

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 975

Introduced by Conrad, 46.

Read first time January 12, 2026

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Attorney General; to adopt the Private
- 2 Attorney Retention Sunshine Act; and to provide severability.
- 3 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 7 of this act shall be known and may be
2 cited as the Private Attorney Retention Sunshine Act.

3 **Sec. 2.** The Legislature finds that in order to increase
4 transparency and accountability of taxpayer dollars and in order to
5 establish uniformity among state agencies for the provision of contract
6 services, including legal services, the Legislature adopts the Private
7 Attorney Retention Sunshine Act. The act will ensure that if state
8 litigation is delegated to private attorneys, government lawsuits will be
9 prosecuted in a manner to further the public interest rather than to
10 increase the profitability of private attorneys. Taxpayers deserve
11 oversight and accountability when state contracts for legal services are
12 executed to ensure an open, transparent, and competitive public bidding
13 process. Additionally, taxpayers deserve a mechanism for oversight and
14 accountability regarding contracts for legal services and components such
15 as expenses, the fee agreement, and other record keeping should be
16 disclosed upon completion of the contract.

17 **Sec. 3.** For purposes of the Private Attorney Retention Sunshine
18 Act, a contract for legal services exceeding ten thousand dollars means a
19 contract in which the fee paid to a private attorney or law firm whether
20 a flat, hourly, or contingent fee, and expenses, exceeds or can
21 reasonably be expected to exceed ten thousand dollars.

22 **Sec. 4.** (1) The Attorney General shall not retain a private
23 attorney or law firm to perform legal services on behalf of the state
24 until an open and competitive bidding process has been completed
25 consistent with the requirements set forth in section 73-807.

26 (2)(a) When executing a contract for legal services exceeding ten
27 thousand dollars, the Attorney General shall file the proposed contract
28 with the Appropriations Committee of the Legislature, if the Legislature
29 is in session, or with the Executive Board of the Legislative Council, if
30 the Legislature is not in session.

31 (b) Within ten days after the filing, the committee or executive

1 board shall hold a public hearing on the proposed contract and thereafter
2 issue a report to the Attorney General. The report shall include any
3 changes to the proposed contract approved by the committee or executive
4 board. The Attorney General shall review the report and adopt a proposed
5 final contract taking into consideration the committee's or executive
6 board's findings and shall file the proposed final contract with the
7 committee or executive board.

8 (c) If the proposed final contract does not contain the changes
9 proposed by the committee or executive board, the Attorney General shall
10 include an explanation of the reasons for the omission of the proposed
11 changes, including any exigent circumstances, with the proposed final
12 contract. No earlier than thirty days after sending the proposed final
13 contract and any explanation to the committee or executive board, the
14 Attorney General may execute the final contract.

15 Sec. 5. (1) At the conclusion of a legal proceeding for which a
16 private attorney or law firm has been retained on a contingent-fee basis,
17 the private attorney or law firm shall provide the Attorney General with
18 a statement of the hours worked, expenses incurred, the aggregate fee
19 amount, and a breakdown of the hourly rate, calculated based on hours
20 worked divided by the amount of the fee recovered, minus expenses.

21 (2) The state shall not incur legal fees greater than one thousand
22 dollars per hour for legal services rendered. If a disclosure submitted
23 in accordance with this section indicates an hourly rate in excess of one
24 thousand dollars per hour, the rate shall be reduced to one thousand
25 dollars per hour.

26 Sec. 6. The Private Attorney Retention Sunshine Act applies to
27 contracts between private attorneys and the Attorney General executed on
28 or after the effective date of this act.

29 Sec. 7. The Private Attorney Retention Sunshine Act shall not be
30 construed to expand the authority of the Attorney General to execute a
31 contract if no such authority otherwise exists.

1 **Sec. 8.** If any section in this act or any part of any section is
2 declared invalid or unconstitutional, the declaration shall not affect
3 the validity or constitutionality of the remaining portions.