

LEGISLATIVE BILL 852

Approved by the Governor April 12, 2010

Introduced by Avery, 28.

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

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

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

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

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

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

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 Original section 32-816, Reissue Revised Statutes of Nebraska, is repealed.