LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 661

Introduced by Krist, 10.

Read first time January 08, 2014

Committee: Government, Military and Veterans Affairs

A BILL

FOR AN ACT relating to elections; to amend sections 32-204, 32-309,

32-312.05, 32-321, 32-323, 32-325, 32-902, and 60-484.02,

Reissue Revised Statutes of Nebraska, sections 32-312 and

32-915, Revised Statutes Cumulative Supplement, 2012, and

sections 32-101 and 60-484, Revised Statutes Supplement,

2013; to provide for voter registration on the Secretary

of State's web site; to provide for electronic

transmission of certain voter registration applications;

to provide for use of records of the Department of Motor

Vehicles for purposes of voter registration; to harmonize

provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 32-101, Revised Statutes Supplement, 2013, is amended to read:

32-101 Sections 32-101 to 32-1551 and section 3 of this act shall be known and may be cited as the Election Act.

Sec. 2. Section 32-204, Reissue Revised Statutes of Nebraska, is amended to read:

32-204 The Election Administration Fund is hereby created. The fund shall consist of federal funds, state funds, gifts, and grants appropriated for the administration of elections. The Secretary of State shall use the fund for voting systems, provisional voting, computerized statewide voter registration lists, voter registration by mail, training or informational materials related to elections, and any other costs related to elections. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. The State Treasurer shall transfer any money in the Voter Registration Cash Fund on February 21, 2003, to the Election Administration Fund.

Sec. 3. (1) The Secretary of State in conjunction with the Department of Motor Vehicles shall, on or before July 1, 2015, develop and implement a registration application process which may be used statewide to register to vote and update voter registration records electronically using the Secretary of State's web site. An applicant who has a valid Nebraska motor vehicle operator's license or state identification card may use the application process to
register to vote or to update his or her voter registration record with changes in his or her personal information or other information related to his or her eligibility to vote. For each electronic application, the Secretary of State shall obtain a copy of the electronic representation of the applicant's signature from the Department of Motor Vehicles' records of his or her motor vehicle operator's license or state identification card for purposes of voter registration.

(2) The application shall contain substantially all the information provided in section 32-312 and the following informational statements:

(a) An applicant who submits this application electronically is affirming that the information in the application is true. Any applicant who submits this application electronically knowing that any of the information in the application is false shall be guilty of a Class IV felony under section 32-1502 of the statutes of Nebraska. The penalty for a Class IV felony is up to five years imprisonment, a fine of up to ten thousand dollars, or both;

(b) An applicant who submits this application electronically is agreeing to the use of his or her signature from the Department of Motor Vehicles' records of his or her motor vehicle operator's license or state identification card for purposes of voter registration;

(c) To vote at the polling place on election day, the completed application must be submitted on or before the third Friday
before the election; and

(d) The election commissioner or county clerk will, upon receipt of the application for registration, send an acknowledgment of registration to the applicant indicating whether the application is proper or not.

Sec. 4. Section 32-309, Reissue Revised Statutes of Nebraska, is amended to read:

32-309 (1) Upon receipt of a completed voter registration application, a county treasurer, a license examiner of the Department of Motor Vehicles, and any other person who issues motor vehicle operators' licenses or state identification cards shall deliver the completed voter registration application to the election commissioner or county clerk of the county in which the county treasurer, license examiner, or other person is located not later than ten days after receipt by the county treasurer, license examiner, or other person, except that if the voter registration application is received within five days prior to the third Friday preceding any election, it shall be delivered not later than five days after its original filing date. The election commissioner or county clerk shall, if necessary, forward the voter registration application to the election commissioner or county clerk of the county in which the applicant resides within such prescribed time limits. Any information on whether an applicant registers or declines to register and the location of the office at which he or she registers shall be confidential and shall only be used for voter registration purposes.
(2) The Department of Motor Vehicles, in conjunction with the Secretary of State, shall, on or before January 1, 2016, develop and implement a process to electronically transmit voter registration application information received under this section to the election commissioner or county clerk of the county in which the applicant resides within the time limits prescribed in subsection (1) of this section. For each voter registration application for which information is transmitted electronically pursuant to this subsection, the Secretary of State shall obtain a copy of the electronic representation of the applicant's signature from the Department of Motor Vehicles' records of his or her motor vehicle operator's license or state identification card for purposes of voter registration.

Sec. 5. Section 32-312, Revised Statutes Cumulative Supplement, 2012, is amended to read:

32-312 The registration application prescribed by the Secretary of State pursuant to section 32-311.01 or section 3 of this act shall provide the instructional statements and request the information from the applicant as provided in this section.

CITIZENSHIP—"Are you a citizen of the United States of America?" with boxes to check to indicate whether the applicant is or is not a citizen of the United States.

AGE—"Are you at least eighteen years of age or will you be eighteen years of age on or before the first Tuesday following the first Monday of November of this year?" with boxes to check to
indicate whether or not the applicant will be eighteen years of age or older on election day.

WARNING—"If you checked 'no' in response to either of these questions, do not complete this application."

NAME—the name of the applicant giving the first and last name in full, the middle name in full or the middle initial, and the maiden name of the applicant, if applicable.

RESIDENCE—the name and number of the street, avenue, or other location of the dwelling where the applicant resides if there is a number. If the registrant resides in a hotel, apartment, tenement house, or institution, such additional information shall be included as will give the exact location of such registrant's place of residence. If the registrant lives in an incorporated or unincorporated area not identified by the use of roads, road names, or house numbers, the registrant shall state the section, township, and range of his or her residence and the corporate name of the school district as described in section 79-405 in which he or she is located.

POSTAL ADDRESS—the address at which the applicant receives mail if different from the residence address.

ADDRESS OF LAST REGISTRATION—the name and number of the street, avenue, or other location of the dwelling from which the applicant last registered.

TELEPHONE NUMBERS—the telephone number of the applicant at work and at home. At the request of the applicant, a designation
shall be made that the telephone number is an unlisted number, and
such designation shall preclude the listing of the applicant's
telephone number on any list of voter registrations.

EMAIL ADDRESS—an email address of the applicant. At the
request of the applicant, a designation shall be made that the email
address is private, and such designation shall preclude the listing
of the applicant's email address on any list of voter registrations.

DRIVER'S LICENSE NUMBER OR LAST FOUR DIGITS OF SOCIAL
SECURITY NUMBER—if the applicant has a Nebraska driver's license, the
license number, and if the applicant does not have a Nebraska
driver's license, the last four digits of the applicant's social
security number.

DATE OF APPLICATION FOR REGISTRATION—the month, day, and
year when the applicant presented himself or herself for
registration, or when the applicant completed and signed the
registration application if the application was submitted by mail or
delivered to the election official by the applicant's personal
messenger or personal agent, or when the completed application was
submitted if the registration application was completed pursuant to
section 3 of this act.

PLACE OF BIRTH—show the state, country, kingdom, empire,
or dominion where the applicant was born.

DATE OF BIRTH—show the date of the applicant's birth. The
applicant shall be at least eighteen years of age or attain eighteen
years of age on or before the first Tuesday after the first Monday in
November to have the right to register and vote in any election in
the present calendar year.

REGISTRATION TAKEN BY—show the signature of the
authorized official or staff member accepting the application
pursuant to section 32-309 or 32-310 or at least one of the deputy
registrars taking the application pursuant to section 32-306, if
applicable.

PARTY AFFILIATION—show the party affiliation of the
applicant as Democrat, Republican, or Other ........ or show no party
affiliation as Nonpartisan. (Note: If you wish to vote in both
partisan and nonpartisan primary elections for state and local
offices, you must indicate a political party affiliation on the
registration application. If you register without a political party
affiliation (nonpartisan), you will receive only the nonpartisan
ballots for state and local offices at primary elections. If you
register without a political party affiliation, you may vote in
partisan primary elections for congressional offices.)

OTHER—information the Secretary of State determines will
assist in the proper and accurate registration of the voter.

Immediately following the spaces for inserting
information as provided in this section, the following statement
shall be printed:

To the best of my knowledge and belief, I declare under
penalty of election falsification that:

(1) I live in the State of Nebraska at the address
provided in this application;

(2) I have not been convicted of a felony or, if convicted, it has been at least two years since I completed my sentence for the felony, including any parole term;

(3) I have not been officially found to be non compos mentis (mentally incompetent); and

(4) I am a citizen of the United States.

Any registrant who signs this application knowing that any of the information in the application is false shall be guilty of a Class IV felony under section 32-1502 of the statutes of Nebraska. The penalty for a Class IV felony is up to five years imprisonment, a fine of up to ten thousand dollars, or both.

APPLICANT'S SIGNATURE—require the applicant to affix his or her signature to the application.

Sec. 6. Section 32-312.05, Reissue Revised Statutes of Nebraska, is amended to read:

32-312.05 The date that a person's voter registration record or an update of his or her voter registration record becomes effective is the date the person presented himself or herself in person to register, the date the registration application was delivered to the election commissioner or county clerk, or the date the registration application was received by the election commissioner or county clerk if the person submitted the registration application by mail or pursuant to section 3 of this act.

Sec. 7. Section 32-321, Reissue Revised Statutes of
Nebraska, is amended to read:

32-321 (1) Any elector may request a voter registration application from the office of the Secretary of State or the election commissioner or county clerk. The Secretary of State and the election commissioner or county clerk shall make registration applications prescribed by the Secretary of State available and may place the applications in public places. The Secretary of State and the election commissioner or county clerk may require that all unused applications be returned to his or her office and may place reasonable limits on the amount of applications requested.

(2) If an elector returns the completed application to the office of the Secretary of State or submits an application to the Secretary of State pursuant to section 3 of this act, the office shall deliver the application to the election commissioner or county clerk of the county in which the elector resides not later than ten days after receipt by the office, except that if the application is returned to the office or submitted pursuant to section 3 of this act within five days prior to the third Friday preceding any election, it shall be delivered not later than five days after the date it is returned. The deadline for returning a completed application to the office of the Secretary of State or submitting an application pursuant to section 3 of this act is the close of business on the third Friday preceding an election to be registered to vote at such election. A registration application received after the deadline shall not be processed by the election commissioner or county clerk.
until after the election. The office of the Secretary of State shall be a designated voter registration agency for purposes of section 7 of the National Voter Registration Act of 1993, 42 U.S.C. 1973gg-5, as such section existed on March 11, 2008.

(3) If an elector mails the registration application to the election commissioner or county clerk:

(a)(i) The application shall be postmarked on or before the third Friday before the next election; or

(ii) The application shall be received not later than the second Tuesday before the next election if the postmark is unreadable; and

(b) The application shall be processed by the election office as a proper registration for the voter to be entitled to vote on the day of the next election.

(4) If the registration application arrives after the registration deadline, the application shall not be processed until after the election. Written notice shall be given to any applicant whose registration application failed to meet the registration deadline or was found to be incorrect or incomplete and shall state the specific reason for rejection. If the application is incomplete, the election commissioner or county clerk shall notify the applicant of the failure to provide the required information, including failure to provide identification if required, and provide the applicant with the opportunity to submit an identification document as described in section 32-318.01 prior to the deadline for voter registration or to
complete and submit a corrected registration application in a timely manner to allow for the proper registration of the applicant prior to the next election. All postage costs related to returning registration applications to the election commissioner or county clerk shall be paid by the registrant.

Sec. 8. Section 32-323, Reissue Revised Statutes of Nebraska, is amended to read:

32-323 Registration pursuant to section 3 of this act or by mail shall not constitute a valid registration for purposes of signing any type of petition requiring the validation of the signatures of registered voters until a complete and correct registration application has been received by the election commissioner or county clerk. A signature on a petition shall be considered a valid signature as of the date that the election commissioner or county clerk receives the registration application of the registrant.

Sec. 9. Section 32-325, Reissue Revised Statutes of Nebraska, is amended to read:

32-325 (1) A registration application completed and signed by a registered voter seeking to update his or her voter registration record shall be completed in person at or delivered or mailed to the office of the election commissioner or county clerk or submitted pursuant to section 3 of this act to the Secretary of State. To avoid additional requirements at the polling place pursuant to section 32-914.01, 32-914.02, or 32-915, an application to update
a voter registration record must be:

(a) Completed or delivered by the applicant in person at
the office of the election commissioner or county clerk on or before
the deadline prescribed in section 32-302; or

(b) Delivered by a personal messenger or personal agent,
submitted pursuant to section 3 of this act, or mailed so that it is
received by the election commissioner or county clerk on or before
the deadline prescribed in section 32-321.

(2) After verifying the signature on the previous
registration of the registered voter, the election commissioner or
county clerk shall make the change of name, party affiliation, or
address on all pertinent election records. The election commissioner
or county clerk shall send an acknowledgment card to the registered
voter indicating that the change of registration has been completed
and shall include the address of the registered voter's new polling
place.

Sec. 10. Section 32-902, Reissue Revised Statutes of
Nebraska, is amended to read:

32-902 (1) The election commissioner or county clerk
shall cause instructions for the guidance of registered voters in
preparing their ballots to be printed in large, clear type on cards
in English. He or she shall furnish at least five such cards to each
polling place in each precinct at the same time and in the same
manner as the printed ballots. The judges or clerks of election shall
post such cards in each voting booth on the day of election. The card
shall contain full instructions on preparing and casting ballots, including how to cast a write-in vote. The form and contents of the cards shall be approved by the Secretary of State.

(2) The election commissioner or county clerk shall cause voting information to be posted in each polling place on the day of election. The voting information shall include the following information as approved by the Secretary of State:

(a) Information regarding the date of the election and the hours during which polling places will be open;

(b) Instructions for voters who registered to vote pursuant to section 3 of this act or by mail and first-time voters;

(c) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and

(d) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation.

Sec. 11. Section 32-915, Revised Statutes Cumulative Supplement, 2012, is amended to read:

32-915 (1) A person whose name does not appear on the precinct list of registered voters at the polling place for the precinct in which he or she resides, whose name appears on the precinct list of registered voters at the polling place for the precinct in which he or she resides at a different residence address
as described in section 32-914.02, or whose name appears with a notation that he or she received a ballot for early voting may vote a provisional ballot if he or she:

(a) Claims that he or she is a registered voter who has continuously resided in the county in which the precinct is located since registering to vote;

(b) Is not entitled to vote under section 32-914.01 or 32-914.02;

(c) Has not registered to vote or voted in any other county since registering to vote in the county in which the precinct is located;

(d) Has appeared to vote at the polling place for the precinct to which the person would be assigned based on his or her residence address; and

(e) Completes and signs a registration application before voting.

(2) A voter whose name appears on the precinct list of registered voters for the polling place with a notation that the voter is required to present identification pursuant to section 32-318.01 but fails to present identification may vote a provisional ballot if he or she completes and signs a registration application before voting.

(3) Each person voting by provisional ballot shall enclose his or her ballot in an envelope marked Provisional Ballot and shall, by signing the certification on the front of the envelope
or a separate form attached to the envelope, certify to the following facts:

(a) I am a registered voter in ............ County;

(b) My name or address did not correctly appear on the precinct list of registered voters;

(c) I registered to vote on or about this date ..................

(d) I registered to vote .... in person at the election office or a voter registration site,

.... by mail,

.... by using the Secretary of State's web site,

.... on a form through the Department of Motor Vehicles,

.... on a form through another state agency,

.... in some other way;

(e) I have not resided outside of this county or voted outside of this county since registering to vote in this county;

(f) My current address is shown on the registration application completed as a requirement for voting by provisional ballot; and

(g) I am eligible to vote in this election and I have not voted and will not vote in this election except by this ballot.

(4) The voter shall sign the certification under penalty of election falsification. The following statements shall be on the front of the envelope or on the attached form: By signing the front
of this envelope or the attached form you are certifying to the
information contained on this envelope or the attached form under
penalty of election falsification. Election falsification is a Class
IV felony and may be punished by up to five years imprisonment, a
fine of up to ten thousand dollars, or both.

(5) If the person's name does not appear on the precinct
list of registered voters for the polling place and the judge or
clerk of election determines that the person's residence address is
located in another precinct within the same county, the judge or
clerk of election shall direct the person to his or her correct
polling place to vote.

Sec. 12. Section 60-484, Revised Statutes Supplement, 2013, is amended to read:

60-484 (1)(a) This subsection applies until the
implementation date designated by the director on or before January
1, 2014. Except as otherwise provided in the Motor Vehicle Operator's
License Act, no resident of the State of Nebraska shall operate a
motor vehicle upon the alleys or highways of this state until the
person has obtained an operator's license for that purpose.

(b) Application for an operator's license or a state
identification card shall be made in a manner prescribed by the
department. Such application may be made to department personnel in
any county. Department personnel shall conduct the examination of the
applicant and deliver to each successful applicant an issuance
certificate containing the statements made pursuant to subdivision
(c) The applicant (i) shall provide his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, evidence of identity as required by subdivision (1)(f) of this subsection, and a brief physical description of himself or herself, (ii) may complete the voter registration portion pursuant to section 32-308, (iii) shall be provided the advisement language required by subsection (5) of section 60-6,197, (iv) shall answer the following:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

(I) lost voluntary control or consciousness ... yes ... no
(II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no
(III) experienced disorientation ... yes ... no
(IV) experienced seizures ... yes ... no
(V) experienced impairment of memory, memory loss ...
yes ... no
Please explain: ........................................

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or
impairment of, foot, leg, hand, arm; neurological or neuromuscular
disease, etc.) ... yes ... no
Please explain: ........................................
(C) Since the issuance of your last driver's license/permit, has your health or medical condition changed or worsened? ...
yes ... no
Please explain, including how the above affects your ability to drive: .................., and (v) may answer the following:
(A) Do you wish to register to vote as part of this application process?
(B) Do you wish to have the word "veteran" displayed on the front of your operator's license or state identification card to show that you served in the armed forces of the United States? (To be eligible you must register with the Nebraska Department of Veterans' Affairs registry.)
OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:
(C) Do you wish to be an organ and tissue donor?
(D) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?
(E) Do you wish to donate $1 to promote the Organ and Tissue Donor Awareness and Education Fund?
(d) Application for an operator's license or state
identification card shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the license or card is true and correct.

(e) The social security number shall not be printed on the operator's license or state identification card and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent, or (v) to furnish information to the Department of Revenue under section 77-362.02.

(f)(i) Each individual applying for an operator's license or a state identification card shall furnish proof of date of birth and identity with documents containing a photograph or with nonphoto identity documents which include his or her full legal name and date of birth. Such documents shall include, but not be limited to, any valid Nebraska operator's license or Nebraska state identification card, a valid operator's license or identification card from another state or jurisdiction of the United States, a certified birth certificate, a valid United States passport, or any other United
States-based identification as approved by the director.

(ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate or, if such individual is unable to provide a certified copy of his or her birth certificate, other reliable proof of his or her identity and age, as required in subdivision (1)(f)(i) of this section, accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant also may be required to furnish proof to department personnel that the parent or guardian signing the certification is in fact the parent or guardian of such applicant.

(iii) An applicant may present other documents as proof of identification and age designated by the director. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(g) Any individual applying for an operator's license or a state identification card who indicated his or her wish to have the word "veteran" displayed on the front of such license or card shall comply with section 60-4,189.

(2)(a) This subsection applies beginning on an implementation date designated by the director on or before January 1, 2014. Except as otherwise provided in the Motor Vehicle Operator's License Act, no resident of the State of Nebraska shall operate a motor vehicle upon the alleys or highways of this state until the
person has obtained an operator's license for that purpose.

(b) Application for an operator's license or a state identification card shall be made in a manner prescribed by the department. Such application may be made to department personnel in any county. Department personnel shall conduct the examination of the applicant and deliver to each successful applicant an issuance certificate containing the statements made pursuant to subdivision (c) of this subsection.

(c) The applicant shall provide his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, evidence of identity as required by subdivision (2)(f) of this subsection, and a brief physical description of himself or herself. The applicant (i) may also complete the voter registration portion pursuant to section 32-308, (ii) shall be provided the advisement language required by subsection (5) of section 60-6,197, (iii) shall answer the following:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

(I) lost voluntary control or consciousness ... yes ... no

(II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no
(III) experienced disorientation ... yes ... no

(IV) experienced seizures ... yes ... no

(V) experienced impairment of memory, memory loss ... yes ... no

Please explain: ........................................

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or impairment of, foot, leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ... no

Please explain: ........................................

(C) Since the issuance of your last driver's license/permit, has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive: ........................., and (iv) may answer the following:

(A) Do you wish to register to vote as part of this application process?

(B) Do you wish to have the word "veteran" displayed on the front of your operator's license or state identification card to show that you served in the armed forces of the United States? (To be eligible you must register with the Nebraska Department of Veterans' Affairs registry.)

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:
(C) Do you wish to be an organ and tissue donor?

(D) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(E) Do you wish to donate $1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(d) Application for an operator's license or state identification card shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the license or card is true and correct.

(e) The social security number shall not be printed on the operator's license or state identification card and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent, or (v) to furnish information to the Department of Revenue under section 77-362.02, or (vi) to furnish information to the Secretary of State for purposes of the Election Act.

(f)(i) Each individual applying for an operator's license
or a state identification card shall furnish proof of date of birth and identity with documents containing a photograph or with nonphoto identity documents which include his or her full legal name and date of birth. Such documents shall be those provided in subsection (2) of section 60-484.04.

(ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate or, if such individual is unable to provide a certified copy of his or her birth certificate, other reliable proof of his or her identity and age, as required in subdivision (2)(f)(i) of this section, accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant also may be required to furnish proof to department personnel that the parent or guardian signing the certification is in fact the parent or guardian of such applicant.

(iii) An applicant may present other documents as proof of identification and age designated by the director. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(g) Any individual applying for an operator's license or a state identification card who indicated his or her wish to have the word "veteran" displayed on the front of such license or card shall comply with section 60-4,189.

(h) No person shall be a holder of an operator's license
and a state identification card at the same time.

Sec. 13. Section 60-484.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-484.02 (1) Each applicant for an operator's license or state identification card shall have his or her digital image taken. Digital images shall be preserved for use as prescribed in sections 60-4,119, 60-4,151, and 60-4,180. The images shall be used for issuing operators' licenses and state identification cards. The images may be retrieved only by the Department of Motor Vehicles for issuing renewal, duplicate, and replacement operators' licenses and state identification cards and may not be otherwise released except in accordance with subsection (3) of this section.

(2) Upon application for an operator's license or state identification card, each applicant shall provide his or her signature in a form prescribed by the department. Digital signatures shall be preserved for use on original, renewal, duplicate, and replacement operators' licenses and state identification cards and may not be otherwise released except in accordance with subsection (3) of this section.

(3) No officer, employee, agent, or contractor of the department or law enforcement officer shall release a digital image or a digital signature except to a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a federal, state, or local agency, or a driver licensing agency of another state for the purpose of carrying...
out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release. Any officer, employee, agent, or contractor of the department or law enforcement officer that knowingly discloses or knowingly permits disclosure of a digital image or digital signature in violation of this section shall be guilty of a Class I misdemeanor.

(4) No officer, employee, agent, or contractor of the department or law enforcement officer shall release a digital signature except (a) to a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a state or federal agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release or (b) to the office of the Secretary of State for the purpose of voter registration as described in section 32-309 or section 3 of this act upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release. No employee or official in the office of the Secretary of State shall release a digital signature
except to a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a state or federal agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release. Any officer, employee, agent, or contractor of the department, law enforcement officer, or employee or official in the office of the Secretary of State that knowingly discloses or knowingly permits disclosure of a digital signature in violation of this section shall be guilty of a Class I misdemeanor.