

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 527

FINAL READING

Introduced by Aguilar, 35

Read first time January 17, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Political Accountability and
2 Disclosure Act; to amend sections 49-1449, 49-1463.02,
3 and 49-14,140, Reissue Revised Statutes of Nebraska, and
4 section 49-1401, Revised Statutes Cumulative Supplement,
5 2006; to provide registration fees for committees;
6 to provide for waiver of interest as prescribed;
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 49-1401, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 49-1401 Sections 49-1401 to 49-14,141 and section 3 of
4 this act shall be known and may be cited as the Nebraska Political
5 Accountability and Disclosure Act.

6 Sec. 2. Section 49-1449, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 49-1449 (1) Each committee shall file a statement of
9 organization pursuant to this section and pay a registration fee
10 pursuant to section 3 of this act with the commission. Except
11 as provided in subsection (2) of this section, such statement of
12 organization shall be filed and fee paid within ten days after a
13 committee is formed. The commission shall maintain a statement of
14 organization filed by a committee until notified of the committee's
15 dissolution. Any person who fails to file with the commission a
16 statement of organization required by this subsection shall pay
17 to the commission a late filing fee of twenty-five dollars for
18 each day the statement remains not filed in violation of this
19 subsection, not to exceed seven hundred fifty dollars.

20 (2) If the committee is formed within thirty days prior
21 to an election for which the committee exists, the statement of
22 organization shall be filed and registration fee paid within two
23 business days after the committee is formed. Any person who fails
24 to file with the commission a statement of organization required by
25 this subsection shall pay to the commission a late filing fee of

1 one hundred dollars for each day the statement remains not filed in
2 violation of this subsection, not to exceed one thousand dollars.

3 Sec. 3. (1) At the time that each committee files
4 its statement of organization pursuant to section 49-1449, the
5 committee shall pay to the commission a registration fee of one
6 hundred dollars. The filing of a statement of organization is not
7 perfected unless accompanied by the registration fee.

8 (2) A committee which has not perfected its filing of a
9 statement of organization by the date due as specified in section
10 49-1449 shall not make or receive contributions or expenditures
11 until such time as the filing of the statement of organization is
12 perfected, except that:

13 (a) A committee may make an expenditure to pay the
14 registration fee; and

15 (b) A committee may make expenditures for thirty days
16 after the termination of its registration if the expenditures
17 are part of the process of dissolving the committee and the
18 committee dissolves within thirty days after the termination of its
19 registration.

20 (3) The registration fees collected pursuant to this
21 section shall be remitted to the State Treasurer for credit to the
22 Nebraska Accountability and Disclosure Commission Cash Fund.

23 Sec. 4. Section 49-1463.02, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 49-1463.02 Interest shall accrue on all late filing

1 fees and civil penalties imposed under the Nebraska Political
2 Accountability and Disclosure Act at the rate specified in section
3 45-104.02, as such rate may from time to time be adjusted. The
4 interest shall begin to accrue thirty days after the commission
5 sends notice to the person of the assessment of the late filing
6 fee or civil penalty. A written request filed with the commission
7 for relief from late filing fees shall stay the accrual of interest
8 on a late filing fee until such time as the commission grants or
9 denies the request. The commission may waive the payment of accrued
10 interest in the amount of twenty-five dollars or less.

11 Sec. 5. Section 49-14,140, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 49-14,140 The Nebraska Accountability and Disclosure
14 Commission Cash Fund is hereby created. The fund shall consist
15 of funds received by the commission pursuant to sections 49-1470,
16 49-1480.01, 49-1482, 49-1495, 49-14,123, and 49-14,123.01 and
17 section 3 of this act. The fund shall not include late filing
18 fees or civil penalties assessed and collected by the commission.
19 The fund shall be used by the commission in administering the
20 Nebraska Political Accountability and Disclosure Act. Any money in
21 the fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act
23 and the Nebraska State Funds Investment Act.

24 Sec. 6. Original sections 49-1449, 49-1463.02, and
25 49-14,140, Reissue Revised Statutes of Nebraska, and section

LB 527

LB 527

1 49-1401, Revised Statutes Cumulative Supplement, 2006, are
2 repealed.