

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1057

Introduced by Murante, 49.

Read first time January 20, 2016

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to the Nebraska Political Accountability and
2 Disclosure Act; to amend section 49-1446.01, Reissue Revised
3 Statutes of Nebraska, and sections 49-1459 and 49-14,126, Revised
4 Statutes Cumulative Supplement, 2014; to prohibit candidate
5 committees from making loans of money; to change provisions relating
6 to campaign statements; to change the amount authorized for civil
7 penalties; to authorize an order of restitution; and to repeal the
8 original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 49-1446.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 49-1446.01 (1) No committee, other than a political party committee,
4 may expend funds except (a) to make an expenditure, as defined in
5 subsection (1), (2), or (3) of section 49-1419, except that a candidate
6 committee shall not loan money, or (b) ~~or~~ as provided in section
7 49-1446.03 or 49-1469.06, except that a candidate committee shall not
8 loan money.

9 (2) A candidate committee of an officeholder may make expenditures
10 for the payment of installation and use of telephone and telefax machines
11 located in an officeholder's public office and used by such officeholder.

12 (3) Any committee, including a political party committee, may invest
13 funds in investments authorized for the state investment officer in the
14 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
15 Act. Nothing in this section shall prohibit a separate segregated
16 political fund from disbursing funds as provided in section 49-1469.06.

17 Sec. 2. Section 49-1459, Revised Statutes Cumulative Supplement,
18 2014, is amended to read:

19 49-1459 (1) Except as provided in subsection (2) of this section,
20 campaign statements as required by the Nebraska Political Accountability
21 and Disclosure Act shall be filed according to the following schedule:

22 (a) A first preelection campaign statement shall be filed not later
23 than the thirtieth day before the election. The closing date for a
24 campaign statement filed under this subdivision shall be the thirty-fifth
25 day before the election;

26 (b) A second preelection campaign statement shall be filed not later
27 than the tenth day before the election. The closing date for a campaign
28 statement filed under this subdivision shall be the fifteenth day before
29 the election; and

30 (c) A postelection campaign statement shall be filed not later than
31 the fortieth day following the primary election and the seventieth day

1 following the general election. The closing date for a postelection
2 campaign statement to be filed under this subdivision after the primary
3 election shall be the thirty-fifth day following the election. The
4 closing date for a postelection campaign statement to be filed under this
5 subdivision after the general election shall be December 31 of the year
6 in which the election is held. If all liabilities of a candidate and
7 committee are paid before the closing date and additional contributions
8 are not expected, the campaign statement may be filed at any time after
9 the election, but not later than the dates provided under this
10 subdivision.

11 (2) Any committee may file a statement with the commission
12 indicating that the committee does not expect to receive contributions or
13 make expenditures of more than one thousand dollars in the calendar year
14 of an election. Such statement shall be signed by the committee treasurer
15 or the assistant treasurer, and in the case of a candidate committee, it
16 shall also be signed by the candidate. Such statement shall be filed on
17 or before the thirtieth day before the election. A committee which files
18 a statement pursuant to this subsection is not required to file campaign
19 statements according to the schedule prescribed in subsection (1) of this
20 section but shall file a ~~sworn~~ statement of exemption not later than the
21 fortieth day following the primary election and the seventieth day
22 following the general election stating only that the committee did not,
23 in fact, receive or expend an amount in excess of one thousand dollars.
24 If the committee receives contributions or makes expenditures of more
25 than one thousand dollars during the election year, the committee is then
26 subject to all campaign filing requirements under subsection (1) of this
27 section.

28 Sec. 3. Section 49-14,126, Revised Statutes Cumulative Supplement,
29 2014, is amended to read:

30 49-14,126 The commission, upon finding that there has been a
31 violation of the Nebraska Political Accountability and Disclosure Act or

1 any rule or regulation promulgated thereunder, may issue an order
2 requiring the violator to do one or more of the following:

3 (1) Cease and desist from the violation;

4 (2) File any report, statement, or other information as required;

5 (3) Pay a civil penalty of not more than five ~~two~~ thousand dollars
6 for each violation of the act, rule, or regulation; ~~or~~

7 (4) Pay the costs of the hearing in a contested case if the violator
8 did not appear at the hearing personally or by counsel; or ~~-~~

9 (5) Make restitution to any committee, government body, or person.

10 Sec. 4. Original section 49-1446.01, Reissue Revised Statutes of
11 Nebraska, and sections 49-1459 and 49-14,126, Revised Statutes Cumulative
12 Supplement, 2014, are repealed.