

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 441

FINAL READING

Introduced by Spivey, 13.

Read first time January 21, 2025

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to the Building Construction Act; to amend
- 2 section 71-6401, Revised Statutes Cumulative Supplement, 2024; to
- 3 allow virtual inspection for certain building permits as prescribed;
- 4 to harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 71-6401, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 71-6401 Sections 71-6401 to 71-6408 and section 2 of this act shall
4 be known and may be cited as the Building Construction Act.

5 **Sec. 2.** (1) For purposes of this section:

6 (a) Authorized inspector means an individual credentialed with the
7 state agency, county, city, or village issuing permits or a third-party
8 inspector registered or licensed with the State of Nebraska contracted as
9 a result of project specification requirements. Authorized inspector does
10 not include an individual performing a self-performed inspection for the
11 individual's own permit or building; and

12 (b) Inspection records means the pass or fail results, including the
13 reasons for failure or deviation from project specifications, of any
14 inspection required by the permitting entity as a condition of
15 construction in association with the address of the permit requested or
16 issued.

17 (2)(a) Any state agency, county, city, or village that requires an
18 inspection as part of a building permit may allow for virtual inspection
19 by an authorized inspector if the following conditions are met:

20 (i) The inspection is of an area of a single-family or two-family
21 residential building that is less than three stories in height and under
22 ten thousand square feet;

23 (ii) The individual requesting or holding the building permit has
24 provided the name of the contractor who is licensed or registered in such
25 state, county, city, or village and who is completing the work to be
26 virtually inspected; and

27 (iii) Except as provided in subdivision (b) of this subsection, the
28 virtual inspection is conducted live with both the individual requesting
29 or holding the building permit and the authorized inspector.

30 (b) Inspections required for building permits of a nonstructural
31 nature, as determined by the permitting entity, may be conducted using

1 video or photo documentation for any reinspection.

2 (3) Any state agency, county, city, or village that utilizes virtual
3 inspections shall not be required to publicize the name of the contractor
4 who is provided in subdivision (2)(a) of this section.

5 **Sec. 3.** Original section 71-6401, Revised Statutes Cumulative
6 Supplement, 2024, is repealed.