

LEGISLATIVE BILL 565

Approved by the Governor April 27, 1983

Introduced by Executive Board Committee, V. Johnson, 8,
Chairperson; Labeledz, 5; Wagner, 41;
Nichol, 48; Beyer, 3; Barrett, 39;
Schmit, 23; Marsh, 29; Carsten, 2

AN ACT to amend section 84-712.05, Reissue Revised Statutes of Nebraska, 1943, relating to public records; to authorize the withholding of certain records as prescribed; and to repeal the original section.

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

Section 1. That section 84-712.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

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 tax-supported educational institution maintaining such records, other than routine directory information;

(2) Medical records, other than records of births and deaths, in any form concerning any person, and also records of elections filed under section 44-2821;

(3) Trade secrets, academic and scientific research work which is in progress and unpublished, and other proprietary or commercial information which if released would give advantage to business competitors and serve no public purpose;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) Records developed or received by law enforcement agencies and other public bodies charged with duties of investigation or examination of persons, institutions, or businesses, when the records constitute a

part of the examination, ~~the~~ investigation, intelligence information, citizen complaints or inquiries, informant identification, or strategic or tactical information used in law enforcement training;

(6) Appraisals or appraisal information and negotiation records, concerning the purchase or sale, by a public body, of any interest in real or personal property, prior to completion of the purchase or sale;

(7) Personal information in records regarding personnel of public bodies other than salaries and routine directory information;

(8) Information solely pertaining to protection of the physical security of public property such as guard schedules or lock combinations; ~~and~~

(9) Personally identified private citizen account payment information held by public utilities; ~~and~~

(10) Correspondence, memoranda, and records of telephone calls related to the performance of duties by a member of the Legislature.

Sec. 2. That original section 84-712.05, Reissue Revised Statutes of Nebraska, 1943, is repealed.