

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 485

Introduced by Hunt, 8.

Read first time January 17, 2023

Committee:

- 1 A BILL FOR AN ACT relating to state contracts for services; to amend
- 2 section 73-502, Reissue Revised Statutes of Nebraska; to define and
- 3 redefine terms; to provide for applicability of provisions to
- 4 certain state constitutional offices; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 73-502, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 73-502 For purposes of sections 73-501 to 73-510:

4 (1) Contract for services means any contract that directly engages
5 the time or effort of an independent contractor whose purpose is to
6 perform an identifiable task, study, or report rather than to furnish an
7 end item of supply, goods, equipment, or material;

8 (2) Division means the materiel division of the Department of
9 Administrative Services;

10 (3) Emergency means necessary to meet an urgent or unexpected
11 requirement or when health and public safety or the conservation of
12 public resources is at risk;

13 (4) Occasional means seasonal, irregular, or fluctuating in nature;

14 (5) Sole source means of such a unique nature that the contractor
15 selected is clearly and justifiably the only practicable source to
16 provide the service. Determination that the contractor selected is
17 justifiably the sole source is based on either the uniqueness of the
18 service or sole availability at the location required;

19 (6) State agency means any agency, board, or commission of this
20 state, including any officer or state agency established by the
21 Constitution of Nebraska other than the University of Nebraska, the
22 Nebraska state colleges, the courts, or the Legislature; ~~or any officer~~
23 or state agency established by the Constitution of Nebraska; and

24 (7) State agency director means (a) for contracts entered into by a
25 state agency other than an officer or agency established by the
26 Constitution of Nebraska, the director or executive head of the agency,
27 (b) for contracts entered into by a board, commission, or department
28 established by the Constitution of Nebraska, the designee of the board,
29 commission, or department, and (c) for contracts entered into by any
30 other state constitutional officer, the state constitutional officer or
31 the designee of the state constitutional officer; and

1 (8) ~~(7)~~ Temporary means a finite period of time with respect to a
2 specific task or result relating to a contract for services.

3 Sec. 2. Original section 73-502, Reissue Revised Statutes of
4 Nebraska, is repealed.