

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB823

Hearing Date: Thursday January 27, 2022
Committee On: Government, Military and Veterans Affairs
Introducer: Hansen, B.
One Liner: Prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations

Roll Call Vote - Final Committee Action:

Advanced to General File with amendment(s)

Vote Results:

Aye:	5	Senators Brewer, Halloran, Lowe, McCollister, Sanders
Nay:	2	Senators Blood, Hunt
Absent:		
Present Not Voting:	1	Senator Hansen, M.

Oral Testimony:

Proponents:

Senator Ben Hansen
Megan Schmidt

Representing:

Introducer
Philanthropy Roundtable

Opponents:

Hannah Young

Representing:

Nonprofit Association of the Midlands (NAM)

Neutral:

Representing:

Summary of purpose and/or changes:

This bill revises the Administrative Procedures Act. It includes legislative findings that burdens on grantmaking should be free from "intrusive or politically motivated regulation." The bill defines "agency" broadly to include nearly all state executive branch agencies, the courts, and the Legislature.

Such agencies would be broadly prohibited from imposing additional filing or reporting requirements on charitable organizations beyond those required by state law. Agencies could impose such filing or reporting requirements if they can show a compelling state interest and a narrowly tailored means for serving that interest.

Explanation of amendments:

AM 1694 to LB 823

The committee amendment removes the phrase "notwithstanding any provision of law," makes minor changes to the sentence structure and punctuation, and confirms that the powers of the Attorney General include but are not limited to the "issuance of a civil investigative demand or subpoena."

The committee voted to adopt AM 1694 on an 8-0 vote

Tom Brewer, Chairperson