

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB441

Hearing Date: Tuesday February 04, 2025
Committee On: Urban Affairs
Introducer: Spivey
One Liner: Authorize virtual inspections for certain building permits and require certain inspection records be made available to the public under the Building Construction Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	5	Senators McKinney, Cavanaugh, J., Clouse, Quick, Rountree
Nay:	1	Senator Sorrentino
Absent:	1	Senator Andersen
Present Not Voting:		

Testimony:

Proponents:

Senator Ashlei Spivey
Ed Black
Anthony Strawn
Jon Nebel

Representing:

Opening Presenter
Bricklayers Local #15 MO/KS/NE
Operating Engineers Local #571
Nebraska State Council of Electrical Workers

Opponents:

Jereme Montgomery

Korby Gilbertson

Representing:

Home Builders Association of Lincoln, Metro Omaha Builders Association
Nebraska Realtors Association, Home Builders Association of Lincoln, Metro Omaha Builders Association

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 441 allows virtual inspections for certain residential building permits under specific conditions, including live video inspections and the use of video or photo documentation for nonstructural reinspections. LB 441 also mandates that inspection records for structures still standing be made publicly accessible.

Section-by-Section Summary:

Section 1 amends Section §71-6401 for the purpose of adding new section 2 to the Building Construction Act.



Section 2 is a new section of law that outlines the definitions and guidelines of permissible virtual inspections.

The section first defines "authorized inspector" and "inspection records" under the Building Construction Act for the purposes of the section.

The section further allows, during inspections as part of a building permit, virtual inspection by an authorized inspector. The following conditions must be met in order to allow the preceding:

- The inspection is of an area of a residential building that is less than three stories in height and under ten thousand square feet;
- The individual requesting or holding the building permit has provided a list of personnel who are completing the work onsite; and
- Except as otherwise provided for nonstructural reinspections, the virtual inspection is conducted live with both the individual requesting or holding the building permit and the authorized inspector.

The section also requires that if a structure is standing at the time of a public records request, any entity requiring inspection by an authorized inspector as part of a building permit must make those inspection records available to the public.

Section 3: Repealer.

Explanation of amendments:

AM 427 broadens the definition of "inspection records" relating to requirements for inspection, and allows virtual inspections by an authorized inspector for single-family or dual-family residential buildings as opposed to all residential buildings under the other condition provided in subdivision (2)(a)(i) of section 2 of the bill.

The amendment also clarifies the scope of inspection by stating that the recorded list of personnel applies only to those licensed and registered with the state who are involved in work that is to be virtually inspected. It does not apply to everyone onsite.

Finally, AM 427 provides a public record disclosure exception for the list of personnel required pursuant to subdivision (2)(a)(ii) of section 2 of the bill.

Terrell McKinney, Chairperson

