



Ninety-Eighth Legislature - Second Session - 2004  
**Introducer's Statement of Intent**  
**LB 820**

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**Chairperson:** DiAnna R. Schimek  
**Committee:** Government, Military and Veterans Affairs  
**Date of Hearing:** January 23, 2004

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Recently, an official sought to be recalled refused to pick up the certified letter notifying him that a recall effort against him had begun. Since this was the only notification procedure specified in statute, the filing clerk was not able to utilize alternative methods to notify this official.

LB 820 changes the notice requirements in recall elections by requiring the filing clerk to notify the official sought to be removed by any of the following methods:

1. personal service made by leaving the affidavit with the official,
2. residence service made by leaving the affidavit at the official's residence with a person of suitable age, or
3. certified mail.

If notification cannot be made with reasonable diligence by any of these methods, the filing clerk may notify the official by leaving a copy of the affidavit at the official's usual place of address and mailing a copy to the official's last known address.

The same procedures will be used when notifying the official sought to be removed that sufficient signatures have been gathered on the recall petition.

**Principal Introducer:** \_\_\_\_\_  
**Senator DiAnna R. Schimek**