

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 576

Introduced by Harr, 8.

Read first time January 23, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to electioneering; to amend section 32-1524,
2 Reissue Revised Statutes of Nebraska, and section 32-101,
3 Revised Statutes Cumulative Supplement, 2012; to require
4 marking of area near polling places for purposes of
5 electioneering restrictions as prescribed; to change
6 restrictions on electioneering; to prohibit removal of or
7 refusal to display electioneering materials as
8 prescribed; to harmonize provisions; and to repeal the
9 original sections.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-101, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 32-101 Sections 32-101 to 32-1551 and section 2 of this
4 act shall be known and may be cited as the Election Act.

5 Sec. 2. (1) On the day of any election conducted by the
6 election commissioner or county clerk, the election commissioner or
7 county clerk shall cause flags to be placed to indicate the area
8 within two hundred feet, up to, but not across a public thoroughfare
9 or across private property other than the property upon which the
10 building is located, of the main voting entrance to the building in
11 which one or more polling places are being used at such election. For
12 purposes of this subsection and section 32-1524, the election
13 commissioner or county clerk shall designate only one main voting
14 entrance for each building in which one or more polling places are
15 located.

16 (2) The owner of a building in which a polling place is
17 located shall allow electioneering materials to be displayed on the
18 same property as the building outside of the area flagged pursuant to
19 subsection (1) of this section.

20 Sec. 3. Section 32-1524, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 32-1524 (1) No judge or clerk of election or precinct or
23 district inspector shall do any electioneering while acting as an
24 election official.

25 (2) No person shall display electioneering materials or

1 do any electioneering, circulate petitions, or perform any action
2 that involves solicitation within any polling place or any building
3 designated for voters to cast ballots by the election commissioner or
4 county clerk pursuant to the Election Act while the polling place or
5 building is set up for voters to cast ballots. ~~or~~

6 (3) No person shall display electioneering materials or
7 do any electioneering, circulate petitions, or perform any action
8 that involves solicitation within two hundred feet, up to, but not
9 across a public thoroughfare or across private property other than
10 the property upon which the building is located, of the main voting
11 entrance to the building in which any such polling place ~~or building.~~
12 is located as designated by the election commissioner or county clerk
13 pursuant to section 2 of this act between the hours of 8 a.m. and 8
14 p.m. on the day of any such election.

15 (4) No person shall remove any lawfully displayed
16 electioneering materials without authorization.

17 (5) The owner of a building in which a polling place is
18 located shall not refuse to allow electioneering materials to be
19 lawfully displayed on the same property as the building. No designee
20 of such owner shall refuse to allow display of such materials on such
21 property.

22 (6) Any person violating this section shall be guilty of
23 a Class V misdemeanor.

24 Sec. 4. Original section 32-1524, Reissue Revised
25 Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative

1 Supplement, 2012, are repealed.