LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 111

Introduced by Larson, 40; Brasch, 16; Ebke, 32; Kintner, 2; Schilz, 47.
Read first time January 08, 2015
Committee: Government, Military and Veterans Affairs

A BILL FOR AN ACT relating to elections; to amend sections 32-110.02,
32-311.01, 32-914, 32-938, and 32-1027, Reissue Revised Statutes of
Nebraska, and sections 32-321, 32-902, 32-915, 32-947, 32-953,
32-1002, 60-4,115, and 60-4,181, Revised Statutes Cumulative
Supplement, 2014; to require presentation of a government-issued
photographic identification document to vote; to provide exceptions;
to provide for provisional ballots; to change requirements for
identification for certain first-time voters; to change provisions
for issuance of state identification cards; to harmonize provisions;
to repeal the original sections; and to outright repeal section
32-318.01, Reissue Revised Statutes of Nebraska.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 32-110.02, Reissue Revised Statutes of Nebraska, is amended to read:

32-110.02 Government-issued photographic identification means:

(1) A motor vehicle operator's license or state identification card issued under the Motor Vehicle Operator's License Act which is current and valid at the time it is presented or which was current and valid on the date of the most recent general election;

(2) A document issued by the United States which shows:

(a) The name of the individual to whom the document was issued and the name conforms to the name in the voter's voter registration record;

(b) A photograph of the individual to whom the document was issued; and

(c) An expiration date which is not passed or which passed after the date of the most recent general election; or

(3) Any other document which:

(a) Is issued by a government entity;

(b) Has a photograph of the individual to whom the document was issued; and

(c) Is approved pursuant to rules and regulations adopted and promulgated by the Secretary of State.

Government document means an identification document or other document issued by a federal, state, or local government agency that includes the name and address of the voter as they appear on his or her voter registration application, including those documents that acknowledge the person's civil or legal status or entitlement to a government service or program.

Sec. 2. Section 32-311.01, Reissue Revised Statutes of Nebraska, is amended to read:

32-311.01 (1) The Secretary of State shall prescribe and distribute a registration application which may be used statewide to register to vote and update voter registration records. An applicant may use the
application 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. An applicant may submit the application in person, through a personal messenger or personal agent, or by mail. Every election commissioner or county clerk shall accept such an application for registration. If an applicant who is eligible to register to vote submits the application in person at the office of the election commissioner or county clerk, the information from the application shall be entered into the voter registration register in the presence of the applicant if possible.

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

(a) An applicant who is unable to sign his or her name may affix his or her mark next to his or her name written on the signature line by some other person;

(b) If the application is submitted by mail and the applicant is registering in the state for the first time and has not previously voted within the state, the applicant must submit with the application a copy of a government-issued photographic identification which is current and valid or a copy of a utility bill, bank statement, government check, paycheck, or other government document that is current and that shows the name and address of the applicant as they appear on the application in order to avoid additional identification requirements when voting for the first time if the voter votes early;

(c) An applicant may deliver the application to the office of the election commissioner or county clerk in person, through a personal messenger or personal agent, or by mail;

(d) To vote at the polling place on election day, the completed application must be:

(i) Delivered by the applicant in person to the office of the election commissioner or county clerk on or before the deadline
prescribed in section 32-302;

(ii) Delivered by the applicant's personal messenger or personal
agent to the office of the election commissioner or county clerk on or
before the third Friday before the election; or

(iii) Postmarked on or before the third Friday before the election
if the application is submitted by mail; and

(e) 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. 3. Section 32-321, Revised Statutes Cumulative Supplement,
2014, 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 32-304, 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 32-304 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 32-304 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 
government-issued photographic identification if required, and provide 
the applicant with the opportunity to submit such an identification 
document as described in section 32-308.01 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. 4. Section 32-902, Revised Statutes Cumulative Supplement, 2014, 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 32-304 or by mail and first-time voters and for voters to present identification or vote a provisional ballot;

(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. 5. Section 32-914, Reissue Revised Statutes of Nebraska, is amended to read:
32-914 (1) Official ballots shall be used at all elections. No person shall receive a ballot or be entitled to vote unless and until he or she is registered as a voter except as provided in section 32-914.01, 32-914.02, 32-915, 32-915.01, or 32-936.

(2) Except as otherwise specifically provided, no ballot shall be handed to any voter at any election until:

(a) He or she announces his or her name and address to the clerk of election;

(b) The clerk has found that he or she is a registered voter at the address as shown by the precinct list of registered voters unless otherwise entitled to vote in the precinct under section 32-328, 32-914.01, 32-914.02, 32-915, or 32-915.01;

(c) The voter has presented a government-issued photographic identification which is current and valid at the time of the election, or a copy of a utility bill, bank statement, paycheck, government check, or other government document which is current at the time of the election and which shows the same name and residence address of the voter that is on the precinct list of registered voters unless the voter votes a provisional ballot, if the voter registered by mail after January 1, 2003, and has not previously voted in an election for a federal office within the county and a notation appears on the precinct list of registered voters that the voter has not previously presented identification to the election commissioner or county clerk;

(d) As instructed by the clerk of election, the registered voter has personally written his or her name (i) in the precinct sign-in register on the appropriate line which follows the last signature of any previous voter or (ii) in the combined document containing the precinct list of registered voters and the sign-in register; and

(e) The clerk has listed on the precinct list of registered voters the corresponding line number and name of the registered voter or has listed the name of the voter in a separate book as provided in section
32-913.

Sec. 6. Section 32-915, Revised Statutes Cumulative Supplement, 2014, 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, or who does not present a government-issued photographic identification 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.

(2 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 without a notation or I have not presented a government-issued photographic identification;

(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, .... 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.

(3 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.

(4 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.
amended to read:

32-938 (1) A registered voter shall be permitted to vote early by requesting a ballot for early voting pursuant to section 32-941 or 32-943. A registered voter voting early shall not be required to show a government-issued photographic identification prior to being issued a ballot for early voting except as provided in subdivision (2)(b) of section 32-311.01.

(2) Any person excluded from voting under section 32-313 or 32-314 shall not be allowed to receive a ballot for early voting.

(3) Any person who fails to register to vote by the voter registration deadline shall not be allowed to vote except as provided in section 32-940 or 32-941.

Sec. 8. Section 32-947, Revised Statutes Cumulative Supplement, 2014, is amended to read:

32-947 (1) Upon receipt of an application or other request for a ballot to vote early, the election commissioner or county clerk shall determine whether the applicant is a registered voter and is entitled to vote as requested. If the election commissioner or county clerk determines that the applicant is a registered voter entitled to vote early and the application was received at or before 4 p.m. on the Wednesday preceding the election, the election commissioner or county clerk shall deliver a ballot to the applicant in person or by mail, postage paid. The election commissioner or county clerk or any employee of the election commissioner or county clerk shall write or cause to be affixed his or her customary signature or initials on the ballot.

(2) An unsealed identification envelope shall be delivered with the ballot, and upon the back of the envelope shall be printed a form substantially as follows:

VOTER'S OATH

I, the undersigned voter, declare that the enclosed ballot or ballots contained no voting marks of any kind when I received them, and I
caused the ballot or ballots to be marked, enclosed in the identification
envelope, and sealed in such envelope.

To the best of my knowledge and belief, I declare under penalty of
election falsification that:
(a) I, .................., am a registered voter
in .................. County;
(b) I reside in the State of Nebraska at ..................;
(c) I have voted the enclosed ballot and am returning it in
compliance with Nebraska law; and
(d) I have not voted and will not vote in this election except by
this ballot.

ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE INFORMATION
IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION FALSIFICATION, A CLASS
IV FELONY UNDER SECTION 32-1502 OF THE STATUTES OF NEBRASKA. THE PENALTY
FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO FIVE YEARS OR A FINE
NOT TO EXCEED TEN THOUSAND DOLLARS, OR BOTH.

I also understand that failure to sign below will invalidate my
ballot.

Signature ........................................

The primary election ballot, if any, within this envelope is a
primary election ballot of the ..... party.

Ballots contained in this envelope are for the ..... (primary, general, or special) election to be held on the ..... day of .......

(3) If the ballot and identification envelope will be returned by
mail or by someone other than the voter, the election commissioner or
county clerk shall include with the ballot an identification envelope
upon the face of which shall be printed the official title and post
office address of the election commissioner or county clerk.

(4) The election commissioner or county clerk shall also enclose
with the ballot materials:
(a) A registration application, if the election commissioner or county clerk has determined that the applicant is not a registered voter pursuant to section 32-945, with instructions that failure to return the completed and signed application indicating the residence address as it appears on the voter's request for a ballot to the election commissioner or county clerk by the close of the polls on election day will result in the ballot not being counted;

(b) A registration application and the oath pursuant to section 32-946, if the voter is without a residence address, with instructions that the residence address of the voter shall be deemed that of the office of the election commissioner or county clerk of the county of the voter's prior residence and that failure to return the completed and signed application and oath to the election commissioner or county clerk by the close of the polls on election day will result in the ballot not being counted; or

(c) Written instructions directing the voter to submit a copy of a government-issued photographic identification pursuant to section 32-318.01 if the voter is registering to vote by mail and has not previously voted in the state required to present identification under such section and advising the voter that failure to submit identification to the election commissioner or county clerk by the close of the polls on election day will result in the ballot not being counted.

(5) The election commissioner or county clerk may enclose with the ballot materials a separate return envelope for the voter's use in returning his or her identification envelope containing the voted ballot, registration application, and other materials that may be required.

Sec. 9. Section 32-953, Revised Statutes Cumulative Supplement, 2014, is amended to read:

32-953 (1) Except as otherwise provided in subsection (2) of this section, the election commissioner or county clerk shall mail the
official ballot to all registered voters of the political subdivision at
the addresses appearing on the voter registration register on the same
day. In an election held by mail, registered voters shall not be required
to present a government-issued photographic identification prior to being
issued a ballot. The ballots shall be mailed by nonforwardable first-
class mail not sooner than the twentieth day before the date set for the
election and not later than the tenth day before the date set for the
election. The election commissioner or county clerk shall include with
the ballot an unsealed identification envelope meeting the requirements
of subsection (2) of section 32-947 and instructions sufficient to
describe the voting process.

(2) The election commissioner or county clerk may choose not to mail
a ballot to all registered voters who have been sent a notice pursuant to
section 32-329 and failed to respond to the notice. If the election
commissioner or county clerk chooses not to mail a ballot to such voters,
he or she shall mail a notice to all such registered voters explaining
how to obtain a ballot and stating the applicable deadlines.

Sec. 10. Section 32-1002, Revised Statutes Cumulative Supplement,
2014, is amended to read:

32-1002 (1) As the ballots are removed from the ballot box pursuant
to sections 32-1012 to 32-1018, the receiving board shall separate the
envelopes containing the provisional ballots from the rest of the ballots
and deliver them to the election commissioner or county clerk.

(2) Upon receipt of a provisional ballot, the election commissioner
or county clerk shall verify that the certificate on the front of the
envelope or the form attached to the envelope is in proper form and that
the certification has been signed by the voter.

(3) The election commissioner or county clerk shall also (a) verify
that such person has not voted anywhere else in the county or been issued
a ballot for early voting, (b) investigate whether any credible evidence
exists that the person was properly registered to vote in the county
before the deadline for registration for the election, (c) investigate whether any information has been received pursuant to section 32-308, 32-309, 32-310, or 32-324 that the person has resided, registered, or voted in any other county or state since registering to vote in the county, and (d) upon determining that credible evidence exists that the person was properly registered to vote in the county, make the appropriate changes to the voter registration register by entering the information contained in the registration application completed by the voter at the time of voting a provisional ballot.

(4) A provisional ballot cast by a voter pursuant to section 32-915 shall be counted if:

(a) Credible evidence exists that the voter was properly registered in the county before the deadline for registration for the election;

(b) The voter has resided in the county continuously since registering to vote in the county;

(c) The voter has not voted anywhere else in the county or has not otherwise voted early using a ballot for early voting;

(d) The voter has completed a registration application prior to voting as prescribed in subsection (6) of this section and:

(i) The residence address provided on the registration application completed pursuant to subdivision (1)(e) of section 32-915 is located within the precinct in which the person voted; and

(ii) If the voter is voting in a primary election, the party affiliation provided on the registration application completed prior to voting the provisional ballot is the same party affiliation that appears on the voter's voter registration record based on his or her previous registration application; and

(e) The certification on the front of the envelope or form attached to the envelope is in the proper form and signed by the voter.

(5) A provisional ballot cast by a voter pursuant to section 32-915 shall not be counted if:
(a) The voter was not properly registered in the county before the
deadline for registration for the election;

(b) Information has been received pursuant to section 32-308,
32-309, 32-310, or 32-324 that the voter has resided, registered, or
voted in any other county or state since registering to vote in the
county in which he or she cast the provisional ballot;

(c) Credible evidence exists that the voter has voted elsewhere or
has otherwise voted early;

(d) The voter failed to complete and sign a registration application
pursuant to subsection (6) of this section and subdivision (1)(e) of
section 32-915;

(e) The residence address provided on the registration application
completed pursuant to subdivision (1)(e) of section 32-915 is in a
different county or in a different precinct than the county or precinct
in which the voter voted;

(f) If the voter is voting in a primary election, the party
affiliation on the registration application completed prior to voting the
provisional ballot is different than the party affiliation that appears
on the voter's voter registration record based on his or her previous
registration application; or

(g) The voter failed to complete and sign the certification on the
envelope or form attached to the envelope pursuant to subsection (2 3) of
section 32-915.

(6) An error or omission of information on the registration
application or the certification required under section 32-915 shall not
result in the provisional ballot not being counted if:

(a)(i) The errant or omitted information is contained elsewhere on
the registration application or certification; or

(ii) The information is not necessary to determine the eligibility
of the voter to cast a ballot; and

(b) Both the registration application and the certification are
(7) Upon determining that the voter's provisional ballot is eligible to be counted, the election commissioner or county clerk shall remove the ballot from the envelope without exposing the marks on the ballot and shall place the ballot with the ballots to be counted by the county canvassing board.

(8) The election commissioner or county clerk shall notify the system administrator of the system created pursuant to section 32-202 as to whether the ballot was counted and, if not, the reason the ballot was not counted.

(9) The verification and investigation shall be completed within seven days after the election.

Sec. 11. Section 32-1027, Reissue Revised Statutes of Nebraska, is amended to read:

32-1027 (1) The election commissioner or county clerk shall appoint two or more registered voters to the counting board for early voting. One registered voter shall be appointed from the political party casting the highest number of votes for Governor or for President of the United States in the county in the immediately preceding general election, and one registered voter shall be appointed from the political party casting the next highest vote for such office. The election commissioner or county clerk may appoint additional registered voters to serve on the counting board and may appoint registered voters to serve in case of a vacancy among any of the members of the counting board. Such appointees shall be balanced between the political parties and may include registered voters unaffiliated with any political party. The counting board may begin carrying out its duties not earlier than the second Monday before the election and shall meet as directed by the election commissioner or county clerk.

(2) The counting board shall place all identification envelopes in order and shall review each returned identification envelope pursuant to
verification procedures prescribed in subsections (3) and (4) of this section.

(3) In its review, the counting board shall determine if:

(a) The voter has provided his or her name, residence address, and signature on the voter identification envelope;

(b) The ballot has been received from the voter who requested it and the residence address is the same address provided on the voter's request for a ballot for early voting, by comparing the information provided on the identification envelope with information recorded in the record of early voters or the voter's request;

(c) A completed and signed registration application has been received from the voter by the deadline in section 32-302, 32-321, or 32-325 or by the close of the polls pursuant to section 32-945;

(d) A government-issued photographic identification has been presented by the voter not later than the close of the polls on election day if required pursuant to section 32-947.

(e) A completed and signed registration application and oath has been received from the voter by the close of the polls on election day if required pursuant to section 32-946.

(4) On the basis of its review, the counting board shall determine whether the ballot shall be counted or rejected as follows:

(a) A ballot received from a voter who was properly registered on or prior to the deadline for registration pursuant to section 32-302 or 32-321 shall be accepted for counting without further review if:

(i) The name on the identification envelope appears to be that of a registered voter to whom a ballot for early voting has been issued or sent;

(ii) The residence address provided on the identification envelope is the same residence address at which the voter is registered or is in the same precinct and subdivision of a precinct, if any; and
(iii) The identification envelope has been signed by the voter;

(b) In the case of a ballot received from a voter who was not properly registered prior to the deadline for registration pursuant to section 32-302 or 32-321, the ballot shall be accepted for counting if:

(i) A valid registration application completed and signed by the voter has been received by the election commissioner or county clerk prior to the close of the polls on election day;

(ii) The name on the identification envelope appears to be that of the person who requested the ballot;

(iii) The residence address provided on the identification envelope and on the registration application is the same as the residence address as provided on the voter's request for a ballot for early voting; and

(iv) The identification envelope has been signed by the voter;

(c) In the case of a ballot received from a voter without a residence address who requested a ballot pursuant to section 32-946, the ballot shall be accepted for counting if:

(i) The name on the identification envelope appears to be that of a registered voter to whom a ballot has been sent;

(ii) A valid registration application completed and signed by the voter, for whom the residence address is deemed to be the address of the office of the election commissioner or county clerk pursuant to section 32-946, has been received by the election commissioner or county clerk prior to the close of the polls on election day;

(iii) The oath required pursuant to section 32-946 has been completed and signed by the voter and received by the election commissioner or county clerk by the close of the polls on election day; and

(iv) The identification envelope has been signed by the voter; and

(d) In the case of a ballot received from a registered voter required to present a government-issued photographic identification with the ballot to vote early identification before voting pursuant to section
32-947 32-318.01, the ballot shall be accepted for counting if:

(i) The name on the identification envelope appears to be that of a registered voter to whom a ballot has been issued or sent;

(ii) The residence address provided on the identification envelope is the same address at which the voter is registered or is in the same precinct and subdivision of a precinct, if any;

(iii) A copy of a government-issued photographic identification and identification document authorized in section 32-318.01 has been received by the election commissioner or county clerk prior to the close of the polls on election day; and

(iv) The identification envelope has been signed by the voter.

(5) In opening the identification envelope or the return envelope to determine if registration applications, oaths, or identification documents have been enclosed by the voters from whom they are required, the counting board shall make a good faith effort to ensure that the ballot remains folded and that the secrecy of the vote is preserved.

(6) The counting board may, on the second Monday before the election, open all identification envelopes which are approved, and if the signature of the election commissioner or county clerk or his or her employee is on the ballot, the ballot shall be unfolded, flattened for purposes of using the optical scanner, and placed in a sealed container for counting as directed by the election commissioner or county clerk. At the discretion of the election commissioner or county clerk, the counting board may begin counting early ballots no earlier than twenty-four hours prior to the opening of the polls on the day of the election.

(7) If an identification envelope is rejected, the counting board shall not open the identification envelope. The counting board shall write Rejected on the identification envelope and the reason for the rejection. If the ballot is rejected after opening the identification envelope because of the absence of the official signature on the ballot, the ballot shall be reinserted in the identification envelope which shall
be resealed and marked Rejected, no official signature. The counting
board shall place the rejected identification envelopes and ballots in a
container labeled Rejected Ballots and seal it.

(8) As soon as all ballots have been placed in the sealed container
and rejected identification envelopes or ballots have been sealed in the
Rejected Ballots container, the counting board shall count the ballots
the same as all other ballots and an unofficial count shall be reported
to the election commissioner or county clerk. No results shall be
released prior to the closing of the polls on election day.

Sec. 12. Section 60-4,115, Revised Statutes Cumulative Supplement,
2014, is amended to read:

60-4,115 (1) Fees for operators' licenses and state identification
cards shall be collected and distributed according to the table in
subsection (2) of this section, except for the ignition interlock permit
and associated fees as outlined in subsection (4) of this section and
except for state identification cards issued pursuant to subsection (6)
of this section. County officials shall remit the county portion of the
fees collected to the county treasurer for placement in the county
general fund. All other fees collected shall be remitted to the State
Treasurer for credit to the appropriate fund.

(2) The fees provided in this subsection in the following dollar
amounts apply for operators' licenses and state identification cards.

<table>
<thead>
<tr>
<th>Document</th>
<th>Total Fee</th>
<th>General Fund</th>
<th>Vehicles Cash Fund</th>
<th>General Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>State identification card:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Valid for 1 year or less</td>
<td>5.00</td>
<td>2.75</td>
<td>1.25</td>
<td>1.00</td>
</tr>
<tr>
<td>Valid for more than 1 year</td>
<td>10.00</td>
<td>2.75</td>
<td>4.00</td>
<td>3.25</td>
</tr>
<tr>
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School bus permit:

Original or renewal  5.00  0  5.00  0
Replacement  5.00  0  5.00  0
Add, change, or remove class, endorsement, or restriction  5.00  0  5.00  0

(3) If the department issues an operator's license or a state identification card for which a fee is collected, the department shall remit the county portion of the fees to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(4)(a) The fee for an ignition interlock permit shall be forty-five dollars. Five dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Forty dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Ignition Interlock Fund.

(b) The fee for a replacement ignition interlock permit shall be eleven dollars. Two dollars and seventy-five cents of the fee shall be remitted to the county treasurer for credit to the county general fund. Six dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Two dollars and twenty-five cents of the fee shall be remitted to the State Treasurer for credit to the General Fund.

(c) The fee for adding, changing, or removing a class, endorsement, or restriction on an ignition interlock permit shall be five dollars. The fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(5) Except as otherwise provided in subsection (6) of this section, the department and its agents may collect an identity security surcharge to cover the cost of security and technology practices used to protect the identity of applicants for and holders of operators' licenses and state identification cards and to reduce identity theft, fraud, and forgery and counterfeiting of such licenses and cards to the maximum
extent possible. The surcharge shall be in addition to all other required
fees for operators' licenses and state identification cards. The amount
of the surcharge shall be determined by the department. The surcharge
shall not exceed eight dollars. The surcharge shall be remitted to the
State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(6) An applicant for a state identification card who indicates that
he or she is indigent and in need of a state identification card for
purposes of voting under the Election Act shall be issued a state
identification card at no cost.

Sec. 13. Section 60-4,181, Revised Statutes Cumulative Supplement,
2014, is amended to read:

60-4,181 (1) Each applicant for a state identification card shall
provide the information and documentation required by section 60-484 and
also, beginning on an implementation date designated by the director on
or before January 1, 2014, the information and documentation required by
section 60-484.04. The form of the state identification card shall comply
with section 60-4,117. Upon presentation of an applicant's issuance
certificate, the county treasurer shall collect the fee and surcharge if
required as prescribed in section 60-4,115 and issue a receipt to the
applicant which is valid up to thirty days. The state identification card
shall be delivered to the applicant as provided in section 60-4,113.

(2) The director may summarily cancel any state identification card,
and any judge or magistrate may order a state identification card
canceled in a judgment of conviction, if the application or issuance
certificate for the card contains any false or fraudulent statements
which were deliberately and knowingly made as to any matter material to
the issuance of the card or if the application or issuance certificate
does not contain required or correct information. Any state
identification card so obtained shall be void from the date of issuance.
Any judgment of conviction ordering cancellation of a state
identification card shall be transmitted to the director who shall cancel
the card.  

(3) This subsection applies beginning on an implementation date designated by the director on or before January 1, 2014. No person shall be a holder of a state identification card and an operator's license at the same time.


Sec. 15. The following section is outright repealed: Section 32-318.01, Reissue Revised Statutes of Nebraska.