

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 953

Introduced by Fulton, 29.

Read first time January 11, 2012

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to state government; to establish state fleet

2 card programs and create a fund.

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

1 Section 1. (1) State fleet card programs shall be created
2 and shall be administered separately by the University of Nebraska
3 and by the Department of Roads. The Department of Roads shall
4 administer a fleet card program on behalf of state government other
5 than the University of Nebraska under a contract through the State
6 Treasurer. The State Treasurer shall determine the type of fleet card
7 or cards utilized in the state fleet card program. The State
8 Treasurer shall contract with one or more financial institutions,
9 card-issuing banks, credit card companies, charge card companies,
10 debit card companies, or third-party merchant banks capable of
11 operating a fleet card program on behalf of the state, including the
12 University of Nebraska, and political subdivisions that participate
13 in the state contract for such services. Rules and regulations may be
14 adopted and promulgated as needed for the operation of the state
15 fleet card programs. The rules and regulations shall provide
16 authorization instructions for all transactions. Expenses associated
17 with the state fleet card programs shall be considered as an
18 administrative or operational expense.

19 (2) For purposes of this section, fleet card means a
20 payment card used for gasoline, diesel, and other fuels. Fleet cards
21 may also be used to pay for vehicle maintenance and expenses at the
22 discretion of the program administrator.

23 (3) Any state official, state agency, or political
24 subdivision may utilize the state fleet card for the purchase of
25 goods and services for and on behalf of the State of Nebraska. No

1 disbursements or cash back on fleet card transactions shall be
2 allowed.

3 (4) Vendors accepting a state fleet card shall obtain
4 authorization for all transactions in accordance with instructions
5 from the program administrator. Transaction authorization shall be
6 from the financial institution, card-issuing bank, credit card
7 company, charge card company, debit card company, or third-party
8 merchant bank contracted to provide such service to the State of
9 Nebraska. Each transaction shall be authorized in accordance with the
10 instructions provided by each state official, state agency, or
11 political subdivision.

12 (5) Detailed transaction information for the purposes of
13 tracking expenditures shall include fleet card identification,
14 merchant name and address, transaction number, date, time, product,
15 quantity, cost, and equipment meter reading if applicable. A state
16 fleet card program may require an itemized receipt for purposes of
17 tracking expenditures of a state fleet card purchase from a
18 commercial vendor as acceptable detailed transaction information. If
19 detailed transaction information is not provided, the program
20 administrator shall have the authority to temporarily or permanently
21 suspend state fleet card purchases in accordance with rules and
22 regulations.

23 (6) Upon termination or suspension of employment of an
24 individual using a state fleet card, such individual's state fleet
25 card account shall be immediately closed and he or she shall return

1 the state fleet card to the agency from which it was obtained.

2 (7) No officer or employee of the state shall use a state
3 fleet card for any unauthorized use as determined by the rules and
4 regulations.

5 Sec. 2. The State Fleet Card Distributive Fund is
6 created. All rebates received by the state from the fleet card
7 program entered into by the State of Nebraska pursuant to section 1
8 of this act, except for rebates received from the fleet card program
9 of the University of Nebraska, shall be credited to the fund. The
10 fund may consist of fleet card rebates received on behalf of state
11 agencies, boards, commissions, and political subdivisions and shall
12 be administered by the State Treasurer. Fleet card rebates shall be
13 distributed by the State Treasurer, consistent with volume spent and
14 contract terms, to: (1) The University of Nebraska; (2) any political
15 subdivision participating in the state fleet card program; and (3)
16 the State Treasurer for distribution to the remainder of state
17 government. The State Treasurer or his or her designee is authorized
18 to distribute through the fund or through a vendor contractual
19 agreement the remaining program rebates. Rebates received by the
20 vendor after the effective date of this act shall be disbursed to
21 participating entities under the contract consistent with volume
22 spent and contract terms.