; and

~~(5) To distribute the laws and journals as authorized by section 49-501 and keep an account thereof; and~~

(5)(a) ~~(6)(a)~~ To act as the chief protocol officer of the State of Nebraska;

(b) In coordination with the Governor, the Department of Economic Development, the Department of Agriculture, and other interested federal, state, and local officials, to actively seek appropriate contacts with other officials in nations with which the state has or desires to have active trade, cultural, or educational relations; and

(c) To help facilitate the interchange of ideas and contacts for betterment of commerce, cultural exchange, or educational studies between such nations and the state.

Sec. 20. Section 84-1205.02, Reissue Revised Statutes of Nebraska, is amended to read:

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84-1205.02 Except as provided in sections ~~49-509,~~ 52-1316 ~~,~~ and 60-483 and article 9, Uniform Commercial Code, the board may establish reasonable fees for electronic access to (1) public records or (2) electronic information and services, through the portal. Fees for electronic access to public records shall not exceed the statutory fee for copies of public records in other forms. Any fees collected under this section shall be deposited in the Records Management Cash Fund.

Sec. 21. Section 85-176, Reissue Revised Statutes of Nebraska, is amended to read:

85-176 The following publications of the State of Nebraska shall, as they are from time to time issued, be delivered by the respective officer having custody thereof to the library of the College of Law of the University of Nebraska:

(1) The opinions of the Nebraska Supreme Court and Court of Appeals in either print or electronic format, or both, as determined by the Supreme Court;

(2) Five copies of the Opinions of the Attorney General, five copies of the Blue Book, and two copies each of the reports and recommendations of the Judicial Council and of the reports and recommendations of the Legislative Council;

(3) Copies of the session laws and the journal of the Legislature as provided in section 1 of this act ~~49-506~~;

(4) One copy each of the annual and biennial reports of the state officers who are required by law to make an annual or biennial report; and

(5) Statutes issued by the Clerk of the Legislature ~~Supreme Court~~ shall be requested ~~requisitioned~~ by the librarian of the College of Law pursuant to section 1 of this act, allowing ten copies for the library of the College of Law, five copies for the Legal Aid Bureau and the editors and staff of the Nebraska Law Review, one copy each for every full-time member of the law faculty, and no more than fifteen copies for the

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university libraries, nonlaw faculty, and administrative officers of the university combined.

Sec. 22. Section 85-177, Reissue Revised Statutes of Nebraska, is amended to read:

85-177 In order to enable the library of the College of Law to augment its collections, the librarian of the College of Law of the University of Nebraska is authorized to requisition from the respective officer having custody thereof up to one hundred copies of the following state publications: Legislative Journals, Session Laws, replacement volumes and supplements to the Revised Statutes, and Opinions of the Attorney General. The copies of the Legislative Journals, ~~and~~ Session Laws, and replacement volumes and supplements to the Revised Statutes may be provided in print or electronic format as the Clerk of the Legislature ~~Secretary of State~~ determines, upon ~~recommendation by the Clerk of the Legislature and~~ approval of the Executive Board of the Legislative Council.

Sec. 23. Sections 1, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 25 of this act become operative on January 1, 2027. The other sections of this act become operative on their effective date.

Sec. 24. Original sections 49-501, 49-501.01, 49-502, 49-503, 49-504, 49-505, 49-507, 49-508, 49-509, and 49-509.01, Reissue Revised Statutes of Nebraska, and sections 49-506 and 49-617, Revised Statutes Supplement, 2025, are repealed.

Sec. 25. Original sections 49-704, 49-708, 49-1701, 83-901, 84-502, 84-1205.02, 85-176, and 85-177, Reissue Revised Statutes of Nebraska, and section 49-707, Revised Statutes Cumulative Supplement, 2024, are repealed.