

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 434

Introduced by Avery, 28

Read first time January 16, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska Political Accountability
2 and Disclosure Act; to amend sections 49-1478.01 and
3 49-1483.03, Reissue Revised Statutes of Nebraska,
4 and sections 49-1458 and 49-1479.02, Revised Statutes
5 Cumulative Supplement, 2006; to change late filing fees
6 as prescribed; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-1458, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 49-1458 (1) A committee which receives a late
4 contribution shall report the contribution to the commission by
5 filing a report within two days after the date of its receipt.
6 The report may be filed by hand delivery, facsimile transmission,
7 telegraph, express delivery service, or any other written means
8 of communication, including electronic means approved by the
9 commission, and need not contain an original signature.

10 (2) The report shall include the full name, street
11 address, occupation, employer, and principal place of business of
12 the contributor, the amount of the contribution, and the date of
13 receipt.

14 (3) A late contribution shall be reported on subsequent
15 campaign statements without regard to reports filed pursuant to
16 this section.

17 (4) Any committee which fails to file a report of late
18 contributions with the commission as required by this section
19 shall pay to the commission a late filing fee of one hundred
20 dollars for each day of the first ten days the report remains
21 not filed in violation of this section. After the tenth day, such
22 committee shall pay, for each day the report remains not filed,
23 an additional late filing fee of one percent of the amount of the
24 late contribution which was required to be reported, not to exceed
25 three thousand dollars or ten percent of the amount of the late

1 contribution which was required to be reported.⁷ ~~whichever is~~
2 ~~greater.~~

3 (5) For purposes of this section, late contribution means
4 a contribution of one thousand dollars or more received after the
5 closing date for campaign statements as provided in subdivision
6 (1) (b) of section 49-1459.

7 Sec. 2. Section 49-1478.01, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 49-1478.01 (1) An independent committee, including a
10 separate segregated political fund, which makes a late independent
11 expenditure shall report the expenditure to the commission by
12 filing within two days after the date of the expenditure the
13 committee's full name and street address, the amount of the
14 expenditure, and the date of the expenditure. The report shall
15 include (a) the full name and street address of the recipient of
16 the expenditure, (b) the name and office sought of the candidate
17 whose nomination or election is supported or opposed by the
18 expenditure, and (c) the identification of the ballot question, the
19 qualification, passage, or defeat of which is supported or opposed.
20 Filing of a report of a late independent expenditure may be by any
21 written means of communication, including electronic means approved
22 by the commission, and need not contain an original signature.
23 A late independent expenditure shall be reported on subsequent
24 campaign statements without regard to reports filed pursuant to
25 this section.

1 (2) A committee which fails to file a report of a late
2 independent expenditure with the commission as required by this
3 section shall pay to the commission a late filing fee of one
4 hundred dollars for each day of the first ten days the report
5 remains not filed in violation of this section. After the tenth
6 day, such committee shall pay, for each day the report remains
7 not filed, an additional late filing fee of one percent of the
8 amount of the late independent expenditure which was required to be
9 reported, not to exceed three thousand dollars or ten percent of
10 the amount of the late independent expenditure which was required
11 to be reported. ~~7 whichever is greater.~~

12 (3) For purposes of this section, late independent
13 expenditure means an independent expenditure as defined in section
14 49-1428 of one thousand dollars or more made after the closing
15 date for campaign statements as provided in subdivision (1)(b) of
16 section 49-1459.

17 Sec. 3. Section 49-1479.02, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 49-1479.02 (1) A major out-of-state contributor shall
20 file with the commission an out-of-state contribution report.
21 An out-of-state contribution report shall be filed on a form
22 prescribed by the commission within ten days after the end of
23 the calendar month in which a person becomes a major out-of-state
24 contributor. For the remainder of the calendar year, a major
25 out-of-state contributor shall file an out-of-state contribution

1 report with the commission within ten days after the end of each
2 calendar month in which the contributor makes a contribution or
3 expenditure.

4 (2) An out-of-state contribution report shall disclose as
5 to each contribution or expenditure not previously reported (a) the
6 amount, nature, value, and date of the contribution or expenditure,
7 (b) the name and address of the committee, candidate, or person
8 who received the contribution or expenditure, (c) the name and
9 address of the person filing the report, and (d) the name, address,
10 occupation, and employer of each person making a contribution of
11 more than two hundred dollars in the calendar year to the person
12 filing the report.

13 (3) This section shall not apply to (a) a person who
14 files a report of a contribution or an expenditure pursuant to
15 subsection (2) of section 49-1469, (b) a person required to file
16 a report or campaign statement pursuant to section 49-1469.07,
17 (c) a committee having a statement of organization on file with
18 the commission, or (d) a person or committee registered with the
19 Federal Election Commission.

20 (4) Any person who fails to file an out-of-state
21 contribution report with the commission as required by this section
22 shall pay to the commission a late filing fee of one hundred
23 dollars for each day of the first ten days the report remains
24 not filed in violation of this section. After the tenth day, such
25 person shall pay, for each day the report remains not filed, an

1 additional late filing fee of one percent of the amount of the
2 contributions or expenditures which were required to be reported,
3 not to exceed ~~three thousand dollars or~~ ten percent of the amount
4 of the contributions or expenditures which were required to be
5 reported. ~~7 whichever is greater.~~

6 Sec. 4. Section 49-1483.03, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 49-1483.03 (1) Any lobbyist or principal who receives
9 or expends more than five thousand dollars for lobbying purposes
10 during any calendar month in which the Legislature is in session
11 shall, within fifteen days after the end of such calendar month,
12 file a special report disclosing for that calendar month all
13 information required by section 49-1483. All information disclosed
14 in a special report shall also be disclosed in the next quarterly
15 report required to be filed. The requirement to file a special
16 report shall not apply to a receipt or expenditure for lobbyist
17 fees for lobbying services which have otherwise been disclosed in
18 the lobbyist's application for registration.

19 (2) Any lobbyist who fails to file a special report
20 required by this section with the Clerk of the Legislature or the
21 commission shall pay to the commission a late filing fee of one
22 hundred dollars for each day of the first ten days the statement
23 report remains not filed in violation of this section. After the
24 tenth day, such lobbyist shall pay, for each day the report remains
25 not filed, an additional late filing fee of one percent of the

1 amount of the receipts and expenditures which were required to be
2 reported, not to exceed ~~three thousand dollars or~~ ten percent of
3 the amount of the receipts and expenditures which were required to
4 be reported. ~~7 whichever is greater.~~

5 Sec. 5. Original sections 49-1478.01 and 49-1483.03,
6 Reissue Revised Statutes of Nebraska, and sections 49-1458 and
7 49-1479.02, Revised Statutes Cumulative Supplement, 2006, are
8 repealed.