

## LEGISLATIVE BILL 368

Approved by the Governor March 31, 2021

Introduced by Sanders, 45; Stinner, 48.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304.01, Reissue Revised Statutes of Nebraska; to provide for a late fee and audit powers as prescribed; to harmonize provisions; and to repeal the original section.

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

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

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

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

(3) In connection with his or her duties, but at his or her discretion, the Auditor of Public Accounts may conduct performance audits of all political subdivisions receiving more than twenty-five thousand dollars in the audit year in tax funds from the state including all public utilities and all counties, townships, municipalities, cities, villages, districts, authorities, and other public corporations and entities. The performance audits shall be conducted in conformity with generally accepted auditing standards and government auditing standards.

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