

## LEGISLATIVE BILL 370

Approved by the Governor May 26, 1983

Introduced by Landis, 46

AN ACT relating to political subdivisions; to prohibit certain contracts involving certain officers; to define terms; to require the filing of certain information; to amend sections 15-603, 16-502, 17-611, 23-324.07, and 49-14,101, Reissue Revised Statutes of Nebraska, 1943, and sections 2-3216 and 19-613, Revised Statutes Supplement, 1982; to harmonize provisions; to provide penalties; and to repeal the original sections, and also sections 23-146, 23-147, and 79-442, Reissue Revised Statutes of Nebraska, 1943, and section 18-301, Revised Statutes Supplement, 1982.

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

Section 1. (1) For purposes of this section and sections 2 to 5 of this act, officer shall mean any elected or appointed official or member of any board or commission of any city or village.

(2) Except as provided in section 70-624.04, no officer of any city or village may be directly or indirectly interested in any contract to which the city or village, or anyone for its benefit, is a party. No officer shall be interested directly or indirectly in any contract to perform any work for, or furnish any material to, any contractor or subcontractor in conjunction with a contract between such contractor or subcontractor and the city or village the officer serves. The existence of such an interest in any contract renders the contract voidable by decree of a court of proper jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the city or village or by any resident thereof, and must be brought within one year after the contract is signed or assigned. To meet the ends of justice any such decree may provide for the reimbursement of any person for the reasonable value of

all money, goods, material, labor, or services furnished under the contract, to the extent that the city or village has benefited thereby. The prohibition in this section shall apply only when the officer knows or could reasonably be expected to know that his or her interest will be affected by his or her official action, or by the action of the governmental body, department, or agency which he or she serves.

(3) The provisions in subsection (2) of this section shall not apply if the interested officer:

(a) Reveals in writing to the governmental body responsible for approving the contract the nature and extent of his or her interest, prior to official consideration of the contract;

(b) Does not participate in the consideration or discussion of the contract, other than to reveal his or her interest;

(c) Does not attempt to influence other officers or employees in any way relating to the contract;

(d) Does not vote on the matter of granting the contract;

(e) Removes himself or herself during the consideration of, discussion of, and vote on the contract; and

(f) Does not act, directly or indirectly, for the city or village which is party to the contract as to inspection, operation, administration, or performance under the contract in which he or she has an interest.

(4) The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any city or village by a financial institution shall not be considered a contract under the provisions of this section. The ownership of less than one per cent of the outstanding shares of a corporation shall not constitute an interest, direct or indirect, within the meaning of this section.

(5) Notwithstanding any other provision of this section, any contract entered into with an interested officer of the city or village shall be subject to applicable competitive bidding requirements and shall represent the best alternative available to the city or village in terms of, but not limited to, price and quality of the property or services.

Sec. 2. The clerk of every city and village shall maintain, separately from other records, a ledger containing the information listed in subdivisions (1) to (5) of this section about every contract entered into by the city or village in which an officer of that city or village has a direct or indirect interest as specified in subsection (2) of section 1 of this act and for which disclosure is made as provided in subsection (3) of section 1 of this act. Any officer who has a direct or

indirect interest, as provided in subsection (2) of section 1 of this act, in a contract entered into with the city or village he or she serves, shall provide the clerk with the:

- (1) Names of the contracting parties;
- (2) Nature of the interest of the officer in question;
- (3) Date that the contract was approved by the city or village involved;
- (4) Amount of the contract; and
- (5) Basic terms of the contract.

The information supplied relative to the contract shall be provided to the clerk not later than ten days after the contract has been signed by both parties. The ledger kept by the clerk shall be available for public inspection during the normal working hours of the office in which it is kept.

Sec. 3. An open account established for the benefit of any city or village or entity thereof, with a business in which an officer has an interest, shall be deemed a contract subject to the provisions of sections 1 to 3 of this act. The statement required to be filed pursuant to section 2 of this act shall be filed within ten days after such account is opened. Thereafter, the interested officer shall file a revision to the statement whenever a payment is made on the account. Such revision shall specify the date and amount of the payment.

Sec. 4. Any city or village officer who knowingly violates the provisions of sections 1 to 3 of this act shall be guilty of a Class IV felony. Any city or village officer who negligently violates sections 1 to 3 of this act shall be guilty of a Class V misdemeanor.

Sec. 5. Any city or village may enact ordinances prohibiting contracts over a specific dollar amount in which an officer of such city or village may have a direct or indirect interest. Notwithstanding the enactment of such an ordinance, the provisions of sections 1 to 4 of this act shall apply to every city and village.

Sec. 6. That section 15-603, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

15-603. No officer of the city shall be interested directly or indirectly in any contract to which the city, or anyone for its benefit, is a party, when the consideration of the same is in excess of two thousand dollars in any one year; and such interest in any such contract shall void the obligation thereof on the part of the city; Provided, the receiving of deposits, cashing of checks, and buying and selling warrants and bonds of indebtedness of any such city by a

financial institution shall not be considered a contract under the provisions of this section. Nor shall any officer of the city be interested directly or indirectly in any contract; when the consideration of the same is in excess of two thousand dollars in any one year; to perform any work or to furnish any material for any contractor or subcontractor intended for use or which shall be used by the latter in the performance of any contract with the city. Nor, when the consideration therefor is in excess of two thousand dollars in any one year, shall any officer of the city directly or indirectly sell or furnish any material to such contractor or subcontractor or to any employee of the city to be used or which shall be used by such contractor, subcontractor or employee of the city, in the performance of any such contract. Violation of the provisions of this section shall avoid the obligation of such contract on the part of the city and defeat any recovery for any material so sold or furnished as against the city. No contract may be divided for the purpose of evading the requirements of this section. Nor shall any No officer shall receive any pay or perquisite from the city other than his or her salary; and the city council shall not pay or appropriate any money or other valuable thing to any person, not an officer, for the performance of any act, service, or duty, the performance of which shall come within the proper scope of the duties of any officer of the city, unless the same is specially appropriated and ordered by unanimous vote of all members elected to the council. ~~PROVIDED~~; that ownership of less than one per cent of the outstanding stock of any class in a corporation shall not constitute an interest, direct or indirect, within the meaning of this section.

Sec. 7. That section 16-502, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-502. Except as provided in section 70-624-04, no officer or member of an appointed board or commission of any city shall be interested, directly or indirectly, in any contract to which the corporation, or anyone for its benefit, is a party, when the consideration of the same is in an amount in excess of ten thousand dollars in any one year, and no contract may be divided for the purpose of evading the requirements of this section; and such interest in any such contract shall void the obligation thereof on the part of such corporation; Provided, the receiving of deposits, cashing of checks, and buying and selling warrants and bonds of indebtedness of any such city by a financial institution shall not be considered a contract under the provisions of this section. Nor shall any No officer shall receive any pay or perquisites from the

city other than his or her salary, as provided by ordinance and the law relating to cities of the first class, and the city council shall not pay or appropriate any money or any valuable thing to any person not an officer for the performance of any act, service, or duty, the doing or performance of which shall come within the proper scope of the duties of any officer of such corporation, unless the same is specifically appropriated and ordered by a vote of three-fourths of all the members elected to the council. ; PROVIDED, that ownership of less than one per cent of the outstanding stock of any class in a corporation shall not constitute an interest, direct or indirect, within the meaning of this section:

Sec. 8. That section 17-611, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-611. Except as provided in section 70-624-04, no officer of any city or village shall be interested, directly or indirectly, in any contract to which the corporation or anyone for its benefit is a party, when the consideration of the same is in an amount in excess of ten thousand dollars in any one year, and no contract may be divided for the purpose of evading the requirements of this section. Except as provided in section 70-624-04, any such interest in any such contract shall avoid the obligation thereof on the part of such corporation; Provided, the receiving of deposits, cashing of checks, and buying and selling warrants and bonds of indebtedness of any such city or village by a financial institution shall not be considered a contract under the provisions of this section. No officer shall receive any pay or perquisites from the city other than his or her salary. Neither the city council nor board of trustees shall pay or appropriate any money or other valuable thing to any person not an officer for the performance of any act, service, or duty, the doing or performance of which shall come within the proper scope of the duties of any officer of such corporation. ; PROVIDED, that ownership of less than one per cent of the outstanding stock of any class in a corporation shall not constitute an interest, direct or indirect, within the meaning of this section:

Sec. 9. That section 19-613, Revised Statutes Supplement, 1982, be amended to read as follows:

19-613. Members of the council shall be residents and qualified electors of the city. Except as provided in section 70-624.04, they shall not hold any other elective public office or any other office or employment of the city, and, except as provided in section 48-304, shall not be interested in the profits or emoluments of any contract, job, work, or service for

the city; and any such contract in which any member is or may become interested may be declared void by the council. Any council member who shall cease to possess any of the qualifications herein required, or who shall have been convicted of a crime while in office, shall forthwith forfeit such office. The council shall be the judge of the election and qualifications of its members, subject to review by the courts.

Sec. 10. (1) For purposes of this section and sections 11 to 14 of this act, officer shall mean any elected or appointed official or member of any board or commission of a county, except the county purchasing agent and his or her staff who shall be subject to section 23-324.07.

(2) No officer may be directly or indirectly interested in any contract to which the county, or anyone for its benefit, is a party. No county officer shall be interested directly or indirectly in any contract to perform any work for, or furnish any material to, any contractor or subcontractor in conjunction with a contract between such contractor or subcontractor and the county the officer serves. The existence of such an interest in any contract renders the contract voidable by decree of a court of proper jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the county or by any resident thereof, and must be brought within one year after the contract is signed or assigned. To meet the ends of justice any such decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor, or services furnished under the contract, to the extent that the county has benefited thereby. The prohibition in this section shall apply only when the officer knows or could reasonably be expected to know that his or her interest will be affected by his or her official action, or by the action of the governmental body, department, or agency which he or she serves.

(3) The provisions in subsection (2) of this section shall not apply if the interested officer:

(a) Reveals in writing to the governing body responsible for approving the contract the nature and extent of his or her interest, prior to official consideration of the contract;

(b) Does not participate in the consideration or discussion of the contract, other than to reveal his or her interest;

(c) Does not attempt to influence employees or other officers in any way relating to the contract;

(d) Does not vote on the matter of granting

the contract;

(e) Removes himself or herself during the consideration of, discussion of, and vote on the contract; and

(f) Does not act, directly or indirectly, for the county which is party to the contract as to inspection, operation, administration, or performance under the contract in which he or she has an interest.

(4) The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any county by a financial institution shall not be considered a contract under the provisions of this section. The ownership of less than one per cent of the outstanding shares of a corporation shall not constitute an interest, direct or indirect, within the meaning of this section.

(5) Notwithstanding any other provision of this section, any contract entered into with an interested officer of the county shall be subject to applicable competitive bidding requirements and shall represent the best alternative available to the county in terms of factors such as, but not limited to, price and quality of the property or services.

Sec. 11. The clerk of every county shall maintain, separately from other records, a ledger containing the information listed in subdivisions (1) to (5) of this section about every contract entered into by the county in which an officer of that county has a direct or indirect interest as specified in subsection (2) of section 10 of this act and for which disclosure is made as provided in subsection (3) of section 10 of this act. Any officer who has a direct or indirect interest, as provided in subsection (2) of section 10 of this act, in a contract entered into with the county he or she serves, shall provide the clerk with the:

(1) Names of the contracting parties;

(2) Nature of the interest of the officer in question;

(3) Date that the contract was approved by the county involved;

(4) Amount of the contract; and

(5) Basic terms of the contract.

The information supplied relative to the contract shall be provided to the clerk not later than ten days after the contract has been signed by both parties. The ledger kept by the clerk shall be available for public inspection during the normal working hours of the office in which it is kept.

Sec. 12. An open account established for the benefit of any county or entity thereof, with a business in which an officer has an interest, shall be deemed a contract subject to the provisions of sections 10 to 12 of this act. The statement required to be filed

pursuant to section 11 of this act shall be filed within ten days after such account is opened. Thereafter, the interested officer shall file a revision to the statement whenever a payment is made on the account. Such revision shall specify the date and amount of the payment.

Sec. 13. Any county officer who knowingly violates sections 10 to 12 of this act shall be guilty of a Class IV felony. Any county officer who negligently violates sections 10 to 12 of this act shall be guilty of a Class V misdemeanor.

Sec. 14. Any county may prohibit contracts over a specific dollar amount in which an officer of such county may have a direct or indirect interest. Notwithstanding the existence of such prohibition, the provisions of sections 10 to 13 of this act shall apply to every county.

Sec. 15. That section 23-324.07, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-324.07. Neither the county purchasing agent nor any member of his or her office staff, if any, shall be financially interested in or have any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials, equipment, or contractual services used by or furnished to any office, officer, department, or agency of the county government. Nor shall such purchasing agent nor a member of his or her staff, if any, receive directly or indirectly, from any person, firm or corporation, to which any contract or purchase order may be awarded, by rebate, gift or otherwise, any money, anything of value whatsoever or any promise, obligation or contract for future reward or compensation. Any county purchasing agent or any member of his or her office staff, if any, who shall violate any of the provisions of this act shall, upon conviction thereof, be punished as provided in sections 23-446 and 23-447 guilty of a Class IV felony. All contracts or agreements in violation of this section are declared unlawful and shall be wholly void as an obligation against the county.

Sec. 16. (1) For purposes of this section and sections 17 to 20 of this act, officer shall mean any member of the board of directors of a natural resources district.

(2) No officer may be directly or indirectly interested in any contract to which the district, or anyone for its benefit, is a party. No district officer shall be interested directly or indirectly in any contract to perform any work for, or furnish any material to, any contractor or subcontractor in conjunction with a contract between such contractor or



subcontractor and the district the officer serves. The existence of such an interest in any contract renders the contract voidable by decree of a court of proper jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the district or by any resident thereof, and must be brought within one year after the contract is signed or assigned. To meet the ends of justice any such decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor, or services furnished under the contract, to the extent that the natural resources district has benefited thereby. The prohibition in this section shall apply only when the officer knows or could reasonably be expected to know that his or her interest will be affected by his or her official action, or by the action of the governmental body, department, or agency which he or she serves.

(3) The provisions in subsection (2) of this section shall not apply if the interested officer:

(a) Reveals in writing to the governmental body responsible for approving the contract the nature and extent of his or her interest, prior to official consideration of the contract;

(b) Does not participate in the consideration or discussion of the contract, other than to reveal his or her interest;

(c) Does not attempt to influence employees or other officers in any way relating to the contract;

(d) Does not vote on the matter of granting the contract;

(e) Removes himself or herself during the consideration of, discussion of, and vote on the contract; and

(f) Does not act, directly or indirectly, for the district which is party to the contract as to inspection, operation, administration, or performance under the contract in which he or she has an interest.

(4) The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any district by a financial institution shall not be considered a contract under the provisions of this section. The ownership of less than one per cent of the outstanding shares of a corporation shall not constitute an interest, direct or indirect, within the meaning of this section.

(5) Notwithstanding any other provision of this section, any contract entered into with an interested officer of the district shall be subject to applicable competitive bidding requirements and must represent the best alternative available to the district

in terms of factors such as, but not limited to, price and quality of the property or services.

(6) Nothing in this section shall prohibit a natural resources district director from acting as a participant in any of the conservation or other general district programs which are available for like participation to other residents and landowners of the district, or from granting, selling, or otherwise transferring to such district any interest in real property necessary for the exercise of its powers and authorities if the cost of acquisition thereof is equal to or less than that established by a board of three real estate appraisers qualified in accordance with sections 81-8,276 and 81-8,287, or by a court of competent jurisdiction in an eminent domain proceeding.

District payments to a director of the fair market value for real property owned by him or her and needed for district projects, or for cost-sharing for conservation work on such director's land or land in which a director may have an interest, shall not be deemed subject to provisions of this section.

Sec. 17. The person charged with keeping records for each natural resources district shall maintain, separately from other records, a ledger containing the information listed in subdivisions (1) to (5) of this section about every contract entered into by the district in which an officer of that district has a direct or indirect interest as specified in subsection (2) of section 16 of this act and for which disclosure is made as provided in subsection (3) of section 16 of this act. Any officer who has a direct or indirect interest, as provided in subsection (2) of section 16 of this act, in a contract entered into with the district he or she serves, shall provide the person charged with keeping records with the:

(1) Names of the contracting parties;

(2) Nature of the interest of the officer in question;

(3) Date that the contract was approved by the district involved;

(4) Amount of the contract; and

(5) Basic terms of the contract.

The information supplied relative to the contract shall be provided not later than ten days after the contract has been signed by both parties. The ledger kept pursuant to this section shall be available for public inspection during the normal working hours of the office in which it is kept.

Sec. 18. An open account established for the benefit of any natural resources district or entity thereof, with a business in which an officer has an interest, shall be deemed a contract subject to the provisions of sections 17 to 20 of this act. The

statement required to be filed pursuant to section 17 of this act shall be filed within ten days after such account is opened. Thereafter, the interested officer shall file a revision to the statement whenever a payment is made on the account. Such revision shall specify the date and amount of the payment.

Sec. 19. Any district officer who knowingly violates sections 16 to 18 of this act shall be guilty of a Class IV felony. Any district officer who negligently violates sections 16 to 18 of this act shall be guilty of a Class V misdemeanor.

Sec. 20. Any natural resources district may prohibit contracts over a specific dollar amount in which an officer of such district may have a direct or indirect interest. Notwithstanding the existence of such prohibition, the provisions of sections 16 to 19 of this act shall apply to every natural resources district.

Sec. 21. That section 2-3216, Revised Statutes Supplement, 1982, be amended to read as follows:

2-3216. Members of the board may be removed from office for the same reasons and in the same manner as provided by law for the removal of county officers. No director of any natural resources district shall be directly employed by such district, and, except as is provided in this section, no director shall be pecuniarily interested in or receive the benefit, directly or indirectly, of any contracts to which the district, or anyone for its benefit, is a party, when the consideration of such contracts is in an amount in excess of five thousand dollars, in the aggregate, in any one year. No contract may be divided for the purpose of evading the requirements of this section. No director and no firm or corporation of which such director is an agent, official, or employee shall receive any consideration other than that provided by section 2-3218 for any article, service, public improvement, material, or labor furnished such district in the absence of a contract therefor and to which the district is a party. All contracts, agreements, or other transactions in violation of such limitations shall be wholly void as an obligation against the district; Provided, that (1) nothing in this section shall prohibit or limit any financial institution from receiving deposits, cashing checks, buying or selling warrants or bonds of indebtedness, or performing any function in a fiduciary capacity for any natural resources district, and no contract shall be required by this section prior to the rendering of any such services; (2) the ownership of less than one per cent of the outstanding stock of any class in a corporation shall not constitute an interest, direct or indirect,

within the meaning of this section, and (3) nothing in this section shall prohibit a natural resources district director from acting as a participant in any of the conservation or other general district programs which are available for like participation to other residents and landowners of the district, or from granting, selling, or otherwise transferring to such district any interest in real property necessary for the exercise of its powers and authorities if the cost of acquisition thereof is equal to or less than that established by a board of three real estate appraisers qualified in accordance with sections 84-87276 and 84-87287, or by a court of competent jurisdiction in an eminent domain proceeding.

No director shall participate in any action of the board concerning any matter in which such director has a direct or indirect interest, even if approval thereof is authorized by this section.

District payments to a director of the fair market value for real property owned by him and needed for district projects, or for cost-sharing for conservation work on such director's land or land in which a director may have an interest, shall not be deemed to be limited in amount or prohibited by this section.

Sec. 22. That section 49-14,101, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-14,101. (1) No person shall offer or give to the following persons anything of value, including a gift, loan, contribution, reward, or promise of future employment, based on an agreement that the vote, official action, or judgment of any public official, public employee, or candidate would be influenced thereby:

(a) A public official, public employee, or candidate;

(b) A member of the immediate family of an individual listed in subdivision (a) of this subsection; or

(c) A business with which an individual listed under subdivision (a) or (b) of this subsection is associated.

(2) No person listed in subsection (1) of this section shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the public official, public employee, or candidate would be influenced thereby.

(3) No public official or public employee shall use that person's public office or any confidential information received through the holding of

a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

(4) No public official or public employee shall use personnel, resources, property, or funds under that individual's official care and control, other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or use such items, other than compensation provided by law, for personal financial gain.

(5) Any Except as provided in section 23-234.07, any person violating the provisions of this section shall be guilty of a Class III misdemeanor.

Sec. 23. (1) For purposes of this section and sections 24 to 27 of this act, officer shall mean any elected or appointed official or member of any board or committee of a school district.

(2) Except as provided in section 70-624.04, no officer may be directly or indirectly interested in any contract in which the school district or anyone for its benefit is a party. No officer shall be interested directly or indirectly in any contract to perform any work for, or furnish any material to, any contractor or subcontractor in conjunction with a contract between such contractor or subcontractor and the school district the officer serves. The existence of such an interest in any contract renders the contract voidable by decree of a court of proper jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the school district or by any resident thereof, and must be brought within one year after the contract is signed or assigned. To meet the ends of justice any such decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor, or services furnished under the contract, to the extent that the school district has benefited thereby. The prohibition in this section shall apply only when the officer knows or could reasonably be expected to know that his or her interest will be affected by his or her official action or by the action of the governmental body, department, or agency which he or she serves.

(3) Subsection (2) of this section shall not apply if the interested officer:

(a) Reveals in writing to the governmental body responsible for approving the contract the nature and extent of his or her interest, prior to official consideration of the contract;

(b) Does not participate in the consideration or discussion of the contract, other than to reveal his

or her interest;

(c) Does not attempt to influence employees or other officers in any way relating to the contract;

(d) Does not vote on the matter of granting the contract;

(e) Removes himself or herself during the consideration of, discussion of, and vote on the contract; and

(f) Does not act, directly or indirectly, for the school district which is party to the contract as to inspection, operation, administration, or performance under the contract in which he or she has an interest.

(4) The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any school district by a financial institution shall not be considered a contract under the provisions of this section. The ownership of less than one per cent of the outstanding shares of a corporation shall not constitute an interest, direct or indirect, within the meaning of this section.

(5) Notwithstanding any other provision of this section, any contract entered into with an interested officer of the school district shall be subject to applicable competitive bidding requirements and shall represent the best alternative available to the school district in terms of factors such as, but not limited to, price and quality of the property or services.

Sec. 24. The county superintendent of each county for class I districts and the superintendent of each class II, III, IV, V, and VI district shall maintain for his or her respective school district, separately from other records, a ledger containing the information listed in subdivisions (1) to (5) of this section for every contract entered into by the school district in which an officer of that school district has a direct or indirect interest as specified in subsection (2) of section 23 of this act and for which disclosure is made as provided in subsection (3) of section 23 of this act. Any officer who has a direct or indirect interest, as provided in subsection (2) of section 23 of this act, in a contract entered into with the school district he or she serves, shall provide the superintendent with the:

(1) Names of the contracting parties;

(2) Nature of the interest of the officer in question;

(3) Date that the contract was approved by the school district involved;

(4) Amount of the contract; and

(5) Basic terms of the contract.

The information supplied relative to the contract shall be provided to the superintendent not

later than ten days after the contract has been signed by both parties. The ledger kept by the superintendent shall be available for public inspection during the normal working hours of the office in which it is kept.

Sec. 25. An open account established for the benefit of any school district or entity thereof, with a business in which an officer has an interest, shall be deemed a contract subject to the provisions of sections 23 to 25 of this act. The statement required to be filed pursuant to section 24 of this act shall be filed within ten days after such account is opened. Thereafter, the interested officer shall file a revision to the statement whenever a payment is made on the account. Such revision shall specify the date and amount of the payment.

Sec. 26. Any officer who knowingly violates section 23 to 25 of this act shall be guilty of a Class IV felony. Any officer who negligently violates section 23 to 25 of this act shall be guilty of a Class V misdemeanor.

Sec. 27. Any school district may prohibit contracts over a specific dollar amount in which an officer of such school district may have a direct or indirect interest. Notwithstanding the existence of such prohibition, the provisions of sections 23 to 26 of this act shall apply to every school district.

Sec. 28. That original sections 15-603, 16-502, 17-611, 23-324.07, and 49-14,101, Reissue Revised Statutes of Nebraska, 1943, and sections 2-3216 and 19-613, Revised Statutes Supplement, 1982, and also sections 23-146, 23-147, and 79-442, Reissue Revised Statutes of Nebraska, 1943, and section 18-301, Revised Statutes Supplement, 1982, are repealed.