

UNICAMERAL YOUTH LEGISLATURE OF NEBRASKA
EIGHTEENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 902

Introduced by: [TBD]
Read first time June 11, 2018
Committee: Government

A BILL

FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes
Cumulative Supplement, 2016; to change provisions relating to documents which may
be withheld from the public.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 84-712.05, Revised Statutes Cumulative Supplement, 2016, is amended to read:

84-712.05 The following records, unless publicly disclosed in an open court, open administrative proceeding or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by the lawful custodian of the records:

(1) Personal information in records regarding a student, prospective student or former student of any educational institution or exempt school that has effectuated an election not to meet state approval or accreditation requirements pursuant to section 79-1601 when such records are maintained by and in the possession of a public entity, other than routine directory information specified and made public consistent with 20 U.S.C. 1232g, as such section existed on February 1, 2013, and regulations adopted thereunder;

(2) Medical records, other than records of births and deaths and except as provided in subdivision (5) of this section, in any form concerning any person; records of elections filed under section 44-2821; and patient safety work product under the Patient Safety Improvement Act;

(3) Trade secrets, academic and scientific research work which is in progress and unpublished, and other proprietary or commercial information which if released would give advantage to business competitors and serve no public purpose;

(4) Records which represent the work product of an attorney and the public body involved which are related to preparation for litigation, labor negotiations or claims made by or against the public body or which are confidential communications as defined in section 27-503;

(5) Social security numbers; credit card, charge card or debit card numbers and expiration dates; and financial account numbers supplied to state and local governments by citizens;

(6) Information obtained by any government entity, whether federal, state, county or local, regarding firearm registration, possession, sale or use that is obtained for purposes of an application permitted or required by law or contained in a permit or license issued by such entity. Such information shall be available upon request to any federal, state, county or local law enforcement agency.

Statement of Intent

LB902 provides an additional exemption to the public records statute 84-712.05 for information obtained by a government entity regarding firearm registration, possession, sale or use. Such information shall be available upon request to any federal, state, county or local law enforcement agency.

Fiscal Note

	FY2018-19		FY2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

No estimated fiscal impact.