

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1145

Introduced by Lonowski, 33; Andersen, 49; Sanders, 45.

Read first time January 20, 2026

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Open Meetings Act; to amend section
- 2 84-1411, Revised Statutes Supplement, 2025; to change provisions
- 3 relating to notice requirements for a meeting of a public body under
- 4 the act; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 84-1411, Revised Statutes Supplement, 2025, is
2 amended to read:

3 84-1411 (1)(a) Except as provided in subsection (9) of this section,
4 each public body shall give reasonable advance publicized notice of the
5 time and place of each meeting by a method designated by each public body
6 and recorded in its minutes as provided in this subsection. Such notice
7 shall be transmitted to all members of the public body and to the public.

8 (b)(i) Except as provided in subdivision (1)(b)(ii) of this section,
9 in the case of a public body described in subdivision (1)(a)(i) of
10 section 84-1409 or such body's advisory committees, ~~such~~ notice shall be
11 given at least twice a year of the regular meeting schedule, location,
12 and the method designated by the public body to provide reasonable
13 advance publicized notice. Such notice shall be given by publication in a
14 legal newspaper of general circulation within the public body's
15 jurisdiction. ~~by:~~

16 (ii) Subdivision (1)(b)(i) of this section shall not apply in the
17 case of the governing body of a city of the second class or village, any
18 advisory committee of such governing body, or the governing body of a
19 rural or suburban fire protection district.

20 (iii) Failure to comply with subdivision (1)(b)(i) of this section
21 shall not cause any motion, resolution, rule, regulation, ordinance, or
22 formal action of a public body made or taken at a meeting of the public
23 body to be void or voidable.

24 ~~(A)(I) Publication in a newspaper of general circulation within the~~
25 ~~public body's jurisdiction that is finalized for printing prior to the~~
26 ~~time and date of the meeting, (II) posting on such newspaper's website,~~
27 ~~if available, and (III) posting on a statewide website, if available,~~
28 ~~established and maintained as a repository for such notices by a majority~~
29 ~~of Nebraska newspapers. Such notice shall be placed in the newspaper and~~
30 ~~on the websites by the newspaper; or~~

31 ~~(B)(I) Posting to the newspaper's website, if available, and (II)~~

1 ~~posting to a statewide website, if available, established and maintained~~
2 ~~as a repository for such notices by a majority of Nebraska newspapers if~~
3 ~~no edition of a newspaper of general circulation within the public body's~~
4 ~~jurisdiction is to be finalized for printing prior to the time and date~~
5 ~~of the meeting. Such notice shall be placed in the newspaper and on the~~
6 ~~websites by the newspaper.~~

7 ~~(ii) In the case of the governing body of a city of the second class~~
8 ~~or village, any advisory committee of such governing body, or the~~
9 ~~governing body of a rural or suburban fire protection district, such~~
10 ~~notice shall be given by:~~

11 ~~(A)(I) Publication in a newspaper of general circulation within the~~
12 ~~public body's jurisdiction that is finalized for printing prior to the~~
13 ~~time and date of the meeting, (II) posting on such newspaper's website,~~
14 ~~if available, and (III) posting on a statewide website, if available,~~
15 ~~established and maintained as a repository for such notices by a majority~~
16 ~~of Nebraska newspapers. Such notice shall be placed in the newspaper and~~
17 ~~on the websites by the newspaper;~~

18 ~~(B)(I) Posting to the newspaper's website, if available, and (II)~~
19 ~~posting on a statewide website, if available, established and maintained~~
20 ~~as a repository for such notices by a majority of Nebraska newspapers if~~
21 ~~no edition of a newspaper of general circulation within the public body's~~
22 ~~jurisdiction is to be finalized for printing prior to the time and date~~
23 ~~of the meeting. Such notice shall be placed in the newspaper and on the~~
24 ~~websites by the newspaper; or~~

25 ~~(C) Posting written notice in three conspicuous public places in~~
26 ~~such city, village, or district. Such notice shall be posted by the~~
27 ~~public body in the same three places for each meeting.~~

28 ~~(iii) In the case of a public body not described in subdivision (1)~~
29 ~~(b)(i) or (ii) of this section, such notice shall be given by a method~~
30 ~~designated by the public body.~~

31 (c) For a public body that decides to publish notice in a newspaper

1 of general circulation within the public body's jurisdiction to meet the
2 notice requirement in subdivision (1)(a) of this section, in (iv) In case
3 of refusal, neglect, or inability of the newspaper to publish the notice,
4 the public body shall (i) (A) post such notice on its website, if
5 available, (ii) (B) request the newspaper submit a post on a statewide
6 website, if available, established and maintained as a repository for
7 such notices by a majority of Nebraska newspapers, and (iii) (C) post
8 such notice in a conspicuous public place in such public body's
9 jurisdiction. The public body shall keep a written record of such posting
10 pursuant to subdivision (1)(c)(i) (1)(b)(iv)(A) and (iii) (C) of this
11 section and a written record of the request to the newspaper pursuant to
12 subdivision (1)(c)(ii) (1)(b)(iv)(B) of this section. The record of such
13 posting shall be evidence that such posting was done as required and
14 shall be sufficient to fulfill the requirement of publication.

15 ~~(c) In addition to a method of notice required by subdivision (1)(b)~~
16 ~~(i) or (ii) of this section, such notice may also be provided by any~~
17 ~~other appropriate method designated by such public body or such advisory~~
18 ~~committee.~~

19 (d) Each public body shall record the methods and dates of such
20 notice in its minutes.

21 (e) Such notice shall contain an agenda of subjects known at the
22 time of the publicized notice or a statement that the agenda, which shall
23 be kept continually current, shall be readily available for public
24 inspection at the principal office of the public body during normal
25 business hours. Agenda items shall be sufficiently descriptive to give
26 the public reasonable notice of the matters to be considered at the
27 meeting. Except for items of an emergency nature, the agenda shall not be
28 altered later than (i) twenty-four hours before the scheduled
29 commencement of the meeting or (ii) forty-eight hours before the
30 scheduled commencement of a meeting of a city council or village board
31 scheduled outside the corporate limits of the municipality. The public

1 body shall have the right to modify the agenda to include items of an
2 emergency nature only at such public meeting.

3 (2)(a) The following entities may hold a meeting by means of virtual
4 conferencing if the requirements of subdivision (2)(b) of this section
5 are met:

6 (i) A state agency, state board, state commission, state council, or
7 state committee, or an advisory committee of any such state entity;

8 (ii) An organization, including the governing body, created under
9 the Interlocal Cooperation Act, the Joint Public Agency Act, or the
10 Municipal Cooperative Financing Act;

11 (iii) The governing body of a public power district having a
12 chartered territory of more than one county in this state;

13 (iv) The governing body of a public power and irrigation district
14 having a chartered territory of more than one county in this state;

15 (v) An educational service unit;

16 (vi) The Educational Service Unit Coordinating Council;

17 (vii) An organization, including the governing body, of a risk
18 management pool or its advisory committees organized in accordance with
19 the Intergovernmental Risk Management Act;

20 (viii) A community college board of governors;

21 (ix) The Nebraska Brand Committee;

22 (x) A local public health department;

23 (xi) A metropolitan utilities district;

24 (xii) A regional metropolitan transit authority; and

25 (xiii) A natural resources district.

26 (b) The requirements for holding a meeting by means of virtual
27 conferencing are as follows:

28 (i) Reasonable advance publicized notice is given as provided in
29 subsection (1) of this section, including providing access to a dial-in
30 number or link to the virtual conference;

31 (ii) In addition to the public's right to participate by virtual

1 conferencing, reasonable arrangements are made to accommodate the
2 public's right to attend at a physical site and participate as provided
3 in section 84-1412, including reasonable seating, in at least one
4 designated site in a building open to the public and identified in the
5 notice, with: At least one member of the entity holding such meeting, or
6 his or her designee, present at each site; a recording of the hearing by
7 audio or visual recording devices; and a reasonable opportunity for
8 input, such as public comment or questions, is provided to at least the
9 same extent as would be provided if virtual conferencing was not used;

10 (iii) At least one copy of all documents being considered at the
11 meeting is available at any physical site open to the public where
12 individuals may attend the virtual conference. The public body shall also
13 provide links to an electronic copy of the agenda, all documents being
14 considered at the meeting, and the current version of the Open Meetings
15 Act; and

16 (iv) Except as otherwise provided in this subdivision, subsection
17 (1) of section 70-1014, subsection (2) of section 70-1014.02, or
18 subsection (4) of section 79-2204, no more than one-half of the meetings
19 of the state entities, advisory committees, boards, councils,
20 organizations, or governing bodies are held by virtual conferencing in a
21 calendar year. In the case of (A) an organization created under the
22 Interlocal Cooperation Act that sells electricity or natural gas, (B) an
23 organization created under the Municipal Cooperative Financing Act, (C) a
24 governing body of a risk management pool and any advisory committee of
25 such governing body, or (D) any advisory committee of any state entity
26 created in response to the Opioid Prevention and Treatment Act, such
27 organization, governing body, or committee may hold more than one-half of
28 its meetings by virtual conferencing if such organization holds at least
29 one meeting each calendar year that is not by virtual conferencing.

30 (3) Virtual conferencing, emails, faxes, or other electronic
31 communication shall not be used to circumvent any of the public

1 government purposes established in the Open Meetings Act.

2 (4) The secretary or other designee of each public body shall
3 maintain a list of the news media requesting notification of meetings and
4 shall make reasonable efforts to provide advance notification to them of
5 the time and place of each meeting and the subjects to be discussed at
6 that meeting.

7 (5) When it is necessary to hold an emergency meeting without
8 reasonable advance public notice, the nature of the emergency shall be
9 stated in the minutes and any formal action taken in such meeting shall
10 pertain only to the emergency. Such emergency meetings may be held by
11 virtual conferencing. The provisions of subsection (4) of this section
12 shall be complied with in conducting emergency meetings. Complete minutes
13 of such emergency meetings specifying the nature of the emergency and any
14 formal action taken at the meeting shall be made available to the public
15 by no later than the end of the next regular business day.

16 (6) A public body may allow a member of the public or any other
17 witness to appear before the public body by means of virtual
18 conferencing.

19 (7)(a) Notwithstanding subsections (2) and (5) of this section, if
20 an emergency is declared by the Governor pursuant to the Emergency
21 Management Act as defined in section 81-829.39, a public body the
22 territorial jurisdiction of which is included in the emergency
23 declaration, in whole or in part, may hold a meeting by virtual
24 conferencing during such emergency if the public body gives reasonable
25 advance publicized notice as described in subsection (1) of this section.
26 The notice shall include information regarding access for the public and
27 news media. In addition to any formal action taken pertaining to the
28 emergency, the public body may hold such meeting for the purpose of
29 briefing, discussion of public business, formation of tentative policy,
30 or the taking of any action by the public body.

31 (b) The public body shall provide access by providing a dial-in

1 number or a link to the virtual conference. The public body shall also
2 provide links to an electronic copy of the agenda, all documents being
3 considered at the meeting, and the current version of the Open Meetings
4 Act. Reasonable arrangements shall be made to accommodate the public's
5 right to hear and speak at the meeting and record the meeting. Subsection
6 (4) of this section shall be complied with in conducting such meetings.

7 (c) The nature of the emergency shall be stated in the minutes.
8 Complete minutes of such meeting specifying the nature of the emergency
9 and any formal action taken at the meeting shall be made available for
10 inspection as provided in subsection (5) of section 84-1413.

11 (8) In addition to any other statutory authorization for virtual
12 conferencing, any public body not listed in subdivision (2)(a) of this
13 section may hold a meeting by virtual conferencing if:

14 (a) The purpose of the virtual meeting is to discuss items that are
15 scheduled to be discussed or acted upon at a subsequent non-virtual open
16 meeting of the public body;

17 (b) No action is taken by the public body at the virtual meeting;
18 and

19 (c) The public body complies with subdivisions (2)(b)(i) and (ii) of
20 this section.

21 (9) This section does not apply to a meeting of the Nebraska Power
22 Review Board or a public power district, a public power and irrigation
23 district, an electric membership association, an electric cooperative
24 company, a municipality having a generation and distribution system, or a
25 registered group of municipalities if such meeting is subject to section
26 70-1034.

27 **Sec. 2.** Original section 84-1411, Revised Statutes Supplement,
28 2025, is repealed.