

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 382

Introduced by Rogert, 16.

Read first time January 16, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-101,
2 32-107, 32-108, 32-114, 32-115, 32-302, 32-306, 32-307,
3 32-308, 32-310, 32-311.01, 32-314, 32-321, 32-325,
4 32-813, 32-816, 32-901, 32-902, 32-904, 32-906, 32-907,
5 32-910, 32-912, 32-913, 32-914, 32-915, 32-916, 32-917,
6 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925,
7 32-927, 32-929, 32-933, 32-934, 32-935, 32-936, 32-937,
8 32-938, 32-940, 32-941, 32-945, 32-952, 32-1001, 32-1002,
9 32-1041, 32-1302, 32-1307, 32-1403, 32-1502, 32-1503,
10 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1530,
11 32-1531, and 32-1532, Reissue Revised Statutes of
12 Nebraska; to provide for voter registration on election
13 day as prescribed; to change provisions relating to
14 registration and voting; to harmonize provisions; and to

1 repeal the original sections.

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

1 Section 1. Section 32-101, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-101 Sections 32-101 to 32-1551 and sections 13 and 28
4 of this act shall be known and may be cited as the Election Act.

5 Sec. 2. Section 32-107, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-107 District shall mean a subdivision of the state
8 or of a county, city, village, or other political subdivision in
9 which all ~~registered voters~~ electors residing within the district
10 are entitled to participate in the election of any one or more
11 candidates or in the determination by election of any question or
12 proposition.

13 Sec. 3. Section 32-108, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 32-108 Election shall mean any statewide or local
16 primary, special, joint, or general election at which ~~registered~~
17 ~~voters~~ electors of the state or the political subdivision holding
18 the election by ballot choose public officials or decide any
19 questions and propositions lawfully submitted to them.

20 Sec. 4. Section 32-114, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 32-114 Precinct shall mean a defined area established
23 by in accordance with law within which all ~~registered voters~~
24 ~~cast their votes~~ electors vote at one polling place. Precinct
25 may include any ward or other division of territory in any city

1 or village when created and designated by ordinance for election
2 purposes.

3 Sec. 5. Section 32-115, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-115 Registered voter shall mean an elector who has
6 a valid voter registration record ~~on file with~~ in the voter
7 registration register prepared by the election commissioner or
8 county clerk in the county of his or her residence.

9 Sec. 6. Section 32-302, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 32-302 The office of the election commissioner or county
12 clerk shall remain open during the usual business days of the
13 year for purposes of general registration and revision and for
14 the transaction of the business of the office. Such registration
15 and revision shall be carried on at all times during the regular
16 business hours of the office of the election commissioner or county
17 clerk ending at 6 p.m. on the second Friday preceding any election
18 and resuming on election day as provided in section 13 of this
19 act. The election commissioner or county clerk may, during any of
20 the seven days immediately preceding the ~~deadline for registration,~~
21 second Friday preceding any election, cause his or her office to be
22 open at times in addition to the hours during which it is required
23 by law to be open in order for electors to register to vote. The
24 office of the election commissioner or county clerk shall be a
25 designated voter registration agency for purposes of section 7 of

1 the National Voter Registration Act of 1993, 42 U.S.C. 1973gg-5, as
2 such section existed on March 11, 2008.

3 Sec. 7. Section 32-306, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-306 Deputy registrars shall register voters in teams
6 of at least two deputies, one of whom is not a member of the same
7 political party as the other or others. The deputy registrars shall
8 return the completed registration applications to the office of the
9 election commissioner or county clerk of the county in which the
10 registrations are to be effective no later than the end of the
11 next business day after the registrations are taken. The election
12 commissioner or county clerk shall mail an acknowledgment of
13 registration at least five days prior to the next election to each
14 person registered by a deputy registrar. Deputy registrars shall
15 not register voters after 6 p.m. on the third Friday preceding any
16 election. A registration application received after the deadline
17 shall not be processed by the election commissioner or county
18 clerk until after the election and shall be invalid if the elector
19 registers to vote on election day. This section shall not apply to
20 registration done by the employees of the election commissioner or
21 county clerk.

22 Sec. 8. Section 32-307, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 32-307 No materials advocating or advertising any
25 political issue, candidate, or party shall be displayed or

1 distributed within fifty feet of any voter registration site. No
2 alcohol shall be served within fifty feet of any voter registration
3 site. The registration procedure shall be conducted in a neutral
4 manner and shall not be connected with anything unrelated to the
5 object of registering electors except as otherwise provided in
6 sections 32-308 to 32-310 and section 13 of this act.

7 Sec. 9. Section 32-308, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-308 (1) The Secretary of State and the Director of
10 Motor Vehicles shall enter into an agreement to match information
11 in the computerized statewide voter registration list with
12 information in the data base of the Department of Motor Vehicles
13 to the extent required to enable each such official to verify the
14 accuracy of the information provided on applications for voter
15 registration. The Director of Motor Vehicles shall enter into an
16 agreement with the Commissioner of Social Security under section
17 205(r) (8) of the federal Social Security Act, 42 U.S.C. 405(r) (8),
18 as such section existed on April 17, 2003, for purposes of the
19 Election Act.

20 (2) The Department of Motor Vehicles, with the assistance
21 of the Secretary of State, shall prescribe a voter registration
22 application which may be used to register to vote or change his or
23 her address for voting purposes at the same time an elector applies
24 for an original or renewal motor vehicle operator's license, an
25 original or renewal state identification card, or a replacement

1 or duplicate thereof. The voter registration application shall
2 contain the information required pursuant to section 32-312 and
3 shall be designed so that it does not require the duplication of
4 information in the application for the motor vehicle operator's
5 license or state identification card, except that it may require
6 a second signature of the applicant. The department and the
7 Secretary of State shall make the voter registration application
8 available to the county treasurer, the license examiners of the
9 department, and any other person who issues operators' licenses
10 or state identification cards. The application shall be completed
11 at the office of the county treasurer or department by the close
12 of business on the third Friday preceding any election to be
13 registered to vote at such election. A registration application
14 received by the county treasurer or department after the deadline
15 third Friday preceding an election shall not be processed by the
16 election commissioner or county clerk until after the election and
17 shall be invalid if the elector registers to vote on election day.

18 (3) State agency personnel and county treasurers involved
19 in the voter registration process pursuant to this section and
20 section 32-309 shall not be considered deputy registrars or agents
21 or employees of the election commissioner or county clerk.

22 Sec. 10. Section 32-310, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 32-310 (1) The State Department of Education and
25 the Department of Health and Human Services shall provide the

1 opportunity to register to vote at the time of application, review,
2 or change of address for the following programs, as applicable:

3 (a) The food stamp program; (b) the medicaid program; (c) the WIC
4 program as defined in section 71-2225; (d) the aid to dependent
5 children program; (e) the vocational rehabilitation program; and
6 (f) any other public assistance program or program primarily for
7 the purpose of providing services to persons with disabilities.
8 If the application, review, or change of address is accomplished
9 through an agent or contractor of the department, the agent or
10 contractor shall provide the opportunity to register to vote.
11 Any information on whether an applicant registers or declines
12 to register and the agency at which he or she registers shall
13 be confidential and shall only be used for voter registration
14 purposes.

15 (2) The department, agent, or contractor shall make
16 the mail-in registration application described in section 32-320
17 available at the time of application, review, or change of address
18 and shall provide assistance, if necessary, to the applicant in
19 completing the application to register to vote. The department
20 shall retain records indicating whether an applicant accepted or
21 declined the opportunity to register to vote.

22 (3) Department personnel, agents, and contractors
23 involved in the voter registration process pursuant to this section
24 shall not be considered deputy registrars or agents or employees of
25 the election commissioner or county clerk.

1 (4) The applicant may return the completed voter
2 registration application to the department, agent, or contractor
3 or may personally mail or deliver the application to the election
4 commissioner or county clerk as provided in section 32-321. If
5 the applicant returns the completed application to the department,
6 agent, or contractor, the department, agent, or contractor shall
7 deliver the application to the election commissioner or county
8 clerk of the county in which the office of the department, agent,
9 or contractor is located not later than ten days after receipt
10 by the department, agent, or contractor, except that if the
11 application is returned to the department, agent, or contractor
12 within five days prior to the third Friday preceding any election,
13 it shall be delivered not later than five days after the date it
14 is returned. The election commissioner or county clerk shall, if
15 necessary, forward the application to the election commissioner or
16 county clerk of the county in which the applicant resides within
17 such prescribed time limits. The application shall be completed
18 and returned to the department, agency, or contractor by the close
19 of business on the third Friday preceding any election to be
20 registered to vote at such election. A registration application
21 received by the department, agency, or contractor after the
22 deadline third Friday preceding an election shall not be processed
23 by the election commissioner or county clerk until after the
24 election and shall be invalid if the elector registers to vote on
25 election day.

1 (5) The departments shall adopt and promulgate rules and
2 regulations to ensure compliance with this section.

3 Sec. 11. Section 32-311.01, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-311.01 (1) The Secretary of State shall prescribe and
6 distribute a registration application which may be used statewide
7 to register to vote and update voter registration records. An
8 applicant may use the application to register to vote or to update
9 his or her voter registration record with changes in his or her
10 personal information or other information related to his or her
11 eligibility to vote. An applicant may submit the application in
12 person, through a personal messenger or personal agent, or by mail.
13 Every election commissioner or county clerk shall accept such an
14 application for registration. If an applicant who is eligible to
15 register to vote submits the application in person at the office of
16 the election commissioner or county clerk, the information from the
17 application shall be entered into the voter registration register
18 in the presence of the applicant if possible.

19 (2) The application shall contain substantially all
20 the information provided in section 32-312 and the following
21 informational statements:

22 (a) An applicant who is unable to sign his or her name
23 may affix his or her mark next to his or her name written on the
24 signature line by some other person;

25 (b) If the application is submitted by mail and the

1 applicant is registering in the state for the first time and has
2 not previously voted within the state, the applicant must submit
3 with the application a copy of a photo identification which is
4 current and valid or a copy of a utility bill, bank statement,
5 government check, paycheck, or other government document that is
6 current and that shows the name and address of the applicant
7 as they appear on the application in order to avoid additional
8 identification requirements when voting for the first time;

9 (c) An applicant may deliver the application to the
10 office of the election commissioner or county clerk in person,
11 through a personal messenger or personal agent, or by mail;

12 (d) To vote at the polling place on election day, the
13 completed application must be:

14 (i) Delivered by the applicant in person to the office of
15 the election commissioner or county clerk on or before the deadline
16 second Friday preceding the election as prescribed in section
17 32-302 or on election day, subject to submission of identification
18 documents as described in section 13 of this act;

19 (ii) Delivered by the applicant's personal messenger or
20 personal agent to the office of the election commissioner or county
21 clerk on or before the third Friday before the election; or

22 (iii) Postmarked on or before the third Friday before the
23 election if the application is submitted by mail; and

24 (e) The election commissioner or county clerk will, upon
25 receipt of the application for registration, send an acknowledgment

1 of registration to the applicant indicating whether the application
2 is proper or not.

3 Sec. 12. Section 32-314, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-314 (1) Any person going into another territory or
6 state and registering to vote or voting in that territory or state
7 shall lose his or her eligibility to vote in this state. Any person
8 going into another county of this state and registering to vote or
9 voting in that county shall lose his or her eligibility to vote in
10 the county where he or she was registered.

11 (2) A registered voter who changes his or her residence
12 in one county to a residence address in a different county in the
13 state shall register again or update his or her voter registration
14 record in order to be eligible to vote.

15 (3) A registered voter who changes his or her name or
16 residence within the county and has retained legal residence in
17 the county since the date of his or her last registration shall
18 register again or update his or her voter registration record to
19 avoid additional requirements at the time of voting as provided in
20 sections 32-914 and 32-915 and may be entitled to vote pursuant to
21 section 32-914.01, 32-914.02, or 32-915.

22 (4) A registered voter who wants to change his or her
23 party affiliation for purposes of a primary election shall complete
24 a registration application pursuant to section 32-312.04 and submit
25 it to the election commissioner or county clerk as provided in

1 and prior to the ~~deadline~~ second Friday preceding the election
2 as prescribed by section 32-302 or prior to the deadline for
3 applications mailed as prescribed by section 32-321.

4 Sec. 13. An elector who has not registered to vote in
5 his or her county of residence may register to vote and vote
6 on election day by completing a voter registration application at
7 the office of the election commissioner or county clerk in his
8 or her county of residence as provided in section 28 of this
9 act. The office shall accept and process such voter registration
10 applications on the day of election and shall resume general
11 registration and revision on the day after an election. If the
12 elector is registering in the state for the first time and has not
13 previously voted within the state, the elector shall present with
14 the application a copy of a photo identification which is current
15 and valid or a copy of a utility bill, bank statement, government
16 check, paycheck, or other government document that is current and
17 that shows the name and address of the elector as they appear on
18 the application.

19 Sec. 14. Section 32-321, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 32-321 (1) Any elector may request a voter registration
22 application from the office of the Secretary of State or the
23 election commissioner or county clerk. The Secretary of State and
24 the election commissioner or county clerk shall make registration
25 applications prescribed by the Secretary of State available and may

1 place the applications in public places. The Secretary of State
2 and the election commissioner or county clerk may require that all
3 unused applications be returned to his or her office and may place
4 reasonable limits on the amount of applications requested.

5 (2) If an elector returns the completed application to
6 the office of the Secretary of State, the office shall deliver the
7 application to the election commissioner or county clerk of the
8 county in which the elector resides not later than ten days after
9 receipt by the office, except that if the application is returned
10 to the office within five days prior to the third Friday preceding
11 any election, it shall be delivered not later than five days after
12 the date it is returned. The deadline for returning a completed
13 application to the office of the Secretary of State is the close of
14 business on the third Friday preceding an election to be registered
15 to vote at such election. A registration application received after
16 the deadline shall not be processed by the election commissioner
17 or county clerk until after the election and shall be invalid if
18 the elector registers to vote on election day. The office of the
19 Secretary of State shall be a designated voter registration agency
20 for purposes of section 7 of the National Voter Registration Act
21 of 1993, 42 U.S.C. 1973gg-5, as such section existed on March 11,
22 2008.

23 (3) If an elector mails the registration application to
24 the election commissioner or county clerk:

25 (a)(i) The application shall be postmarked on or before

1 the third Friday before the next election; or

2 (ii) The application shall be received not later than
3 the second Tuesday before the next election if the postmark is
4 unreadable; and

5 (b) The application shall be processed by the election
6 office as a proper registration for the voter to be entitled to
7 vote on the day of the next election.

8 (4) If the registration application arrives through the
9 mail, in person, or by agent after the applicable registration
10 deadline, the application shall not be processed until after
11 the election and shall be invalid if the elector registers
12 to vote on election day. Written notice shall be given to
13 any applicant whose registration application failed to meet the
14 registration deadline or was found to be incorrect or incomplete
15 and shall state the specific reason for rejection. If the
16 application is incomplete, the election commissioner or county
17 clerk shall notify the applicant of the failure to provide the
18 required information, including failure to provide identification
19 if required, and provide the applicant with the opportunity to
20 submit an identification document as described in section 32-318.01
21 prior to the deadline for voter registration or to complete and
22 submit a corrected registration application in a timely manner
23 to allow for the proper registration of the applicant prior to
24 the next election. The notice shall include a statement that the
25 elector can register and vote on election day at the office of

1 the election commissioner or county clerk subject to additional
2 procedures. All postage costs related to returning registration
3 applications to the election commissioner or county clerk shall be
4 paid by the registrant.

5 Sec. 15. Section 32-325, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-325 (1) A registration application completed and
8 signed by a registered voter seeking to update his or her voter
9 registration record shall be completed in person at or delivered or
10 mailed to the office of the election commissioner or county clerk.
11 To avoid additional requirements at the polling place pursuant to
12 section 32-914.01, 32-914.02, or 32-915 or section 28 of this act,
13 an application to update a voter registration record must be:

14 (a) Completed at or delivered by the applicant in person
15 at to the office of the election commissioner or county clerk by
16 the applicant in person on or before the deadline second Friday
17 preceding the election as prescribed in section 32-302; or

18 (b) ~~Delivered~~ Mailed to the office of the election
19 commissioner or county clerk or delivered by a personal messenger
20 or personal agent or mailed to the office so that it is received by
21 the election commissioner or county clerk on or before the deadline
22 prescribed in subsection (3) of section 32-321.

23 (2) After verifying the signature on the previous
24 registration of the registered voter, the election commissioner or
25 county clerk shall make the change of name, party affiliation,

1 or address on all pertinent election records. The election
2 commissioner or county clerk shall send an acknowledgment card to
3 the registered voter indicating that the change of registration
4 has been completed and shall include the address of the registered
5 voter's new polling place.

6 Sec. 16. Section 32-813, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-813 (1) The names of all candidates and all proposals
9 to be voted upon at the general election shall be arranged upon
10 the ballot in parts separated from each other by bold lines in
11 the order the offices and proposals are set forth in this section.
12 If any office is not subject to the upcoming election, the office
13 shall be omitted from the ballot and the remaining offices shall
14 move up so that the same relative order is preserved. The order of
15 any offices may be altered to allow for the best utilization of
16 ballot space in order to avoid printing a second ballot when one
17 ballot would be sufficient if an optical-scan ballot is used. All
18 proposals on the ballot shall remain separate from the offices, and
19 the proposals shall follow all offices on the ballot.

20 (2) (a) If the election is in a year in which a President
21 of the United States is to be elected, the names and spaces for
22 voting for candidates for President and Vice President shall be
23 entitled Presidential Ticket in boldface type.

24 (b) The names of candidates for President and Vice
25 President for each political party shall be grouped together, and

1 each group shall be enclosed with brackets with the political party
2 name next to the brackets and one square or oval opposite the names
3 in which the ~~voter~~ elector indicates his or her choice.

4 (c) The names of candidates for President and Vice
5 President who have successfully petitioned on the ballot for the
6 general election shall be grouped together with the candidates
7 appearing on the same petition being grouped together, and each
8 group shall be enclosed with brackets with the words "By Petition"
9 next to the brackets and one square or oval opposite the names in
10 which the ~~voter~~ elector indicates his or her choice.

11 (d) Beneath the names of the candidates for President and
12 Vice President certified by the officers of the national political
13 party conventions pursuant to section 32-712 and beneath the names
14 of all candidates for President and Vice President placed on the
15 general election ballot by petition, two write-in lines shall be
16 provided in which the ~~voter~~ elector may fill in the names of the
17 candidates of his or her choice. The lines shall be enclosed with
18 brackets with one square or oval opposite the names in which the
19 ~~voter~~ elector indicates his or her choice. The name appearing on
20 the top line shall be considered to be the candidate for President,
21 and the name appearing on the second line shall be considered to be
22 the candidate for Vice President.

23 (3) The names and spaces for voting for candidates for
24 United States Senator if any are to be elected shall be entitled
25 United States Senatorial Ticket in boldface type.

1 (4) The names and spaces for voting for candidates for
2 Representatives in Congress shall be entitled Congressional Ticket
3 in boldface type. Above the candidates' names, the office shall be
4 designated For Representative in Congress District.

5 (5) The names and spaces for voting for candidates for
6 the various state officers shall be entitled State Ticket in
7 boldface type. Each set of candidates shall be separated by lines
8 across the column, and above each set of candidates shall be
9 designated the office for which they are candidates, arranged in
10 the order prescribed by the Secretary of State. The candidates
11 for Governor of each political party receiving the highest number
12 of votes in the primary election shall be grouped together with
13 their respective candidates for Lieutenant Governor. Each group
14 shall be enclosed with brackets with the political party name next
15 to the brackets and one square or oval opposite the names in
16 which the ~~voter~~ elector indicates his or her choice for Governor
17 and Lieutenant Governor jointly. The candidates for Governor and
18 Lieutenant Governor who have successfully petitioned on the general
19 election ballot shall be grouped together with the candidates
20 appearing on the same petition being grouped together. Each group
21 shall be enclosed with brackets with the words "By Petition" next
22 to the brackets and one square or oval opposite the names in which
23 the ~~voter~~ elector indicates his or her choice for Governor and
24 Lieutenant Governor jointly. Beneath the names of the candidates
25 for Governor nominated at a primary election by political party

1 and their respective candidates for Lieutenant Governor and beneath
2 the names of all candidates for Governor and Lieutenant Governor
3 placed on the general election ballot by petition, one write-in
4 line shall be provided in which the ~~registered voter~~ elector may
5 fill in the name of the candidate for Governor of his or her choice
6 and one square or oval opposite the line in which the ~~voter~~ elector
7 indicates his or her choice for Governor.

8 (6) The names and spaces for voting for nonpartisan
9 candidates shall be entitled Nonpartisan Ticket in boldface type.
10 The names of all nonpartisan candidates shall appear in the order
11 listed in this subsection, except that when using an optical-scan
12 ballot, the order of offices may be altered to allow for the best
13 utilization of ballot space to avoid printing a second ballot when
14 one ballot would be sufficient:

- 15 (a) Legislature;
- 16 (b) State Board of Education;
- 17 (c) Board of Regents of the University of Nebraska;
- 18 (d) Chief Justice of the Supreme Court;
- 19 (e) Judge of the Supreme Court;
- 20 (f) Judge of the Court of Appeals;
- 21 (g) Judge of the Nebraska Workers' Compensation Court;
- 22 (h) Judge of the District Court;
- 23 (i) Judge of the Separate Juvenile Court;
- 24 (j) Judge of the County Court; and
- 25 (k) County officers in the order prescribed by the

1 election commissioner or county clerk.

2 (7) The names and spaces for voting for the various
3 county offices and for measures submitted to the county vote only
4 or in only a part of the county shall be entitled County Ticket in
5 boldface type. If the election commissioner or county clerk deems
6 it advisable, the measures may be submitted on a separate ballot if
7 using a paper ballot or on either side of an optical-scan ballot if
8 the ballot is placed in a ballot envelope or sleeve before being
9 deposited in a ballot box.

10 (8) The candidates for office in the precinct only or
11 in the city or village only shall be printed on the ballot,
12 except that if the election commissioner or county clerk deems
13 it advisable, candidates for these offices may be submitted on a
14 separate ballot if using a paper ballot or on either side of an
15 optical-scan ballot if the ballot is placed in a ballot envelope or
16 sleeve before being deposited in a ballot box.

17 (9) All proposals submitted by initiative or referendum
18 and proposals for constitutional amendments shall be placed on a
19 separate ballot when a paper ballot is used which requires that
20 the ballot after being voted be folded before being deposited in
21 a ballot box. When an optical-scan ballot is used which requires
22 a ballot envelope or sleeve in which the ballot after being voted
23 is placed before being deposited in a ballot box, initiative or
24 referendum proposals and proposals for constitutional amendments
25 may be placed on either side of the ballot, shall be separated

1 by a bold line, and shall follow all other offices placed on the
2 same side of the ballot. Initiative or referendum proposals and
3 constitutional amendments so arranged shall constitute a separate
4 ballot. Proposals for constitutional amendments proposed by the
5 Legislature shall be placed on the ballot as provided in sections
6 49-201 to 49-211.

7 Sec. 17. Section 32-816, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-816 (1) A blank space shall be provided at the
10 end of each office division on the ballot for ~~registered voters~~
11 electors to fill in the name of any person for whom they wish
12 to vote and whose name is not printed upon the ballot, except
13 that (a) at the primary election there shall be no write-in
14 space for delegates to the county political party convention,
15 delegates to the national political party convention, directors of
16 natural resources districts, or directors of public power districts
17 and (b) at the general election there shall be no write-in
18 space for directors of reclamation districts, members of the
19 board of educational service units, directors of natural resources
20 districts, directors of public power districts, or members of
21 county weed district boards. A square or oval shall be printed
22 opposite each write-in space similar to the square or oval placed
23 opposite other candidates and issues on the ballot. The square or
24 oval shall be marked to vote for a write-in candidate whose name
25 appears in the write-in space provided.

1 (2) The Secretary of State shall approve write-in space
2 for optical-scan ballots and electronic voting systems. Adequate
3 provision shall be made for write-in votes sufficient to allow one
4 write-in space for each office to be elected at any election except
5 offices for which write-in votes are specifically prohibited. The
6 write-in ballot shall clearly identify the office for which such
7 write-in vote is cast. The write-in space shall be a part of the
8 official ballot, may be on the envelope or a separate piece of
9 paper from the printed portion of the ballot, and shall allow the
10 voter adequate space to fill in the name of the candidate for whom
11 he or she desires to cast his or her ballot.

12 Sec. 18. Section 32-901, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 32-901 (1) To vote for a candidate or on a ballot
15 question using a paper ballot that is to be manually counted, the
16 ~~registered voter~~ elector shall make a cross or other clear,
17 discernable mark in the square opposite the name of every
18 candidate, including write-in candidates, for whom he or she
19 desires to vote and, in the case of a ballot question, opposite the
20 answer he or she wishes to give. Making a cross or other clear,
21 discernable mark in the square constitutes a valid vote.

22 (2) To vote for a candidate or on a ballot question
23 using a ballot that is to be counted by optical scanner, the
24 ~~registered voter~~ elector shall fill in the oval or other space
25 provided opposite the name of every candidate, including write-in

1 candidates, for whom he or she desires to vote and, in the case of
2 a ballot question, opposite the answer he or she wishes to give.
3 A mark in the oval or provided space that is discernable by the
4 scanner constitutes a valid vote.

5 (3) To vote for a candidate or on a ballot question using
6 an electronic voting system, the ~~registered voter~~ elector shall
7 follow the instructions for using the electronic voting system
8 to cause a mark to be recorded opposite the candidate or ballot
9 question response for which the voter wishes to vote. Causing such
10 mark to be recorded constitutes a valid vote.

11 Sec. 19. Section 32-902, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 32-902 (1) The election commissioner or county clerk
14 shall cause instructions for the guidance of ~~registered voters~~
15 electors in preparing their ballots to be printed in large, clear
16 type on cards in English. He or she shall furnish at least five
17 such cards to each polling place in each precinct at the same time
18 and in the same manner as the printed ballots. The judges or clerks
19 of election shall post such cards in each voting booth on the day
20 of election. The card shall contain full instructions on preparing
21 and casting ballots, including how to cast a write-in vote. The
22 form and contents of the cards shall be approved by the Secretary
23 of State.

24 (2) The election commissioner or county clerk shall cause
25 voting information to be posted in each polling place on the day

1 of election. The voting information shall include the following
2 information as approved by the Secretary of State:

3 (a) Information regarding the date of the election and
4 the hours during which polling places will be open;

5 (b) Instructions for voters who registered to vote by
6 mail and first-time voters;

7 (c) General information on voting rights under applicable
8 federal and state laws, including information on the right of an
9 individual to cast a provisional ballot and instructions on how to
10 contact the appropriate officials if these rights are alleged to
11 have been violated; and

12 (d) General information on federal and state laws
13 regarding prohibitions on acts of fraud and misrepresentation.

14 Sec. 20. Section 32-904, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 32-904 The election commissioner or county clerk shall
17 designate the polling places for each precinct at which the
18 ~~registered voters~~ electors of the precinct will cast their votes.
19 Polling places representing different precincts may be combined at
20 a single location when potential sites cannot be found, contracts
21 for utilizing polling sites cannot be obtained, or a potential site
22 is not accessible to handicapped persons. When combining polling
23 places at a single site for an election other than a special
24 election, the election commissioner or county clerk shall clearly
25 separate the polling places from each other and maintain separate

1 receiving boards. When combining polling places at a single site
2 for a special election, the election commissioner or county clerk
3 may combine the polling places and receiving boards. Polling places
4 shall not be changed between the statewide primary and general
5 elections unless the election commissioner or county clerk has
6 been authorized to make such change by the Secretary of State. If
7 changes are authorized, the election commissioner or county clerk
8 shall notify each state and local candidate affected by the change.
9 Notwithstanding any other provision of the Election Act, the
10 Secretary of State may adopt and promulgate rules and regulations,
11 with the consent of the appropriate election commissioner or
12 county clerk, for the establishment of polling places which may
13 be used for voting pursuant to section 32-1041 for the twenty
14 days preceding the day of election. Such polling places shall be
15 in addition to the office of the election commissioner or county
16 clerk and the polling places otherwise established pursuant to this
17 section.

18 Sec. 21. Section 32-906, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 32-906 (1) The election commissioner or county clerk
21 shall provide each polling place with ballot boxes, ballot box
22 locks and keys, and a sufficient number of voting booths furnished
23 with supplies and conveniences to enable each ~~registered voter~~
24 elector to prepare his or her ballot for voting and to secretly
25 mark his or her ballot. One voting booth shall be provided for

1 approximately every one hundred registered voters in the precinct.
2 The election commissioner or county clerk may increase or decrease
3 the number of voting booths to accommodate the expected voter
4 turnout of any election other than a statewide election.

5 (2) When there is no structure within the precinct
6 suitable for use as a polling place, the election commissioner or
7 county clerk may designate a polling place outside the precinct
8 and convenient thereto which shall be provided with voting booths
9 furnished with supplies and conveniences as are other polling
10 places.

11 (3) Standards for polling places shall include any
12 applicable standards developed under sections 81-5,147 and
13 81-5,148.

14 Sec. 22. Section 32-907, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 32-907 All polling places shall be accessible to all
17 ~~registered voters~~ electors and shall be in compliance with the
18 federal Americans with Disabilities Act of 1990, as amended. All
19 polling places shall be modified or relocated to architecturally
20 barrier-free buildings to provide unobstructed access to such
21 polling places by people with physical limitations. At least one
22 voting booth shall be so constructed as to provide easy access
23 for people with limitations and shall accommodate a wheelchair. The
24 modifications required by this section may be of a temporary nature
25 to provide such unobstructed access only on election day.

1 Sec. 23. Section 32-910, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-910 Any judge or clerk of election, precinct or
4 district inspector, sheriff, or other peace officer shall clear
5 the passageways and prevent obstruction of the doors or entries
6 and provide free ingress to and egress from the polling place or
7 building and shall arrest any person obstructing such passageways.
8 Other than a ~~registered voter~~ an elector engaged in receiving,
9 preparing, or marking a ballot, an election commissioner, a county
10 clerk, a precinct inspector, a district inspector, a judge of
11 election, a clerk of election, or a member of a counting board, no
12 person shall be permitted to be within eight feet of the ballot
13 boxes or within eight feet of any ballots being counted by a
14 counting board.

15 Sec. 24. Section 32-912, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-912 (1) Any ~~registered voter~~ elector desiring to vote
18 in a primary election held under the Election Act shall be entitled
19 to participate in such primary election upon presenting himself
20 or herself at the polling place for his or her residence. A
21 registered voter who is affiliated with a political party shall
22 receive from the receiving board all nonpartisan ballots and the
23 partisan ballot of the political party indicated on his or her
24 voter registration. Except as provided in subsections (2) and (3)
25 of this section, a registered voter who is not affiliated with

1 any political party shall receive only nonpartisan ballots at a
2 primary election. An elector who registers to vote under section
3 13 of this act shall receive (a) nonpartisan ballots, (b) if he
4 or she designates a political party affiliation on his or her
5 voter registration application, the partisan ballots of that party,
6 and (c) if no political party affiliation is designated, partisan
7 ballots as allowed under subsections (2) and (3) of this act.

8 (2) Any political party may allow registered voters or
9 electors registering to vote under section 13 of this act who
10 are not affiliated with a political party to vote in the primary
11 election for any elective office for which the party has candidates
12 except for the office of delegate to the party's county, state,
13 or national convention. Any political party desiring to permit
14 such registered voters or electors to vote for candidates of that
15 party in the primary election shall file a letter stating that
16 the governing body of the political party has adopted a rule
17 allowing registered voters or electors who are not affiliated with
18 a political party to vote in the primary election for candidates
19 of that party. The letter and copy of the adopted rule shall
20 be filed with the Secretary of State at least sixty days before
21 the primary election. The Secretary of State shall notify the
22 appropriate election commissioners and county clerks in writing
23 that the political party filing the letter will allow registered
24 voters or electors who are not affiliated with a political party
25 to vote in the primary election for candidates of that party. Once

1 filed, the rule allowing such voters or electors to vote in such
2 primary election shall be irrevocable and shall apply only to the
3 primary election immediately following the adoption of the rule.

4 (3) A registered voter or elector registering to vote
5 under section 13 of this act who is not affiliated with a political
6 party and who desires to vote in the primary election for the
7 office of United States Senator or United States Representative
8 may request a partisan ballot for either or both of such offices
9 from any political party. The election commissioner or county clerk
10 shall post a notice in a conspicuous location, easily visible and
11 readable by voters prior to approaching the receiving board, that a
12 registered voter or elector who is not affiliated with a political
13 party may request such ballots. No such registered voter or elector
14 shall receive more than one such partisan ballot.

15 (4) The registered voters and electors registering to
16 vote under section 13 of this act residing in a political
17 subdivision may cast their ballots for candidates for the offices
18 in that subdivision and for issues proposed for that subdivision,
19 except that when officers are to be nominated or elected from a
20 subdistrict of the political subdivision, the registered voters and
21 electors residing in the subdistrict may only vote for candidates
22 from the subdistrict and for candidates for officers to be elected
23 at large from the whole political subdivision.

24 Sec. 25. Section 32-913, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 32-913 (1) The clerks of election shall have a list of
2 registered voters of the precinct and a sign-in register at the
3 polling place on election day. The list of registered voters shall
4 be used for guidance on election day and may be in the form of a
5 computerized, typed, or handwritten list or precinct registration
6 cards. ~~Registered voters~~ Electors of the precinct shall place and
7 record their signature in the sign-in register before receiving any
8 ballot. The list of registered voters and the sign-in register may
9 be combined into one document at the discretion of the election
10 commissioner or county clerk. If a combined document is used, a
11 clerk of election may list the names of the ~~registered voters~~
12 electors in a separate book in the order in which they voted.

13 (2) Within twenty-four hours after the polls close in the
14 precinct, the precinct inspector or one of the judges of election
15 shall deliver the precinct list of registered voters and the
16 precinct sign-in register to the election commissioner or county
17 clerk. The election commissioner or county clerk shall file and
18 preserve the list and register. No member of a receiving board who
19 has custody or charge of the precinct list of registered voters and
20 the precinct sign-in register shall permit the list or register to
21 leave his or her possession from the time of receipt until he or
22 she delivers them to another member of the receiving board or to
23 the precinct inspector or judge of election for delivery to the
24 election commissioner or county clerk.

25 Sec. 26. Section 32-914, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 32-914 (1) Official ballots shall be used at all
3 elections. No person shall receive a ballot or be entitled to
4 vote unless and until he or she is registered as a voter except
5 as provided in section 32-914.01, 32-914.02, 32-915, 32-915.01, or
6 32-936 or section 28 of this act.

7 (2) Except as otherwise specifically provided, no ballot
8 shall be handed to any voter at any election until:

9 (a) He or she announces his or her name and address to
10 the clerk of election;

11 (b) The clerk has found that he or she is a registered
12 voter at the address as shown by the precinct list of registered
13 voters unless otherwise entitled to vote in the precinct under
14 section 32-328, 32-914.01, 32-914.02, 32-915, or 32-915.01 or
15 section 28 of this act;

16 (c) The voter has presented a photographic identification
17 which is current and valid at the time of the election, or a
18 copy of a utility bill, bank statement, paycheck, government check,
19 or other government document which is current at the time of the
20 election and which shows the same name and residence address of
21 the voter that is on the precinct list of registered voters, if
22 the voter registered by mail after January 1, 2003, and has not
23 previously voted in an election for a federal office within the
24 county and a notation appears on the precinct list of registered
25 voters that the voter has not previously presented identification

1 to the election commissioner or county clerk;

2 (d) As instructed by the clerk of election, the
3 registered voter has personally written his or her name (i) in the
4 precinct sign-in register on the appropriate line which follows
5 the last signature of any previous voter or (ii) in the combined
6 document containing the precinct list of registered voters and the
7 sign-in register; and

8 (e) The clerk has listed on the precinct list of
9 registered voters the corresponding line number and name of the
10 registered voter or has listed the name of the voter in a separate
11 book as provided in section 32-913.

12 Sec. 27. Section 32-915, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 32-915 (1) A person who is a registered voter in the
15 precinct in which he or she resides and whose name does not appear
16 on the precinct list of registered voters at the polling place for
17 the precinct in which he or she resides or whose name appears with
18 a notation that he or she received a ballot for early voting may
19 vote a provisional ballot if he or she:

20 (a) Claims that he or she is a registered voter who has
21 continuously resided in the county in which the precinct is located
22 since registering to vote;

23 (b) Is not entitled to vote under section 32-914.01 or
24 32-914.02;

25 (c) Has not registered to vote or voted in any other

1 county since registering to vote in the county in which the
2 precinct is located;

3 (d) Has appeared to vote at the polling place for the
4 precinct to which the person would be assigned based on his or her
5 residence address; and

6 (e) Completes and signs a registration application before
7 voting.

8 (2) A voter whose name appears on the precinct list
9 of registered voters for the polling place with a notation
10 that the voter is required to present identification pursuant
11 to section 32-318.01 but fails to present identification may vote a
12 provisional ballot if he or she completes and signs a registration
13 application before voting.

14 (3) Each person voting by provisional ballot shall
15 enclose his or her ballot in an envelope marked Provisional
16 Ballot and shall, by signing the certification on the front of the
17 envelope or a separate form attached to the envelope, certify to
18 the following facts:

19 (a) I am a registered voter in County;

20 (b) My name did not appear on the precinct list of
21 registered voters;

22 (c) I registered to vote on or about this date
23

24 (d) I registered to vote
25 in person at the election office or a voter

1 registration site,

2 by mail,

3 on a form through the Department of Motor Vehicles,

4 on a form through another state agency,

5 in some other way;

6 (e) I have not resided outside of this county or voted
7 outside of this county since registering to vote in this county;

8 (f) My current address is shown on the registration
9 application completed as a requirement for voting by provisional
10 ballot; and

11 (g) I am eligible to vote in this election and I have not
12 voted and will not vote in this election except by this ballot.

13 (4) The voter shall sign the certification under penalty
14 of election falsification. The following statements shall be on
15 the front of the envelope or on the attached form: By signing the
16 front of this envelope or the attached form you are certifying to
17 the information contained on this envelope or the attached form
18 under penalty of election falsification. Election falsification
19 is a Class IV felony and may be punished by up to five years
20 imprisonment, a fine of up to ten thousand dollars, or both.

21 (5) If the person's name does not appear on the precinct
22 list of registered voters for the polling place and the judge or
23 clerk of election determines that the person's residence address is
24 located in another precinct within the same county, the judge or
25 clerk of election shall direct the person to his or her correct

1 polling place to vote.

2 Sec. 28. If an elector is not registered to vote in the
3 county of his or her residence, he or she is entitled to vote
4 on election day upon completing and signing a voter registration
5 application as provided in section 13 of this act at the office of
6 the election commissioner or county clerk of the county for his or
7 her place of residence. If the election is conducted by mail as
8 provided in sections 32-953 to 32-959, the elector shall register
9 to vote and vote at the office of the election commissioner or
10 county clerk.

11 Sec. 29. Section 32-916, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 32-916 (1) Two judges of election or a precinct inspector
14 and a judge of election shall affix their initials to the official
15 ballots. The judge of election shall deliver a ballot to each
16 ~~registered voter~~ elector after complying with section 32-914.

17 (2) After voting the ballot, the ~~registered voter~~ elector
18 shall, as directed by the judge of election, fold his or her ballot
19 or place the ballot in the ballot envelope or sleeve so as to
20 conceal the voting marks and to expose the initials affixed on
21 the ballot. The ~~registered voter~~ elector shall, without delay and
22 without exposing the voting marks upon the ballot, deliver the
23 ballot to the judge of election before leaving the enclosure in
24 which the voting booths are placed.

25 (3) The judge of election shall, without exposing the

1 voting marks on the ballot, approve the exposed initials upon the
2 ballot and deposit the ballot in the ballot box in the presence of
3 the ~~registered voter~~ elector. No judge of election shall deposit
4 any ballot in a ballot box unless the ballot has been identified as
5 having the appropriate initials. Any ballot not properly identified
6 shall be rejected in the presence of the voter, the judge of
7 election shall make a notation on the ballot Rejected, not properly
8 identified, and another ballot shall be issued to the voter and
9 the voter shall then be permitted to cast his or her ballot. If
10 the ballot is in order, the judge shall deposit the ballot in
11 the ballot box in the presence of the voter and the voter shall
12 promptly leave the polling place. The judges of election shall
13 maintain the secrecy of the rejected ballots and shall cause the
14 rejected ballots to be made up in a sealed packet. The judges of
15 election shall endorse the packet with the words Rejected Ballots
16 and the designation of the precinct. The judges of election shall
17 sign the endorsement label and shall return the packet to the
18 election commissioner or county clerk with a statement by the
19 judges of election showing the number of ballots rejected.

20 (4) Upon receiving a provisional ballot as provided in
21 section 32-915, the judge of election shall give the voter written
22 information that states that the voter may determine if his or
23 her vote was counted and, if not, the reason that the vote was
24 not counted by accessing the system created pursuant to section
25 32-202 and the judge of election shall ensure that the appropriate

1 information is on the outside of the envelope in which the ballot
2 is enclosed or attached to the envelope, attach the statement
3 required by section 32-915 if not contained on the envelope, and
4 place the entire envelope into the ballot box. Upon receiving a
5 provisional ballot as provided in section 32-915.01, the judge
6 of election shall comply with the requirements for a provisional
7 ballot under this subsection, except that a provisional ballot cast
8 pursuant to section 32-915.01 shall be kept separate from the other
9 ballots cast at the election.

10 Sec. 30. Section 32-917, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 32-917 Any ~~registered voter~~ elector who spoils his or
13 her ballot may receive another ballot after returning the spoiled
14 ballot. No ~~registered voter~~ elector shall receive more than four
15 ballots in all. The ~~registered voter~~ elector shall write invalid
16 or void on the spoiled ballot and return it to the judges of
17 election. The judges of election shall maintain the secrecy of the
18 spoiled ballots and shall cause the spoiled ballots to be made up
19 in a sealed packet. The judges of election shall endorse the packet
20 with the words Spoiled Ballots and the designation of the precinct.
21 The judges of election shall sign such endorsement label and shall
22 return the packet to the election commissioner or county clerk with
23 a statement by the judges of election showing the number of ballots
24 spoiled.

25 Sec. 31. Section 32-918, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 32-918 (1) If a ~~registered voter~~ an elector declares
3 to the judge of election that he or she cannot read or that he
4 or she suffers blindness or other physical disability or handicap
5 such that the ~~registered voter~~ elector requires assistance in the
6 marking of his or her ballot, (a) the ~~registered voter~~ elector may
7 be assisted in marking his or her ballot by a relative or friend
8 of his or her selection or (b) one judge of election and one clerk
9 of election of different political parties may take the ballot
10 or ballots from the polling place to a convenient place within
11 the building or to the ~~registered voter's~~ elector's automobile if
12 the automobile is within one block of the polling place and the
13 disabled or handicapped person may cast his or her ballot in the
14 general presence of the judge and clerk. If a ~~registered voter~~ an
15 elector declares to the judge of election that he or she needs
16 assistance in the operation of a voting device, a judge or clerk of
17 election may assist the voter in operating the device.

18 (2) The judge and clerk shall give no information
19 regarding the casting of the ballot. Any ~~registered voter~~ elector
20 receiving assistance in voting the ballot from a judge and clerk
21 shall declare to the judge and clerk the name of the candidates and
22 the measures for which he or she desires to vote, and the judge and
23 clerk shall cast his or her ballot only as he or she so requests.
24 No person other than the ~~registered voter~~ elector who is receiving
25 assistance shall divulge to anyone within the polling place the

1 name of any candidate for whom he or she intends to vote or ask or
2 receive assistance within the polling place in the preparation of
3 his or her ballot.

4 (3) The judges of election shall enter Assistance
5 Rendered upon the precinct sign-in register near the name of any
6 ~~registered voter~~ elector who receives such assistance in casting
7 his or her ballot and shall include the name of such person
8 rendering assistance to the ~~registered voter,~~ elector. The person
9 rendering assistance shall sign an oath before a judge of election
10 substantially as follows:, hereby swears that he
11 or she is a friend or relative of, a disabled
12 ~~registered voter~~ elector who requested assistance in casting the
13 ballot, that he or she did enter the voting booth or aid such voter
14 outside of the voting booth and marked the ballot according to the
15 intentions and desires of the ~~registered voter,~~ elector, that he or
16 she has kept the ballot at all times in his or her possession, and
17 that the ballot was duly delivered to the judge of election on this
18 day of 20.... .

19 Sec. 32. Section 32-919, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 32-919 Every ~~registered voter~~ elector receiving a ballot
22 shall, before leaving the polling room, vote or, if he or she does
23 not wish to vote, return all ballots so received to be deposited
24 into the ballot box by a member of the receiving board. No person
25 receiving a ballot shall take the same from the polling room except

1 as authorized in the Election Act. No person shall remove any
2 ballot from the polling room before the closing of the polls except
3 as otherwise authorized under the Election Act. Any person taking
4 a ballot from the polling room in violation of this section shall
5 forfeit and lose his or her right to vote at the election. If
6 an inspector or a judge or clerk of election observes a person
7 about to violate this section, the inspector, judge, or clerk shall
8 inform the person of the penalties provided in this section and
9 section 32-1535.

10 Sec. 33. Section 32-920, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 32-920 A ~~registered voter~~ An elector may take with him
13 or her into the polling place any printed or written memorandum or
14 paper to assist him or her in preparing or marking the ballot.

15 Sec. 34. Section 32-921, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-921 Except as provided in subsection (1) of section
18 32-918, no ~~registered voter~~ elector shall be allowed to occupy a
19 voting booth occupied by another. A ~~registered voter~~ An elector
20 shall not remain within the enclosure in which the voting booths
21 are situated more than twenty minutes unless he or she is in line
22 waiting to vote or voting. A ~~registered voter~~ An elector shall not
23 occupy a voting booth for more than ten minutes.

24 Sec. 35. Section 32-922, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 32-922 Any ~~registered voter~~ elector who does not have two
2 consecutive hours in the period between the time of the opening and
3 closing of the polls during which he or she is not required to be
4 present at work for an employer shall be entitled on election day
5 to be absent from employment for such a period of time as will in
6 addition to his or her nonworking time total two consecutive hours
7 between the time of the opening and closing of the polls. If the
8 ~~registered voter~~ elector applies for such leave of absence prior
9 to or on election day, the ~~registered voter~~ elector shall not be
10 liable for any penalty and no deduction shall be made from his or
11 her salary or wages on account of such absence. The employer may
12 specify the hours during which the employee may be absent.

13 Sec. 36. Section 32-923, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 32-923 ~~Registered voters~~ Electors shall in all cases,
16 except treason, felony, or breach of the peace, be privileged
17 from arrest during the attendance at elections and while going to
18 and returning from the same. No ~~registered voter~~ elector shall be
19 obliged to do military duty on election day except in time of war
20 and public danger.

21 Sec. 37. Section 32-925, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 32-925 If any person conducts himself or herself in a
24 noisy, riotous, or tumultuous manner at or about the polls so as to
25 disturb the election or insults or abuses the precinct or district

1 inspectors or judges or clerks of election and persists in such
2 conduct after being warned to desist, any election commissioner,
3 county clerk, inspector, judge of election, police officer, or
4 sheriff shall arrest him or her without warrant and bring him or
5 her before the county court. Such person shall be permitted to vote
6 if he or she is a ~~registered voter~~, an elector.

7 Sec. 38. Section 32-927, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-927 If any person offering to vote is challenged by
10 an inspector, judge or clerk of election, or registered voter,
11 the person shall, in the presence of an inspector or a judge of
12 election, affix his or her signature and print his or her name and
13 address on the following oath: I do solemnly swear that I will
14 fully and truly answer all such questions put to me related to
15 my place of residence and qualifications as a ~~registered voter~~ an
16 elector at this election. The inspector or judge of election shall
17 require the ~~registered voter~~ elector to comply with sections 32-928
18 to 32-930 as applicable and shall ask any other questions to the
19 person challenged as necessary to test his or her qualifications as
20 a ~~registered voter~~ an elector at that election.

21 Sec. 39. Section 32-929, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 32-929 If a person is challenged on the ground that
24 he or she is not a resident of this state, the county, or the
25 precinct, the person shall answer the following questions on the

1 form provided by the election commissioner or county clerk:

2 Do you have a residence in this state: Yes or No?

3 Do you have a residence in this county: Yes or No?

4 Do you have a residence in this precinct: Yes or No?

5 If a person has moved from one residence to another
 6 within the precinct in which he or she is registered to vote, such
 7 voter shall be entitled to vote as provided in section 32-914.02.
 8 If a person has moved from one residence to another within the
 9 county in which he or she is registered to vote, such voter shall
 10 be entitled to vote a provisional ballot as provided in section
 11 32-915. If a person has moved from a residence outside of the
 12 county in which he or she resides and has not registered to vote in
 13 such county, such person shall be entitled to register and vote as
 14 provided in section 32-933 or section 28 of this act.

15 Sec. 40. Section 32-933, Reissue Revised Statutes of
 16 Nebraska, is amended to read:

17 32-933 (1) Any person listed in this subsection shall be
 18 eligible as a new resident to vote ~~for President and Vice President~~
 19 ~~of the United States at the statewide general election; but for no~~
 20 ~~other offices.~~

21 (a) Any citizen of the United States who is at least
 22 the constitutionally prescribed age of a voter and who comes into
 23 Nebraska after the voter registration period is closed pursuant to
 24 section 32-302 for the purpose of making Nebraska his or her place
 25 of residence; and

1 (b) Any registered voter who moves from one county
2 to another county within Nebraska after the close of the voter
3 registration period.

4 (2) Any registered voter who moves from Nebraska to
5 another state or to the District of Columbia for the purpose of
6 making such new location his or her place of residence after the
7 close of the voter registration period for such location shall
8 be eligible as a former resident to vote for President and Vice
9 President of the United States at the statewide general election
10 but for no other offices.

11 (3) Any person described in subsection (1) of this
12 section shall cast his or her ballot in the office of the election
13 commissioner or county clerk at any time between the close of the
14 voter registration period and the close of the polls on election
15 day. ~~Such ballots shall be available after the close of the voter~~
16 ~~registration period.~~ business on the day prior to election day or
17 may register and vote on election day as provided in sections 13
18 and 28 of this act. Ballots for former residents under subsection
19 (2) of this section shall be available thirty-five days prior to
20 the election. ~~The ballots~~ and may be (a) voted in the office
21 of the election commissioner or county clerk at any time between
22 thirty-five days prior to the election and the close of the polls
23 on election day, ~~or the ballots may be (b)~~ mailed to the office and
24 counted if they arrive before the close of the polls on election
25 day.

1 Sec. 41. Section 32-934, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-934 Any person who desires to vote pursuant to section
4 32-933 shall execute an affidavit in duplicate substantially as
5 follows:

6 I,, do solemnly swear that:

7 1. I am a citizen of the United States.

8 2. Before moving, I resided at the following address
9 (describing it by street and number if in a city or village and by
10 section, township, and range if outside of a city or village, and
11 the precinct, city, county, and state in which such residence is
12 located):

13

14

15 3. On the day of the next presidential election, I will
16 be at least the constitutionally prescribed age of a voter and I
17 reside at the following address:

18

19

20 4. I am unable to vote ~~for all offices~~ because the voter
21 registration deadline has passed and, ~~under the Election Act,~~ I
22 believe I am entitled to vote for the candidates for President
23 and Vice President of the United States I am unable to go to the
24 election office and register and vote at the election to be held
25 November, 20.... .

1 5. I hereby make application for a presidential and
2 vice-presidential ballot or a statewide election ballot, as
3 applicable. I have not voted and will not vote otherwise than by
4 this ballot ~~for President and Vice President.~~ at this election.

5 Sec. 42. Section 32-935, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-935 The election commissioner or county clerk shall
8 immediately mail the duplicate of the affidavit described in
9 section 32-934 to the appropriate official of the state ~~or county~~
10 ~~in Nebraska~~ in which the applicant last resided. Upon receipt, the
11 election commissioner or county clerk shall file each duplicate
12 application or other official information from another state ~~or~~
13 ~~county in Nebraska~~ or the District of Columbia indicating that
14 a former resident of this state ~~or county in Nebraska~~ has made
15 application to vote at a presidential election in another state
16 ~~or county in Nebraska~~ or the District of Columbia and shall
17 maintain an alphabetical index of such information for a period of
18 twenty-two months after the election.

19 Sec. 43. Section 32-936, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 32-936 If satisfied that the application is proper and
22 that the applicant is qualified to vote under section 32-933,
23 the election commissioner or county clerk shall deliver to the
24 applicant a ballot for President and Vice President of the United
25 States or the statewide general election, as applicable. After

1 voting the ballot, the voter shall securely seal the ballot in
2 an envelope furnished by the election commissioner or county
3 clerk. On the back of the envelope shall be imprinted a statement
4 substantially as follows:

5 Certification of New (or Former) Resident Voter

6 I have qualified as a new (or former) resident voter in
7 this state or county. I have not applied nor do I intend to apply
8 for a ballot for early voting from the state, county in Nebraska,
9 or District of Columbia from which I have moved. I have not voted
10 and I will not vote at this election otherwise than by this ballot.

11 The voter shall sign and date the certification upon the
12 envelope. The election commissioner or county clerk shall keep the
13 envelope in his or her office until delivered by him or her to the
14 counting board under section 32-1027.

15 Sec. 44. Section 32-937, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-937 The election commissioner or county clerk shall
18 keep open to public inspection a list of all persons voting in
19 the county as new or former residents which shows their names,
20 addresses, and application dates. The election commissioner or
21 county clerk shall record the name of any person voting pursuant
22 to section 32-933 in the list of voters book with a notation
23 designating him or her as a new or former resident voting ~~for~~
24 ~~President and Vice President of the United States only.~~ at the
25 statewide general election.

1 Sec. 45. Section 32-938, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-938 (1) A registered voter shall be permitted to vote
4 early by requesting a ballot for early voting pursuant to section
5 32-941 or 32-943.

6 (2) Any person excluded from voting under section 32-313
7 or 32-314 shall not be allowed to receive a ballot for early
8 voting.

9 (3) Any person who fails to register to vote by the
10 voter registration deadline shall not be allowed to vote except as
11 provided in section 32-940 or 32-941 or section 28 of this act.

12 Sec. 46. Section 32-940, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 32-940 Any person employed in federal service whose
15 status has been terminated by discharge from the armed forces or
16 by separation from employment outside the territorial limits of the
17 United States who was unable to register to vote may (1) register
18 to vote and vote on election day as provided in section 13 of this
19 act or (2) register to vote after the voter registration deadline
20 by completing the necessary voter registration application in the
21 office of the election commissioner or county clerk of the county
22 of his or her residence no later than noon of the day before the
23 election. After completing the voter registration application, such
24 person shall then be allowed to and then vote in the election
25 office.

1 Sec. 47. Section 32-941, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-941 Any registered voter permitted to vote early
4 pursuant to section 32-938 may, not more than one hundred twenty
5 days before any election and not later than 4 p.m. on the Wednesday
6 preceding the election, request a ballot for the election to be
7 mailed to a specific address. A registered voter shall request a
8 ballot in writing to the election commissioner or county clerk in
9 the county where the registered voter has established his or her
10 home and shall indicate his or her residence address, the address
11 to which the ballot is to be mailed if different, and his or
12 her political party, telephone number if available, and precinct
13 if known. The registered voter may use the form published by the
14 election commissioner or county clerk pursuant to section 32-808.
15 The registered voter shall sign the request. A registered voter
16 may use a facsimile machine for the submission of a request for
17 a ballot. The election commissioner or county clerk shall include
18 a registration application with the ballots if the person is not
19 registered. Registration applications shall not be issued or mailed
20 after the second Friday preceding the election, but a notice shall
21 be sent to the person of the provision to register and vote on
22 election day under section 13 of this act. If the person is not
23 registered to vote, the registration application shall be returned
24 not later than the closing of the polls on the day of the election.
25 No ballot issued under this section shall be counted unless such

1 registration application is properly completed and processed.

2 Sec. 48. Section 32-945, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-945 When a request for a ballot from a person who
5 is not registered to vote in the county reaches the election
6 commissioner or county clerk by mail, by facsimile transmission,
7 or by means other than by application in person on or prior to
8 the third Friday preceding the election, the election commissioner
9 or county clerk shall mail to the applicant the registration
10 application with the ballot. No ballot shall be sent by mail to any
11 person after the third Friday preceding the election if such person
12 is not a registered voter, but a notice shall be sent to the person
13 of the provision to register and vote on election day under section
14 13 of this act. When an application for a ballot from a person who
15 is registered in the county reaches the county clerk or election
16 commissioner by mail, facsimile transmission, or other means than
17 by application in person and the application indicates that the
18 applicant has changed his or her residence within the county, the
19 county clerk or election commissioner shall change the address on
20 the applicant's voter registration and mail to such applicant an
21 acknowledgment of change of registration and the ballot as provided
22 by section 32-947.

23 Sec. 49. Section 32-952, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 32-952 If a political subdivision decides to place

1 an issue on the ballot at a special election, the election
2 commissioner or county clerk may conduct the special election
3 by mail as provided in section 32-953 or conduct the special
4 election as otherwise authorized in the Election Act. In making a
5 determination as to whether to conduct the election by mail, the
6 election commissioner or county clerk shall consider whether all of
7 the following conditions are met:

8 (1) All ~~registered voters~~ electors of the political
9 subdivision who register to vote are eligible to vote on the issue
10 or issues submitted to the voters;

11 (2) Only ~~registered voters~~ electors of the political
12 subdivision who register to vote are eligible to vote on the issue
13 or issues submitted to the voters;

14 (3) Only issues and not candidates are submitted to the
15 ~~registered voters~~;

16 (4) A review has been conducted of the costs and the
17 expected voter turnout which may result from holding the election
18 by mail;

19 (5) The election commissioner or county clerk has
20 determined a date for the election which is not the same date as
21 another election in which the ~~registered voters~~ of the political
22 subdivision are eligible to vote;

23 (6) The clerk of the political subdivision will certify
24 the issue or issues to the election commissioner or county clerk at
25 least fifty days prior to the date of the election; and

1 (7) The Secretary of State has approved a written plan
2 for the conduct of the election, including a written timetable for
3 the conduct of the election, submitted by the election commissioner
4 or county clerk. The written plan shall include provisions for the
5 notice of election to be published and for the application for
6 ballots for early voting notwithstanding other statutory provisions
7 regarding the content and publication of a notice of election or
8 the application for ballots for early voting.

9 Sec. 50. Section 32-1001, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 32-1001 After the polls have closed, the precinct list of
12 registered voters and the precinct sign-in register shall be signed
13 by all members of the receiving board, the names of the ~~registered~~
14 voters shall be counted, and the number shall be recorded where
15 designated on the list and the register. If a line is missed or a
16 name is voided, the receiving board shall subtract such omissions
17 or voids from the total before recording the total on the list
18 and the register. The receiving board shall certify to all matters
19 pertaining to casting of ballots and shall turn over the ballots,
20 ballot boxes, precinct list of registered voters, and precinct
21 sign-in register to the election commissioner or county clerk.

22 Sec. 51. Section 32-1002, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 32-1002 (1) As the ballots are removed from the ballot
25 box pursuant to sections 32-1012 to 32-1018, the receiving board

1 shall separate the envelopes containing the provisional ballots
2 from the rest of the ballots and deliver them to the election
3 commissioner or county clerk.

4 (2) Upon receipt of a provisional ballot, the election
5 commissioner or county clerk shall verify that the certificate on
6 the front of the envelope or the form attached to the envelope is
7 in proper form and that the certification has been signed by the
8 voter.

9 (3) The election commissioner or county clerk shall
10 also (a) verify that such person has not voted anywhere else
11 in the county or been issued a ballot for early voting, (b)
12 investigate whether any credible evidence exists that the person
13 was properly registered to vote in the county before the deadline
14 for registration for the election, (c) investigate whether any
15 information has been received pursuant to section 32-309, 32-310,
16 or 32-324 that the person has resided, registered, or voted in
17 any other county or state since registering to vote in the county,
18 ~~and~~ (d) upon determining that credible evidence exists that the
19 person was properly registered to vote in the county, make the
20 appropriate changes to the voter registration register by entering
21 the information contained in the registration application completed
22 by the voter at the time of voting a provisional ballot, and (e)
23 upon determining that credible evidence exists that the person
24 is eligible to register and vote on election day as provided in
25 section 28 of this act, make the appropriate entries in the voter

1 registration register to create a voter registration record for
2 such person based on the information contained in the registration
3 application completed by such person at the time of voting.

4 (4) A provisional ballot cast by a voter pursuant to
5 section 32-915 shall be counted if:

6 (a) Credible evidence exists that the voter was properly
7 registered in the county before the deadline for registration for
8 the election;

9 (b) The voter has resided in the county continuously
10 since registering to vote in the county;

11 (c) The voter has not voted anywhere else in the county
12 or has not otherwise voted early using a ballot for early voting;

13 (d) The voter has completed a registration application
14 prior to voting and:

15 (i) The residence address provided on the registration
16 application completed pursuant to subdivision (1)(e) of section
17 32-915 is located within the precinct in which the person voted;
18 and

19 (ii) If the voter is voting in a primary election,
20 the party affiliation provided on the registration application
21 completed prior to voting the provisional ballot is the same party
22 affiliation that appears on the voter's voter registration record
23 based on his or her previous registration application; and

24 (e) The certification on the front of the envelope or
25 form attached to the envelope is in the proper form and signed by

1 the voter.

2 (5) A provisional ballot cast by a voter pursuant to
3 section 32-915 shall not be counted if:

4 (a) The voter was not properly registered in the county
5 before the deadline for registration for the election;

6 (b) Information has been received pursuant to section
7 32-309, 32-310, or 32-324 that the voter has resided, registered,
8 or voted in any other county or state since registering to vote in
9 the county in which he or she cast the provisional ballot;

10 (c) Credible evidence exists that the voter has voted
11 elsewhere or has otherwise voted early;

12 (d) The voter failed to complete and sign a registration
13 application pursuant to subdivision (1)(e) of section 32-915;

14 (e) The residence address provided on the registration
15 application completed pursuant to subdivision (1)(e) of section
16 32-915 is in a different county or in a different precinct than the
17 county or precinct in which the voter voted;

18 (f) If the voter is voting in a primary election, the
19 party affiliation on the registration application completed prior
20 to voting the provisional ballot is different than the party
21 affiliation that appears on the voter's voter registration record
22 based on his or her previous registration application; or

23 (g) The voter failed to complete and sign the
24 certification on the envelope or form attached to the envelope
25 pursuant to subsection (3) of section 32-915.

1 (6) Upon determining that the voter's provisional ballot
2 is eligible to be counted, the election commissioner or county
3 clerk shall remove the ballot from the envelope without exposing
4 the marks on the ballot and shall place the ballot with the ballots
5 to be counted by the county canvassing board.

6 (7) The election commissioner or county clerk shall
7 notify the system administrator of the system created pursuant to
8 section 32-202 as to whether the ballot was counted and, if not,
9 the reason the ballot was not counted.

10 (8) The verification and investigation shall be completed
11 within seven days after the election.

12 Sec. 52. Section 32-1041, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 32-1041 The election commissioner or county clerk may use
15 optical-scan ballots or voting systems approved by the Secretary
16 of State to allow ~~registered voters~~ electors to cast their votes
17 at any election. The election commissioner or county clerk may
18 use vote counting devices and voting systems approved by the
19 Secretary of State for tabulating the votes cast at any election.
20 Vote counting devices shall include electronic counting devices
21 such as optical scanners. Any new voting or counting system
22 shall be approved by the Secretary of State prior to use by an
23 election commissioner or county clerk. Notwithstanding any other
24 provision of the Election Act, the Secretary of State may adopt and
25 promulgate rules and regulations to establish different procedures

1 and locations for voting and counting votes pursuant to the use of
2 any new voting or counting system. The procedures shall be designed
3 to preserve the safety and confidentiality of each vote cast and
4 the secrecy and security of the counting process, to establish
5 security provisions for the prevention of fraud, and to ensure that
6 the election is conducted in a fair manner.

7 Sec. 53. Section 32-1302, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-1302 (1) Except for trustees of sanitary and
10 improvement districts, any elected official of a political
11 subdivision and any elected member of the governing bodies of
12 cities, villages, counties, irrigation districts, natural resources
13 districts, public power districts, school districts, community
14 college areas, educational service units, hospital districts, and
15 metropolitan utilities districts may be removed from office by
16 recall pursuant to sections 32-1301 to 32-1309. A trustee of a
17 sanitary and improvement district may be removed from office by
18 recall pursuant to sections 31-786 to 31-793.

19 (2) If due to reapportionment the boundaries of the area
20 served by the official or body change, the recall procedure and
21 special election provisions of sections 32-1301 to 32-1309 shall
22 apply to ~~the registered voters~~ those residing within the boundaries
23 of the new area.

24 (3) The recall procedure and special election provisions
25 of such sections shall apply to members of the governing bodies

1 listed in subsection (1) of this section, other than sanitary and
2 improvement districts, who are elected by precinct, district, or
3 subdistrict of the political subdivision. Only registered voters
4 of such member's precinct, district, or subdistrict may sign a
5 recall petition. Only electors of such member's precinct, district,
6 or subdistrict who register to vote may ~~or~~ vote at the recall
7 election. The recall election shall be held within the member's
8 precinct, district, or subdistrict. When an elected member is
9 nominated by precinct, district, or subdistrict in the primary
10 election and elected at large in the general election, the recall
11 provisions shall apply to the ~~registered voters~~ electors at the
12 general election.

13 (4) The recall procedure and special election provisions
14 shall apply to the mayor and members of the city council
15 of municipalities with a home rule charter notwithstanding any
16 contrary provisions of the home rule charter.

17 Sec. 54. Section 32-1307, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 32-1307 The form of the official ballot at a recall
20 election held pursuant to section 32-1306 shall conform to the
21 requirements of this section. With respect to each person whose
22 removal is sought, the question shall be submitted: Shall (name of
23 person) be removed from the office of (name of office)? Immediately
24 following each such question there shall be printed on the ballot
25 the two responses: Yes and No. Next to each response shall be

1 placed a square or oval in which the ~~registered voters~~ electors may
2 vote for one of the responses by making a cross or other clear,
3 identifiable mark. The name of the official which shall appear on
4 the ballot shall be the name of the official that appeared on the
5 ballot of the previous general election that included his or her
6 name.

7 Sec. 55. Section 32-1403, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-1403 A full and correct copy of the title and text
10 of the law or amendment to the Constitution of Nebraska to be
11 proposed by an initiative petition or the measure sought to be
12 referred to ~~the registered voters~~ by a referendum petition shall be
13 printed upon each sheet of the petition which contains signatures.
14 The petition may be filed with the Secretary of State in numbered
15 sections for convenience in handling.

16 Sec. 56. Section 32-1502, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 32-1502 A person shall be guilty of election
19 falsification if, orally or in writing, he or she purposely states
20 a falsehood under oath lawfully administered or in a statement made
21 under penalty of election falsification (1) as to a material matter
22 relating to an election in a proceeding before a court, tribunal,
23 or public official or (2) in a matter in relation to which an oath
24 or statement under penalty of election falsification is authorized
25 by law, including a statement required for verifying or filing a

1 voter registration application, election-day voter registration, or
2 voting early, ~~or~~ a statement required by a ~~new~~ ~~or~~ former resident
3 to enable him or her to vote for President or Vice President of
4 the United States, or a statement required by a new resident to
5 enable him or her to vote in the statewide general election. Any
6 person committing election falsification shall be guilty of a Class
7 IV felony.

8 Sec. 57. Section 32-1503, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 32-1503 Any person who (1) falsely impersonates an
11 elector and registers or attempts or offers to register in the
12 name of such elector, (2) knowingly or fraudulently registers or
13 offers to, attempts to, or makes application to register in or
14 under the name of any other person, in or under any false, assumed,
15 or fictitious name, or in or under any name not his or her own, (3)
16 knowingly or fraudulently registers in two election districts, (4)
17 having registered in one district, fraudulently attempts or offers
18 to register at any other election district in which he or she does
19 not have a lawful right to register, (5) knowingly or willfully
20 does any unlawful act to secure registration for himself or herself
21 or any other person, (6) knowingly, willfully, or fraudulently, by
22 false impersonation or by any unlawful means, causes, procures, or
23 attempts to cause or procure the name of any registered voter in
24 any election precinct to be erased or stricken from any register
25 of the voters of such precinct, (7) by force, threat, menace,

1 intimidation, bribery, reward, offer or promise of reward, or other
2 unlawful means, prevents, hinders, or delays any person having a
3 lawful right to register or to be registered from duly exercising
4 such right, (8) knowingly, willfully, or fraudulently compels,
5 induces, or attempts or offers to compel or induce, by any unlawful
6 means, any deputy registrar to register any person not lawfully
7 entitled to registration ~~in such precinct~~ or to register any false,
8 assumed, or fictitious name or any name of any other person, (9)
9 knowingly, willfully, or fraudulently interferes with, hinders, or
10 delays any deputy registrar in the discharge of his or her duties,
11 (10) counsels, advises, induces, or attempts to induce any deputy
12 registrar to refuse to perform or neglect to comply with his or her
13 duties or to violate any of the provisions of the Election Act, or
14 (11) aids, counsels, procures, or advises any person to do any act
15 forbidden by this section or to omit to do any act by law directed
16 to be done shall be guilty of a Class IV felony.

17 Sec. 58. Section 32-1504, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 32-1504 Any deputy registrar who is guilty of any willful
20 neglect of his or her duty or of any corrupt or fraudulent conduct
21 or practice in the execution of his or her duty or who willfully
22 neglects or, when called upon, willfully declines to exercise the
23 powers conferred on him or her by sections 32-301 to 32-330 and
24 section 13 of this act shall be guilty of a Class IV felony.

25 Sec. 59. Section 32-1508, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 32-1508 Any person who is guilty of willful or corrupt
3 false swearing in taking an oath prescribed by or upon any
4 examination provided for in sections 32-301 to 32-330 and section
5 13 of this act or upon being challenged as unqualified to register
6 to vote shall be guilty of a Class IV felony.

7 Sec. 60. Section 32-1512, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-1512 Irregularities or defects in the mode of
10 noticing, convening, holding, or conducting any registration or
11 revision of registration authorized by sections 32-301 to 32-330
12 and section 13 of this act shall not constitute a defense to a
13 prosecution for a violation of any of the provisions of sections
14 32-1503 to 32-1511.

15 Sec. 61. Section 32-1519, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-1519 (1) Any judge of election who (a) knowingly
18 receives or sanctions the reception of an improper or illegal vote,
19 ~~from any person who is not a registered voter,~~ (b) receives or
20 sanctions the reception of a ballot from any person who refuses
21 to answer any question which is put to him or her in accordance
22 with the Election Act, (c) refuses to take the oath prescribed by
23 the act, (d) sanctions the refusal by any other judge of election
24 to administer any oath required by the act when such oath is
25 required, or (e) refuses to receive or sanctions the rejection of

1 a ballot from any ~~registered voter~~ elector at the place where such
2 ~~registered voter~~ elector properly and legally offers to vote shall
3 be guilty of a Class III misdemeanor.

4 (2) Any judge or clerk of election on whom any duty is
5 enjoined by the act who willfully neglects any such duty or who
6 engages in any corrupt conduct in the discharge of his or her duty
7 shall be guilty of a Class III misdemeanor.

8 Sec. 62. Section 32-1528, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 32-1528 Any person who votes a ballot in any election
11 held for a school district, village, or precinct of a city in this
12 state in which he or she does not actually reside or into which he
13 or she has come for merely temporary purposes shall be guilty of a
14 Class III misdemeanor.

15 Sec. 63. Section 32-1530, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-1530 Any person who votes (1) who is not a resident of
18 this state, who is not registered to vote in the county in which
19 he or she voted or did not register to vote in such county as
20 otherwise provided by the Election Act, ~~or registered in the county~~
21 or who at the time of election is not of the constitutionally
22 prescribed age of a registered voter, (2) who is not a citizen of
23 the United States, or (3) after being disqualified by law by reason
24 of his or her conviction of a felony and prior to the end of the
25 two-year period after completing the sentence, including any parole

1 term, shall be guilty of a Class IV felony.

2 Sec. 64. Section 32-1531, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-1531 ~~Except as provided in sections 32-933 to 32-937,~~
5 ~~any~~ Any person who is a resident of this state and who goes or
6 comes into any county of which he or she is not an actual resident
7 and votes in such county shall be guilty of a Class IV felony.

8 Sec. 65. Section 32-1532, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 32-1532 Any person who procures, aids, assists, counsels,
11 or advises another to give his or her vote, knowing that such
12 other person is not a resident of this state ~~or a registered voter~~
13 ~~of the county~~ as required by law at the time of election, is
14 not registered to vote in the county in which such other person
15 would be voting or does not intend to register to vote in such
16 county as otherwise provided by the Election Act, is not of the
17 constitutionally prescribed age of a registered voter, is not a
18 citizen of the United States, or is not duly qualified as a result
19 of any other disability to vote at the place where and the time
20 when the vote is to be given shall be guilty of a Class IV felony.

21 Sec. 66. Original sections 32-101, 32-107, 32-108,
22 32-114, 32-115, 32-302, 32-306, 32-307, 32-308, 32-310, 32-311.01,
23 32-314, 32-321, 32-325, 32-813, 32-816, 32-901, 32-902, 32-904,
24 32-906, 32-907, 32-910, 32-912, 32-913, 32-914, 32-915, 32-916,
25 32-917, 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925,

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1 32-927, 32-929, 32-933, 32-934, 32-935, 32-936, 32-937, 32-938,
2 32-940, 32-941, 32-945, 32-952, 32-1001, 32-1002, 32-1041, 32-1302,
3 32-1307, 32-1403, 32-1502, 32-1503, 32-1504, 32-1508, 32-1512,
4 32-1519, 32-1528, 32-1530, 32-1531, and 32-1532, Reissue Revised
5 Statutes of Nebraska, are repealed.