

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 271**  
Final Reading

Introduced by Lautenbaugh, 18.

Read first time January 16, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend section 32-933, Reissue  
2 Revised Statutes of Nebraska, and sections 32-808 and  
3 32-942, Revised Statutes Cumulative Supplement, 2012; to  
4 change provisions relating to voting early; and to repeal  
5 the original sections.

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

1           Section 1. Section 32-808, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3           32-808 (1) Except as otherwise provided in section  
4 32-939.02, ballots for early voting ~~and applications to be mailed~~  
5 pursuant to section 32-941 shall be ready for delivery to registered  
6 voters at least thirty-five days prior to each statewide primary or  
7 general election and at least fifteen days prior to all other  
8 elections.

9           (2) The election commissioner or county clerk shall not  
10 ~~forward mail or issue any~~ ballot for early voting if the election to  
11 which such ballot pertains has already been held.

12           ~~(2)~~(3) The election commissioner or county clerk shall  
13 publish in a newspaper of general circulation in the county an  
14 application form to be used by registered voters in making an  
15 application for a ballot for early voting after the ballots become  
16 available. The publication of the application shall not be required  
17 if the election is held by mail pursuant to sections 32-952 to  
18 32-959.

19           Sec. 2. Section 32-933, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21           32-933 (1) Any person listed in this subsection shall be  
22 eligible as a new resident to vote for President and Vice President  
23 of the United States at the statewide general election but for no  
24 other offices:

25           (a) Any citizen of the United States who is at least the

1 constitutionally prescribed age of a voter and who comes into  
2 Nebraska after the voter registration period is closed pursuant to  
3 section 32-302 for the purpose of making Nebraska his or her place of  
4 residence; and

5 (b) Any registered voter who moves from one county to  
6 another county within Nebraska after the close of the voter  
7 registration period.

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

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

1 if they arrive before the close of the polls on election day.

2           Sec. 3. Section 32-942, Revised Statutes Cumulative  
3 Supplement, 2012, is amended to read:

4           32-942 Any registered voter of this state who anticipates  
5 being absent from the county of his or her residence on the day of  
6 any election ~~but who is present in the county after ballots are~~  
7 ~~available~~ may appear in person before the election commissioner or  
8 county clerk not more than thirty days prior to the day of election  
9 and obtain his or her ballot. The registered voter shall vote in the  
10 office of the election commissioner or county clerk or shall return  
11 the ballot to the office not later than the closing of the polls on  
12 the day of the election. A registered voter who is present in the  
13 county on the day of the election and who chooses to vote on the day  
14 of the election shall vote at the polling place assigned to the  
15 precinct in which he or she resides unless he or she is returning a  
16 ballot for early voting or voting pursuant to section 32-943.

17           Sec. 4. Original section 32-933, Reissue Revised Statutes  
18 of Nebraska, and sections 32-808 and 32-942, Revised Statutes  
19 Cumulative Supplement, 2012, are repealed.