

LEGISLATIVE BILL 527

Approved by the Governor March 7, 2007

Introduced by Aguilar, 35

FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1449, 49-1463.02, and 49-14,140, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Cumulative Supplement, 2006; to provide registration fees for committees; to provide for waiver of interest as prescribed; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 49-1401, Revised Statutes Cumulative Supplement, 2006, is amended to read:

49-1401 Sections 49-1401 to 49-14,141 and section 3 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act.

Sec. 2. Section 49-1449, Reissue Revised Statutes of Nebraska, is amended to read:

49-1449 (1) Each committee shall file a statement of organization pursuant to this section and pay a registration fee pursuant to section 3 of this act with the commission. Except as provided in subsection (2) of this section, such statement of organization shall be filed and fee paid within ten days after a committee is formed. The commission shall maintain a statement of organization filed by a committee until notified of the committee's dissolution. Any person who fails to file with the commission a statement of organization required by this subsection shall pay to the commission a late filing fee of twenty-five dollars for each day the statement remains not filed in violation of this subsection, not to exceed seven hundred fifty dollars.

(2) If the committee is formed within thirty days prior to an election for which the committee exists, the statement of organization shall be filed and registration fee paid within two business days after the committee is formed. Any person who fails to file with the commission a statement of organization required by this subsection shall pay to the commission a late filing fee of one hundred dollars for each day the statement remains not filed in violation of this subsection, not to exceed one thousand dollars.

Sec. 3. (1) At the time that each committee files its statement of organization pursuant to section 49-1449, the committee shall pay to the commission a registration fee of one hundred dollars. The filing of a statement of organization is not perfected unless accompanied by the registration fee.

(2) A committee which has not perfected its filing of a statement of organization by the date due as specified in section 49-1449 shall not make or receive contributions or expenditures until such time as the filing of the statement of organization is perfected, except that:

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

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

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

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

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

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

49-14,140 The Nebraska Accountability and Disclosure Commission

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

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