

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 574

Introduced by Rogert, 16.

Read first time January 21, 2009

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 49-1469, 49-1469.05,
3 49-1469.08, and 49-1479.02, Revised Statutes Cumulative
4 Supplement, 2008; to eliminate a reporting requirement;
5 to provide for a report of expenditures as prescribed;
6 to harmonize provisions; and to repeal the original
7 sections.

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

1 Section 1. Section 49-1469, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 49-1469 (1) A corporation, labor organization, or
4 industry, trade, or professional association, which is organized
5 under the laws of the State of Nebraska or doing business in this
6 state and which is not a committee, may:

7 (a) Make an expenditure;

8 (b) Make a contribution; and

9 (c) Provide personal services.

10 (2) Such a corporation, labor organization, or industry,
11 trade, or professional association shall not be required to file
12 reports of independent expenditures pursuant to section 49-1467.~~7~~
13 but if it makes a contribution or expenditure, or provides personal
14 services, with a value of more than two hundred fifty dollars, it
15 shall file a report with the commission within ten days after the
16 end of the calendar month in which the contribution or expenditure
17 is made or the personal services are provided. The report shall
18 include:

19 ~~(a) The nature, date, and value of the contribution~~
20 ~~or expenditure and the name of the candidate or committee or a~~
21 ~~description of the ballot question to or for which the contribution~~
22 ~~or expenditure was made, and~~

23 ~~(b) A description of any personal services provided, the~~
24 ~~date the services were provided, and the name of the candidate or~~
25 ~~committee or a description of the ballot question to or for which~~

1 ~~the personal services were provided.~~

2 (3) A corporation, labor organization, or industry,
3 trade, or professional association may not receive contributions
4 unless it establishes and administers a separate segregated
5 political fund which shall be utilized only in the manner set forth
6 in sections 49-1469.05 and 49-1469.06.

7 Sec. 2. Section 49-1469.05, Revised Statutes Cumulative
8 Supplement, 2008, is amended to read:

9 49-1469.05 (1) A corporation, labor organization, or
10 industry, trade, or professional association which establishes and
11 administers a separate segregated political fund:

12 (a) Shall not make an expenditure to such fund, except
13 that it may make expenditures and provide personal services for
14 the establishment and administration of such separate segregated
15 political fund; and

16 (b) Shall file ~~the reports required by subsection (2) of~~
17 ~~section 49-1469~~ a report with respect to the expenditures made or
18 personal services provided for the establishment and administration
19 of such fund but ~~need not file such reports for~~ not with respect to
20 the expenditures made from such fund.

21 (2) The report shall include:

22 (a) The nature, date, and value of the expenditure and
23 the name of the candidate or committee or a description of the
24 ballot question to or for which the expenditure was made; and

25 (b) A description of any personal services provided, the

1 date the services were provided, and the name of the candidate or
2 committee or a description of the ballot question to or for which
3 the personal services were provided.

4 ~~(2)~~ (3) If a corporation makes an expenditure to
5 a separate segregated political fund which is established and
6 administered by an industry, trade, or professional association of
7 which such corporation is a member, such corporation shall not be
8 required to file the reports required by ~~subsection (2) of section~~
9 ~~49-1469.~~ this section.

10 Sec. 3. Section 49-1469.08, Revised Statutes Cumulative
11 Supplement, 2008, is amended to read:

12 49-1469.08 (1) Any corporation, labor organization, or
13 industry, trade, or professional association which fails to file a
14 report with the commission required by section ~~49-1469~~ 49-1469.05
15 or 49-1469.07 shall pay to the commission a late filing fee of
16 twenty-five dollars for each day the statement remains not filed
17 in violation of such sections not to exceed seven hundred fifty
18 dollars.

19 (2) Any person who knowingly violates this section, or
20 section ~~49-1469,~~ 49-1469.05, 49-1469.06, or 49-1469.07 shall be
21 guilty of a Class III misdemeanor.

22 Sec. 4. Section 49-1479.02, Revised Statutes Cumulative
23 Supplement, 2008, is amended to read:

24 49-1479.02 (1) A major out-of-state contributor shall
25 file with the commission an out-of-state contribution report.

1 An out-of-state contribution report shall be filed on a form
2 prescribed by the commission within ten days after the end of
3 the calendar month in which a person becomes a major out-of-state
4 contributor. For the remainder of the calendar year, a major
5 out-of-state contributor shall file an out-of-state contribution
6 report with the commission within ten days after the end of each
7 calendar month in which the contributor makes a contribution or
8 expenditure.

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

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

25 (4) Any person who fails to file an out-of-state

1 contribution report with the commission as required by this section
2 shall pay to the commission a late filing fee of one hundred
3 dollars for each of the first ten days the report remains not filed
4 in violation of this section. After the tenth day, such person
5 shall pay, for each day the report remains not filed, an additional
6 late filing fee of one percent of the amount of the contributions
7 or expenditures which were required to be reported, not to exceed
8 ten percent of the amount of the contributions or expenditures
9 which were required to be reported.

10 Sec. 5. Original sections 49-1469, 49-1469.05,
11 49-1469.08, and 49-1479.02, Revised Statutes Cumulative Supplement,
12 2008, are repealed.