

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 368**

Introduced by Sanders, 45; Stinner, 48.

Read first time January 13, 2021

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend
- 2 section 84-304.01, Reissue Revised Statutes of Nebraska; to provide
- 3 for a late fee and audit powers as prescribed; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-304.01, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3 84-304.01 (1) It shall be the duty of the Auditor of Public  
4 Accounts to establish, by rule and regulation, minimum standards  
5 applicable to all audit, financial, or accounting reports or copies of  
6 such reports required to be filed with the Auditor of Public Accounts by  
7 any political subdivision of the State of Nebraska. Such minimum  
8 standards shall be in accordance with sound accounting principles, in  
9 conformity with generally accepted auditing standards and government  
10 auditing standards, and designed to bring about uniformity in the content  
11 and form of such reports within the same type of political subdivision.  
12 Audit reports of any political subdivision required to file such reports  
13 with the Auditor of Public Accounts shall be prepared in conformity with  
14 generally accepted auditing standards and government auditing standards.

15 (2) If a political subdivision required to file a report with the  
16 Auditor of Public Accounts fails to file such report by the applicable  
17 due date, the Auditor of Public Accounts may:

18 (a) Assess the political subdivision a late fee of twenty dollars  
19 per day for each calendar day the required report remains not filed. Such  
20 late fee shall begin on the day following the date the report is due. The  
21 total late fee assessed under this subdivision shall not exceed two  
22 thousand dollars per filing. Of the late fee assessed and collected  
23 pursuant to this subdivision, the Auditor of Public Accounts shall remit  
24 to the State Treasurer for credit to the Auditor of Public Accounts Cash  
25 Fund an amount sufficient to reimburse the direct costs of administering  
26 and enforcing this subdivision, but such amount shall not exceed one  
27 hundred dollars from such late fee assessed and collected. The Auditor of  
28 Public Accounts shall remit the remainder of any late fee assessed and  
29 collected under this subdivision to the State Treasurer to be distributed  
30 in accordance with Article VII, section 5, of the Constitution of  
31 Nebraska; and

1           (b) At the auditor's discretion, audit the political subdivision.  
2           The expense of such audit shall be paid by the political subdivision.

3           (3) In connection with his or her duties, but at his or her  
4 discretion, the Auditor of Public Accounts may conduct performance audits  
5 of all political subdivisions receiving more than twenty-five thousand  
6 dollars in the audit year in tax funds from the state including all  
7 public utilities and all counties, townships, municipalities, cities,  
8 villages, districts, authorities, and other public corporations and  
9 entities. The performance audits shall be conducted in conformity with  
10 generally accepted auditing standards and government auditing standards.

11           Sec. 2. Original section 84-304.01, Reissue Revised Statutes of  
12 Nebraska, is repealed.