

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 400

FINAL READING

Introduced by Smith, 14.

Read first time January 16, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Political Accountability and
- 2 Disclosure Act; to amend sections 49-1493 and 49-1494, Reissue
- 3 Revised Statutes of Nebraska; to change requirements for statements
- 4 of financial interest; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-1493, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 49-1493 The individuals listed in subdivisions (1) through (13) of
4 this section shall file with the commission a statement of financial
5 interests as provided in sections 49-1496 and 49-1497 for the preceding
6 calendar year on or before March ~~April~~ 1 of each year in which such
7 individual holds such a position. An individual who leaves office shall,
8 within thirty days after leaving office, file a statement covering the
9 period since the previous statement was filed. Disclosure of the interest
10 named in sections 49-1496 to 49-1498 shall be made by:

11 (1) An individual holding a state executive office as provided in
12 Article IV of the Constitution of Nebraska, including the Governor,
13 Lieutenant Governor, Secretary of State, Auditor of Public Accounts,
14 State Treasurer, Attorney General, Tax Commissioner, and heads of such
15 other executive departments as set forth in the Constitution or as may be
16 established by law;

17 (2) An individual holding the office of Commissioner of Education,
18 member of the State Board of Education, member of the Board of Regents of
19 the University of Nebraska with the exception of student members, or
20 member of the Coordinating Commission for Postsecondary Education;

21 (3) A member of the Board of Parole;

22 (4) A member of the Public Service Commission;

23 (5) A member of the Legislature;

24 (6) A member of the board of directors or an officer of a district
25 organized under the provisions of Chapter 70;

26 (7) A member of any board or commission of the state or any county
27 which examines or licenses a business or which determines rates for or
28 otherwise regulates a business;

29 (8) A member of a land-use planning commission, zoning commission,
30 or authority of the state or any county with a population of more than
31 one hundred thousand inhabitants;

1 (9) An elected official of a city of the primary or metropolitan
2 class;

3 (10) An elected county official;

4 (11) A member of the Nebraska Environmental Trust Board;

5 (12) An individual employed at the University of Nebraska-Lincoln in
6 the position of Head Football Coach, Men's Basketball Coach, or Women's
7 Basketball Coach; and

8 (13) An official or employee of the state designated by rules and
9 regulations of the commission who is responsible for taking or
10 recommending official action of a nonministerial nature with regard to:

11 (a) Contracting or procurement;

12 (b) Administering or monitoring grants or subsidies;

13 (c) Land-use planning or zoning;

14 (d) Inspecting, licensing, regulating, or auditing any person; or

15 (e) Any similar action.

16 Sec. 2. Section 49-1494, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 49-1494 (1) An individual who files to appear on the ballot for
19 election to an elective office specified in section 49-1493 shall file a
20 statement of financial interests for the preceding calendar year with the
21 commission. ÷

22 ~~(a) File a statement of financial interests for the preceding~~
23 ~~calendar year at the same time and with the same official with whom the~~
24 ~~individual files for office; and~~

25 ~~(b) File a copy of the statement with the commission within five~~
26 ~~days after filing for office.~~

27 (2) Candidates for the elective offices specified in section 49-1493
28 who qualify other than by filing shall file a statement for the preceding
29 calendar year with the commission within five ~~fifteen~~ days after becoming
30 a candidate or being appointed to that elective office.

31 ~~(3) A filing to appear on the ballot shall not be accepted by a~~

1 ~~filing official unless a statement is properly filed.~~

2 ~~(3 4) A statement of financial interests shall be preserved for a~~
3 ~~period of not less than five years by the commission and not less than~~
4 ~~eighteen months by the officials other than the commission with whom it~~
5 ~~is filed.~~

6 ~~(5) This section does not apply to a person who has already filed a~~
7 ~~statement for the preceding calendar year.~~

8 ~~(4 6) If the candidate for an elective office specified in section~~
9 ~~49-1493 files to appear on the ballot for election prior to January 1 of~~
10 ~~the year in which the election is held, the candidate shall file~~
11 ~~supplementary statements, covering the preceding calendar year, with the~~
12 ~~commission appropriate filing officials on or before March April 1 of the~~
13 ~~year in which the election is held covering the preceding calendar year.~~

14 ~~(5) A candidate for an elective office specified in section 49-1493~~
15 ~~who fails to file a statement of financial interests as required in~~
16 ~~subsection (1) or (2) of this section within five days after the deadline~~
17 ~~in subsection (4) of this section and section 49-1493 shall not appear on~~
18 ~~the ballot.~~

19 Sec. 3. Original sections 49-1493 and 49-1494, Reissue Revised
20 Statutes of Nebraska, are repealed.