

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 527**

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 shall not make or receive  
10 contributions or expenditures until such time as the filing of the  
11 statement of organization is perfected, except that:

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

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

19 (3) The registration of each committee may be renewed by  
20 the payment of an annual registration fee of one hundred dollars.  
21 The fee shall be paid to the commission on or before December 31 of  
22 each calendar year. The registration of a committee shall terminate  
23 on December 31 of the year in which the committee is registered  
24 unless the registration is renewed.

25 (4) A committee whose registration has terminated shall

1 not make or receive contributions or expenditures until such time  
2 as the registration of the committee is renewed.

3 (5) The registration of any committee in existence as of  
4 the effective date of this act shall continue without the payment  
5 of a registration fee until December 31 following the effective  
6 date of this act.

7 (6) The registration fees collected pursuant to this  
8 section shall be remitted to the State Treasurer for credit to the  
9 Nebraska Accountability and Disclosure Commission Cash Fund.

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

12 49-1463.02 Interest shall accrue on all late filing  
13 fees and civil penalties imposed under the Nebraska Political  
14 Accountability and Disclosure Act at the rate specified in section  
15 45-104.02, as such rate may from time to time be adjusted. The  
16 interest shall begin to accrue thirty days after the commission  
17 sends notice to the person of the assessment of the late filing  
18 fee or civil penalty. A written request filed with the commission  
19 for relief from late filing fees shall stay the accrual of interest  
20 on a late filing fee until such time as the commission grants or  
21 denies the request. The commission may waive the payment of accrued  
22 interest in the amount of twenty-five dollars or less.

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

25 49-14,140 The Nebraska Accountability and Disclosure

1 Commission Cash Fund is hereby created. The fund shall consist  
2 of funds received by the commission pursuant to sections 49-1470,  
3 49-1480.01, 49-1482, 49-1495, 49-14,123, and 49-14,123.01 and  
4 section 3 of this act. The fund shall not include late filing  
5 fees or civil penalties assessed and collected by the commission.  
6 The fund shall be used by the commission in administering the  
7 Nebraska Political Accountability and Disclosure Act. Any money in  
8 the fund available for investment shall be invested by the state  
9 investment officer pursuant to the Nebraska Capital Expansion Act  
10 and the Nebraska State Funds Investment Act.

11           Sec. 6. Original sections 49-1449, 49-1463.02, and  
12 49-14,140, Reissue Revised Statutes of Nebraska, and section  
13 49-1401, Revised Statutes Cumulative Supplement, 2006, are  
14 repealed.