

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 852**

FINAL READING

Introduced by Avery, 28.

Read first time January 11, 2010

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend section 32-816, Reissue  
2 Revised Statutes of Nebraska; to change provisions  
3 relating to write-in space on official ballots for  
4 certain offices; to provide an operative date; and to  
5 repeal the original section.

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

1           Section 1. Section 32-816, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           32-816 (1) A blank space shall be provided at the end of  
4 each office division on the ballot for registered voters to fill  
5 in the name of any person for whom they wish to vote and whose  
6 name is not printed upon the ballot, except that ~~(a) at the primary~~  
7 ~~election there shall be no write-in space for delegates to the~~  
8 ~~county political party convention, or delegates to the national~~  
9 ~~political party convention.    directors of natural resources~~  
10 ~~districts, or directors of public power districts and (b) at the~~  
11 ~~general election there shall be no write-in space for directors of~~  
12 ~~reclamation districts, members of the board of educational service~~  
13 ~~units, directors of natural resources districts, directors of~~  
14 ~~public power districts, or members of county weed district boards.~~  
15 A square or oval shall be printed opposite each write-in space  
16 similar to the square or oval placed opposite other candidates and  
17 issues on the ballot. The square or oval shall be marked to vote  
18 for a write-in candidate whose name appears in the write-in space  
19 provided.

20           (2) The Secretary of State shall approve write-in space  
21 for optical-scan ballots and electronic voting systems. Adequate  
22 provision shall be made for write-in votes sufficient to allow one  
23 write-in space for each office to be elected at any election except  
24 offices for which write-in votes are specifically prohibited. The  
25 write-in ballot shall clearly identify the office for which such

1 write-in vote is cast. The write-in space shall be a part of the  
2 official ballot, may be on the envelope or a separate piece of  
3 paper from the printed portion of the ballot, and shall allow the  
4 voter adequate space to fill in the name of the candidate for whom  
5 he or she desires to cast his or her ballot.

6           Sec. 2. This act becomes operative on January 1, 2011.

7           Sec. 3. Original section 32-816, Reissue Revised Statutes  
8 of Nebraska, is repealed.