

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 776**

Introduced by Bostar, 29.

Read first time January 18, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to elections; to amend sections 32-212,  
2 32-314, 32-401, 32-502, 32-503, 32-506, 32-507, 32-509, 32-517,  
3 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525,  
4 32-526, 32-528, 32-529, 32-557, 32-564, 32-603, 32-605, 32-609,  
5 32-616, 32-617, 32-619.01, 32-622, 32-624, 32-625, 32-710, 32-720,  
6 32-801, 32-810, 32-811, 32-813, 32-814, 32-817, 32-912, 32-1028, and  
7 32-1032, Reissue Revised Statutes of Nebraska, and sections 32-223,  
8 32-230, 32-312, 32-602, 32-607, 32-615, 32-618, 32-623, 32-716,  
9 32-809, 32-961, 32-1002, 32-1027, and 32-1033, Revised Statutes  
10 Cumulative Supplement, 2022; to provide for nomination and election  
11 of candidates on a nonpartisan ballot; to change and eliminate  
12 provisions relating to selection of election workers, voter  
13 registration, the statewide primary election, filling vacancies,  
14 filing for office, write-in candidates, selection of Lieutenant  
15 Governor candidates, declining a nomination, political party  
16 provisions, ballot preparation, poll watchers, provisional ballots,  
17 county canvassing boards, and certificates of nomination; to  
18 harmonize provisions; to repeal the original sections; and to  
19 outright repeal sections 32-611, 32-612, 32-621, 32-627, 32-702,  
20 32-721, 32-815, and 32-1507, Reissue Revised Statutes of Nebraska,  
21 and 32-610, Revised Statutes Cumulative Supplement, 2022.  
22 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-212, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 32-212 Each election commissioner shall appoint other deputies,  
4 precinct and district inspectors, judges of election, clerks of election,  
5 deputy registrars, and peace officers to serve at elections and other  
6 assistants necessary for the performance of the duties of his or her  
7 office, the registration of voters, and the conduct of elections. Such  
8 employees shall be registered voters representing all political parties  
9 as nearly as practicable in proportion to the number of votes cast in  
10 such county at the ~~immediately~~ preceding general election for the office  
11 of ~~Governor~~ or President of the United States by the parties,  
12 ~~respectively~~.

13 Sec. 2. Section 32-223, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 32-223 (1) Except as otherwise provided in the Election Act, the  
16 election commissioner shall appoint a precinct inspector and a receiving  
17 board to consist of at least two judges and two clerks of election for  
18 each precinct. The election commissioner may appoint district inspectors  
19 to aid the election commissioner in the performance of his or her duties  
20 and supervise a group of precincts on election day.

21 (2) The election commissioner may allow persons serving on a  
22 receiving board as judges and clerks of election and precinct inspectors  
23 to serve for part of the time the polls are open and appoint other judges  
24 and clerks of election and precinct inspectors to serve on the same  
25 receiving board for the remainder of the time the polls are open.

26 (3) On each receiving board at any one time, one judge and one clerk  
27 of election shall be registered voters of the political party casting the  
28 highest number of votes in the county ~~for Governor~~ or for President of  
29 the United States in the ~~immediately~~ preceding general election, and one  
30 judge and one clerk of election shall be registered voters of the  
31 political party casting the next highest number of votes in the county

1 ~~for Governor or~~ for President of the United States in the ~~immediately~~  
2 preceding general election, except that one judge or clerk of election  
3 may be a registered voter who is not affiliated with either of such  
4 parties. If a third judge is appointed, such judge shall be a registered  
5 voter of the political party casting the highest number of votes in the  
6 county ~~for Governor or~~ for President of the United States in the  
7 ~~immediately~~ preceding general election. All precinct and district  
8 inspectors shall be divided between all political parties as nearly as  
9 practicable in proportion to the number of votes cast in such county at  
10 the ~~immediately~~ preceding general election ~~for Governor or~~ for President  
11 of the United States by the parties, ~~respectively~~.

12 (4) The election commissioner may appoint an elector residing  
13 outside the county as a precinct inspector, district inspector, judge of  
14 election, or clerk of election if the elector resides in a county which  
15 conducts all elections by mail pursuant to section 32-960.

16 (5) If authorized by the Secretary of State and registered voters of  
17 the county are unavailable, the election commissioner may appoint an  
18 elector residing outside the county as a precinct inspector, district  
19 inspector, judge of election, or clerk of election.

20 (6) The election commissioner may appoint a person who is at least  
21 sixteen years old but is not eligible to register to vote as a clerk of  
22 election. Such clerk of election shall meet the requirements of  
23 subsection (3) of section 32-221, except that such clerk shall not be  
24 required to be a registered voter. No more than one clerk of election  
25 appointed under this subsection shall serve at any precinct. A clerk of  
26 election appointed under this subsection shall be considered a registered  
27 voter who is not affiliated with a political party for purposes of this  
28 section.

29 Sec. 3. Section 32-230, Revised Statutes Cumulative Supplement,  
30 2022, is amended to read:

31 32-230 (1) As provided in subsection (4) of this section, the

1 precinct committeeman and committeewoman of each political party shall  
2 appoint a receiving board consisting of three judges of election and two  
3 clerks of election. The chairperson of the county central committee of  
4 each political party shall send the names of the appointments to the  
5 county clerk no later than February 1 prior to the primary election.

6 (2) If no names are submitted by the chairperson, the county clerk  
7 shall appoint judges or clerks of election from the appropriate political  
8 party. Judges and clerks of election may be selected at random from a  
9 cross section of the population of the county. All qualified citizens  
10 shall have the opportunity to be considered for service. All qualified  
11 citizens shall fulfill their obligation to serve as judges or clerks of  
12 election as prescribed by the county clerk. No citizen shall be excluded  
13 from service as a result of discrimination based upon race, color,  
14 religion, sex, national origin, or economic status. No citizen shall be  
15 excluded from service unless excused by reason of ill health or other  
16 good and sufficient reason.

17 (3) The county clerk may allow persons serving on a receiving board  
18 to serve for part of the time the polls are open and appoint other  
19 persons to serve on the same receiving board for the remainder of the  
20 time the polls are open.

21 (4) In each precinct at any one time, one judge and one clerk of  
22 election shall be appointed from the political party casting the highest  
23 number of votes in the county ~~for Governor or~~ for President of the United  
24 States in the ~~immediately~~ preceding general election, one judge and one  
25 clerk shall be appointed from the political party casting the next  
26 highest number of votes in the county ~~for Governor or~~ for President of  
27 the United States in the ~~immediately~~ preceding general election, and one  
28 judge shall be appointed from the political party casting the third  
29 highest number of votes in the county ~~for Governor or~~ for President of  
30 the United States in the ~~immediately~~ preceding general election. If the  
31 political party casting the third highest number of votes cast less than

1 ten percent of the total vote cast in the county at the ~~immediately~~  
2 preceding general election, the political party casting the highest  
3 number of votes at the ~~immediately~~ preceding general election shall be  
4 entitled to two judges and one clerk.

5 (5) The county clerk may appoint registered voters to serve in case  
6 of a vacancy among any of the judges or clerks of election or in addition  
7 to the judges and clerks in any precinct when necessary to meet any  
8 situation that requires additional judges and clerks. Such appointees may  
9 include registered voters unaffiliated with any political party. Such  
10 appointees shall serve at subsequent or special elections as determined  
11 by the county clerk.

12 (6) The county clerk may appoint an elector residing outside the  
13 county as a precinct inspector, district inspector, judge of election, or  
14 clerk of election if the elector resides in a county which conducts all  
15 elections by mail pursuant to section 32-960.

16 (7) If authorized by the Secretary of State and registered voters of  
17 the county are unavailable, the county clerk may appoint an elector  
18 residing outside the county as a precinct inspector, district inspector,  
19 judge of election, or clerk of election.

20 (8) The county clerk may appoint a person who is at least sixteen  
21 years old but is not eligible to register to vote as a clerk of election.  
22 Such clerk of election shall meet the requirements of subsection (1) of  
23 section 32-231, except that such clerk shall not be required to be a  
24 registered voter. No more than one clerk of election appointed under this  
25 subsection shall serve at any precinct. A clerk of election appointed  
26 under this subsection shall be considered a registered voter who is not  
27 affiliated with a political party for purposes of this section.

28 Sec. 4. Section 32-312, Revised Statutes Cumulative Supplement,  
29 2022, 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 AGE—"Are you at least eighteen years of age or will you be eighteen  
7 years of age on or before the first Tuesday following the first Monday of  
8 November of this year?" with boxes to check to indicate whether or not  
9 the applicant will be eighteen years of age or older on election day.

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

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

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

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

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

30 TELEPHONE NUMBERS—the telephone numbers of the applicant. At the  
31 request of the applicant, a designation shall be made that a telephone

1 number is an unlisted number, and such designation shall preclude the  
2 listing of such telephone number on any list of voter registrations.

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

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

11 DATE OF APPLICATION FOR REGISTRATION—the month, day, and year when  
12 the applicant presented himself or herself for registration, when the  
13 applicant completed and signed the registration application if the  
14 application was submitted by mail or delivered to the election official  
15 by the applicant's personal messenger or personal agent, or when the  
16 completed application was submitted if the registration application was  
17 completed pursuant to section 32-304.

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

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

25 REGISTRATION TAKEN BY—show the signature of the authorized official  
26 or staff member accepting the application pursuant to section 32-309 or  
27 32-310 or at least one of the deputy registrars taking the application  
28 pursuant to section 32-306, if applicable.

29 PARTY AFFILIATION—show the party affiliation of the applicant as  
30 Democratic, Republican, or Other ..... or show no party affiliation as  
31 Nonpartisan. ~~(Note: If you wish to vote in both partisan and nonpartisan~~

1 ~~primary elections for state and local offices, you must indicate a~~  
2 ~~political party affiliation on the registration application. If you~~  
3 ~~register without a political party affiliation (nonpartisan), you will~~  
4 ~~receive only the nonpartisan ballots for state and local offices at~~  
5 ~~primary elections. If you register without a political party affiliation,~~  
6 ~~you may vote in partisan primary elections for congressional offices.)~~

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

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

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

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

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

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

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

21 Any registrant who signs this application knowing that any of the  
22 information in the application is false shall be guilty of a Class IV  
23 felony under section 32-1502 of the statutes of Nebraska. The penalty for  
24 a Class IV felony is up to two years imprisonment and twelve months post-  
25 release supervision, a fine of up to ten thousand dollars, or both.

26 APPLICANT'S SIGNATURE-require the applicant to affix his or her  
27 signature to the application.

28 Sec. 5. Section 32-314, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 32-314 (1) Any person going into another territory or state and  
31 registering to vote or voting in that territory or state shall lose his



1 or her eligibility to vote in this state. Any person going into another  
2 county of this state and registering to vote or voting in that county  
3 shall lose his or her eligibility to vote in the county where he or she  
4 was registered.

5 (2) A registered voter who changes his or her residence in one  
6 county to a residence address in a different county in the state shall  
7 register again or update his or her voter registration record in order to  
8 be eligible to vote.

9 (3) A registered voter who changes his or her name or residence  
10 within the county and has retained legal residence in the county since  
11 the date of his or her last registration shall register again or update  
12 his or her voter registration record to avoid additional requirements at  
13 the time of voting as provided in sections 32-914 and 32-915 and may be  
14 entitled to vote pursuant to section 32-914.01, 32-914.02, or 32-915.

15 ~~(4) A registered voter who wants to change his or her party~~  
16 ~~affiliation for purposes of a primary election shall complete a~~  
17 ~~registration application pursuant to section 32-312.04 and submit it to~~  
18 ~~the election commissioner or county clerk as provided in and prior to the~~  
19 ~~deadline prescribed by section 32-302 or 32-321.~~

20 Sec. 6. Section 32-401, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 32-401 The statewide primary election shall be held on the first  
23 Tuesday after the second Monday in May in even-numbered years. The  
24 statewide primary election shall be held for the purposes of (1)  
25 nominating all candidates to be voted for at the statewide general  
26 election except (a) candidates who were unopposed at the primary election  
27 and not required to be on the ballot and (b) candidates who petition on  
28 the ballot ~~or are nominated by their political party,~~ (2) electing  
29 ~~delegates to the county, state, and national political party conventions,~~  
30 ~~if applicable,~~ (3) in each presidential election year, voting on a  
31 preference for President of the United States, and (3) (4) electing

1 officers in political subdivisions which hold their general elections at  
2 the time of the statewide primary election.

3 Sec. 7. Section 32-502, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 32-502 Two United States Senators shall be elected for terms of six  
6 years at the statewide general election. One senator shall be elected in  
7 1994 and every six years thereafter, and one senator shall be elected in  
8 1996 and every six years thereafter. Candidates for the United States  
9 Senate shall meet the qualifications found in Article I, section 3, of  
10 the Constitution of the United States. The senators shall be elected on  
11 the nonpartisan ~~partisan~~ ballot.

12 Sec. 8. Section 32-503, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 32-503 The United States Representatives in Congress shall be  
15 elected from the three congressional districts established in section  
16 32-504 for terms of two years at the statewide general election in each  
17 even-numbered year. Candidates for the United States House of  
18 Representatives shall meet the qualifications found in Article I, section  
19 2, of the Constitution of the United States. The representatives shall be  
20 elected on the nonpartisan ~~partisan~~ ballot. The representatives shall be  
21 elected in accordance with the laws of the United States.

22 Sec. 9. Section 32-506, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 32-506 The Governor and Lieutenant Governor shall be elected at the  
25 statewide general election in 1994 and each four years thereafter. Such  
26 officers shall serve for terms of four years or until their successors  
27 are elected and qualified. Candidates for Governor and Lieutenant  
28 Governor shall meet the qualifications found in Article IV, sections 1  
29 and 2, of the Constitution of Nebraska. The Governor and Lieutenant  
30 Governor shall be elected on the nonpartisan ~~partisan~~ ballot.

31 Sec. 10. Section 32-507, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 32-507 The State Treasurer, Auditor of Public Accounts, Secretary of  
3 State, and Attorney General shall be elected at the statewide general  
4 election in 1994 and each four years thereafter. Such officers shall  
5 serve for terms of four years or until their successors are elected and  
6 qualified. Candidates for State Treasurer shall meet the qualifications  
7 found in Article IV, section 3, of the Constitution of Nebraska. Such  
8 officers shall be elected on the nonpartisan ~~partisan~~ ballot.

9 Sec. 11. Section 32-509, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 32-509 (1) The State of Nebraska is divided into five public service  
12 commissioner districts as provided and described in sections 75-101.01  
13 and 75-101.02. A candidate for the office of public service commissioner  
14 shall meet the qualifications found in section 75-101. The commissioners  
15 shall be elected on the nonpartisan ~~partisan~~ ballot.

16 (2) Each public service commissioner shall be elected for a term of  
17 six years. One public service commissioner from public service  
18 commissioner district number one and one public service commissioner from  
19 public service commissioner district number three shall be elected at the  
20 statewide general election in 1994 and each six years thereafter. One  
21 public service commissioner from public service commissioner district  
22 number four and one public service commissioner from public service  
23 commissioner district number five shall be elected at the statewide  
24 general election in 1992 and each six years thereafter. One public  
25 service commissioner from public service commissioner district number two  
26 shall be elected at the statewide general election in 1996 and each six  
27 years thereafter.

28 Sec. 12. Section 32-517, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 32-517 Except as provided in section 22-417, a county clerk shall be  
31 elected in each county having a population of four hundred thousand

1 inhabitants or less at the statewide general election in 1994 and each  
2 four years thereafter and in counties having a population in excess of  
3 four hundred thousand inhabitants at the statewide general election in  
4 1996 and each four years thereafter. The county clerk shall meet the  
5 qualifications found in sections 23-1301 and 23-3203 if applicable. The  
6 county clerk shall be elected on the nonpartisan ~~partisan~~ ballot.

7       Sec. 13. Section 32-518, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9       32-518 Except as provided in section 22-417, (1) a register of deeds  
10 shall be elected in each county having a population of more than twenty  
11 thousand and not more than four hundred thousand inhabitants at the  
12 statewide general election in 1962 and each four years thereafter and in  
13 counties having a population in excess of four hundred thousand  
14 inhabitants at the statewide general election in 1964 and each four years  
15 thereafter and (2) if the population of a county which has a separate  
16 office of register of deeds pursuant to this section falls below twenty  
17 thousand inhabitants after establishing such an office or if a county  
18 which has a separate office of register of deeds immediately prior to  
19 July 10, 1990, has a population of twenty thousand inhabitants or less,  
20 the office of the register of deeds shall continue and the officer shall  
21 be elected pursuant to this section as if the county had a population of  
22 more than twenty thousand and not more than four hundred thousand  
23 inhabitants. The term of the register of deeds shall be four years or  
24 until his or her successor is elected and qualified. The register of  
25 deeds shall meet the qualifications found in section 23-1501. The  
26 register of deeds shall be elected on the nonpartisan ~~partisan~~ ballot.

27       Sec. 14. Section 32-519, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29       32-519 (1) Except as provided in section 22-417, at the statewide  
30 general election in 1990 and each four years thereafter, a county  
31 assessor shall be elected in each county having a population of more than

1 three thousand five hundred inhabitants and more than one thousand two  
2 hundred tax returns. The county assessor shall serve for a term of four  
3 years.

4 (2) The county board of any county shall order the submission of the  
5 question of electing a county assessor in the county to the registered  
6 voters of the county at the next statewide general election upon  
7 presentation of a petition to the county board (a) conforming to the  
8 provisions of section 32-628, (b) not less than sixty days before any  
9 statewide general election, (c) signed by at least ten percent of the  
10 registered voters of the county secured in not less than two-fifths of  
11 the townships or precincts of the county, and (d) asking that the  
12 question be submitted to the registered voters in the county. The form of  
13 submission upon the ballot shall be as follows: For election of county  
14 assessor; Against election of county assessor. If a majority of the votes  
15 cast on the question are against the election of a county assessor in  
16 such county, the duties of the county assessor shall be performed by the  
17 county clerk and the office of county assessor shall either cease with  
18 the expiration of the term of the incumbent or continue to be abolished  
19 if no such office exists at such time. If a majority of the votes cast on  
20 the question are in favor of the election of a county assessor, the  
21 office shall continue or a county assessor shall be elected at the next  
22 statewide general election.

23 (3) The county assessor shall meet the qualifications found in  
24 sections 23-3202 and 23-3204. The county assessor shall be elected on the  
25 nonpartisan ~~partisan~~ ballot.

26 Sec. 15. Section 32-520, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 32-520 A county sheriff shall be elected in each county at the  
29 statewide general election in 1990 and each four years thereafter. The  
30 term of the county sheriff shall be four years or until his or her  
31 successor is elected and qualified. The county sheriff shall meet the

1 qualifications found in sections 23-1701 and 23-1701.01. The county  
2 sheriff shall be elected on the nonpartisan ~~partisan~~ ballot.

3 Sec. 16. Section 32-521, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 32-521 A county treasurer shall be elected in each county at the  
6 statewide general election in 1990 and each four years thereafter. The  
7 term of the county treasurer shall be four years or until his or her  
8 successor is elected and qualified. The county treasurer shall meet the  
9 qualifications found in section 23-1601.01. The county treasurer shall be  
10 elected on the nonpartisan ~~partisan~~ ballot.

11 Sec. 17. Section 32-522, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 32-522 Except as provided in section 23-1201.01, a county attorney  
14 shall be elected in each county at the statewide general election in 1990  
15 and each four years thereafter. The term of the county attorney shall be  
16 four years or until his or her successor is elected and qualified.  
17 Candidates for the office of county attorney shall meet the  
18 qualifications found in sections 23-1201.01 and 23-1201.02. The county  
19 attorney shall be elected on the nonpartisan ~~partisan~~ ballot.

20 Sec. 18. Section 32-523, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 32-523 Except as otherwise provided in sections 23-3401 and 23-3404,  
23 the public defender shall, in counties having a population in excess of  
24 one hundred thousand inhabitants which have not elected a public defender  
25 prior to July 10, 1984, be elected at the next statewide general election  
26 following July 10, 1984, or the year in which the county attains a  
27 population of one hundred thousand inhabitants and shall, in other  
28 counties, be elected at the first statewide general election of county  
29 officers following approval by the county board and every four years  
30 thereafter. The term of the public defender shall be four years or until  
31 his or her successor is elected and qualified. The public defender shall

1 meet the qualifications found in section 23-3401. The public defender  
2 shall be elected on the nonpartisan ~~partisan~~ ballot.

3 Sec. 19. Section 32-524, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 32-524 (1) Except as provided in section 22-417:

6 (a) In counties having a population of seven thousand inhabitants or  
7 more, there shall be elected one clerk of the district court at the  
8 statewide general election in 1962 and every four years thereafter; and

9 (b) In counties having a population of less than seven thousand  
10 inhabitants, there shall be elected a clerk of the district court at the  
11 first statewide general election following a determination by the county  
12 board and the district judge for the county that such officer should be  
13 elected and each four years thereafter. When such a determination is not  
14 made in such a county, the county clerk shall be ex officio clerk of the  
15 district court and perform the duties by law devolving upon that officer,  
16 unless there is an agreement between the State Court Administrator and  
17 the county board that the clerk of the county court for such county shall  
18 be the ex officio clerk of the district court and perform such duties.

19 (2) In any county upon presentation of a petition to the county  
20 board (a) not less than sixty days before the statewide general election  
21 in 1976 or every four years thereafter, (b) signed by registered voters  
22 of the county equal in numbers to at least fifteen percent of the total  
23 vote cast for Governor at the most recent gubernatorial election in the  
24 county, secured in not less than two-fifths of the townships or precincts  
25 of the county, and (c) asking that the question of not electing a clerk  
26 of the district court in the county be submitted to the registered voters  
27 therein, the county board, at the next statewide general election, shall  
28 order the submission of the question to the registered voters of the  
29 county. The form of submission upon the ballot shall be as follows:

30 For election of a clerk of the district court;

31 Against election of a clerk of the district court.

1 (3) If a majority of the votes cast on the question are against the  
2 election of a clerk of the district court in such county, the duties of  
3 the clerk of the district court shall be performed by the county clerk,  
4 unless there is an agreement between the State Court Administrator and  
5 the county board that the clerk of the county court for such county shall  
6 be the ex officio clerk of the district court and perform such duties,  
7 and the office of clerk of the district court shall either cease with the  
8 expiration of the term of the incumbent or continue to be abolished if no  
9 such office exists at such time.

10 (4) If a majority of the votes cast on the question are in favor of  
11 the election of a clerk of the district court, the office shall continue  
12 or a clerk of the district court shall be elected at the next statewide  
13 general election as provided in subsection (1) of this section.

14 (5) The term of the clerk of the district court shall be four years  
15 or until his or her successor is elected and qualified. The clerk of the  
16 district court shall meet the qualifications found in section 24-337.04.  
17 The clerk of the district court shall be elected on the nonpartisan  
18 ~~partisan~~ ballot.

19 Sec. 20. Section 32-525, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 32-525 (1) Except as provided in section 22-417 and except for  
22 counties which vote not to elect the county surveyor as provided in  
23 subsection (2) or (4) of this section, a county surveyor on either a  
24 full-time or part-time basis, as determined by the county board in  
25 accordance with section 23-1901, shall be elected in each county having a  
26 population of less than one hundred fifty thousand inhabitants at the  
27 statewide general election in 1990 and each four years thereafter.

28 (2)(a) Except as provided in section 22-417 and in subsection (3) of  
29 this section, in each county having a population of less than one hundred  
30 fifty thousand inhabitants, the question of electing a county surveyor in  
31 the county shall be submitted to the registered voters of the county at



1 the statewide general election in 2020. The form of submission upon the  
2 ballot shall be as follows: For election of county surveyor; Against  
3 election of county surveyor.

4 (b) If a majority of the votes cast on the question are against the  
5 election of a county surveyor in such county, the office of county  
6 surveyor shall cease as an elected office with the expiration of the term  
7 of the incumbent or shall remain as it exists if no elected official  
8 holds that office. In such counties, the office shall be filled as  
9 provided in subsection (2) of section 23-1901.01.

10 (c) If a majority of the votes cast on the question are in favor of  
11 the election of a county surveyor, the office shall continue to be  
12 elected as provided in subsection (1) of this section or, if no elected  
13 county surveyor is in office, a county surveyor shall be elected at the  
14 next statewide general election as provided in subsection (1) of this  
15 section.

16 (3) If a county having a population of less than one hundred fifty  
17 thousand inhabitants has an elected county surveyor in office on January  
18 1, 2020, the county board may, prior to February 1, 2020, following a  
19 public hearing, adopt a resolution to continue to elect the county  
20 surveyor for the county and not to submit the question pursuant to  
21 subsection (2) of this section.

22 (4)(a) Beginning in 2021, in each county having a population of less  
23 than one hundred fifty thousand inhabitants, the county board shall  
24 submit the question of electing a county surveyor in the county to the  
25 registered voters of the county at the next statewide general election if  
26 (i) the county board, by majority vote of all the members of the county  
27 board, adopts a resolution on or before September 1 prior to the next  
28 statewide general election to submit the question to the voters or (ii) a  
29 petition conforming to section 32-628 asking for the submission of the  
30 question to the voters is presented to the election commissioner or  
31 county clerk on or before September 1 prior to the next statewide general

1 election signed by at least ten percent of the registered voters of the  
2 county. The election commissioner or county clerk shall verify the  
3 signatures pursuant to section 32-631 and place the question on the  
4 ballot if he or she determines that at least ten percent of the  
5 registered voters of the county have signed the petition.

6 (b) The form of submission upon the ballot shall be as follows: For  
7 election of county surveyor; Against election of county surveyor.

8 (c) If a majority of the votes cast on the question are against the  
9 election of a county surveyor in such county, the office of county  
10 surveyor shall cease as an elected office with the expiration of the term  
11 of the incumbent or shall remain as it exists if no elected official  
12 holds that office. In such counties, the office shall be filled as  
13 provided in subsection (2) of section 23-1901.01.

14 (d) If a majority of the votes cast on the question are in favor of  
15 the election of a county surveyor, the office shall continue to be  
16 elected as provided in subsection (1) of this section or, if no elected  
17 county surveyor is in office, a county surveyor shall be elected at the  
18 next statewide general election as provided in subsection (1) of this  
19 section.

20 (5) The term of the county surveyor shall be four years or until his  
21 or her successor is elected and qualified. The county surveyor shall meet  
22 the qualifications found in sections 23-1901 and 23-1901.01. The county  
23 surveyor shall be elected on the nonpartisan ~~partisan~~ ballot.

24 Sec. 21. Section 32-526, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 32-526 Except as provided in section 22-417, a county engineer shall  
27 be elected in each county having a population of one hundred fifty  
28 thousand inhabitants or more at the statewide general election in 1990  
29 and each four years thereafter. The term of the county engineer shall be  
30 four years or until his or her successor is elected and qualified. The  
31 county engineer shall meet the qualifications found in section 23-1901.

1 The county engineer shall be elected on the nonpartisan ~~partisan~~ ballot.

2 Sec. 22. Section 32-528, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 32-528 (1) In counties having a county board of three commissioners,  
5 two commissioners shall be elected at the statewide general election in  
6 1994 and each four years thereafter, and one commissioner shall be  
7 elected at the statewide general election in 1996 and each four years  
8 thereafter. In counties having a county board of five commissioners,  
9 three commissioners shall be elected at the statewide general election in  
10 1994 and each four years thereafter, and two commissioners shall be  
11 elected at the statewide general election in 1996 and each four years  
12 thereafter. In counties having a county board of seven or more  
13 commissioners, one commissioner shall be elected in each odd-numbered  
14 commissioner district at the statewide general election in 1994 and each  
15 four years thereafter, and one commissioner shall be elected in each  
16 even-numbered commissioner district at the statewide general election in  
17 1996 and each four years thereafter.

18 (2) Except for commissioners first elected after the county adopts  
19 the commissioner form of government or has increased the number of  
20 commissioners, the term of each county commissioner shall be four years  
21 or until his or her successor is elected and qualified. At the first  
22 election held to choose the board of commissioners in any county having  
23 three commissioners, the person having the highest number of votes shall  
24 serve for four years and the two receiving the next highest number of  
25 votes shall serve for two years, and if any three or more persons have  
26 the same number of votes, their terms of office shall be determined by  
27 the county canvassing board. The county commissioners shall meet the  
28 qualifications found in section 23-150. Nothing in this section shall be  
29 construed to prohibit the reelection of a commissioner holding office if  
30 the commissioner is reelected to represent his or her respective  
31 district. The county commissioners shall be elected on the nonpartisan

1 ~~partisan~~ ballot.

2 (3)(a) In counties having not more than one hundred fifty thousand  
3 inhabitants as determined by the most recent federal decennial census,  
4 one commissioner shall be nominated and elected from each district by the  
5 registered voters of the district.

6 (b) In counties having a population of more than one hundred fifty  
7 thousand but not more than four hundred thousand inhabitants as  
8 determined by the most recent federal decennial census, one commissioner  
9 shall be nominated and elected from each district by the registered  
10 voters of the district as provided in subsection (5) of this section.

11 (c) In counties having more than four hundred thousand inhabitants  
12 as determined by the most recent federal decennial census, one  
13 commissioner shall be nominated and elected from each district by the  
14 registered voters of the district.

15 (4) In counties in which a majority has voted to have five  
16 commissioners as provided in section 23-148, the three commissioners of  
17 such county whose terms of office will expire after the election shall  
18 continue in office until the expiration of the terms for which they were  
19 elected and until their successors are elected and qualified. Two  
20 commissioners shall be appointed pursuant to sections 32-567 and 32-574  
21 to serve until the first Thursday after the first Tuesday in January  
22 following the next statewide general election. At the next statewide  
23 general election, commissioners shall be elected to fill the positions of  
24 any commissioners appointed under this section. At the first primary  
25 election after such appointments, filings shall be accepted for terms of  
26 two years and for terms of four years so that two commissioners will be  
27 elected to four-year terms at one election and three commissioners will  
28 be elected to four-year terms at the next election.

29 (5) In counties having more than one hundred fifty thousand but not  
30 more than four hundred thousand inhabitants as determined by the most  
31 recent federal decennial census:

1 (a) At the primary election in 2010, one commissioner shall be  
2 nominated from each odd-numbered district, and at the ensuing general  
3 election, one commissioner shall be elected from each odd-numbered  
4 district. Their successors shall be nominated and elected every four  
5 years thereafter; and

6 (b) At the primary election in 2012, one commissioner shall be  
7 nominated from each even-numbered district, and at the ensuing general  
8 election, one commissioner shall be elected from each even-numbered  
9 district. Their successors shall be nominated and elected every four  
10 years thereafter.

11 Sec. 23. Section 32-529, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 32-529 At the first general election after the adoption of township  
14 organization by a county, one supervisor shall be elected in each  
15 supervisor district. Thereafter one supervisor shall be elected in each  
16 odd-numbered supervisor district at the general election two years after  
17 the first general election and each four years thereafter, and one  
18 supervisor shall be elected in each even-numbered supervisor district at  
19 the general election four years after the first general election and each  
20 four years thereafter. Each county supervisor shall be nominated and  
21 elected by the registered voters of the district from which he or she is  
22 elected. Except for supervisors first elected after the county has  
23 adopted township organization, the term of each county supervisor shall  
24 be four years or until his or her successor is elected and qualified. The  
25 county supervisors shall meet the qualifications found in section 23-268.  
26 The county supervisors shall be elected on the nonpartisan ~~partisan~~  
27 ballot.

28 Sec. 24. Section 32-557, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 32-557 All elective city, village, and school officers shall be  
31 nominated and elected on a nonpartisan ballot ~~unless a city or village~~

1 ~~provides for a partisan ballot by ordinance. No ordinance providing for~~  
2 ~~nomination and election on a partisan ballot shall permit affiliation~~  
3 ~~with any party not recognized as a political party for purposes of the~~  
4 ~~Election Act. Such ordinance providing for nomination and election on a~~  
5 ~~partisan ballot shall be adopted and effective not less than sixty days~~  
6 ~~prior to the filing deadline.~~

7       Sec. 25. Section 32-564, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9       32-564 (1) Except as otherwise provided in subsection (2) of this  
10 section:

11       (a) If a vacancy occurs in the office of Representative in Congress  
12 on or after August 1 in an even-numbered year and prior to the statewide  
13 general election in such year, the Governor shall order a special  
14 election to be held in conjunction with such statewide general election.  
15 The only candidates who may appear on the ballot for such office at such  
16 special election are those who were nominated at the statewide primary  
17 election in such year, those who comply with section 32-616, and those  
18 who comply with section ~~32-625~~ 32-627 to fill a vacancy on the ballot if  
19 such a vacancy exists. The candidate receiving the most votes at such  
20 special election shall serve for the remainder of the vacated term and  
21 for the succeeding term of office;

22       (b) If a vacancy occurs in the office of Representative in Congress  
23 on or after the day of the statewide general election and prior to the  
24 end of the term of the office which is vacated, no special election shall  
25 be called; and

26       (c) If a vacancy occurs in such office at any time other than as  
27 described in subdivision (a) or (b) of this subsection, the Governor  
28 shall order a special election to be held within ninety days after the  
29 vacancy occurs. ~~Each political party which polled at least five percent~~  
30 ~~of the entire vote in the district in which the vacancy occurs may select~~  
31 ~~a candidate following the applicable procedures in subsection (2) of~~

1 ~~section 32-627, except that the certificate and filing fee shall be~~  
2 ~~submitted at least sixty five days prior to the day of the election. Any~~  
3 ~~candidate so selected shall have his or her name placed on the ballot~~  
4 ~~with the appropriate political party designation. Any other person may~~  
5 ~~have his or her name placed on the ballot without a political party~~  
6 ~~designation by filing petitions pursuant to sections 32-617 and 32-618~~  
7 ~~and paying the filing fee as provided by section 32-608, except that the~~  
8 ~~deadline for filing the petitions and paying the fee shall be sixty-five~~  
9 ~~days prior to the day of the election. The candidate receiving the most~~  
10 ~~votes at such special election shall serve for the remainder of the~~  
11 ~~vacated term.~~

12 (2)(a) If the Speaker of the United States House of Representatives  
13 announces that there are more than one hundred vacancies in the House of  
14 Representatives requiring special elections according to 2 U.S.C. 8, as  
15 such section existed on July 18, 2008, and there is any vacancy in the  
16 office of Representative in Congress representing Nebraska, the Governor  
17 shall issue a writ of election. The writ of election shall specify the  
18 date of a special election to fill such vacancy to be held within forty-  
19 nine days after the Speaker's announcement.

20 (b) The Secretary of State shall notify the public of chairperson  
21 ~~and secretary of each political party which polled at least five percent~~  
22 ~~of the entire vote in the district in which the vacancy occurs that the~~  
23 ~~party may select a candidate following the applicable procedures in~~  
24 ~~subsection (2) of section 32-625 ~~32-627~~, except that the certificate and~~  
25 ~~filing fee shall be submitted within seven days after notification by the~~  
26 ~~Secretary of State. Any candidate filing petitions pursuant to sections~~  
27 ~~32-617 and 32-618 so selected shall have his or her name placed on the~~  
28 ~~ballot with the appropriate political party designation.~~

29 (c) The ballot for any voter meeting the criteria of section 32-939  
30 shall be transmitted to such voter within fifteen days after the  
31 Speaker's announcement and shall be accepted if received by the election

1 commissioner or county clerk within forty-five days after transmission to  
2 the voter.

3 (d) The candidate receiving the most votes at such special election  
4 shall serve for the remainder of the vacated term.

5 Sec. 26. Section 32-602, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 32-602 (1) Any person seeking an elective office shall be a  
8 registered voter at the time of filing for the office pursuant to section  
9 32-606 ~~or 32-611~~.

10 (2) Any person filing for office shall meet the constitutional and  
11 statutory requirements of the office for which he or she is filing. ~~If a~~  
12 ~~person is filing for a partisan office, he or she shall be a registered~~  
13 ~~voter affiliated with the appropriate political party if required~~  
14 ~~pursuant to section 32-702~~. If the person is required to sign a contract  
15 or comply with a bonding or equivalent commercial insurance policy  
16 requirement prior to holding such office, he or she shall be at least  
17 nineteen years of age at the time of filing for the office.

18 (3) A person shall not be eligible to file for an office if he or  
19 she holds the office and his or her term of office expires after the  
20 beginning of the term of office for which he or she would be filing. This  
21 subsection does not apply to filing for an office to represent a  
22 different district, ward, subdistrict, or subdivision of the same  
23 governmental entity as the office held at the time of filing.

24 (4)(a) Except as provided in subdivision (b) of this subsection, a  
25 person shall not be eligible to file for an office until he or she has  
26 paid any outstanding civil penalties and interest imposed pursuant to the  
27 Nebraska Political Accountability and Disclosure Act. The filing officer  
28 shall determine such eligibility before accepting a filing. The Nebraska  
29 Accountability and Disclosure Commission shall provide the filing  
30 officers with current information or the most current list of such  
31 outstanding civil penalties and interest owed pursuant to subdivision



1 (13) of section 49-14,123.

2 (b) A person owing a civil penalty to the commission shall be  
3 eligible to file for an office if:

4 (i) The matter in which the civil penalty was assessed is pending on  
5 appeal before a state court; and

6 (ii) The person files with the commission a surety bond running in  
7 favor of the State of Nebraska with surety by a corporate bonding company  
8 authorized to do business in this state and conditioned upon the payment  
9 of the civil penalty imposed under the Nebraska Political Accountability  
10 and Disclosure Act.

11 (5) The governing body of the political subdivision swearing in the  
12 officer shall determine whether the person meets all requirements prior  
13 to swearing in the officer.

14 Sec. 27. Section 32-603, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 32-603 (1) No candidate for member of the Legislature or an elective  
17 office described in Article IV, section 1 or 20, or Article VII, section  
18 3 or 10, of the Constitution of Nebraska shall be eligible to file as a  
19 candidate, to petition on the ballot as a candidate, ~~to accept a~~  
20 ~~nomination by a political party or by party convention, caucus, or~~  
21 ~~committee to fill a vacancy,~~ or to be a declared write-in candidate for  
22 more than one elective office to be filled at the same election except  
23 for the position of delegate to a county, state, or national political  
24 party convention. No candidate for any other high elective office as  
25 defined in subsection (6) of section 32-604 shall be eligible to file as  
26 a candidate, to petition on the ballot as a candidate, ~~to accept a~~  
27 ~~nomination by a political party or by party convention, caucus, or~~  
28 ~~committee to fill a vacancy,~~ or to be a declared write-in candidate for  
29 more than one high elective office to be filled at the same election. Any  
30 such person who has filed for a high elective office shall withdraw such  
31 filing prior to filing for any other elective office to be filled at the

1 same election except for the position of delegate to a county, state, or  
2 national political party convention. Any such person who has won a  
3 nomination in a primary election and who is nominated to any additional  
4 offices by a write-in vote ~~or by a political party convention or~~  
5 ~~committee~~ shall decline one of the nominations pursuant to section 32-623  
6 and shall do so within seven days after receiving any subsequent  
7 nomination. If the candidate fails to take such action, any subsequent  
8 nomination shall be declared void. Any filing made in violation of this  
9 section shall be void, and the Secretary of State, election commissioner,  
10 or county clerk shall not place the name of any person on the ballot for  
11 any office for which such person filed in violation of this section.

12 (2) If a filing officer determines that a candidate has filed for  
13 more than one office in violation of subsection (1) of this section, the  
14 filing officer shall notify the Secretary of State, the Secretary of  
15 State shall determine the order of the filings and notify the candidate  
16 that the subsequent filing is invalid, and the candidate's name shall not  
17 be printed on the ballot for such office. The Secretary of State shall  
18 notify the filing officers of the counties involved of the action taken  
19 on such subsequent filing.

20 (3) When the name of a candidate appears on the ballot for more than  
21 one office during an election in violation of subsection (1) of this  
22 section, the filing officer when possible shall correct the error by  
23 removing the candidate's name from the ballot and reprinting corrected  
24 ballots. When it is not possible to print a corrected set of ballots in  
25 time for the election, all votes cast for such candidate as a candidate  
26 for the subsequent office appearing on the ballot shall not be counted,  
27 and no certificate of nomination or election shall be issued to such  
28 candidate for such subsequent office.

29 Sec. 28. Section 32-605, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 32-605 No candidate defeated at a primary election shall be

1 permitted to file an affidavit declaring a write-in candidacy or , file  
2 by petition, ~~or file a nomination, if nominated by party convention or~~  
3 ~~committee,~~ for the following general election for the same office except  
4 as provided in section 32-615, 32-616, or 32-625.

5 Sec. 29. Section 32-607, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 32-607 All candidate filing forms shall contain the following  
8 statement: I hereby swear that I will abide by the laws of the State of  
9 Nebraska regarding the results of the primary and general elections, that  
10 I am a registered voter and qualified to be elected, and that I will  
11 serve if elected. Candidate filing forms shall also contain the following  
12 information regarding the candidate: Name; residence address; mailing  
13 address if different from the residence address; telephone number; office  
14 sought; ~~party affiliation if the office sought is a partisan office;~~ a  
15 statement as to whether or not civil penalties are owed pursuant to the  
16 Nebraska Political Accountability and Disclosure Act; and, if civil  
17 penalties are owed, whether or not a surety bond has been filed pursuant  
18 to subdivision (4)(b) of section 32-602. An email address shall also be  
19 included on the filing form as an optional field. Candidate filing forms  
20 shall be filed with the following filing officers:

21 (1) For candidates for national, state, or congressional office,  
22 directors of public power and irrigation districts, directors of  
23 reclamation districts, directors of natural resources districts,  
24 directors of metropolitan utilities districts, members of the boards of  
25 educational service units, members of governing boards of community  
26 colleges, delegates to national conventions, and other offices filled by  
27 election held in more than one county and judges desiring retention, in  
28 the office of the Secretary of State;

29 (2) For officers elected within a county, in the office of the  
30 election commissioner or county clerk;

31 (3) For officers in school districts which include land in adjoining

1 counties, in the office of the election commissioner or county clerk of  
2 the county in which the greatest number of registered voters entitled to  
3 vote for the officers reside; and

4 (4) For city or village officers, in the office of the election  
5 commissioner or county clerk.

6 Sec. 30. Section 32-609, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 32-609 The candidate filing form filed pursuant to sections 32-606  
9 and 32-607 by ~~each candidate for the State Board of Education, member of~~  
10 ~~the Legislature, Regent of the University of Nebraska, director of a~~  
11 ~~public power and irrigation district, reclamation district, or natural~~  
12 ~~resources district, every other nonpartisan office created by law, member~~  
13 ~~of a school board of a Class IV or V school district, and candidate for~~  
14 ~~elective office of a city of the first or second class or a village shall~~  
15 not in any way refer to or designate the political affiliation of the  
16 candidate ~~except as otherwise provided pursuant to section 32-557.~~

17 Sec. 31. Section 32-615, Revised Statutes Cumulative Supplement,  
18 2022, is amended to read:

19 32-615 (1) Except as otherwise provided in subsection (2) of this  
20 section, any candidate engaged in or pursuing a write-in campaign shall  
21 file a notarized affidavit of his or her intent together with the receipt  
22 for any filing fee with the filing officer as provided in section 32-608  
23 no earlier than January 5 and no later than the second Friday prior to  
24 the election.

25 ~~(2) For any county office elected pursuant to sections 32-517 to~~  
26 ~~32-529 which is subject to subdivision (1)(b) of section 32-811, a~~  
27 ~~candidate may engage in or pursue a write-in campaign if he or she files~~  
28 ~~a notarized affidavit of his or her intent together with the receipt for~~  
29 ~~the filing fee with the filing officer as provided in section 32-608 on~~  
30 ~~or before March 3 of the year of the statewide primary election. If such~~  
31 ~~an affidavit is filed as prescribed, the election commissioner or county~~

1 ~~clerk shall place that county office on the statewide primary election~~  
2 ~~ballot with the names of the candidate properly filed for the nomination~~  
3 ~~of the applicable political party and a line for write-in candidates.~~

4 ~~(3) A candidate submitting an affidavit under this section for a~~  
5 ~~partisan office shall be a registered voter of the political party named~~  
6 ~~in the affidavit unless the political party allows candidates not~~  
7 ~~affiliated with the party by not adopting a rule under section 32-702.~~

8 (2) ~~(4)~~ A candidate who has been defeated as a candidate in the  
9 primary election or defeated as a write-in candidate in the primary  
10 election shall not be eligible as a write-in candidate for the same  
11 office in the general election unless (a) a vacancy on the ballot exists  
12 pursuant to section 32-625 or (b) the candidate was a candidate for an  
13 office described in sections 32-512 to 32-550 and the candidate lost the  
14 election as a result of a determination pursuant to section 32-1122 in  
15 the case of a tie vote.

16 (3) ~~(5)~~ A candidate who files a notarized affidavit shall be  
17 entitled to all write-in votes for the candidate even if only the last  
18 name of the candidate has been written if such last name is reasonably  
19 close to the proper spelling.

20 Sec. 32. Section 32-616, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 32-616 (1) Any registered voter who was not a candidate in the  
23 primary election and ~~who was not registered to vote with a party~~  
24 ~~affiliation on or after March 1 and before the general election in the~~  
25 ~~calendar year of the general election~~ may have his or her name placed on  
26 the general election ballot for a ~~partisan office~~ by filing petitions as  
27 prescribed in sections 32-617 to 32-619 ~~32-621~~ or by nomination by  
28 ~~political party convention or committee pursuant to section 32-627 or~~  
29 ~~32-710.~~

30 (2) Any candidate who was defeated in the primary election and any  
31 registered voter who was not a candidate in the primary election may have

1 his or her name placed on the general election ballot if a vacancy exists  
2 on the ballot under subsection (2) of section 32-625 and the candidate  
3 files for the office by petition as prescribed in sections 32-617 and  
4 32-618 ~~or~~ files as a write-in candidate as prescribed in section  
5 32-615, ~~or is nominated by political party convention or committee~~  
6 ~~pursuant to section 32-627 or 32-710.~~

7 Sec. 33. Section 32-617, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 32-617 (1) Petitions for nomination for office ~~partisan and~~  
10 ~~nonpartisan~~ offices shall conform to the requirements of section 32-628.  
11 Petitions shall state the office to be filled and the name and address of  
12 the candidate. ~~Petitions for partisan office shall also indicate the~~  
13 ~~party affiliation of the candidate.~~ A sample copy of the petition shall  
14 be filed with the filing officer prior to circulation. Petitions shall be  
15 signed by registered voters residing in the district or political  
16 subdivision in which the officer is to be elected and shall be filed with  
17 the filing officer in the same manner as provided for candidate filing  
18 forms in section 32-607. Petition signers and petition circulators shall  
19 conform to the requirements of sections 32-629 and 32-630. No petition  
20 for nomination shall be filed unless there is attached thereto a receipt  
21 showing the payment of the filing fee required pursuant to section  
22 32-608. Such petitions shall be filed by September 1 in the year of the  
23 general election.

24 (2) The filing officer shall verify the signatures according to  
25 section 32-631. Within three days after the signatures on a petition for  
26 nomination have been verified pursuant to such section and the filing  
27 officer has determined that pursuant to section 32-618 a sufficient  
28 number of registered voters signed the petitions, the filing officer  
29 shall notify the candidate so nominated by registered or certified mail,  
30 and the candidate shall, within five days after the date of receiving  
31 such notification, file with such officer his or her acceptance of the

1 nomination or his or her name will not be printed on the ballot.

2 (3) A candidate placed on the ballot by petition shall be termed a  
3 candidate by petition. The words BY PETITION shall be printed upon the  
4 ballot after the name of each candidate by petition.

5 Sec. 34. Section 32-618, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 32-618 ~~(1)~~ The number of signatures of registered voters needed to  
8 place the name of a candidate upon the ~~nonpartisan~~ ballot for the general  
9 election shall be as follows:

10 (1) ~~(a)~~ For each ~~nonpartisan~~ office other than members of the Board  
11 of Regents of the University of Nebraska and board members of a Class III  
12 school district, at least ten percent of the total number of registered  
13 voters voting for Governor or President of the United States at the  
14 immediately preceding general election in the district or political  
15 subdivision in which the officer is to be elected, not to exceed two  
16 thousand;

17 (2) ~~(b)~~ For members of the Board of Regents of the University of  
18 Nebraska, at least ten percent of the total number of registered voters  
19 voting for Governor or President of the United States at the immediately  
20 preceding general election in the regent district in which the officer is  
21 to be elected, not to exceed one thousand; and

22 (3) ~~(c)~~ For board members of a Class III school district, at least  
23 twenty percent of the total number of votes cast for the board member  
24 receiving the highest number of votes at the immediately preceding  
25 general election in the school district.

26 ~~(2) The number of signatures of registered voters needed to place~~  
27 ~~the name of a candidate for an office upon the partisan ballot for the~~  
28 ~~general election shall be as follows:~~

29 ~~(a) For each partisan office to be filled by the registered voters~~  
30 ~~of the entire state, at least four thousand, and at least seven hundred~~  
31 ~~fifty signatures shall be obtained in each congressional district in the~~

1 state;

2 ~~(b) For each partisan office to be filled by the registered voters~~  
3 ~~of a county, at least twenty percent of the total number of registered~~  
4 ~~voters voting for Governor or President of the United States at the~~  
5 ~~immediately preceding general election within the county, not to exceed~~  
6 ~~two thousand, except that the number of signatures shall not be required~~  
7 ~~to exceed twenty-five percent of the total number of registered voters~~  
8 ~~voting for the office at the immediately preceding general election; and~~

9 ~~(c) For each partisan office to be filled by the registered voters~~  
10 ~~of a political subdivision other than a county, at least twenty percent~~  
11 ~~of the total number of registered voters voting for Governor or President~~  
12 ~~of the United States at the immediately preceding general election within~~  
13 ~~the political subdivision, not to exceed two thousand.~~

14 Sec. 35. Section 32-619.01, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 32-619.01 The candidates ~~candidate~~ for Governor ~~of each political~~  
17 ~~party~~ receiving the highest number of votes and the second highest number  
18 of votes in the primary election shall select a candidate for Lieutenant  
19 ~~Governor of the same political party~~ by filing an affidavit indicating  
20 his or her choice with the Secretary of State. The candidate for  
21 Lieutenant Governor shall file a written consent with the Secretary of  
22 State. Both the affidavit and the written consent shall be filed on or  
23 before September 1 for the names to be on the general election ballot.  
24 The written consent shall be in lieu of a candidate filing form, and no  
25 filing fees shall be required for the candidate for Lieutenant Governor.

26 Sec. 36. Section 32-622, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 32-622 (1) If any person who has filed for elective office pursuant  
29 to subsection (1) of section 32-606 notifies the filing officer in  
30 writing duly acknowledged by March 1 before the primary election that he  
31 or she declines to be a candidate, the name shall not be printed on the



1 primary election ballot, but no declination shall be effective after such  
2 date. ~~A filing of nomination pursuant to section 32-611 shall extend the~~  
3 ~~time for declination until March 6 before the primary election.~~

4 (2) If any person who has filed for elective office pursuant to  
5 subsection (2) of section 32-606 notifies the filing officer in writing  
6 duly acknowledged by August 1 before the general election that he or she  
7 declines to be a candidate, the name shall not be printed on the general  
8 election ballot, but no declination shall be effective after such date.

9 (3) Any election commissioner or county clerk receiving notice of  
10 declination for a candidate who originally filed with the Secretary of  
11 State shall immediately notify the office of the Secretary of State by  
12 telephone and forward the declination statement.

13 Sec. 37. Section 32-623, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

15 32-623 If any person nominated for elective office for the general  
16 election notifies the filing officer with whom the candidate filing form  
17 or other acceptance of nomination was filed by filing a statement, in  
18 writing and duly acknowledged, that he or she declines such nomination on  
19 or before August 1 before the election, the person's name shall not be  
20 printed on the ballot, but no declination shall be effective after such  
21 date. ~~The filing officer shall inform one or more persons whose names are~~  
22 ~~attached to the nomination if the candidate was nominated by a political~~  
23 ~~party convention or committee or, if nominated at a primary election, the~~  
24 ~~chairperson or secretary of the campaign or political party committee of~~  
25 ~~his or her political party if there is one within the jurisdiction of the~~  
26 ~~filing officer and, if not, at least three of the prominent members of~~  
27 ~~the candidate's political party within the jurisdiction of the filing~~  
28 ~~officer that such candidate has declined the nomination by mailing or~~  
29 ~~delivering to them personally notice of such fact.~~ Such declination shall  
30 create a vacancy on the ballot which may be filled pursuant to section  
31 32-625 ~~32-627~~. In lieu of filing a declination with the Secretary of

1 State, the person so nominated may file a declination with the election  
2 commissioner or county clerk in the county in which such person ~~he or she~~  
3 resides. Any election commissioner or county clerk receiving such a  
4 declination shall within five days after its receipt forward a copy of  
5 the written declination statement to the Secretary of State. The  
6 ~~Secretary of State shall make notifications required by this section for~~  
7 ~~all individuals for whom he or she receives a copy of the written~~  
8 ~~declination statement.~~

9 Sec. 38. Section 32-624, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 32-624 A candidate filing form which appears to conform with  
12 sections 32-606 and 32-607 shall be deemed to be valid unless objections  
13 are made in writing within seven days after the filing deadline. If an  
14 objection is made, notice shall be mailed to all candidates who may be  
15 affected thereby. ~~Any political party committee may institute actions in~~  
16 ~~court based upon fraud or crime resorted to in connection with the~~  
17 ~~candidate filing forms or the acceptance of a nomination. No county~~  
18 ~~committee shall have the authority to bring such action as to candidates~~  
19 ~~for congressional or state office or as to candidates to be elected from~~  
20 ~~legislative districts composed of more than one county. A state political~~  
21 ~~party committee may institute actions to determine the legality of any~~  
22 ~~candidate for a state or congressional office or for any district office~~  
23 ~~if the district composes more than one county. Objections to the use of~~  
24 ~~the name of a political party may also be made and passed upon in the~~  
25 ~~same manner as objections to a candidate filing form or other acceptance~~  
26 ~~of nomination.~~

27 The filing officer with whom the candidate filing form was filed  
28 shall determine the validity of such objection, and his or her decision  
29 shall be final unless an order is made in the matter by a judge of the  
30 county court, district court, Court of Appeals, or Supreme Court on or  
31 before the fifty-fifth day preceding the election. Such order may be made

1 summarily upon application of any ~~political party committee or other~~  
2 interested party and upon such notice as the court or judge may require.  
3 The decision of the Secretary of State or the order of the judge shall be  
4 binding on all filing officers.

5 Sec. 39. Section 32-625, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 32-625 (1) If there is a vacancy on the ballot ~~for a nonpartisan~~  
8 ~~office~~ after the time for filing and before the primary election, the  
9 vacancy may only be filled by a petition candidate after the primary  
10 election pursuant to sections 32-617 and 32-618.

11 (2) A vacancy shall exist on the ballot for the general election  
12 when (a) any person ceases to be a candidate for the office for which he  
13 or she filed a candidate filing form in the primary election and the  
14 number of candidates for office is less than twice the number of  
15 positions to be filled, (b) no person was nominated for the office in the  
16 primary election, or (c) one of the candidates who received a certificate  
17 of nomination ~~for a nonpartisan office~~ as a result of a primary election  
18 is ineligible, disqualified, deceased, or for any other reason unable to  
19 assume the office for which he or she was a candidate. If such a vacancy  
20 exists ~~for a nonpartisan office~~, such vacancy may be filled by filing  
21 petitions for nomination pursuant to such sections no later than  
22 September 1 prior to the general election.

23 Sec. 40. Section 32-710, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 32-710 Each political party shall hold a state convention biennially  
26 on a date to be fixed by the state central committee but not later than  
27 September 1. ~~Candidates for elective offices may be nominated at such~~  
28 ~~conventions pursuant to section 32-627 or 32-721. Such nominations shall~~  
29 ~~be certified to the Secretary of State by the chairperson and secretary~~  
30 ~~of the convention. The certificates shall have the same force and effect~~  
31 ~~as nominations in primary elections. A political party may not nominate a~~

1 ~~candidate at the convention for an office for which the party did not~~  
2 ~~nominate a candidate at the primary election except as provided for new~~  
3 ~~political parties in section 32-621.~~ The convention shall formulate and  
4 promulgate a state platform, select a state central committee, select  
5 electors for President and Vice President of the United States, and  
6 transact the business which is properly before it. One presidential  
7 elector shall be chosen from each congressional district, and two  
8 presidential electors shall be chosen at large. The officers of the  
9 convention shall certify the names of the electors to the Governor and  
10 Secretary of State.

11       Sec. 41. Section 32-716, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13       32-716 (1) Any person, group, or association desiring to form a new  
14 political party shall present to the Secretary of State petitions  
15 containing signatures totaling not less than one percent of the total  
16 votes cast for President ~~Governor~~ at the most recent general election for  
17 such office. The signatures of registered voters on such petitions shall  
18 be so distributed as to include registered voters totaling at least one  
19 percent of the votes cast for President ~~Governor~~ in the most recent  
20 presidential ~~gubernatorial~~ election in each of the three congressional  
21 districts in this state. Petition signers and petition circulators shall  
22 conform to the requirements of sections 32-629 and 32-630. ~~The petitions~~  
23 ~~shall be filed with the Secretary of State no later than January 15~~  
24 ~~before any statewide primary election for the new political party to be~~  
25 ~~entitled to have ballot position in the primary election of that year. If~~  
26 ~~the new political party desires to be established and have ballot~~  
27 ~~position for the general election and not in the primary election of that~~  
28 ~~year, the petitions shall be filed with the Secretary of State on or~~  
29 ~~before July 15 of that year.~~ Prior to the circulation of petitions to  
30 form a new political party, a sample copy of the petitions shall be filed  
31 with the Secretary of State by the person, group, or association seeking

1 to establish the new party. The sample petition shall be accompanied by  
2 the name and address of the person or the names and addresses of the  
3 members of the group or association sponsoring the petition to form a new  
4 political party. The sponsor or sponsors of the petition shall file, as  
5 one instrument, all petition papers comprising a new political party  
6 petition for signature verification with the Secretary of State. All  
7 signed petitions in circulation but not filed with the Secretary of State  
8 shall become invalid after July 15 in the year of the statewide general  
9 election.

10 (2) The petition shall conform to the requirements of section  
11 32-628. The Secretary of State shall prescribe the form of the petition  
12 for the formation of a new political party. The petition shall be  
13 addressed to and filed with the Secretary of State and shall state its  
14 purpose and the name of the party to be formed. Such name shall not be or  
15 include the name of any political party then in existence or any word  
16 forming any part of the name of any political party then in existence,  
17 and in order to avoid confusion regarding party affiliation of a  
18 ~~candidate or~~ registered voter, the name of the party to be formed shall  
19 not include the word "independent" or "nonpartisan". The petition shall  
20 contain a statement substantially as follows:

21 We, the undersigned registered voters of the State of Nebraska and  
22 the county of ....., being severally qualified to sign this  
23 petition, respectfully request that the above-named new political party  
24 be formed in the State of Nebraska, and each for himself or herself says:  
25 I have personally signed this petition on the date opposite my name; I am  
26 a registered voter of the State of Nebraska and county of .....  
27 and am qualified to sign this petition; and my date of birth and city,  
28 village, or post office address and my street and number or voting  
29 precinct are correctly written after my name.

30 Sec. 42. Section 32-720, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           32-720 (1) In case of a division of any political party, the  
2 Secretary of State shall give the preference of party name to the  
3 convention held at the time and place designated in the call of the  
4 regularly constituted political party authorities, and if the other  
5 faction presents no other party name, the Secretary of State shall select  
6 a name or title and place the same on the ballot before the list of  
7 candidates of such faction. The action of the preceding national  
8 convention of such party, regularly called, shall determine the action of  
9 the Secretary of State or the court in its decision. The Secretary of  
10 State may be compelled by peremptory order of mandamus to perform such  
11 duty.

12           (2) A political party may dissolve by filing a notice of dissolution  
13 with the Secretary of State. The notice shall be filed by the executive  
14 committee or state central committee of the political party or, if no  
15 such committee exists, by an officer of the political party. ~~If the~~  
16 ~~notice is filed prior to December 1 of the calendar year before the~~  
17 ~~statewide primary election, the Secretary of State shall not accept any~~  
18 ~~filings for the political party or place the political party on the~~  
19 ~~statewide primary election ballot for the statewide primary election.~~

20           Sec. 43. Section 32-801, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22           32-801 At least fifty days before any statewide primary or general  
23 election, the Secretary of State shall transmit in ballot form to each  
24 election commissioner or county clerk a certification of the candidates,  
25 offices, and issues that appear on the state ballot. The certification  
26 prior to the primary election shall name the office to be filled, the  
27 length of the term, the number of candidates to be voted for, and the  
28 name of each candidate for whom candidate filing forms or petitions have  
29 been filed in the office of the Secretary of State and who is entitled to  
30 be voted for at such primary election, ~~and the party affiliation or~~  
31 ~~nonpartisan status of each candidate.~~ A separate statement of the city or

1 village of residence of each candidate shall be included with the  
2 certification, but the city or village of residence shall not appear on  
3 the official ballot. The certification prior to the general election  
4 shall name the office to be filled, the length of the term, the number of  
5 candidates to be voted for, and the name of each candidate who was  
6 nominated at the primary election or who filed by petition as shown by  
7 the records in the office of the Secretary of State and who is entitled  
8 to be voted for at the general election, ~~and the party affiliation or~~  
9 ~~nonpartisan status of each candidate for partisan offices.~~

10 Sec. 44. Section 32-809, Revised Statutes Cumulative Supplement,  
11 2022, is amended to read:

12 32-809 (1) The form of the official ballot at the statewide primary  
13 election shall be prescribed by the Secretary of State. At the top of the  
14 ballot and over all else shall be printed in boldface type ~~the name of~~  
15 ~~the political party, . . . . .~~ Official Ballot, Primary Election 20.. .  
16 Each division containing the names of the office and a list of candidates  
17 for such office shall be separated from other groups by a bold line. The  
18 ballot shall list at-large candidates and subdistrict candidates under  
19 appropriate headings.

20 (2) All proposals for constitutional amendments ~~and candidates on~~  
21 ~~the nonpartisan ballot~~ shall be submitted on a ballot where bold lines  
22 separate one ~~office or~~ issue from another. Proposals for constitutional  
23 amendments proposed by the Legislature shall be placed on the ballot as  
24 provided in sections 49-201 to 49-211. All constitutional amendments  
25 shall be placed on a separate ballot when a paper ballot is used which  
26 requires the ballot after being voted to be folded before being deposited  
27 in a ballot box. When an optical-scan ballot is used which requires a  
28 ballot envelope or sleeve in which the ballot after being voted is placed  
29 before being deposited in a ballot box, constitutional amendments may be  
30 printed on either side of the ballot and shall be separated from other  
31 offices or issues by a bold line. Constitutional amendments so arranged

1 shall constitute a separate ballot.

2 (3) Except as otherwise provided in section 32-811, the statewide  
3 primary election ballot shall contain the name of every candidate filing  
4 or recognized under subsection (1) of section 32-606 and sections ~~32-611,~~  
5 ~~32-613,~~ and 32-614 and no other names. No name of a candidate for member  
6 of the Legislature or an elective office described in Article IV, section  
7 1, of the Constitution of Nebraska shall appear on any ballot or any  
8 series of ballots at any primary election more than once. When two or  
9 more of the last names of candidates for the same office at the primary  
10 election are the same in spelling or sound, the official ballots may, on  
11 the request of any such candidate, have his or her address printed  
12 immediately below his or her name in capital and lowercase letters in  
13 lightface type of the same size as the type in which the name of the  
14 candidate is printed.

15 Sec. 45. Section 32-810, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 32-810 (1) The election commissioner or county clerk shall place the  
18 names of all ~~partisan~~ candidates certified to him or her by the Secretary  
19 of State and of those ~~partisan~~ candidates filing in his or her office on  
20 ~~the~~ a primary election ballot ~~headed with the political party~~  
21 ~~designation. The names of each nonpartisan candidate certified by the~~  
22 ~~Secretary of State and of each nonpartisan candidate filing in the office~~  
23 ~~of the election commissioner or county clerk shall be placed on the~~  
24 ~~primary election ballot headed by the words Nonpartisan Ticket.~~

25 (2) If any office is not subject to the upcoming election, the  
26 office shall be omitted from the ballot and the remaining offices shall  
27 move up so that the same relative order is preserved. The order of any  
28 offices may be altered to allow for the best utilization of ballot space  
29 in order to avoid printing a second ballot when one ballot would be  
30 sufficient if an optical-scan ballot is used. All proposals on the ballot  
31 submitted by a political subdivision shall follow all offices on the



1 ballot for such political subdivision.

2 (3) The election commissioner or county clerk shall follow the order  
3 of precincts or wards as set out in the official abstract book on file in  
4 his or her office in preparing the official ballots. At the primary  
5 election, on the first set of ballots for the first precinct or ward  
6 shall be the names of candidates filing by date and hour as certified by  
7 the Secretary of State and for local candidates the names of candidates  
8 shall be listed in the order of filing by date and hour with the election  
9 commissioner or county clerk. When there are more candidates than  
10 vacancies for the same office, the names of ~~all partisan and nonpartisan~~  
11 candidates at a primary election shall be rotated precinct by precinct in  
12 each office division in the order in which the precincts are set out in  
13 the official abstract book. In making the changes of position, the  
14 printer shall take the line of type at the head of each office division  
15 and place it at the bottom of that division, shoving up the column so  
16 that the name that was second shall be first after the change.

17 Sec. 46. Section 32-811, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 32-811 (1)(a) If the names of candidates properly filed for  
20 nomination at the primary election for directors of natural resources  
21 districts, directors of public power districts, members of airport  
22 authority boards elected pursuant to sections 32-547 to 32-549, members  
23 of the boards of governors of community college areas, members of the  
24 boards of Class III or Class V school districts which nominate candidates  
25 at a primary election, and officers of cities of the first or second  
26 class and cities having a city manager plan of government do not exceed  
27 two candidates for each position to be filled, any such candidates shall  
28 be declared nominated and their names shall not appear on any primary  
29 election ballots.

30 ~~(b) If the number of candidates properly filed for the nomination of~~  
31 ~~a political party at the primary election for any county officer elected~~

1 ~~pursuant to sections 32-517 to 32-529 does not exceed the number of~~  
2 ~~candidates to be nominated by that party for that office, any such~~  
3 ~~properly filed candidates shall be declared nominated and their names~~  
4 ~~shall not appear on any primary election ballots.~~

5 (b) (e) The official abstract of votes kept by the county or state  
6 shall show the names of such candidates with the statement Nominated  
7 Without Opposition. The election commissioner or county clerk shall place  
8 the names of such automatically nominated candidates on the general  
9 election ballot as provided in section 32-814 ~~or 32-815.~~

10 (2) Candidates shall not appear on the ballot in the primary  
11 election for the offices listed in subsection (2) of section 32-606.

12 (3) If the number of candidates for delegates to a county or  
13 national political party convention are the same in number or less than  
14 the number of candidates to be elected, the names shall not appear on the  
15 primary election ballot and those so filed shall receive a certificate of  
16 election.

17 Sec. 47. Section 32-813, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 32-813 (1) The names of all candidates and all proposals to be voted  
20 upon at the general election shall be arranged upon the ballot in parts  
21 separated from each other by bold lines in the order the offices and  
22 proposals are set forth in this section. If any office is not subject to  
23 the upcoming election, the office shall be omitted from the ballot and  
24 the remaining offices shall move up so that the same relative order is  
25 preserved. The order of any offices may be altered to allow for the best  
26 utilization of ballot space in order to avoid printing a second ballot  
27 when one ballot would be sufficient if an optical-scan ballot is used.  
28 All proposals on the ballot submitted by a political subdivision shall  
29 follow all offices on the ballot submitted by a political subdivision.

30 (2)(a) If the election is in a year in which a President of the  
31 United States is to be elected, the names and spaces for voting for

1 candidates for President and Vice President shall be entitled  
2 Presidential Ticket in boldface type.

3 (b) The names of candidates for President and Vice President for  
4 each political party shall be grouped together, and each group shall be  
5 enclosed with brackets with the political party name next to the brackets  
6 and one square or oval opposite the names in which the voter indicates  
7 his or her choice.

8 (c) The names of candidates for President and Vice President who  
9 have successfully petitioned on the ballot for the general election shall  
10 be grouped together with the candidates appearing on the same petition  
11 being grouped together, and each group shall be enclosed with brackets  
12 with the words "By Petition" next to the brackets and one square or oval  
13 opposite the names in which the voter indicates his or her choice.

14 (d) Beneath the names of the candidates for President and Vice  
15 President certified by the officers of the national political party  
16 conventions pursuant to section 32-712 and beneath the names of all  
17 candidates for President and Vice President placed on the general  
18 election ballot by petition, two write-in lines shall be provided in  
19 which the voter may fill in the names of the candidates of his or her  
20 choice. The lines shall be enclosed with brackets with one square or oval  
21 opposite the names in which the voter indicates his or her choice. The  
22 name appearing on the top line shall be considered to be the candidate  
23 for President, and the name appearing on the second line shall be  
24 considered to be the candidate for Vice President.

25 (3) The names and spaces for voting for candidates for United States  
26 Senator if any are to be elected shall be entitled United States  
27 Senatorial Ticket in boldface type.

28 (4) The names and spaces for voting for candidates for  
29 Representatives in Congress shall be entitled Congressional Ticket in  
30 boldface type. Above the candidates' names, the office shall be  
31 designated For Representative in Congress ..... District.

1           (5) The names and spaces for voting for candidates for the various  
2 state officers shall be entitled State Ticket in boldface type. Each set  
3 of candidates shall be separated by lines across the column, and above  
4 each set of candidates shall be designated the office for which they are  
5 candidates, arranged in the order prescribed by the Secretary of State.  
6 The two candidates for Governor ~~of each political party~~ receiving the  
7 highest number of votes in the primary election shall be grouped together  
8 with their respective candidates for Lieutenant Governor. Each group  
9 shall be enclosed with brackets with ~~the political party name next to the~~  
10 ~~brackets and~~ one square or oval opposite the names in which the voter  
11 indicates his or her choice for Governor and Lieutenant Governor jointly.  
12 The candidates for Governor and Lieutenant Governor who have successfully  
13 petitioned on the general election ballot shall be grouped together with  
14 the candidates appearing on the same petition being grouped together.  
15 Each group shall be enclosed with brackets with the words "By Petition"  
16 next to the brackets and one square or oval opposite the names in which  
17 the voter indicates his or her choice for Governor and Lieutenant  
18 Governor jointly. Beneath the names of the candidates for Governor  
19 nominated at a primary election ~~by political party~~ and their respective  
20 candidates for Lieutenant Governor and beneath the names of ~~all~~  
21 candidates for Governor and Lieutenant Governor placed on the general  
22 election ballot by petition, one write-in line shall be provided in which  
23 the registered voter may fill in the name of the candidate for Governor  
24 of his or her choice and one square or oval opposite the line in which  
25 the voter indicates his or her choice for Governor.

26           (6) The names and spaces for voting for other nonpartisan candidates  
27 ~~shall be entitled Nonpartisan Ticket in boldface type. The names of all~~  
28 ~~nonpartisan candidates~~ shall appear in the order listed in this  
29 subsection, except that when using an optical-scan ballot, the order of  
30 offices may be altered to allow for the best utilization of ballot space  
31 to avoid printing a second ballot when one ballot would be sufficient:

- 1 (a) Legislature;
- 2 (b) State Board of Education;
- 3 (c) Board of Regents of the University of Nebraska;
- 4 (d) Chief Justice of the Supreme Court;
- 5 (e) Judge of the Supreme Court;
- 6 (f) Judge of the Court of Appeals;
- 7 (g) Judge of the Nebraska Workers' Compensation Court;
- 8 (h) Judge of the District Court;
- 9 (i) Judge of the Separate Juvenile Court;
- 10 (j) Judge of the County Court; and
- 11 (k) County officers in the order prescribed by the election
- 12 commissioner or county clerk.

13 (7) The names and spaces for voting for the various county offices  
14 and for measures submitted to the county vote only or in only a part of  
15 the county shall be entitled County Ticket in boldface type. If the  
16 election commissioner or county clerk deems it advisable, the measures  
17 may be submitted on a separate ballot if using a paper ballot or on  
18 either side of an optical-scan ballot if the ballot is placed in a ballot  
19 envelope or sleeve before being deposited in a ballot box.

20 (8) The candidates for office in the precinct only or in the city or  
21 village only shall be printed on the ballot, except that if the election  
22 commissioner or county clerk deems it advisable, candidates for these  
23 offices may be submitted on a separate ballot if using a paper ballot or  
24 on either side of an optical-scan ballot if the ballot is placed in a  
25 ballot envelope or sleeve before being deposited in a ballot box.

26 (9) All proposals submitted by initiative or referendum and  
27 proposals for constitutional amendments shall be placed on a separate  
28 ballot when a paper ballot is used which requires that the ballot after  
29 being voted be folded before being deposited in a ballot box. When an  
30 optical-scan ballot is used which requires a ballot envelope or sleeve in  
31 which the ballot after being voted is placed before being deposited in a

1 ballot box, initiative or referendum proposals and proposals for  
2 constitutional amendments may be placed on either side of the ballot,  
3 shall be separated by a bold line, and shall follow all other offices  
4 placed on the same side of the ballot. Initiative or referendum proposals  
5 and constitutional amendments so arranged shall constitute a separate  
6 ballot. Proposals for constitutional amendments proposed by the  
7 Legislature shall be placed on the ballot as provided in sections 49-201  
8 to 49-211.

9 Sec. 48. Section 32-814, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 32-814 (1) The election commissioner or county clerk shall place the  
12 names of all ~~nonpartisan~~ candidates upon the same official general  
13 election ballot ~~as the partisan candidates~~. The names placed on the  
14 official and sample general election ballots shall be the names of  
15 candidates nominated in the primary election, the names of petition  
16 candidates if any, the names of automatically nominated candidates as  
17 provided in section 32-811, and the names of candidates filing as  
18 provided in subsection (2) of section 32-606. The names of the candidates  
19 shall be placed under the proper titles.

20 (2) The election commissioner or county clerk shall place on the  
21 official general election ballot in each office division no more than  
22 twice as many names as there are places to be filled at the general  
23 election unless more than one candidate has successfully petitioned on  
24 the ballot to fill a vacancy after the primary election. The names of the  
25 two ~~nonpartisan~~ candidates who received the highest number of votes for  
26 the office for which they were candidates in the primary election shall  
27 be placed on the official ballot. If more than one person was a candidate  
28 for the same position in the primary election, the election commissioner  
29 or county clerk shall place on the official ballot the names of the two  
30 persons who received the highest number of votes in the primary election  
31 for the position for which they were candidates.

1           (3) When the name of a person is written in and voted for as a  
2 candidate for an office for which he or she did not file in the primary  
3 election, such person shall not be entitled to a certificate of  
4 nomination at the primary election and shall not have his or her name  
5 placed on the general election ballot unless he or she (a) receives at  
6 least five percent of the total vote cast for Governor or for President  
7 of the United States at the immediately preceding general election in the  
8 political subdivision from which nominees for such position are to be  
9 chosen, (b) is one of the candidates receiving the number of votes  
10 qualifying him or her for nomination, and (c) meets the requirements for  
11 the office.

12           (4) If there are more candidates than vacancies for the same office,  
13 the election commissioner or county clerk shall rotate the names of the  
14 ~~nonpartisan~~ candidates on the official general election ballot. The  
15 election commissioner or county clerk shall follow the order of precincts  
16 or wards as set out in the official abstract book on file in his or her  
17 office in preparing the official ballots. The first set of ballots for  
18 the first precinct or ward shall be the names of candidates filing by  
19 date and hour or of those candidates filing petitions, and for local  
20 candidates the names of candidates shall be listed in the order of filing  
21 by date and hour with the election commissioner or county clerk or of  
22 those candidates filing petitions. Thereafter the names shall be rotated  
23 precinct by precinct in each office division in the order in which the  
24 precincts are set out in the official abstract book. In making the change  
25 of position, the printer shall take the line of type at the head of each  
26 division and place it at the bottom of that division, shoving up the  
27 column so that the name that was second shall be first after the change.

28           Sec. 49. Section 32-817, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30           32-817 The names of the candidates shall be set in boldface type  
31 using capital and lowercase letters. A square or oval shall be printed

1 opposite the name of each candidate. ~~At the general election, the name of~~  
2 ~~the party represented by a candidate for partisan office shall be printed~~  
3 ~~in capital and lowercase letters next to the name.~~ Proposals submitted by  
4 initiative or referendum or for constitutional amendments shall be  
5 printed in capital and lowercase letters, but the title heading and  
6 number thereof shall be in boldface type, and the square or oval for  
7 voting thereon shall be printed opposite the text so that it is clear for  
8 which issue the voter is casting a vote. Ballots shall be printed with  
9 substantially the same appearance, including type and form, as the sample  
10 ballot furnished by the Secretary of State.

11 Sec. 50. Section 32-912, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 32-912 (1) Any registered voter desiring to vote in a primary  
14 election held under the Election Act shall be entitled to participate in  
15 such primary election upon presenting himself or herself at the polling  
16 place for his or her residence. A registered voter who is affiliated with  
17 a political party shall receive from the receiving board all nonpartisan  
18 ballots and the partisan ballot, if any, of the political party indicated  
19 on his or her voter registration. Except as provided in subsection (2)  
20 ~~subsections (2) and (3)~~ of this section, a registered voter who is not  
21 affiliated with any political party shall receive only nonpartisan  
22 ballots at a primary election.

23 (2) Any political party may allow registered voters who are not  
24 affiliated with a political party to vote in the primary election for  
25 preference for President if any elective office for which the party has a  
26 person on the ballot for President but not candidates ~~except~~ for the  
27 office of delegate to the party's county, state, or national convention.  
28 Any political party desiring to permit such registered voters to vote for  
29 preference for President candidates ~~and~~ of that party in the primary election  
30 shall file a letter stating that the governing body of the political  
31 party has adopted a rule allowing registered voters who are not



1 affiliated with a political party to vote in the primary election for  
2 candidates of that party. The letter and copy of the adopted rule shall  
3 be filed with the Secretary of State at least sixty days before the  
4 primary election. The Secretary of State shall notify the appropriate  
5 election commissioners and county clerks in writing that the political  
6 party filing the letter will allow registered voters who are not  
7 affiliated with a political party to vote in the primary election for  
8 preference for President candidates of that party. Once filed, the rule  
9 allowing such voters to vote in such primary election shall be  
10 irrevocable and shall apply only to the primary election immediately  
11 following the adoption of the rule.

12 ~~(3) A registered voter who is not affiliated with a political party~~  
13 ~~and who desires to vote in the primary election for the office of United~~  
14 ~~States Senator or United States Representative may request a partisan~~  
15 ~~ballot for either or both of such offices from any political party. The~~  
16 ~~election commissioner or county clerk shall post a notice in a~~  
17 ~~conspicuous location, easily visible and readable by voters prior to~~  
18 ~~approaching the receiving board, that a registered voter who is not~~  
19 ~~affiliated with a political party may request such ballots. No such~~  
20 ~~registered voter shall receive more than one such partisan ballot.~~

21 (3) ~~(4)~~ The registered voters residing in a political subdivision  
22 may cast their ballots for candidates for the offices in that subdivision  
23 and for issues proposed for that subdivision, except that when officers  
24 are to be nominated or elected from a subdistrict of the political  
25 subdivision, the registered voters residing in the subdistrict may only  
26 vote for candidates from the subdistrict and for candidates for officers  
27 to be elected at large from the whole political subdivision.

28 Sec. 51. Section 32-961, Revised Statutes Cumulative Supplement,  
29 2022, is amended to read:

30 32-961 (1)(a) To be eligible to be a poll watcher, an individual  
31 shall be either:

1 (i) A registered voter of this state; or

2 (ii) An individual representing a state-based, national, or  
3 international election monitoring organization.

4 (b) A candidate or a spouse of a candidate on the ballot at the  
5 election shall not be eligible for appointment as a poll watcher at such  
6 election.

7 (2) For poll watchers eligible under subdivision (1)(a)(i) of this  
8 section, any political party in Nebraska, a candidate for election in  
9 Nebraska ~~not affiliated with a political party~~, an organization of  
10 persons interested in a question on the ballot, or a nonpartisan  
11 organization interested in Nebraska's elections and the elective process  
12 may appoint one or more poll watchers. Any such person or organization  
13 intending to appoint one or more poll watchers shall provide written  
14 notification to the election commissioner or county clerk of the county  
15 in which the poll watchers will be active on election day no later than  
16 the close of business on the Wednesday prior to election day. The  
17 notification shall include a list of appointed poll watchers and a list  
18 of the precincts that the poll watchers plan to observe and shall be  
19 provided prior to each election at which one or more poll watchers will  
20 be active. A poll watcher shall not be denied entry to a polling place  
21 because the poll watcher is not on the list or because the precinct is  
22 not on the list.

23 (3) For poll watchers eligible under subdivision (1)(a)(ii) of this  
24 section, any national or international election monitoring organization  
25 intending to appoint one or more poll watchers shall provide written  
26 notification to the Secretary of State no later than the close of  
27 business on the Wednesday prior to election day. The notification shall  
28 include a list of appointed poll watchers and a list of the counties and  
29 precincts to be observed and shall be provided prior to each election at  
30 which one or more poll watchers will be active.

31 Sec. 52. Section 32-1002, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 32-1002 (1) As the ballots are removed from the ballot box pursuant  
3 to sections 32-1012 to 32-1018, the receiving board shall separate the  
4 envelopes containing the provisional ballots from the rest of the ballots  
5 and deliver them to the election commissioner or county clerk.

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

10 (3) The election commissioner or county clerk shall also (a) verify  
11 that such person has not voted anywhere else in the county or been issued  
12 a ballot for early voting, (b) investigate whether any credible evidence  
13 exists that the person was properly registered to vote in the county  
14 before the deadline for registration for the election, (c) investigate  
15 whether any information has been received pursuant to section 32-308,  
16 32-309, 32-310, or 32-324 that the person has resided, registered, or  
17 voted in any other county or state since registering to vote in the  
18 county, and (d) upon determining that credible evidence exists that the  
19 person was properly registered to vote in the county, make the  
20 appropriate changes to the voter registration register by entering the  
21 information contained in the registration application completed by the  
22 voter at the time of voting a provisional ballot.

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

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

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

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

31 (d) The voter has completed a registration application prior to

1 voting as prescribed in subsection (6) of this section and the residence  
2 address provided on the registration application completed pursuant to  
3 subdivision (1)(e) of section 32-915 is located within the precinct in  
4 which the person voted; and ÷

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

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

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

15 (5) A provisional ballot cast by a voter pursuant to section 32-915  
16 shall not be counted if:

17 (a) The voter was not properly registered in the county before the  
18 deadline for registration for the election;

19 (b) Information has been received pursuant to section 32-308,  
20 32-309, 32-310, or 32-324 that the voter has resided, registered, or  
21 voted in any other county or state since registering to vote in the  
22 county in which he or she cast the provisional ballot;

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

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

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

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

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

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

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

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

16       (b) Both the registration application and the certification are  
17 signed by the voter.

18       (7) Upon determining that the voter's provisional ballot is eligible  
19 to be counted, the election commissioner or county clerk shall remove the  
20 ballot from the envelope without exposing the marks on the ballot and  
21 shall place the ballot with the ballots to be counted by the county  
22 canvassing board.

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

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

29       Sec. 53. Section 32-1027, Revised Statutes Cumulative Supplement,  
30 2022, is amended to read:

31       32-1027 (1) The election commissioner or county clerk shall appoint

1 two or more registered voters to the counting board for early voting. One  
2 registered voter shall be appointed from the political party casting the  
3 highest number of votes ~~for Governor or~~ for President of the United  
4 States in the county in the ~~immediately~~ preceding general election, and  
5 one registered voter shall be appointed from the political party casting  
6 the next highest vote for such office. The election commissioner or  
7 county clerk may appoint additional registered voters to serve on the  
8 counting board and may appoint registered voters to serve in case of a  
9 vacancy among any of the members of the counting board. Such appointees  
10 shall be balanced between the political parties and may include  
11 registered voters unaffiliated with any political party. The counting  
12 board may begin carrying out its duties not earlier than the second  
13 Friday before the election and shall meet as directed by the election  
14 commissioner or county clerk.

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

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

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

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

27 (c) A completed and signed registration application has been  
28 received from the voter by the deadline in section 32-302, 32-321, or  
29 32-325 or by the close of the polls pursuant to section 32-945;

30 (d) An identification document has been received from the voter not  
31 later than the close of the polls on election day if required pursuant to

1 section 32-318.01; and

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

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

7 (a) A ballot received from a voter who was properly registered on or  
8 prior to the deadline for registration pursuant to section 32-302 or  
9 32-321 shall be accepted for counting without further review if:

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

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

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

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

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

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

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

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

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

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

3 (ii) A valid registration application completed and signed by the  
4 voter, for whom the residence address is deemed to be the address of the  
5 office of the election commissioner or county clerk pursuant to section  
6 32-946, has been received by the election commissioner or county clerk  
7 prior to the close of the polls on election day;

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

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

13 (d) In the case of a ballot received from a registered voter  
14 required to present identification before voting pursuant to section  
15 32-318.01, the ballot shall be accepted for counting if:

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

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

21 (iii) A copy of an identification document authorized in section  
22 32-318.01 has been received by the election commissioner or county clerk  
23 prior to the close of the polls on election day; and

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

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

30 (6) The counting board may, on the second Friday before the  
31 election, open all identification envelopes which are approved, and if



1 the signature of the election commissioner or county clerk or his or her  
2 employee is on the ballot, the ballot shall be unfolded, flattened for  
3 purposes of using the optical scanner, and placed in a sealed container  
4 for counting as directed by the election commissioner or county clerk. At  
5 the discretion of the election commissioner or county clerk, the counting  
6 board may begin counting early ballots no earlier than twenty-four hours  
7 prior to the opening of the polls on the day of the election.

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

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

23 Sec. 54. Section 32-1028, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 32-1028 The election commissioner or county clerk shall appoint two  
26 or more registered voters to constitute a county canvassing board. The  
27 election commissioner or county clerk shall be a member of the county  
28 canvassing board. One registered voter shall be appointed from the  
29 political party casting the highest number of votes for Governor or for  
30 President of the United States in the county in the immediately preceding  
31 general election, and one registered voter shall be appointed from the

1 political party casting the next highest number of votes for such office.  
2 The election commissioner or county clerk may appoint additional  
3 registered voters to serve on the county canvassing board and may appoint  
4 registered voters to serve in case of a vacancy among any of the members  
5 of the county canvassing board. Such appointees shall be balanced between  
6 the political parties and may include registered voters unaffiliated with  
7 any political party.

8 Sec. 55. Section 32-1032, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 32-1032 Upon the completion of the canvass by the county canvassing  
11 board, all books shall again be sealed, and the election commissioner or  
12 county clerk shall keep all election materials, including the ballots-  
13 cast containers from each precinct, the sealed envelopes containing the  
14 precinct list of registered voters, the precinct sign-in register, the  
15 official summary or summaries of votes cast, and the container for early  
16 voting materials, for not less than twenty-two months when statewide  
17 primary, general, or special elections involve federal offices,  
18 candidates, and issues and not less than fifty days for local elections  
19 not held in conjunction with a statewide primary, general, or special  
20 election. The election commissioner or county clerk shall keep on file  
21 one copy of each ballot face used in each precinct of the official  
22 candidate ~~partisan, nonpartisan~~, constitutional amendment, and initiative  
23 and referendum ballots, as used for voting, and all election notices used  
24 at each primary and general election for twenty-two months. The precinct  
25 sign-in register, the record of early voters, and the official summary of  
26 votes cast shall be subject to the inspection of any person who may wish  
27 to examine the same after the primary, general, or special election. The  
28 election commissioner or county clerk shall not allow any other election  
29 materials to be inspected, including ballots and provisional ballot  
30 envelopes, except when an election is contested or the materials become  
31 necessary to be used in evidence in the courts. The election commissioner

1 or county clerk shall direct the destruction of such materials after such  
2 time, except that the election commissioner or county clerk may retain  
3 materials for the purposes of establishing voter histories.

4 Sec. 56. Section 32-1033, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6 32-1033 The election commissioner or county clerk shall, on or  
7 before the sixth Monday after the election, prepare, sign, and deliver a  
8 certificate of nomination or a certificate of election to each person  
9 whom the county canvassing board has declared to have received the  
10 highest vote for county, city, or village offices. ~~No person shall be  
11 issued a certificate of nomination as a candidate of a political party  
12 unless such person has received a number of votes at least equal to five  
13 percent of the total ballots cast at the primary election by registered  
14 voters affiliated with that political party in the district which the  
15 office for which he or she is a candidate serves.~~ The certificate shall  
16 be substantially as follows:

17 State of Nebraska. At an election held on the ..... day of .....  
18 20.., ..... was elected to the office of ..... for the term  
19 of ..... years from the ..... day of ..... 20.. (or when filling  
20 a vacancy, for the residue of the term ending on the .... day of .....  
21 20..). Given at ..... this .... day of ..... 20.. .

22 Sec. 57. Original sections 32-212, 32-314, 32-401, 32-502, 32-503,  
23 32-506, 32-507, 32-509, 32-517, 32-518, 32-519, 32-520, 32-521, 32-522,  
24 32-523, 32-524, 32-525, 32-526, 32-528, 32-529, 32-557, 32-564, 32-603,  
25 32-605, 32-609, 32-616, 32-617, 32-619.01, 32-622, 32-624, 32-625,  
26 32-710, 32-720, 32-801, 32-810, 32-811, 32-813, 32-814, 32-817, 32-912,  
27 32-1028, and 32-1032, Reissue Revised Statutes of Nebraska, and sections  
28 32-223, 32-230, 32-312, 32-602, 32-607, 32-615, 32-618, 32-623, 32-716,  
29 32-809, 32-961, 32-1002, 32-1027, and 32-1033, Revised Statutes  
30 Cumulative Supplement, 2022, are repealed.

31 Sec. 58. The following sections are outright repealed: Sections

1 32-611, 32-612, 32-621, 32-627, 32-702, 32-721, 32-815, and 32-1507,  
2 Reissue Revised Statutes of Nebraska, and section 32-610, Revised  
3 Statutes Cumulative Supplement, 2022.