

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 198

FINAL READING

Introduced by Schimek, 27

Read first time January 9, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 49-1474.02
2 and 86-236, Revised Statutes Cumulative Supplement, 2006;
3 to change requirements for campaign messages under the
4 Nebraska Political Accountability and Disclosure Act; to
5 provide requirements for political messages disseminated
6 under the Automatic Dialing-Announcing Devices Act;
7 to harmonize provisions; and to repeal the original
8 sections.

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

1 Section 1. Section 49-1474.02, Revised Statutes
2 Cumulative Supplement, 2006, is amended to read:

3 49-1474.02 (1) Any person who makes an expenditure
4 reportable under the Nebraska Political Accountability and
5 Disclosure Act to disseminate by any means of telecommunication
6 a prerecorded message or a recorded message relating to a
7 candidate or ballot question shall include, immediately preceding
8 the message, in the message the name of the person, including
9 committees, making the expenditure. Such messages shall only be
10 disseminated between the hours of 8:00 a.m. and 9:00 p.m. at
11 the location of the person receiving such messages. No more than
12 two such messages shall be disseminated to any one residential
13 telephone line per calendar day.

14 (2) Any person who makes an expenditure reportable under
15 the act to disseminate by any means of telecommunication a message
16 relating to a candidate or ballot question which is not a recorded
17 message or a prerecorded message shall, immediately upon the
18 request of the recipient of the message, disclose the name of
19 the person, including committees, making the expenditure. If the
20 message is disseminated through an employee or agent of the person
21 making the expenditure, the employee or agent shall, immediately
22 upon the request of the recipient of the message, disclose the name
23 of the person, including committees, making the expenditure.

24 (3) Any person who makes an expenditure reportable under
25 the act to disseminate by any electronic means, including the

1 Internet or email, a message relating to a candidate or ballot
2 question shall include in the message the name of the person,
3 including committees, making the expenditure.

4 Sec. 2. Section 86-236, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 86-236 Sections 86-236 to 86-257 and section 3 of
7 this act shall be known and may be cited as the Automatic
8 Dialing-Announcing Devices Act.

9 Sec. 3. Any person using an automatic dialing-announcing
10 device for messages of a political nature, including, but not
11 limited to, messages relating to a candidate or ballot question,
12 shall:

13 (1) At the beginning of the message, state clearly the
14 identity of the person on whose behalf the message is being
15 transmitted;

16 (2) Include in the message a statement of whether or not
17 the message was authorized by a candidate and, if authorized, the
18 name of the candidate;

19 (3) Transmit such messages only between the hours of 8:00
20 a.m. and 9:00 p.m. at the location of the person receiving such
21 messages; and

22 (4) Transmit no more than two such messages to any one
23 residential telephone line per calendar day.

24 Sec. 4. Original sections 49-1474.02 and 86-236, Revised
25 Statutes Cumulative Supplement, 2006, are repealed.