

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 364

Introduced by Avery, 28.

Read first time January 18, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to government contracts; to amend section
2 49-14,102, Reissue Revised Statutes of Nebraska; to
3 permit certain government bodies to set limits on certain
4 contracts; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-14,102, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-14,102 (1) Except as otherwise provided by law, no
4 public official or public employee, a member of that individual's
5 immediate family, or business with which the individual is associated
6 shall enter into a contract valued at two thousand dollars or more,
7 in any one year, with a government body unless the contract is
8 awarded through an open and public process.

9 (2) For purposes of this section, an open and public
10 process includes prior public notice and subsequent availability for
11 public inspection during the regular office hours of the contracting
12 government body of the proposals considered and the contract awarded.

13 (3) No contract may be divided for the purpose of evading
14 the requirements of this section.

15 (4) This section shall not apply to a contract when the
16 public official or public employee does not in any way represent
17 either party in the transaction.

18 (5) Notwithstanding any other provision of this section,
19 any government body may prohibit contracts over a specific dollar
20 amount in which a public official or a public employee of such body
21 may have an interest.

22 ~~(5)~~(6) This section prohibits public officials and
23 public employees from engaging in certain activities under
24 circumstances creating a substantial conflict of interest. This
25 section is not intended to penalize innocent persons, and a contract

1 shall not be absolutely void by reason of this section.

2 (7) This section does not apply to contracts covered by
3 sections 49-14,103.01 to 49-14,103.06.

4 Sec. 2. Original section 49-14,102, Reissue Revised
5 Statutes of Nebraska, is repealed.