

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 586

Introduced by Spivey, 13.

Read first time January 22, 2025

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Election Act; to amend section 32-944,
- 2 Reissue Revised Statutes of Nebraska; to define terms; to provide a
- 3 duty to ensure the voting rights of individuals who are unable to
- 4 vote in-person who are housed in certain facilities; to require a
- 5 plan; to provide a penalty; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 32-944, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-944 (1) For purposes of this section:

4 (a) Facility means any city or county jail, detention center,
5 assisted-living facility, nursing home, rehabilitation center, or
6 hospital that houses any restricted individual; and

7 (b) Restricted individual means any person who is unable to vote at
8 an in-person voting location because of an inability to travel.

9 (2) Each election commissioner or county clerk shall make efforts to
10 coordinate with the county sheriff or director or designated staff member
11 of each facility to facilitate voting for all restricted individuals who
12 are eligible voters.

13 (3) The election commissioner or county clerk shall provide training
14 and technical assistance to the county sheriff or director or designated
15 staff member of each facility and shall use the materials distributed by
16 the Secretary of State to create an election plan.

17 (4) The election plan shall include the following information:

18 (a) How the election commissioner or county clerk will provide each
19 facility with voter information materials consistent with the materials
20 available to eligible voters not housed in such facilities, including a
21 list of acceptable forms of identification and voter registration
22 applications, and how the facility will ensure reasonable access to such
23 materials and information;

24 (b) The process by which the election commissioner or county clerk
25 and county sheriff or director or designated staff member of the facility
26 will facilitate voter registration, facilitate each of the services of
27 in-person voting, and deliver and retrieve the ballots of eligible
28 voters;

29 (c) How the county sheriff or director or designated staff member
30 will provide to eligible voters housed in the facility notice of the date
31 and time for voting at the facility and information regarding eligibility

1 to vote, how restricted individuals can verify or change their voter
2 registration, and how restricted individuals can register to vote if
3 eligible;

4 (d) How restricted individuals who want to verify or change their
5 voter registration or register to vote have reasonable access to do so;

6 (e) A location at the county jail or detention center for eligible
7 voters housed at such facilities to return ballots for collection by two
8 registered voters who are not affiliated with the same political party
9 and provide information to restricted individuals at such facilities
10 concerning the methods by which the ballots can be returned, the location
11 in the county jail or detention center where ballots can be returned, and
12 the deadlines for returning ballots; and

13 (f) The process for eligible voters housed at each facility to have
14 the opportunity to cure a deficiency on their ballots.

15 (5) The county sheriff or director or designated staff member of
16 each facility shall perform duties in accordance with the Election Act.

17 (6) The election commissioner or county clerk shall adopt procedures
18 to carry out this section in conformance with the Election Act and rules
19 and regulations adopted and promulgated by the Secretary of State.

20 (7) Any failure by the county sheriff or director or designated
21 staff member of a city or county jail to comply with the requirements of
22 this section shall be subject to a civil penalty to be determined by the
23 district court in which the county jail or detention center is located,
24 payable by the county.

25 ~~The election commissioner or county clerk may train registered~~
26 ~~voters to act on behalf of the election commissioner or county clerk in~~
27 ~~administering a ballot to residents of nursing homes or hospitals who~~
28 ~~have requested ballots. Ballots shall be administered by two registered~~
29 ~~voters who are not affiliated with the same political party. The election~~
30 ~~commissioner or county clerk shall adopt procedures to carry out this~~
31 ~~section.~~

1 **Sec. 2.** Original section 32-944, Reissue Revised Statutes of
2 Nebraska, is repealed.