

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 176
Final Reading

Introduced by Avery, 28.

Read first time January 07, 2011

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 49-14,126 and
3 49-14,140, Reissue Revised Statutes of Nebraska; to
4 provide for payment of hearing costs by violators in
5 certain cases as prescribed; to provide for placement of
6 proceeds; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-14,126, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-14,126 (1) The commission, upon finding that there has
4 been a violation of the Nebraska Political Accountability and
5 Disclosure Act or any rule or regulation promulgated thereunder, may
6 issue an order requiring the violator to do one or more of the
7 following:

8 (a) Cease and desist violation;

9 (b) File any report, statement, or other information as
10 required; ~~or~~

11 (c) Pay a civil penalty of not more than two thousand
12 dollars for each violation of the act, rule, or regulation; or -

13 (d) Pay the costs of the hearing in a contested case if
14 the violator did not appear at the hearing personally or by counsel.

15 (2) If the commission finds a violation of the Campaign
16 Finance Limitation Act, the commission shall assess a civil penalty
17 as required under section 32-1604, 32-1606.01, or 32-1612.

18 Sec. 2. Section 49-14,140, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 49-14,140 The Nebraska Accountability and Disclosure
21 Commission Cash Fund is hereby created. The fund shall consist of
22 funds received by the commission pursuant to sections 49-1449.01,
23 49-1470, 49-1480.01, 49-1482, ~~49-1495,~~ 49-14,123, and 49-14,123.01
24 and subdivision (1)(d) of section 49-14,126. The fund shall not
25 include late filing fees or civil penalties assessed and collected by

1 the commission. The fund shall be used by the commission in
2 administering the Nebraska Political Accountability and Disclosure
3 Act., ~~except that transfers may be made from the fund to the General~~
4 ~~Fund at the direction of the Legislature through June 30, 2011.~~ Any
5 money in the Nebraska Accountability and Disclosure Commission Cash
6 Fund available for investment shall be invested by the state
7 investment officer pursuant to the Nebraska Capital Expansion Act and
8 the Nebraska State Funds Investment Act.

9 Sec. 3. Original sections 49-14,126 and 49-14,140,
10 Reissue Revised Statutes of Nebraska, are repealed.