

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 308

Introduced by Kolowski, 31.

Read first time January 15, 2015

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to elections; to amend sections 32-301,
2 32-311.01, 32-318.01, 32-320, 32-326, 60-4,130, and 60-4,130.02,
3 Reissue Revised Statutes of Nebraska, and sections 32-101, 32-308,
4 32-310, 32-311, 32-312, 32-312.05, and 60-484, Revised Statutes
5 Cumulative Supplement, 2014; to provide for certain sixteen-year-
6 olds and seventeen-year-olds to preregister to vote; to provide
7 procedures; to change and provide powers and duties; to harmonize
8 provisions; to provide operative dates; and to repeal the original
9 sections.

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

1 Section 1. Section 32-101, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 32-101 Sections 32-101 to 32-1551 and section 11 of this act shall
4 be known and may be cited as the Election Act.

5 Sec. 2. Section 32-301, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 32-301 (1) The Secretary of State shall implement, in a uniform and
8 nondiscriminatory manner, a single, uniform, official, centralized,
9 interactive computerized statewide voter registration list defined,
10 maintained, and administered at the office of the Secretary of State that
11 contains the name and registration information of every legally
12 registered voter in the state and assigns a unique identifier to each
13 legally registered voter in the state. The computerized list shall serve
14 as the single system for storing and managing the official list of
15 registered voters throughout the state and shall comprise the voter
16 registration register. The computerized list shall be coordinated with
17 other agency data bases within the state and shall be available for
18 electronic access by election commissioners and county clerks. The
19 computerized list shall serve as the official voter registration list for
20 the conduct of all elections under the Election Act. The Secretary of
21 State shall provide such support as may be required so that election
22 commissioners and county clerks are able to electronically enter voter
23 registration information obtained by such officials on an expedited basis
24 at the time the information is received. The Secretary of State shall
25 provide adequate technological security measures to prevent unauthorized
26 access to the computerized list. No General Funds shall be appropriated
27 for purposes of this list, and funds available in the Election
28 Administration Fund may be used for such purposes.

29 (2) The election commissioner or county clerk shall provide for the
30 registration of the electors of the county. Upon receipt of a voter
31 registration application in his or her office from an eligible elector,

1 the election commissioner or county clerk shall enter the information
2 from the application in the voter registration register and may create an
3 electronic image, photograph, microphotograph, or reproduction in an
4 electronic digital format to be used as the voter registration record.
5 The election commissioner or county clerk shall provide a precinct list
6 of registered voters for each precinct for the use of judges and clerks
7 of election in their respective precincts on election day. An
8 electronically prepared list of registered voters in a form prescribed by
9 the Secretary of State shall meet the requirements for a precinct list of
10 registered voters.

11 (3) As part of the system of registration of electors, the Secretary
12 of State shall design and beginning January 1, 2016, implement a process
13 of preregistration for persons who are at least sixteen years of age and
14 are not eligible to vote under Article VI, section 1, of the Constitution
15 of Nebraska, and who are otherwise qualified to register to vote. The
16 process shall include use of the system of registration of electors to
17 allow such persons to (a) submit a preregistration application and
18 updates of relevant information, (b) receive a confirmation of
19 registration upon reaching the age of eligibility in order to provide
20 verification of his or her qualifications and address under section 11 of
21 this act, and (c) after verification of his or her qualifications and
22 address, obtain an acknowledgment of registration under section 32-322.

23 Sec. 3. Section 32-308, Revised Statutes Cumulative Supplement,
24 2014, is amended to read:

25 32-308 (1) The Secretary of State and the Director of Motor Vehicles
26 shall enter into an agreement to match information in the computerized
27 statewide voter registration list with information in the data base of
28 the Department of Motor Vehicles to the extent required to enable each
29 such official to verify the accuracy of the information provided on
30 applications for voter registration and preregistration. The Director of
31 Motor Vehicles shall enter into an agreement with the Commissioner of

1 Social Security under section 205(r)(8) of the federal Social Security
2 Act, 42 U.S.C. 405(r)(8), as such section existed on April 17, 2003, for
3 purposes of the Election Act.

4 (2) The Department of Motor Vehicles, with the assistance of the
5 Secretary of State, shall prescribe a voter registration application
6 which may be used to register to vote, preregister to vote, or change his
7 or her address for voting purposes at the same time an elector or a
8 person eligible to preregister under section 11 of this act applies for
9 an original or renewal motor vehicle operator's license, an original or
10 renewal state identification card, or a replacement thereof. The voter
11 registration application shall contain the information required pursuant
12 to section 32-312 and shall be designed so that it does not require the
13 duplication of information in the application for the motor vehicle
14 operator's license or state identification card, except that it may
15 require a second signature of the applicant. The department and the
16 Secretary of State shall make the voter registration application
17 available to any person applying for an operator's license or state
18 identification card. The application shall be completed at the office of
19 the department by the close of business on the third Friday preceding any
20 election to be registered to vote at such election. A registration
21 application received after the deadline shall not be processed by the
22 election commissioner or county clerk until after the election.

23 (3) The Department of Motor Vehicles, in conjunction with the
24 Secretary of State, shall develop a process to electronically transmit
25 voter registration application information received under subsection (2)
26 of this section to the election commissioner or county clerk of the
27 county in which the applicant resides within the time limits prescribed
28 in subsection (4) of this section. The Director of Motor Vehicles shall
29 designate an implementation date for the process which shall be on or
30 before January 1, 2016.

31 (4) The voter registration application information shall be

1 transmitted to the election commissioner or county clerk of the county in
2 which the applicant resides not later than ten days after receipt, except
3 that if the voter registration application information is received within
4 five days prior to the third Friday preceding any election, it shall be
5 transmitted not later than five days after its original submission. Any
6 information on whether an applicant registers or declines to register and
7 the location of the office at which he or she registers shall be
8 confidential and shall only be used for voter registration purposes.

9 (5) For each voter registration application for which information is
10 transmitted electronically pursuant to this section, the Secretary of
11 State shall obtain a copy of the electronic representation of the
12 applicant's signature from the Department of Motor Vehicles' records of
13 his or her motor vehicle operator's license or state identification card
14 for purposes of voter registration. Each voter registration application
15 electronically transmitted under this section shall include information
16 provided by the applicant that includes whether the applicant is a
17 citizen of the United States, whether the applicant is of sufficient age
18 to register or preregister to vote, the applicant's residence address,
19 the applicant's postal address if different from the residence address,
20 the date of birth of the applicant, the party affiliation of the
21 applicant or an indication that the applicant is not affiliated with any
22 political party, the applicant's motor vehicle operator's license number,
23 the applicant's previous registration location by city, county, or state,
24 if applicable, and the applicant's signature.

25 (6) State agency personnel involved in the voter registration
26 process pursuant to this section and section 32-309 shall not be
27 considered deputy registrars or agents or employees of the election
28 commissioner or county clerk.

29 Sec. 4. Section 32-310, Revised Statutes Cumulative Supplement,
30 2014, is amended to read:

31 32-310 (1) The State Department of Education and the Department of

1 Health and Human Services shall provide the opportunity to register or
2 preregister to vote at the time of application, review, or change of
3 address for the following programs, as applicable: (a) The Supplemental
4 Nutrition Assistance Program; (b) the medicaid program; (c) the WIC
5 program as defined in section 71-2225; (d) the aid to dependent children
6 program; (e) the vocational rehabilitation program; and (f) any other
7 public assistance program or program primarily for the purpose of
8 providing services to persons with disabilities. If the application,
9 review, or change of address is accomplished through an agent or
10 contractor of the department, the agent or contractor shall provide the
11 opportunity to register or preregister to vote. Any information on
12 whether an applicant registers or declines to register and the agency at
13 which he or she registers shall be confidential and shall only be used
14 for voter registration purposes.

15 (2) The department, agent, or contractor shall make the mail-in
16 registration application described in section 32-320 available at the
17 time of application, review, or change of address and shall provide
18 assistance, if necessary, to the applicant in completing the application
19 to register to vote. The department shall retain records indicating
20 whether an applicant accepted or declined the opportunity to register to
21 vote.

22 (3) Department personnel, agents, and contractors involved in the
23 voter registration process pursuant to this section shall not be
24 considered deputy registrars or agents or employees of the election
25 commissioner or county clerk.

26 (4) The applicant may return the completed voter registration
27 application to the department, agent, or contractor or may personally
28 mail or deliver the application to the election commissioner or county
29 clerk as provided in section 32-321. If the applicant returns the
30 completed application to the department, agent, or contractor, the
31 department, agent, or contractor shall deliver the application to the

1 election commissioner or county clerk of the county in which the office
2 of the department, agent, or contractor is located not later than ten
3 days after receipt by the department, agent, or contractor, except that
4 if the application is returned to the department, agent, or contractor
5 within five days prior to the third Friday preceding any election, it
6 shall be delivered not later than five days after the date it is
7 returned. The election commissioner or county clerk shall, if necessary,
8 forward the application to the election commissioner or county clerk of
9 the county in which the applicant resides within such prescribed time
10 limits. The application shall be completed and returned to the
11 department, agency, or contractor by the close of business on the third
12 Friday preceding any election to be registered to vote at such election.
13 A registration application received after the deadline shall not be
14 processed by the election commissioner or county clerk until after the
15 election.

16 (5) The departments shall adopt and promulgate rules and regulations
17 to ensure compliance with this section.

18 Sec. 5. Section 32-311, Revised Statutes Cumulative Supplement,
19 2014, is amended to read:

20 32-311 (1) Any elector may personally apply to register to vote at
21 (a 1) the office of the election commissioner or county clerk, (b 2) a
22 registration site at which a deputy registrar is in attendance, (c 3) a
23 department listed in section 32-310 at the time of an application,
24 review, or change of address as provided in such section, or (d 4) the
25 Department of Motor Vehicles while applying for a motor vehicle
26 operator's license or state identification card as provided in section
27 32-308.

28 (2) A person who (a) is at least sixteen years of age and is not
29 eligible to vote under Article VI, section 1, of the Constitution of
30 Nebraska and (b) is otherwise qualified to register to vote may
31 personally apply to preregister to vote by the same methods provided in

1 subsection (1) of this section.

2 Sec. 6. Section 32-311.01, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-311.01 (1) The Secretary of State shall prescribe and distribute
5 a registration application which may be used statewide to register to
6 vote, preregister to vote, and update voter registration records. An
7 applicant may use the application to register to vote, to preregister to
8 vote, or to update his or her voter registration record with changes in
9 his or her personal information or other information related to his or
10 her eligibility to vote. An applicant may submit the application in
11 person, through a personal messenger or personal agent, or by mail. Every
12 election commissioner or county clerk shall accept such an application
13 for registration. If an applicant who is eligible to register or
14 preregister to vote submits the application in person at the office of
15 the election commissioner or county clerk, the information from the
16 application shall be entered into the voter registration register in the
17 presence of the applicant if possible.

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

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

23 (b) If the application is submitted by mail and the applicant is
24 registering or preregistering in the state for the first time and has not
25 previously voted within the state, the applicant must submit with the
26 application a copy of a photo identification which is current and valid
27 or a copy of a utility bill, bank statement, government check, paycheck,
28 or other government document that is current and that shows the name and
29 address of the applicant as they appear on the application in order to
30 avoid additional identification requirements when voting for the first
31 time;

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

4 (d) To vote at the polling place on election day, an elector's the
5 completed application must be:

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

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

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

14 (e) The election commissioner or county clerk will, upon receipt of
15 the application for registration from an elector, send an acknowledgment
16 of registration to the applicant indicating whether the application is
17 proper or not; ~~and~~

18 (f) When an applicant who preregisters to vote reaches the age of
19 eligibility according to Article VI, section 1, of the Constitution of
20 Nebraska, the election commissioner or county clerk will send a
21 confirmation of registration to the applicant in order to provide
22 verification of his or her qualifications and address under section 11 of
23 this act; and

24 (g) The election commissioner or county clerk will, upon receipt of
25 a confirmation of registration under section 11 of this act, verify the
26 applicant's qualifications and address and send an acknowledgement of
27 registration under section 32-322.

28 Sec. 7. Section 32-312, Revised Statutes Cumulative Supplement,
29 2014, is amended to read:

30 32-312 The registration application prescribed by the Secretary of
31 State pursuant to section 32-304 or 32-311.01 shall provide the

1 instructional statements and request the information from the applicant
2 as provided in this section.

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

6 WARNING—"If you checked 'no' in response to this question, do not
7 complete this application.".

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

12 "Are you at least sixteen years of age?" with boxes to check to
13 indicate whether or not the applicant is at least sixteen years of age.

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

16 "Do you understand that you must be eighteen years of age on or
17 before election day to vote?" with boxes to check to indicate whether or
18 not the applicant understands that the applicant must be eighteen years
19 of age or older on election day to be eligible to vote.

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

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

1 which he or she is located.

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

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

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

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

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

20 DATE OF APPLICATION FOR REGISTRATION—the month, day, and year when
21 the applicant presented himself or herself for registration, when the
22 applicant completed and signed the registration application if the
23 application was submitted by mail or delivered to the election official
24 by the applicant's personal messenger or personal agent, or when the
25 completed application was submitted if the registration application was
26 completed pursuant to section 32-304.

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

29 DATE OF BIRTH—show the date of the applicant's birth. The applicant
30 shall be at least eighteen years of age or attain eighteen years of age
31 on or before the first Tuesday after the first Monday in November to have

1 the right to register and vote in any election in the present calendar
2 year.

3 REGISTRATION TAKEN BY—show the signature of the authorized official
4 or staff member accepting the application pursuant to section 32-309 or
5 32-310 or at least one of the deputy registrars taking the application
6 pursuant to section 32-306, if applicable.

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

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

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

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

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

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

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

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

30 Any registrant who signs this application knowing that any of the
31 information in the application is false shall be guilty of a Class IV

1 felony under section 32-1502 of the statutes of Nebraska. The penalty for
2 a Class IV felony is up to five years imprisonment, a fine of up to ten
3 thousand dollars, or both.

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

6 Sec. 8. Section 32-312.05, Revised Statutes Cumulative Supplement,
7 2014, is amended to read:

8 32-312.05 (1) Except as otherwise provided in subsection (2) of
9 this section, the ~~The~~ date that a person's voter registration record or
10 an update of his or her voter registration record becomes effective is
11 the date the person presented himself or herself in person to register,
12 the date the registration application was delivered to the election
13 commissioner or county clerk, or the date the registration application
14 was received by the election commissioner or county clerk if the person
15 submitted the registration application by mail or pursuant to section
16 32-304 or 32-308.

17 (2) For a person who preregisters to vote pursuant to section 11 of
18 this act, the date that such person's voter registration record, or any
19 update of his or her voter registration record prior to becoming eligible
20 to vote, becomes effective is (a) January 1 of the year during which such
21 person is seventeen years old and will attain the age of eighteen years
22 on or before the first Tuesday after the first Monday in November of such
23 year if he or she verifies his or her qualifications and address as
24 provided in such preregistration pursuant to section 11 of this act or
25 (b) his or her eighteenth birthday for any such person who attains the
26 age of eighteen years after the first Tuesday after the first Monday in
27 November and on or before the following January 1 and who verifies his or
28 her qualifications and address as provided in such preregistration
29 pursuant to section 11 of this act.

30 Sec. 9. Section 32-318.01, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-318.01 (1)(a) Except as provided by subsection (2) of this
2 section, a person who registers or preregisters to vote by mail after
3 January 1, 2003, and has not previously voted in an election within the
4 state shall present a photographic identification which is current and
5 valid or a copy of a utility bill, bank statement, government check,
6 paycheck, or other government document which is dated within the sixty
7 days immediately prior to the date of presentation and which shows the
8 same name and residence address of the person provided on the
9 registration application in order to avoid identification requirements at
10 the time of voting pursuant to section 32-914 or 32-947.

11 (b) Such documentation may be presented at the time of application
12 for registration, after submission of the application for registration,
13 or at the time of voting. The documentation must be received by the
14 election commissioner or county clerk not later than 6 p.m. on the second
15 Friday preceding the election to avoid additional identification
16 requirements at the time of voting at the polling place if the voter
17 votes in person. If the voter is voting using a ballot for early voting,
18 the documentation must be received by the election commissioner or county
19 clerk prior to the date on which the ballot is mailed to the voter to
20 avoid additional identification requirements at the time of voting.
21 Documentation received after the ballot has been mailed to the voter but
22 not later than 8 p.m. on election day will be considered timely for
23 purposes of determining the applicant's eligibility to vote in the
24 election.

25 (c) Such documentation may be presented in person, by mail, or by
26 facsimile transmission.

27 (d) Failure to present such documentation may result in the ballot
28 not being counted pursuant to verification procedures prescribed in
29 sections 32-1002 and 32-1027.

30 (2) A person who registers or preregisters to vote by mail after
31 January 1, 2003, and has not previously voted in an election within the

1 state shall not be required to present identification if he or she:

2 (a) Has provided his or her Nebraska driver's license number or the
3 last four digits of his or her social security number and the election
4 commissioner or county clerk verifies the number provided pursuant to
5 subsection (2) of section 32-312.03;

6 (b) Is a member of the armed forces of the United States who by
7 reason of active duty is absent from his or her place of residence where
8 the member is otherwise eligible to vote;

9 (c) Is a member of the United States Merchant Marine who by reason
10 of service is away from his or her place of residence where the member is
11 otherwise eligible to vote;

12 (d) Is a spouse or dependent of a member of the armed forces of the
13 United States or United States Merchant Marine who is absent from his or
14 her place of residence due to the service of that member;

15 (e) Resides outside the United States and but for such residence
16 would be qualified to vote in the state if the state was the last place
17 in which the person was domiciled before leaving the United States; or

18 (f) Is elderly or handicapped and has requested to vote by
19 alternative means other than by casting a ballot at his or her polling
20 place on election day.

21 Sec. 10. Section 32-320, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 32-320 The only mail-in forms which may be used to register or
24 preregister to vote shall be the official registration application
25 prescribed by the Secretary of State or the national mail voter
26 registration application prescribed by the federal Election Assistance
27 Commission. The Secretary of State shall provide such official
28 registration applications to all recruitment offices of the United States
29 Armed Forces in the State of Nebraska. The counties and state agencies
30 listed in section 32-310 shall purchase such official registration
31 applications from the Secretary of State. The Secretary of State shall

1 remit proceeds from the sale of such applications to the State Treasurer
2 for credit to the Election Administration Fund.

3 Sec. 11. (1) A person who is sixteen years of age or who is
4 seventeen years of age and will not attain the age of eighteen years on
5 or before the first Tuesday after the first Monday in November of the
6 then current calendar year in order to be eligible to vote under Article
7 VI, section 1, of the Constitution of Nebraska, and who is otherwise
8 qualified to register to vote may preregister to vote and shall be
9 automatically registered to vote upon reaching the age of eligibility
10 after verification of his or her qualifications and address as provided
11 in this section.

12 (2) Any person described in subsection (1) of this section may
13 request a voter registration application from the office of the Secretary
14 of State or the election commissioner or county clerk. The Secretary of
15 State and the election commissioner or county clerk shall make
16 registration applications prescribed by the Secretary of State available
17 and may place the applications in public places. The Secretary of State
18 and the election commissioner or county clerk may require that all unused
19 applications be returned to his or her office and may place reasonable
20 limits on the amount of applications requested.

21 (3) If such person returns the completed application to the office
22 of the Secretary of State, the office shall deliver the application to
23 the election commissioner or county clerk of the county in which the
24 person resides not later than ten days after receipt by the office.

25 (4) Two weeks prior to the projected effective date of a person's
26 voter registration pursuant to subsection (2) of section 32-312.05, the
27 election commissioner or county clerk shall send a confirmation of
28 registration to such person requesting that the person verify his or her
29 qualifications and address as submitted in the application for
30 preregistration. With such mailing, the election commissioner or county
31 clerk shall include written notice to any applicant whose voter

1 registration application was found to be incorrect or incomplete and
2 shall state the specific reason for rejection. If the application is
3 incomplete, the election commissioner or county clerk shall notify the
4 applicant of the failure to provide the required information, including
5 failure to provide identification if required, and provide the applicant
6 with the opportunity to submit an identification document as described in
7 section 32-318.01 prior to the deadline for voter registration or to
8 complete and submit a corrected registration application in a timely
9 manner to allow for the proper registration of the applicant prior to the
10 next election. All postage costs related to returning registration
11 applications to the election commissioner or county clerk shall be paid
12 by the registrant.

13 (5) Upon receipt by the election commissioner or county clerk of a
14 complete and correct registration application showing that the registrant
15 is qualified to be a registered voter pursuant to sections 32-312.01 to
16 32-312.05 and a confirmation of registration pursuant to subsection (4)
17 of this section, the registrant shall be a registered voter and the
18 election commissioner or county clerk shall send, by nonforwardable
19 first-class mail, an acknowledgment of registration to the registrant at
20 the postal address shown on the registration application. If an
21 acknowledgment of registration is returned as undeliverable, a second
22 nonforwardable first-class mailing shall be attempted. If a registration
23 application is a duplicate of a registration already on file, the
24 registrant shall be so notified.

25 (6)(a) A registration application completed and signed by a person
26 described in subsection (1) of this section seeking to update his or her
27 voter registration record shall be completed in person at or delivered or
28 mailed to the office of the election commissioner or county clerk. To
29 avoid additional requirements at the polling place pursuant to section
30 32-914.01, 32-914.02, or 32-915, an application to update a voter
31 registration record must be:

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

4 (ii) Delivered by a personal messenger or personal agent or mailed
5 so that it is received by the election commissioner or county clerk on or
6 before the deadline prescribed in section 32-321.

7 (b) After verifying the signature on the previous preregistration
8 application of such person, the election commissioner or county clerk
9 shall make the change of name, party affiliation, or address on all
10 pertinent election records. The election commissioner or county clerk
11 shall send a confirmation and an acknowledgment card to the registered
12 voter as provided in subsections (4) and (5) of this section indicating
13 that the change of registration has been completed and shall include the
14 address of the registered voter's new polling place.

15 Sec. 12. Section 32-326, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-326 The election commissioner or county clerk shall remove the
18 name of a registered voter or the name of a person who has preregistered
19 from the voter registration register and cancel the registration of such
20 person voter if:

21 (1) The election commissioner or county clerk has received
22 information that the person voter is deceased;

23 (2) The person voter requests in writing that his or her name be
24 removed;

25 (3) The election commissioner or county clerk has received
26 information that the person voter has moved from the address at which he
27 or she is registered or preregistered to vote from the National Change of
28 Address program of the United States Postal Service pursuant to section
29 32-329 and the person voter has not responded to a confirmation notice
30 sent pursuant to section 32-329 and has not voted or offered to vote at
31 any election held prior to and including the second statewide federal

1 general election following the mailing of the confirmation notice;

2 (4) The election commissioner or county clerk has received
3 information that the person ~~registrant~~ has moved out of the state and has
4 registered to vote or voted in another territory or state pursuant to
5 section 32-314; or

6 (5) The person ~~voter~~ has become ineligible to vote as provided in
7 section 32-313.

8 Sec. 13. Section 60-484, Revised Statutes Cumulative Supplement,
9 2014, is amended to read:

10 60-484 (1) Except as otherwise provided in the Motor Vehicle
11 Operator's License Act, no resident of the State of Nebraska shall
12 operate a motor vehicle upon the alleys or highways of this state until
13 the person has obtained an operator's license for that purpose.

14 (2) Application for an operator's license or a state identification
15 card shall be made in a manner prescribed by the department. Such
16 application may be made to department personnel in any county. Department
17 personnel shall conduct the examination of the applicant and deliver to
18 each successful applicant an issuance certificate containing the
19 statements made pursuant to subsection (3) of this section.

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

30 (i) Have you within the last three months (e.g. due to diabetes,
31 epilepsy, mental illness, head injury, stroke, heart condition,

1 neurological disease, etc.):

2 (A) lost voluntary control or consciousness ... yes ... no

3 (B) experienced vertigo or multiple episodes of dizziness or
4 fainting ... yes ... no

5 (C) experienced disorientation ... yes ... no

6 (D) experienced seizures ... yes ... no

7 (E) experienced impairment of memory, memory loss ... yes ... no

8 Please explain:

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

13 Please explain:

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

16 Please explain, including how the above affects your ability to
17 drive:, and (d) may answer the following:

18 (i) Do you wish to register to vote or preregister to vote as part
19 of this application process?

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

24 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING
25 QUESTIONS:

26 (iii) Do you wish to be an organ and tissue donor?

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

29 (v) Do you wish to donate \$1 to promote the Organ and Tissue Donor
30 Awareness and Education Fund?

31 (4) Application for an operator's license or state identification

1 card shall include a signed oath, affirmation, or declaration of the
2 applicant that the information provided on the application for the
3 license or card is true and correct.

4 (5) The social security number shall not be printed on the
5 operator's license or state identification card and shall be used only
6 (a) to furnish information to the United States Selective Service System
7 under section 60-483, (b) with the permission of the director in
8 connection with the verification of the status of an individual's driving
9 record in this state or any other state, (c) for purposes of child
10 support enforcement pursuant to section 42-358.08 or 43-512.06, (d) to
11 furnish information regarding an applicant for or holder of a commercial
12 driver's license with a hazardous materials endorsement to the
13 Transportation Security Administration of the United States Department of
14 Homeland Security or its agent, (e) to furnish information to the
15 Department of Revenue under section 77-362.02, or (f) to furnish
16 information to the Secretary of State for purposes of the Election Act.

17 (6)(a) Each individual applying for an operator's license or a state
18 identification card shall furnish proof of date of birth and identity
19 with documents containing a photograph or with nonphoto identity
20 documents which include his or her full legal name and date of birth.
21 Such documents shall be those provided in subsection (1) of section
22 60-484.04.

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

1 certification is in fact the parent or guardian of such applicant.

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

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

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

12 Sec. 14. Section 60-4,130, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-4,130 (1) Application for an employment driving permit shall be
15 made to the Department of Motor Vehicles on forms furnished for that
16 purpose by the department. The application form shall contain such
17 information as deemed necessary by the director to carry out this section
18 and section 60-4,129. If the department has a digital image and digital
19 signature of the applicant preserved in the digital system implemented
20 under section 60-484.01, the employment driving permit, if issued, may
21 contain such image and signature. The application form shall also include
22 a voter registration portion pursuant to section 32-308 and the following
23 specific question: Do you wish to register to vote or preregister to vote
24 as part of this application process? To be eligible for an employment
25 driving permit, the applicant shall furnish, along with the application
26 to the director, the following:

27 (a) An affidavit from the applicant's employer stating that such
28 applicant is required to operate a motor vehicle from his or her
29 residence to his or her place of employment and return;

30 (b) If such applicant requires the use of a motor vehicle during the
31 normal course of employment, an affidavit from the applicant's employer

1 setting forth the facts establishing such requirement;

2 (c) An affidavit stating that there exists no other reasonable
3 alternative means of transportation to and from work available to the
4 applicant; and

5 (d) If the applicant is self-employed, an affidavit to the
6 department setting forth the provisions of his or her employment.

7 (2) Except as otherwise provided in this subsection, upon making
8 application for such permit, the applicant shall certify that he or she
9 will attend and complete, within sixty days, a driver improvement course
10 presented by the department or show successful completion of the driver
11 education and training course as provided in section 60-4,183. If such
12 course is not completed, the employment driving permit shall be
13 surrendered to the department. If any person fails to return to the
14 department the permit as provided in this subsection, the department
15 shall direct any peace officer or authorized representative of the
16 department to secure possession of the permit and to return the permit to
17 the department. An applicant whose operator's license has been suspended
18 pursuant to section 43-3318 is not required to fulfill such driver
19 improvement or education and training course requirements. All applicants
20 shall file and maintain proof of financial responsibility as required by
21 the Motor Vehicle Safety Responsibility Act.

22 (3) Any person who fails to surrender a permit, as required by this
23 section, shall be guilty of a Class IV misdemeanor.

24 (4) The fee prescribed in section 60-4,115 shall be submitted to the
25 department along with the application for an employment driving permit.

26 (5) When the holder of an employment driving permit is convicted, on
27 or after the date of issuance of the employment driving permit, of any
28 traffic violation or of operating a motor vehicle for a purpose other
29 than specified by such permit, the person shall not be eligible to
30 receive another employment driving permit during that particular period
31 of revocation. This subsection does not apply to a holder of an

1 employment driving permit if the reason for his or her license revocation
2 or suspension only involved a suspension under section 43-3318 and not a
3 revocation under any other section.

4 (6) Any person who feels himself or herself aggrieved because of the
5 refusal of the director to issue the employment driving permit may appeal
6 in the manner set forth in section 60-4,105.

7 Sec. 15. Section 60-4,130.02, Reissue Revised Statutes of Nebraska,
8 is amended to read:

9 60-4,130.02 (1) Application for a medical hardship driving permit
10 shall be made to the Department of Motor Vehicles on forms furnished for
11 that purpose by the department. The application form shall contain such
12 information as deemed necessary by the director to carry out this section
13 and section 60-4,130.01. If the department has a digital image and
14 digital signature of the applicant preserved in the digital system
15 implemented under section 60-484.01, the medical hardship driving permit,
16 if issued, may contain such image and signature. The application form
17 shall also include a voter registration portion pursuant to section
18 32-308 and the following specific question: Do you wish to register to
19 vote or preregister to vote as part of this application process? To be
20 eligible for a medical hardship driving permit, the applicant shall
21 furnish, along with the application to the director, the following:

22 (a) An affidavit from the applicant's physician stating that it is
23 necessary for such applicant to receive medical treatment at a location
24 other than the applicant's residence and that the treatment will not
25 impair the applicant's ability to operate a motor vehicle; and

26 (b) An affidavit stating that there exists no other reasonable
27 alternative means of transportation to and from the site of medical
28 treatment available to the applicant.

29 (2) The applicant shall also be required to file and maintain proof
30 of financial responsibility as required by the Motor Vehicle Safety
31 Responsibility Act.

1 (3) The fee prescribed in section 60-4,115 shall be submitted to the
2 department along with the application for a medical hardship driving
3 permit.

4 (4) When the holder of a medical hardship driving permit is
5 convicted, on or after the date of issuance of the permit, of any traffic
6 violation or of operating a motor vehicle for a purpose other than
7 specified by such permit, the person shall not be eligible to receive
8 another medical hardship driving permit during that particular period of
9 revocation.

10 (5) Any person who feels himself or herself aggrieved because of the
11 refusal of the director to issue the medical hardship driving permit may
12 appeal in the manner set forth in section 60-4,105.

13 Sec. 16. Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
14 and 17 of this act become operative on January 1, 2016. The other
15 sections of this act become operative on their effective date.

16 Sec. 17. Original sections 32-311.01, 32-318.01, 32-320, 32-326,
17 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, and
18 sections 32-101, 32-308, 32-310, 32-311, 32-312, 32-312.05, and 60-484,
19 Revised Statutes Cumulative Supplement, 2014, are repealed.

20 Sec. 18. Original section 32-301, Reissue Revised Statutes of
21 Nebraska, is repealed.