

LEGISLATIVE BILL 364

Approved by the Governor April 10, 2014

Introduced by Avery, 28.

FOR AN ACT relating to city contracts; to amend section 49-14,102, Reissue Revised Statutes of Nebraska; to permit certain cities to set limits on certain contracts; to provide for applicability of provisions; and to repeal the original section.

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

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

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

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

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

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

(5) Notwithstanding any other provision of this section, any city of the metropolitan, primary, or first class may prohibit contracts over a specific dollar amount in which a public official or a public employee of such city may have an interest.

~~(5)~~ (6) This section prohibits public officials and public employees from engaging in certain activities under circumstances creating a substantial conflict of interest. This section is not intended to penalize innocent persons, and a contract shall not be absolutely void by reason of this section.

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

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 Original section 49-14,102, Reissue Revised Statutes of Nebraska, is repealed.