

AMENDMENTS TO LB800

(Amendments to Standing Committee amendments, AM2035)

Introduced by Hansen, B., 16.

1           1. Insert the following new sections:

2           Sec. 340. (1) The Legislature finds that this section is necessary  
3 to minimize burdens on the charitable sector and encourage a grantmaking  
4 environment that is free and independent from intrusive or politically  
5 motivated regulation.

6           (2) For purposes of this section:

7           (a) Agency means each board, commission, department, officer,  
8 division, or other administrative office or unit of the state government  
9 authorized by law to make rules and regulations, except the Adjutant  
10 General's office as provided in Chapter 55, the Legislature, the courts,  
11 including the Nebraska Workers' Compensation Court, and the Commission of  
12 Industrial Relations; and

13           (b) Agency includes the Secretary of State and the Attorney General.

14           (3) Absent the showing of a compelling state interest, an agency  
15 shall not require any annual filing or reporting by a charitable  
16 organization, whether regulated or specifically exempted from regulation,  
17 that is more burdensome than any requirements authorized by state law.  
18 Any such filing or reporting requirement shall be narrowly tailored to  
19 achieve such compelling state interest.

20           (4) This section shall not be construed to limit or restrict the  
21 powers, duties, remedies, or penalties available to the Attorney General  
22 or Secretary of State under statute or common law, including, but not  
23 limited to, issuance of a civil investigative demand or subpoena.

24           Sec. 341. Section 84-920, Revised Statutes Cumulative Supplement,  
25 2020, is amended to read:

26           84-920 Sections 84-901 to 84-920 and section 340 of this act and the

1 Occupational Board Reform Act shall be known and may be cited as the  
2 Administrative Procedure Act.

3       2. Correct the operative date and repealer sections so that the  
4 sections added by this amendment become operative three calendar months  
5 after the adjournment of this legislative session.

6       3. Renumber the remaining sections and correct internal references  
7 accordingly.