

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 663

Introduced by Krist, 10.

Read first time January 08, 2014

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-952 and
2 32-953, Reissue Revised Statutes of Nebraska, and section
3 32-960, Revised Statutes Cumulative Supplement, 2012; to
4 change provisions relating to elections conducted by
5 mail; to harmonize provisions; and to repeal the original
6 sections.

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

1 Section 1. Section 32-952, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-952 If a political subdivision decides to place an
4 issue on the ballot at a special election, the election commissioner
5 or county clerk may conduct the special election by mail as provided
6 in section 32-953 or conduct the special election as otherwise
7 authorized in the Election Act. In making a determination as to
8 whether to conduct the election by mail, the election commissioner or
9 county clerk shall consider whether all of the following conditions
10 are met:

11 (1) All registered voters of the political subdivision or
12 a district or ward of the political subdivision are eligible to vote
13 ~~on the issue or all candidates and~~ issues submitted to the voters;

14 (2) Only registered voters of the political subdivision
15 or the district or ward of the political subdivision are eligible to
16 vote ~~on the issue or all candidates and~~ issues submitted to the
17 voters;

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

20 ~~(4)~~(3) A review has been conducted of the costs and the
21 expected voter turnout which may result from holding the election by
22 mail;

23 ~~(5)~~(4) The election commissioner or county clerk has
24 determined a date for the election which is not the same date as
25 another election in which the registered voters of the political

1 subdivision are eligible to vote;

2 ~~(6)~~ (5) The clerk of the political subdivision will
3 certify ~~the issue or all candidates and~~ issues to the election
4 commissioner or county clerk at least fifty days prior to the date of
5 the election; and

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

14 Sec. 2. Section 32-953, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 32-953 The election commissioner or county clerk shall
17 mail the official ballot to all registered voters of the political
18 subdivision or the district or ward of the political subdivision at
19 the addresses appearing on the voter registration register on the
20 same day. The ballots shall be mailed by nonforwardable first-class
21 mail not sooner than the twentieth day before the date set for the
22 election and not later than the tenth day before the date set for the
23 election. The election commissioner or county clerk shall include
24 with the ballot an unsealed identification envelope meeting the
25 requirements of subsection (2) of section 32-947 and instructions

1 sufficient to describe the voting process.

2 Sec. 3. Section 32-960, Revised Statutes Cumulative
3 Supplement, 2012, is amended to read:

4 32-960 ~~In any county with less than ten thousand~~
5 ~~inhabitants, the~~ The election commissioner or county clerk may apply
6 to the Secretary of State to mail ballots for all elections held
7 after approval of the application to registered voters of any or all
8 of the precincts in the county in lieu of establishing polling places
9 for such precincts. The application shall include a written plan for
10 the conduct of the election, including a timetable for the conduct of
11 the election and provisions for the notice of election to be
12 published and for the application for ballots for early voting
13 notwithstanding other statutory provisions regarding the content and
14 publication of a notice of election or the application for ballots
15 for early voting. If the Secretary of State approves such application
16 for one or more precincts in the county, the election commissioner or
17 county clerk shall follow the applicable procedures in sections
18 32-953 to 32-959 for conducting elections by mail, except that the
19 deadline for receipt of the ballots shall be 8 p.m. on the day of the
20 election.

21 Sec. 4. Original sections 32-952 and 32-953, Reissue
22 Revised Statutes of Nebraska, and section 32-960, Revised Statutes
23 Cumulative Supplement, 2012, are repealed.