

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 368**

FINAL READING

Introduced by Sanders, 45; Stinner, 48.

Read first time January 13, 2021

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend
- 2 section 84-304.01, Reissue Revised Statutes of Nebraska; to provide
- 3 for a late fee and audit powers as prescribed; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-304.01, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3 84-304.01 (1) It shall be the duty of the Auditor of Public  
4 Accounts to establish, by rule and regulation, minimum standards  
5 applicable to all audit, financial, or accounting reports or copies of  
6 such reports required to be filed with the Auditor of Public Accounts by  
7 any political subdivision of the State of Nebraska. Such minimum  
8 standards shall be in accordance with sound accounting principles, in  
9 conformity with generally accepted auditing standards and government  
10 auditing standards, and designed to bring about uniformity in the content  
11 and form of such reports within the same type of political subdivision.  
12 Audit reports of any political subdivision required to file such reports  
13 with the Auditor of Public Accounts shall be prepared in conformity with  
14 generally accepted auditing standards and government auditing standards.

15 (2) If a political subdivision required to file a report with the  
16 Auditor of Public Accounts fails to file such report by the applicable  
17 due date, the Auditor of Public Accounts may assess the political  
18 subdivision a late fee of twenty dollars per day for each calendar day  
19 the required report remains not filed. Such late fee shall begin on the  
20 day following the date the report is due. The total late fee assessed  
21 under this subsection shall not exceed two thousand dollars per filing.  
22 Of the late fee assessed and collected pursuant to this subsection, the  
23 Auditor of Public Accounts shall remit to the State Treasurer for credit  
24 to the Auditor of Public Accounts Cash Fund an amount sufficient to  
25 reimburse the direct costs of administering and enforcing this  
26 subsection, but such amount shall not exceed one hundred dollars from  
27 such late fee assessed and collected. The Auditor of Public Accounts  
28 shall remit the remainder of any late fee assessed and collected under  
29 this subsection to the State Treasurer to be distributed in accordance  
30 with Article VII, section 5, of the Constitution of Nebraska.

31 (3) In connection with his or her duties, but at his or her

1 discretion, the Auditor of Public Accounts may conduct performance audits  
2 of all political subdivisions receiving more than twenty-five thousand  
3 dollars in the audit year in tax funds from the state including all  
4 public utilities and all counties, townships, municipalities, cities,  
5 villages, districts, authorities, and other public corporations and  
6 entities. The performance audits shall be conducted in conformity with  
7 generally accepted auditing standards and government auditing standards.

8       Sec. 2. Original section 84-304.01, Reissue Revised Statutes of  
9 Nebraska, is repealed.