

AMENDMENTS TO LB287

Introduced by Government, Military and Veterans Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 2-3213, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 2-3213 (1) Except as provided in subsections (2), (3), and (4) of
6 this section, each district shall be governed by a board of directors of
7 five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, or
8 twenty-one members. The board of directors shall determine the number of
9 directors and in making such determination shall consider the complexity
10 of the foreseeable programs and the population and land area of the
11 district. Districts shall be political subdivisions of the state, shall
12 have perpetual succession, and may sue and be sued in the name of the
13 district.

14 (2) ~~At Except as provided by subsection (7) of this section, at~~
15 least six months prior to the primary election, the board of directors of
16 any natural resources district may change the number of directors for the
17 district and may change subdistrict boundaries to accommodate the
18 increase or decrease in the number of directors.

19 (3) The board of directors shall utilize the criteria found in
20 subsection (1) of this section and in subsection (2) of section 2-3214
21 when changing the number of directors. Except as provided in subsection
22 (6) of this section, no director's term of office shall be shortened as a
23 result of any change in the number of directors. Any reduction in the
24 number of directors shall be made as directors take office during the two
25 succeeding elections or more quickly if the reduction can be made by not
26 filling vacancies on the board and if desired by the board. If necessary
27 to preserve staggered terms for directors when the reduction in number is

1 made in whole or in part through unfilled vacancies, the board may
2 provide for a one-time election of one or more directors for a two-year
3 term. The board of directors shall inform the Secretary of State whenever
4 any such one-time elections have been approved. Notwithstanding
5 subsection (1) of this section, the district may be governed by an even
6 number of directors during the two-year transition to a board of reduced
7 number.

8 (4) Whenever any change of boundaries, division, or merger results
9 in a natural resources district director residing in a district other
10 than the one to which such director was elected to serve, such director
11 shall automatically become a director of the board of the district in
12 which he or she then resides. Except as provided in subsection (6) of
13 this section, all such directors shall continue to serve in office until
14 the expiration of the term of office for which they were elected.
15 Directors or supervisors of other special-purpose districts merged into a
16 natural resources district shall not become members of the natural
17 resources district board but may be appointed as advisors in accordance
18 with section 2-3228. No later than six months after any change, division,
19 or merger, each affected board, in accordance with the procedures and
20 criteria found in this section and section 2-3214, shall determine the
21 number of directors for the district as it then exists, the option chosen
22 for nomination and election of directors, and, if appropriate, new
23 subdistrict boundaries.

24 (5) To facilitate the task of administration of any board increased
25 in size by a change of boundaries or merger, such board may appoint an
26 executive committee to conduct the business of the board in the interim
27 until board size reductions can be made in accordance with this section.
28 An executive committee shall be empowered to act for the full board in
29 all matters within its purview unless specifically limited by the board
30 in the establishment and appointment of the executive committee.

31 (6) Notwithstanding the provisions of section 2-3214 and subsections

1 (4) and (5) of this section, the board of directors of any natural
2 resources district established by merging two or more districts in their
3 entirety may provide that all directors be nominated and elected at the
4 first primary and general elections following the year in which such
5 merger becomes effective. In districts which have one director elected
6 from each subdistrict, each director elected from an even-numbered
7 subdistrict shall be elected for a two-year term and each director from
8 an odd-numbered district and any member to be elected at large shall be
9 elected for a four-year term. In districts which have two directors
10 elected from each subdistrict, the four candidates receiving the highest
11 number of votes at the primary election shall be carried over to the
12 general election, and at such general election the candidate receiving
13 the highest number of votes shall be elected for a four-year term and the
14 candidate receiving the second highest number of votes shall be elected
15 for a two-year term. Thereafter each director shall be elected for a
16 four-year term.

17 ~~(7) Following the release of the 2020 Census of Population data by~~
18 ~~the United States Department of Commerce, Bureau of the Census, as~~
19 ~~required by Public Law 94-171, any natural resources district that will~~
20 ~~have a change to the number of directors as a result of any adjustment to~~
21 ~~the boundaries of election districts shall provide to the election~~
22 ~~commissioner or county clerk (a) written notice of the need and necessity~~
23 ~~of his or her office to perform such adjustments and (b) a revised~~
24 ~~election district boundary map that has been approved by the board of~~
25 ~~directors and subjected to all public review and challenge ordinances of~~
26 ~~the natural resources district by December 30, 2021.~~

27 Sec. 2. Section 2-3214, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 2-3214 (1) District directors shall be elected as provided in
30 section 32-513. Elections shall be conducted as provided in the Election
31 Act. Registered voters residing within the district shall be eligible for

1 nomination as candidates for any at-large position or, in those districts
2 that have established subdistricts, as candidates from the subdistrict
3 within which they reside.

4 (2) The board of directors may choose to: (a) Nominate candidates
5 from subdistricts and from the district at large who shall be elected by
6 the registered voters of the entire district; (b) nominate and elect each
7 candidate from the district at large; or (c) nominate and elect
8 candidates from subdistricts of substantially equal population except
9 that any at-large candidate would be nominated and elected by the
10 registered voters of the entire district. Unless the board of directors
11 determines that the nomination and election of all directors will be at
12 large, the board shall strive to divide the district into subdistricts of
13 substantially equal population, except that no subdistrict shall have a
14 population greater than three times the population of any other
15 subdistrict within the district. Such subdistricts shall be consecutively
16 numbered and shall be established with due regard to all factors
17 including, but not limited to, the location of works of improvement and
18 the distribution of population and taxable values within the district.
19 ~~The Except as provided by subsection (7) of this section,~~ the boundaries
20 and numbering of such subdistricts shall be designated at least six
21 months prior to the primary election. Unless the district has been
22 divided into subdistricts with substantially equal population, all
23 directors shall be elected by the registered voters of the entire
24 district and all registered voters shall vote on the candidates
25 representing each subdistrict and any at-large candidates. If a district
26 has been divided into subdistricts with substantially equal population,
27 the board of directors may determine that directors shall be elected only
28 by the registered voters of the subdistrict except that an at-large
29 director may be elected by registered voters of the entire district.

30 (3) Except in districts which have chosen to have a single director
31 serve from each subdistrict, the number of subdistricts for a district

1 shall equal a number which is one less than a majority of directors for
2 the district. In districts which have chosen to have a single director
3 serve from each subdistrict, the number of subdistricts shall equal a
4 number which is equal to the total number of directors of the district or
5 which is one less than the total number of directors for the district if
6 there is an at-large candidate. If the number of directors to be elected
7 exceeds the number of subdistricts or if the term of the at-large
8 director expires in districts which have chosen to have a single director
9 serve from each subdistrict, candidates may file as a candidate from the
10 district at large. Registered voters may each cast a number of votes not
11 larger than the total number of directors to be elected.

12 (4) Elected directors shall take their oath of office in the same
13 manner provided for county officials.

14 (5) At least six months prior to the primary election, the board of
15 directors may choose to have a single director serve from each
16 subdistrict.

17 (6) The board of directors shall certify to the Secretary of State
18 and the election commissioners or county clerks the number of directors
19 to be elected at each election and the length of their terms as provided
20 in section 32-404.

21 ~~(7) Following the release of the 2020 Census of Population data by~~
22 ~~the United States Department of Commerce, Bureau of the Census, as~~
23 ~~required by Public Law 94-171, any board of directors requesting the~~
24 ~~adjustment of the boundaries of election districts shall provide to the~~
25 ~~election commissioner or county clerk (a) written notice of the need and~~
26 ~~necessity of his or her office to perform such adjustments and (b) a~~
27 ~~revised election district boundary map that has been approved by the~~
28 ~~board and subjected to all public review and challenge ordinances of the~~
29 ~~natural resources district by December 30, 2021.~~

30 Sec. 3. Section 16-202, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 16-202 (1) Except as otherwise provided in subsection (4) of this
2 section, the power to sell and convey any real estate owned by a city of
3 the first class, including park land, shall be exercised by ordinance
4 directing the conveyance of such real estate and the manner and terms
5 thereof. Notice of such sale and the terms thereof shall be published for
6 three consecutive weeks in a legal newspaper in or of general circulation
7 in such city immediately after the passage and publication of such
8 ordinance.

9 (2) If within thirty days after the passage and publication of such
10 ordinance a remonstrance petition against such sale, that conforms to
11 section 32-628, is signed by registered voters of the city equal in
12 number to thirty percent of the registered voters of the city voting at
13 the last regular city election held therein and is filed with the city
14 council, the property shall not then, nor within one year thereafter, be
15 sold. If the date for filing the petition falls upon a Saturday, Sunday,
16 or legal holiday, the signatures shall be collected within the thirty-day
17 period, but the filing shall be considered timely if filed or postmarked
18 on or before the next business day. Upon the receipt of the petition, the
19 city council, with the aid and assistance of the election commissioner or
20 county clerk, shall determine the validity and sufficiency of signatures
21 on the petition. The city council shall deliver the petition to the
22 election commissioner or county clerk by hand carrier, by use of law
23 enforcement officials, or by certified mail, return receipt requested.
24 Upon receipt of the petition, the election commissioner or county clerk
25 shall issue to the city council a written receipt that the petition is in
26 the custody of the election commissioner or county clerk. The election
27 commissioner or county clerk shall compare the signature of each person
28 signing the petition with the voter registration records to determine if
29 each signer was a registered voter on or before the date on which the
30 petition was filed with the city council. The election commissioner or
31 county clerk shall also compare the signer's printed name, street and

1 number or voting precinct, and city, village, or post office address with
2 the voter registration records to determine whether the signer was a
3 registered voter. The signature and address shall be presumed to be valid
4 only if the election commissioner or county clerk determines that the
5 printed name, street and number or voting precinct, and city, village, or
6 post office address matches the registration records and that the
7 registration was received on or before the date on which the petition was
8 filed with the city council. The determinations of the election
9 commissioner or county clerk may be rebutted by any credible evidence
10 which the city council finds sufficient. The express purpose of the
11 comparison of names and addresses with the voter registration records, in
12 addition to helping to determine the validity of the petition, the
13 sufficiency of the petition, and the qualifications of the signer, shall
14 be to prevent fraud, deception, and misrepresentation in the petition
15 process. Upon completion of the comparison of names and addresses with
16 the voter registration records, the election commissioner or county clerk
17 shall prepare in writing a certification under seal setting forth the
18 name and address of each signer found not to be a registered voter and
19 the signature page number and line number where the name is found, and if
20 the reason for the invalidity of the signature or address is other than
21 the nonregistration of the signer, the election commissioner or county
22 clerk shall set forth the reason for the invalidity of the signature. If
23 the election commissioner or county clerk determines that a signer has
24 affixed his or her signature more than once to the petition and that only
25 one person is registered by that name, the election commissioner or
26 county clerk shall prepare in writing a certification under seal setting
27 forth the name of the duplicate signature and shall count only the
28 earliest dated signature. The election commissioner or county clerk shall
29 certify to the city council the number of valid signatures necessary to
30 constitute a valid petition. The election commissioner or county clerk
31 shall deliver the petition and the certifications to the city council

1 within forty days after the receipt of the petition from the city
2 council. The delivery shall be by hand carrier, by use of law enforcement
3 officials, or by certified mail, return receipt requested. Not more than
4 twenty signatures on one signature page shall be counted.

5 (3) The city council shall, within thirty days after the receipt of
6 the petition and certifications from the election commissioner or county
7 clerk, hold a public hearing to review the petition and certifications
8 and receive testimony regarding them. The city council shall, following
9 the hearing, vote on whether or not the petition is valid and shall
10 uphold the petition if sufficient valid signatures have been received.

11 (4) This section does not apply to (a) real estate used in the
12 operation of public utilities, (b) real estate for state armory sites for
13 the use of the State of Nebraska as expressly provided in section 16-201,
14 or (c) real estate for state veterans' cemetery sites for the use of the
15 State of Nebraska as expressly provided in section 12-1301.

16 Sec. 4. Section 18-2518, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 18-2518 (1) Each signed petition ~~Signed petitions~~ shall be filed
19 with the city clerk for signature verification. The city clerk shall
20 immediately notify the county clerk or election commissioner of the
21 signed petition. Upon the filing of a petition, a municipality, upon
22 passage of a resolution by the governing body of such municipality, and
23 the county clerk or election commissioner of the county in which such
24 municipality is located may by mutual agreement provide that the county
25 clerk or election commissioner shall ascertain whether the petition is
26 signed by the requisite number of voters. The municipality shall
27 reimburse the county for any costs incurred by the county clerk or
28 election commissioner. When the verifying official has determined that
29 one hundred percent of the necessary signatures required by the Municipal
30 Initiative and Referendum Act have been obtained, he or she shall notify
31 the governing body of the municipality of that fact and shall immediately

1 forward to the governing body a copy of the petition.

2 (2) In order for an initiative or referendum proposal to be
3 submitted to the governing body and the voters, the necessary signatures
4 shall be on file with the city clerk within six months from the date the
5 prospective petition was authorized for circulation. If the necessary
6 signatures are not obtained by such date, the petition shall be void.

7 Sec. 5. Section 25-1274, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 25-1274 Publications required by law to be made in a newspaper or on
10 a statewide website established and maintained as a repository of public
11 notices by a majority of Nebraska newspapers, may be proved by affidavit
12 of any person having knowledge of the fact, specifying the time when and
13 the paper in which or the website whereon the publication was made, and
14 if made by publication in a newspaper, that such said newspaper is a
15 legal newspaper under the statutes of the State of Nebraska, but such
16 affidavit must, for the purposes now contemplated, be made within six
17 months after the last day of publication, in the office where the
18 original affidavit of publication is required to be filed.

19 Sec. 6. Section 31-727.02, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 31-727.02 (1) Except as provided in subsection (6) ~~(5)~~ of section
22 84-1411, the clerk or administrator of each sanitary and improvement
23 district shall notify any municipality or county within whose zoning
24 jurisdiction such district is located of all meetings of the district
25 board of trustees or called by the administrator by sending a notice of
26 such meeting to the clerk of the municipality or county not less than
27 seven days prior to the date set for any meeting. In the case of meetings
28 called by the administrator, notice shall be provided to the clerk of the
29 district not less than seven days prior to the date set for any meeting.

30 (2) Except as provided in subsection (6) ~~(5)~~ of section 84-1411,
31 within thirty days after any meeting of a sanitary and improvement

1 district board of trustees or called by the administrator, the clerk or
2 administrator of the district shall transmit to the municipality or
3 county within whose zoning jurisdiction the sanitary and improvement
4 district is located a copy of the minutes of such meeting.

5 Sec. 7. Section 32-101, Revised Statutes Supplement, 2023, is
6 amended to read:

7 32-101 Sections 32-101 to 32-1551 and sections 20, 30, and 45 of
8 this act shall be known and may be cited as the Election Act.

9 Sec. 8. Section 32-318.01, Revised Statutes Supplement, 2023, is
10 amended to read:

11 32-318.01 (1)(a) Except as provided by subsection (2) of this
12 section, a person who registers to vote by mail after January 1, 2003,
13 and has not previously voted in an election within the state shall
14 present a photographic identification which is current and valid or a
15 copy of a utility bill, bank statement, government check, paycheck, or
16 other government document which is dated within the sixty days
17 immediately prior to the date of presentation and which shows the same
18 name and residence address of the person provided on the registration
19 application in order to avoid identification requirements at the time of
20 voting pursuant to section 32-914 or 32-947.

21 (b) Such documentation may be presented at the time of application
22 for registration, after submission of the application for registration,
23 or at the time of voting. The documentation must be received by the
24 election commissioner or county clerk not later than 6 p.m. on the second
25 Friday preceding the election to avoid additional identification
26 requirements at the time of voting at the polling place if the voter
27 votes in person. If the voter is voting using a ballot for early voting,
28 the documentation must be received by the election commissioner or county
29 clerk prior to the date on which the ballot is mailed to the voter to
30 avoid additional identification requirements at the time of voting.
31 Documentation received after the ballot has been mailed to the voter but

1 not later than the deadline for the receipt of ballots specified in
2 subsection (2) of section 32-908 will be considered timely for purposes
3 of determining the applicant's eligibility to vote in the election.

4 (c) Such documentation may be presented in person, by mail, ~~or~~ by
5 facsimile transmission, or by electronic mail.

6 (d) Failure to present such documentation may result in the ballot
7 not being counted pursuant to verification procedures prescribed in
8 sections 32-1002 and 32-1027.

9 (2) This section shall not apply to a person who registers to vote
10 by mail after January 1, 2003, and has not previously voted in an
11 election within the state if he or she:

12 (a) Has provided his or her Nebraska driver's license number or the
13 last four digits of his or her social security number and the election
14 commissioner or county clerk verifies the number provided pursuant to
15 subsection (2) of section 32-312.03;

16 (b) Is a member of the armed forces of the United States who by
17 reason of active duty is absent from his or her place of residence where
18 the member is otherwise eligible to vote;

19 (c) Is a member of the United States Merchant Marine who by reason
20 of service is away from his or her place of residence where the member is
21 otherwise eligible to vote;

22 (d) Is a spouse or dependent of a member of the armed forces of the
23 United States or United States Merchant Marine who is absent from his or
24 her place of residence due to the service of that member;

25 (e) Resides outside the United States and but for such residence
26 would be qualified to vote in the state if the state was the last place
27 in which the person was domiciled before leaving the United States; or

28 (f) Is elderly or handicapped and has requested to vote by
29 alternative means other than by casting a ballot at his or her polling
30 place on election day.

31 (3) In addition to the requirements of this section, a qualified

1 voter shall present valid photographic identification before casting a
2 ballot.

3 Sec. 9. Section 32-320.01, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 32-320.01 (1) Except as provided in subsection (2) of this section,
6 any person or organization distributing voter registration applications
7 by mail shall:

8 (a) Use ~~use~~ the form prescribed by the Secretary of State. The form
9 shall contain on the top of the first page in bold type (i) ~~(a)~~ the
10 identity of the person or organization distributing the form and (ii) ~~(b)~~
11 the following statements:

12 You may submit this form if you wish to register to vote or update
13 your voter registration. You do not need to complete this form if you
14 have already registered to vote; and -

15 (b) If enclosing a return envelope, have either a blank address or
16 the address of the election commissioner or county clerk printed on the
17 envelope.

18 (2) This section shall not apply to voter registration applications
19 distributed by the Secretary of State, an election commissioner, a county
20 clerk, the State Department of Education, the Department of Health and
21 Human Services, or the Department of Motor Vehicles.

22 Sec. 10. Section 32-330, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 32-330 (1) Except as otherwise provided in subsection (3) of section
25 32-301, the voter registration register shall be a public record. Any
26 person may examine the register at the office of the election
27 commissioner or county clerk, but no person other than the Secretary of
28 State, the election commissioner, the county clerk, or law enforcement
29 shall be allowed to make copies of the register. Copies of the register
30 shall only be used for list maintenance as provided in section 32-329 or
31 law enforcement purposes. The electronic records of the original voter

1 registrations created pursuant to section 32-301 may constitute the voter
2 registration register. The Secretary of State, election commissioner, or
3 county clerk shall withhold information in the register designated as
4 confidential under section 32-331. No portion of the register made
5 available to the public and no list distributed pursuant to this section
6 shall include the digital signature of any voter.

7 (2) The Secretary of State, election commissioner, or county clerk
8 shall make available a list of registered voters that contains no more
9 than the information authorized in subsections (3) and (7) of this
10 section and, if requested, a list that only contains such information for
11 registered voters who have voted in an election held more than thirty
12 days prior to the request for the list. The Secretary of State, election
13 commissioner, or county clerk shall establish the price of the lists at a
14 rate that fairly covers the actual production cost of the lists, not to
15 exceed three cents per name. Lists shall be used solely for purposes
16 related to elections, political activities, voter registration, law
17 enforcement, or jury selection. Lists shall not be posted, displayed, or
18 used for commercial purposes or made accessible on the Internet.

19 (3)(a) The Secretary of State, election commissioner, or county
20 clerk shall withhold from any list of registered voters distributed
21 pursuant to subsection (2) of this section any information in the voter
22 registration records which is designated as confidential under section
23 32-331 or marked private on the voter registration application or voter
24 registration record.

25 (b) Except as otherwise provided in subdivision (a) of this
26 subsection, a list of registered voters distributed pursuant to
27 subsection (2) of this section shall contain no more than the following
28 information:

- 29 (i) The registrant's name;
30 (ii) The registrant's residential address;
31 (iii) The registrant's mailing address;

- 1 (iv) The registrant's telephone number;
- 2 (v) The registrant's voter registration status;
- 3 (vi) The registrant's voter identification number;
- 4 (vii) The registrant's birth year;
- 5 (viii) The registrant's date of voter registration;
- 6 (ix) The registrant's voting precinct;
- 7 (x) The registrant's polling site;
- 8 (xi) The registrant's political party affiliation;
- 9 (xii) The political subdivisions in which the registrant resides;
- 10 and
- 11 (xiii) The registrant's voter history.

12 (4) Any person who acquires a list of registered voters under
13 subsection (2) of this section shall provide his or her name, address,
14 telephone number, email address, and campaign committee name or
15 organization name, if applicable, the state of organization, if
16 applicable, and the reason for requesting the list, and shall take and
17 subscribe to an oath in substantially the following form:

18 I hereby swear that I will use the list of registered voters
19 of County, Nebraska, (or the State of Nebraska) only for the
20 purposes prescribed in section 32-330 and for no other purpose, that I
21 will not permit the use or copying of such list for unauthorized
22 purposes, and that I will not post, display, or make such list accessible
23 on the Internet.

24 I hereby declare under the penalty of election falsification that
25 the statements above are true to the best of my knowledge.

26 The penalty for election falsification is a Class IV felony.

27 (Signature of person acquiring list)

28 Subscribed and sworn to before me this day of 20.. .

29 (Signature of officer)

30 (Name and official title of officer)

31 (5) The Secretary of State, election commissioner, or county clerk

1 shall provide, upon request and free of charge, a complete and current
2 listing of all registered voters and their addresses to the Clerk of the
3 United States District Court for the District of Nebraska. Such list
4 shall be provided no later than December 31 of each even-numbered year.

5 (6) The Secretary of State, election commissioner, or county clerk
6 shall provide, upon request and free of charge, a complete and current
7 listing of all registered voters containing only the information
8 authorized under subsection (3) of this section to the state party
9 headquarters of each political party and to the county chairperson of
10 each political party.

11 (7) The Secretary of State shall make available to each jury
12 commissioner a list of registered voters that contains the information
13 authorized in this section and in subsection (1) of section 25-1654 the
14 ~~registrant's motor vehicle operator's license number or state~~
15 ~~identification card number.~~

16 (8) Nothing in this section shall prevent a political party or
17 candidate from using the list of registered voters for campaign
18 activities.

19 (9) Any person who acquires a list of registered voters under
20 subsection (2) of this section shall, following discovery or notification
21 of a breach in the security of the storage of the information, disclose
22 the breach in security to the Secretary of State, election commissioner,
23 or county clerk without delay.

24 Sec. 11. Section 32-404, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 32-404 (1) When any political subdivision holds an election in
27 conjunction with the statewide primary or general election, the election
28 shall be held as provided in the Election Act. Any other election held by
29 a political subdivision shall be held as provided in the act unless
30 otherwise provided by the charter, code, or bylaws of the political
31 subdivision.

1 (2) No later than December 1 of each odd-numbered year, the
2 Secretary of State, election commissioner, or county clerk shall give
3 notice to each political subdivision of the filing deadlines for the
4 statewide primary election. No later than January 5 of each even-numbered
5 year, the governing board of each political subdivision which will hold
6 an election in conjunction with a statewide primary election shall
7 certify to the Secretary of State, the election commissioner, or the
8 county clerk the name of the subdivision, the number of officers to be
9 elected, the length of the terms of office, the vacancies to be filled by
10 election and length of remaining term, and the number of votes to be cast
11 by a registered voter for each office.

12 (3) No later than June 15 of each even-numbered year, the governing
13 board of each reclamation district, county weed district, village, county
14 under township organization, public power district receiving annual gross
15 revenue of less than forty million dollars, or educational service unit
16 which will hold an election in conjunction with a statewide general
17 election shall certify to the Secretary of State, the election
18 commissioner, or the county clerk the name of the subdivision, the number
19 of officers to be elected, the length of the terms of office, the
20 vacancies to be filled by election and length of remaining term, and the
21 number of votes to be cast by a registered voter for each office.

22 (4) The Secretary of State shall prescribe the forms to be used for
23 certification to him or her, and the election commissioner or county
24 clerk shall prescribe the forms to be used for certification to him or
25 her.

26 (5) Each city, village, township, school district, public power
27 district, sanitary and improvement district, metropolitan utilities
28 district, fire district, natural resources district, regional
29 metropolitan transit authority, community college area, learning
30 community coordinating council, educational service unit, hospital
31 district, reclamation district, library board, and airport authority

1 shall furnish to the Secretary of State and election commissioner or
2 county clerk any maps and additional information which the Secretary of
3 State and election commissioner or county clerk may require in the proper
4 performance of their duties in the conduct of elections and certification
5 of results.

6 Sec. 12. Section 32-405, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 32-405 Any special election under the Election Act shall be held on
9 the first Tuesday following the second Monday of the selected month
10 unless otherwise specifically provided. Except as otherwise specifically
11 provided, no ~~No~~ special election shall be held under the Election Act in
12 April, May, June, October, November, or December of an even-numbered year
13 unless it is held in conjunction with the statewide primary or general
14 election. No special election shall be held under the Election Act in
15 September of an even-numbered year except as provided in section 32-564
16 and except for a special election by a political subdivision pursuant to
17 section 13-519 or 77-3444 to approve a property tax levy or exceed a
18 property tax levy limitation. A special election for a Class III, IV, or
19 V school district which is located in whole or in part in a county in
20 which a city of the primary or metropolitan class is located may be held
21 in conjunction with the primary or general election for a city of the
22 primary or metropolitan class which is governed by a home rule charter.

23 Sec. 13. Section 32-552, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 32-552 (1) ~~At Except as provided by subsection (4) of this section,~~
26 ~~at~~ least five months prior to an election, the governing board of any
27 political subdivision requesting the adjustment of the boundaries of
28 election districts shall provide to the election commissioner or county
29 clerk (a) written notice of the need and necessity of his or her office
30 to perform such adjustments and (b) a revised election district boundary
31 map that has been approved by the requesting political subdivision's

1 governing board and subjected to all public review and challenge
2 ordinances of the political subdivision.

3 (2) After each ~~the next~~ federal decennial census, the election
4 commissioner of the county in which the greater part of a Class IV school
5 district is situated shall, subject to review by the school board, divide
6 the school district into seven numbered districts, substantially equal in
7 population as determined by the most recent federal decennial census. The
8 election commissioner shall consider the location of schools within the
9 district and their boundaries. The election commissioner shall adjust the
10 boundaries of the election districts, subject to final review and
11 adjustment by the school board, to conform to changes in the territory
12 and population of the school district and also following each federal
13 decennial census. Except when specific procedures are otherwise provided,
14 section 32-553 shall apply to all Class IV school districts.

15 (3) For purposes of election of members to the board of education of
16 a Class V school district such ~~such~~ ~~such~~ ~~school district shall be divided~~ into nine numbered election
17 ~~such~~ school district shall be divided into nine numbered election
18 districts of compact and contiguous territory and of as nearly equal
19 population as may be practical. Each election district shall be entitled
20 to one member on the board of education of such Class V school district.
21 ~~The Legislature adopts the official population figures and maps from the~~
22 ~~2010 Census Redistricting (Public Law 94-171) TIGER/Line Shapefiles~~
23 ~~published by the United States Department of Commerce, Bureau of the~~
24 ~~Census. The numbers and boundaries of the election districts are~~
25 ~~designated and established by a map identified and labeled as OPS-13-002,~~
26 ~~filed with the Clerk of the Legislature, and incorporated by reference as~~
27 ~~part of Laws 2013, LB125. Such districts are drawn using the boundaries~~
28 ~~of the Class V school district as they existed on February 12, 2013; (ii)~~
29 ~~the Clerk of the Legislature shall transfer possession of the map~~
30 ~~referred to in subdivision (a)(i) of this subsection to the Secretary of~~
31 ~~State and the election commissioner of the county in which the greater~~

1 ~~part of the school district is situated on February 12, 2013; (iii) when~~
2 ~~questions of interpretation of such election district boundaries arise,~~
3 ~~the map referred to in subdivision (a)(i) of this subsection in~~
4 ~~possession of such election commissioner shall serve as the indication of~~
5 ~~the legislative intent in drawing the election district boundaries; and~~
6 ~~(iv) the Secretary of State and such election commissioner shall also~~
7 ~~have available for viewing on his or her website the map referred to in~~
8 ~~subdivision (a)(i) of this subsection identifying the boundaries for such~~
9 ~~election districts; and (b) After each the next federal decennial census,~~
10 the election commissioner of the county in which the greater part of a
11 Class V school district is situated shall divide the school district into
12 nine numbered districts of compact and contiguous territory and of as
13 nearly equal population as may be practical. The election commissioner
14 shall adjust the boundaries of such districts, subject to final review
15 and adjustment by the school board, to conform to changes in the
16 territory of the school district ~~and also following each federal~~
17 ~~decennial census.~~

18 ~~(4) Following the release of the 2020 Census of Population data by~~
19 ~~the United States Department of Commerce, Bureau of the Census, as~~
20 ~~required by Public Law 94-171, the governing board of any political~~
21 ~~subdivision requesting the adjustment of the boundaries of election~~
22 ~~districts shall provide to the election commissioner or county clerk (a)~~
23 ~~written notice of the need and necessity of his or her office to perform~~
24 ~~such adjustments and (b) a revised election district boundary map that~~
25 ~~has been approved by the requesting political subdivision's governing~~
26 ~~board and subjected to all public review and challenge ordinances of the~~
27 ~~political subdivision by December 30, 2021.~~

28 ~~(5) The Secretary of State may grant additional days upon request of~~
29 ~~the political subdivision if precinct maps are not delivered to the~~
30 ~~political subdivision by November 1, 2021, or for an extraordinary~~
31 ~~circumstance.~~

1 Sec. 14. Section 32-553, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-553 (1)(a) When any political subdivision except a public power
4 district nominates or elects members of the governing board by districts,
5 such districts shall be substantially equal in population as determined
6 by the most recent federal decennial census.

7 (b) ~~Any Except as provided by subdivision (c) of this subsection,~~
8 ~~(i) any such political subdivision that which~~ has districts in place on
9 the date the census figures used in drawing district boundaries for the
10 Legislature are required to be submitted to the state by the United
11 States Department of Commerce, Bureau of the Census, shall, if necessary
12 to maintain substantial population equality as required by this
13 subsection, have new district boundaries drawn within six months after
14 the passage and approval of the legislative bill providing for
15 reestablishing legislative districts. ~~Any and (ii) any such political~~
16 ~~subdivision in existence on the date the census figures used in drawing~~
17 ~~district boundaries for the Legislature are required to be submitted to~~
18 ~~the state by the United States Department of Commerce, Bureau of the~~
19 ~~Census, and which has not established any district boundaries shall~~
20 ~~establish district boundaries pursuant to this section within six months~~
21 ~~after such date.~~

22 ~~(c) Following the release of the 2020 Census of Population data by~~
23 ~~the United States Department of Commerce, Bureau of the Census, as~~
24 ~~required by Public Law 94-171, any such political subdivision which has~~
25 ~~districts in place on the date the census figures used in drawing~~
26 ~~district boundaries for the Legislature are required to be submitted to~~
27 ~~the state by the United States Department of Commerce, Bureau of the~~
28 ~~Census, shall, if necessary to maintain substantial population equality~~
29 ~~as required by this subsection, have new district boundaries drawn and~~
30 ~~submitted to the election commissioner or county clerk by December 30,~~
31 ~~2021, after the passage and approval of the legislative bill providing~~

1 ~~for reestablishing legislative districts. Any such political subdivision~~
2 ~~in existence on the date the census figures used in drawing district~~
3 ~~boundaries for the Legislature are required to be submitted to the state~~
4 ~~by the United States Department of Commerce, Bureau of the Census, and~~
5 ~~which has not established any district boundaries shall establish~~
6 ~~district boundaries and submit the boundaries to the election~~
7 ~~commissioner or county clerk pursuant to this section by December 30,~~
8 ~~2021.~~

9 ~~(d) The Secretary of State may grant additional days upon request of~~
10 ~~the political subdivision if precinct maps are not delivered to the~~
11 ~~political subdivision by November 1, 2021, or for an extraordinary~~
12 ~~circumstance.~~

13 ~~(c) (e) If the deadline for drawing or redrawing district boundary~~
14 ~~lines imposed by this section is not met, the procedures set forth in~~
15 ~~section 32-555 shall be followed.~~

16 (2) The governing board of each such political subdivision shall be
17 responsible for drawing its own district boundaries and shall, as nearly
18 as possible, follow the precinct lines created by the election
19 commissioner or county clerk after each federal decennial census, except
20 that the election commissioner of any county in which a Class IV or V
21 school district is located shall draw district boundaries for such school
22 district as provided in this section and section 32-552.

23 Sec. 15. Section 32-564, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 32-564 (1) Except as otherwise provided in subsection (2) of this
26 section:

27 (a) If a vacancy occurs in the office of Representative in Congress
28 on or after August 1 in an even-numbered year and prior to the statewide
29 general election in such year, the Governor shall order a special
30 election to be held in conjunction with such statewide general election.
31 The only candidates who may appear on the ballot for such office at such

1 special election are those who were nominated at the statewide primary
2 election in such year, those who comply with section 32-616, and those
3 who comply with section 32-627 to fill a vacancy on the ballot if such a
4 vacancy exists. The candidate receiving the most votes at such special
5 election shall serve for the remainder of the vacated term and for the
6 succeeding term of office;

7 (b) If a vacancy occurs in the office of Representative in Congress
8 on or after the day of the statewide general election and prior to the
9 end of the term of the office which is vacated, no special election shall
10 be called; and

11 (c) If a vacancy occurs in such office at any time other than as
12 described in subdivision (a) or (b) of this subsection, the Governor
13 shall order a special election to be held not less than seventy-five days
14 nor more than ~~within~~ ninety days after the vacancy occurs. Such election
15 shall be held on a Tuesday. Each political party which polled at least
16 five percent of the entire vote in the district in which the vacancy
17 occurs may select a candidate following the applicable procedures in
18 subsection (2) of section 32-627, except that the certificate and filing
19 fee shall be submitted at least sixty-seven ~~sixty-five~~ days prior to the
20 day of the election. Any candidate so selected shall have his or her name
21 placed on the ballot with the appropriate political party designation.
22 Any other person may have his or her name placed on the ballot without a
23 political party designation by filing petitions pursuant to sections
24 32-617 and 32-618 and paying the filing fee as provided by section
25 32-608, except that the deadline for filing the petitions and paying the
26 fee shall be sixty-seven ~~sixty-five~~ days prior to the day of the
27 election. The candidate receiving the most votes at such special election
28 shall serve for the remainder of the vacated term.

29 (2)(a) If the Speaker of the United States House of Representatives
30 announces that there are more than one hundred vacancies in the House of
31 Representatives requiring special elections according to 2 U.S.C. 8, as

1 such section existed on July 18, 2008, and there is any vacancy in the
2 office of Representative in Congress representing Nebraska, the Governor
3 shall issue a writ of election. The writ of election shall specify the
4 date of a special election to fill such vacancy to be held within forty-
5 nine days after the Speaker's announcement.

6 (b) The Secretary of State shall notify the chairperson and
7 secretary of each political party which polled at least five percent of
8 the entire vote in the district in which the vacancy occurs that the
9 party may select a candidate following the applicable procedures in
10 subsection (2) of section 32-627, except that the certificate and filing
11 fee shall be submitted within seven days after notification by the
12 Secretary of State. Any candidate so selected shall have his or her name
13 placed on the ballot with the appropriate political party designation.

14 (c) The ballot for any voter meeting the criteria of section 32-939
15 shall be transmitted to such voter within fifteen days after the
16 Speaker's announcement and shall be accepted if received by the election
17 commissioner or county clerk within forty-five days after transmission to
18 the voter.

19 (d) The candidate receiving the most votes at such special election
20 shall serve for the remainder of the vacated term.

21 Sec. 16. Section 32-565, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 32-565 (1) When a vacancy occurs in the representation of the State
24 of Nebraska in the Senate of the United States, the office shall be
25 filled by the Governor. The Governor shall appoint a suitable person
26 possessing the qualifications necessary for senator to fill such vacancy.

27 (2)(a) If the vacancy occurs on or after August 1 ~~sixty days or less~~
28 prior to a statewide general election and if the term vacated expires on
29 the following January 3, the appointee shall serve until the following
30 January 3.

31 (b) If the vacancy occurs on or after August 1 ~~sixty days or less~~

1 prior to a statewide general election and if the term extends beyond the
2 following January 3, the appointee shall serve until January 3 following
3 the second statewide general election next succeeding the vacancy ~~his or~~
4 ~~her appointment~~ and at such election a senator shall be elected to serve
5 the unexpired term if any.

6 (c) ~~(3)~~ If the vacancy occurs at any time not described in
7 subdivision (a) or (b) of this subsection ~~more than sixty days prior to a~~
8 ~~statewide general election~~, the appointee shall serve until January 3
9 following the next statewide general election next succeeding the vacancy
10 and at such election a senator shall be elected to serve the unexpired
11 term if any.

12 Sec. 17. Section 32-606, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 32-606 (1) Any candidate may place his or her name on the primary
15 election ballot by filing a candidate filing form prescribed by the
16 Secretary of State as provided in section 32-607. Except as otherwise
17 provided in subsection (4) of this section, if a candidate for an
18 elective office is an incumbent of any elective office, the filing period
19 for filing the candidate filing form shall be between January 5 and
20 February 15 prior to the date of the primary election. No incumbent who
21 resigns from elective office prior to the expiration of his or her term
22 shall file for any office after February 15 of that election year. All
23 other candidates shall file for office between January 5 and March 1
24 prior to the date of the primary election. A candidate filing form and a
25 copy of payment of the filing fee, if applicable, may be transmitted by
26 facsimile for the offices listed in subdivision (2)(a) ~~(1)~~ of section
27 32-607 if (a) the transmission is received in the office of the filing
28 officer by the filing deadline and (b) the original filing form and
29 payment of the filing fee, if applicable, is mailed to the filing officer
30 with a legible postmark bearing a date on or prior to the filing deadline
31 and is in the office of the filing officer no later than seven days after

1 the filing deadline.

2 (2) Any candidate for a township office in a county under township
3 organization, the board of trustees of a village, the board of directors
4 of a reclamation district, the county weed district board, the board of
5 directors of a public power district receiving annual gross revenue of
6 less than forty million dollars, or the board of an educational service
7 unit may place his or her name on the general election ballot by filing a
8 candidate filing form prescribed by the Secretary of State as provided in
9 section 32-607. Except as otherwise provided in subsection (4) of this
10 section, if a candidate for an elective office is an incumbent of any
11 elective office, the filing period for filing the candidate filing form
12 shall be between January 5 and July 15 prior to the date of the general
13 election. No incumbent who resigns from elective office prior to the
14 expiration of his or her term shall file for any office after July 15 of
15 that election year. All other candidates shall file for office between
16 January 5 and August 1 prior to the date of the general election. A
17 candidate filing form may be transmitted by facsimile for the offices
18 listed in subdivision (2)(a) ~~(1)~~ of section 32-607 if (a) the
19 transmission is received in the office of the filing officer by the
20 filing deadline and (b) the original filing form is mailed to the filing
21 officer with a legible postmark bearing a date on or prior to the filing
22 deadline and is in the office of the filing officer no later than seven
23 days after the filing deadline.

24 (3) Any city having a home rule charter may provide for filing
25 deadlines for any person desiring to be a candidate for the office of
26 council member or mayor.

27 (4) If a candidate for an elective office was appointed to an
28 elective office to fill a vacancy after the deadline for an incumbent to
29 file a candidate filing form in subsection (1) or (2) of this section but
30 before the deadline for all other candidates, the candidate may file a
31 candidate filing form for any office on or before the deadline for all

1 other candidates.

2 Sec. 18. Section 32-607, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 32-607 (1)(a) All candidate filing forms shall contain the
5 following statement: I hereby swear that I will abide by the laws of the
6 State of Nebraska regarding the results of the primary and general
7 elections, that I am a registered voter and qualified to be elected, and
8 that I will serve if elected. Candidate filing forms shall also contain
9 the following information regarding the candidate: Name, as provided
10 under subdivision (b) of this subsection; residence address; mailing
11 address if different from the residence address; telephone number; office
12 sought; party affiliation if the office sought is a partisan office; a
13 statement as to whether or not civil penalties are owed pursuant to the
14 Nebraska Political Accountability and Disclosure Act; and, if civil
15 penalties are owed, whether or not a surety bond has been filed pursuant
16 to subdivision (4)(b) of section 32-602. An email address shall also be
17 included on the filing form as an optional field.

18 (b) The name contained on a candidate filing form shall be the name
19 by which the candidate is generally known in the community and by which
20 the candidate is distinguished from others and shall not contain titles,
21 characterizations, or designations.

22 (2) Candidate filing forms shall be filed with the following filing
23 officers:

24 (a) (1) For candidates for national, state, or congressional office,
25 directors of public power and irrigation districts, directors of
26 reclamation districts, directors of natural resources districts,
27 directors of metropolitan utilities districts, members of the boards of
28 educational service units, members of governing boards of community
29 colleges, delegates to national conventions, and other offices filled by
30 election held in more than one county and judges desiring retention, in
31 the office of the Secretary of State;

1 **(b) {2}** For officers elected within a county, in the office of the
2 election commissioner or county clerk;

3 **(c) {3}** For officers in school districts which include land in
4 adjoining counties, in the office of the election commissioner or county
5 clerk of the county in which the greatest number of registered voters
6 entitled to vote for the officers reside; and

7 **(d) {4}** For city or village officers, in the office of the election
8 commissioner or county clerk.

9 **(3) Objections to the name of a candidate submitted on a candidate**
10 **filing form may be made and passed upon in the same manner as objections**
11 **to a candidate filing form pursuant to section 32-624.**

12 Sec. 19. Section 32-608, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 32-608 (1) Except as provided in subsection (4) or (5) of this
15 section, a filing fee shall be paid by or on behalf of each candidate
16 prior to filing for office. For candidates who file in the office of the
17 Secretary of State as provided in subdivision **(2)(a) {1}** of section
18 32-607, the filing fee shall be paid to the Secretary of State who shall
19 remit the fee to the State Treasurer for credit to the Election
20 Administration Fund. For candidates for any city or village office, the
21 filing fee shall be paid to the city or village treasurer of the city or
22 village in which the candidate resides. For candidates who file in the
23 office of the election commissioner or county clerk, the filing fee shall
24 be paid to the election commissioner or county clerk in the county in
25 which the office is sought. The election commissioner or county clerk
26 shall remit the fee to the county treasurer. The fee shall be placed in
27 the general fund of the county, city, or village. No candidate filing
28 forms shall be filed until the proper payment or the proper receipt
29 showing the payment of such filing fee is presented to the filing
30 officer. On the day of the filing deadline, the city or village
31 treasurer's office shall remain open to receive filing fees until the

1 hour of the filing deadline.

2 (2) Except as provided in subsection (4) or (5) of this section, the
3 filing fees shall be as follows:

4 (a) For the office of United States Senator, state officers,
5 including members of the Legislature, Representatives in Congress, county
6 officers, and city or village officers, except the mayor or council
7 members of cities having a home rule charter, a sum equal to one percent
8 of the annual salary as of November 30 of the year preceding the election
9 for the office for which he or she files as a candidate;

10 (b) For directors of public power and irrigation districts in
11 districts receiving annual gross revenue of forty million dollars or
12 more, twenty-five dollars, and in districts receiving annual gross
13 revenue of less than forty million dollars, ten dollars;

14 (c) For directors of reclamation districts, ten dollars; and

15 (d) For Regents of the University of Nebraska, members of the State
16 Board of Education, and directors of metropolitan utilities districts,
17 twenty-five dollars.

18 (3) All declared write-in candidates shall pay the filing fees that
19 are required for the office at the time that they present the write-in
20 affidavit to the filing officer.

21 (4) No filing fee shall be required for any candidate filing for an
22 office in which a per diem is paid rather than a salary or for which
23 there is a salary of less than five hundred dollars per year. No filing
24 fee shall be required for any candidate for membership on a school board,
25 on the board of an educational service unit, on the board of governors of
26 a community college area, on the board of directors of a natural
27 resources district, or on the board of trustees of a sanitary and
28 improvement district.

29 (5) No filing fee shall be required of any candidate completing an
30 affidavit requesting to file for elective office in forma pauperis. A
31 pauper shall mean a person whose income and other resources for

1 maintenance are found under assistance standards to be insufficient for
2 meeting the cost of his or her requirements and whose reserve of cash or
3 other available resources does not exceed the maximum available resources
4 that an eligible individual may own. Available resources shall include
5 every type of property or interest in property that an individual owns
6 and may convert into cash except:

7 (a) Real property used as a home;

8 (b) Household goods of a moderate value used in the home; and

9 (c) Assets to a maximum value of three thousand dollars used by a
10 recipient in a planned effort directed towards self-support.

11 (6) If any candidate dies prior to an election, the spouse of the
12 candidate may file a claim for refund of the filing fee with the proper
13 governing body prior to the date of the election. Upon approval of the
14 claim by the proper governing body, the filing fee shall be refunded.

15 Sec. 20. (1) Any person who has filed for elective office pursuant
16 to subsection (1) of section 32-606 whose legal name has changed since
17 filing may change the name to appear on the ballot to reflect the
18 person's changed legal name by March 1 before the primary election. The
19 candidate shall provide any documentation verifying the legal name change
20 to the filing officer by March 1.

21 (2) Any person who has filed for elective office pursuant to
22 subsection (2) of section 32-606 or a nominee for elective office for the
23 general election whose legal name has changed since filing may change the
24 name to appear on the ballot to reflect the person's changed legal name
25 by September 1 before the general election. The candidate shall provide
26 any documentation verifying the legal name change to the filing officer
27 by September 1.

28 (3) Any objection to a name change pursuant to subsection (1) or (2)
29 of this section may be made and passed upon in the same manner as an
30 objection to a candidate filing form pursuant to section 32-624, except
31 that any objection pursuant to this subsection shall be made within seven

1 days after the documentation verifying the legal name change is provided
2 to the filing officer.

3 (4) Any candidate may file a name change on or before the filing
4 deadline, and such name change shall conform to the requirements of
5 subdivision (1)(b) of section 32-607. Any objection to a name change
6 pursuant to this subsection may be made pursuant to subsection (3) of
7 section 32-607.

8 Sec. 21. Section 32-613, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 32-613 Any petition to place a person's name on the primary election
11 ballot for President of the United States shall contain the names of not
12 less than one hundred voters registered with the appropriate political
13 party from each congressional district of the state, except that if the
14 political party dissolves as provided in subsection (2) of section
15 32-720, the Secretary of State shall not accept a petition under this
16 section. The name of the candidate for President shall be placed upon the
17 ballot only when written consent of such person has been filed with the
18 Secretary of State not less than sixty days before the primary election.
19 The form of the petition shall comply with the requirements of section
20 32-628 and shall as nearly as possible conform to the form prescribed by
21 the Secretary of State. All signed petitions not filed with the Secretary
22 of State shall become invalid if not filed by August 1 of the
23 presidential election year.

24 Sec. 22. Section 32-615, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 32-615 (1) Except as otherwise provided in subsection (2) of this
27 section, any candidate engaged in or pursuing a write-in campaign shall
28 file a notarized affidavit of his or her intent together with the receipt
29 for any filing fee with the filing officer as provided in section 32-608
30 no earlier than January 5 and no later than the second Friday prior to
31 the election.

1 (2) For any county office elected pursuant to sections 32-517 to
2 32-529 which is subject to subdivision (1)(b) of section 32-811, a
3 candidate may engage in or pursue a write-in campaign if he or she files
4 a notarized affidavit of his or her intent together with the receipt for
5 the filing fee with the filing officer as provided in section 32-608 on
6 or before March 3 of the year of the statewide primary election. If such
7 an affidavit is filed as prescribed, the election commissioner or county
8 clerk shall place that county office on the statewide primary election
9 ballot with the names of the candidate properly filed for the nomination
10 of the applicable political party and a line for write-in candidates.

11 (3) A candidate submitting an affidavit under this section for a
12 partisan office on the statewide primary election ballot shall be a
13 registered voter of the political party named in the affidavit unless the
14 political party allows candidates not affiliated with the party by not
15 adopting a rule under section 32-702.

16 (4) A candidate who has been defeated as a candidate in the primary
17 election or defeated as a write-in candidate in the primary election
18 shall not be eligible as a write-in candidate for the same office in the
19 general election unless (a) a vacancy on the ballot exists pursuant to
20 section 32-625 or (b) the candidate was a candidate for an office
21 described in sections 32-512 to 32-550 and the candidate lost the
22 election as a result of a determination pursuant to section 32-1122 in
23 the case of a tie vote.

24 (5) A candidate who files a notarized affidavit shall be entitled to
25 all write-in votes for the candidate even if only the last name of the
26 candidate has been written if such last name is reasonably close to the
27 proper spelling.

28 Sec. 23. Section 32-617, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-617 (1) Petitions for nomination for partisan and nonpartisan
31 offices shall conform to the requirements of section 32-628. Petitions

1 shall state the office to be filled and the name and address of the
2 candidate. Petitions for partisan office shall also indicate the party
3 affiliation of the candidate. A sample copy of the petition shall be
4 filed with the filing officer prior to circulation. Petitions shall be
5 signed by registered voters residing in the district or political
6 subdivision in which the officer is to be elected and shall be filed with
7 the filing officer in the same manner as provided for candidate filing
8 forms in section 32-607. Petition signers and petition circulators shall
9 conform to the requirements of sections 32-629 and 32-630. No petition
10 for nomination shall be filed unless there is attached thereto a receipt
11 showing the payment of the filing fee required pursuant to section
12 32-608. Such petitions shall be filed by September 1 in the year of the
13 general election, and all signed petitions not filed with the Secretary
14 of State by such date shall become invalid.

15 (2) The filing officer shall verify the signatures according to
16 section 32-631. Within three days after the signatures on a petition for
17 nomination have been verified pursuant to such section and the filing
18 officer has determined that pursuant to section 32-618 a sufficient
19 number of registered voters signed the petitions, the filing officer
20 shall notify the candidate so nominated by registered or certified mail
21 or electronic mail, and the candidate shall, within five days after the
22 date of receiving such notification, file with such officer his or her
23 acceptance of the nomination or his or her name will not be printed on
24 the ballot.

25 (3) A candidate placed on the ballot by petition shall be termed a
26 candidate by petition. The words BY PETITION shall be printed upon the
27 ballot after the name of each candidate by petition.

28 Sec. 24. Section 32-630, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-630 (1) Each person who signs a petition shall, at the time of
31 and in addition to signing, personally affix the date, print his or her

1 last name and first name in full, and affix his or her date of birth and
2 address, including the street and number or a designation of a rural
3 route or voting precinct and the city or village or a post office
4 address. A person signing a petition may use his or her initials in place
5 of his or her first name if such person is registered to vote under such
6 initials. ~~No signer shall use ditto marks as a means of personally
7 affixing the date or address to any petition. A wife shall not use her
8 husband's first name when she signs a petition but shall personally affix
9 her first name and her last name by marriage or her surname. Any
10 signature using ditto marks as a means of personally affixing the date or
11 address of any petition or any signature using a spouse's first name
12 instead of his or her own shall be invalid.~~

13 (2) Each circulator of a petition shall personally witness the
14 signatures on the petition and shall sign the circulator's affidavit.

15 (3) No person shall:

16 (a) Sign any name other than his or her own to any petition;

17 (b) Knowingly sign his or her name more than once for the same
18 petition effort or measure;

19 (c) Sign a petition if he or she is not a registered voter and
20 qualified to sign the same except as provided in section 32-1404;

21 (d) Falsely swear to any signature upon any such petition;

22 (e) Accept money or other thing of value for signing any petition;

23 or

24 (f) Offer money or other thing of value in exchange for a signature
25 upon any petition.

26 Sec. 25. Section 32-632, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 32-632 (1) Any person may remove his or her name from a petition by
29 an affidavit signed and sworn to by such person before the election
30 commissioner, the county clerk, or a notary public. Name removal
31 affidavits shall be filed with the following officers:

1 (a) For initiative and referendum petitions, new political party
2 petitions, and petitions for President of the United States, with the
3 Secretary of State;

4 (b) For candidate petitions, with the filing officer prescribed in
5 section 32-607;

6 (c) For recall petitions, with the filing officer prescribed in
7 section 32-1301; and

8 (d) For all other petitions, with the applicable election
9 commissioner, county clerk, or city clerk.

10 (2) The affidavit shall be presented to the officer prescribed in
11 subsection (1) of this section by the following deadlines:

12 (a) For initiative and referendum petitions, by the deadline for
13 filing petitions pursuant to section 32-1407;

14 (b) For new political party petitions, prior to or on the day the
15 petition is filed for verification with the Secretary of State;

16 (c) For petitions for President of the United States, by the
17 deadline for filing petitions pursuant to section 32-613 for the primary
18 election or section 32-620 for the general election;

19 (d) For candidate petitions, by the deadline for filing petitions
20 pursuant to section 32-617; and

21 (e) For all other petitions, prior to or on the day the petition is
22 filed for verification with the election commissioner, county clerk, or
23 city clerk Secretary of State, election commissioner, or county clerk
24 prior to or on the day the petition is filed for verification with the
25 election commissioner or county clerk.

26 Sec. 26. Section 32-716, Revised Statutes Cumulative Supplement,
27 2022, is amended to read:

28 32-716 (1) Any person, group, or association desiring to form a new
29 political party shall present to the Secretary of State petitions
30 containing signatures totaling not less than one percent of the total
31 votes cast for Governor at the most recent general election for such

1 office. The signatures of registered voters on such petitions shall be so
2 distributed as to include registered voters totaling at least one percent
3 of the votes cast for Governor in the most recent gubernatorial election
4 in each of the three congressional districts in this state. Petition
5 signers and petition circulators shall conform to the requirements of
6 sections 32-629 and 32-630. The petitions shall be filed with the
7 Secretary of State no later than January 15 before any statewide primary
8 election for the new political party to be entitled to have ballot
9 position in the primary election of that year. If the new political party
10 desires to be established and have ballot position for the general
11 election and not in the primary election of that year, the petitions
12 shall be filed with the Secretary of State on or before July 15 of that
13 year. Prior to the circulation of petitions to form a new political
14 party, a sample copy of the petitions shall be filed with the Secretary
15 of State by the person, group, or association seeking to establish the
16 new party. The sample petition shall be accompanied by the name and
17 address of the person or the names and addresses of the members of the
18 group or association sponsoring the petition to form a new political
19 party. Sponsors of the petition may be added or removed with the
20 unanimous written consent of the original sponsor or sponsors at any time
21 prior to or on the day the petition is filed for verification with the
22 Secretary of State. The sponsor or sponsors of the petition shall file,
23 as one instrument, all petition papers comprising a new political party
24 petition for signature verification with the Secretary of State. All
25 signed petitions in circulation but not filed with the Secretary of State
26 shall become invalid after July 15 in the year of the statewide general
27 election.

28 (2) The petition shall conform to the requirements of section
29 32-628. The Secretary of State shall prescribe the form of the petition
30 for the formation of a new political party. The petition shall be
31 addressed to and filed with the Secretary of State and shall state its

1 purpose and the name of the party to be formed. Such name shall not be or
2 include the name of any political party then in existence or any word
3 forming any part of the name of any political party then in existence,
4 and in order to avoid confusion regarding party affiliation of a
5 candidate or registered voter, the name of the party to be formed shall
6 not include the word "independent" or "nonpartisan". The petition shall
7 contain a statement substantially as follows:

8 We, the undersigned registered voters of the State of Nebraska and
9 the county of, being severally qualified to sign this
10 petition, respectfully request that the above-named new political party
11 be formed in the State of Nebraska, and each for himself or herself says:
12 I have personally signed this petition on the date opposite my name; I am
13 a registered voter of the State of Nebraska and county of
14 and am qualified to sign this petition; and my date of birth and city,
15 village, or post office address and my street and number or voting
16 precinct are correctly written after my name.

17 Sec. 27. Section 32-802, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 32-802 The notice of election for any election shall state the date
20 on which the election is to be held and the hours the polls will be open
21 and list all offices, candidates, and issues that will appear on the
22 ballots. The notice of election shall be printed in English and in any
23 other language required pursuant to the Voting Rights Act Language
24 Assistance Amendments of 1992. In the case of a primary election, the
25 notice of election shall list all offices and candidates that are being
26 forwarded to the general election. The notice of election shall only
27 state that amendments or referendums will be voted upon and that the
28 Secretary of State will publish a true copy of the title and text of any
29 amendments or referendums once each week for three consecutive weeks
30 preceding the election. Such notice of election shall appear in at least
31 one newspaper designated by the election commissioner, county clerk, city

1 council, or village board no later than forty-two days prior to the
2 election. The election commissioner or county clerk shall, not later than
3 forty-two days prior to the election, (1) post in his or her office the
4 same notice of election published in the newspaper and (2) provide a copy
5 of the notice to the political subdivisions appearing on the notice of
6 election ballot. The election commissioner or county clerk shall correct
7 the ballot to reflect any corrections received within five days after
8 mailing the notice as provided in section 32-819. The notice of election
9 shall be posted in lieu of sample ballots until such time as sample
10 ballots are printed. If joint elections are held in conjunction with the
11 statewide primary or general election by a county, city, or village, only
12 one notice of election need be published and signed by the election
13 commissioner or county clerk.

14 Sec. 28. Section 32-808.01, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 32-808.01 (1) Except as provided in subsection (2) of this section,
17 any person or organization distributing an application by mail for a
18 ballot for early voting shall:

19 (a) Use ~~use~~ the form prescribed by the Secretary of State. The form
20 shall contain on the top of the first page in bold type (i) ~~(a)~~ the
21 identity of the person or organization distributing the form and (ii) ~~(b)~~
22 the following statements:

23 You may submit this form if you wish to request a ballot for early
24 voting. You do not need to complete this form if you have already
25 requested a ballot for early voting for this election; and ~~-~~

26 (b) If enclosing a return envelope, have either a blank address or
27 the address of the election commissioner or county clerk printed on the
28 envelope.

29 (2) This section shall not apply to an application for a ballot for
30 early voting distributed by the Secretary of State, an election
31 commissioner, or a county clerk.

1 Sec. 29. Section 32-903, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-903 (1) The election commissioner or county clerk shall create
4 precincts composed of compact and contiguous territory within the
5 boundary lines of legislative districts. The precincts shall contain not
6 less than seventy-five nor more than one thousand seven hundred fifty
7 registered voters based on the number of voters voting at the last
8 statewide general election, except that a precinct may contain less than
9 seventy-five registered voters if in the judgment of the election
10 commissioner or county clerk it is necessary to avoid creating an undue
11 hardship on the registered voters in the precinct. The election
12 commissioner or county clerk shall create precincts based on the number
13 of votes cast at the immediately preceding presidential election or the
14 current list of registered voters for the precinct. The election
15 commissioner or county clerk shall revise and rearrange the precincts and
16 increase or decrease them at such times as may be necessary to make the
17 precincts contain as nearly as practicable not less than seventy-five nor
18 more than one thousand seven hundred fifty registered voters voting at
19 the last statewide general election. The election commissioner or county
20 clerk shall, when necessary and possible, readjust precinct boundaries to
21 coincide with the boundaries of cities, villages, and school districts
22 which are divided into districts or wards for election purposes. The
23 election commissioner or county clerk shall not make any precinct changes
24 in precinct boundaries or divide precincts into two or more parts between
25 the statewide primary and general elections unless he or she has been
26 authorized to do so by the Secretary of State. If changes are authorized,
27 the election commissioner or county clerk shall notify each state and
28 local candidate affected by the change.

29 (2) The election commissioner or county clerk may alter and divide
30 the existing precincts, except that when any city of the first class by
31 ordinance divides any ward of such city into two or more voting districts

1 or polling places, the election commissioner or county clerk shall
2 establish precincts or polling places in conformity with such ordinance.
3 No such alteration or division shall take place between the statewide
4 primary and general elections except as provided in subsection (1) of
5 this section.

6 ~~(3) Following the release of the 2020 Census of Population data by~~
7 ~~the United States Department of Commerce, Bureau of the Census, as~~
8 ~~required by Public Law 94-171, the election commissioner or county clerk~~
9 ~~shall create, revise, or rearrange precincts in compliance with~~
10 ~~subsections (1) and (2) of this section and deliver maps of the updated~~
11 ~~precinct boundaries to all applicable political subdivisions within the~~
12 ~~jurisdiction of the election commissioner or county clerk by November 1,~~
13 ~~2021.~~

14 ~~(4) The Secretary of State may grant additional days for election~~
15 ~~commissioners and county clerks to meet the requirements of subsection~~
16 ~~(3) of this section for an extraordinary circumstance.~~

17 Sec. 30. If a person becomes a naturalized citizen of the United
18 States after the voter registration deadline for any election, such
19 person may register to vote after the voter registration deadline by
20 completing the necessary voter registration application in the office of
21 the election commissioner or county clerk of the county of such person's
22 residence before one hour prior to the closing of the polls on election
23 day. After completing the voter registration application and the
24 citizenship attestation provided by section 32-928, such person shall
25 then be allowed to vote in the office of the election commissioner or
26 county clerk.

27 Sec. 31. Section 32-947, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 32-947 (1) Upon receipt of an application or other request for a
30 ballot to vote early, the election commissioner or county clerk shall
31 determine whether the applicant is a registered voter and is entitled to

1 vote as requested. If the election commissioner or county clerk
2 determines that the applicant is a registered voter entitled to vote
3 early and the application was received not later than the close of
4 business on the second Friday preceding the election, the election
5 commissioner or county clerk shall deliver a ballot to the applicant in
6 person or by nonforwardable mail, postage paid. The election commissioner
7 or county clerk or any employee of the election commissioner or county
8 clerk shall write or cause to be affixed his or her customary signature
9 or initials on the ballot.

10 (2) An unsealed identification envelope shall be delivered with the
11 ballot, and upon the back of the envelope shall be printed a form
12 substantially as follows:

13 VOTER'S OATH

14 I, the undersigned voter, declare that the enclosed ballot or
15 ballots contained no voting marks of any kind when I received them, and I
16 caused the ballot or ballots to be marked, enclosed in the identification
17 envelope, and sealed in such envelope.

18 To the best of my knowledge and belief, I declare under penalty of
19 election falsification that:

20 (a) I,, am a registered voter
21 in County;

22 (b) I reside in the State of Nebraska at

23 (c) I have voted the enclosed ballot and am returning it in
24 compliance with Nebraska law; and

25 (d) I have not voted and will not vote in this election except by
26 this ballot.

27 ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE INFORMATION
28 IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION FALSIFICATION, A CLASS
29 IV FELONY UNDER SECTION 32-1502 OF THE STATUTES OF NEBRASKA. THE PENALTY
30 FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO TWO YEARS AND TWELVE
31 MONTHS POST-RELEASE SUPERVISION OR A FINE NOT TO EXCEED TEN THOUSAND

1 DOLLARS, OR BOTH.

2 I also understand that failure to sign below will invalidate my
3 ballot.

4 Signature

5 (3) If the ballot and identification envelope will be returned by
6 mail or by someone other than the voter, the election commissioner or
7 county clerk shall include with the ballot an identification envelope
8 upon the face of which shall be printed the official title and post
9 office address of the election commissioner or county clerk.

10 (4) The election commissioner or county clerk shall also enclose
11 with the ballot materials:

12 (a) A registration application, if the election commissioner or
13 county clerk has determined that the applicant is not a registered voter
14 pursuant to section 32-945, with instructions that failure to return the
15 completed and signed application indicating the residence address as it
16 appears on the voter's request for a ballot to the election commissioner
17 or county clerk by the close of the polls on election day will result in
18 the ballot not being counted;

19 (b) A registration application and the oath pursuant to section
20 32-946, if the voter is without a residence address, with instructions
21 that the residence address of the voter shall be deemed that of the
22 office of the election commissioner or county clerk of the county of the
23 voter's prior residence and that failure to return the completed and
24 signed application and oath to the election commissioner or county clerk
25 by the close of the polls on election day will result in the ballot not
26 being counted; or

27 (c) Written instructions directing the voter to submit a copy of an
28 identification document pursuant to section 32-318.01 if the voter is
29 required to present identification under such section and advising the
30 voter that failure to submit identification to the election commissioner
31 or county clerk by the close of the polls on election day will result in

1 the ballot not being counted.

2 (5) The election commissioner or county clerk may enclose with the
3 ballot materials a separate return envelope for the voter's use in
4 returning his or her identification envelope containing the voted ballot,
5 registration application, and other materials that may be required.

6 Sec. 32. Section 32-950.01, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 32-950.01 (1) If an election commissioner or county clerk maintains
9 a secure ballot drop-box for voters to deposit completed ballots, the
10 election commissioner or county clerk shall ensure that the secure ballot
11 drop-box:

12 (a) Is securely fastened to the ground or a concrete slab connected
13 to the ground;

14 (b) Is secured by a lock that can only be opened by the election
15 commissioner or county clerk or by an election official designated by the
16 election commissioner or county clerk; and

17 (c) Complies with the federal Americans with Disabilities Act of
18 1990 and is accessible as determined by the election commissioner or
19 county clerk.

20 (2) The election commissioner or county clerk shall inform the
21 Secretary of State of each secure ballot drop-box's location no later
22 than forty-two days prior to any statewide primary or general election.

23 (3) Except for a secure ballot drop-box for an election conducted
24 under section 32-960, the The election commissioner or county clerk or an
25 election official designated by the election commissioner or county clerk
26 shall open each secure ballot drop-box no later than the sixth Friday
27 prior to any statewide primary or general election and no later than the
28 fourth Friday prior to any special election. For any statewide primary or
29 general election, each secure ballot drop-box shall remain accessible to
30 voters until the deadline for the receipt of ballots as provided in
31 section 32-908. For any special election, at least one secure ballot

1 drop-box shall remain accessible to voters until the deadline for the
2 receipt of ballots as provided in section 32-954.

3 (4) After a secure ballot drop-box is made available for depositing
4 ballots, the election commission or county clerk shall ensure that
5 ballots deposited in such secure ballot drop-box are collected and
6 returned to the office of the election commissioner or county clerk at
7 least once during each business day.

8 Sec. 33. Section 32-1203, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 32-1203 (1) Each city, village, township, school district, public
11 power district, sanitary and improvement district, metropolitan utilities
12 district, fire district, natural resources district, regional
13 metropolitan transit authority, community college area, learning
14 community coordinating council, educational service unit, hospital
15 district, reclamation district, library board, and airport authority
16 shall pay for the costs of nominating and electing its officers as
17 provided in subsection (2), (3), or (4) of this section. If a special
18 issue is placed on the ballot at the time of the statewide primary or
19 general election by any political subdivision, the political subdivision
20 shall pay for the costs of the election as provided in subsection (2),
21 (3), or (4) of this section. ~~The districts listed in this subsection~~
22 ~~shall furnish to the Secretary of State and election commissioner or~~
23 ~~county clerk any maps and additional information which the election~~
24 ~~commissioner or county clerk may require in the proper performance of~~
25 ~~their duties in the conduct of elections and certification of results.~~

26 (2) The charge for each primary and general election shall be
27 determined by (a) ascertaining the total cost of all chargeable costs as
28 described in section 32-1202, (b) dividing the total cost by the number
29 of precincts participating in the election to fix the cost per precinct,
30 (c) prorating the cost per precinct by the inked ballot inch in each
31 precinct for each political subdivision, and (d) totaling the cost for

1 each precinct for each political subdivision, except that the minimum
2 charge for each primary and general election for each political
3 subdivision shall be one hundred dollars.

4 (3) In lieu of the charge determined pursuant to subsection (2) of
5 this section, the election commissioner or county clerk may charge public
6 power districts the fee for election costs set by section 70-610.

7 (4) In lieu of the charge determined pursuant to subsection (2) of
8 this section, the election commissioner or county clerk may bill school
9 districts directly for the costs of an election held under section
10 10-703.01.

11 Sec. 34. Section 32-1205, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-1205 A political subdivision in which a recall petition is
14 issued, a recall election is held, an official is recalled, or a vacancy
15 needs to be filled as the result of a recall petition shall pay the costs
16 of the recall procedure and any special election held as a result of a
17 recall election. If a recall election is canceled pursuant to section
18 32-1306, the political subdivision shall be responsible for costs
19 incurred related to the canceled election. The costs shall include all
20 chargeable costs as provided in section 32-1202 associated with preparing
21 for and conducting a recall or special election.

22 Sec. 35. Section 32-1301, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-1301 For purposes of sections 32-1301 to 32-1309, filing officer
25 means (1) clerk shall mean the election commissioner or county clerk for
26 recall of elected officers of cities, villages, counties, irrigation
27 districts, school districts, and hospital districts and (2) the Secretary
28 of State for recall of elected officers of natural resources districts,
29 public power districts, ~~school districts,~~ community college areas,
30 educational service units, ~~hospital districts,~~ and metropolitan utilities
31 districts.

1 Sec. 36. Section 32-1303, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-1303 (1) A petition demanding that the question of removing an
4 elected official or member of a governing body listed in section 32-1302
5 be submitted to the registered voters shall be signed by registered
6 voters equal in number to at least thirty-five percent of the total vote
7 cast for that office in the last general election, except that (a) for an
8 office for which more than one candidate is chosen, the petition shall be
9 signed by registered voters equal in number to at least thirty-five
10 percent of the number of votes cast for the person receiving the most
11 votes for such office in the last general election and (b) for a member
12 of a governing body of a village, the petition shall be signed by
13 registered voters of the village equal in number to at least forty-five
14 percent of the total vote cast for the person receiving the most votes
15 for that office in the last general election. The signatures shall be
16 affixed to petition papers and shall be considered part of the petition.

17 (2) Petition circulators shall conform to the requirements of
18 sections 32-629 and 32-630.

19 (3) The petition papers shall be procured from the filing officer
20 ~~clerk~~. Prior to the issuance of such petition papers, a recall petition
21 filing form shall be signed and filed with the filing officer ~~clerk~~ by at
22 least one registered voter. Such voter or voters shall be deemed to be
23 the principal circulator or circulators of the recall petition. The
24 filing form shall state the name and office of the official sought to be
25 removed, shall include in concise language of sixty words or less the
26 reason or reasons for which recall is sought, and shall request that the
27 filing officer ~~clerk~~ issue initial petition papers to the principal
28 circulator for circulation. The filing officer ~~clerk~~ shall notify the
29 official sought to be removed by any method specified in section
30 25-505.01 or, if notification cannot be made with reasonable diligence by
31 any of the methods specified in section 25-505.01, by leaving a copy of

1 the filing form at the official's usual place of residence and mailing a
2 copy by first-class mail to the official's last-known address. If the
3 official chooses, he or she may submit a defense statement in concise
4 language of sixty words or less for inclusion on the petition. Any such
5 defense statement shall be submitted to the filing officer ~~clerk~~ within
6 twenty days after the official receives the copy of the filing form. The
7 filing officer ~~clerk~~ shall prepare the petition papers within five
8 business days after receipt of the defense statement. The principal
9 circulator or circulators shall gather the petition papers within twenty
10 days after being notified by the filing officer ~~clerk~~ that the petition
11 papers are available. The filing officer ~~clerk~~ shall notify the principal
12 circulator or circulators that the necessary signatures must be gathered
13 within thirty days from the date of issuing the petitions.

14 (4) The filing officer ~~clerk~~, upon issuing the initial petition
15 papers or any subsequent petition papers, shall enter in a record, to be
16 kept in his or her office, the name of the principal circulator or
17 circulators to whom the papers were issued, the date of issuance, and the
18 number of papers issued. The filing officer ~~clerk~~ shall certify on the
19 papers the name of the principal circulator or circulators to whom the
20 papers were issued and the date they were issued. No petition paper shall
21 be accepted as part of the petition unless it bears such certificate. The
22 principal circulator or circulators who check out petitions from the
23 filing officer ~~clerk~~ may distribute such petitions to persons who may act
24 as circulators of such petitions.

25 (5) Petition signers shall conform to the requirements of sections
26 32-629 and 32-630. Each signer of a recall petition shall be a registered
27 voter and qualified by his or her place of residence to vote for the
28 office in question.

29 Sec. 37. Section 32-1304, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 32-1304 (1) The Secretary of State shall design the uniform petition

1 papers to be distributed by all filing officers ~~clerks~~ and shall keep a
2 sufficient number of such blank petition papers on file for distribution
3 to any filing officer ~~clerk~~ requesting recall petitions. The petition
4 papers shall as nearly as possible conform to the requirements of section
5 32-628.

6 (2) In addition to the requirements specified in section 32-628, for
7 the purpose of preventing fraud, deception, and misrepresentation, every
8 sheet of each petition paper presented to a registered voter for his or
9 her signature shall have upon it, above the lines for signatures, (a) a
10 statement that the signatories must be registered voters qualified by
11 residence to vote for the office in question and support the holding of a
12 recall election and (b) in letters not smaller than sixteen-point type in
13 red print (i) the name and office of the individual sought to be
14 recalled, (ii) the reason or reasons for which recall is sought, (iii)
15 the defense statement, if any, submitted by the official, and (iv) the
16 name of the principal circulator or circulators of the recall petition.
17 The decision of a county attorney to prosecute or not to prosecute any
18 individual shall not be stated on a petition as a reason for recall.

19 (3) Every sheet of each petition paper presented to a registered
20 voter for his or her signature shall have upon it, below the lines for
21 signatures, an affidavit as required in subsection (3) of section 32-628
22 which also includes language substantially as follows: "and that the
23 affiant stated to each signer, before the signer affixed his or her
24 signature to the petition, the following: (a) The name and office of the
25 individual sought to be recalled, (b) the reason or reasons for which
26 recall is sought as printed on the petition, (c) the defense statement,
27 if any, submitted by the official as printed on the petition, and (d) the
28 name of the principal circulator or circulators of the recall petition".

29 (4) Each petition paper shall contain a statement entitled
30 Instructions to Petition Circulators prepared by the Secretary of State
31 to assist circulators in understanding the provisions governing the

1 petition process established by sections 32-1301 to 32-1309. The
2 instructions shall include the following statements:

3 (a) No one circulating this petition paper in an attempt to gather
4 signatures shall sign the circulator's affidavit unless each person who
5 signed the petition paper did so in the presence of the circulator.

6 (b) No one circulating this petition paper in an attempt to gather
7 signatures shall allow a person to sign the petition until the circulator
8 has stated to the person (i) the object of the petition as printed on the
9 petition, (ii) the name and office of the individual sought to be
10 recalled, (iii) the reason or reasons for which recall is sought as
11 printed on the petition, (iv) the defense statement, if any, submitted by
12 the official as printed on the petition, and (v) the name of the
13 principal circulator or circulators of the recall petition.

14 Sec. 38. Section 32-1305, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 32-1305 (1) The principal circulator or circulators shall file, as
17 one instrument, all petition papers comprising a recall petition for
18 signature verification with the filing officer ~~clerk~~ within thirty days
19 after the filing officer ~~clerk~~ issues the initial petition papers to the
20 principal circulator or circulators as provided in section 32-1303.

21 (2) If the filing officer ~~clerk~~ is the subject of a recall petition,
22 the signature verification process shall be conducted by two election
23 commissioners or county clerks appointed by the Secretary of State which
24 shall not include the filing officer. Mileage and expenses incurred by
25 officials appointed pursuant to this subsection shall be reimbursed by
26 the political subdivision involved in the recall.

27 (3) Within fifteen business days after the filing of the petition,
28 the filing officer ~~clerk~~ shall ascertain whether or not the petition is
29 signed by the requisite number of registered voters. No new signatures
30 may be added after the initial filing of the petition papers. No
31 signatures may be removed unless the filing officer ~~clerk~~ receives an

1 affidavit signed by the person requesting his or her signature be removed
2 before the petitions are filed with the filing officer ~~clerk~~ for
3 signature verification. If the petition is found to be sufficient, the
4 filing officer ~~clerk~~ shall attach to the petition a certificate showing
5 the result of such examination. If the requisite number of signatures has
6 not been gathered, the filing officer ~~clerk~~ shall file the petition in
7 his or her office without prejudice to the filing of a new petition for
8 the same purpose.

9 Sec. 39. Section 32-1306, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 32-1306 (1) If the recall petition is found to be sufficient, the
12 filing officer ~~clerk~~ shall notify the official whose removal is sought
13 and the governing body of the affected political subdivision that
14 sufficient signatures have been gathered. Notification of the official
15 sought to be removed may be by any method specified in section 25-505.01
16 or, if notification cannot be made with reasonable diligence by any of
17 the methods specified in section 25-505.01, by leaving such notice at the
18 official's usual place of residence and mailing a copy by first-class
19 mail to the official's last-known address.

20 (2) The governing body of the political subdivision shall, within
21 twenty-one days after receipt of the notification from the filing officer
22 ~~clerk~~ pursuant to subsection (1) of this section, order an election. The
23 date of the election shall be the first available date that complies with
24 section 32-405 and that can be certified to the election commissioner or
25 county clerk at least fifty days prior to the election, except that if
26 any other election is to be held in that political subdivision within
27 ninety days after such notification, the governing body of the political
28 subdivision shall provide for the holding of the recall election on the
29 same day.

30 (3) All resignations shall be tendered as provided in section
31 32-562. If the official whose removal is sought resigns before the recall

1 election is held, the governing body may cancel the recall election if
2 the governing body notifies the election commissioner or county clerk of
3 the cancellation on or before the fourth Thursday prior to the election,
4 otherwise the recall election shall be held as scheduled.

5 (4) If a filing officer ~~clerk~~ is subject to a recall election, the
6 Secretary of State shall conduct the recall election.

7 Sec. 40. Section 32-1308, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 32-1308 (1) If a majority of the votes cast at a recall election are
10 against the removal of the official named on the ballot or the election
11 results in a tie, the official shall continue in office for the remainder
12 of his or her term but may be subject to further recall attempts as
13 provided in section 32-1309.

14 (2) If a majority of the votes cast at a recall election are for the
15 removal of the official named on the ballot, he or she shall, regardless
16 of any technical defects in the recall petition, be deemed removed from
17 office unless a recount is ordered. If the official is deemed removed,
18 the removal shall result in a vacancy in the office which shall be filled
19 as provided in this section and sections 32-567 to 32-570 and 32-574.

20 (3) If the election results show a margin of votes equal to one
21 percent or less between the removal or retention of the official in
22 question, the Secretary of State, election commissioner, or county clerk
23 shall order a recount of the votes cast unless the official named on the
24 ballot files a written statement with the filing officer ~~clerk~~ that he or
25 she does not want a recount.

26 (4) If there are vacancies in the offices of one-half or more of the
27 members of any governing body at one time due to the recall of such
28 members, a special election to fill such vacancies shall be conducted as
29 expeditiously as possible by the Secretary of State, election
30 commissioner, or county clerk.

31 (5) No official who is removed at a recall election or who resigns

1 after the initiation of the recall process shall be appointed to fill the
2 vacancy resulting from his or her removal or the removal of any other
3 member of the same governing body during the remainder of his or her term
4 of office.

5 Sec. 41. Section 32-1405, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 32-1405 (1) Prior to obtaining any signatures on an initiative or
8 referendum petition, a statement of the object of the petition and the
9 text of the measure shall be filed with the Secretary of State together
10 with a sworn statement containing the names and street addresses of every
11 person, corporation, or association sponsoring the petition. Sponsors of
12 the petition may be added or removed with the unanimous written consent
13 of the original sponsor or sponsors at any time prior to or on the day
14 the petition is filed for verification with the Secretary of State.

15 (2) Upon receipt of the filing, the Secretary of State shall
16 transmit the text of the proposed measure to the Revisor of Statutes. The
17 Revisor of Statutes shall review the proposed measure and suggest changes
18 as to form and draftsmanship. The revisor shall complete the review
19 within ten business days after receipt from the Secretary of State. The
20 Secretary of State shall provide the results of the review and suggested
21 changes to the sponsor but shall otherwise keep the proposed measure, the
22 review, and the sworn statement confidential for five days after receipt
23 of the review by the sponsor. The Secretary of State shall then maintain
24 the proposed measure, the opinion, and the sworn statement as public
25 information and as a part of the official record of the initiative. The
26 sponsor may make any changes recommended by the Revisor of Statutes and
27 shall submit final language to the Secretary of State. If the final
28 language is addressing a subject that is substantially different in form
29 or substance from the initial filing or the changes recommended by the
30 Revisor of Statutes, the Secretary of State shall reject it.

31 (3) The Secretary of State shall prepare the form of the petition

1 from the final language filed by the sponsor and shall provide a copy of
2 the form of the petition to the sponsor within five business days after
3 receipt of the final language of the proposed measure. The sponsor shall
4 print the petitions to be circulated from the forms provided. Prior to
5 circulation, the sponsor shall file a sample copy of the petition to be
6 circulated with the Secretary of State.

7 Sec. 42. Section 32-1407, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 32-1407 (1) Initiative petitions shall be filed in the office of the
10 Secretary of State at least four months prior to the general election at
11 which the proposal would be submitted to the voters.

12 (2) When a copy of the form of any initiative petition is filed with
13 the Secretary of State prior to obtaining signatures, the issue presented
14 by such petition shall be placed before the voters at the next general
15 election occurring at least four months after the date that such copy is
16 filed if the signed petitions are found to be valid and sufficient. All
17 signed initiative petitions shall become invalid on the date of the first
18 general election occurring at least four months after the date on which
19 the copy of the form is filed with the Secretary of State.

20 (3) Petitions invoking a referendum shall be filed in the office of
21 the Secretary of State within ninety days after the Legislature at which
22 the act sought to be referred was passed has adjourned sine die or has
23 adjourned for more than ninety days.

24 (4) At the time of filing the signed petitions, at least one sponsor
25 shall sign an affidavit certifying that the petitions contain a
26 sufficient number and distribution of signatures pursuant to Article III,
27 section 2, of the Constitution of Nebraska to place the issue on the
28 ballot if such number and distribution of signatures were found to be
29 valid.

30 Sec. 43. Section 32-1524, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 32-1524 ~~(1) For purposes of this section:~~

2 ~~(a) Electioneering means the deliberate, visible display or audible~~
3 ~~or physical dissemination of information for the purpose of advocating~~
4 ~~for or against:~~

5 ~~(i) Any candidate on the ballot for the election at which such~~
6 ~~display or dissemination is occurring;~~

7 ~~(ii) Any elected officeholder of a state constitutional office or~~
8 ~~federal office at the time of the election at which such display or~~
9 ~~dissemination is occurring;~~

10 ~~(iii) Any political party on the ballot for the election at which~~
11 ~~such display or dissemination is occurring; or~~

12 ~~(iv) Any measure on the ballot for the election at which such~~
13 ~~display or dissemination is occurring; and~~

14 ~~(b) Information includes:~~

15 ~~(i) Such a candidate's name, likeness, logo, or symbol;~~

16 ~~(ii) Such a ballot measure's number, title, subject matter, logo, or~~
17 ~~symbol;~~

18 ~~(iii) A button, hat, pencil, pen, shirt, sign, or sticker containing~~
19 ~~information prohibited by this section;~~

20 ~~(iv) Audible information prohibited by this section; and~~

21 ~~(v) Literature or any writing or drawing referring to a candidate,~~
22 ~~officeholder, or ballot measure described in subdivision (a) of this~~
23 ~~subsection.~~

24 ~~(1) (2)~~ No judge or clerk of election or precinct or district
25 inspector shall disseminate information or materials advertising or
26 advocating for or against any ballot measure ~~do any electioneering~~ while
27 acting as an election official.

28 ~~(2) (3)~~ No person shall disseminate information or materials
29 advertising or advocating for or against any ballot measure ~~do any~~
30 ~~electioneering~~ or circulate petitions within any polling place or any
31 building designated for voters to cast ballots by the election

1 commissioner or county clerk pursuant to the Election Act while the
2 polling place or building is set up for voters to cast ballots or within
3 two hundred feet of the entrances to any such polling place or building
4 except as otherwise provided in subsection (4) ~~(5)~~ of this section.

5 ~~(3)~~ ~~(4)~~ No person shall disseminate information or materials
6 advertising or advocating for or against any ballot measure ~~do any~~
7 ~~electioneering~~ within two hundred feet of any secure ballot drop-box.

8 ~~(4)~~ ~~(5)~~ Subject to any local ordinance, a person may display yard
9 signs on private real property within two hundred feet of a polling
10 place, ~~or~~ building, or secure ballot drop-box designated for voters to
11 cast ballots if the property is not under common ownership with the
12 property on which the polling place, ~~or~~ building, or secure ballot drop-
13 box is located.

14 ~~(5)~~ ~~(6)~~ Any person violating this section shall be guilty of a Class
15 V misdemeanor.

16 Sec. 44. Section 32-1525, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 32-1525 (1) No person shall conduct an exit poll, a public opinion
19 poll, or any other interview with voters on election day seeking to
20 determine voter preference within twenty feet of the entrance of any
21 polling place or, if inside the polling place or building, within one
22 hundred feet of any voting booth.

23 (2)(a) No poll watcher shall interfere with any voter in the
24 preparation or casting of such voter's ballot or prevent any election
25 worker from performing the worker's duties.

26 (b) A poll watcher shall not provide assistance to a voter as
27 described in section 32-918 unless selected by the voter to provide
28 assistance as provided in section 32-918.

29 (c) A poll watcher shall not engage in the dissemination of
30 information or materials advertising or advocating for or against any
31 ballot measure ~~electioneering as defined in section 32-1524~~ while engaged

1 in observing at a polling place.

2 (d) A poll watcher shall maintain a distance of at least eight feet
3 from the sign-in table, the sign-in register, the polling booths, the
4 ballot box, and any ballots which have not been cast, except that if the
5 polling place is not large enough for a distance of eight feet, the judge
6 of election shall post a notice of the minimum distance the poll watcher
7 must maintain from the sign-in table, the sign-in register, the polling
8 booths, the ballot box, and any ballots which have not been cast. The
9 posted notice shall be clearly visible to the voters and shall be posted
10 prior to the opening of the polls on election day. The minimum distance
11 shall not be determined to exclude a poll watcher from being in the
12 polling place.

13 (3) Any person violating this section shall be guilty of a Class V
14 misdemeanor.

15 Sec. 45. Any person who knowingly and falsely swears to a sponsor's
16 affidavit on a petition filed under section 32-1407 shall be guilty of a
17 Class I misdemeanor.

18 Sec. 46. Section 49-1499.03, Reissue Revised Statutes of Nebraska,
19 is amended to read:

20 49-1499.03 (1)(a) An official of a political subdivision designated
21 in section 49-1493 who would be required to take any action or make any
22 decision in the discharge of his or her official duties that may cause
23 financial benefit or detriment to him or her, a member of his or her
24 immediate family, or a business with which he or she is associated, which
25 is distinguishable from the effects of such action on the public
26 generally or a broad segment of the public, shall take the following
27 actions as soon as he or she is aware of such potential conflict or
28 should reasonably be aware of such potential conflict, whichever is
29 sooner:

30 (i) Prepare a written statement describing the matter requiring
31 action or decision and the nature of the potential conflict; and

1 (ii) Deliver a copy of the statement to the commission and to the
2 person in charge of keeping records for the political subdivision who
3 shall enter the statement onto the public records of the subdivision.

4 (b) The official shall take such action as the commission shall
5 advise or prescribe to remove himself or herself from influence over the
6 action or decision on the matter.

7 (c) This subsection does not prevent such a person from making or
8 participating in the making of a governmental decision to the extent that
9 the individual's participation is legally required for the action or
10 decision to be made. A person acting pursuant to this subdivision shall
11 report the occurrence to the commission.

12 (2)(a) Any public official ~~person holding an elective office of any~~
13 political subdivision ~~a city or village~~ not designated in section 49-1493
14 ~~and any person holding an elective office of a school district~~ who would
15 be required to take any action or make any decision in the discharge of
16 his or her official duties that may cause financial benefit or detriment
17 to him or her, a member of his or her immediate family, or a business
18 with which he or she is associated, which is distinguishable from the
19 effects of such action on the public generally or a broad segment of the
20 public, shall take the following actions as soon as he or she is aware of
21 such potential conflict or should reasonably be aware of such potential
22 conflict, whichever is sooner:

23 (i) Prepare a written statement describing the matter requiring
24 action or decision and the nature of the potential conflict;

25 (ii) Deliver a copy of the statement to the person in charge of
26 keeping records for the political subdivision ~~city, village, or school~~
27 ~~district~~ who shall enter the statement onto the public records of the
28 political subdivision ~~city, village, or school district~~; and

29 (iii) Except as otherwise provided in subsection (3) of this
30 section, abstain from participating or voting on the matter in which the
31 public official ~~person holding elective office~~ has a conflict of

1 interest.

2 (b) The public official ~~person holding elective office~~ may apply to
3 the commission for an opinion as to whether the person has a conflict of
4 interest.

5 (3)(a) This section does not prevent a public official ~~person~~
6 ~~holding an elective office~~ of any political subdivision ~~city, village, or~~
7 ~~school district~~ from making or participating in the making of a
8 governmental decision:

9 (i) To the extent that the individual's participation is legally
10 required for the action or decision to be made; or

11 (ii) If the potential conflict of interest is based on a business
12 association and (A) such business association is an association of cities
13 and villages or school districts, (B) the political subdivision ~~city,~~
14 ~~village, or school district~~ is a member of such association, and (C) the
15 business association exists only as the result of such public official
16 ~~person~~ holding elective office.

17 (b) A public official ~~person holding elective office~~ of any city
18 subject to subsection (1) of this section who is acting pursuant to this
19 subsection shall report the occurrence as provided in subdivisions (1)(a)
20 (i) and (ii) of this section.

21 (c) A person subject to subsection (2) of this section who is acting
22 pursuant to this subsection shall report the occurrence as provided in
23 subdivisions (2)(a)(i) and (ii) of this section.

24 (4)(a) Any employee of a political subdivision whose annual salary
25 and benefits exceed one hundred fifty thousand dollars and who would be
26 required to take any action or make any decision in the discharge of his
27 or her official duties that may cause financial benefit or detriment to
28 him or her, a member of his or her immediate family, or a business with
29 which he or she is associated, which is distinguishable from the effects
30 of such action on the public generally or a broad segment of the public,
31 shall take the following actions as soon as he or she is aware of such

1 potential conflict or should reasonably be aware of such potential
2 conflict, whichever is sooner:

3 (i) Prepare a written statement describing the matter requiring
4 action or decision and the nature of the potential conflict;

5 (ii) Deliver a copy of the statement to the person in charge of
6 keeping records for the government body who shall enter the statement
7 onto the public records of the government body; and

8 (iii) Except as otherwise provided in subdivision (4)(c) of this
9 section, abstain from participating in the matter in which the employee
10 has a conflict of interest.

11 (b) An employee described in subdivision (4)(a) of this section may
12 apply to the commission for an opinion as to whether he or she has a
13 conflict of interest.

14 (c) This subsection does not prevent an employee described in
15 subdivision (4)(a) of this section from making or participating in the
16 making of a governmental decision to the extent that the employee's
17 participation is legally required for the action or decision to be made.
18 An employee who is acting pursuant to this subdivision shall report the
19 occurrence as provided in subdivisions (4)(a)(i) and (ii) of this
20 section.

21 (5) ~~(4)~~ Matters involving an interest in a contract are governed
22 either by sections 49-14,102 and 49-14,103 or by sections 49-14,103.01 to
23 49-14,103.06. Matters involving the hiring of an immediate family member
24 are governed by section 49-1499.04. Matters involving nepotism or the
25 supervision of a family member by an official or employee in the
26 executive branch of state government are governed by section 49-1499.07.

27 (6) This section does not apply to a sanitary and improvement
28 district.

29 Sec. 47. Section 58-230, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 58-230 Meetings of the members of the authority shall be held at

1 least once every three months to attend to the business of the authority
2 and may be held at the call of the chairperson or whenever any five
3 members so request. Such meetings shall at all times be subject to the
4 Open Meetings Act, and such meetings may be held by means of virtual
5 conferencing in accordance with ~~subsection (2) of~~ section 84-1411.

6 Sec. 48. Section 58-817, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 58-817 Four members of the authority shall constitute a quorum. The
9 affirmative vote of a majority of all of the members of the authority
10 shall be necessary for any action taken by the authority. A vacancy in
11 the membership of the authority shall not impair the right of a quorum to
12 exercise all the rights and perform all the duties of the authority. Any
13 action taken by the authority under the Nebraska Educational, Health,
14 Cultural, and Social Services Finance Authority Act may be authorized by
15 resolution at any regular or special meeting, and each such resolution
16 shall take effect immediately and need not be published or posted.
17 Members of the authority may participate in a regular or special meeting
18 of the authority by virtual conferencing as long as the chairperson or
19 vice-chairperson conducts the meeting at a location where the public is
20 able to participate by attendance at that location and the virtual
21 conferencing otherwise conforms to the requirements of ~~subsection (2) of~~
22 section 84-1411.

23 Sec. 49. Section 70-663, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 70-663 ~~(1) This subsection applies to charter amendments submitted~~
26 ~~after December 31, 2021. Upon such authorization as provided in section~~
27 ~~70-662 occurring,~~ the proposed amendment shall thereupon be submitted to
28 the Nebraska Power Review Board, together with a petition setting forth
29 the reasons for the adoption of such amendment, and requesting that the
30 same be approved. The Nebraska Power Review Board shall then cause notice
31 to be given by publication for three consecutive weeks in two legal

1 newspapers of general circulation within such district. Such notice shall
2 set forth in full the proposed amendment and set a date, not sooner than
3 three weeks after the last date of publication of the notice, for
4 protests, complaints, or objections to be filed with the Nebraska Power
5 Review Board in opposition to the adoption of such amendment. The cost of
6 such publication shall be paid by such district. If any person residing
7 in such district, or affected by the proposed amendment, shall, within
8 the time provided, file a protest, complaint, or objection, the Nebraska
9 Power Review Board shall schedule a hearing and give due notice thereof
10 to the district, the district's representative, and the person who filed
11 such protest, complaint, or objection. Any person filing a protest,
12 complaint, or objection may appear at such hearing and contest the
13 approval by the Nebraska Power Review Board of such proposed amendment.
14 After all protests, complaints, or objections have been heard, the
15 Nebraska Power Review Board shall act upon the petition and either
16 approve or disapprove the amendment. If no protests, complaints, or
17 objections are properly filed, the board shall either approve the
18 amendment without a hearing or schedule a hearing to determine whether or
19 not the amendment should be approved. If a hearing is scheduled, due
20 notice shall be provided to the district and the district representative.

21 ~~(2) This subsection applies to charter amendments submitted before~~
22 ~~December 31, 2021. Following the release of the 2020 Census of Population~~
23 ~~data by the United States Department of Commerce, Bureau of the Census,~~
24 ~~as required by Public Law 94-171, any public power district seeking an~~
25 ~~amendment to its charter shall submit the proposed amendment to the~~
26 ~~Nebraska Power Review Board on or before December 17, 2021. If the~~
27 ~~proposed amendment is in proper form, the Nebraska Power Review Board~~
28 ~~shall give conditional approval of the amendment on or before December~~
29 ~~30, 2021. The approval process provided in subsection (1) of this section~~
30 ~~shall occur concurrent with the conditional approval process. If a~~
31 ~~protest, complaint, or objection is filed and a hearing is set, any~~

~~1 decision from the Nebraska Power Review Board rejecting the amendment
2 shall be decided and notification provided to the Secretary of State by
3 March 1, 2022. Immediately upon receiving such notification, the
4 Secretary of State shall notify all election commissioners and county
5 clerks responsible for such elections within the public power district
6 that the conditionally approved boundaries were rejected and that the
7 previous boundaries shall be used for the primary and general elections.~~

8 Sec. 50. Section 79-1218, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 79-1218 The board of each educational service unit shall meet and
11 organize by naming one of its members as president, one as vice
12 president, and one as secretary. The board shall employ a treasurer who
13 shall be paid a salary to be fixed by the board.

14 The board of the educational service unit shall determine the
15 participation of the educational service unit in providing supplementary
16 educational services. If the board of the educational service unit does
17 not provide supplementary educational services, it shall meet during each
18 succeeding January to determine the participation in providing
19 supplementary educational services for that calendar year. Meetings may
20 be held by means of virtual conferencing in accordance with ~~subsection~~
21 ~~(2)~~ of section 84-1411.

22 Sec. 51. Section 84-1411, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 84-1411 (1) Until January 1, 2025:

25 (a) (1)(a) Each public body shall give reasonable advance publicized
26 notice of the time and place of each meeting as provided in this
27 subsection. Such notice shall be transmitted to all members of the public
28 body and to the public.

29 (b)(i) Except as provided in subdivision (1)(b)(ii) of this section,
30 in the case of a public body described in subdivision (1)(a)(i) of
31 section 84-1409 or such body's advisory committee, such notice shall be

1 published in a newspaper of general circulation within the public body's
2 jurisdiction and, if available, on such newspaper's website.

3 (ii) In the case of the governing body of a city of the second class
4 or village or such body's advisory committee or the governing body of a
5 rural or suburban fire protection district, such notice shall be
6 published by:

7 (A) Publication in a newspaper of general circulation within the
8 public body's jurisdiction and, if available, on such newspaper's
9 website; or

10 (B) Posting written notice in three conspicuous public places in
11 such city, ~~or~~ village, or district. Such notice shall be posted in the
12 same three places for each meeting.

13 (iii) In the case of a public body not described in subdivision (1)
14 (b)(i) or (ii) of this section, such notice shall be given by a method
15 designated by the public body.

16 (iv) In case of refusal, neglect or inability of the newspaper to
17 timely publish the notice, the public body shall (A) post such notice on
18 its website, if available, and (B) post such notice in a conspicuous
19 public place in such public body's jurisdiction. The public body shall
20 keep a written record of such posting. The record of such posting shall
21 be evidence that such posting was done as required and shall be
22 sufficient to fulfill the requirement of publication.

23 (c) In addition to a method of notice required by subdivision (1)(b)
24 (i) or (ii) of this section, such notice may also be provided by any
25 other appropriate method designated by such public body or such advisory
26 committee.

27 (d) Each public body shall record the methods and dates of such
28 notice in its minutes.

29 (e) Such notice shall contain an agenda of subjects known at the
30 time of the publicized notice or a statement that the agenda, which shall
31 be kept continually current, shall be readily available for public

1 inspection at the principal office of the public body during normal
2 business hours. Agenda items shall be sufficiently descriptive to give
3 the public reasonable notice of the matters to be considered at the
4 meeting. Except for items of an emergency nature, the agenda shall not be
5 altered later than (i) twenty-four hours before the scheduled
6 commencement of the meeting or (ii) forty-eight hours before the
7 scheduled commencement of a meeting of a city council or village board
8 scheduled outside the corporate limits of the municipality. The public
9 body shall have the right to modify the agenda to include items of an
10 emergency nature only at such public meeting.

11 (2) Beginning January 1, 2025:

12 (a) Each public body shall give reasonable advance publicized notice
13 of the time and place of each meeting as provided in this subsection.
14 Such notice shall be transmitted to all members of the public body and to
15 the public.

16 (b)(i) Except as provided in subdivision (2)(b)(ii) of this section,
17 in the case of a public body described in subdivision (1)(a)(i) of
18 section 84-1409 or such body's advisory committees, such notice shall be
19 given by:

20 (A)(I) Publication in a newspaper of general circulation within the
21 public body's jurisdiction that is finalized for printing prior to the
22 time and date of the meeting, (II) posting on such newspaper's website,
23 if available, and (III) posting on a statewide website established and
24 maintained as a repository for such notices by a majority of Nebraska
25 newspapers. Such notice shall be placed in the newspaper and on the
26 websites by the newspaper; or

27 (B)(I) Posting to the newspaper's website, if available, and (II)
28 posting to a statewide website established and maintained as a repository
29 for such notices by a majority of Nebraska newspapers if no edition of a
30 newspaper of general circulation within the public body's jurisdiction is
31 to be finalized for printing prior to the time and date of the meeting.

1 Such notice shall be placed in the newspaper and on the websites by the
2 newspaper.

3 (ii) In the case of the governing body of a city of the second class
4 or village, any advisory committee of such governing body, or the
5 governing body of a rural or suburban fire protection district, such
6 notice shall be given by:

7 (A)(I) Publication in a newspaper of general circulation within the
8 public body's jurisdiction that is finalized for printing prior to the
9 time and date of the meeting, (II) posting on such newspaper's website,
10 if available, and (III) posting on a statewide website established and
11 maintained as a repository for such notices by a majority of Nebraska
12 newspapers. Such notice shall be placed in the newspaper and on the
13 websites by the newspaper;

14 (B)(I) Posting to the newspaper's website, if available, and (II)
15 posting on a statewide website established and maintained as a repository
16 for such notices by a majority of Nebraska newspapers if no edition of a
17 newspaper of general circulation within the public body's jurisdiction is
18 to be finalized for printing prior to the time and date of the meeting.
19 Such notice shall be placed in the newspaper and on the websites by the
20 newspaper; or

21 (C)(III) Posting written notice in three conspicuous public places
22 in such city or village. Such notice shall be posted by the public body
23 in the same three places for each meeting.

24 (iii) In the case of a public body not described in subdivision (2)
25 (b)(i) or (ii) of this section, such notice shall be given by a method
26 designated by the public body.

27 (iv) In case of refusal or neglect of the newspaper to publish the
28 notice, the public body shall (A) post such notice on its website, if
29 available, (B) submit a post on a statewide website established and
30 maintained as a repository for such notices by a majority of Nebraska
31 newspapers, and (C) post in a conspicuous public place in such public

1 body's jurisdiction. The public body shall keep a written record of such
2 posting. The record of such posting shall be evidence that such posting
3 was done as required and shall be sufficient to fulfill the requirement
4 of publication.

5 ~~(3)(a)~~ ~~(2)(a)~~ The following entities may hold a meeting by means of
6 virtual conferencing if the requirements of subdivision ~~(3)(b)~~ ~~(2)(b)~~ of
7 this section are met:

8 (i) A state agency, state board, state commission, state council, or
9 state committee, or an advisory committee of any such state entity;

10 (ii) An organization, including the governing body, created under
11 the Interlocal Cooperation Act, the Joint Public Agency Act, or the
12 Municipal Cooperative Financing Act;

13 (iii) The governing body of a public power district having a
14 chartered territory of more than one county in this state;

15 (iv) The governing body of a public power and irrigation district
16 having a chartered territory of more than one county in this state;

17 (v) An educational service unit;

18 (vi) The Educational Service Unit Coordinating Council;

19 (vii) An organization, including the governing body, of a risk
20 management pool or its advisory committees organized in accordance with
21 the Intergovernmental Risk Management Act;

22 (viii) A community college board of governors;

23 (ix) The Nebraska Brand Committee;

24 (x) A local public health department;

25 (xi) A metropolitan utilities district;

26 (xii) A regional metropolitan transit authority; and

27 (xiii) A natural resources district.

28 (b) The requirements for holding a meeting by means of virtual
29 conferencing are as follows:

30 (i) Reasonable advance publicized notice is given as provided in
31 subsection (1) of this section, including providing access to a dial-in

1 number or link to the virtual conference;

2 (ii) In addition to the public's right to participate by virtual
3 conferencing, reasonable arrangements are made to accommodate the
4 public's right to attend at a physical site and participate as provided
5 in section 84-1412, including reasonable seating, in at least one
6 designated site in a building open to the public and identified in the
7 notice, with: At least one member of the entity holding such meeting, or
8 his or her designee, present at each site; a recording of the hearing by
9 audio or visual recording devices; and a reasonable opportunity for
10 input, such as public comment or questions, is provided to at least the
11 same extent as would be provided if virtual conferencing was not used;

12 (iii) At least one copy of all documents being considered at the
13 meeting is available at any physical site open to the public where
14 individuals may attend the virtual conference. The public body shall also
15 provide links to an electronic copy of the agenda, all documents being
16 considered at the meeting, and the current version of the Open Meetings
17 Act; and

18 (iv) Except as otherwise provided in this subdivision or subsection
19 (4) of section 79-2204, no more than one-half of the meetings of the
20 state entities, advisory committees, boards, councils, organizations, or
21 governing bodies are held by virtual conferencing in a calendar year. In
22 the case of (A) an organization created under the Interlocal Cooperation
23 Act that sells electricity or natural gas, (B) at wholesale on a
24 multistate basis or an organization created under the Municipal
25 Cooperative Financing Act, (C) a governing body of a risk management pool
26 and any advisory committee of such governing body, or (D) any advisory
27 committee of any state entity created in response to the Opioid
28 Prevention and Treatment Act, such the organization, governing body, or
29 committee may hold more than one-half of its meetings by virtual
30 conferencing if such organization holds at least one meeting each
31 calendar year that is not by virtual conferencing. ~~The governing body of~~

1 ~~a risk management pool that meets at least quarterly and the advisory~~
2 ~~committees of the governing body may each hold more than one half of its~~
3 ~~meetings by virtual conferencing if the governing body's quarterly~~
4 ~~meetings are not held by virtual conferencing.~~

5 (4) ~~(3)~~ Virtual conferencing, emails, faxes, or other electronic
6 communication shall not be used to circumvent any of the public
7 government purposes established in the Open Meetings Act.

8 (5) ~~(4)~~ The secretary or other designee of each public body shall
9 maintain a list of the news media requesting notification of meetings and
10 shall make reasonable efforts to provide advance notification to them of
11 the time and place of each meeting and the subjects to be discussed at
12 that meeting.

13 (6) ~~(5)~~ When it is necessary to hold an emergency meeting without
14 reasonable advance public notice, the nature of the emergency shall be
15 stated in the minutes and any formal action taken in such meeting shall
16 pertain only to the emergency. Such emergency meetings may be held by
17 virtual conferencing. The provisions of subsection (5) ~~(4)~~ of this
18 section shall be complied with in conducting emergency meetings. Complete
19 minutes of such emergency meetings specifying the nature of the emergency
20 and any formal action taken at the meeting shall be made available to the
21 public by no later than the end of the next regular business day.

22 (7) ~~(6)~~ A public body may allow a member of the public or any other
23 witness to appear before the public body by means of virtual
24 conferencing.

25 (8)(a) ~~(7)(a)~~ Notwithstanding subsections (3) ~~(2)~~ and (6) ~~(5)~~ of
26 this section, if an emergency is declared by the Governor pursuant to the
27 Emergency Management Act as defined in section 81-829.39, a public body
28 the territorial jurisdiction of which is included in the emergency
29 declaration, in whole or in part, may hold a meeting by virtual
30 conferencing during such emergency if the public body gives reasonable
31 advance publicized notice as described in subsections ~~subsection~~ (1) and

1 (2) of this section. The notice shall include information regarding
2 access for the public and news media. In addition to any formal action
3 taken pertaining to the emergency, the public body may hold such meeting
4 for the purpose of briefing, discussion of public business, formation of
5 tentative policy, or the taking of any action by the public body.

6 (b) The public body shall provide access by providing a dial-in
7 number or a link to the virtual conference. The public body shall also
8 provide links to an electronic copy of the agenda, all documents being
9 considered at the meeting, and the current version of the Open Meetings
10 Act. Reasonable arrangements shall be made to accommodate the public's
11 right to hear and speak at the meeting and record the meeting. Subsection
12 (5) ~~(4)~~ of this section shall be complied with in conducting such
13 meetings.

14 (c) The nature of the emergency shall be stated in the minutes.
15 Complete minutes of such meeting specifying the nature of the emergency
16 and any formal action taken at the meeting shall be made available for
17 inspection as provided in subsection (5) of section 84-1413.

18 (9) ~~(8)~~ In addition to any other statutory authorization for virtual
19 conferencing, any public body not listed in subdivision (3)(a) ~~(2)(a)~~ of
20 this section may hold a meeting by virtual conferencing if:

21 (a) The purpose of the virtual meeting is to discuss items that are
22 scheduled to be discussed or acted upon at a subsequent non-virtual open
23 meeting of the public body;

24 (b) No action is taken by the public body at the virtual meeting;
25 and

26 (c) The public body complies with subdivisions (3)(b)(i) ~~(2)(b)(i)~~
27 and (ii) ~~(2)(b)(ii)~~ of this section.

28 Sec. 52. Sections 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
29 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,
30 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 49, and 53 of this act
31 become operative three calendar months after the adjournment of this

1 legislative session. The other sections of this act become operative on
2 their effective date.

3 Sec. 53. Original sections 2-3213, 2-3214, 16-202, 18-2518, 32-564,
4 32-565, 32-613, 32-617, 32-630, 32-632, 32-1205, 32-1301, 32-1304,
5 32-1308, and 49-1499.03, Reissue Revised Statutes of Nebraska, sections
6 32-320.01, 32-330, 32-404, 32-405, 32-552, 32-553, 32-606, 32-607,
7 32-608, 32-615, 32-716, 32-802, 32-808.01, 32-903, 32-947, 32-950.01,
8 32-1203, 32-1303, 32-1305, 32-1306, 32-1405, 32-1407, 32-1524, 32-1525,
9 and 70-663, Revised Statutes Cumulative Supplement, 2022, and sections
10 32-101 and 32-318.01, Revised Statutes Supplement, 2023, are repealed.

11 Sec. 54. Original sections 25-1274, 58-230, and 58-817, Reissue
12 Revised Statutes of Nebraska, and sections 31-727.02, 79-1218, and
13 84-1411, Revised Statutes Cumulative Supplement, 2022, are repealed.

14 Sec. 55. Since an emergency exists, this act takes effect when
15 passed and approved according to law.