



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 1028

Chairperson: Rich Pahls
Committee: Banking, Commerce and Insurance
Date of Hearing: February 4, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 1028 amends the Securities Act of Nebraska (Act). The bill proposes three key changes to the Act. It would allow the Nebraska Department of Banking and Finance (Department) to sue for restitution or disgorgement, make it unlawful to tamper with evidence or to impede an investigation, and require that branch offices for investment advisers be registered.

Currently 33 states, including five (5) that border Nebraska, grant authority to bring an action in court for restitution or disgorgement. Regarding the issue of tampering with evidence, LB 1028 would help the Department to maintain documents and evidence that are needed to investigate a problem, and could actually protect financial advisors from frivolous claims. For additional accountability branch offices would be registered, and each broker-dealer or investment adviser would designate, in writing, a manager for each branch office.

Principal Introducer: _____
Senator Dave Pankonin