

AMENDMENTS TO LB1065

(Amendments to Standing Committee amendments, AM1890)

Introduced by Murante, 49.

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. Section 32-101, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           32-101 Sections 32-101 to 32-1551 and section 2 of this act shall be  
6 known and may be cited as the Election Act.

7           Sec. 2. Beginning July 1, 2019, the electronic poll books for a  
8 precinct shall contain the list of registered voters and the sign-in  
9 register for the precinct combined in one data base and shall include the  
10 registration information and the digital signatures for the registered  
11 voters of the precinct.

12          Sec. 3. Section 32-301, Revised Statutes Supplement, 2017, is  
13 amended to read:

14          32-301 (1) The Secretary of State shall implement, in a uniform and  
15 nondiscriminatory manner, a single, uniform, official, centralized,  
16 interactive computerized statewide voter registration list defined,  
17 maintained, and administered at the office of the Secretary of State that  
18 contains the name and registration information of every legally  
19 registered voter in the state and assigns a unique identifier to each  
20 legally registered voter in the state. The computerized list shall serve  
21 as the single system for storing and managing the official list of  
22 registered voters throughout the state and shall comprise the voter  
23 registration register. The computerized list shall be coordinated with  
24 other agency data bases within the state and shall be available for  
25 electronic access by election commissioners and county clerks. The  
26 computerized list shall serve as the official voter registration list for

1 the conduct of all elections under the Election Act and beginning July 1,  
2 2019, shall be the basis for electronic poll books at each precinct if  
3 applicable. The Secretary of State shall provide such support as may be  
4 required so that election commissioners and county clerks are able to  
5 electronically enter voter registration information obtained by such  
6 officials on an expedited basis at the time the information is received.  
7 The Secretary of State shall provide adequate technological security  
8 measures to prevent unauthorized access to the computerized list.

9 (2) The election commissioner or county clerk shall provide for the  
10 registration of the electors of the county. Upon receipt of a voter  
11 registration application in his or her office from an eligible elector,  
12 the election commissioner or county clerk shall enter the information  
13 from the application in the voter registration register and may create an  
14 electronic image, photograph, microphotograph, or reproduction in an  
15 electronic digital format to be used as the voter registration record.  
16 The election commissioner or county clerk shall provide a precinct list  
17 of registered voters for each precinct for the use of judges and clerks  
18 of election in their respective precincts on election day. Beginning July  
19 1, 2019, the election commissioner or county clerk may provide an  
20 electronic poll book as described in section 2 of this act to meet the  
21 requirements for a precinct list of registered voters. ~~An electronically~~  
22 ~~prepared list of registered voters in a form prescribed by the Secretary~~  
23 ~~of State shall meet the requirements for a precinct list of registered~~  
24 ~~voters.~~

25 (3) The digital signatures in the possession of the Secretary of  
26 State, the election commissioner, or the county clerk shall not be public  
27 records as defined in section 84-712.01 and are not subject to disclosure  
28 under sections 84-712 to 84-712.09.

29 Sec. 4. Section 32-304, Revised Statutes Supplement, 2017, is  
30 amended to read:

31 32-304 (1) The Secretary of State in conjunction with the Department

1 of Motor Vehicles shall, ~~on or before September 1, 2015,~~ develop and  
2 implement a registration application process which may be used statewide  
3 to register to vote and update voter registration records electronically  
4 using the Secretary of State's web site. An applicant who has a valid  
5 Nebraska motor vehicle operator's license or state identification card  
6 may use the application process to register to vote or to update his or  
7 her voter registration record with changes in his or her personal  
8 information or other information related to his or her eligibility to  
9 vote. For each electronic application, the Secretary of State shall  
10 obtain a copy of the electronic representation of the applicant's  
11 signature from the Department of Motor Vehicles' records of his or her  
12 motor vehicle operator's license or state identification card for  
13 purposes of voter registration and electronic poll books.

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

16 (a) An applicant who submits this application electronically is  
17 affirming that the information in the application is true. Any applicant  
18 who submits this application electronically knowing that any of the  
19 information in the application is false shall be guilty of a Class IV  
20 felony under section 32-1502 of the statutes of Nebraska. The penalty for  
21 a Class IV felony is up to two years imprisonment and twelve months post-  
22 release supervision, a fine of up to ten thousand dollars, or both;

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

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

30 (d) The election commissioner or county clerk will, upon receipt of  
31 the application for registration, send an acknowledgment of registration

1 to the applicant indicating whether the application is proper or not.

2 Sec. 5. Section 32-330, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 32-330 (1) Except as otherwise provided in subsection (3) of section  
5 32-301, the ~~The~~ voter registration register shall be a public record. Any  
6 person may examine the register at the office of the election  
7 commissioner or county clerk, but no person other than the election  
8 commissioner, county clerk, or law enforcement shall be allowed to make  
9 copies of the register. Copies of the register shall only be used for  
10 list maintenance as provided in section 32-329 or law enforcement  
11 purposes. The electronic records of the original voter registrations  
12 created pursuant to section 32-301 may constitute the voter registration  
13 register. The election commissioner or county clerk shall withhold  
14 information in the register designated as confidential under section  
15 32-331. No portion of the register made available to the public and no  
16 list distributed pursuant to this section shall include the digital  
17 signature of any voter.

18 (2) The election commissioner or county clerk shall make available  
19 for purchase a list of registered voters that contains the information  
20 required under section 32-312 and, if requested, a list that only  
21 contains registered voters who have voted in an election held more than  
22 thirty days prior to the request for the list. The election commissioner  
23 or county clerk shall establish the price of the lists at a rate that  
24 fairly covers the actual production cost of the lists, not to exceed  
25 three cents per name. Lists shall be used solely for purposes related to  
26 elections, political activities, voter registration, law enforcement, or  
27 jury selection. Lists shall not be used for commercial purposes.

28 (3) Any person who acquires a list of registered voters under  
29 subsection (2) of this section shall take and subscribe to an oath in  
30 substantially the following form:

31 I hereby swear that I will use the list of registered voters

1 of ..... County, Nebraska, only for the purposes prescribed in section  
2 32-330 and for no other purpose and that I will not permit the use or  
3 copying of such list for unauthorized purposes.

4 I hereby declare under the penalty of election falsification that  
5 the statements above are true to the best of my knowledge.

6 The penalty for election falsification is a Class IV felony.

7 (Signature of person acquiring list) .....

8 Subscribed and sworn to before me this .... day of ..... 20.. .

9 (Name of officer) .....

10 (Official title of officer) .....

11 (4) The election commissioner or county clerk shall provide, upon  
12 request and free of charge, a complete and current listing of all  
13 registered voters and their addresses to the Clerk of the United States  
14 District Court for the District of Nebraska. Such list shall be provided  
15 no later than December 31 of each even-numbered year.

16 (5) The election commissioner or county clerk shall provide, upon  
17 request and free of charge, a complete and current listing of all  
18 registered voters and their addresses to the state party headquarters of  
19 each political party and to the county chairperson of each political  
20 party. Such list shall be provided no later than thirty-five days prior  
21 to the statewide primary and statewide general elections.

22 Sec. 6. Section 32-913, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 32-913 (1) The clerks of election shall have a list of registered  
25 voters of the precinct and a sign-in register at the polling place on  
26 election day. The list of registered voters shall be used for guidance on  
27 election day and may be in the form of a computerized, typed, or  
28 handwritten list or precinct registration cards. Registered voters of the  
29 precinct shall place and record their signature in the sign-in register  
30 before receiving any ballot. The list of registered voters and the sign-  
31 in register may be combined into one document at the discretion of the

1 election commissioner or county clerk including beginning July 1, 2019,  
2 by the use of an electronic poll book. If a combined document is used, a  
3 clerk of election may list the names of the registered voters in a  
4 separate book in the order in which they voted.

5 (2) Within twenty-four hours after the polls close in the precinct,  
6 the precinct inspector or one of the judges of election shall deliver the  
7 precinct list of registered voters and the precinct sign-in register to  
8 the election commissioner or county clerk. The election commissioner or  
9 county clerk shall file and preserve the list and register. No member of  
10 a receiving board who has custody or charge of the precinct list of  
11 registered voters and the precinct sign-in register shall permit the list  
12 or register to leave his or her possession from the time of receipt until  
13 he or she delivers them to another member of the receiving board or to  
14 the precinct inspector or judge of election for delivery to the election  
15 commissioner or county clerk.

16 Sec. 7. This act becomes operative on July 1, 2019.

17 Sec. 8. Original sections 32-101, 32-330, and 32-913, Reissue  
18 Revised Statutes of Nebraska, and sections 32-301 and 32-304, Revised  
19 Statutes Supplement, 2017, are repealed.