

AMENDMENTS TO LB521

Introduced by Government, Military and Veterans Affairs.

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

3 **Section 1.** Section 14-201, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-201 (1) Except as provided in subsection (2) of this section, the
6 primary election for the nomination of elective officers of cities of the
7 metropolitan class shall be held on the first Tuesday of April preceding
8 the date of the general election, and the ~~In each city of the~~
9 ~~metropolitan class, seven city council members shall be elected to the~~
10 ~~city council as provided in section 32-536. The general city election for~~
11 the election of elective officers of cities of the metropolitan class
12 shall be held on the first Tuesday after the second Monday in May 1993
13 and every four years thereafter. The terms of office of such elective
14 officers ~~city council members~~ shall commence on the fourth Monday after
15 such election.

16 (2) Each city of the metropolitan class may, by provision of such
17 city's home rule charter, schedule candidates for elective office of such
18 city to be nominated at the statewide primary election and elected at the
19 statewide general election of each presidential election year.

20 **Sec. 2.** Section 14-202, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-202 The city council of a city of the metropolitan class is
23 authorized to call, by ordinance, special elections and to submit at such
24 elections such questions and propositions as may be authorized by law to
25 be submitted to the electors at a special election. Unless otherwise
26 specifically directed, it shall be sufficient to give, in the manner
27 required by law, thirty days' notice of the time and place of holding

1 such special election. Unless otherwise specifically designated, a
2 majority vote of the electors voting on any proposition shall be regarded
3 sufficient to approve or carry such proposition. The vote at such special
4 election shall be canvassed by the authority or officer authorized to
5 canvass the vote at the general city election for the election of
6 elective officers of the city, and the result of such election certified
7 or declared and certificate of election, if required, shall be issued.

8 **Sec. 3.** Section 14-204, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-204 (1) Each city of the metropolitan class shall elect seven
11 city council members to the city council as provided in section 32-536. A
12 candidate for city council member of a city of the metropolitan class
13 shall be a registered voter and a resident of the district from which
14 such candidate ~~he or she~~ seeks election and shall have been a resident in
15 the city and district or any area annexed by the city for six months. The
16 ~~primary election for nomination of city council members shall be held on~~
17 ~~the first Tuesday of April preceding the date of the general city~~
18 ~~election.~~

19 (2) Any person desiring to become a candidate for city council
20 member shall file a candidate filing form pursuant to sections 32-606 and
21 32-607.

22 **Sec. 4.** Section 14-205, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-205 Notwithstanding any more general law respecting primary
25 elections in force in this state, the official ballot to be prepared and
26 used at the primary election under section 14-201 ~~14-204~~ shall be in
27 substantially the form provided in this section. The names of all
28 candidates shall be placed upon the ballot without any party designation.

29 Candidate for Nomination for City Council Member from City Council
30 District No., of the City of, at the
31 Primary Election

1 Vote for only one:

2

3 (Names of candidates)

4 In all other respects the general character of the ballot to be used
5 shall be the same as authorized by the Election Act.

6 In printing, the names shall not be arranged alphabetically but
7 shall be rotated according to the following plan: The form shall be set
8 up by the printer, with the names in the order in which they are placed
9 upon the sample ballot prepared by the officer authorized to conduct the
10 general ~~city~~ election. In printing the ballots for the various election
11 districts or precincts, the position of the names shall be changed for
12 each election district, and in making the change of position the printer
13 shall take the line of type containing the name at the head of the form
14 and place it at the bottom, moving ~~shoving up~~ the column up so that the
15 name that was second before the change shall be the first after the
16 change. The primary election shall be conducted pursuant to the Election
17 Act except as provided in section 14-201 ~~14-204~~ and unless otherwise
18 provided in the home rule charter or city code.

19 **Sec. 5.** Section 14-206, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-206 The two candidates receiving the highest number of votes in
22 each city council district at the primary election under section 14-201
23 ~~14-204~~ shall be the candidates and the only candidates whose names shall
24 be placed upon the official ballot for city council members in such city
25 council district at the general ~~city~~ election in such city.

26 **Sec. 6.** Section 14-207, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-207 At the general ~~city~~ election at which city council members
29 are to be elected, the ballot shall be prepared in substantially the same
30 form as provided in section 14-205, and the person receiving the highest
31 number of votes in each of the city council districts shall be the city

1 council member elected. The general city election shall be conducted
2 pursuant to the Election Act unless otherwise provided in the home rule
3 charter or city code.

4 **Sec. 7.** Section 14-210, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-210 (1) The right to enact ordinances for any city of the
7 metropolitan class is hereby granted to the qualified electors of such
8 city, but such grant is made upon the following conditions and in
9 addition to the right granted to the city council to legislate as
10 provided in this section.

11 (2)(a) Whenever qualified electors of any city of the metropolitan
12 class equal in number to fifteen percent of the vote cast at the last
13 preceding city election for the election of elective officers of the city
14 petition the city council to enact a proposed ordinance, it shall be the
15 duty of the city council to either enact such ordinance without amendment
16 within thirty days or submit such ordinance to a vote of the people at
17 the next election held within such city ~~regardless of whether such~~
18 ~~election be a city, county, or state election.~~

19 (b) Whenever such proposed ordinance is petitioned for by qualified
20 electors equal in number to twenty-five percent of the votes cast at the
21 last preceding city election for the election of elective officers of the
22 city and such petition requests that a special election be called to
23 submit the proposed ordinance to a vote of the people in the event that
24 the city council shall fail to enact such ordinance, the city council
25 shall either enact such ordinance without amendment within thirty days or
26 submit such ordinance to a vote of the people at a special election
27 called by the city council for that purpose. The date of such election
28 shall not be less than fifty days nor more than seventy days after the
29 filing of the petition for the proposed ordinance.

30 (3) The petition provided for in this section shall be in the
31 general form and as to signatures and verification as provided in section

1 14-212 and shall be filed with the city clerk. Upon the filing of a
2 petition, the city clerk and the county clerk or election commissioner of
3 the county in which the city is located may by mutual agreement provide
4 that the county clerk or election commissioner shall ascertain whether
5 the petition is signed by the requisite number of voters. When the
6 verifying official has ascertained the percent of the voters signing such
7 petition, such official shall transmit the official's ~~his or her~~
8 findings, together with such petition, to the city council.

9 (4) In the event the city council shall fail to enact such
10 ordinance, the city council shall submit such ordinance to a vote of the
11 people of such city as provided in this section. The mayor shall notify
12 the electors of such election at least fifteen days prior to such
13 election, and the city council shall cause to have published a notice of
14 the election and a copy of such proposed ordinance once in each of the
15 daily legal newspapers in or of general circulation in the city, or, if
16 there is no such newspaper, then once in each weekly legal newspaper in
17 or of general circulation in such city. Such publication shall be not
18 more than twenty nor less than five days prior to such election.

19 (5) All proposed ordinances shall have a title which shall state in
20 a general way the purpose and intent of such ordinance.

21 (6) The ballots used when voting upon such proposed ordinance shall
22 contain the following: For the ordinance (set forth the title thereof)
23 and Against the ordinance (set forth the title thereof).

24 (7) If a majority of the electors voting on the proposed ordinance
25 shall vote in favor of the question, such ordinance shall become a valid
26 and binding ordinance of the city. An ordinance adopted as provided in
27 this section shall not be altered or modified by the city council within
28 one year after such adoption.

29 (8) Any number of proposed ordinances may be voted upon at the same
30 election in accordance with the provisions of this section, except that
31 the same measure, either in form or essential substance, shall not be

1 submitted more often than once every two years.

2 **Sec. 8.** Section 14-211, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 14-211 (1)(a) No ordinance passed by the city council of a city of
5 the metropolitan class, except when otherwise required by the general
6 laws of the state, by other provisions of sections 14-201 to 14-229, or
7 as provided in subdivision (1)(b) of this section, shall go into effect
8 before fifteen days from the time of its final passage.

9 (b) An ordinance passed by the city council of a city of the
10 metropolitan class may take effect sooner than fifteen days from the time
11 of its final passage if the ordinance is:

12 (i) For the appropriation of money to pay the salary of officers or
13 employees of the city other than salaries of the mayor and city council
14 members; or

15 (ii) An emergency ordinance that is for the preservation of the
16 public peace, health, or safety and that contains a statement of such
17 emergency.

18 (2)(a) If during such fifteen days a petition, signed and verified
19 as provided in this section by electors of the city equal in number to at
20 least fifteen percent of the highest number of votes cast for any city
21 council member at the last preceding general ~~city~~ election, protesting
22 against the passage of such ordinance, shall be presented to the city
23 council, then such ordinance shall be suspended from going into
24 operation, and it shall be the duty of the city council to reconsider
25 such ordinance.

26 (b) If such ordinance is not repealed by the city council, then the
27 city council shall proceed to submit to the voters such ordinance at a
28 special election to be called for such purpose or at a general ~~city~~
29 election, and such ordinance shall not go into effect or become operative
30 unless a majority of the qualified electors voting on such ordinance
31 shall vote in favor of the question.

1 (3) Such petition shall be in all respects in accordance with the
2 provisions of section 14-212 relating to signatures, verification,
3 inspection, and certification.

4 **Sec. 9.** Section 14-217.01, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-217.01 Each A city of the metropolitan class shall elect a mayor
7 as provided in section 32-536 whose for such term of office shall
8 coincide with the terms of city council members elected concurrently to
9 the city council ~~as may be provided by the laws and ordinances of such~~
10 ~~city.~~

11 **Sec. 10.** Section 14-376, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-376 Whenever the qualified electors of any city of the
14 metropolitan class vote at any general or special election to acquire and
15 appropriate by an exercise of the power of eminent domain, any
16 waterworks, waterworks system, gas plant, electric light plant, electric
17 light and power plant, street railway, or street railway system, located
18 or operating within or partly within and partly without such city if the
19 main part of such works, plant, or system be within such city and even
20 though a franchise for the construction and operation of such works,
21 plant, or system may or may not have expired, then the city shall have
22 the power and authority by an exercise of the power of eminent domain to
23 appropriate and acquire for the public use of the city, such works,
24 plant, or system. The procedure to condemn property shall be exercised in
25 the manner set forth in sections 76-704 to 76-724. The city council shall
26 have the power to submit such question or proposition to the qualified
27 electors of the city at any general ~~city~~ election or at any special city
28 election and may submit such proposition in connection with any city
29 special election called for any other purpose, and the votes cast on such
30 question shall be canvassed and the result found and declared as in any
31 general other city election for the election of elective officers of the

1 city. The city council shall submit such question at any such election
2 whenever a petition asking for such submission is signed by the legal
3 voters of the city equaling in number fifteen percent of the votes cast
4 at the last general ~~city~~ election for the election of elective officers
5 of the city, and is filed in the city clerk's office at least fifteen
6 days before the election at which the submission is asked.

7 **Sec. 11.** Section 14-521, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-521 The city council of a city of the metropolitan class may
10 issue bonds, as provided in this section, for the purpose of improving
11 lands, lots, or grounds purchased, appropriated, or acquired for parks,
12 parkways, boulevards, or playgrounds. Bonds so issued shall be known as
13 park bonds and the issuance of such bonds except as provided in this
14 section shall be governed by section 14-515. The city council may issue
15 in any one year and without a vote of the electors one hundred thousand
16 dollars of such bonds. The city council may also issue such bonds if
17 authorized by a majority vote of the electors of the city voting on the
18 proposition at a general ~~city~~ election or a special election called for
19 that purpose. A part of the proceeds from the sale of such bonds may be
20 used to pay for improvements upon streets, sidewalks, or thoroughfares
21 abutting upon or immediately adjacent to parks, parkways, boulevards, and
22 playgrounds when such costs would otherwise be chargeable to the city.

23 **Sec. 12.** Section 14-811, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-811 Any ordinance or resolution granting, extending, changing, or
26 modifying the terms and conditions of a franchise in a city of the
27 metropolitan class shall not be passed until at least four weeks have
28 elapsed after its introduction or proposal, and not until such resolution
29 or ordinance has been published daily for at least two weeks in the
30 official newspaper of the city. Such ordinance or resolution shall not
31 become effective or binding until submitted to the electors and approved

1 by a majority vote of such electors. Submission to the electors shall be
2 made as provided in section 14-202. A new franchise shall not hereafter
3 be granted or any modification or extension of any existing franchise
4 made unless an annuity or royalty be provided and reserved to the city to
5 be based either upon a fixed reasonable amount per year or a fixed
6 percentage of the earnings under the operation of the franchise so
7 granted, and not then until such franchise has been submitted to a vote
8 and approved by the electors at a general ~~city~~ election or a special
9 election called for that purpose.

10 **Sec. 13.** Section 14-1206, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-1206 (1) If any city of the metropolitan class desires to
13 purchase, lease, or sublease any existing bridge and shall have received
14 any such authority as may be necessary from the government of the United
15 States, the city council may determine the fair value of such bridge, the
16 appraised value of which shall not exceed two million dollars, including
17 all interests of any nature in such bridge, and may by written resolution
18 tentatively offer the owners of such bridge jointly the price so
19 determined.

20 (2) If all such owners within ninety days thereafter shall file with
21 the city clerk of such city a duly authorized and properly executed
22 written tentative acceptance of such offer, binding themselves to accept
23 such offer and to assign such lease or sublease or convey good and
24 complete title by warranty deed when and if the necessary funds shall be
25 provided for such offer, then upon the filing of such acceptance, the
26 city council may submit to the electors of such city, at a special
27 election called for that purpose or at any general election ~~of such city~~
28 ~~or of the State of Nebraska~~ within one hundred and twenty days after the
29 filing of such acceptance, the question whether such purchase shall be
30 made at the price stated on the ballot and the city council be authorized
31 to issue bonds of the kind or kinds stated in the proposition and in any

1 such amount as may be required to provide the necessary funds. The
2 proposition so submitted shall be carried if the majority of the electors
3 voting on such proposition shall vote in favor of such proposition.

4 (3) No election and no vote of electors shall be required upon the
5 question of acquiring by purchase, lease, or sublease any existing bridge
6 or issuing revenue bonds, in an amount not to exceed two million dollars
7 as authorized by section 14-1217, for the acquisition by purchase, lease,
8 or sublease of any existing bridge, if the city council determines by a
9 vote of a majority of its members to dispense with such election or vote
10 of electors as to such question.

11 (4) If the proposition shall be carried at the election, or if the
12 city council determines to dispense with such election, the tentative
13 acceptance of the owners of such bridge shall then become final and
14 binding upon such owners and may be enforced in any court of competent
15 jurisdiction.

16 (5) Such purchase may also be made subject to existing mortgages and
17 the assumption of outstanding bonds.

18 (6) If repairs, reconditioning, or reconstruction shall be necessary
19 to place any bridge so purchased or to be purchased in safe, efficient,
20 or convenient condition, the city council may issue additional revenue
21 bonds to provide funds for such purpose in an amount not to exceed
22 fifteen percent of the purchase price of such bridge.

23 (7) Any proposition submitted to the electors shall be published on
24 three consecutive days in the official newspaper of the city to be
25 completed not less than ten days before the date of the election.

26 (8) If the city council determines to dispense with such election or
27 vote of the electors, or if a proposition is submitted to a vote of the
28 electors and carried at such election, the city council may exercise all
29 power and authority reasonably necessary and incidental to the exercise
30 of the powers granted in this section.

31 **Sec. 14.** Section 14-1211, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 14-1211 (1) Within ninety days after a final condemnation award
3 pursuant to section 14-1207 has been made, the city council of such city
4 of the metropolitan class shall, if such city council elects to proceed
5 further, introduce an ordinance providing for the submission to the
6 electors of the city the question whether such award shall be confirmed
7 and the property be taken and bonds of the kind or kinds determined by
8 the city council, and stated upon the ballot, shall be issued in the
9 amount of the award.

10 (2) Such proposition shall be submitted within ninety days after the
11 ordinance becomes effective at a special election called for that purpose
12 or at any general ~~city or state~~ election, and shall be carried if a
13 majority of the electors voting on such proposition shall vote in favor
14 of such proposition.

15 (3) No election and no vote of electors shall be required upon the
16 question of acquiring by condemnation any bridge or issuing revenue bonds
17 as authorized by section 14-1217 for the acquisition by condemnation of
18 any existing bridge, if the city council determines by a vote of a
19 majority of its members to dispense with such election or vote of
20 electors as to such question.

21 **Sec. 15.** Section 14-1216, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-1216 (1) To finance any of the purposes or powers provided for in
24 sections 14-1201 to 14-1252, the city council of a city of the
25 metropolitan class shall in the first instance determine whether any
26 purchase, condemnation, or construction authorized by such sections shall
27 be financed by bonds which are general obligations of the city and which
28 may also be supported by a lien or mortgage on the bridge itself or upon
29 the collection of tolls to be derived from the use of such bridge, or
30 both, or by revenue bonds as provided for in section 14-1217 and which
31 are charged solely against the revenue to be derived from such bridge

1 through the collection of tolls, or part one kind of bonds and part the
2 other.

3 (2) The city council shall not have authority to purchase, condemn,
4 nor construct any bridge nor to issue any bonds, except the preliminary
5 bonds specially authorized by section 14-1215, until first authorized by
6 the majority vote of the electors voting on such proposition, which
7 proposition shall indicate the method of acquiring the bridge and the
8 kind or kinds of bonds, at a special election called for that purpose or
9 at any general ~~city or state~~ election. No election and no vote of
10 electors shall be required upon the question of acquiring or constructing
11 any bridge or issuing revenue bonds as authorized by section 14-1217, for
12 the acquisition or construction of any bridge located more than one mile
13 from any existing bridge, other than a railroad bridge, if the city
14 council determines by a vote of the majority of its members to dispense
15 with such election or vote of electors as to such question.

16 (3) This grant of power to issue bonds is in addition to any other
17 power which may now have been or hereafter may be conferred upon such
18 city, and shall be free from the restrictions now imposed by the home
19 rule charter of the city upon the issuance of bonds and incurring of
20 indebtedness, and subject only to the provisions of the Constitution of
21 Nebraska.

22 (4) At an election under subsection (2) of this section, the
23 proposition shall be separate as to the bonds for each bridge to be
24 acquired or constructed and the amount of bonds may be either a specific
25 amount equal to the estimated total cost of every nature plus not to
26 exceed twenty-five percent, or may be general and authorize the issuance
27 of bonds in such amount as may be found necessary from time to time to
28 complete the acquisition, construction, and equipment of the bridge and
29 all costs incident to such bridge, or may be part one and part the other.

30 (5) For all purposes of financing, the total cost of any improvement
31 authorized by sections 14-1201 to 14-1252 may include every item of

1 expense in connection with the project, and among other items shall also
2 include the cost of acquiring every interest of every nature and of every
3 person in any existing bridge; the cost of constructing the
4 superstructure, roadway, and substructure of any bridge; the approaches
5 and avenues or rights-of-way of access to such bridge; necessary real
6 estate in connection with such bridge; toll houses; equipment of such
7 bridge; franchises, easements, rights, or damages incident to or
8 consequent upon the complete project expenses preliminary to
9 construction, including investigation and expenses incident to such
10 construction; prior to and during construction the proper traffic
11 estimates; interest upon bonds; and all such other expenses as after the
12 beginning of operation would be properly chargeable as cost of operation,
13 maintenance, and repairs.

14 **Sec. 16.** Section 14-1251, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-1251 (1) Elections on propositions arising in connection with the
17 exercise of any of the powers granted by sections 14-1201 to 14-1252 may
18 be submitted by the city council of a city of the metropolitan class to
19 the electors of such city at any general ~~, city, or state~~ election or at
20 any special election called for that purpose. Any proposition shall be
21 carried if a majority of the electors voting on such proposition vote in
22 favor of such proposition.

23 (2) No bridge shall be finally or irrevocably acquired, whether by
24 purchase, condemnation, or construction, until such action and the
25 necessary financing have been approved by a majority of the electors
26 voting on the proposition at a general ~~city or state~~ election or at a
27 special election called for that purpose or have been approved by the
28 city council, as authorized by such sections.

29 (3) Two or more propositions or questions may be submitted at the
30 same election and on the same ballot provided each is so presented that
31 the electors may vote separately upon each proposition. A vote of the

1 electors authorizing independent action shall be held to also authorize
2 joint action for the purpose so authorized but a vote on a proposition of
3 joint action shall not be held to authorize independent action.

4 (4) The city council is authorized to determine what shall be
5 included in the proposition to be stated in notices of election and upon
6 the ballots in its full discretion, except that any proposition must
7 indicate whether the bridge shall be acquired by purchase, by the
8 condemnation of an existing bridge, or by the construction of a new
9 bridge, and the kind of bonds to be issued to finance such bridge and the
10 amount of such bonds may be set forth in any manner authorized in such
11 sections.

12 **Sec. 17.** Section 15-301, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 15-301 The general city elections in cities of the primary class
15 shall be held on the first Tuesday in May of every odd-numbered year or,
16 by provision of such city's home rule charter, in conjunction with the
17 statewide general election. All city elections shall be conducted in
18 accordance with the Election Act.

19 **Sec. 18.** Section 31-727.02, Revised Statutes Cumulative Supplement,
20 2024, is amended to read:

21 31-727.02 (1) Except as provided in subsection (5) ~~(6)~~ of section
22 84-1411, the clerk or administrator of each sanitary and improvement
23 district shall notify any municipality or county within whose zoning
24 jurisdiction such district is located of all meetings of the district
25 board of trustees or called by the administrator by sending a notice of
26 such meeting to the clerk of the municipality or county not less than
27 seven days prior to the date set for any meeting. In the case of meetings
28 called by the administrator, notice shall be provided to the clerk of the
29 district not less than seven days prior to the date set for any meeting.

30 (2) Except as provided in subsection (5) ~~(6)~~ of section 84-1411,
31 within thirty days after any meeting of a sanitary and improvement

1 district board of trustees or called by the administrator, the clerk or
2 administrator of the district shall transmit to the municipality or
3 county within whose zoning jurisdiction the sanitary and improvement
4 district is located a copy of the minutes of such meeting.

5 **Sec. 19.** Section 32-101, Revised Statutes Cumulative Supplement,
6 2024, is amended to read:

7 32-101 Sections 32-101 to 32-1552 and sections 39, 42, 45, 47, 49,
8 58, 68, and 71 of this act shall be known and may be cited as the
9 Election Act.

10 **Sec. 20.** Section 32-104, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 32-104 Candidate shall mean a registered voter for whom votes may be
13 cast at any election and who, either tacitly or expressly, consents to be
14 considered. Candidate shall not include a candidate for President or Vice
15 President of the United States or a candidate for delegate to a county,
16 state, or national political party convention.

17 **Sec. 21.** Section 32-123, Revised Statutes Cumulative Supplement,
18 2024, is amended to read:

19 32-123 Valid photographic identification means:

20 (1) A document issued by the United States, the State of Nebraska,
21 an agency or a political subdivision of the State of Nebraska, or a
22 postsecondary institution within the State of Nebraska that:

23 (a) Shows the name of the individual to whom the document was
24 issued; and

25 (b) Shows a photograph or digital image of the individual to whom
26 the document was issued;

27 (2) A document issued by the United States Department of Defense,
28 the United States Department of Veterans Affairs or its predecessor, the
29 Veterans Administration, a branch of the uniformed services as defined in
30 section 85-2902, or a Native American Indian tribe or band recognized by
31 the United States Government that:

1 (a) Shows the name of the individual to whom the document was
2 issued; and

3 (b) Shows a photograph or digital image of the individual to whom
4 the document was issued; or

5 (3) A hospital, an assisted-living facility, a nursing home, a
6 hospice, a provider agency for home or community-based developmental
7 disability services, or any other intermediate care facility record that:

8 (a) Shows the name of the individual who is the subject of the
9 record; and

10 (b) Shows a photograph or digital image of the individual who is the
11 subject of the record.

12 **Sec. 22.** Section 32-202, Revised Statutes Cumulative Supplement,
13 2024, is amended to read:

14 32-202 In addition to any other duties prescribed by law, the
15 Secretary of State shall:

16 (1) Supervise the conduct of primary and general elections in this
17 state;

18 (2) Provide training and support for election commissioners, county
19 clerks, and other election officials in providing for day-to-day
20 operations of the office, registration of voters, and the conduct of
21 elections;

22 (3) Enforce the Election Act;

23 (4) With the assistance and advice of the Attorney General, make
24 uniform interpretations of the act;

25 (5) Provide periodic training for the agencies and their agents and
26 contractors in carrying out their duties under sections 32-308 and ~~to~~
27 32-310;

28 (6) Develop and print forms for use as required by sections 32-308,
29 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

30 (7) Contract with the Department of Administrative Services for
31 storage and distribution of the forms;

1 (8) Require reporting to ensure compliance with sections 32-308 and
2 ~~to~~ 32-310;

3 (9) Prepare and transmit reports as required by the National Voter
4 Registration Act of 1993, 52 U.S.C. 20501 et seq.;

5 (10) Develop and print a manual describing the requirements of the
6 initiative and referendum process and distribute the manual to election
7 commissioners and county clerks for distribution to the public upon
8 request;

9 (11) Develop and print pamphlets described in section 32-1405.01;

10 (12) Adopt and promulgate rules and regulations as necessary for
11 elections conducted under sections 32-952 to 32-959;

12 (13) Establish a free access system, such as a toll-free telephone
13 number or an Internet website, that any voter who casts a provisional
14 ballot may access to discover whether the vote of that voter was counted
15 and, if the vote was not counted, the reason that the vote was not
16 counted. The Secretary of State shall establish and maintain reasonable
17 procedures necessary to protect the security, confidentiality, and
18 integrity of personal information collected, stored, or otherwise used by
19 the free access system. Access to information about an individual
20 provisional ballot shall be restricted to the individual who cast the
21 ballot;

22 (14) Provide a website dedicated to voter identification
23 requirements and procedures. The Secretary of State shall establish,
24 maintain, and regularly update on the website a document entitled "List
25 of Acceptable Forms of Identification" that lists forms of identification
26 that qualify as valid photographic identification for purposes of voter
27 identification;

28 (15) Provide a public awareness campaign regarding the voter
29 identification requirements and procedures, including communication
30 through multiple mediums and in-person events;

31 (16) Provide instructions and information to the Department of

1 Health and Human Services, the Department of Motor Vehicles, and the
2 State Department of Education for distribution by such agencies to
3 Nebraska residents regarding the requirement to present valid
4 photographic identification in order to vote and the way to obtain free
5 valid photographic identification; and

6 (17) Not use or allow the use of citizenship information shared with
7 or collected by the Secretary of State pursuant to the Election Act for
8 any purpose other than maintenance of the voter registration list,
9 including law enforcement purposes.

10 **Sec. 23.** Section 32-221, Revised Statutes Cumulative Supplement,
11 2024, is amended to read:

12 32-221 (1) The election commissioner shall appoint precinct and
13 district inspectors, judges of election, and clerks of election to assist
14 the election commissioner in conducting elections on election day. In
15 counties with a population of less than four hundred thousand inhabitants
16 as determined by the most recent federal decennial census, judges and
17 clerks of election and inspectors shall be appointed at least thirty days
18 prior to the statewide primary election, shall hold office for terms of
19 two years or until their successors are appointed and qualified for the
20 next statewide primary election, and shall serve at all elections in the
21 county during their terms of office. In counties with a population of
22 four hundred thousand or more inhabitants as determined by the most
23 recent federal decennial census, judges and clerks of election shall be
24 appointed at least thirty days prior to the first election for which
25 appointments are necessary and shall serve for at least four elections.

26 (2) Judges and clerks of election may be selected at random from a
27 cross section of the population of the county. All qualified citizens
28 shall have the opportunity to be considered for service. All qualified
29 citizens shall fulfill their obligation to serve as judges or clerks of
30 election as prescribed by the election commissioner. No citizen shall be
31 excluded from service as a result of discrimination based upon race,

1 color, religion, sex, national origin, or economic status. No citizen
2 shall be excluded from service unless excused by reason of ill health or
3 other good and sufficient reason.

4 (3) All persons appointed shall be of good repute and character, be
5 able to read and write the English language, and except as otherwise
6 provided in subsections (4), (5), and (6) of section 32-223, be
7 registered voters in the county. No candidate at an election shall be
8 appointed as a judge or clerk of election or inspector for such election
9 ~~other than a candidate for delegate to a county, state, or national~~
10 ~~political party convention.~~

11 (4) If a vacancy occurs in the office of judge or clerk of election
12 or inspector, the election commissioner shall fill such vacancy in
13 accordance with section 32-223. If any judge or clerk of election or
14 inspector fails to appear at the hour appointed for the opening of the
15 polls, the remaining officers shall notify the election commissioner,
16 select a registered voter to serve in place of the absent officer if so
17 directed by the election commissioner, and proceed to conduct the
18 election. If the election commissioner finds that a judge or clerk of
19 election or inspector does not possess all the qualifications prescribed
20 in this section or if any judge or clerk of election or inspector is
21 guilty of neglecting the duties of the office or of any official
22 misconduct, the election commissioner shall remove the person and fill
23 the vacancy.

24 **Sec. 24.** Section 32-231, Revised Statutes Cumulative Supplement,
25 2024, is amended to read:

26 32-231 (1) Each judge and clerk of election appointed pursuant to
27 section 32-230 shall (a) be of good repute and character and able to read
28 and write the English language, (b) reside in the precinct in which he or
29 she is to serve unless necessity demands that personnel be appointed from
30 another precinct, (c) be a registered voter except as otherwise provided
31 in subsections (6), (7), and (8) of section 32-230, and (d) serve for a

1 term of two years or until judges and clerks of election are appointed
2 for the next primary election. No candidate at an election shall be
3 eligible to serve as a judge or clerk of election at the same election
4 ~~other than a candidate for a delegate to a county, state, or national~~
5 ~~political party convention.~~

6 (2) The county clerk may appoint district inspectors to aid the
7 county clerk in the performance of his or her duties and supervise a
8 group of precincts on election day. A district inspector shall meet the
9 requirements for judges and clerks of election as provided in subsection
10 (1) of this section, shall oversee the procedures of a group of polling
11 places, and shall act as the personal agent and deputy of the county
12 clerk. The district inspector shall ensure that the Election Act is
13 uniformly enforced at the polling places assigned to him or her and
14 perform tasks assigned by the county clerk. The district inspector may
15 perform all of the duties required of a judge or clerk of election.

16 **Sec. 25.** Section 32-239, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-239 All vacancies of judges and clerks of election appointed
19 pursuant to section 32-230 and district inspectors appointed pursuant to
20 subsection (2) of section 32-231 shall be filled as nearly as possible in
21 the manner in which the original appointments were made. At least fifteen
22 days prior to any election, the county clerk shall review the list of
23 district inspectors and the list of judges and clerks of election in the
24 precincts in which the election is to occur and fill any vacancies. When
25 a district inspector or judge or clerk of election is a candidate for an
26 office to be voted upon at the election, ~~except for a candidate for a~~
27 ~~delegate to a county, state, or national political party convention,~~ his
28 or her position as a district inspector, judge, or clerk shall be vacant.

29 **Sec. 26.** Section 32-307, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 32-307 No materials advocating or advertising any political issue,

1 candidate, or party shall be displayed or distributed within fifty feet
2 of any voter registration site. No alcohol shall be served within fifty
3 feet of any voter registration site. The registration procedure shall be
4 conducted in a neutral manner and shall not be connected with anything
5 unrelated to the object of registering electors except as otherwise
6 provided in sections 32-308 and ~~to~~ 32-310.

7 **Sec. 27.** Section 32-308, Revised Statutes Cumulative Supplement,
8 2024, is amended to read:

9 32-308 (1) The Secretary of State and the Director of Motor Vehicles
10 shall enter into an agreement to match information in the computerized
11 statewide voter registration list with information in the database of the
12 Department of Motor Vehicles to the extent required to enable each such
13 official to verify the accuracy of the information, including
14 citizenship, provided on applications for voter registration. The
15 Director of Motor Vehicles shall enter into an agreement with the
16 Commissioner of Social Security under section 205(r)(8) of the federal
17 Social Security Act, 42 U.S.C. 405(r)(8), as such section existed on
18 April 17, 2003, for purposes of the Election Act.

19 (2) The Department of Motor Vehicles, with the assistance of the
20 Secretary of State, shall prescribe a voter registration application
21 which may be used to register to vote or change his or her address for
22 voting purposes at the same time an elector applies for an original or
23 renewal motor vehicle operator's license, an original or renewal state
24 identification card, or a replacement thereof. The voter registration
25 application shall contain the information required pursuant to section
26 32-312 and shall be designed so that it does not require the duplication
27 of information in the application for the motor vehicle operator's
28 license or state identification card, except that it may require a second
29 signature of the applicant. The department and the Secretary of State
30 shall make the voter registration application available to any person
31 applying for an operator's license or state identification card. The

1 application shall be completed at the office of the department by the
2 close of business on the third Friday preceding any election to be
3 registered to vote at such election. A registration application received
4 after the deadline shall not be processed by the election commissioner or
5 county clerk until after the election.

6 (3) The Department of Motor Vehicles, in conjunction with the
7 Secretary of State, shall ~~develop a process to~~ electronically transmit
8 voter registration application information received under subsection (2)
9 of this section to the election commissioner or county clerk of the
10 county in which the applicant resides within the time limits prescribed
11 in subsection (4) of this section. ~~The Director of Motor Vehicles shall~~
12 ~~designate an implementation date for the process which shall be on or~~
13 ~~before January 1, 2016.~~

14 (4) The voter registration application information shall be
15 transmitted to the election commissioner or county clerk of the county in
16 which the applicant resides not later than ten days after receipt, except
17 that if the voter registration application information is received within
18 five days prior to the third Friday preceding any election, it shall be
19 transmitted not later than five days after its original submission. Any
20 information on whether an applicant registers or declines to register and
21 the location of the office at which he or she registers shall be
22 confidential and shall only be used for voter registration purposes.

23 (5) For each voter registration application for which information is
24 transmitted electronically pursuant to this section, the Secretary of
25 State shall obtain a copy of the electronic representation of the
26 applicant's digital image and signature from the Department of Motor
27 Vehicles' records of his or her motor vehicle operator's license or state
28 identification card for purposes of voter registration and voting. Each
29 voter registration application electronically transmitted under this
30 section shall include information provided by the applicant that includes
31 whether the applicant is a citizen of the United States, whether the

1 applicant is of sufficient age to register to vote, the applicant's
2 residence address, the applicant's postal address if different from the
3 residence address, the date of birth of the applicant, the party
4 affiliation of the applicant or an indication that the applicant is not
5 affiliated with any political party, the applicant's motor vehicle
6 operator's license number, the applicant's previous registration location
7 by city, county, or state, if applicable, and the applicant's signature.

8 (6) State agency personnel involved in the voter registration
9 process pursuant to this section ~~and section 32-309~~ shall not be
10 considered deputy registrars or agents or employees of the election
11 commissioner or county clerk.

12 **Sec. 28.** Section 32-312, Revised Statutes Cumulative Supplement,
13 2024, is amended to read:

14 32-312 The registration application prescribed by the Secretary of
15 State pursuant to section 32-304 or 32-311.01 shall provide the
16 instructional statements and request the information from the applicant
17 as provided in this section.

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

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

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

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

30 RESIDENCE—the name and number of the street, avenue, or other
31 location of the dwelling where the applicant resides if there is a

1 number. If the registrant resides in a hotel, apartment, tenement house,
2 or institution, such additional information shall be included as will
3 give the exact location of such registrant's place of residence. If the
4 registrant lives in an incorporated or unincorporated area not identified
5 by the use of roads, road names, or house numbers, the registrant shall
6 state the section, township, and range of his or her residence and the
7 corporate name of the school district as described in section 79-405 in
8 which he or she is located.

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

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

14 TELEPHONE NUMBERS—the telephone numbers of the applicant. At the
15 request of the applicant, a designation shall be made that a telephone
16 number is an unlisted number, and such designation shall preclude the
17 listing of such telephone number on any list of voter registrations.

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

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

26 DATE OF APPLICATION FOR REGISTRATION—the month, day, and year when
27 the applicant presented himself or herself for registration, when the
28 applicant completed and signed the registration application if the
29 application was submitted by mail or delivered to the election official
30 by the applicant's personal messenger or personal agent, or when the
31 completed application was submitted if the registration application was

1 completed pursuant to section 32-304.

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

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

9 REGISTRATION TAKEN BY—show the signature of the authorized official
10 or staff member accepting the application pursuant to section ~~32-309~~ or
11 ~~32-310~~ or at least one of the deputy registrars taking the application
12 pursuant to section 32-306, if applicable.

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

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

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

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

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

30 (2) I have not been convicted of a felony or, if convicted, I have
31 completed my sentence for the felony, including any parole term;

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

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

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

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

11 **Sec. 29.** Section 32-315, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-315 Upon receiving a completed voter registration application
14 pursuant to section 32-308 ~~, 32-309,~~ or 32-310 indicating that a voter
15 who is registered in the county has changed his or her name or moved to
16 another residence within the same county, the election commissioner or
17 county clerk shall change the voter registration record of the registered
18 voter to the new name or new address and shall send an acknowledgment
19 card to the registered voter indicating that the change of registration
20 has been completed and the address of the voter's new polling place.

21 **Sec. 30.** Section 32-326, Revised Statutes Cumulative Supplement,
22 2024, is amended to read:

23 32-326 (1) The election commissioner or county clerk shall remove
24 the name of a registered voter from the voter registration register and
25 cancel the registration of such voter if:

26 (a) ~~(1)~~ The election commissioner or county clerk has received
27 information that the voter is deceased;

28 (b) ~~(2)~~ The voter requests in writing that his or her name be
29 removed;

30 (c) ~~(3)~~ The election commissioner or county clerk has received
31 information that the voter has moved from the address at which he or she

1 is registered to vote from the National Change of Address program of the
2 United States Postal Service pursuant to section 32-329 and the voter has
3 not responded to a confirmation notice sent pursuant to section 32-329
4 and has not voted or offered to vote at any election held prior to and
5 including the second statewide federal general election following the
6 mailing of the confirmation notice;

7 (d) (4) The election commissioner or county clerk has received
8 information that the registrant has moved out of the state and has
9 registered to vote or voted in another territory or state pursuant to
10 section 32-314;

11 (e) (5) The election commissioner or county clerk has received
12 information from the Department of Motor Vehicles that the registrant has
13 changed the registrant's state of residence by surrendering the
14 registrant's Nebraska motor vehicle operator's license or state
15 identification card to another state; or

16 (f) (6) The voter has become ineligible to vote as provided in
17 section 32-313.

18 (2) Upon receipt of a request under subdivision (1)(b) of this
19 section, the election commissioner or county clerk shall notify the voter
20 and indicate that the voter's registration has been canceled.

21 **Sec. 31.** Section 32-401, Reissue Revised Statutes of Nebraska, is
22 amended to read:

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

1 preference for President of the United States, and ~~(3) (4)~~ electing
2 officers in political subdivisions which hold their general elections at
3 the time of the statewide primary election.

4 **Sec. 32.** Section 32-402, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 32-402 Any primary election other than a primary election provided
7 for in sections 14-201 ~~14-204~~ and 32-401 shall be held on Tuesday four
8 weeks before the general election.

9 **Sec. 33.** Section 32-405, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 32-405 (1) Except as otherwise specifically provided:

12 (a) Any special election under the Election Act shall be held on the
13 first Tuesday following the second Monday of the selected month, except
14 that if such day falls upon a legal holiday, the election shall be held
15 on the first Tuesday following the first Monday of the selected month;
16 ~~unless otherwise specifically provided. Except as otherwise specifically~~
17 ~~provided,~~

18 (b) No ~~no~~ special election shall be held under the Election Act in
19 March, April, May, June, October, November, or December of an even-
20 numbered year unless it is held in conjunction with the statewide primary
21 or general election; and ~~-~~

22 (c) No special election shall be held under the Election Act in
23 August or September of an even-numbered year except as provided in
24 section 32-564 and except for a special election by a political
25 subdivision pursuant to section 13-519 to exceed an applicable allowable
26 growth percentage or section 77-3444 to exceed a property tax levy limit
27 in section 77-3442 or 77-3444 to approve a property tax levy or exceed a
28 property tax levy limitation.

29 (2) A special election for a Class I, II, III, IV, or V school
30 district which is located in whole or in part in a county in which a city
31 of the primary or metropolitan class is located may be held in

1 conjunction with the primary or general election for a city of the
2 primary or metropolitan class which is governed by a home rule charter.

3 **Sec. 34.** Section 32-536, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 32-536 In a city of the metropolitan class, the mayor and seven city
6 council members shall be elected ~~to the city council~~ for terms of four
7 years at the general ~~city~~ election ~~in 1993~~ pursuant to section 14-201.
8 One city council member shall be nominated and elected from each of the
9 districts into which the city is divided pursuant to section 14-201.03.
10 The city council members shall meet the qualifications found in sections
11 14-204 and 14-230.

12 **Sec. 35.** Section 32-554, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 32-554 (1)(a) Any city not under a home rule charter, village,
15 county, or school district nominating and electing members to its
16 governing board at large may, either by majority vote of the governing
17 body or by petition of registered voters pursuant to subsection (2) of
18 this section, submit, at a general election, the question of nominating
19 and electing members to its governing board by district or ward.

20 (b) Any city not under a home rule charter, village, county having
21 not more than four hundred thousand inhabitants as determined by the most
22 recent federal decennial census, or school district nominating and
23 electing members to its governing board by district or ward may, either
24 by majority vote of the governing body or by petition of registered
25 voters pursuant to subsection (2) of this section, submit, at a general
26 election, the question of nominating and electing members to its
27 governing board at large.

28 (c) Any city of the first class, except a city having adopted the
29 commissioner or city manager plan of government, nominating and electing
30 members to its governing body by ward may, either by ordinance by
31 majority vote of the governing body or by petition of registered voters

1 pursuant to subsection (2) of this section, submit, at a general
2 election, the question of nominating and electing some of the members to
3 its governing body by ward and some at large. No more than four members
4 of the city council may be elected on an at-large basis, and at least
5 four members of the city council shall be elected by ward. The ordinance
6 of the governing body or petition shall specify the number of at-large
7 members to be elected. At the first election in which one or more at-
8 large members are to be elected to the city council, the members shall be
9 elected to serve for initial terms of office of the following lengths:
10 (i) If one at-large member is to be elected, he or she shall serve for a
11 four-year term; (ii) if two at-large members are to be elected, the
12 candidate receiving the highest number of votes shall be elected to serve
13 for a four-year term and the other elected member shall be elected to
14 serve for a two-year term; (iii) if three at-large members are to be
15 elected, the two candidates receiving the highest number of votes shall
16 be elected to serve for four-year terms and the other elected member
17 shall be elected to serve for a two-year term; and (iv) if four at-large
18 members are to be elected, the two candidates receiving the highest
19 number of votes shall be elected to serve for four-year terms and the
20 other elected members shall be elected to serve for two-year terms.
21 Following the initial term of office, all at-large council members shall
22 be elected to serve for four-year terms. No candidate may file as both an
23 at-large candidate and a candidate by ward at the same election.

24 (2) Petitions for submission of the question shall be signed by
25 registered voters of the city, village, county, or school district
26 desiring to change the procedures for electing the governing board of the
27 city, village, county, or school district. The petition or petitions
28 shall be signed by registered voters equal in number to twenty-five
29 percent of the votes cast for the person receiving the highest number of
30 votes in the city, village, county, or school district at the preceding
31 general election for electing the last member or members to its governing

1 board. Each sheet of the petition shall have printed the full and correct
2 copy of the question as it will appear on the official ballot. The
3 petitions shall be filed with the county clerk or election commissioner
4 not less than seventy days prior to the date of the general election, and
5 no signatures shall be added or removed from the petitions after they
6 have been so filed. Petitions shall be verified as provided in section
7 32-631. If the petition or petitions are found to contain the required
8 number of valid signatures, the county clerk or election commissioner
9 shall place the question on a separate ballot to be issued to the
10 registered voters of the city, village, county, or school district
11 entitled to vote on the question.

12 (3)(a) Any city, village, county, or school district voting to
13 change from nominating and electing the members of its governing board by
14 district or ward to nominating and electing some or all of such members
15 at large shall notify the public and instruct the filing officer to
16 accept the appropriate filings on an at-large basis. Candidates to be
17 elected at large shall be nominated and elected on an at-large basis at
18 the next primary and general election following submission of the
19 question.

20 (b) Any city, village, county, or school district voting to change
21 from nominating and electing the members of its governing board at large
22 to nominating and electing by district or ward shall notify the public
23 and instruct the filing officer to accept all filings by district or
24 ward. Candidates shall be nominated and elected by district or ward at
25 the next primary and general election following submission of the
26 question. When district or ward elections have been approved by the
27 majority of the electorate, the governing board of any city, village,
28 county, or school district approving such question shall establish
29 districts substantially equal in population as determined by the most
30 recent federal decennial census except as provided in subsection (2) of
31 section 32-553.

1 (4) Except as provided in section 14-204 ~~14-201~~, each city not under
2 a home rule charter, village, county, and school district which votes to
3 nominate and elect members to its governing board by district or ward
4 shall establish districts or wards so that approximately one-half of the
5 members of its governing board may be nominated and elected from
6 districts or wards at each election. Districts or wards shall be created
7 not later than October 1 in the year following the general election at
8 which the question was voted upon. If the governing board fails to draw
9 district boundaries by October 1, the procedures set forth in section
10 32-555 shall be followed.

11 **Sec. 36.** Section 32-603, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-603 (1) No candidate for member of the Legislature or an elective
14 office described in Article IV, section 1 or 20, or Article VII, section
15 3 or 10, of the Constitution of Nebraska shall be eligible to file as a
16 candidate, to petition on the ballot as a candidate, to accept a
17 nomination by a political party or by party convention, caucus, or
18 committee to fill a vacancy, or to be a declared write-in candidate for
19 more than one elective office to be filled at the same election ~~except~~
20 ~~for the position of delegate to a county, state, or national political~~
21 ~~party convention.~~ No candidate for any other high elective office as
22 defined in subsection (6) of section 32-604 shall be eligible to file as
23 a candidate, to petition on the ballot as a candidate, to accept a
24 nomination by a political party or by party convention, caucus, or
25 committee to fill a vacancy, or to be a declared write-in candidate for
26 more than one high elective office to be filled at the same election. Any
27 such person who has filed for a high elective office shall withdraw such
28 filing prior to filing for any other elective office to be filled at the
29 same election ~~except for the position of delegate to a county, state, or~~
30 ~~national political party convention.~~ Any such person who has won a
31 nomination in a primary election and who is nominated to any additional

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

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

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

26 **Sec. 37.** Section 32-607, Revised Statutes Cumulative Supplement,
27 2024, is amended to read:

28 32-607 (1)(a) All candidate filing forms shall contain the following
29 statement: I hereby swear that I will abide by the laws of the State of
30 Nebraska regarding the results of the primary and general elections, that
31 I am a registered voter and qualified to be elected, and that I will

1 serve if elected. Candidate filing forms shall also contain the following
2 information regarding the candidate: Name, as provided under subdivision
3 (b) of this subsection; residence address; mailing address if different
4 from the residence address; telephone number; office sought; party
5 affiliation if the office sought is a partisan office; a statement as to
6 whether or not civil penalties are owed pursuant to the Nebraska
7 Political Accountability and Disclosure Act; and, if civil penalties are
8 owed, whether or not a surety bond has been filed pursuant to subdivision
9 (4)(b) of section 32-602. An email address shall also be included on the
10 filing form as an optional field.

11 (b) The name contained on a candidate filing form shall be the name
12 by which the candidate is generally known in the community and by which
13 the candidate is distinguished from others and shall not contain titles,
14 characterizations, or designations.

15 (2) Candidate filing forms shall be filed with the following filing
16 officers:

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

25 (b) For officers elected within a county, in the office of the
26 election commissioner or county clerk;

27 (c) For officers in school districts which include land in adjoining
28 counties, in the office of the election commissioner or county clerk of
29 the county in which the greatest number of registered voters entitled to
30 vote for the officers reside; and

31 (d) For city or village officers, in the office of the election

1 commissioner or county clerk.

2 (3) Objections to the name of a candidate submitted on a candidate
3 filing form may be made and passed upon in the same manner as objections
4 to a candidate filing form pursuant to section 32-624.

5 **Sec. 38.** Section 32-613, Revised Statutes Cumulative Supplement,
6 2024, is amended to read:

7 32-613 Any petition to place a person's name on the primary election
8 ballot for President of the United States shall contain the names of not
9 less than one hundred voters registered with the appropriate political
10 party from each congressional district of the state, except that if the
11 political party dissolves as provided in subsection (2) of section
12 32-720, the Secretary of State shall not accept a petition under this
13 section. The name of the candidate for President shall be placed upon the
14 ballot only when written consent of such person has been filed with the
15 Secretary of State not less than sixty days before the primary election.
16 The form of the petition shall comply with the requirements of section
17 32-628 and section 39 of this act and shall as nearly as possible conform
18 to the form prescribed by the Secretary of State. All signed petitions
19 not filed with the Secretary of State shall become invalid if not filed
20 not less than sixty days before the primary election ~~not filed by August~~
21 ~~1 of the presidential election year.~~

22 **Sec. 39.** In addition to the requirements of section 32-613, the
23 form of a petition for partisan candidates for President of the United
24 States shall be substantially as follows:

25 Petition for Office of President of the United States

26 Name of Candidate:

27 Residence Address:

28 City, State, and Zip Code:

29 Party Affiliation:

30 To the Honorable, Secretary of State for the State of
31 Nebraska:

1 We, the undersigned residents of the State of Nebraska and the
2 county of, respectfully demand that the above-named
3 candidate be placed on the ballot at the primary election to be held on
4 the day of 20...., and each for himself or herself says:

5 I have personally signed this petition on the date opposite my name;

6 I am a registered voter of the State of Nebraska and the county
7 of and am qualified to sign this petition and am affiliated
8 with the appropriate political party or I will be so registered,
9 qualified, and affiliated on or before the date on which this petition is
10 filed with the Secretary of State; and

11 My printed name, date of birth, street and number or voting
12 precinct, and city, village, or post office address are correctly written
13 after my signature.

14 (Here follow numbered lines for signature, printed name, date of
15 birth, date, street and number or voting precinct, and city, village, or
16 post office address.)

17 **Sec. 40.** Section 32-615, Revised Statutes Cumulative Supplement,
18 2024, 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 on the statewide primary election ballot shall be a
6 registered voter of the political party named in the affidavit unless the
7 political party allows candidates not affiliated with the party by not
8 adopting a rule under section 32-702.

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

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

21 (6) If any candidate who has filed pursuant to this section notifies
22 the filing officer in writing duly acknowledged by the second Friday
23 prior to the election that the candidate declines to be a write-in
24 candidate, the notarized affidavit shall be considered withdrawn and no
25 votes shall be counted for the withdrawn candidate under sections 32-1005
26 to 32-1008.

27 **Sec. 41.** Section 32-617, Revised Statutes Cumulative Supplement,
28 2024, is amended to read:

29 32-617 (1) Petitions for nomination for partisan and nonpartisan
30 offices shall conform to the requirements of section 32-628 and section
31 42 of this act. Petitions shall state the office to be filled and the

1 name and address of the candidate. ~~Petitions for partisan office shall~~
2 ~~also indicate the party affiliation of the candidate.~~ A sample copy of
3 the petition shall be filed with the filing officer prior to circulation.
4 Petitions shall be signed by registered voters residing in the district
5 or political subdivision in which the officer is to be elected and shall
6 be filed with the filing officer in the same manner as provided for
7 candidate filing forms in section 32-607. Petition signers and petition
8 circulators shall conform to the requirements of sections 32-629 and
9 32-630. No petition for nomination shall be filed unless there is
10 attached thereto a receipt showing the payment of the filing fee required
11 pursuant to section 32-608. Except as provided in section 32-621, such
12 ~~Such~~ petitions shall be filed by August 1 in the year of the general
13 election for partisan offices and September 1 in the year of the general
14 election for nonpartisan offices, and all signed petitions not filed with
15 the filing officer ~~Secretary of State~~ by such date shall become invalid.

16 (2) The filing officer shall verify the signatures according to
17 section 32-631. Within three days after the signatures on a petition for
18 nomination have been verified pursuant to such section and the filing
19 officer has determined that pursuant to section 32-618 a sufficient
20 number of registered voters signed the petitions, the filing officer
21 shall notify the candidate so nominated by registered or certified mail
22 or electronic mail, and the candidate shall, within five days after the
23 date of receiving such notification, file with such officer his or her
24 acceptance of the nomination or his or her name will not be printed on
25 the ballot.

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

29 **Sec. 42.** In addition to the requirements of sections 32-617 and
30 32-619, if the Secretary of State is the filing officer for a petition
31 for nomination for partisan and nonpartisan office, the form of the

1 petition shall be substantially as follows:

2 Petition for Office for General Election

3 Name of Candidate:

4 Residence Address:

5 City, State, and Zip Code:

6 Name of Office:

7 District (if applicable):

8 Party Affiliation (if applicable):

9 To the Honorable, Secretary of State for the State of
10 Nebraska:

11 We, the undersigned residents of the State of Nebraska and the
12 county of, respectfully demand that the above-named
13 candidate be placed on the ballot at the general election to be held on
14 the day of 20...., and each for himself or herself says:

15 I have personally signed this petition on the date opposite my name;

16 I am a registered voter of the State of Nebraska and the county
17 of and am qualified to sign this petition or I will be so
18 registered and qualified on or before the date on which this petition is
19 filed with the Secretary of State; and

20 My printed name, date of birth, street and number or voting
21 precinct, and city, village, or post office address are correctly written
22 after my signature.

23 (Here follow numbered lines for signature, printed name, date of
24 birth, date, street and number or voting precinct, and city, village, or
25 post office address.)

26 **Sec. 43.** Section 32-618, Revised Statutes Cumulative Supplement,
27 2024, is amended to read:

28 32-618 (1) The number of signatures of registered voters needed to
29 place the name of a candidate upon the nonpartisan ballot for the general
30 election shall be as follows:

31 (a) For each nonpartisan office other than members of the Board of

1 Regents of the University of Nebraska and board members of a Class I, II,
2 or III school district, at least ten percent of the total number of
3 registered voters voting for Governor or President of the United States
4 at the immediately preceding general election in the district or
5 political subdivision in which the officer is to be elected, not to
6 exceed two thousand;

7 (b) For members of the Board of Regents of the University of
8 Nebraska, at least ten percent of the total number of registered voters
9 voting for Governor or President of the United States at the immediately
10 preceding general election in the regent district in which the officer is
11 to be elected, not to exceed one thousand; and

12 (c) For board members of a Class I, II, or III school district, at
13 least twenty percent of the total number of votes cast for the board
14 member receiving the highest number of votes at the immediately preceding
15 general election in the school district.

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

19 (a) For each partisan office to be filled by the registered voters
20 of the entire state, at least four thousand, and at least seven hundred
21 fifty signatures shall be obtained in each congressional district in the
22 state;

23 (b) For each partisan office to be filled by the registered voters
24 of a county, at least twenty percent of the total number of registered
25 voters voting for Governor or President of the United States at the
26 immediately preceding general election within the county, not to exceed
27 two thousand, except that the number of signatures shall not be required
28 to exceed twenty-five percent of the total number of registered voters
29 voting for the office at the immediately preceding general election; and

30 (c) For each partisan office to be filled by the registered voters
31 of a political subdivision other than a county, at least twenty percent

1 of the total number of registered voters voting for Governor or President
2 of the United States at the immediately preceding general election within
3 the political subdivision, not to exceed two thousand.

4 (3) If the filing officer verifies signatures in excess of one
5 hundred ten percent of the number necessary to place the candidate upon
6 the ballot, the filing officer may stop verifying signatures and consider
7 the petition sufficient and valid.

8 **Sec. 44.** Section 32-620, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 32-620 (1) Partisan candidates for the offices of President and Vice
11 President of the United States on the general election ballot shall be
12 certified to the Governor and Secretary of State by the national
13 nominating convention as provided by law.

14 (2) Candidates for the offices of President and Vice President of
15 the United States of newly established political parties may obtain
16 general election ballot position by filing with the Secretary of State an
17 application containing:

- 18 (a) The name or names to be printed on the ballot;
19 (b) The name of the political party;
20 (c) The written consent of the designated vice-presidential
21 candidate to have his or her name printed on the ballot; and
22 (d) The names and addresses of the persons who will represent the
23 applicant as presidential elector candidates together with the written
24 consent of such persons to become candidates.

25 (3) Candidates for the offices of President and Vice President of
26 the United States of nonpartisan status may obtain general election
27 ballot position by filing with the Secretary of State:

- 28 (a) An application containing:
29 (i) The name or names to be printed on the ballot;
30 (ii) The status of the candidacy as nonpartisan;
31 (iii) The written consent of the designated vice-presidential

1 candidate to have his or her name printed on the ballot; and

2 (iv) The names and addresses of the persons who will represent the
3 applicant as presidential elector candidates together with the written
4 consent of such persons to become candidates; and

5 (b) A petition signed by not less than two thousand five hundred
6 registered voters. Such petitions shall conform to the requirements of
7 section 32-628 and section 45 of this act and shall be filed with the
8 Secretary of State by August 1 in the year of the presidential general
9 election.

10 (4) If a presidential candidate who obtained ballot placement
11 pursuant to subsection (2) or (3) of this section files an affidavit with
12 the Secretary of State stating that the candidate declines ballot
13 placement at least sixty days before the general election, the name shall
14 not be printed on the general election ballot.

15 **Sec. 45.** In addition to the requirements of subsection (3) of
16 section 32-620, the form of a petition for nonpartisan candidates for
17 President of the United States shall be substantially as follows:

18 Petition for Office of President of United States

19 Name of Candidate:

20 Residence Address:

21 City, State, and Zip Code:

22 To the Honorable, Secretary of State for the State of
23 Nebraska:

24 We, the undersigned residents of the State of Nebraska and the
25 county of, respectfully demand that the above-named
26 candidate be placed on the ballot at the general election to be held on
27 the day of 20..., and each for himself or herself says:

28 I have personally signed this petition on the date opposite my name;

29 I am a registered voter of the State of Nebraska and the county
30 of and am qualified to sign this petition or I will be so
31 registered and qualified on or before the date on which this petition is

1 filed with the Secretary of State; and

2 My printed name, date of birth, street and number or voting
3 precinct, and city, village, or post office address are correctly written
4 after my signature.

5 (Here follow numbered lines for signature, printed name, date of
6 birth, date, street and number or voting precinct, and city, village, or
7 post office address.)

8 **Sec. 46.** Section 32-621, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 32-621 When a new political party has been properly established
11 under section 32-716 prior to the general election and after the primary
12 election of the same year, all candidates except candidates for President
13 or Vice President of the United States shall pay the filing fee as
14 provided in section 32-608, file a candidate filing form with the filing
15 officer as provided in section 32-607 no later than September 1 prior to
16 the general election accompanied by a petition of nomination containing
17 the names of not less than twenty-five registered voters of the political
18 party obtained from the appropriate jurisdiction, and comply with the
19 Nebraska Political Accountability and Disclosure Act. The petition of
20 nomination shall conform to the requirements of section 32-628 and
21 section 42 of this act. If the filing officer verifies signatures in
22 excess of one hundred ten percent of the number necessary to place the
23 candidate upon the ballot, the filing officer may stop verifying
24 signatures and consider the petition sufficient and valid.

25 **Sec. 47.** If two or more candidates with identical first and last
26 names file for the same office in a primary, general, or special
27 election, the filing officer shall notify the candidates within five days
28 after the nonincumbent filing deadline for that office and specify that
29 the candidates' names will be differentiated on the ballot. Notification
30 shall be made by any method specified in section 25-505.01. If an
31 incumbent of that office is one of the notified candidates, the incumbent

1 may choose a varying combination of first and middle names and initials
2 by which to distinguish the candidate or to have the candidate's city of
3 residence printed beside the candidate's name. If the incumbent does not
4 make a choice within five days after notification or if none of the
5 candidates are an incumbent of that office, the filing officer shall
6 designate the names by which the candidates will be identified on the
7 ballot. The filing officer shall use a varying combination of first and
8 middle names and initials or include the city of residence of each
9 candidate.

10 **Sec. 48.** Section 32-624, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 32-624 (1) A candidate filing form filed for the primary or general
13 election pursuant to section which appears to conform with sections
14 32-606 and 32-607 shall be deemed to be valid unless objections are made
15 in writing within seven days after the filing deadline. If an objection
16 is made, notice shall be mailed to all candidates who may be affected
17 thereby. Any political party committee may institute actions in court
18 based upon fraud or crime resorted to in connection with the candidate
19 filing forms or the acceptance of a nomination. No county committee shall
20 have the authority to bring such action as to candidates for
21 congressional or state office or as to candidates to be elected from
22 legislative districts composed of more than one county. A state political
23 party committee may institute actions to determine the legality of any
24 candidate for a state or congressional office or for any district office
25 if the district composes more than one county. Objections to the use of
26 the name of a political party may also be made and passed upon in the
27 same manner as objections to a candidate filing form or other acceptance
28 of nomination.

29 (2) The filing officer with whom the candidate filing form was filed
30 shall determine the validity of such objection, and his or her decision
31 shall be final unless an order is made in the matter by a judge of the

1 county court, district court, Court of Appeals, or Supreme Court on or
2 before the fifty-fifth day preceding the election. Such order may be made
3 summarily upon application of any political party committee or other
4 interested party and upon such notice as the court ~~or judge~~ may require.
5 ~~The decision of the Secretary of State or the order of the court judge~~
6 shall be binding on all filing officers.

7 **Sec. 49.** (1) A candidate filing form filed for a special election
8 pursuant to section 32-606.01 shall be deemed to be valid unless
9 objections are made in writing within three business days after the
10 filing deadline. If an objection is made, notice shall be mailed to all
11 candidates who may be affected thereby.

12 (2) The filing officer with whom the candidate filing form was filed
13 shall determine the validity of such objection, and the filing officer's
14 decision shall be final unless an order is made in the matter by a judge
15 of the county court, district court, Court of Appeals, or Supreme Court
16 no later than the fourth Friday before the election. Such order may be
17 made summarily upon application of any interested party and upon such
18 notice as the court may require. The order of the court shall be binding
19 on all filing officers.

20 **Sec. 50.** Section 32-628, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 32-628 (1) All petitions prepared or filed pursuant to the Election
23 Act or any petition which requires the Secretary of State, election
24 commissioner, or county clerk to verify signatures by utilizing the voter
25 registration register shall provide a space at least two and one-half
26 inches long for written signatures, a space at least two inches long for
27 printed names, and sufficient space for date of birth and street name and
28 number, city or village, and zip code. Lines on each petition shall not
29 be less than one-fourth inch apart. Petitions may be designed in such a
30 manner that lines for signatures and other information run the length of
31 the page rather than the width. Petitions shall provide for no more than

1 twenty signatures per page.

2 (2) For the purpose of preventing fraud, deception, and
3 misrepresentation, every sheet of every petition containing signatures
4 shall have upon it, above the signatures, the statements contained in
5 this subsection, except that a petition for recall of an elected official
6 shall also have the additional information specified in subsection (2) of
7 section 32-1304. The statements shall be printed in boldface type in
8 substantially the following form:

9 WARNING TO PETITION SIGNERS—VIOLATION OF ANY OF THE FOLLOWING
10 PROVISIONS OF LAW MAY RESULT IN THE FILING OF CRIMINAL CHARGES: Any
11 person who signs any name other than his or her own to any petition or
12 who is not qualified to sign the petition shall be guilty of a Class I
13 misdemeanor. Any person who falsely swears to a circulator's affidavit on
14 a petition, who accepts money or other things of value for signing a
15 petition, or who offers money or other things of value in exchange for a
16 signature upon any petition shall be guilty of a Class IV felony.

17 (3) Every sheet of a petition which contains signatures shall have
18 upon it, below the signatures, an affidavit as provided in this
19 subsection, except that the affidavit for a petition for recall of an
20 elected official shall also include the additional language specified in
21 subsection (3) of section 32-1304. The affidavit shall be in
22 substantially the following form:

23 STATE OF NEBRASKA)

24)ss.

25 COUNTY OF)

26, (name of circulator) being first duly
27 sworn, deposes and says that he or she is the circulator of this petition
28 containing signatures, that he or she is at least eighteen
29 years of age, that each person whose name appears on the petition
30 personally signed the petition in the presence of the affiant, that the

1 date to the left of each signature is the correct date on which the
2 signature was affixed to the petition and that the date was personally
3 affixed by the person signing such petition, that the affiant believes
4 that each signer has written his or her name, street and number or voting
5 precinct, and city, village, or post office address correctly, that the
6 affiant believes that each signer was qualified to sign the petition, and
7 that the affiant stated to each signer the object of the petition as
8 printed on the petition before he or she affixed his or her signature to
9 the petition.

10 Circulator

11 Address

12 Subscribed and sworn to before me, a notary public, this day
13 of 20.... at, Nebraska.

14 Notary Public

15 (4) Each sheet of a petition shall have upon its face and in plain
16 view of persons who sign the petition a statement in letters not smaller
17 than sixteen-point type in red print on the petition. If the petition is
18 circulated by a paid circulator, the statement shall be as follows: This
19 petition is circulated by a paid circulator. If the petition is
20 circulated by a circulator who is not being paid, the statement shall be
21 as follows: This petition is circulated by a volunteer circulator.

22 **Sec. 51.** Section 32-629, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-629 For any petition prepared or filed pursuant to the Election
25 Act:

26 (1) Each petition signer shall be a registered voter and qualified
27 to sign a petition at the time of signing a petition, except that a
28 signer of a petition for President of the United States, a candidate
29 petition, a new political party petition, or an initiative or referendum
30 petition under sections 32-1401 to 32-1409 shall be a registered voter of
31 the State of Nebraska on or before the date on which the petition is

1 ~~filed with the filing officer; and Except as otherwise provided in~~
2 ~~section 32-1404 for initiative and referendum petitions, only a~~
3 ~~registered voter of the State of Nebraska shall qualify as a valid signer~~
4 ~~of a petition and may sign petitions under the Election Act.~~

5 (2) Only a person who is at least eighteen years of age shall
6 qualify as a valid circulator of a petition and may circulate petitions
7 ~~under the Election Act. Petition circulators shall comply with section~~
8 ~~32-630.~~

9 **Sec. 52.** Section 32-630, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 32-630 (1) Each person who signs a petition shall, at the time of
12 and in addition to signing, personally affix the date, print his or her
13 last name and first name in full, and affix his or her date of birth and
14 address, including the street and number or a designation of a rural
15 route or voting precinct and the city or village or a post office
16 address. A person signing a petition may use his or her initials in place
17 of his or her first name if such person is registered to vote under such
18 initials.

19 (2) Each circulator of a petition shall personally witness the
20 signatures on the petition and shall sign the circulator's affidavit.

21 (3) No person shall:

22 (a) Sign any name other than his or her own to any petition;

23 (b) Knowingly sign his or her name more than once for the same
24 petition effort or measure;

25 (c) Sign a petition if he or she is not a registered voter and
26 qualified to sign the same except as provided in subdivision (1) of
27 section 32-629 ~~32-1404~~;

28 (d) Falsely swear to any signature upon any such petition;

29 (e) Accept money or other thing of value for signing any petition;
30 or

31 (f) Offer money or other thing of value in exchange for a signature

1 upon any petition.

2 **Sec. 53.** Section 32-631, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 32-631 (1) Any petition prepared or filed pursuant to the Election
5 Act shall be filed as one instrument, and no additional petition papers
6 may be submitted after filing. All petitions that are filed with the
7 Secretary of State, election commissioner, or county clerk for signature
8 verification shall be retained in the election office and shall be open
9 to public inspection. Upon receipt of the pages of a petition, the
10 Secretary of State, election commissioner, or county clerk shall issue a
11 written receipt indicating the number of pages of the petition in his or
12 her custody to the person filing the petition for signature verification.
13 Petitions may be destroyed twenty-two months after the election to which
14 they apply.

15 (2) The election commissioner or county clerk shall determine the
16 validity and sufficiency of such petition by comparing the names, dates
17 of birth if applicable, and addresses of the signers with the voter
18 registration records to determine if the signers were registered voters
19 pursuant to subdivision (1) of section 32-629 on the date of signing the
20 petition. If it is determined that a signer has affixed his or her
21 signature more than once to any petition and that only one person is
22 registered by that name, the election commissioner or county clerk shall
23 strike from the pages of the petition all but one such signature. Only
24 one of the duplicate signatures shall be added to the total number of
25 valid signatures. All signatures, dates of birth, and addresses shall be
26 presumed to be valid if the election commissioner or county clerk has
27 found the signers to be registered voters on or before the date on which
28 the petition was signed. This presumption shall not be conclusive and may
29 be rebutted by any credible evidence which the election commissioner or
30 county clerk finds sufficient.

31 (3) If the election commissioner or county clerk verifies signatures

1 in excess of one hundred ten percent of the number necessary for the
2 issue to be placed on the ballot, the election commissioner or county
3 clerk may cease verifying signatures and certify the number of signatures
4 verified to the person who delivered the petitions for verification.

5 (4) If the number of signatures verified does not equal or exceed
6 the number necessary to place the issue on the ballot upon completion of
7 the comparison of names and addresses with the voter registration
8 records, the election commissioner or county clerk shall prepare in
9 writing a certification under seal setting forth the name and address of
10 each signer found not to be a registered voter and the petition page
11 number and line number where the signature is found. If the signature or
12 address is challenged for a reason other than the nonregistration of the
13 signer, the election commissioner or county clerk shall set forth the
14 reasons for the challenge of the signature.

15 (5) The Secretary of State may purchase, lease, lease-purchase,
16 rent, or contract for software that assists in processing a filed
17 petition. Such software shall not be used for the verification of
18 signatures.

19 **Sec. 54.** Section 32-632, Revised Statutes Cumulative Supplement,
20 2024, is amended to read:

21 32-632 (1) Any person may remove his or her name from a petition by
22 signing and delivering a written letter to the Secretary of State,
23 election commissioner, or county clerk. Name removal letters shall be
24 filed with the following officers:

25 (a) For initiative and referendum petitions, new political party
26 petitions, and petitions for President of the United States, with the
27 Secretary of State;

28 (b) For candidate petitions, with the filing officer prescribed in
29 section 32-607;

30 (c) For recall petitions, with the filing officer prescribed in
31 section 32-1301; and

1 (d) For all other petitions, with the applicable election
2 commissioner, county clerk, or city clerk.

3 (2) The name removal letter shall be delivered to and received by
4 the officer prescribed in subsection (1) of this section by the following
5 deadlines:

6 (a) For initiative and referendum petitions, by the deadline for
7 filing petitions pursuant to section 32-1407;

8 (b) For new political party petitions, prior to or on the day the
9 petition is filed for verification with the Secretary of State;

10 (c) For petitions for President of the United States, prior to or on
11 the day the petition is filed for verification with the Secretary of
12 State by the deadline for filing petitions pursuant to section 32-613 for
13 the primary election or pursuant to section 32-620 for the general
14 election;

15 (d) For candidate petitions, prior to or on the day the petition is
16 filed for verification with the filing officer by the deadline for filing
17 petitions pursuant to section 32-617;

18 (e) For recall petitions, by the deadline for filing petitions
19 prescribed by section 32-1305; and

20 (f) For all other petitions, prior to or on the day the petition is
21 filed for verification with the election commissioner, county clerk, or
22 city clerk.

23 (3) The Secretary of State, election commissioner, or county clerk
24 shall verify the signature in the letter with the signature appearing in
25 the voter registration records.

26 **Sec. 55.** Section 32-704, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 32-704 Any person seeking to be elected as a delegate or alternate
29 delegate to the national convention of a political party shall submit a
30 filing form under this section regardless of the method of election used
31 by the political party. The filing form for nomination of a candidate for

1 election as a delegate or alternate delegate to the national convention
2 of a political party shall (1) contain a statement of commitment to a
3 candidate for the office of President of the United States or that he or
4 she is uncommitted, (2) include a pledge swearing to support the
5 candidate for President of the United States to which the candidate for
6 delegate or alternate delegate to the national convention is committed
7 until (a) such candidate receives less than thirty-five percent of the
8 votes for nomination by such convention or releases the delegate from
9 such commitment or (b) two convention nominating ballots have been taken,
10 and (3) be filed with the political party ~~Secretary of State~~. No filing
11 form for nomination shall be accepted unless signed by the candidate. The
12 ~~Secretary of State shall prescribe the filing form for nomination.~~

13 **Sec. 56.** Section 32-707, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 32-707 (1) A political party may conduct county conventions at an
16 hour and place to be designated by a political party. The political party
17 shall cause to be published, at least seven days prior to the date of the
18 county convention, an official notice of the date, time, and place of the
19 convention. ~~The political party may elect to have delegates to the county~~
20 ~~convention register with the election commissioner or county clerk.~~

21 (2) ~~If a political party elects to have delegates to the county~~
22 ~~convention register with the election commissioner or county clerk, such~~
23 ~~delegates shall register with the election commissioner or county clerk~~
24 ~~on or before March 1 of each year in which the political party conducts a~~
25 ~~county convention. The election commissioner or county clerk shall~~
26 ~~deliver to the state chairperson of a political party the roll, properly~~
27 ~~certified, showing the name, address, and precinct of each delegate~~
28 ~~registered for such convention, no later than March 15 of each~~
29 ~~presidential election year.~~ If there is not a full quota of delegates for
30 the county convention as established by the political party, the
31 delegates at the county convention may select delegates to fill the quota

1 from the registered voters affiliated with the political party in the
2 county.

3 **Sec. 57.** Section 32-716, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 32-716 (1) Any person, group, or association desiring to form a new
6 political party shall present to the Secretary of State petitions
7 containing signatures totaling not less than one percent of the total
8 votes cast for Governor at the most recent general election for such
9 office. The signatures of registered voters on such petitions shall be so
10 distributed as to include registered voters totaling at least one percent
11 of the votes cast for Governor in the most recent gubernatorial election
12 in each of the three congressional districts in this state. Petition
13 signers and petition circulators shall conform to the requirements of
14 sections 32-629 and 32-630. The petitions shall be filed with the
15 Secretary of State no later than January 15 before any statewide primary
16 election for the new political party to be entitled to have ballot
17 position in the primary election of that year. If the new political party
18 desires to be established and have ballot position for the general
19 election and not in the primary election of that year, the petitions
20 shall be filed with the Secretary of State on or before July 15 of that
21 year. Prior to the circulation of petitions to form a new political
22 party, a sample copy of the petitions shall be filed with the Secretary
23 of State by the person, group, or association seeking to establish the
24 new party. The sample petition shall be accompanied by the name and
25 address of the person or the names and addresses of the members of the
26 group or association sponsoring the petition to form a new political
27 party. Sponsors of the petition may be added or removed with the
28 unanimous written consent of the original sponsor or sponsors at any time
29 prior to or on the day the petition is filed for verification with the
30 Secretary of State. The sponsor or sponsors of the petition shall file,
31 as one instrument, all petition papers comprising a new political party

1 petition for signature verification with the Secretary of State. All
2 signed petitions in circulation but not filed with the Secretary of State
3 shall become invalid after July 15 in the year of the statewide general
4 election.

5 (2) The petition shall conform to the requirements of section 32-628
6 and section 58 of this act. The Secretary of State shall prescribe the
7 form of the petition for the formation of a new political party. The
8 petition shall be addressed to and filed with the Secretary of State and
9 shall state its purpose and the name of the party to be formed. Such name
10 shall not be or include the name of any political party then in existence
11 or any word forming any part of the name of any political party then in
12 existence, and in order to avoid confusion regarding party affiliation of
13 a candidate or registered voter, the name of the party to be formed shall
14 not include the word "independent" or "nonpartisan". ~~The petition shall~~
15 ~~contain a statement substantially as follows:~~

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

25 **Sec. 58.** In addition to the requirements of section 32-716, the
26 form of a petition to form a new political party shall be substantially
27 as follows:

28 Petition for Formation of a New Political Party

29 Name of Party to be Formed:

30 Purpose of Party:

31 To the Honorable, Secretary of State for the State of

1 Nebraska:

2 We, the undersigned residents of the State of Nebraska and the
3 county of, respectfully demand that the above-named new
4 political party be formed in the State of Nebraska, and each for himself
5 or herself says:

6 I have personally signed this petition on the date opposite my name;

7 I am a registered voter of the State of Nebraska and the county
8 of and am qualified to sign this petition or I will be so
9 registered and qualified on or before the date on which this petition is
10 filed with the Secretary of State; and

11 My printed name, date of birth, street and number or voting
12 precinct, and city, village, or post office address are correctly written
13 after my signature.

14 (Here follow numbered lines for signature, printed name, date of
15 birth, date, street and number or voting precinct, and city, village, or
16 post office address.)

17 **Sec. 59.** Section 32-717, Revised Statutes Cumulative Supplement,
18 2024, is amended to read:

19 32-717 (1) Within twenty business days after all the petitions to
20 form a new political party which contain signatures are filed with the
21 Secretary of State, he or she shall determine the validity and
22 sufficiency of such petitions and signatures. Clerical and technical
23 errors in a petition shall be disregarded if the forms prescribed by the
24 Secretary of State are substantially followed. If the Secretary of State
25 verifies signatures in excess of one hundred ten percent of the number
26 necessary for the formation of a new political party, the Secretary of
27 State may stop verifying signatures and notify the person, group, or
28 association forming the new political party pursuant to subsection (2) of
29 this section.

30 (2) If the petitions are determined to be sufficient and valid, the
31 Secretary of State shall ~~notify~~ ~~issue a certification establishing the~~

1 ~~new political party. Copies of such certification shall be issued to the~~
2 ~~person, group, or association forming the new political party. Within~~
3 ~~twenty days after notification the certification of establishment of the~~
4 ~~new political party by the Secretary of State, the person, group, or~~
5 ~~association forming the new political party or its new officers shall~~
6 ~~file with the Secretary of State the constitution and bylaws of such~~
7 ~~party along with a certified list of the names and addresses of the~~
8 ~~officers of the new political party. Upon receipt of the constitution and~~
9 ~~bylaws of such party, the Secretary of State shall issue a certification~~
10 ~~establishing the new political party. If the constitution and bylaws of a~~
11 ~~new political party are not filed within twenty days after the Secretary~~
12 ~~of State's notification, no certification shall be issued and the party~~
13 ~~shall not be considered properly established.~~

14 **Sec. 60.** Section 32-803, Revised Statutes Cumulative Supplement,
15 2024, is amended to read:

16 32-803 (1) A sample of the official ballot shall be printed in one
17 or more newspapers of general circulation in the county, city, or village
18 as designated by the election commissioner, county clerk, city council,
19 or village board. The sample shall be printed in English and in any other
20 language required pursuant to the Voting Rights Language Assistance Act
21 of 1992.

22 (2) Except for elections conducted in accordance with section
23 32-960, such publication shall be made not more than thirty ~~fifteen~~ nor
24 less than two days before the day of election, and the same shall appear
25 in only one regular issue of each paper. For elections conducted in
26 accordance with section 32-960, such publication shall be made not less
27 than thirty days before the election.

28 (3) The form of the ballot so published shall conform in all
29 respects to the form prescribed for official ballots as set forth in
30 sections 32-806, 32-809, and 32-812, but larger or smaller type may be
31 used. When paper ballots are not being used, a reduced-size facsimile of

1 the official ballot shall be published as it appears on the voting
2 system. Such publication shall include suitable instructions to the
3 voters for casting their ballots using the voting system being used at
4 the election.

5 (4) The rate charged by the newspapers and paid by the county board
6 for the publication of such sample ballot shall not exceed the rate
7 regularly charged for display advertising in such newspaper in which the
8 publication is made.

9 **Sec. 61.** Section 32-809, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 32-809 (1) The form of the official ballot at the statewide primary
12 election shall be prescribed by the Secretary of State. At the top of the
13 ballot and over all else shall be printed in boldface type the name of
14 the political party, Official Ballot, Primary Election 20.. .
15 Each division containing the names of the office and a list of candidates
16 for such office shall be separated from other groups by a bold line. The
17 ballot shall list at-large candidates and subdistrict candidates under
18 appropriate headings.

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

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

14 **Sec. 62.** Section 32-811, Revised Statutes Cumulative Supplement,
15 2024, is amended to read:

16 32-811 (1)(a) If the names of candidates properly filed for
17 nomination at the primary election for directors of natural resources
18 districts, directors of public power districts, members of airport
19 authority boards elected pursuant to sections 32-547 to 32-549, members
20 of the boards of governors of community college areas, members of the
21 boards of Class I, Class II, Class III, or Class V school districts which
22 nominate candidates at a primary election, and officers of cities of the
23 first or second class and cities having a city manager plan of government
24 do not exceed two candidates for each position to be filled, any such
25 candidates shall be declared nominated and their names shall not appear
26 on any primary election ballots.

27 (b) If the number of candidates properly filed for the nomination of
28 a political party at the primary election for any county officer elected
29 pursuant to sections 32-517 to 32-529 does not exceed the number of
30 candidates to be nominated by that party for that office, any such
31 properly filed candidates shall be declared nominated and their names

1 shall not appear on any primary election ballots.

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

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

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

14 **Sec. 63.** Section 32-912, Reissue Revised Statutes of Nebraska, is
15 amended to read:

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

26 (2) Any political party may allow registered voters who are not
27 affiliated with a political party to vote in the primary election for any
28 elective office for which the party has candidates ~~except for the office~~
29 ~~of delegate to the party's county, state, or national convention.~~ Any
30 political party desiring to permit such registered voters to vote for
31 candidates of that party in the primary election shall file a letter

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

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

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

29 **Sec. 64.** Section 32-1002, Revised Statutes Cumulative Supplement,
30 2024, is amended to read:

31 32-1002 (1) As the ballots are removed from the ballot box pursuant

1 to sections 32-1012 to 32-1018, the receiving board shall separate the
2 envelopes containing the provisional ballots from the rest of the ballots
3 and deliver them to the election commissioner or county clerk.

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

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

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

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

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

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

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

31 (i) The residence address provided on the registration application

1 completed pursuant to subdivision (1)(e) of section 32-915 is located
2 within the precinct in which the person voted; and

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

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

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

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

14 (b) Information has been received pursuant to section 32-308,
15 ~~32-309~~, 32-310, or 32-324 that the voter has resided, registered, or
16 voted in any other county or state since registering to vote in the
17 county in which he or she cast the provisional ballot;

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

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

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

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

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

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

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

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

11 (b) Both the registration application and the certification are
12 signed by the voter.

13 (7) Upon determining that the voter's provisional ballot is eligible
14 to be counted, the election commissioner or county clerk shall remove the
15 ballot from the envelope without exposing the marks on the ballot and
16 shall place the ballot with the ballots to be counted by the county
17 canvassing board.

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

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

24 **Sec. 65.** Section 32-1005, Revised Statutes Cumulative Supplement,
25 2024, is amended to read:

26 32-1005 If the last name or a reasonably close spelling of the last
27 name of a person engaged in or pursuing a write-in campaign pursuant to
28 section 32-615 or 32-633 is written or printed on a line provided for
29 that purpose and the square or oval opposite such line has been marked
30 with a cross or other clear, intelligible mark, the vote shall be valid
31 and the ballot shall be counted except as provided in section 32-1007. A

1 write-in vote for a person who is not engaged in or pursuing a write-in
2 campaign pursuant to section 32-615 or 32-633 shall not be counted.

3 **Sec. 66.** Section 32-1007, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 32-1007 (1) If the last name of a person engaged in or pursuing a
6 write-in campaign pursuant to section 32-615 is the same or substantially
7 similar to the last name of another person engaged in or pursuing a
8 write-in campaign for the same office or a candidate appearing on the
9 ballot for the same office, the write-in vote shall be valid only if, in
10 addition to the requirements of section 32-1005, the first or generally
11 recognized name of the person engaged in or pursuing the write-in
12 campaign is also written or printed on the line provided for that
13 purpose.

14 (2) If only the last name of a person is in the write-in space on
15 the ballot and the last name is the same or substantially similar to the
16 last name of another person engaged in or pursuing a write-in campaign
17 for the same office or a candidate appearing on the ballot for the same
18 office there is more than one person in the county having the same last
19 name, the counting board shall reject the ballot for that office unless
20 the last name is reasonably close to the proper spelling of the last name
21 of a candidate engaged in or pursuing a write-in campaign pursuant to
22 section 32-615. The counting board shall make the following notation on
23 the rejected ballot: Rejected for the office of, no first or
24 generally recognized name.

25 **Sec. 67.** Section 32-1013, Revised Statutes Cumulative Supplement,
26 2024, is amended to read:

27 32-1013 (1) In each counting location, watchers may be appointed to
28 be present and observe the counting of ballots. Each political party
29 shall be entitled to one watcher at each location appointed and supplied
30 with credentials by the county central committee of such political party.
31 The district court having jurisdiction over any such county may appoint

1 additional watchers for any location.

2 (2) The watchers and the members of the counting board shall take
3 the following oath administered by the election commissioner or county
4 clerk or an election official designated by the election commissioner or
5 county clerk: I do solemnly swear that I will not in any manner make
6 known to anyone other than duly authorized election officials the results
7 of the votes as they are being counted until the polls have officially
8 closed and the summary of votes cast is delivered to the election
9 commissioner or county clerk.

10 (3) Except for polling places using precinct-based optical scanners,
11 all other persons shall be excluded from the place where the counting is
12 being conducted except for observers authorized by the election
13 commissioner or county clerk. No such observer shall be connected with
14 any candidate, political party, or measure on the ballot.

15 (4) No such watcher or observer shall be excluded from the counting
16 location unless the election commissioner or county clerk provides an
17 unobstructed view of the counting of ballots by use of closed-circuit
18 television or similar device.

19 **Sec. 68.** The election commissioner or county clerk shall verify the
20 signature on each identification envelope received in his or her office
21 with the signature on the voter registration records.

22 **Sec. 69.** Section 32-1032, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-1032 Upon the completion of the canvass by the county canvassing
25 board, all books shall again be sealed, and the election commissioner or
26 county clerk shall keep all election materials, including the ballots-
27 cast containers from each precinct, the sealed envelopes containing the
28 precinct list of registered voters, the precinct sign-in register, the
29 official summary or summaries of votes cast, and the container for early
30 voting materials, for not less than twenty-two months when statewide
31 primary, general, or special elections involve federal offices,

1 candidates, and issues and not less than fifty days for local elections
2 not held in conjunction with a statewide primary, general, or special
3 election. The election commissioner or county clerk shall keep on file
4 one copy of each ballot face used in each precinct of the official
5 partisan, nonpartisan, constitutional amendment, and initiative and
6 referendum ballots, as used for voting, and all election notices used at
7 each primary and general election for twenty-two months. The precinct
8 sign-in register, the record of early voters, and the official summary of
9 votes cast shall be subject to the inspection of any person who may wish
10 to examine the same after the primary, general, or special election. The
11 election commissioner or county clerk shall not allow any other election
12 materials to be inspected, including ballots, the names of voters who
13 filled out a provisional voter identification verification envelope
14 pursuant to section 32-915.03, and provisional ballot envelopes, except
15 when an election is contested or the materials become necessary to be
16 used in evidence in the courts. The election commissioner or county clerk
17 shall direct the destruction of such materials after such time, except
18 that the election commissioner or county clerk may retain materials for
19 the purposes of establishing voter histories.

20 **Sec. 70.** Section 32-1037, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 32-1037 There shall be a board of state canvassers consisting of the
23 Governor, Secretary of State, Auditor of Public Accounts, State
24 Treasurer, and Attorney General. The board of state canvassers shall meet
25 at a location designated by the Secretary of State ~~the office of the~~
26 ~~Secretary of State or such other location within the State Capitol as~~
27 ~~designated by the Secretary of State~~ on the fourth Monday after each
28 statewide primary and general election for the sole purpose of canvassing
29 the votes cast for all officers and issues certified to the election
30 commissioner or county clerk by the Secretary of State. The board of
31 state canvassers may adjourn from day to day until all returns are

1 received and all votes are tabulated. The Governor on the advice of the
2 Secretary of State or the Attorney General may call an extraordinary
3 session of the board of state canvassers. The duty of the board of state
4 canvassers to canvass the votes is ministerial in nature.

5 **Sec. 71.** (1) An election commissioner or county clerk using a vote
6 counting device to count ballots shall conduct at least three independent
7 tests before counting begins to verify the accuracy of the counting
8 process, which includes the computerized program installed for counting
9 various ballots by vote counting device. The test shall be conducted by:

10 (a) The election commissioner or county clerk;

11 (b) The chief deputy election commissioner or a registered voter
12 with a different party affiliation than that of the election commissioner
13 or county clerk; and

14 (c) The person who installed the program in the vote counting device
15 or the person in charge of operating the device.

16 (2) Watchers may be appointed to be present and observe the tests.
17 Each political party shall be entitled to one watcher appointed and
18 supplied with credentials by the county central committee of such
19 political party. All other persons shall be excluded, except for
20 observers authorized by the election commissioner or county clerk.
21 Watchers and observers shall comply with the requirements for watchers
22 and observers under section 32-1525. Watchers and observers cannot be
23 excluded from the testing location unless the election commissioner or
24 county clerk provides an unobstructed view of the testing by use of
25 closed-circuit television or similar device.

26 (3) Prior to any statewide primary or general election, the election
27 commissioner or county clerk shall certify the date the testing was
28 completed to the Secretary of State. The Secretary of State shall post
29 the certification on the Secretary of State's website.

30 **Sec. 72.** Section 32-1049, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 32-1049 Any election commissioner or county clerk using a vote
2 counting device to count ballots in a centralized location shall:

3 (1) Provide for the proper sealing of the containers and the
4 security of the ballots when transported from each polling place to the
5 centralized location and when removed from their containers and delivered
6 to the personnel who operate the vote counting devices;

7 (2) Provide a process of counting which allows for the ballots of
8 each precinct to be placed in a sealed container and placed in a secure
9 location after the counting process has been completed;

10 (3) Provide for a method of overseeing the ballots that have been
11 overvoted or damaged which does not involve judging voter intent to
12 assure that these ballots have not been or will not be intentionally
13 mismarked;

14 (4) Provide for a procedure for counting write-in votes when such
15 votes and names of write-in candidates are to be counted and recorded;

16 (5) Provide the Secretary of State with the anticipated date by
17 which the testing required pursuant to section 71 of this act will be
18 completed; for at least three independent tests to be conducted before
19 counting begins to verify the accuracy of the counting process, which
20 includes the computerized program installed for counting various ballots
21 by vote counting devices, by (a) the election commissioner or county
22 clerk, (b) the chief deputy election commissioner or a registered voter
23 with a different party affiliation than that of the election commissioner
24 or county clerk, and (c) the person who installed the program in the vote
25 counting device or the person in charge of operating the device;

26 (6) Before any ballots are counted by a vote counting device,
27 provide for the running of a zero report that indicates the vote counting
28 devices are clear of any previous results;

29 (7) ~~(6)~~ Provide for storing and safeguarding the magnetic tapes or
30 computer chips of the vote counting devices for the required period of
31 time;

1 ~~(8)~~ ~~(7)~~ Provide the appropriate security personnel or measures
2 necessary to safeguard the secrecy and security of the counting process;

3 ~~(9)~~ ~~(8)~~ Develop a procedure for picking up and counting ballots
4 during election day at the discretion of the election commissioner or
5 county clerk. No report or tabulation of vote totals for such ballots
6 shall be produced or generated prior to one hour before the closing of
7 the polls;

8 ~~(10)~~ ~~(9)~~ Develop a procedure for picking up and transporting ballots
9 from a secure ballot drop-box to the office of the election commissioner
10 or county clerk; ~~and~~

11 ~~(11)~~ Provide a process for verifying early voting ballots that
12 includes verifying the voter's signature on the envelope and, for
13 elections conducted pursuant to section 32-953, the voter's valid
14 photographic identification;

15 ~~(12)~~ Provide for verification of provisional ballots;

16 ~~(13)~~ Provide a timeline for counting that includes the anticipated
17 date the counting and canvassing boards will convene; and

18 ~~(14)~~ ~~(10)~~ Submit a written plan to the Secretary of State
19 specifically outlining the procedures that will be followed before,
20 during, and after ~~on~~ election day to implement this section. The plan
21 shall be submitted no later than twenty-five days before the election and
22 may ~~shall~~ be modified ~~, as necessary, for each primary, general, or~~
23 ~~special election.~~

24 **Sec. 73.** Section 32-1119, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 32-1119 (1) Any candidate who failed to be nominated or elected
27 shall be entitled to a recount if it appears, as evidenced by the
28 abstract of votes, that the candidate failed to be nominated or elected
29 by one of the following margins:

30 (a) If more than five hundred votes were cast for the office, one
31 percent or less of the votes received by the candidate:

1 (i) Who received the highest number of votes, for offices in which
2 two or fewer candidates are nominated or one candidate is elected; or

3 (ii) Who received the fewest number of votes qualifying the
4 candidate for nomination or election, for offices in which three or more
5 candidates are nominated or two or more candidates are elected; and

6 (b) If five hundred or fewer votes were cast for the office, two
7 percent or less of the votes received by the candidate:

8 (i) Who received the highest number of votes, for offices in which
9 two or fewer candidates are nominated or one candidate is elected; or

10 (ii) Who received the fewest number of votes qualifying the
11 candidate for nomination or election, for offices in which three or more
12 candidates are nominated or two or more candidates are elected.

13 ~~If it appears as evidenced by the abstract of votes that any~~
14 ~~candidate failed to be nominated or elected by a margin of (a) one~~
15 ~~percent or less of the votes received by the candidate who received the~~
16 ~~highest number of votes for the office at an election in which more than~~
17 ~~five hundred total votes were cast or (b) two percent or less of the~~
18 ~~votes received by the candidate who received the highest number of votes~~
19 ~~for the office at an election in which five hundred or less total votes~~
20 ~~were cast, then such candidate shall be entitled to a recount.~~

21 (2) Any losing candidate may waive his or her right to a recount by
22 filing a written statement with the Secretary of State, election
23 commissioner, or county clerk with whom he or she made his or her filing.
24 All expenses of a recount under this section shall be paid by those
25 political subdivisions involved in the recount.

26 (3) ~~(2)~~ Recounts shall be made by the county canvassing board which
27 officiated in making the official county canvass of the election returns.
28 If any member of the county canvassing board cannot participate in the
29 recount, another person shall be appointed by the election commissioner
30 or county clerk to take the member's place.

31 (4) ~~(3)~~ Recounts for candidates who filed with the Secretary of

1 State shall be made on the fifth Wednesday after the election and shall
2 commence at 9 a.m. The Secretary of State shall inform each election
3 commissioner or county clerk of the names of the candidates for which the
4 board of state canvassers deems a recount to be necessary.

5 (5) ~~(4)~~ The election commissioner or county clerk shall be
6 responsible for recounting the ballots for those candidates for whom the
7 county canvassing board deems a recount to be necessary. The recount
8 shall be made as soon as possible after the adjournment of the county
9 canvassing board, except that if a recount is required under subsection
10 (4) ~~(3)~~ of this section, the recounts may be conducted concurrently.

11 (6) ~~(5)~~ The Secretary of State, election commissioner, or county
12 clerk shall notify all candidates whose ballots will be recounted of the
13 time, date, and place of the recount. Candidates whose ballots will be
14 recounted may be present or be represented by an agent appointed by the
15 candidate.

16 (7) ~~(6)~~ The procedures for the recounting of ballots shall be the
17 same as those used for the counting of ballots on election day. The
18 recount shall be conducted at the county courthouse, except that if vote
19 counting devices are used for the counting or recounting, such counting
20 or recounting may be accomplished at the site of the devices. Counties
21 counting ballots by using a vote counting device shall first recount the
22 ballots by use of the device. If substantial changes are found, the
23 ballots shall then be counted using such device in any precinct which
24 might reflect a substantial change.

25 **Sec. 74.** Section 32-1122, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 32-1122 (1) If a recount after a primary election results in any two
28 or more persons having an equal and the highest number of votes for the
29 same nomination for the same county, city, village, or school district
30 office, the county canvassing board shall, in the presence of the
31 candidates or their representatives, determine by lot which of the

1 candidates shall be nominated. The election commissioner or county clerk
2 shall notify such candidates by certified mail to appear at his or her
3 office on a given day and hour to determine the same before the county
4 canvassing board. If a candidate or candidate's representative fails to
5 appear at the given day and hour, a person designated by the election
6 commissioner or county clerk shall participate in the candidate's stead.
7 The election commissioner or county clerk shall make a certificate of
8 nomination for the person so nominated and shall cause such certificate
9 to be delivered to the person entitled thereto.

10 (2) If a recount after a general or special election results in any
11 two or more persons having an equal and the highest number of votes for
12 the same county, city, village, or school district office, the county
13 canvassing board shall, in the presence of the candidates or their
14 representatives, determine by lot which of the candidates shall be
15 elected. The election commissioner or county clerk shall notify such
16 candidates by certified mail to appear at his or her office on a given
17 day and hour to determine the same before the county canvassing board. If
18 a candidate or candidate's representative fails to appear at the given
19 day and hour, a person designated by the election commissioner or county
20 clerk shall participate in the candidate's stead. The election
21 commissioner or county clerk shall make a certificate of election for the
22 person so elected and shall cause such certificate to be delivered to the
23 person entitled thereto.

24 (3) If a recount after a primary election results in any two or more
25 persons having an equal and the highest number of votes for nomination to
26 an office canvassed by the board of state canvassers, the board shall
27 decide by lot which of such persons is nominated.

28 (4) If a recount after a general or special election results in any
29 two or more persons having an equal and the highest number of votes for
30 the office of the Governor, Secretary of State, Auditor of Public
31 Accounts, State Treasurer, Attorney General, or other officer elected to

1 an executive department, the Legislature shall choose one of such persons
2 for the office. If the office involved in the recount is the office of
3 the Governor, the Lieutenant Governor shall be the candidate for
4 Lieutenant Governor chosen by the person selected by the Legislature as
5 Governor.

6 (5) If a recount after a general or special election results in any
7 two or more persons having an equal and the highest number of votes for
8 an office canvassed by the board of state canvassers, the board shall
9 decide by lot which of such persons is elected, except officers elected
10 to the executive department.

11 **Sec. 75.** Section 32-1404, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-1404 Initiative and referendum petition signers shall conform to
14 the requirements of sections 32-629 and 32-630. ~~A signer of an initiative~~
15 ~~and referendum petition shall be a registered voter of the State of~~
16 ~~Nebraska on or before the date on which the petition is required to be~~
17 ~~filed with the Secretary of State and shall meet the requirements of~~
18 ~~section 32-630. A person who circulates initiative and referendum~~
19 ~~petitions shall comply with the requirements of section 32-629 and~~
20 ~~subsection (2) of section 32-630 and with the prohibitions contained in~~
21 ~~subdivisions (3)(a), (d), and (f) of section 32-630.~~

22 **Sec. 76.** Section 32-1409, Revised Statutes Cumulative Supplement,
23 2024, is amended to read:

24 32-1409 (1) Upon the receipt of the petitions, the Secretary of
25 State, with the aid and assistance of the election commissioner or county
26 clerk, shall determine the validity and sufficiency of signatures on the
27 pages of the filed petition. The various pages of the filed petition may
28 remain in the office of the Secretary of State. The Secretary of State
29 shall deliver the various pages or copies of the various pages of the
30 filed petition to the election commissioner or county clerk by hand
31 carrier, by use of law enforcement officials, ~~or~~ by certified mail,

1 return receipt requested, or by a secure method designated by the
2 Secretary of State. Upon receipt of the pages of the petition, the
3 election commissioner or county clerk shall issue to the Secretary of
4 State a written receipt that the pages of the petition are in the custody
5 of the election commissioner or county clerk. The election commissioner
6 or county clerk shall determine if each signer was a registered voter on
7 or before the date on which the petition was required to be filed with
8 the Secretary of State. The election commissioner or county clerk shall
9 compare the signer's signature, printed name, date of birth, street name
10 and number or voting precinct, and city, village, or post office address
11 with the voter registration records to determine whether the signer was a
12 registered voter. The determination of the election commissioner or
13 county clerk may be rebutted by any credible evidence which the election
14 commissioner or county clerk finds sufficient. The express purpose of the
15 comparison of names and addresses with the voter registration records, in
16 addition to helping to determine the validity of such petition, the
17 sufficiency of such petition, and the qualifications of the signer, shall
18 be to prevent fraud, deception, and misrepresentation in the petition
19 process. If the Secretary of State receives reports from a sufficient
20 number of the counties that signatures in excess of one hundred ten
21 percent of the number necessary to place the issue on the ballot have
22 been verified, the Secretary of State may instruct the election
23 commissioners and county clerks in all counties to stop verifying
24 signatures and certify the number of signatures verified as of receipt of
25 the instruction from the Secretary of State.

26 (2) Upon completion of the determination of registration, the
27 election commissioner or county clerk shall prepare in writing a
28 certification under seal setting forth the name and address of each
29 signer found not to be a registered voter and the petition page number
30 and line number where the name is found, and if the reason for the
31 invalidity of the signature or address is other than the nonregistration

1 of the signer, the election commissioner or county clerk shall set forth
2 the reason for the invalidity of the signature. If the election
3 commissioner or county clerk determines that a signer has affixed his or
4 her signature more than once to any page or pages of the petition and
5 that only one person is registered by that name, the election
6 commissioner or county clerk shall prepare in writing a certification
7 under seal setting forth the name of the duplicate signature and shall
8 count only the first verified ~~earliest dated~~ signature. The election
9 commissioner or county clerk shall deliver all pages of the petition and
10 the certifications to the Secretary of State within forty days after the
11 receipt of such pages or copies of such pages from the Secretary of
12 State. The delivery shall be by hand carrier, by use of law enforcement
13 officials, or by ~~certified mail~~ , return receipt requested. The Secretary
14 of State may grant to the election commissioner or county clerk an
15 additional ten days to deliver ~~return~~ all certifications and pages of the
16 petition in extraordinary circumstances.

17 (3) Upon receipt of the pages of the petition, the Secretary of
18 State shall issue a written receipt indicating the number of pages of the
19 petition that are in his or her custody. ~~When all the petitions and~~
20 ~~certifications have been received by the Secretary of State, he or she~~
21 ~~shall strike from the pages of the petition all but the earliest dated~~
22 ~~signature of any duplicate signatures and such stricken signatures shall~~
23 ~~not be added to the total number of valid signatures.~~ Not more than
24 twenty signatures on one sheet shall be counted. All signatures secured
25 in a manner contrary to sections 32-1401 to 32-1416 shall not be counted.
26 Clerical and technical errors in a petition shall be disregarded if the
27 forms prescribed in sections 32-1401 to 32-1403 are substantially
28 followed. The Secretary of State shall total the valid signatures and
29 determine if constitutional and statutory requirements have been met. The
30 Secretary of State shall immediately serve a copy of such determination
31 by the most expeditious method available ~~certified or registered mail~~

1 upon the person filing the initiative or referendum petition. If the
2 petition is found to be valid and sufficient, the Secretary of State
3 shall proceed to place the measure on the general election ballot.

4 (4) The Secretary of State may adopt and promulgate rules and
5 regulations for the issuance of all necessary forms and procedural
6 instructions to carry out this section.

7 **Sec. 77.** Section 32-1524, Revised Statutes Cumulative Supplement,
8 2024, is amended to read:

9 32-1524 (1) No judge or clerk of election or precinct or district
10 inspector shall do any electioneering or disseminate information or
11 materials advertising or advocating for or against any ballot measure
12 while acting as an election official.

13 (2) No person shall do any electioneering, disseminate information
14 or materials advertising or advocating for or against any ballot measure,
15 or circulate petitions within any polling place or any building
16 designated for voters to cast ballots by the election commissioner or
17 county clerk pursuant to the Election Act while the polling place or
18 building is set up for voters to cast ballots or within two hundred feet
19 of the entrances to any such polling place or building except as
20 otherwise provided in subsection (4) of this section.

21 (3) No person shall do any electioneering, ~~or~~ disseminate
22 information or materials advertising or advocating for or against any
23 ballot measure, or circulate petitions within two hundred feet of any
24 secure ballot drop-box.

25 (4) Subject to any local ordinance, a person may display yard signs
26 on private real property within two hundred feet of a polling place or
27 building designated for voters to cast ballots or a secure ballot drop-
28 box if the property is not under common ownership with the property on
29 which the polling place, building, or secure ballot drop-box is located.

30 (5) Any person violating this section shall be guilty of a Class V
31 misdemeanor.

1 **Sec. 78.** Section 32-1525, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 32-1525 (1) No person shall conduct an exit poll, a public opinion
4 poll, or any other interview with voters on election day seeking to
5 determine voter preference within twenty feet of the entrance of any
6 polling place or, if inside the polling place or building, within one
7 hundred feet of any voting booth.

8 (2)(a) No poll watcher shall interfere with any voter in the
9 preparation or casting of such voter's ballot or prevent any election
10 worker from performing the worker's duties.

11 (b) A poll watcher shall not provide assistance to a voter as
12 described in section 32-918 unless selected by the voter to provide
13 assistance as provided in section 32-918.

14 (c) A poll watcher shall not do any electioneering or disseminate
15 any information or materials advertising or advocating for or against any
16 ballot measure while engaged in observing at a polling place.

17 (d) A poll watcher shall maintain a distance of at least eight feet
18 from the sign-in table, the sign-in register, the polling booths, the
19 ballot box, and any ballots which have not been cast, except that if the
20 polling place is not large enough for a distance of eight feet, the judge
21 of election shall post a notice of the minimum distance the poll watcher
22 must maintain from the sign-in table, the sign-in register, the polling
23 booths, the ballot box, and any ballots which have not been cast. The
24 posted notice shall be clearly visible to the voters and shall be posted
25 prior to the opening of the polls on election day. The minimum distance
26 shall not be determined to exclude a poll watcher from being in the
27 polling place.

28 (3)(a) No counting watcher or observer shall prevent any election
29 worker from performing the worker's duties.

30 (b) A counting watcher or observer shall maintain a distance of at
31 least eight feet from any ballots, ballot boxes, sign-in registers, and

1 vote counting devices, except that if the counting location is not large
2 enough for a distance of eight feet, the election commissioner or county
3 clerk shall post a notice of the minimum distance the counting watcher or
4 observer must maintain from any ballots, ballot boxes, sign-in registers,
5 and vote counting devices. The posted notice should be clearly visible to
6 the counting watcher or observer and shall be posted prior to the
7 counting board convening. The minimum distance shall not be determined to
8 exclude a counting watcher or observer from being in the counting
9 location except as provided in subsection (4) of section 32-1013.

10 (4) ~~(3)~~ Any person violating this section shall be guilty of a Class
11 V misdemeanor.

12 **Sec. 79.** Section 32-1546, Revised Statutes Cumulative Supplement,
13 2024, is amended to read:

14 32-1546 (1) Any person who is not, at the time of signing a
15 petition, a registered voter and qualified to sign the petition except as
16 provided ~~for initiative and referendum petitions in subdivision (1) of~~
17 ~~section 32-629 32-1404~~ or who signs any name other than his or her own to
18 any petition shall be guilty of a Class I misdemeanor.

19 (2) Any person who falsely swears to a circulator's affidavit on a
20 petition, who accepts money or other things of value for signing a
21 petition, or who offers money or other things of value in exchange for a
22 signature upon any petition shall be guilty of a Class IV felony.

23 (3) Any person who falsifies a letter submitted pursuant to section
24 32-632 or subsection (3) of section 32-1305 or who signs any name other
25 than his or her own to such letter shall be guilty of a Class I
26 misdemeanor.

27 **Sec. 80.** Section 43-1304, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 43-1304 (1) There shall be local foster care review boards to
30 conduct the foster care file audit case reviews of children in foster
31 care placement and carry out other powers and duties given to such boards

1 under the Foster Care Review Act.

2 (2) The executive director of the office shall select members to
3 serve on local boards from a list of applications submitted to the
4 office. Each local board shall consist of not less than four and not more
5 than ten members as determined by the executive director. The members of
6 the local board shall reasonably represent the various social, economic,
7 racial, and ethnic groups of the county or counties from which its
8 members may be appointed. A person employed by the office, the Department
9 of Health and Human Services, a residential child-caring agency, a child-
10 placing agency, or a court shall not be appointed to a local board. A
11 list of the members of each local board shall be sent to the department
12 and the Office of Probation Administration.

13 (3) Local boards shall not be public bodies for purposes of the Open
14 Meetings Act.

15 **Sec. 81.** Section 43-1308, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 43-1308 (1) Except as otherwise provided in the Nebraska Indian
18 Child Welfare Act, the designated local board shall:

19 (a) Conduct a foster care file audit case review at least once every
20 six months for the case of each child in a foster care placement to
21 determine what efforts have been made to carry out the plan or permanency
22 plan for rehabilitation of the foster child and family unit or for
23 permanent placement of such child pursuant to section 43-1312;

24 (b) Submit to the court having jurisdiction over such child for the
25 purposes of foster care placement, within thirty days after the foster
26 care file audit case review, its findings and recommendations regarding
27 the efforts and progress made to carry out the plan or permanency plan
28 established pursuant to section 43-1312 together with any other
29 recommendations it chooses to make regarding the child. The findings and
30 recommendations shall include whether there is a need for continued out-
31 of-home placement, whether the current placement is safe and appropriate,

1 the specific reasons for the findings and recommendations, including
2 factors, opinions, and rationale considered in the foster care file audit
3 case review, whether the grounds for termination of parental rights under
4 section 43-292 appear to exist, and the date of the next foster care file
5 audit case review by the designated local board;

6 (c) If the return of the child to his or her parents is not likely,
7 recommend referral for adoption and termination of parental rights,
8 guardianship, placement with a relative, or, as a last resort, another
9 planned, permanent living arrangement; and

10 (d) Promote and encourage stability and continuity in foster care by
11 discouraging unnecessary changes in the placement of foster children and
12 by encouraging the recruitment of foster parents who may be eligible as
13 adoptive parents.

14 (2) When the office or designated local board determines that the
15 interests of a child in a foster care placement would be served thereby,
16 the office or designated local board may request a court review hearing
17 as provided for in section 43-1313.

18 ~~(3) Due to the confidential and protected nature of child-specific~~
19 ~~and family-specific information regarding mental and behavioral health~~
20 ~~services, if such information is discussed at a local board meeting or a~~
21 ~~portion of a meeting, the portion of the meeting at which such~~
22 ~~information is discussed shall be exempt from the Open Meetings Act.~~

23 **Sec. 82.** Section 70-1014, Revised Statutes Cumulative Supplement,
24 2024, is amended to read:

25 70-1014 (1) After hearing, the board shall have authority to approve
26 or deny the application. Except as provided in section 70-1014.01 for
27 special generation applications, before approval of an application, the
28 board shall find that:

29 (a) The application will serve the public convenience and necessity,
30 and that the applicant can most economically and feasibly supply the
31 electric service resulting from the proposed construction or acquisition

1 without unnecessary duplication of facilities or operations; and

2 (b)(i) For any proposed electric generation facility that has a
3 generating capacity that is greater than ten megawatts, the applicant has
4 held at least one public meeting with advanced publicized notice in one
5 of the counties in which the proposed facility will be located at which
6 (A) at least fifty percent of the governing body of the electric supplier
7 attends either in person or by videoconference, but with not less than
8 one member of the governing body physically present, (B) the applicant
9 explains the need for the proposed facility and the type of facility, and
10 (C) real property owners in any of the counties in which the proposed
11 facility will be located are provided an opportunity to comment on the
12 proposed facility. The applicant shall provide a report to the board
13 containing the minutes of any such meeting and how many people commented
14 on the proposed facility. Documentation received at any such meeting
15 shall be made available to the board upon its request. A meeting
16 described in this subdivision is not subject to the requirements
17 described in subdivision ~~(2)(b)(iv)~~ ~~(3)(b)(iv)~~ of section 84-1411.

18 (ii) This subdivision (b) shall not apply if the proposed facility
19 will be located on real property owned by the applicant at the time of
20 application.

21 (2) If the application involves a transmission line or related
22 facilities planned and approved by a regional transmission organization
23 and the regional transmission organization has issued a notice to
24 construct or similar notice or order to a utility to construct the line
25 or related facilities, the board shall also consider information from the
26 regional transmission organization's planning process and may consider
27 the benefits to the region, which shall include Nebraska, provided by the
28 proposed line or related facilities as part of the board's process in
29 determining whether to approve or deny the application.

30 (3) A privately developed renewable energy generation facility is
31 exempt from this section if it complies with section 70-1014.02.

1 **Sec. 83.** Section 70-1014.02, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 70-1014.02 (1) The Legislature finds that:

4 (a) Nebraska has the authority as a sovereign state to protect its
5 land, natural resources, and cultural resources for economic and
6 aesthetic purposes for the benefit of its residents and future
7 generations by regulation of energy generation projects;

8 (b) The unique terrain and ecology of the Nebraska Sandhills provide
9 an irreplaceable habitat for millions of migratory birds and other
10 wildlife every year and serve as the home to numerous ranchers and
11 farmers;

12 (c) The grasslands of the Nebraska Sandhills and other natural
13 resources in Nebraska will become increasingly valuable, both
14 economically and strategically, as the demand for food and energy
15 increases; and

16 (d) The Nebraska Sandhills are home to priceless archaeological
17 sites of historical and cultural significance to American Indians.

18 (2)(a) A privately developed renewable energy generation facility
19 that meets the requirements of this section is exempt from sections
20 70-1012 to 70-1014.01 if, no less than thirty days prior to the
21 commencement of construction, the owner of the facility:

22 (i) Notifies the board in writing of its intent to commence
23 construction of a privately developed renewable energy generation
24 facility;

25 (ii) Certifies to the board that the facility will meet the
26 requirements for a privately developed renewable energy generation
27 facility;

28 (iii) Certifies to the board that the private electric supplier will
29 (A) comply with any decommissioning requirements adopted by the local
30 governmental entities having jurisdiction over the privately developed
31 renewable energy generation facility and (B) except as otherwise provided

1 in subdivision (b) of this subsection, submit a decommissioning plan to
2 the board obligating the private electric supplier to bear all costs of
3 decommissioning the privately developed renewable energy generation
4 facility and requiring that the private electric supplier post a security
5 bond or other instrument, no later than the sixth year following
6 commercial operation, securing the costs of decommissioning the facility
7 and provide a copy of the bond or instrument to the board;

8 (iv) Certifies to the board that the private electric supplier has
9 entered into or prior to commencing construction will enter into a joint
10 transmission development agreement pursuant to subdivision (c) of this
11 subsection with the electric supplier owning the transmission facilities
12 of sixty thousand volts or greater to which the privately developed
13 renewable energy generation facility will interconnect;

14 (v) Certifies to the board that the private electric supplier has
15 consulted with the Game and Parks Commission to identify potential
16 measures to avoid, minimize, and mitigate impacts to species identified
17 under subsection (1) or (2) of section 37-806 during the project planning
18 and design phases, if possible, but in no event later than the
19 commencement of construction;

20 (vi) Certifies in writing to the board that the facility, if located
21 within a ten-mile radius of a military installation:

22 (A) Contains no materials, electronics, or other components
23 manufactured by any foreign government or foreign nongovernment person
24 determined to be a foreign adversary pursuant to 15 C.F.R. 7.4; or

25 (B) Is in compliance with the critical infrastructure protection
26 requirements issued by the North American Electric Reliability
27 Corporation if connected to the transmission grid at one hundred
28 kilovolts or higher voltage and has to have a nameplate rating of twenty
29 megavolt amperes for a single generation unit or injecting at an
30 aggregate of seventy-five megavolt amperes or greater. The private
31 electric supplier shall also submit written notice to the board at any

1 time such private electric supplier is no longer in such compliance; and
2 (vii) For a proposed privately developed renewable energy generation
3 facility that has a generating capacity that is greater than ten
4 megawatts, certifies to the board that the private electric supplier has
5 held at least one public meeting with advanced publicized notice in one
6 of the counties in which the proposed facility will be located at which
7 (A) the private electric supplier explains the need for the proposed
8 facility and the type of facility and (B) real property owners in any of
9 the counties in which the proposed facility will be located are provided
10 an opportunity to comment on the proposed facility. The private electric
11 supplier shall provide a report to the board containing the minutes of
12 any such meeting and how many people commented on the proposed facility.
13 Documentation received at any such meeting shall be made available to the
14 board upon its request. A meeting described in this subdivision is not
15 subject to the requirements described in subdivision (2)(b)(iv) ~~(3)(b)~~
16 ~~(iv)~~ of section 84-1411.

17 (b) The board may bring an action in the name of the State of
18 Nebraska for failure to comply with subdivision (a)(iii)(B) of this
19 subsection, except that such subdivision does not apply if a local
20 government entity with the authority to create requirements for
21 decommissioning has enacted decommissioning requirements for the
22 applicable jurisdiction.

23 (c) A joint transmission development agreement shall be entered into
24 to address construction, ownership, operation, and maintenance of such
25 additions or upgrades to the transmission facilities as required for the
26 privately developed renewable energy generation facility. The joint
27 transmission development agreement shall be negotiated and executed
28 contemporaneously with the generator interconnection agreement or other
29 directives of the applicable regional transmission organization with
30 jurisdiction over the addition or upgrade of transmission, upon terms
31 consistent with prudent electric utility practices for the

1 interconnection of renewable generation facilities, the electric
2 supplier's reasonable transmission interconnection requirements, and
3 applicable transmission design and construction standards. The electric
4 supplier shall have the right to purchase and own transmission facilities
5 as set forth in the joint transmission development agreement. The private
6 electric supplier of the privately developed renewable energy generation
7 facility shall have the right to construct any necessary facilities or
8 improvements set forth in the joint transmission development agreement
9 pursuant to the standards set forth in the agreement at the private
10 electric supplier's cost.

11 (3) Within ten days after receipt of a written notice complying with
12 subsection (2) of this section, the executive director of the board shall
13 issue a written acknowledgment that the privately developed renewable
14 energy generation facility is exempt from sections 70-1012 to 70-1014.01
15 if such facility remains in compliance with the requirements of this
16 section.

17 (4) The exemption allowed under this section for a privately
18 developed renewable energy generation facility shall extend to and exempt
19 all private electric suppliers owning any interest in the facility,
20 including any successor private electric supplier which subsequently
21 acquires any interest in the facility.

22 (5) No property owned, used, or operated as part of a privately
23 developed renewable energy generation facility shall be subject to
24 eminent domain by a consumer-owned electric supplier operating in the
25 State of Nebraska. Nothing in this section shall be construed to grant
26 the power of eminent domain to a private electric supplier or limit the
27 rights of any entity to acquire any public, municipal, or utility right-
28 of-way across property owned, used, or operated as part of a privately
29 developed renewable energy generation facility as long as the right-of-
30 way does not prevent the operation of or access to the privately
31 developed renewable energy generation facility.

1 (6) Only a consumer-owned electric supplier operating in the State
2 of Nebraska may exercise eminent domain authority to acquire the land
3 rights necessary for the construction of transmission lines and related
4 facilities. There is a rebuttable presumption that the exercise of
5 eminent domain to provide needed transmission lines and related
6 facilities for a privately developed renewable energy generation facility
7 is a public use.

8 (7) Nothing in this section shall be construed to authorize a
9 private electric supplier to sell or deliver electricity at retail in
10 Nebraska.

11 (8) Nothing in this section shall be construed to limit the
12 authority of or require a consumer-owned electric supplier operating in
13 the State of Nebraska to enter into a joint agreement with a private
14 electric supplier to develop, construct, and jointly own a privately
15 developed renewable energy generation facility.

16 **Sec. 84.** Section 84-1411, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 84-1411 ~~(1) Until January 1, 2025:~~

19 ~~(a) Except as provided in subsection (10) of this section, each~~
20 ~~public body shall give reasonable advance publicized notice of the time~~
21 ~~and place of each meeting as provided in this subsection. Such notice~~
22 ~~shall be transmitted to all members of the public body and to the public.~~

23 ~~(b)(i) Except as provided in subdivision (1)(b)(ii) of this section,~~
24 ~~in the case of a public body described in subdivision (1)(a)(i) of~~
25 ~~section 84-1409 or such body's advisory committee, such notice shall be~~
26 ~~published in a newspaper of general circulation within the public body's~~
27 ~~jurisdiction and, if available, on such newspaper's website.~~

28 ~~(ii) In the case of the governing body of a city of the second class~~
29 ~~or village or such body's advisory committee or the governing body of a~~
30 ~~rural or suburban fire protection district, such notice shall be~~
31 ~~published by:~~

1 ~~(A) Publication in a newspaper of general circulation within the~~
2 ~~public body's jurisdiction and, if available, on such newspaper's~~
3 ~~website; or~~

4 ~~(B) Posting written notice in three conspicuous public places in~~
5 ~~such city, village, or district. Such notice shall be posted in the same~~
6 ~~three places for each meeting.~~

7 ~~(iii) In the case of a public body not described in subdivision (1)~~
8 ~~(b)(i) or (ii) of this section, such notice shall be given by a method~~
9 ~~designated by the public body.~~

10 ~~(iv) In case of refusal, neglect, or inability of the newspaper to~~
11 ~~timely publish the notice, the public body shall (A) post such notice on~~
12 ~~its website, if available, and (B) post such notice in a conspicuous~~
13 ~~public place in such public body's jurisdiction. The public body shall~~
14 ~~keep a written record of such posting. The record of such posting shall~~
15 ~~be evidence that such posting was done as required and shall be~~
16 ~~sufficient to fulfill the requirement of publication.~~

17 ~~(c) In addition to a method of notice required by subdivision (1)(b)~~
18 ~~(i) or (ii) of this section, such notice may also be provided by any~~
19 ~~other appropriate method designated by such public body or such advisory~~
20 ~~committee.~~

21 ~~(d) Each public body shall record the methods and dates of such~~
22 ~~notice in its minutes.~~

23 ~~(e) Such notice shall contain an agenda of subjects known at the~~
24 ~~time of the publicized notice or a statement that the agenda, which shall~~
25 ~~be kept continually current, shall be readily available for public~~
26 ~~inspection at the principal office of the public body during normal~~
27 ~~business hours. Agenda items shall be sufficiently descriptive to give~~
28 ~~the public reasonable notice of the matters to be considered at the~~
29 ~~meeting. Except for items of an emergency nature, the agenda shall not be~~
30 ~~altered later than (i) twenty-four hours before the scheduled~~
31 ~~commencement of the meeting or (ii) forty-eight hours before the~~

1 ~~scheduled commencement of a meeting of a city council or village board~~
2 ~~scheduled outside the corporate limits of the municipality. The public~~
3 ~~body shall have the right to modify the agenda to include items of an~~
4 ~~emergency nature only at such public meeting.~~

5 ~~(2) Beginning January 1, 2025:~~

6 ~~(1)(a)~~ (a) Except as provided in subsection (9) ~~(10)~~ of this
7 section, each public body shall give reasonable advance publicized notice
8 of the time and place of each meeting as provided in this subsection.
9 Such notice shall be transmitted to all members of the public body and to
10 the public.

11 (b)(i) Except as provided in subdivision ~~(1)(b)(ii)~~ ~~(2)(b)(ii)~~ of
12 this section, in the case of a public body described in subdivision (1)
13 (a)(i) of section 84-1409 or such body's advisory committees, such notice
14 shall be given by:

15 (A)(I) Publication in a newspaper of general circulation within the
16 public body's jurisdiction that is finalized for printing prior to the
17 time and date of the meeting, (II) posting on such newspaper's website,
18 if available, and (III) posting on a statewide website, if available,
19 established and maintained as a repository for such notices by a majority
20 of Nebraska newspapers. Such notice shall be placed in the newspaper and
21 on the websites by the newspaper; or

22 (B)(I) Posting to the newspaper's website, if available, and (II)
23 posting to a statewide website, if available, established and maintained
24 as a repository for such notices by a majority of Nebraska newspapers if
25 no edition of a newspaper of general circulation within the public body's
26 jurisdiction is to be finalized for printing prior to the time and date
27 of the meeting. Such notice shall be placed in the newspaper and on the
28 websites by the newspaper.

29 (ii) In the case of the governing body of a city of the second class
30 or village, any advisory committee of such governing body, or the
31 governing body of a rural or suburban fire protection district, such

1 notice shall be given by:

2 (A)(I) Publication in a newspaper of general circulation within the
3 public body's jurisdiction that is finalized for printing prior to the
4 time and date of the meeting, (II) posting on such newspaper's website,
5 if available, and (III) posting on a statewide website, if available,
6 established and maintained as a repository for such notices by a majority
7 of Nebraska newspapers. Such notice shall be placed in the newspaper and
8 on the websites by the newspaper;

9 (B)(I) Posting to the newspaper's website, if available, and (II)
10 posting on a statewide website, if available, established and maintained
11 as a repository for such notices by a majority of Nebraska newspapers if
12 no edition of a newspaper of general circulation within the public body's
13 jurisdiction is to be finalized for printing prior to the time and date
14 of the meeting. Such notice shall be placed in the newspaper and on the
15 websites by the newspaper; or

16 (C) Posting written notice in three conspicuous public places in
17 such city, village, or district. Such notice shall be posted by the
18 public body in the same three places for each meeting.

19 (iii) In the case of a public body not described in subdivision (1)
20 (b)(i) {2}(b)(i) or (ii) of this section, such notice shall be given by a
21 method designated by the public body.

22 (iv) In case of refusal, neglect, or inability of the newspaper to
23 publish the notice, the public body shall (A) post such notice on its
24 website, if available, (B) request the newspaper submit a post on a
25 statewide website, if available, established and maintained as a
26 repository for such notices by a majority of Nebraska newspapers, and (C)
27 post such notice in a conspicuous public place in such public body's
28 jurisdiction. The public body shall keep a written record of such posting
29 pursuant to subdivision (1)(b)(iv)(A) and (C) of this section and a
30 written record of the request to the newspaper pursuant to subdivision
31 (1)(b)(iv)(B) of this section. The record of such posting shall be

1 evidence that such posting was done as required and shall be sufficient
2 to fulfill the requirement of publication.

3 (c) In addition to a method of notice required by subdivision (1)(b)
4 (i) or (ii) of this section, such notice may also be provided by any
5 other appropriate method designated by such public body or such advisory
6 committee.

7 (d) Each public body shall record the methods and dates of such
8 notice in its minutes.

9 (e) Such notice shall contain an agenda of subjects known at the
10 time of the publicized notice or a statement that the agenda, which shall
11 be kept continually current, shall be readily available for public
12 inspection at the principal office of the public body during normal
13 business hours. Agenda items shall be sufficiently descriptive to give
14 the public reasonable notice of the matters to be considered at the
15 meeting. Except for items of an emergency nature, the agenda shall not be
16 altered later than (i) twenty-four hours before the scheduled
17 commencement of the meeting or (ii) forty-eight hours before the
18 scheduled commencement of a meeting of a city council or village board
19 scheduled outside the corporate limits of the municipality. The public
20 body shall have the right to modify the agenda to include items of an
21 emergency nature only at such public meeting.

22 (2)(a) {3}(a) The following entities may hold a meeting by means of
23 virtual conferencing if the requirements of subdivision (2)(b) {3}(b) of
24 this section are met:

25 (i) A state agency, state board, state commission, state council, or
26 state committee, or an advisory committee of any such state entity;

27 (ii) An organization, including the governing body, created under
28 the Interlocal Cooperation Act, the Joint Public Agency Act, or the
29 Municipal Cooperative Financing Act;

30 (iii) The governing body of a public power district having a
31 chartered territory of more than one county in this state;

1 (iv) The governing body of a public power and irrigation district
2 having a chartered territory of more than one county in this state;

3 (v) An educational service unit;

4 (vi) The Educational Service Unit Coordinating Council;

5 (vii) An organization, including the governing body, of a risk
6 management pool or its advisory committees organized in accordance with
7 the Intergovernmental Risk Management Act;

8 (viii) A community college board of governors;

9 (ix) The Nebraska Brand Committee;

10 (x) A local public health department;

11 (xi) A metropolitan utilities district;

12 (xii) A regional metropolitan transit authority; and

13 (xiii) A natural resources district.

14 (b) The requirements for holding a meeting by means of virtual
15 conferencing are as follows:

16 (i) Reasonable advance publicized notice is given as provided in
17 subsection (1) ~~subsections (1) and (2)~~ of this section, including
18 providing access to a dial-in number or link to the virtual conference;

19 (ii) In addition to the public's right to participate by virtual
20 conferencing, reasonable arrangements are made to accommodate the
21 public's right to attend at a physical site and participate as provided
22 in section 84-1412, including reasonable seating, in at least one
23 designated site in a building open to the public and identified in the
24 notice, with: At least one member of the entity holding such meeting, or
25 his or her designee, present at each site; a recording of the hearing by
26 audio or visual recording devices; and a reasonable opportunity for
27 input, such as public comment or questions, is provided to at least the
28 same extent as would be provided if virtual conferencing was not used;

29 (iii) At least one copy of all documents being considered at the
30 meeting is available at any physical site open to the public where
31 individuals may attend the virtual conference. The public body shall also

1 provide links to an electronic copy of the agenda, all documents being
2 considered at the meeting, and the current version of the Open Meetings
3 Act; and

4 (iv) Except as otherwise provided in this subdivision, subsection
5 (1) of section 70-1014, subsection (2) of section 70-1014.02, or
6 subsection (4) of section 79-2204, no more than one-half of the meetings
7 of the state entities, advisory committees, boards, councils,
8 organizations, or governing bodies are held by virtual conferencing in a
9 calendar year. In the case of (A) an organization created under the
10 Interlocal Cooperation Act that sells electricity or natural gas, (B) an
11 organization created under the Municipal Cooperative Financing Act, (C) a
12 governing body of a risk management pool and any advisory committee of
13 such governing body, or (D) any advisory committee of any state entity
14 created in response to the Opioid Prevention and Treatment Act, such
15 organization, governing body, or committee may hold more than one-half of
16 its meetings by virtual conferencing if such organization holds at least
17 one meeting each calendar year that is not by virtual conferencing.

18 (3) ~~(4)~~ Virtual conferencing, emails, faxes, or other electronic
19 communication shall not be used to circumvent any of the public
20 government purposes established in the Open Meetings Act.

21 (4) ~~(5)~~ The secretary or other designee of each public body shall
22 maintain a list of the news media requesting notification of meetings and
23 shall make reasonable efforts to provide advance notification to them of
24 the time and place of each meeting and the subjects to be discussed at
25 that meeting.

26 (5) ~~(6)~~ When it is necessary to hold an emergency meeting without
27 reasonable advance public notice, the nature of the emergency shall be
28 stated in the minutes and any formal action taken in such meeting shall
29 pertain only to the emergency. Such emergency meetings may be held by
30 virtual conferencing. The provisions of subsection (4) ~~(5)~~ of this
31 section shall be complied with in conducting emergency meetings. Complete

1 minutes of such emergency meetings specifying the nature of the emergency
2 and any formal action taken at the meeting shall be made available to the
3 public by no later than the end of the next regular business day.

4 (6) ~~(7)~~ A public body may allow a member of the public or any other
5 witness to appear before the public body by means of virtual
6 conferencing.

7 (7)(a) ~~(8)(a)~~ Notwithstanding subsections (2) and (5) ~~(3)~~ and ~~(6)~~ of
8 this section, if an emergency is declared by the Governor pursuant to the
9 Emergency Management Act as defined in section 81-829.39, a public body
10 the territorial jurisdiction of which is included in the emergency
11 declaration, in whole or in part, may hold a meeting by virtual
12 conferencing during such emergency if the public body gives reasonable
13 advance publicized notice as described in subsection (1) ~~subsections (1)~~
14 ~~and (2)~~ of this section. The notice shall include information regarding
15 access for the public and news media. In addition to any formal action
16 taken pertaining to the emergency, the public body may hold such meeting
17 for the purpose of briefing, discussion of public business, formation of
18 tentative policy, or the taking of any action by the public body.

19 (b) The public body shall provide access by providing a dial-in
20 number or a link to the virtual conference. The public body shall also
21 provide links to an electronic copy of the agenda, all documents being
22 considered at the meeting, and the current version of the Open Meetings
23 Act. Reasonable arrangements shall be made to accommodate the public's
24 right to hear and speak at the meeting and record the meeting. Subsection
25 (4) ~~(5)~~ of this section shall be complied with in conducting such
26 meetings.

27 (c) The nature of the emergency shall be stated in the minutes.
28 Complete minutes of such meeting specifying the nature of the emergency
29 and any formal action taken at the meeting shall be made available for
30 inspection as provided in subsection (5) of section 84-1413.

31 (8) ~~(9)~~ In addition to any other statutory authorization for virtual

1 conferencing, any public body not listed in subdivision (2)(a) ~~(3)(a)~~ of
2 this section may hold a meeting by virtual conferencing if:

3 (a) The purpose of the virtual meeting is to discuss items that are
4 scheduled to be discussed or acted upon at a subsequent non-virtual open
5 meeting of the public body;

6 (b) No action is taken by the public body at the virtual meeting;
7 and

8 (c) The public body complies with subdivisions (2)(b)(i) ~~(3)(b)(i)~~
9 and (ii) of this section.

10 (9) ~~(10)~~ This section does not apply to a meeting of the Nebraska
11 Power Review Board or a public power district, a public power and
12 irrigation district, an electric membership association, an electric
13 cooperative company, a municipality having a generation and distribution
14 system, or a registered group of municipalities if such meeting is
15 subject to section 70-1034.

16 **Sec. 85.** Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
17 15, 16, 17, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36,
18 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55,
19 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 70, 73, 75, 76, 79, 80, 81,
20 87, and 89 of this act become operative three calendar months after the
21 adjournment of this legislative session. Sections 71, 72, and 86 of this
22 act become operative on January 1, 2026. The other sections of this act
23 become operative on their effective date.

24 **Sec. 86.** Original section 32-1049, Revised Statutes Cumulative
25 Supplement, 2024, is repealed.

26 **Sec. 87.** Original sections 14-201, 14-202, 14-204, 14-205, 14-206,
27 14-207, 14-210, 14-217.01, 14-376, 14-521, 14-811, 14-1206, 14-1211,
28 14-1216, 14-1251, 15-301, 32-104, 32-239, 32-307, 32-315, 32-401, 32-402,
29 32-536, 32-554, 32-603, 32-620, 32-621, 32-624, 32-628, 32-629, 32-704,
30 32-707, 32-912, 32-1037, 32-1119, 32-1404, 43-1304, and 43-1308, Reissue
31 Revised Statutes of Nebraska, and sections 14-211, 32-202, 32-221,

1 32-231, 32-308, 32-312, 32-326, 32-607, 32-613, 32-615, 32-617, 32-618,
2 32-630, 32-632, 32-716, 32-717, 32-803, 32-809, 32-811, 32-1002, 32-1005,
3 32-1007, 32-1049, and 32-1546, Revised Statutes Cumulative Supplement,
4 2024, are repealed.

5 **Sec. 88.** Original sections 32-1032, 32-1122, and 84-1411, Reissue
6 Revised Statutes of Nebraska, and sections 31-727.02, 32-101, 32-123,
7 32-405, 32-631, 32-1013, 32-1524, 32-1525, 70-1014, and 70-1014.02,
8 Revised Statutes Cumulative Supplement, 2024, are repealed.

9 **Sec. 89.** The following sections are outright repealed: Sections
10 32-309 and 32-705, Reissue Revised Statutes of Nebraska, and 43-1306,
11 Revised Statutes Cumulative Supplement, 2024.

12 **Sec. 90.** Since an emergency exists, this act takes effect when
13 passed and approved according to law.