

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 638

Introduced by Karpisek, 32.

Read first time January 19, 2011

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to public records; to provide requirements and

2 restrictions for access and use of county records.

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

1 Section 1. (1) This section applies to county records.
2 For purposes of this section, county records means public records
3 generated or maintained by a county.

4 (2) County records obtained pursuant to sections 84-712
5 to 84-712.09 shall not be resold for profit, made available for
6 resale, or otherwise used for trade or commercial purposes except
7 that:

8 (a) Publication or broadcast by the news media, a real
9 estate trade association, or multiple listing services operated by a
10 real estate trade association shall not constitute a resale or use
11 for trade or commercial purposes;

12 (b) Use of the information without resale by a licensed
13 professional in the course of practicing the professional's
14 profession shall not constitute use for trade or commercial purposes;
15 and

16 (c) Resale at cost by a real estate trade association or
17 multiple listing service operated by a real estate trade association
18 shall not constitute a resale or use for trade or commercial
19 purposes.

20 (3) The provisions of this section shall not apply to nor
21 impose any civil liability or penalty upon any public official,
22 public agency, or records custodian for granting access to or
23 providing copies of public records or information containing names
24 and addresses, in good faith compliance with sections 84-712 to
25 84-712.09, to a person who has made a written request for access to

1 such information.

2 (4) Each county shall provide, upon request of any
3 person, the following information:

4 (a) The principal address of the county courthouse and
5 contact information for county officials;

6 (b) The fees, if any, charged for access to or copies of
7 the county's records; and

8 (c) The procedures to be followed in requesting access to
9 and obtaining copies of county records.