

LEGISLATURE OF NEBRASKA
 ONE HUNDRED THIRD LEGISLATURE
 FIRST SESSION
LEGISLATIVE BILL 79

Final Reading

Introduced by Avery, 28.

Read first time January 10, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to political accountability and disclosure; to
 2 amend sections 28-915.01, 49-1413, 49-1415, 49-1433.01,
 3 49-1445, 49-1446, 49-1446.04, 49-1447, 49-1455, 49-1456,
 4 49-1457, 49-1459, 49-1461.01, 49-1463, 49-1463.01,
 5 49-1464, 49-1467, 49-1469, 49-1469.05, 49-1469.06,
 6 49-1469.07, 49-1469.08, 49-1477, 49-1479.02, 49-1488.01,
 7 49-14,122, 49-14,123, 49-14,124, 49-14,124.01,
 8 49-14,124.02, 49-14,125, 49-14,129, 49-14,132, 49-14,133,
 9 and 49-14,141, Reissue Revised Statutes of Nebraska, and
 10 sections 49-14,126 and 49-14,140, Revised Statutes
 11 Cumulative Supplement, 2012; to change provisions
 12 relating to filing campaign statements and reports; to
 13 repeal the Campaign Finance Limitation Act; to harmonize
 14 provisions; to provide operative dates; to repeal the
 15 original sections; to outright repeal sections 32-1601,
 16 32-1602, 32-1603, 32-1604, 32-1604.01, 32-1605, 32-1606,

1 32-1606.01, 32-1607, 32-1608.01, 32-1608.02, 32-1608.03,
2 32-1609, 32-1610, 32-1611, 32-1612, 32-1613, and
3 77-27,119.04, Reissue Revised Statutes of Nebraska, and
4 section 32-1608, Revised Statutes Cumulative Supplement,
5 2012; and to declare an emergency.

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

1 Section 1. Section 28-915.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 28-915.01 (1) A person who makes a false statement under
4 oath or equivalent affirmation, or swears or affirms the truth of
5 such a statement previously made, when he or she does not believe the
6 statement to be true, is guilty of a Class I misdemeanor if the
7 falsification:

8 (a) Occurs in an official proceeding; or

9 (b) Is intended to mislead a public servant in performing
10 his or her official function.

11 (2) A person who makes a false statement under oath or
12 equivalent affirmation, or swears or affirms the truth of such a
13 statement previously made, when he or she does not believe the
14 statement to be true, is guilty of a Class II misdemeanor if the
15 statement is one which is required by law to be sworn or affirmed
16 before a notary or other person authorized to administer oaths.

17 (3) Subsections (4) through (7) of section 28-915 shall
18 apply to subsections (1) and (2) of this section.

19 (4) This section shall not apply to reports, statements,
20 affidavits, or other documents made or filed pursuant to ~~the Campaign~~
21 ~~Finance Limitation Act or~~ the Nebraska Political Accountability and
22 Disclosure Act.

23 Sec. 2. Section 49-1413, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 49-1413 (1) Committee shall mean (a) any combination of

1 two or more individuals which receives contributions or makes
2 expenditures of ~~over~~ five thousand dollars or more in a calendar year
3 for the purpose of influencing or attempting to influence the action
4 of the voters for or against the nomination or election of one or
5 more candidates or the qualification, passage, or defeat of one or
6 more ballot questions or (b) a person whose primary purpose is to
7 receive contributions or make expenditures and who receives or makes
8 contributions or expenditures of ~~over~~ five thousand dollars or more
9 in a calendar year for the purpose of influencing or attempting to
10 influence the action of the voters for or against the nomination or
11 election of one or more candidates or the qualification, passage, or
12 defeat of one or more ballot questions, except that an individual,
13 other than a candidate, shall not constitute a committee.

14 (2) Except as otherwise provided in section 49-1445, a
15 committee shall be considered formed and subject to the Nebraska
16 Political Accountability and Disclosure Act upon raising, receiving,
17 or spending ~~over the~~ five thousand dollars in a calendar year
18 referred to as prescribed in this section.

19 (3) A corporation, labor organization, ~~or~~ industry,
20 trade, or professional association, limited liability company, or
21 limited liability partnership is not a committee if it makes
22 expenditures or provides personal services pursuant to sections
23 49-1469 to 49-1469.08.

24 Sec. 3. Section 49-1415, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 49-1415 (1) Contribution shall mean a payment, gift,
2 subscription, assessment, expenditure, contract, payment for
3 services, dues, advance, forbearance, loan, donation, pledge or
4 promise of money or anything of ascertainable monetary value to a
5 person, made for the purpose of influencing the nomination or
6 election of a candidate, or for the qualification, passage, or defeat
7 of a ballot question. An offer or tender of a contribution is not a
8 contribution if expressly and unconditionally rejected or returned.

9 (2) Contribution shall include the purchase of tickets or
10 payment of an attendance fee for events such as dinners, luncheons,
11 rallies, testimonials, and similar fundraising events; an
12 individual's own money or property other than the individual's
13 homestead used on behalf of that individual's candidacy; and the
14 granting of discounts or rebates by broadcast media and newspapers
15 not extended on an equal basis to all candidates for the same office.

16 (3) Contribution shall not include:

17 (a) Volunteer personal services provided without
18 compensation, or payments of costs incurred of ~~less than~~ two hundred
19 fifty dollars or less in a calendar year by an individual for
20 personal travel expenses if the costs are voluntarily incurred
21 without any understanding or agreement that the costs shall be,
22 directly or indirectly, repaid;

23 (b) Amounts received pursuant to a pledge or promise to
24 the extent that the amounts were previously reported as a
25 contribution; or

1 (c) Food and beverages, ~~not to exceed in the amount of~~
2 fifty dollars or less in value during a calendar year, which are
3 donated by an individual and for which reimbursement is not given.

4 Sec. 4. Section 49-1433.01, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 49-1433.01 Major out-of-state contributor means a
7 corporation, union, industry association, trade association, or
8 professional association which is not organized under the laws of the
9 State of Nebraska and which makes contributions or expenditures
10 totaling ~~more than ten thousand dollars~~ or more in any calendar year
11 in connection with one or more elections.

12 Sec. 5. Section 49-1445, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 49-1445 (1) A candidate shall form a candidate committee
15 upon raising, receiving, or expending ~~more than five thousand dollars~~
16 or more in a calendar year.

17 (2) A candidate committee may consist of one member with
18 the candidate being the member.

19 (3) A person who is a candidate for more than one office
20 shall form a candidate committee for an office upon raising,
21 receiving, or expending ~~more than five thousand dollars~~ or more in a
22 calendar year for that office.

23 (4) Two or more candidates who campaign as a slate or
24 team for public office shall form a committee upon raising,
25 receiving, or expending jointly in any combination ~~more than five~~

1 thousand dollars or more in a calendar year.

2 (5) The fee to file for office shall not be included in
3 determining if a candidate has raised, received, or expended ~~more~~
4 ~~than~~ five thousand dollars or more in a calendar year.

5 (6) Any person who violates this section shall be guilty
6 of a Class IV misdemeanor.

7 Sec. 6. Section 49-1446, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 49-1446 (1) Each committee shall have a treasurer who is
10 a qualified elector of this state. A candidate may appoint himself or
11 herself as the candidate committee treasurer.

12 (2) ~~Except for funds received as provided in the Campaign~~
13 ~~Finance Limitation Act, each~~ Each committee shall designate one
14 account in a financial institution in this state as an official
15 depository for the purpose of depositing all contributions which it
16 receives in the form of or which are converted to money, checks, or
17 other negotiable instruments and for the purpose of making all
18 expenditures. Secondary depositories shall be used for the sole
19 purpose of depositing contributions and promptly transferring the
20 deposits to the committee's official depository.

21 (3) No contribution shall be accepted and no expenditure
22 shall be made by a committee which has not filed a statement of
23 organization and which does not have a treasurer. When the office of
24 treasurer in a candidate committee is vacant, the candidate shall be
25 the treasurer until the candidate appoints a new treasurer.

1 (4) No expenditure shall be made by a committee without
2 the authorization of the treasurer or the assistant treasurer. The
3 contributions received or expenditures made by a candidate or an
4 agent of a candidate shall be considered received or made by the
5 candidate committee.

6 (5) Contributions received by an individual acting in
7 behalf of a committee shall be reported promptly to the committee's
8 treasurer not later than five days before the closing date of any
9 campaign statement required to be filed by the committee and shall be
10 reported to the committee treasurer immediately if the contribution
11 is received less than five days before the closing date.

12 (6) A contribution shall be considered received by a
13 committee when it is received by the committee treasurer or a
14 designated agent of the committee treasurer notwithstanding the fact
15 that the contribution is not deposited in the official depository by
16 the reporting deadline.

17 (7) Contributions received by a committee shall not be
18 commingled with any funds of an agent of the committee or of any
19 other person except for funds received or disbursed by a separate
20 segregated political fund for the purpose of supporting or opposing
21 candidates and committees in elections in states other than Nebraska
22 and candidates for federal office, as provided in section 49-1469.06,
23 including independent expenditures made in such elections.

24 (8) Any person who violates this section shall be guilty
25 of a Class IV misdemeanor.

1 Sec. 7. Section 49-1446.04, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-1446.04 (1) A candidate committee shall not accept
4 more than fifteen thousand dollars in loans prior to or during the
5 first thirty days after formation of the candidate committee.

6 (2) After the thirty-day period and until the end of the
7 term of the office to which the candidate sought nomination or
8 election, the candidate committee shall not accept loans, ~~other than~~
9 ~~loans allowed under subsection (2) of section 32-1608.03,~~ in an
10 aggregate amount of more than fifty percent of the contributions of
11 money, other than the proceeds of loans, which the candidate
12 committee has received during such period as of the date of the
13 receipt of the proceeds of the loan. Any loans which have been repaid
14 as of such date shall not be taken into account for purposes of the
15 aggregate loan limit.

16 (3) A candidate committee shall not pay interest, fees,
17 gratuities, or other sums in consideration of a loan, advance, or
18 other extension of credit to the candidate committee by the
19 candidate, a member of the candidate's immediate family, or any
20 business with which the candidate is associated.

21 (4) The penalty for violation of this section shall be a
22 civil penalty of not less than two hundred fifty dollars and not more
23 than the amount of money received by a candidate committee in
24 violation of this section if the candidate committee received more
25 than two hundred fifty dollars. The commission shall assess and

1 collect the civil penalty and shall remit the penalty to the State
2 Treasurer for distribution in accordance with Article VII, section 5,
3 of the Constitution of Nebraska.

4 Sec. 8. Section 49-1447, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 49-1447 (1) The committee treasurer shall keep detailed
7 accounts, records, bills, and receipts necessary to substantiate the
8 information contained in a statement or report filed pursuant to
9 sections 49-1445 to 49-1479.02 or rules and regulations adopted and
10 promulgated under the Nebraska Political Accountability and
11 Disclosure Act.

12 (2)(a) For any committee other than a candidate
13 committee, the committee treasurer shall be responsible for filing
14 all statements and reports of the committee required to be filed
15 under the act and shall be personally liable subject to section
16 49-1461.01 for any late filing fees, civil penalties, and interest
17 that may be due under the act as a result of a failure to make such
18 filings.

19 (b) For candidate committees, the candidate shall be
20 responsible for filing all statements and reports required to be
21 filed by his or her candidate committee under the Nebraska Political
22 Accountability and Disclosure Act. ~~or the Campaign Finance Limitation~~
23 ~~Act.~~ The candidate shall be personally liable for any late filing
24 fees, civil penalties, and interest that may be due under ~~either the~~
25 act as a result of a failure to make such filings and may use funds

1 of the candidate committee to pay such fees, penalties, and interest.

2 (3) The committee treasurer shall record the name and
3 address of each person from whom a contribution is received except
4 for contributions of fifty dollars or less received pursuant to
5 subsection (2) of section 49-1472.

6 (4) The records of a committee shall be preserved for
7 five years and shall be made available for inspection as authorized
8 by the commission.

9 (5) Any person violating this section shall be guilty of
10 a Class III misdemeanor.

11 Sec. 9. Section 49-1455, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 49-1455 (1) The campaign statement of a committee, other
14 than a political party committee, shall contain the following
15 information:

16 (a) The filing committee's name, address, and telephone
17 number and the full name, residential and business addresses, and
18 telephone numbers of its committee treasurer;

19 (b) Under the heading RECEIPTS, the total amount of
20 contributions received during the period covered by the campaign
21 statement; under the heading EXPENDITURES, the total amount of
22 expenditures made during the period covered by the campaign
23 statement; and the cumulative amount of those totals for the election
24 period. If a loan was repaid during the period covered by the
25 campaign statement, the amount of the repayment shall be subtracted

1 from the total amount of contributions received. Forgiveness of a
2 loan shall not be included in the totals. Payment of a loan by a
3 third party shall be recorded and reported as a contribution by the
4 third party but shall not be included in the totals. In-kind
5 contributions or expenditures shall be listed at fair market value
6 and shall be reported as both contributions and expenditures;

7 (c) The balance of cash and cash equivalents on hand at
8 the beginning and the end of the period covered by the campaign
9 statement;

10 (d) The full name of each individual from whom
11 contributions totaling ~~more than~~ two hundred fifty dollars or more
12 are received during the period covered by the report, together with
13 the individual's street address, the amount contributed, the date on
14 which each contribution was received, and the cumulative amount
15 contributed by that individual for the election period;

16 (e) The full name of each person, except those
17 individuals reported under subdivision (1)(d) of this section, which
18 contributed a total of ~~more than~~ two hundred fifty dollars or more
19 during the period covered by the report together with the person's
20 street address, the amount contributed, the date on which each
21 contribution was received, and the cumulative amount contributed by
22 the person for the election period;

23 (f) The name of each committee which is listed as a
24 contributor shall include the full name of the committee's treasurer;

25 (g) Except as otherwise provided in subsection (3) of

1 this section: The full name and street address of each person to whom
2 expenditures totaling ~~more than~~ two hundred fifty dollars or more
3 were made, together with the date and amount of each separate
4 expenditure to each such person during the period covered by the
5 campaign statement; the purpose of the expenditure; and the full name
6 and street address of the person providing the consideration for
7 which any expenditure was made if different from the payee;

8 (h) The amount and the date of expenditures for or
9 against a candidate or ballot question during the period covered by
10 the campaign statement and the cumulative amount of expenditures for
11 or against that candidate or ballot question for the election period.
12 An expenditure made in support of more than one candidate or ballot
13 question, or both, shall be apportioned reasonably among the
14 candidates or ballot questions, or both; and

15 (i) The total amount of funds disbursed by a separate
16 segregated political fund, by state, for the purpose of supporting or
17 opposing candidates and committees in elections in states other than
18 Nebraska and candidates for federal office, including independent
19 expenditures made in such elections.

20 (2) For purposes of this section, election period means
21 ~~(a) the period beginning January 1 of the calendar year prior to the~~
22 ~~year of the election in which the candidate is seeking office through~~
23 ~~the end of the calendar year of such election for candidate~~
24 ~~committees of candidates seeking covered elective offices as defined~~
25 ~~in subdivision (1)(a) of section 32-1603, (b) the period beginning~~

1 ~~July 1 of the calendar year prior to the year of the election in~~
2 ~~which the candidate is seeking office through the end of the calendar~~
3 ~~year of such election for candidate committees of candidates seeking~~
4 ~~covered elective offices so defined in subdivision (1)(b) of section~~
5 ~~32-1603, and (c) the calendar year of the election. for all other~~
6 ~~committees.~~

7 (3) A campaign statement shall include the total amount
8 paid to individual petition circulators during the reporting period,
9 if any, but shall not include the name, address, or telephone number
10 of any individual petition circulator if the only payment made to
11 such individual was for services as a petition circulator.

12 Sec. 10. Section 49-1456, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 49-1456 (1) Any income received by a committee on an
15 account consisting of funds or property belonging to the committee
16 shall not be considered a contribution to the committee but shall be
17 reported as income. Any interest paid by a committee shall be
18 reported as an expenditure.

19 (2) A loan made or received shall be set forth in a
20 separate schedule providing the date and amount of the loan and, if
21 the loan is repaid, the date and manner of repayment. The committee
22 shall provide the name and address of the lender and any person who
23 is liable directly, indirectly, or contingently on each loan of ~~more~~
24 ~~than~~ two hundred fifty dollars or more.

25 Sec. 11. Section 49-1457, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 49-1457 (1) The campaign statement filed by a political
3 party committee shall contain the following information:

4 (a) The full name and street address of each person from
5 whom contributions totaling ~~more than~~ two hundred fifty dollars or
6 more in value are received in a calendar year, the amount, and the
7 date or dates contributed; and if the person is a committee, the name
8 and address of the committee and the full name and street address of
9 the committee treasurer, together with the amount of the contribution
10 and the date received;

11 (b) An itemized list of all expenditures, including in-
12 kind contributions and expenditures and loans, made during the period
13 covered by the campaign statement which were contributions to a
14 candidate committee of a candidate for elective office or a ballot
15 question committee; or independent expenditures in support of the
16 qualification, passage, or defeat of a ballot question, or in support
17 of the nomination or election of a candidate for elective office or
18 the defeat of any of the candidate's opponents;

19 (c) The total expenditure by the committee for each
20 candidate for elective office or ballot question in whose behalf an
21 independent expenditure was made or a contribution was given for the
22 election; and

23 (d) The filer's name, address, and telephone number, if
24 any, and the full name, residential and business addresses, and
25 telephone numbers of the committee treasurer.

1 (2) A contribution to a candidate or ballot question
2 committee listed under subdivision (1)(b) of this section shall note
3 the name and address of the committee, the name of the candidate and
4 the office sought, if any, the amount contributed, and the date of
5 the contribution.

6 (3) An independent expenditure listed under subdivision
7 (1)(b) of this section shall note the name of the candidate for whose
8 benefit the expenditure was made and the office sought by the
9 candidate, or a brief description of the ballot question for which
10 the expenditure was made, the amount, date, and purpose of the
11 expenditure, and the full name and address of the person to whom the
12 expenditure was made.

13 (4) An expenditure listed which was made in support of
14 more than one candidate or ballot question, or both, shall be
15 apportioned reasonably among the candidates or ballot questions, or
16 both.

17 Sec. 12. Section 49-1459, Reissue Revised Statutes of
18 Nebraska, is amended to read:

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

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

1 the thirty-fifth day before the election;

2 (b) A second preelection campaign statement shall be
3 filed not later than the tenth day before the election. The closing
4 date for a campaign statement filed under this subdivision shall be
5 the fifteenth day before the election; and

6 (c) A postelection campaign statement shall be filed not
7 later than the fortieth day following the primary election and the
8 seventieth day following the general election. The closing date for a
9 ~~postprimary election~~ postelection campaign statement to be filed
10 under this subdivision after the primary election shall be the
11 thirty-fifth day following the election. The closing date for a
12 ~~postgeneral election~~ postelection campaign statement to be filed
13 under this subdivision after the general election shall be December
14 31 of the year in which the election is held. If all liabilities of a
15 candidate and committee are paid before the closing date and
16 additional contributions are not expected, the campaign statement may
17 be filed at any time after the election, but not later than the dates
18 provided under this subdivision.

19 (2) Any committee may file a statement ~~in writing~~ with
20 the commission indicating that the committee does not expect to
21 receive contributions or make expenditures of more than one thousand
22 dollars in the calendar year of an election. Such ~~written~~ statement
23 shall be signed by the committee treasurer or the assistant
24 treasurer, and in the case of a candidate committee, it shall also be
25 signed by the candidate. Such ~~written~~ statement shall be filed on or

1 before the thirtieth day before the election. A committee which files
2 a ~~written~~ statement pursuant to this subsection is not required to
3 file campaign statements according to the schedule prescribed in
4 subsection (1) of this section but shall file a sworn statement of
5 exemption not later than the fortieth day following the primary
6 election and the seventieth day following the general election
7 stating only that the committee did not, in fact, receive or expend
8 an amount in excess of one thousand dollars. If the committee
9 receives contributions or makes expenditures of more than one
10 thousand dollars during the election year, the committee is then
11 subject to all campaign filing requirements under subsection (1) of
12 this section.

13 Sec. 13. Section 49-1461.01, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 49-1461.01 (1) A ballot question committee shall file
16 with the commission a surety bond running in favor of the State of
17 Nebraska with surety by a corporate bonding company authorized to do
18 business in this state and conditioned upon the payment of all fees,
19 penalties, and interest which may be imposed under the Nebraska
20 Political Accountability and Disclosure Act.

21 (2) A bond in the amount of five thousand dollars shall
22 be filed with the commission within thirty days after the committee
23 receives contributions or makes expenditures ~~in excess~~ of one hundred
24 thousand dollars or more in a calendar year, and the amount of the
25 bond shall be increased by five thousand dollars for each additional

1 five hundred thousand dollars received or expended in a calendar
2 year.

3 (3) Proof of any required increase in the amount of the
4 bond shall be filed with the commission within thirty days after each
5 additional five hundred thousand dollars is received or expended. Any
6 failure to pay late filing fees, civil penalties, or interest due
7 under the act shall be recovered from the proceeds of the bond prior
8 to recovery from the treasurer of the committee.

9 (4) Any person violating this section shall be guilty of
10 a Class III misdemeanor.

11 Sec. 14. Section 49-1463, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 49-1463 (1) Any person who fails to file a campaign
14 statement with the commission under sections 49-1459 to 49-1463 shall
15 pay to the commission a late filing fee of twenty-five dollars for
16 each day the campaign statement remains not filed in violation of
17 this section, not to exceed seven hundred fifty dollars. ~~In addition,~~
18 ~~if a candidate who files an affidavit under subdivision (5)(a) of~~
19 ~~section 32-1604 fails to file a campaign statement as required by~~
20 ~~sections 49-1459 to 49-1463 within the prescribed time resulting in~~
21 ~~any abiding candidate not receiving public funds as described in~~
22 ~~subsection (6) of section 32-1604 or resulting in a delay in the~~
23 ~~receipt of such funds, the commission shall assess a civil penalty of~~
24 ~~not less than two thousand dollars and not more than three times (a)~~
25 ~~the amount of public funds the abiding candidate received after the~~

1 ~~delay or (b) the amount of public funds the abiding candidate would~~
2 ~~have received if the campaign statement had been filed within the~~
3 ~~prescribed time.~~

4 (2) Any committee which fails to file a statement of
5 exemption with the commission under subsection (2) of section 49-1459
6 shall pay to the commission a late filing fee of twenty-five dollars
7 for each day the statement of exemption remains not filed in
8 violation of this section, not to exceed two hundred twenty-five
9 dollars.

10 Sec. 15. Section 49-1463.01, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 49-1463.01 (1) A person required to pay a late filing fee
13 imposed under section ~~32-1604, 32-1604.01, 32-1606.01, 49-1449,~~
14 49-1458, 49-1463, 49-1467, 49-1469.08, 49-1478.01, or 49-1479.01 may
15 apply to the commission for relief. The commission by order may
16 reduce the amount of a late filing fee imposed and waive any or all
17 of the interest due on the fee upon a showing by such person that (a)
18 the circumstances indicate no intent to file late, (b) the person has
19 not been required to pay late filing fees for two years prior to the
20 time the filing was due, (c) the late filing shows that ~~less than~~
21 five thousand dollars or less was raised, received, or expended
22 during the reporting period, and (d) a reduction of the late fees and
23 waiver of interest would not frustrate the purposes of the Nebraska
24 Political Accountability and Disclosure Act.

25 (2) A person required to pay a late filing fee imposed

1 for failure to file a statement of exemption under subsection (2) of
2 section 49-1459 may apply to the commission for relief. The
3 commission by order may reduce or waive the late filing fee and waive
4 any or all of the interest due on the fee, and the person shall not
5 be required to make a showing as provided by subsection (1) of this
6 section.

7 Sec. 16. Section 49-1464, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 49-1464 The campaign statement of any committee,
10 including a candidate committee, a ballot question committee, or a
11 political party committee, shall be filed with the commission. ~~The~~
12 ~~commission shall make all campaign statements available to the public~~
13 ~~on its web site as soon as practicable. A campaign statement shall be~~
14 ~~available on the web site for the duration of the election period for~~
15 ~~which the statement is filed and for an additional six months~~
16 ~~thereafter.~~

17 Sec. 17. Section 49-1467, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 49-1467 (1) Any person, other than a committee, who makes
20 an independent expenditure advocating the election of a candidate or
21 the defeat of a candidate's opponents or the qualification, passage,
22 or defeat of a ballot question, which is in an amount of ~~more than~~
23 two hundred fifty dollars or more, shall file a report of the
24 independent expenditure, within ten days, with the commission.

25 (2) The report shall be made on an independent

1 expenditure report form provided by the commission and shall include
2 the date of the expenditure, a brief description of the nature of the
3 expenditure, the amount of the expenditure, the name and address of
4 the person to whom it was paid, the name and address of the person
5 filing the report, and the name, address, occupation, employer, and
6 principal place of business of each person who contributed ~~more than~~
7 two hundred fifty dollars or more to the expenditure.

8 ~~(3) The commission shall make all independent expenditure~~
9 ~~reports available to the public on its web site as soon as~~
10 ~~practicable. An independent expenditure report shall be available on~~
11 ~~the web site for the duration of the election period for which the~~
12 ~~report is filed and for an additional six months thereafter.~~

13 ~~(4)~~(3) Any person who fails to file a report of an
14 independent expenditure with the commission shall pay to the
15 commission a late filing fee of twenty-five dollars for each day the
16 statement remains not filed in violation of this section, not to
17 exceed seven hundred fifty dollars.

18 ~~(5)~~(4) Any person who violates this section shall be
19 guilty of a Class IV misdemeanor.

20 Sec. 18. Section 49-1469, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 49-1469 (1) A corporation, labor organization, ~~or~~
23 industry, trade, or professional association, limited liability
24 company, or limited liability partnership, which is organized under
25 the laws of the State of Nebraska or doing business in this state and

1 which is not a committee, may:

2 (a) Make an expenditure;

3 (b) Make a contribution; and

4 (c) Provide personal services.

5 (2) ~~Such a corporation, labor organization, or industry,~~
6 ~~trade, or professional association~~ Any such entity shall not be
7 required to file reports of independent expenditures pursuant to
8 section 49-1467, but if it makes a contribution or expenditure, or
9 provides personal services, with a value of ~~more than~~ two hundred
10 fifty dollars or more, it shall file a report with the commission
11 within ten days after the end of the calendar month in which the
12 contribution or expenditure is made or the personal services are
13 provided. The report shall include:

14 (a) The nature, date, and value of the contribution or
15 expenditure and the name of the candidate or committee or a
16 description of the ballot question to or for which the contribution
17 or expenditure was made; and

18 (b) A description of any personal services provided, the
19 date the services were provided, and the name of the candidate or
20 committee or a description of the ballot question to or for which the
21 personal services were provided.

22 (3) ~~A corporation, labor organization, or industry,~~
23 ~~trade, or professional association~~ Any entity specified in subsection
24 (1) of this section may not receive contributions unless it
25 establishes and administers a separate segregated political fund

1 which shall be utilized only in the manner set forth in sections
2 49-1469.05 and 49-1469.06.

3 Sec. 19. Section 49-1469.05, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 49-1469.05 (1) ~~A corporation, labor organization, or~~
6 ~~industry, trade, or professional association~~ An entity specified in
7 subsection (1) of section 49-1469 which establishes and administers a
8 separate segregated political fund:

9 (a) Shall not make an expenditure to such fund, except
10 that it may make expenditures and provide personal services for the
11 establishment and administration of such separate segregated
12 political fund; and

13 (b) Shall file the reports required by subsection (2) of
14 section 49-1469 with respect to the expenditures made or personal
15 services provided for the establishment and administration of such
16 fund but need not file such reports for the expenditures made from
17 such fund.

18 (2) If a corporation makes an expenditure to a separate
19 segregated political fund which is established and administered by an
20 industry, trade, or professional association, limited liability
21 company, or limited liability partnership of which such corporation
22 is a member, such corporation shall not be required to file the
23 reports required by subsection (2) of section 49-1469.

24 Sec. 20. Section 49-1469.06, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 49-1469.06 (1) All contributions to and expenditures from
2 a separate segregated political fund shall be limited to money or
3 anything of ascertainable value obtained through the voluntary
4 contributions of the employees, officers, directors, stockholders, or
5 members of the corporation, including a nonprofit corporation, labor
6 organization, ~~or~~ industry, trade, or professional association,
7 limited liability company, or limited liability partnership, and the
8 affiliates thereof, under which such fund was established.

9 (2) No contribution or expenditure shall be received or
10 made from such fund if obtained or made by using or threatening to
11 use job discrimination or financial reprisals.

12 (3) Only expenditures to candidates and committees and
13 independent expenditures may be made from a fund established by a
14 ~~corporation, labor organization, or industry, trade, or professional~~
15 ~~organization.~~ an entity specified in subsection (1) of section
16 49-1469. Such separate segregated political fund may receive and
17 disburse funds for the purpose of supporting or opposing candidates
18 and committees in elections in states other than Nebraska and
19 candidates for federal office and making independent expenditures in
20 such elections if such receipts and disbursements are made in
21 conformity with the solicitation provisions of this section and the
22 ~~corporation, labor organization, or industry, trade, or professional~~
23 ~~association~~ entity which establishes and administers such fund
24 complies with the laws of the jurisdiction in which such receipts or
25 disbursements are made.

1 (4) The expenses for establishment and administration of
2 a separate segregated political fund of a ~~corporation, labor~~
3 ~~organization, or industry, trade, or professional association~~ any
4 such entity may be paid from the separate segregated political fund
5 of such ~~corporation, labor organization, or industry, trade, or~~
6 ~~professional association.~~ entity.

7 Sec. 21. Section 49-1469.07, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 49-1469.07 A separate segregated political fund is hereby
10 declared to be an independent committee and subject to all of the
11 provisions of the Nebraska Political Accountability and Disclosure
12 Act applicable to independent committees, and the ~~corporation, labor~~
13 ~~organization, or industry, trade, or professional association~~ entity
14 which establishes and administers such fund shall make the reports
15 and filings required therefor.

16 Sec. 22. Section 49-1469.08, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 49-1469.08 (1) Any ~~corporation, labor organization, or~~
19 ~~industry, trade, or professional association~~ entity specified in
20 subsection (1) of section 49-1469 which fails to file a report with
21 the commission required by section 49-1469 or 49-1469.07 shall pay to
22 the commission a late filing fee of twenty-five dollars for each day
23 the statement remains not filed in violation of such sections, not to
24 exceed seven hundred fifty dollars.

25 (2) Any person who knowingly violates this section,

1 section 49-1469, 49-1469.05, 49-1469.06, or 49-1469.07 shall be
2 guilty of a Class III misdemeanor.

3 Sec. 23. Section 49-1477, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 49-1477 No person shall receive a contribution from a
6 person other than a committee unless, for purposes of the recipient
7 person's record-keeping and reporting requirements, the contribution
8 is accompanied by the name and address of each person who contributed
9 ~~more than~~ one hundred dollars or more to the contribution. Any person
10 violating the provisions of this section shall be guilty of a Class
11 III misdemeanor.

12 Sec. 24. Section 49-1479.02, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 49-1479.02 (1) A major out-of-state contributor shall
15 file with the commission an out-of-state contribution report. An out-
16 of-state contribution report shall be filed on a form prescribed by
17 the commission within ten days after the end of the calendar month in
18 which a person becomes a major out-of-state contributor. For the
19 remainder of the calendar year, a major out-of-state contributor
20 shall file an out-of-state contribution report with the commission
21 within ten days after the end of each calendar month in which the
22 contributor makes a contribution or expenditure.

23 (2) An out-of-state contribution report shall disclose as
24 to each contribution or expenditure not previously reported (a) the
25 amount, nature, value, and date of the contribution or expenditure,

1 (b) the name and address of the committee, candidate, or person who
2 received the contribution or expenditure, (c) the name and address of
3 the person filing the report, and (d) the name, address, occupation,
4 and employer of each person making a contribution of ~~more than two~~
5 hundred dollars or more in the calendar year to the person filing the
6 report.

7 (3) This section shall not apply to (a) a person who
8 files a report of a contribution or an expenditure pursuant to
9 subsection (2) of section 49-1469, (b) a person required to file a
10 report or campaign statement pursuant to section 49-1469.07, (c) a
11 committee having a statement of organization on file with the
12 commission, or (d) a person or committee registered with the Federal
13 Election Commission.

14 (4) Any person who fails to file an out-of-state
15 contribution report with the commission as required by this section
16 shall pay to the commission a late filing fee of one hundred dollars
17 for each of the first ten days the report remains not filed in
18 violation of this section. After the tenth day, such person shall
19 pay, for each day the report remains not filed, an additional late
20 filing fee of one percent of the amount of the contributions or
21 expenditures which were required to be reported, not to exceed ten
22 percent of the amount of the contributions or expenditures which were
23 required to be reported.

24 Sec. 25. Section 49-1488.01, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 49-1488.01 (1) Every lobbyist who fails to file a
2 quarterly statement or a statement of activity with the Clerk of the
3 Legislature, pursuant to sections 49-1483 and 49-1488, shall pay to
4 the commission a late filing fee of twenty-five dollars for each day
5 any of such statements are not filed in violation of such sections,
6 but not to exceed seven hundred fifty dollars per statement.

7 (2) A lobbyist required to pay a late filing fee pursuant
8 to subsection (1) of this section may apply to the commission for
9 relief. The commission by order may reduce the amount of the late
10 filing fee imposed upon such lobbyist if he or she shows the
11 commission that (a) the circumstances indicate no intent to file
12 late, (b) the lobbyist has not been required to pay a late filing fee
13 for two years prior to the time the filing of the statement was due,
14 (c) the late filing of the statement shows that ~~less than~~ five
15 thousand dollars or less was raised, received, or expended during the
16 reporting period, and (d) a reduction of the late fee would not
17 frustrate the purposes of the Nebraska Political Accountability and
18 Disclosure Act.

19 (3) A lobbyist required to pay a late filing fee pursuant
20 to subsection (1) of this section who qualifies for an exemption to
21 the filing of quarterly statements pursuant to subsection (5) of
22 section 49-1483 may apply to the commission for relief. The
23 commission by order may reduce or waive the late filing fee and the
24 person shall not be required to make a showing as provided by
25 subsection (2) of this section.

1 Sec. 26. Section 49-14,122, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-14,122 The commission shall make random field
4 investigations and audits with respect to campaign statements and
5 activity reports filed with the commission under ~~the Campaign Finance~~
6 ~~Limitation Act~~ and the Nebraska Political Accountability and
7 Disclosure Act. ~~Except for audits conducted pursuant to the Campaign~~
8 ~~Finance Limitation Act, any~~ Any audit or investigation conducted of a
9 candidate's campaign statements during a campaign shall include an
10 audit or investigation of the statements of his or her opponent or
11 opponents as well. The commission may also carry out field
12 investigations or audits with respect to any campaign statement,
13 registration, report, or other statement filed under the ~~Nebraska~~
14 ~~Political Accountability and Disclosure Act~~ act if the commission or
15 the executive director deems such investigations or audits necessary
16 to carry out the purposes of the act.

17 Sec. 27. Section 49-14,123, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 49-14,123 In addition to any other duties prescribed by
20 law, the commission shall:

21 (1) ~~Prescribe and publish, after notice and opportunity~~
22 ~~for public comment, Adopt and promulgate~~ rules and regulations to
23 carry out ~~the Campaign Finance Limitation Act~~ and the Nebraska
24 Political Accountability and Disclosure Act pursuant to the
25 Administrative Procedure Act;

1 (2) Prescribe forms for statements and reports required
2 to be filed pursuant to the ~~Campaign Finance Limitation Act and the~~
3 Nebraska Political Accountability and Disclosure Act and furnish such
4 forms to persons required to file such statements and reports;

5 (3) Prepare and publish one or more manuals explaining
6 the duties of all persons and other entities required to file
7 statements and reports by the ~~acts~~ act and setting forth recommended
8 uniform methods of accounting and reporting for such filings;

9 (4) Accept and file any reasonable amount of information
10 voluntarily supplied that exceeds the requirements of the ~~acts~~; act;

11 (5) Make statements and reports filed with the commission
12 available for public inspection and copying during regular office
13 hours and make copying facilities available at a cost of not more
14 than fifty cents per page;

15 (6) Compile and maintain an index of all reports and
16 statements filed with the commission to facilitate public access to
17 such reports and statements;

18 (7) Prepare and publish summaries of statements and
19 reports filed with the commission and special reports and technical
20 studies to further the purposes of the ~~acts~~; act;

21 (8) Review all statements and reports filed with the
22 commission in order to ascertain whether any person has failed to
23 file a required statement or has filed a deficient statement;

24 (9) Preserve statements and reports filed with the
25 commission for a period of not less than five years from the date of

1 receipt;

2 (10) Issue and publish advisory opinions on the
3 requirements of the ~~acts~~act upon the request of a person or
4 government body directly covered or affected by the ~~acts~~act. Any
5 such opinion rendered by the commission, until amended or revoked,
6 shall be binding on the commission in any subsequent charges
7 concerning the person or government body who requested the opinion
8 and who acted in reliance on it in good faith unless material facts
9 were omitted or misstated by the person or government body in the
10 request for the opinion;

11 (11) Act as the primary civil enforcement agency for
12 violations of the Nebraska Political Accountability and Disclosure
13 Act and the rules or regulations adopted and promulgated thereunder;
14 ~~and act as the primary civil enforcement agency for violations of the~~
15 ~~Campaign Finance Limitation Act and the rules or regulations~~
16 ~~promulgated thereunder;~~

17 (12) Receive all late filing fees, civil penalties, and
18 interest imposed pursuant to the ~~Campaign Finance Limitation Act or~~
19 the Nebraska Political Accountability and Disclosure Act, ~~seek the~~
20 ~~return of any amount as provided in section 32-1606, and seek the~~
21 ~~repayment of any amount as provided in section 32-1607~~ and remit all
22 such funds to the State Treasurer for credit to the ~~Campaign Finance~~
23 ~~Limitation~~ Nebraska Accountability and Disclosure Commission Cash
24 Fund; and

25 (13) Prepare and distribute to the appropriate local

1 officials statements of financial interest, campaign committee
 2 organization forms, filing instructions and forms, and such other
 3 forms as the commission may deem appropriate.

4 Sec. 28. Section 49-14,124, Reissue Revised Statutes of
 5 Nebraska, is amended to read:

6 49-14,124 (1) The commission shall, by way of preliminary
 7 investigation, investigate any alleged violation of the Nebraska
 8 Political Accountability and Disclosure Act, or any rule or
 9 regulation adopted and promulgated thereunder, upon:

10 (a) The receipt of a complaint signed under oath which
 11 contains at least a reasonable belief that a violation has occurred;

12 (b) The recommendation of the executive director; or

13 (c) The commission's own motion.

14 ~~(2) The commission shall, by way of preliminary~~
 15 ~~investigation, investigate any alleged violation of the Campaign~~
 16 ~~Finance Limitation Act, or any rule or regulation promulgated~~
 17 ~~thereunder, upon:~~

18 ~~(a) The recommendation of the executive director; or~~

19 ~~(b) The commission's own motion.~~

20 ~~(3)~~ (2) For purposes of conducting preliminary
 21 investigations under either the Campaign Finance Limitation Act or
 22 the Nebraska Political Accountability and Disclosure Act, the
 23 commission shall have the powers possessed by the courts of this
 24 state to issue subpoenas, and the district court shall have
 25 jurisdiction to enforce such subpoenas.

1 ~~(4)~~-(3) The executive director shall notify any person
2 under investigation by the commission of the investigation and of the
3 nature of the alleged violation within five days after the
4 commencement of the investigation.

5 ~~(5)~~-(4) Within fifteen days after the filing of a sworn
6 complaint by a person alleging a violation, and every thirty days
7 thereafter until the matter is terminated, the executive director
8 shall notify the complainant and the alleged violator of the action
9 taken to date by the commission together with the reasons for such
10 action or for nonaction.

11 ~~(6)~~-(5) Each governing body shall cooperate with the
12 commission in the conduct of its investigations.

13 Sec. 29. Section 49-14,124.01, Reissue Revised Statutes
14 of Nebraska, is amended to read:

15 49-14,124.01 All commission proceedings and records
16 relating to preliminary investigations shall be confidential until a
17 final determination is made by the commission unless the person
18 alleged to be in violation of the Nebraska Political Accountability
19 and Disclosure Act ~~or the Campaign Finance Limitation Act~~ requests
20 that the proceedings be public. If the commission determines that
21 there was no violation of ~~either the~~ the act or any rule or regulation
22 adopted and promulgated under ~~either the~~ the act, the records and actions
23 relative to the investigation and determination shall remain
24 confidential unless the alleged violator requests that the records
25 and actions be made public. If the commission determines that there

1 was a violation, the records and actions shall be made public as soon
2 as practicable after the determination is made.

3 Sec. 30. Section 49-14,124.02, Reissue Revised Statutes
4 of Nebraska, is amended to read:

5 49-14,124.02 At any time after the commencement of a
6 preliminary investigation, the commission may refer the matter of a
7 possible criminal violation of ~~the Campaign Finance Limitation Act or~~
8 the Nebraska Political Accountability and Disclosure Act to the
9 Attorney General for consideration of criminal prosecution. The fact
10 of the referral shall not be subject to the confidentiality
11 provisions of section 49-14,124.01. The Attorney General shall
12 determine if a matter referred by the commission will be criminally
13 prosecuted. If the Attorney General determines that a matter will be
14 criminally prosecuted, he or she shall advise the commission in
15 writing of the determination. If the Attorney General determines that
16 a matter will not be criminally prosecuted, he or she shall advise
17 the commission in writing of the determination. The fact of the
18 declination to criminally prosecute shall not be subject to the
19 confidentiality provisions of section 49-14,124.01.

20 Sec. 31. Section 49-14,125, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 49-14,125 (1) If, after a preliminary investigation, it
23 is determined by a majority vote of the commission that there is no
24 probable cause for belief that a person has violated the Nebraska
25 Political Accountability and Disclosure Act ~~or the Campaign Finance~~

1 ~~Limitation Act~~ or any rule or regulation adopted and promulgated
2 thereunder or if the commission determines that there is insufficient
3 evidence to reasonably believe that the person could be found to have
4 violated ~~either~~ the act, the commission shall terminate the
5 investigation and so notify the complainant and the person who had
6 been under investigation.

7 (2) If, after a preliminary investigation, it is
8 determined by a majority vote of the commission that there is
9 probable cause for belief that the Nebraska Political Accountability
10 and Disclosure Act ~~or the Campaign Finance Limitation Act~~ or a rule
11 or regulation adopted and promulgated thereunder has been violated
12 and if the commission determines that there is sufficient evidence to
13 reasonably believe that the person could be found to have violated
14 ~~either~~ the act, the commission shall initiate appropriate proceedings
15 to determine whether there has in fact been a violation. The
16 commission may appoint a hearing officer to preside over the
17 proceedings.

18 (3) All proceedings of the commission pursuant to this
19 section shall be by closed session attended only by those persons
20 necessary to the investigation of the alleged violation, unless the
21 person alleged to be in violation of ~~either~~ the act or any rule or
22 regulation adopted and promulgated thereunder requests an open
23 session.

24 (4) The commission shall have the powers possessed by the
25 courts of this state to issue subpoenas in connection with

1 proceedings under this section, and the district court shall have
2 jurisdiction to enforce such subpoenas.

3 (5) All testimony shall be under oath which shall be
4 administered by a member of the commission, the hearing officer, or
5 any other person authorized by law to administer oaths and
6 affirmations.

7 (6) Any person who appears before the commission shall
8 have all of the due process rights, privileges, and responsibilities
9 of a witness appearing before the courts of this state.

10 (7) All witnesses summoned before the commission shall
11 receive reimbursement as paid in like circumstances in the district
12 court.

13 (8) Any person whose name is mentioned during a
14 proceeding of the commission and who may be adversely affected
15 thereby shall be notified and may appear personally before the
16 commission on that person's own behalf or file a written statement
17 for incorporation into the record of the proceeding.

18 (9) The commission shall cause a record to be made of all
19 proceedings pursuant to this section.

20 (10) At the conclusion of proceedings concerning an
21 alleged violation, the commission shall deliberate on the evidence
22 and determine whether there has been a violation of ~~the Campaign~~
23 ~~Finance Limitation Act or the~~ Nebraska Political Accountability and
24 Disclosure Act.

25 Sec. 32. Section 49-14,126, Revised Statutes Cumulative

1 Supplement, 2012, is amended to read:

2 49-14,126 ~~(1)~~The commission, upon finding that there has
3 been a violation of the Nebraska Political Accountability and
4 Disclosure Act or any rule or regulation promulgated thereunder, may
5 issue an order requiring the violator to do one or more of the
6 following:

7 ~~(a)~~(1) Cease and desist from the violation;

8 ~~(b)~~(2) File any report, statement, or other information
9 as required;

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

12 ~~(d)~~(4) Pay the costs of the hearing in a contested case
13 if the violator did not appear at the hearing personally or by
14 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. 33. Section 49-14,129, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 49-14,129 The commission, by order, may suspend or modify
21 any of the reporting requirements of ~~the Campaign Finance Limitation~~
22 ~~Act or the Nebraska Political Accountability and Disclosure Act~~, in a
23 particular case, for good cause shown, or if it finds that literal
24 application of ~~such acts~~the act works a manifestly unreasonable
25 hardship and if it also finds that such suspension or modification

1 will not frustrate the purposes of ~~such acts.~~ the act. Any such
2 suspension or modification shall be only to the extent necessary to
3 substantially relieve the hardship. The commission shall suspend or
4 modify any reporting requirements only if it determines that facts
5 exist that are clear and convincing proof of the findings required by
6 this section.

7 Sec. 34. Section 49-14,132, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 49-14,132 Information copied from campaign statements,
10 registration forms, activity reports, statements of financial
11 interest, and other filings required by the Nebraska Political
12 Accountability and Disclosure Act shall not be sold or used by any
13 person for the purpose of soliciting contributions or for commercial
14 purposes, except that (1) the name and address of any political
15 committee, ~~corporation, labor organization, or industry, trade, or~~
16 ~~professional association~~ or entity specified in subsection (1) of
17 section 49-1469 may be used for soliciting contributions from such
18 committee, ~~corporation, organization, or association~~ or entity and
19 (2) the use of information copied or otherwise obtained from
20 statements, forms, reports, and other filings required by the act in
21 newspapers, magazines, books, or other similar communications is
22 permissible as long as the principal purpose of using such
23 information is not to communicate any contributor information listed
24 thereon for the purpose of soliciting contributions or for other
25 commercial purposes.

1 Sec. 35. Section 49-14,133, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 49-14,133 The Attorney General has jurisdiction to
4 enforce the criminal provisions of ~~the Campaign Finance Limitation~~
5 ~~Act and~~ the Nebraska Political Accountability and Disclosure Act. The
6 county attorney of the county in which a violation of the ~~Campaign~~
7 ~~Finance Limitation Act or the Nebraska Political Accountability and~~
8 ~~Disclosure Act~~ act occurs shall have concurrent jurisdiction.

9 Sec. 36. Section 49-14,140, Revised Statutes Cumulative
10 Supplement, 2012, is amended to read:

11 49-14,140 The Nebraska Accountability and Disclosure
12 Commission Cash Fund is hereby created. The fund shall consist of
13 funds received by the commission pursuant to sections 49-1449.01,
14 49-1470, 49-1480.01, 49-1482, 49-14,123, and 49-14,123.01 and
15 subdivision ~~(1)(d)~~ ~~(4)~~ of section 49-14,126. ~~The fund shall not~~
16 ~~include late filing fees or civil penalties assessed and collected by~~
17 ~~the commission.~~ The fund shall be used by the commission in
18 administering the Nebraska Political Accountability and Disclosure
19 Act. Any money in the Nebraska Accountability and Disclosure
20 Commission Cash Fund available for investment shall be invested by
21 the state investment officer pursuant to the Nebraska Capital
22 Expansion Act and the Nebraska State Funds Investment Act.

23 On the operative date of this section, the State
24 Treasurer shall transfer \$630,870 from the Campaign Finance
25 Limitation Cash Fund to the Nebraska Accountability and Disclosure

1 Commission Cash Fund to be used for development, implementation, and
2 maintenance of an electronic filing system for campaign statements
3 and other reports under the Nebraska Political Accountability and
4 Disclosure Act and for making such statements and reports available
5 to the public on the web site of the commission. The State Treasurer
6 shall transfer the balance of the Campaign Finance Limitation Cash
7 Fund to the Election Administration Fund on or before July 5, 2013,
8 or as soon thereafter as administratively possible.

9 Sec. 37. Section 49-14,141, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 49-14,141 (1) The commission shall develop, implement,
12 and maintain an electronic filing system for campaign statements and
13 other reports required to be filed with the commission under the
14 Nebraska Political Accountability and Disclosure Act and shall
15 provide for such statements and reports to be made available to the
16 public on its web site as soon as practicable.

17 (2) The commission may adopt procedures for the digital
18 and electronic filing of any report or statement with the commission
19 as required by the Nebraska Political Accountability and Disclosure
20 Act. act. Any procedures for digital filing shall comply with the
21 provisions of section 86-611. The commission may adopt authentication
22 procedures to be used as a verification process for statements or
23 reports filed digitally or electronically. Compliance with
24 authentication procedures adopted by the commission shall have the
25 same validity as a signature on any report, statement, or

1 verification statement.

2 Sec. 38. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
3 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,
4 30, 31, 32, 33, 34, 35, 37, 39, 41 of this act become operative on
5 January 1, 2014. The other sections of this act become operative on
6 their effective date.

7 Sec. 39. Original sections 28-915.01, 49-1413, 49-1415,
8 49-1433.01, 49-1445, 49-1446, 49-1446.04, 49-1447, 49-1455, 49-1456,
9 49-1457, 49-1459, 49-1461.01, 49-1463, 49-1463.01, 49-1464, 49-1467,
10 49-1469, 49-1469.05, 49-1469.06, 49-1469.07, 49-1469.08, 49-1477,
11 49-1479.02, 49-1488.01, 49-14,122, 49-14,123, 49-14,124,
12 49-14,124.01, 49-14,124.02, 49-14,125, 49-14,129, 49-14,132,
13 49-14,133, and 49-14,141, Reissue Revised Statutes of Nebraska, and
14 section 49-14,126, Revised Statutes Cumulative Supplement, 2012, are
15 repealed.

16 Sec. 40. Original section 49-14,140, Revised Statutes
17 Cumulative Supplement, 2012, is repealed.

18 Sec. 41. The following sections are outright repealed:
19 Sections 32-1601, 32-1602, 32-1603, 32-1604, 32-1604.01, 32-1605,
20 32-1606, 32-1606.01, 32-1607, 32-1608.01, 32-1608.02, 32-1608.03,
21 32-1609, 32-1610, 32-1611, 32-1612, 32-1613, and 77-27,119.04,
22 Reissue Revised Statutes of Nebraska, and section 32-1608, Revised
23 Statutes Cumulative Supplement, 2012.

24 Sec. 42. Since an emergency exists, this act takes effect
25 when passed and approved according to law.