

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 441**

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 require certain inspection records be made available to the  
5 public; to harmonize provisions; and to repeal the original section.  
6 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 residential building that is  
21 less than three stories in height and under ten thousand square feet;

22           (ii) The individual requesting or holding the building permit has  
23 provided a list of personnel who are completing the work onsite; and

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

27           (b) Inspections required for building permits of a nonstructural  
28 nature, as determined by the permitting entity, may be conducted using  
29 video or photo documentation for any reinspection.

30           (3) Any state agency, county, city, or village that requires an  
31 inspection as part of a building permit or structural scope of project

1 shall use an authorized inspector for such inspection. Any inspection  
2 records from such inspection shall be made available to the public if the  
3 structure for which the permit was requested or issued is standing at the  
4 time of the request for such inspection records.

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6 Supplement, 2024, is repealed.