

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 733

Introduced by Cavanaugh, J., 9.

Read first time January 05, 2022

Committee:

1 A BILL FOR AN ACT relating to the Nebraska Political Accountability and
2 Disclosure Act; to amend section 49-1401, Reissue Revised Statutes
3 of Nebraska; to regulate ballot question contributions and
4 expenditures by foreign nationals and their subsidiaries as
5 prescribed; to harmonize provisions; and to repeal the original
6 section.

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

1 Section 1. Section 49-1401, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 49-1401 Sections 49-1401 to 49-14,142 and section 2 of this act
4 shall be known and may be cited as the Nebraska Political Accountability
5 and Disclosure Act.

6 Sec. 2. (1) For purposes of this section, foreign national means:

7 (a) An individual who is not a citizen of the United States or a
8 national of the United States and who is not lawfully admitted for
9 permanent residence;

10 (b) A person, other than an individual, organized under the laws of
11 or having its principal place of business in a foreign country;

12 (c) A government of a foreign country; or

13 (d) A political party or political committee established in a
14 foreign country.

15 (2) It shall be unlawful for a foreign national, directly or
16 indirectly, to make a contribution to a ballot question committee or for
17 a ballot question committee to solicit, accept, or receive such a
18 contribution.

19 (3) A person, other than an individual, organized under the laws of
20 the United States which is a domestic subsidiary of a foreign national
21 may make a contribution or an expenditure to support or oppose the
22 qualification, passage, or defeat of a ballot question ballot if:

23 (a) The person is a discrete entity organized under the laws of any
24 state within the United States and its principal place of business is
25 within the United States;

26 (b) The foreign national parent does not finance election-related
27 contributions or expenditures either directly or through such person,
28 including through subsidizing the person's business operations, unless
29 the person can demonstrate by a reasonable accounting method that it has
30 sufficient funds from its own domestic operations to make any
31 contributions or expenditures; and

1 (c) All decisions concerning the administration of the person's
2 contributions or expenditures are made by citizens or permanent residents
3 of the United States.

4 Sec. 3. Original section 49-1401, Reissue Revised Statutes of
5 Nebraska, is repealed.