

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1075

Introduced by Sanders, 45.

Read first time January 15, 2026

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 32-228,
2 32-917, 32-945, 32-948, 32-949, 32-1034, 32-1035, 32-1516, and
3 79-3405, Reissue Revised Statutes of Nebraska, sections 32-235,
4 32-559, 32-622.01, 32-802, 32-903, 32-915.03, 32-942, 32-947,
5 32-949.01, 32-953, 32-956, 32-957, 32-1002.01, 32-1031, 32-1121,
6 32-1203, and 32-1524, Revised Statutes Cumulative Supplement, 2024,
7 and sections 32-101, 32-617, 32-624, 32-624.01, 32-803, 32-912,
8 32-1013, 32-1032, 32-1044, and 32-1119, Revised Statutes Supplement,
9 2025; to provide a duty to the village board of trustees; to provide
10 powers to the village clerk; to change provisions relating to
11 vacancies in a city council or village board; to change provisions
12 relating to election workers, candidate name changes, candidate
13 filing forms, political party rules, notices of election,
14 photographic identification requirements, voting, precinct
15 boundaries, ballots, special elections by mail, recounts, election
16 expenses, prohibited activities, petitions, watchers and observers,
17 records available for public inspection, delivery of the abstract of
18 votes, penalties, and school district elections; to eliminate
19 provisions relating to initiative and referendum petitions; to
20 harmonize provisions; to provide operative dates; to repeal the
21 original sections; to outright repeal section 32-1406, Reissue
22 Revised Statutes of Nebraska; and to declare an emergency.
23 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) Annually at the first regular meeting of the village
2 board of trustees in December, or as soon as reasonably possible
3 thereafter, the board shall pass a resolution authorizing the village
4 clerk to prepare claims and issue warrants for the village. The
5 resolution shall specify that the village clerk:

6 (a) Is only authorized to exercise the authority authorized by the
7 resolution if vacancies exist for more than one-half of the members of
8 the board;

9 (b) Is only authorized to prepare claims and issue warrants:

10 (i) For expenditures previously approved by the village board of
11 trustees; and

12 (ii) When required by law or enforceable contractual obligations;
13 and

14 (c) Shall have no authority to conduct village business beyond the
15 authority provided in subdivision (b) of this subsection.

16 (2) If vacancies exist for more than one-half of the members of the
17 village board of trustees, the village clerk may exercise the powers
18 granted under subsection (1) of this section until the vacancies are
19 filled pursuant to subsection (3) of section 32-569.

20 (3) The village board of trustees shall review any claims and
21 warrants issued pursuant to this section once vacancies no longer exist
22 for more than one-half of the members of the board.

23 **Sec. 2.** Section 32-101, Revised Statutes Supplement, 2025, is
24 amended to read:

25 32-101 Sections 32-101 to 32-1552 and sections 10 and 37 of this act
26 shall be known and may be cited as the Election Act.

27 **Sec. 3.** Section 32-228, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 32-228 (1) The election commissioner shall notify each person
30 appointed as a judge or clerk of election, precinct inspector, district
31 inspector, member of a counting board, or member of a canvassing board of

1 the appointment ~~by letter~~. Such notice shall be made in writing ~~letter~~
2 ~~shall be mailed~~ at least fifteen days prior to the required reporting
3 date for each statewide primary and general election. Each appointee
4 shall, at the time fixed in the notice of appointment, report to the
5 office of the election commissioner or other designated location to
6 complete any informational forms and receive training regarding his or
7 her duties. The training shall include instruction as required by the
8 Secretary of State and any other training deemed necessary by the
9 election commissioner. Each appointee, if found qualified and unless
10 excused by reason of ill health or other good and sufficient reason,
11 shall serve for the term of his or her appointment.

12 (2) No person who is a qualified prospective election worker is
13 exempt from being appointed for a term of election service, except that
14 any person who is seventy years of age or older and who requests to be
15 exempted from such service at the time the election worker questionnaire
16 form is filed with the election commissioner shall be exempt from
17 election service.

18 (3) An appointee who fails to serve for the term of his or her
19 appointment, unless excused by reason of ill health or other good and
20 sufficient reason, is guilty of a Class V misdemeanor. The election
21 commissioner shall submit the names of appointees violating this
22 subsection to the local law enforcement agency for citation pursuant to
23 sections 32-1549 and 32-1550.

24 **Sec. 4.** Section 32-235, Revised Statutes Cumulative Supplement,
25 2024, is amended to read:

26 32-235 (1) The county clerk shall, in writing ~~by mail~~, notify judges
27 and clerks of election, district inspectors, members of counting boards,
28 and members of canvassing boards of their appointment. The notice shall
29 inform the appointee of his or her appointment and of the date and time
30 he or she is required to report to the office of the county clerk or
31 other designated location and the polling place. The notice shall be sent

1 ~~mailed~~ at least fifteen days prior to each statewide primary and general
2 election and on or before the third Friday prior to each special
3 election. The county clerk shall order the members of the receiving board
4 to appear at their respective polling place on the day and at the hour
5 specified in the notice of appointment.

6 (2) Each appointee shall, at the time fixed in the notice of
7 appointment, report to the office or other location to complete any
8 informational forms and receive training regarding his or her duties. The
9 training shall include instruction as required by the Secretary of State
10 and any other training deemed necessary by the county clerk.

11 **Sec. 5.** Section 32-559, Revised Statutes Cumulative Supplement,
12 2024, is amended to read:

13 32-559 (1)(a) Except as provided in section 77-3444, any issue to be
14 submitted to the registered voters at a special election by a political
15 subdivision shall be certified by the clerk of the political subdivision
16 to the election commissioner or county clerk on or before the eighth
17 Friday prior to the election. A special election may be held by mail as
18 provided in sections 32-952 to 32-959. Any other special election under
19 this section shall be subject to section 32-405.

20 (b) A political subdivision that has submitted an issue for a
21 special election under subdivision (1)(a) of this section may cancel the
22 special election if the Secretary of State, election commissioner, or
23 county clerk receives a resolution adopted by the political subdivision
24 canceling the special election on or before the fourth Thursday prior to
25 the election. No cancellation shall be effective after such date. If a
26 special election is canceled in such manner, the political subdivision
27 shall be responsible for the costs incurred that are related to the
28 canceled election. Such costs shall include all chargeable costs as
29 provided in section 32-1202 associated with preparing for and conducting
30 a special election.

31 (2)(a) ~~(b)~~ In lieu of submitting the issue at a special election,

1 any political subdivision may submit the issue at a statewide primary or
2 general election or at any scheduled county election, except that no such
3 issue shall be submitted at a statewide election or scheduled county
4 election unless the issue to be submitted has been certified by the clerk
5 of the political subdivision to the election commissioner or county clerk
6 by March 1 for the primary election and by September 1 for the general
7 election. After the election commissioner or county clerk has received
8 the certification of the issue to be submitted, he or she shall be
9 responsible for all matters relating to the submission of the issue to
10 the registered voters, except that the clerk of the political subdivision
11 shall be responsible for the publication or posting of any required
12 special notice of the submission of such issue other than the notice
13 required to be given of the statewide election issues. The election
14 commissioner or county clerk shall prepare the ballots and issue ballots
15 for early voting and shall also conduct the submission of the issue,
16 including the receiving and counting of the ballots on the issue. The
17 election returns shall be made to the election commissioner or county
18 clerk. The ballots shall be counted and canvassed at the same time and in
19 the same manner as the other ballots. Upon completion of the canvass of
20 the vote by the county canvassing board, the election commissioner or
21 county clerk shall certify the election results to the governing body of
22 the political subdivision. The canvass by the county canvassing board
23 shall have the same force and effect as if made by the governing body of
24 the political subdivision.

25 ~~(2)(a) A political subdivision that has submitted an issue for a~~
26 ~~special election under subdivision (1)(a) of this section may cancel the~~
27 ~~special election if the Secretary of State, election commissioner, or~~
28 ~~county clerk receives a resolution adopted by the political subdivision~~
29 ~~canceling the special election on or before the fourth Thursday prior to~~
30 ~~the election. No cancellation shall be effective after such date. If a~~
31 ~~special election is canceled in such manner, the political subdivision~~

1 ~~shall be responsible for the costs incurred that are related to the~~
2 ~~canceled election. Such costs shall include all chargeable costs as~~
3 ~~provided in section 32-1202 associated with preparing for and conducting~~
4 ~~a special election.~~

5 (b) A political subdivision that has submitted an issue at a
6 statewide primary or general election or at any scheduled county election
7 under subdivision (2)(a) ~~(1)(b)~~ of this section may withdraw the issue
8 from the ballot if the Secretary of State, election commissioner, or
9 county clerk receives a resolution adopted by the political subdivision
10 withdrawing the issue from the ballot no later than March 1 prior to a
11 statewide primary election or September 1 prior to a statewide general
12 election. No withdrawal shall be effective after such date. Any issue
13 withdrawn in this manner shall not be printed on the ballot.

14 **Sec. 6.** Section 32-617, Revised Statutes Supplement, 2025, is
15 amended to read:

16 32-617 (1) Petitions for nomination for partisan and nonpartisan
17 offices shall conform to the requirements of sections 32-617.01 and
18 32-628. Petitions shall state the office to be filled and the name and
19 address of the candidate. A sample copy of the petition shall be filed
20 with the filing officer prior to circulation. Petitions shall be signed
21 by registered voters residing in the district or political subdivision in
22 which the officer is to be elected and shall be filed with the filing
23 officer in the same manner as provided for candidate filing forms in
24 section 32-607. Petition signers and petition circulators shall conform
25 to the requirements of sections 32-629 and 32-630. No petition for
26 nomination shall be filed unless there is attached thereto a receipt
27 showing the payment of the filing fee required pursuant to section
28 32-608. Except as provided in section 32-621, such petitions shall be
29 filed by August 1 in the year of the general election for partisan
30 offices and September 1 in the year of the general election for
31 nonpartisan offices, and all signed petitions not filed with the filing

1 officer by such date shall become invalid.

2 (2) The filing officer shall verify the signatures according to
3 section 32-631. Within three days after the signatures on a petition for
4 nomination have been verified pursuant to such section and the filing
5 officer has determined that pursuant to section 32-618 a sufficient
6 number of registered voters signed the petitions, the filing officer
7 shall notify the candidate so nominated by registered or certified mail
8 or electronic mail, and the candidate shall, within five days after the
9 date of receiving such notification, file with such officer his or her
10 acceptance of the nomination or his or her name will not be printed on
11 the ballot.

12 (3) A candidate placed on the ballot by petition shall be termed a
13 candidate by petition. The words "By Petition" ~~BY-PETITION~~ shall be
14 printed upon the ballot after the name of each candidate by petition.

15 **Sec. 7.** Section 32-622.01, Revised Statutes Cumulative Supplement,
16 2024, is amended to read:

17 32-622.01 (1) Any person who has filed for elective office pursuant
18 to subsection (1) of section 32-606 whose legal name has changed since
19 filing may change the name to appear on the ballot to reflect the
20 person's changed legal name by March 1 before the primary election. The
21 candidate shall provide any documentation verifying the legal name change
22 to the filing officer by March 1.

23 (2) Any person who has filed for elective office pursuant to
24 subsection (2) of section 32-606 or a nominee for elective office for the
25 general election whose legal name has changed since filing may change the
26 name to appear on the ballot to reflect the person's changed legal name
27 by September 1 before the general election. The candidate shall provide
28 any documentation verifying the legal name change to the filing officer
29 by September 1.

30 (3) Any person who has filed for elective office pursuant to section
31 32-606.01 whose legal name has changed since filing may change the name

1 to appear on the ballot to reflect the person's changed legal name by the
2 filing deadline specified under subsection (1) of section 32-606.01. The
3 candidate shall provide any documentation verifying the legal name change
4 to the filing officer by the filing deadline specified under subsection
5 (1) of section 32-606.01.

6 (4) ~~(3)~~ Any objection to a name change pursuant to subsections
7 subsection (1) through (3) or (2) of this section may be made and passed
8 upon in the same manner as an objection to a candidate filing form
9 pursuant to section 32-624, except that any objection pursuant to this
10 subsection shall be made within seven days after the documentation
11 verifying the legal name change is provided to the filing officer.

12 (5) ~~(4)~~ Any candidate may file a name change on or before the filing
13 deadline, and such name change shall conform to the requirements of
14 subdivision (1)(b) of section 32-607. Any objection to a name change
15 pursuant to this subsection may be made pursuant to subsection (3) of
16 section 32-607.

17 **Sec. 8.** Section 32-624, Revised Statutes Supplement, 2025, is
18 amended to read:

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

1 more than one county. Objections to the use of the name of a political
2 party may also be made and passed upon in the same manner as objections
3 to a candidate filing form or other acceptance of nomination.

4 (2) The filing officer with whom the candidate filing form was filed
5 shall determine the validity of such objection, and his or her decision
6 shall be final unless an order is made in the matter by a judge of the
7 county court, district court, Court of Appeals, or Supreme Court on or
8 before the fifty-fifth day preceding the election. Such order may be made
9 summarily upon application of any political party committee or other
10 interested party and upon such notice as the court may require. The order
11 of the court shall be binding on all filing officers.

12 **Sec. 9.** Section 32-624.01, Revised Statutes Supplement, 2025, is
13 amended to read:

14 32-624.01 (1) A candidate filing form filed for a special election
15 pursuant to section 32-606.01 shall be deemed to be valid unless
16 objections are made in writing within three business days after the
17 filing deadline. If an objection is made, notice shall be sent in writing
18 ~~mailed~~ to all candidates who may be affected thereby.

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

27 **Sec. 10.** Any political party desiring to permit registered voters
28 who are not affiliated with a political party to vote for candidates of
29 that party in the primary election shall file a letter stating that the
30 governing body of the political party has adopted a rule allowing
31 registered voters who are not affiliated with a political party to vote

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

11 **Sec. 11.** Section 32-802, Revised Statutes Cumulative Supplement,
12 2024, is amended to read:

13 32-802 The notice of election for any election shall state the date
14 on which the election is to be held and the hours the polls will be open
15 and list all offices, candidates, and issues that will appear on the
16 ballots. The notice of election shall be printed in English and in any
17 other language required pursuant to the Voting Rights Act Language
18 Assistance Amendments of 1992. In the case of a primary election, the
19 notice of election shall list all offices and candidates that are being
20 forwarded to the general election. The notice of election shall only
21 state that amendments or referendums will be voted upon and that the
22 Secretary of State will publish a true copy of the title and text of any
23 amendments or referendums once each week for three consecutive weeks
24 preceding the election. Except as otherwise provided, the election
25 commissioner or county clerk shall publish such ~~Such~~ notice of election
26 ~~shall appear~~ in at least one newspaper of general circulation in the
27 county designated by the election commissioner, county clerk, city
28 council, or village board no later than forty-two days prior to the
29 election. The election commissioner or county clerk shall, not later than
30 forty-two days prior to the election, (1) post in his or her office the
31 same notice of election published in the newspaper and (2) provide a copy

1 of the notice to the political subdivisions appearing on the notice of
2 election. The election commissioner or county clerk shall correct the
3 ballot to reflect any corrections received within five days after mailing
4 the notice as provided in section 32-819. The notice of election shall be
5 posted in lieu of sample ballots until such time as sample ballots are
6 printed. If joint elections are held in conjunction with the statewide
7 primary or general election by a county, city, or village, only one
8 notice of election need be published and signed by the election
9 commissioner or county clerk.

10 **Sec. 12.** Section 32-803, Revised Statutes Supplement, 2025, is
11 amended to read:

12 32-803 (1) Except as otherwise provided, the election commissioner
13 or county clerk shall publish a A sample of the official ballot ~~shall be~~
14 ~~printed in at least one newspaper or more newspapers~~ of general
15 circulation in the county ~~, city, or village as designated by the~~
16 ~~election commissioner, county clerk, city council, or village board.~~ The
17 sample shall be printed in English and in any other language required
18 pursuant to the Voting Rights Language Assistance Act of 1992.

19 (2) Except for elections conducted in accordance with section
20 32-960, such publication shall be made not more than thirty nor less than
21 two days before the day of election, and the same shall appear in only
22 one regular issue of each paper. For elections conducted in accordance
23 with section 32-960, such publication shall be made not less than thirty
24 days before the election.

25 (3) The form of the ballot so published shall conform in all
26 respects to the form prescribed for official ballots as set forth in
27 sections 32-806, 32-809, and 32-812, but larger or smaller type may be
28 used. When paper ballots are not being used, a reduced-size facsimile of
29 the official ballot shall be published as it appears on the voting
30 system. Such publication shall include suitable instructions to the
31 voters for casting their ballots using the voting system being used at

1 the election.

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

6 **Sec. 13.** Section 32-903, Revised Statutes Cumulative Supplement,
7 2024, is amended to read:

8 32-903 (1) The election commissioner or county clerk shall create
9 precincts composed of compact and contiguous territory within the
10 boundary lines of legislative districts. Except as provided in subsection
11 (2) of this section, The precincts shall contain:

12 (a) At least seventy-five registered voters based on the number of
13 voters voting at the last statewide general election; and

14 (b) No not less than seventy-five nor more than one thousand seven
15 hundred fifty registered voters based on the number of voters voting at
16 that precinct's polling place on election day during the immediately
17 preceding presidential election.

18 (2) A the last statewide general election, except that a precinct
19 may contain less than seventy-five registered voters if, in the judgment
20 of the election commissioner or county clerk, it is necessary to avoid
21 creating an undue hardship on the registered voters in the precinct. The
22 election commissioner or county clerk shall create precincts based on the
23 number of votes cast at the immediately preceding presidential election
24 or the current list of registered voters for the precinct.

25 (3) The election commissioner or county clerk shall revise and
26 rearrange the precincts and increase or decrease them at such times as
27 may be necessary to make the precincts comply with the requirements of
28 subsection (1) of this section contain as nearly as practicable ~~not less~~
29 ~~than seventy-five nor more than one thousand seven hundred fifty~~
30 ~~registered voters voting at the last statewide general election.~~ The
31 election commissioner or county clerk shall, when necessary and possible,

1 readjust precinct boundaries to coincide with the boundaries of cities,
2 villages, and school districts which are divided into districts or wards
3 for election purposes. The election commissioner or county clerk shall
4 not make any precinct changes in precinct boundaries or divide precincts
5 into two or more parts between the statewide primary and general
6 elections unless he or she has been authorized to do so by the Secretary
7 of State. If changes are authorized, the election commissioner or county
8 clerk shall notify each state and local candidate affected by the change.

9 (4) ~~(2)~~ The election commissioner or county clerk may alter and
10 divide the existing precincts, except that when any city of the first
11 class by ordinance divides any ward of such city into two or more voting
12 districts or polling places, the election commissioner or county clerk
13 shall establish precincts or polling places in conformity with such
14 ordinance. No such alteration or division shall take place between the
15 statewide primary and general elections except as provided in subsection
16 (3) ~~(1)~~ of this section.

17 **Sec. 14.** Section 32-912, Revised Statutes Supplement, 2025, is
18 amended to read:

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

29 (2) Any political party may allow registered voters who are not
30 affiliated with a political party to vote in the primary election for any
31 elective office for which the party has candidates pursuant to section 10

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

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

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

31 **Sec. 15.** Section 32-915.03, Revised Statutes Cumulative Supplement,

1 2024, is amended to read:

2 32-915.03 (1) A registered voter shall fill out a provisional voter
3 identification verification envelope if:

4 (a)(i) The voter fails to produce valid photographic identification
5 at the polling place; and

6 (ii) The voter's name appears on the precinct list of registered
7 voters for the polling place or the voter has voted a provisional ballot
8 as provided in section 32-915;

9 (b) The voter fails to produce valid photographic identification at
10 the time of voting early in person at the office of the election
11 commissioner or county clerk; or

12 (c) The voter has a reasonable impediment preventing the voter from
13 obtaining valid photographic identification or the voter's name appears
14 on the precinct list of registered voters for the polling place with a
15 notation that the voter has a religious objection to being photographed.

16 (2) Each voter casting a ballot using a provisional voter
17 identification verification envelope shall enclose the ballot in an
18 envelope marked provisional voter identification verification and shall,
19 by signing the certification on the front of the envelope or a separate
20 form attached to the envelope, certify to the following facts:

21 (a) My name is

22 (b) I am registered to vote at

23 (c) I did not present valid photographic identification as required
24 by law or I have a reasonable impediment preventing me from obtaining
25 valid photographic identification;

26 (d) I am eligible to vote in this election and have not voted and
27 will not vote in this election except by this ballot; and

28 (e) I acknowledge that my ballot will not be counted if:

29 (i) I do not present valid photographic identification to my county
30 election office on or before the ~~Friday~~ Tuesday after the election; or

31 (ii) I have a reasonable impediment that prevents me from obtaining

1 valid photographic identification and:

2 (A) I do not complete a reasonable impediment certification; or

3 (B) My county election official cannot verify the signature on my
4 reasonable impediment certification.

5 (3) The voter shall sign the certification under penalty of election
6 falsification. The following statements shall be on the front of the
7 envelope or on the attached form: By signing the front of this envelope
8 or the attached form you are certifying to the information contained on
9 this envelope or the attached form under penalty of election
10 falsification. Election falsification is a Class IV felony and may be
11 punished by up to two years imprisonment and twelve months post-release
12 supervision, a fine of up to ten thousand dollars, or both.

13 **Sec. 16.** Section 32-917, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 32-917 Any registered voter who spoils his or her ballot may receive
16 another ballot after returning the spoiled ballot. No registered voter
17 shall receive more than four ballots in all. The registered voter shall
18 write a note on the ballot indicating that it is spoiled, such as
19 spoiled, invalid, or void, on the spoiled ballot and return it to the
20 judges of election. The judges of election shall maintain the secrecy of
21 the spoiled ballots and shall cause the spoiled ballots to be made up in
22 a sealed packet. The judges of election shall endorse the packet with the
23 words Spoiled Ballots and the designation of the precinct. The judges of
24 election shall sign such endorsement label and shall return the packet to
25 the election commissioner or county clerk with a statement by the judges
26 of election showing the number of ballots spoiled.

27 **Sec. 17.** Section 32-942, Revised Statutes Cumulative Supplement,
28 2024, is amended to read:

29 32-942 (1) ~~(1)(a)~~ A registered voter of this state who anticipates
30 being absent from the county of his or her residence on the day of any
31 election may appear in person before the election commissioner or county

1 clerk not more than thirty days prior to the day of election for a
2 statewide primary or general election, and not more than fifteen days
3 prior to the election for all other elections, present valid photographic
4 identification, and obtain his or her ballot unless otherwise entitled to
5 vote in the office under section 32-915.03. The registered voter shall
6 vote the ballot in the office of the election commissioner or county
7 clerk or shall return the ballot to the office not later than the closing
8 of the polls on the day of the election.

9 (2) (b) A registered voter who is present in the county on the day
10 of the election and who chooses to vote on the day of the election shall
11 vote at the polling place assigned to the precinct in which he or she
12 resides unless he or she is returning a ballot for early voting or voting
13 pursuant to section 32-943.

14 ~~(2) If a person registers to vote and requests a ballot at the same~~
15 ~~time under this section, he or she shall, in addition to the requirements~~
16 ~~of subsection (1) of this section, (a)(i) present one of the address~~
17 ~~confirmation documents as prescribed in subdivision (1)(a) of section~~
18 ~~32-318.01, (ii) present proof that he or she is a member of the armed~~
19 ~~forces of the United States who by reason of active duty has been absent~~
20 ~~from his or her place of residence where the member is otherwise eligible~~
21 ~~to vote, is a member of the United States Merchant Marine who by reason~~
22 ~~of service has been away from his or her place of residence where the~~
23 ~~member is otherwise eligible to vote, is a spouse or dependent of a~~
24 ~~member of the armed forces of the United States or United States Merchant~~
25 ~~Marine who has been absent from his or her place of residence due to the~~
26 ~~service of that member, or resides outside the United States and but for~~
27 ~~such residence would be qualified to vote in the state if the state was~~
28 ~~the last place in which the person was domiciled before leaving the~~
29 ~~United States, or (iii) state that he or she is elderly or handicapped~~
30 ~~and has requested to vote by alternative means other than by casting a~~
31 ~~ballot at his or her polling place on election day or (b) vote a ballot~~

1 ~~which is placed in an envelope with the voter's name and address and~~
2 ~~other necessary identifying information and kept securely for counting as~~
3 ~~provided in this subsection. This subsection does not extend the deadline~~
4 ~~for voter registration specified in section 32-302. A ballot cast~~
5 ~~pursuant to subdivision (b) of this subsection shall be rejected and~~
6 ~~shall not be counted if the acknowledgment of registration sent to the~~
7 ~~registrant pursuant to section 32-322 is returned as undeliverable for a~~
8 ~~reason other than clerical error within ten days after it is mailed,~~
9 ~~otherwise after such ten-day period, the ballot shall be counted.~~

10 ~~(3) This section applies only to a person who appears in person to~~
11 ~~obtain a ballot as provided in subsection (1) of this section and does~~
12 ~~not apply to a ballot mailed to a voter pursuant to section 32-945.~~

13 **Sec. 18.** Section 32-945, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 32-945 (1) When a request for a ballot from a person who is not
16 registered to vote in the county reaches the election commissioner or
17 county clerk by mail, by facsimile transmission, or by means other than
18 by application in person on or prior to the third Friday preceding the
19 election, the election commissioner or county clerk shall mail to the
20 applicant the registration application with the ballot. No ballot shall
21 be sent by mail to any person after the third Friday preceding the
22 election if such person is not a registered voter.

23 (2) When an application for a ballot from a person who is registered
24 in the county reaches the county clerk or election commissioner by mail,
25 facsimile transmission, or other means than by application in person and
26 the application indicates that the applicant has changed his or her
27 residence within the county, the county clerk or election commissioner
28 shall change the address on the applicant's voter registration and mail
29 to such applicant an acknowledgment of change of registration and the
30 ballot as provided by section 32-947.

31 **Sec. 19.** Section 32-947, Revised Statutes Cumulative Supplement,

1 2024, is amended to read:

2 32-947 (1) Upon receipt of an application or other request for a
3 ballot to vote early, the election commissioner or county clerk shall
4 determine whether the applicant is a registered voter and is entitled to
5 vote as requested. If the election commissioner or county clerk
6 determines that the applicant is a registered voter entitled to vote
7 early and the application was received not later than the close of
8 business on the second Friday preceding the election, the election
9 commissioner or county clerk shall deliver a ballot to the applicant in
10 person or by nonforwardable first-class mail, postage paid. The election
11 commissioner or county clerk or any employee of the election commissioner
12 or county clerk shall write or cause to be affixed his or her customary
13 signature or initials on the ballot.

14 (2) An unsealed identification envelope shall be delivered with the
15 ballot, and upon the back of the envelope shall be printed a form
16 substantially as follows:

17 VOTER'S OATH

18 I, the undersigned voter, declare that the enclosed ballot or
19 ballots contained no voting marks of any kind when I received them, and I
20 caused the ballot or ballots to be marked, enclosed in the identification
21 envelope, and sealed in such envelope.

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

24 (a) I,, am a registered voter
25 in County;

26 (b) I reside in the State of Nebraska at

27 (c) I have voted the enclosed ballot and am returning it in
28 compliance with Nebraska law; and

29 (d) I have not voted and will not vote in this election except by
30 this ballot.

31 ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE INFORMATION

1 IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION FALSIFICATION, A CLASS
2 IV FELONY UNDER SECTION 32-1502 OF THE STATUTES OF NEBRASKA. THE PENALTY
3 FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO TWO YEARS AND TWELVE
4 MONTHS POST-RELEASE SUPERVISION OR A FINE NOT TO EXCEED TEN THOUSAND
5 DOLLARS, OR BOTH.

6 I also understand that failure to sign below will invalidate my
7 ballot.

8 Signature

9 (3) If the ballot and identification envelope will be returned by
10 mail or by someone other than the voter, the election commissioner or
11 county clerk shall include with the ballot an identification envelope
12 upon the face of which shall be printed the official title and post
13 office address of the election commissioner or county clerk.

14 (4) The election commissioner or county clerk shall also enclose
15 with the ballot materials:

16 (a) A registration application, if the election commissioner or
17 county clerk has determined that the applicant is not a registered voter
18 pursuant to subsection (1) of section 32-945, with instructions that
19 failure to return the completed and signed application indicating the
20 residence address as it appears on the voter's request for a ballot to
21 the election commissioner or county clerk by the close of the polls on
22 election day will result in the ballot not being counted;

23 (b) A registration application and the oath pursuant to section
24 32-946, if the voter is without a residence address, with instructions
25 that the residence address of the voter shall be deemed that of the
26 office of the election commissioner or county clerk of the county of the
27 voter's prior residence and that failure to return the completed and
28 signed application and oath to the election commissioner or county clerk
29 by the close of the polls on election day will result in the ballot not
30 being counted; or

31 (c) Written instructions directing the voter to submit a copy of an

1 identification document pursuant to section 32-318.01 if the voter is
2 required to present identification under such section and advising the
3 voter that failure to submit identification to the election commissioner
4 or county clerk by the close of the polls on election day will result in
5 the ballot not being counted.

6 (5) The election commissioner or county clerk may enclose with the
7 ballot materials a separate return envelope for the voter's use in
8 returning his or her identification envelope containing the voted ballot,
9 registration application, and other materials that may be required.

10 **Sec. 20.** Section 32-948, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 32-948 (1) Upon receipt of an application or request for a ballot to
13 vote early, the election commissioner or county clerk shall enter in the
14 record of early voters the applicant's name, residence address, precinct,
15 and subdivision of the precinct, if any, the mailing address to which the
16 ballots are to be sent if different from the residence address, and the
17 date on which the application was received. The election commissioner or
18 county clerk shall also record other information in the record of early
19 voters as may be necessary to aid in the processing or verification of
20 ballots, including such information as the date ballots and related
21 materials were sent to the voter or picked up in person, the date on
22 which the ballots were voted in person or returned or received by mail,
23 or information as to the reason why a ballot could not be issued or sent.

24 (2) The record of early voters and applications for such ballots
25 shall be open to public inspection prior to the election. The election
26 commissioner or county clerk shall make an entry in the voter's
27 registration record indicating that the voter has voted early in the
28 election.

29 (3) No record of early voters or applications for a ballot to vote
30 early made available for public inspection shall include any voter's
31 month and day of birth, signature, driver's license or state

1 identification card number, photocopy of any valid photographic
2 identification, or reasonable impediment certification included with the
3 application.

4 **Sec. 21.** Section 32-949, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 32-949 (1) After a ballot for early voting is received by a voter
7 and before placing any marks thereon, the voter shall note whether there
8 are any voting marks on the ballot and whether there is a signature or
9 initials on the ballot in the space provided for the election official's
10 signature or initials. If there are any voting marks or no signature or
11 initials, the ballot shall be returned immediately to the election
12 commissioner or county clerk. If there are no such marks, the voter shall
13 cause the ballot to be marked. If the ballot is voted in the office of
14 the election commissioner or county clerk, the registered voter shall
15 return the ballot and identification envelope to the election
16 commissioner or county clerk or an employee of the election commissioner
17 or county clerk who shall deposit the ballot into a ballot box and place
18 the identification envelope in a secure container.

19 (2) If the voter is mailing or otherwise delivering the ballot to
20 the election commissioner or county clerk, the voter shall:

21 (a) Place the marked ballot in the identification envelope received
22 for that purpose in such a manner that the signature of the issuing
23 officer on the ballot is visible;

24 (b) Complete and sign the voter's oath on the outside of the
25 identification envelope under the penalty of election falsification;

26 (c) Enclose, in the identification envelope or separately in the
27 return envelope if one has been provided, his or her completed
28 registration application if one was provided pursuant to subsection (1)
29 of section 32-945 or section 32-946, a copy of his or her identification
30 document if such identification has been requested, and the oath
31 completed and signed by a voter without a residence address if required

1 pursuant to section 32-946;

2 (d) Ensure that the identification envelope or return envelope is
3 sealed; and

4 (e) Mail, deliver, or cause to be delivered the envelope containing
5 the ballots and any required materials to the election commissioner or
6 county clerk from whom it was received.

7 (3) All postage costs related to returning such ballots and required
8 materials, if any, to the election commissioner or county clerk shall be
9 paid by the applicant.

10 **Sec. 22.** Section 32-949.01, Revised Statutes Cumulative Supplement,
11 2024, is amended to read:

12 32-949.01 (1) If a ballot for early voting is destroyed, spoiled,
13 lost, or not received by the registered voter, the voter may cast a
14 provisional ballot pursuant to section 32-915 at the voter's polling
15 place on election day or may obtain a replacement ballot from the
16 election commissioner or county clerk by signing a statement on a form
17 prescribed by the Secretary of State that the original ballot for early
18 voting was destroyed, spoiled, lost, or not received and delivering the
19 statement to the election commissioner or county clerk.

20 (2) If the voter mails the statement or uses electronic mail or a
21 facsimile machine for the submission of the statement, the election
22 commissioner or county clerk shall not mail a replacement ballot to the
23 voter unless the statement is received by 6 p.m. on the second Friday
24 preceding the election.

25 (3) To receive a replacement ballot in person, the voter or an agent
26 acting on behalf of a voter shall return the statement signed by the
27 voter to the office of the election commissioner or county clerk by the
28 deadline for the receipt of ballots specified in subsection (2) of
29 section 32-908.

30 (4) ~~(3)~~ The election commissioner or county clerk shall verify the
31 voter's signature on the statement with the signature appearing on the

1 voter registration records prior to issuing any replacement ballot.

2 (5) (4) If the election commissioner or county clerk receives a
3 statement meeting the requirements of this section, the election
4 commissioner or county clerk shall deliver a replacement ballot to the
5 voter or voter's agent if the voter or voter's agent is present in the
6 office or shall mail a replacement ballot to the voter at the address
7 shown on the statement. The election commissioner or county clerk shall
8 keep a record of all replacement ballots issued under this section.

9 **Sec. 23.** Section 32-953, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 32-953 (1) Except as otherwise provided in subsection (2) of this
12 section, the election commissioner or county clerk shall mail the
13 official ballot to all registered voters of the political subdivision or
14 the district or ward of the political subdivision at the addresses
15 appearing on the voter registration register on the same day. The ballots
16 shall be mailed by nonforwardable first-class mail not sooner than the
17 twenty-fifth ~~twenty-second~~ day before the date set for the election and
18 not later than the tenth day before the date set for the election. The
19 election commissioner or county clerk shall include with the ballot
20 instructions sufficient to describe the voting process and an unsealed
21 identification envelope. Upon the back of the identification envelope
22 shall be printed boxes sufficient for the voter to provide the voter's
23 Nebraska driver's license number or state identification card number and
24 a form substantially as follows:

25 VOTER'S OATH

26 I, the undersigned voter, declare that the enclosed ballot or
27 ballots contained no voting marks of any kind when I received them and
28 that I caused the ballot or ballots to be marked, enclosed in the
29 identification envelope, and sealed in such envelope.

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

1 (a) I,, am a registered voter
2 in County;

3 (b) I reside in the State of Nebraska at

4 (c) I have voted the enclosed ballot and am returning it in
5 compliance with Nebraska law;

6 (d) I have not voted and will not vote in this election except by
7 this ballot; and

8 (e)(i) My Nebraska driver's license number or state identification
9 card number is written in the corresponding boxes;

10 (ii) A photocopy of my valid photographic identification is
11 enclosed; or

12 (iii) I have a reasonable impediment that prevents me from
13 presenting valid photographic identification and my certification is
14 enclosed.

15 ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE INFORMATION
16 IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION FALSIFICATION, A CLASS
17 IV FELONY UNDER SECTION 32-1502 OF THE STATUTES OF NEBRASKA. THE PENALTY
18 FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO TWO YEARS AND TWELVE
19 MONTHS POST-RELEASE SUPERVISION OR A FINE NOT TO EXCEED TEN THOUSAND
20 DOLLARS, OR BOTH.

21 I also understand that failure to sign below will invalidate my
22 ballot.

23 Signature

24 (2) The election commissioner or county clerk shall ~~may choose not~~
25 ~~to~~ mail a notice in lieu of a ballot to all registered voters who have
26 been sent a notice pursuant to section 32-329 and failed to respond to
27 the notice. The notice shall explain ~~If the election commissioner or~~
28 ~~county clerk chooses not to mail a ballot to such voters, he or she shall~~
29 ~~mail a notice to all such registered voters explaining~~ how to obtain a
30 ballot and state ~~stating~~ the applicable deadlines.

31 (3) This section does not apply to any voter who casts a ballot

1 pursuant to section 32-939.02 or 32-939.03.

2 **Sec. 24.** Section 32-956, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 32-956 (1) If a ballot is destroyed, spoiled, lost, or not received
5 by the registered voter, the voter may obtain a replacement ballot from
6 the election commissioner or county clerk by signing a statement on a
7 form prescribed by the Secretary of State that the ballot was destroyed,
8 spoiled, lost, or not received and delivering the statement to the
9 election commissioner or county clerk ~~by 5 p.m. on the date set for the~~
10 ~~election.~~

11 (2) If the voter mails the statement or uses electronic mail or a
12 facsimile machine for the submission of the statement, the election
13 commissioner or county clerk shall not deliver a replacement ballot to
14 the voter unless the statement is received prior to the close of business
15 on the second Friday preceding the election.

16 (3) To receive a replacement ballot in person, the voter or an agent
17 acting on behalf of a voter shall return the statement signed by the
18 voter to the office of the election commissioner or county clerk by 5
19 p.m. on the day set for the election.

20 (4) (3) The election commissioner or county clerk shall verify the
21 voter's signature on the statement with the signature appearing on the
22 voter registration records prior to issuing any replacement ballot.

23 (5) (4) If the election commissioner or county clerk receives a
24 statement meeting the requirements of this section, he or she shall
25 deliver a replacement ballot to the voter if the voter is present in the
26 office or shall mail a replacement ballot to the voter at the address
27 shown on the statement. The election commissioner or county clerk shall
28 keep a record of all replacement ballots issued under this section.

29 **Sec. 25.** Section 32-957, Revised Statutes Cumulative Supplement,
30 2024, is amended to read:

31 32-957 (1) An official ballot under section 32-953 shall be counted

1 only if it is returned in the identification envelope, the envelope is
2 signed by the voter to whom it was issued, the signature is verified by
3 the election commissioner or county clerk, and the voter provided the
4 voter's driver's license number or state identification card number on
5 the envelope or provided a photocopy of valid photographic identification
6 or a reasonable impediment certification inside the envelope.

7 (2) The election commissioner or county clerk shall verify the
8 signature on each identification envelope received in his or her office
9 with the signature appearing on the voter registration records. If the
10 election commissioner or county clerk is unable to verify a signature,
11 the election commissioner or county clerk shall contact the voter within
12 two days after determining that he or she is unable to verify the
13 signature to ascertain whether the voter cast a ballot. The election
14 commissioner or county clerk may request that the registered voter sign
15 and submit a current signature card pursuant to section 32-318. The
16 election commissioner or county clerk may begin verifying the signatures
17 as the envelopes are received in his or her office.

18 (3) If a voter fails to provide the voter's driver's license number
19 or state identification card number, valid photographic identification,
20 or a reasonable impediment certification as required under subsection (1)
21 of this section, the election commissioner or county clerk shall contact
22 the voter no later than the day after the election and the voter shall
23 present valid photographic identification or a reasonable impediment
24 certification to the election commissioner or county clerk on or before
25 the ~~Friday~~ ~~Tuesday~~ after the election or the ballot shall not be counted.

26 (4) If the election commissioner or county clerk determines that a
27 voter has voted more than once, no ballot cast by that voter in that
28 election shall be counted. The election commissioner or county clerk
29 shall make public any record or list of registered voters who have
30 returned their ballots.

31 (5) Subsections (1) and (3) of this section do not apply to any

1 voter who casts a ballot pursuant to section 32-939.02 or 32-939.03.

2 **Sec. 26.** Section 32-1002.01, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 32-1002.01 (1) As the ballots are removed from the ballot box
5 pursuant to sections 32-1012 to 32-1018, the receiving board shall
6 separate the provisional voter identification verification envelopes from
7 the rest of the ballots and deliver them to the election commissioner or
8 county clerk.

9 (2) Upon receipt of a provisional voter identification verification
10 envelope, the election commissioner or county clerk shall verify that the
11 certificate on the front of the envelope or the form attached to the
12 envelope is in proper form and that the certification has been signed by
13 the voter.

14 (3) The election commissioner or county clerk shall also verify that
15 such person has not voted anywhere else in the county or been issued a
16 ballot for early voting.

17 (4) A ballot cast by a voter pursuant to section 32-915.03 shall be
18 counted if the voter completed and signed the certification on the
19 provisional voter identification verification envelope and the voter:

20 (a) Presented valid photographic identification to the election
21 commissioner or county clerk on or before the Friday ~~Tuesday~~ after the
22 election; or

23 (b) Has a reasonable impediment preventing the voter from obtaining
24 valid photographic identification, the voter completes a reasonable
25 impediment certification, and the election commissioner or county clerk
26 verifies:

27 (i) The signature on the reasonable impediment certification with
28 the signature appearing on the voter registration record; and

29 (ii) That the voter does not have a current, unexpired driver's
30 license or state identification card issued by the State of Nebraska.

31 (5) A ballot cast by a voter pursuant to section 32-915.03 shall not

1 be counted if:

2 (a) The voter failed to complete and sign the certification on the
3 provisional voter identification verification envelope pursuant to
4 subsection (2) of section 32-915.03;

5 (b) The voter failed to present valid photographic identification to
6 the election commissioner or county clerk on or before the Friday ~~Tuesday~~
7 after the election; or

8 (c) The voter has a reasonable impediment preventing the voter from
9 obtaining valid photographic identification and:

10 (i) The voter did not complete a reasonable impediment
11 certification; or

12 (ii) The election commissioner or county clerk was not able to
13 verify the signature on the reasonable impediment certification with the
14 signature appearing on the voter registration record.

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

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

24 (8) The verification shall be completed within seven business days
25 after the election.

26 **Sec. 27.** Section 32-1013, Revised Statutes Supplement, 2025, is
27 amended to read:

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

1 The district court having jurisdiction over any such county may appoint
2 additional watchers for any location.

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

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

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

20 **Sec. 28.** Section 32-1031, Revised Statutes Cumulative Supplement,
21 2024, is amended to read:

22 32-1031 (1) The election commissioner or county clerk shall, prior
23 to noon ~~1-p.m.~~ on the day after election day, post in a conspicuous place
24 in the office of such election commissioner or county clerk a notice
25 stating the day and hour when the county canvassing board will convene.

26 (2) After counting the ballots under section 32-1027 but no earlier
27 than twenty-four hours after the notice is posted as required under
28 subsection (1) of this section, the county canvassing board shall proceed
29 with the official canvass of votes cast on election day. If in the
30 process of canvassing the votes for any candidate or measure in any
31 precinct the election commissioner or county clerk or the canvassing

1 board determines that there is an obvious error in the certification of
2 the votes, the error shall be corrected. The county canvassing board may
3 open the ballots-cast container and recount the ballots for any candidate
4 or any measure which appears to be in error. If the county canvassing
5 board finds and corrects any such error, it shall make the correction
6 entry in the precinct sign-in register, the precinct list of registered
7 voters, and the official summary or summaries of votes cast and shall
8 attach a letter of explanation to each book where the correction was
9 made. The letter shall be signed by all members of the county canvassing
10 board.

11 (3) When it has been determined that the returns in all precincts
12 are correct, the county canvassing board shall provide a record of the
13 results to the election commissioner or county clerk either in a ledger
14 or by using a computer printout. The election commissioner or county
15 clerk shall preserve the record of the results for the period of time
16 specified by the State Records Administrator pursuant to the Records
17 Management Act, and then it may be transferred to the State Archives of
18 the Nebraska State Historical Society for permanent preservation.

19 (4) Any recesses or adjournments of the county canvassing board
20 shall be to a fixed time and publicly announced. When a recess is called,
21 all ballots that have not been counted and all other supplies shall be
22 placed in a fireproof safe or other suitable location which is locked
23 until such board reconvenes.

24 **Sec. 29.** Section 32-1032, Revised Statutes Supplement, 2025, is
25 amended to read:

26 32-1032 Upon the completion of the canvass by the county canvassing
27 board, all books shall again be sealed, and the election commissioner or
28 county clerk shall keep all election materials, including the ballots-
29 cast containers from each precinct, the sealed envelopes containing the
30 precinct list of registered voters, the precinct sign-in register, the
31 official summary or summaries of votes cast, and the container for early

1 voting materials, for not less than twenty-two months when statewide
2 primary, general, or special elections involve federal offices,
3 candidates, and issues and not less than fifty days for local elections
4 not held in conjunction with a statewide primary, general, or special
5 election. The election commissioner or county clerk shall keep on file
6 one copy of each ballot face used in each precinct of the official
7 partisan, nonpartisan, constitutional amendment, and initiative and
8 referendum ballots, as used for voting, and all election notices used at
9 each primary and general election for twenty-two months. The precinct
10 sign-in register, the record of early voters, and the official summary of
11 votes cast shall be subject to the inspection of any person who may wish
12 to examine the same after the primary, general, or special election. No
13 person other than the Secretary of State, the election commissioner or
14 county clerk, law enforcement, or the courts shall be allowed to make
15 copies of the precinct sign-in register. The election commissioner or
16 county clerk shall not allow any other election materials to be
17 inspected, including ballots, the names of voters who filled out a
18 provisional voter identification verification envelope pursuant to
19 section 32-915.03, and provisional ballot envelopes, except when an
20 election is contested or the materials become necessary to be used in
21 evidence in the courts. The election commissioner or county clerk shall
22 direct the destruction of such materials after such time, except that the
23 election commissioner or county clerk may retain materials for the
24 purposes of establishing voter histories.

25 **Sec. 30.** Section 32-1034, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 32-1034 Immediately upon the completion of the canvass by the county
28 canvassing board, the election commissioner or county clerk shall prepare
29 an abstract of votes for all officers and issues certified to the
30 election commissioner or county clerk by the Secretary of State. The
31 election commissioner or county clerk shall sign and affix his or her

1 official seal to the abstract as the Abstract of Votes of
2 County and deliver it to the Secretary of State in person or via mail,
3 electronic mail, or facsimile transmission by the third Monday after the
4 election. If delivered via electronic mail or facsimile transmission, the
5 original abstract shall be received by the Secretary of State by the
6 third Wednesday following the election. The Secretary of State shall
7 prepare a tabular sheet of the votes cast for such officers and measures
8 and preserve the same with the abstract of votes from the various
9 counties for the use of the Legislature and the board of state canvassers
10 in making the official canvass. The Secretary of State shall deliver to
11 the state chairperson of each political party, upon request, a separate
12 abstract of votes of the various contests for national and state offices
13 indicating the total votes received by each candidate and measure.

14 **Sec. 31.** Section 32-1035, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-1035 (1) If the Secretary of State has not received the abstract
17 of votes from any county by the deadlines specified in section 32-1034
18 ~~third Monday after the day of election,~~ the Secretary of State may:

19 (a) Require the election commissioner or county clerk of such county
20 to send the abstract of votes via overnight delivery with a tracking
21 number provided or next day hand delivery at such county's expense; or

22 (b) Send ~~send~~ a messenger to the election commissioner or county
23 clerk of such county at the expense of such county. The election
24 commissioner or county clerk shall furnish the messenger with the
25 abstract of votes or, if the abstract has been sent, with a copy of the
26 abstract, and the messenger shall return the abstract to the Secretary of
27 State without delay.

28 (2) If the abstract of votes was delayed by reason of the fault or
29 neglect of the election commissioner or county clerk, he or she shall be
30 responsible to the county for the cost of the messenger.

31 **Sec. 32.** Section 32-1044, Revised Statutes Supplement, 2025, is

1 amended to read:

2 32-1044 (1) An election commissioner or county clerk using a vote
3 counting device to count ballots shall conduct at least three independent
4 tests before counting begins to verify the accuracy of the counting
5 process, which includes the computerized program installed for counting
6 various ballots by vote counting device. The test shall be conducted by:

7 (a) The election commissioner or county clerk;

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

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

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

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

27 **Sec. 33.** Section 32-1119, Revised Statutes Supplement, 2025, is
28 amended to read:

29 32-1119 (1) Any candidate who failed to be nominated or elected
30 shall be entitled to a recount if it appears, as evidenced by the
31 abstract of votes, that the candidate failed to be nominated or elected

1 by one of the following margins:

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

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

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

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

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

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

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

21 (3) Recounts shall be made by the county canvassing board which
22 officiated in making the official county canvass of the election returns.
23 If any member of the county canvassing board cannot participate in the
24 recount, another person shall be appointed by the election commissioner
25 or county clerk to take the member's place.

26 (4) Recounts for candidates who filed with the Secretary of State
27 shall be made on the fifth Wednesday after the election and shall
28 commence at 9 a.m. The Secretary of State shall inform each election
29 commissioner or county clerk of the names of the candidates for which the
30 board of state canvassers deems a recount to be necessary. If a recount
31 is requested pursuant to section 32-1121, the recounts may be conducted

1 concurrently.

2 (5) The election commissioner or county clerk shall be responsible
3 for recounting the ballots for those candidates for whom the county
4 canvassing board deems a recount to be necessary. The recount shall be
5 made as soon as possible after the adjournment of the county canvassing
6 board, except that if a recount is required under subsection (4) of this
7 section or section 32-1121, the recounts may be conducted concurrently.

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

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

22 **Sec. 34.** Section 32-1121, Revised Statutes Cumulative Supplement,
23 2024, is amended to read:

24 32-1121 (1)(a) If any candidate failed to be nominated or elected by
25 more than the margin provided in section 32-1119, the losing candidate
26 may submit a certified written request for a recount at such candidate's
27 expense. The request shall be filed with the filing officer with whom the
28 candidate filed for election not later than the third ~~fifth~~ day after the
29 county canvassing board or the board of state canvassers concludes. The
30 request shall list the counties where a recount is requested and shall
31 include payment of the recount cost calculated pursuant to subsection (2)

1 of this section. The recount shall be conducted as provided in section
2 32-1119 and subdivision (b) of this subsection.

3 (b) If a recount is requested pursuant to this section and the
4 filing officer is the:

5 (i) Secretary of State, the recount shall be conducted as provided
6 in subsections (4), (6), and (7) of section 32-1119, except that if the
7 recount cannot be conducted on the fifth Wednesday following the
8 election, the recount shall be conducted on the sixth Wednesday following
9 the election; or

10 (ii) Election commissioner or county clerk, the recount shall be
11 conducted as provided in subsections (5) through (7) of section 32-1119.

12 (2) Beginning on the operative date of this section through December
13 31, 2026, one hundred dollars per precinct voting in the contest.

14 ~~(3)(a) Prior to conducting the recount, the cost of the recount~~
15 ~~shall be determined by the election commissioner or county clerk and the~~
16 ~~requesting candidate shall be so notified. The candidate requesting the~~
17 ~~recount shall pay the estimated cost of the recount before the recount is~~
18 ~~scheduled to be conducted. If the recount involves more than one county,~~
19 ~~the election commissioner or county clerk shall certify the cost to the~~
20 ~~Secretary of State. The Secretary of State shall then notify the~~
21 ~~candidate of the determined cost, and the cost shall be paid before any~~
22 ~~recount is scheduled to be conducted. The candidate shall pay the cost on~~
23 ~~demand to the county treasurer of each county involved, and such sums~~
24 ~~shall be placed in the county general fund to help defray the cost of the~~
25 ~~recount.~~

26 (b) If the recount does not determine the candidate to be the
27 winner:

28 (i) If the actual expense is less than the determined cost, the
29 candidate may file a claim with the county board for overpayment of the
30 recount; or -

31 (ii) If the actual expense is more than the determined cost, the

1 candidate shall be responsible for payment of the difference.

2 (c) If the recount determines the candidate to be the winner, all
3 costs which he or she paid shall be refunded. Refunds shall be made from
4 the county general fund.

5 **Sec. 35.** Section 32-1203, Revised Statutes Cumulative Supplement,
6 2024, is amended to read:

7 32-1203 (1) Each city, village, township, school district, public
8 power district, ~~sanitary and improvement district,~~ metropolitan utilities
9 district, fire protection district, natural resources district, regional
10 metropolitan transit authority, community college area, learning
11 community coordinating council, educational service unit, hospital
12 district, reclamation district, library board, and airport authority
13 shall pay for the costs of nominating and electing its officers as
14 provided in subsection (2), (3), or (4) of this section. If a special
15 issue is placed on the ballot at the time of the statewide primary or
16 general election by any political subdivision, the political subdivision
17 shall pay for the costs of the election as provided in subsection (2),
18 (3), or (4) of this section.

19 (2) The charge for each primary and general election shall be
20 determined by (a) ascertaining the total cost of all chargeable costs as
21 described in section 32-1202, (b) dividing the total cost by the number
22 of precincts participating in the election to fix the cost per precinct,
23 (c) prorating the cost per precinct by the inked ballot inch in each
24 precinct for each political subdivision, and (d) totaling the cost for
25 each precinct for each political subdivision, except that the minimum
26 charge for each primary and general election for each political
27 subdivision shall be one hundred dollars.

28 (3) In lieu of the charge determined pursuant to subsection (2) of
29 this section, the election commissioner or county clerk may charge public
30 power districts the fee for election costs set by section 70-610.

31 (4) In lieu of the charge determined pursuant to subsection (2) of

1 this section, the election commissioner or county clerk may bill school
2 districts directly for the costs of an election held under section
3 10-703.01.

4 **Sec. 36.** Section 32-1516, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 32-1516 Any person who falsely makes or falsely swears to any
7 candidate filing form or any part thereof, fraudulently defaces or
8 destroys any candidate filing form or any part thereof, files or receives
9 for filing any candidate filing form knowing that the form or any part
10 thereof is falsely made, or suppresses any duly filed candidate filing
11 form or any part thereof , ~~or forges or falsely places any initials or~~
12 ~~signatures on any ballot under section 32-916 or 32-947~~ shall be guilty
13 of a Class III felony.

14 **Sec. 37.** Any person who forges or falsely places any initials or
15 signatures on any ballot under section 32-916 or 32-947 shall be guilty
16 of a Class III felony.

17 **Sec. 38.** Section 32-1524, Revised Statutes Cumulative Supplement,
18 2024, is amended to read:

19 32-1524 (1) No judge or clerk of election or precinct or district
20 inspector shall do any electioneering or disseminate information or
21 materials advertising or advocating for or against any ballot measure
22 while acting as an election official.

23 (2) No person shall do any electioneering, disseminate information
24 or materials advertising or advocating for or against any ballot measure,
25 or circulate petitions within any polling place or any building
26 designated for voters to cast ballots by the election commissioner or
27 county clerk pursuant to the Election Act while the polling place or
28 building is set up for voters to cast ballots or within two hundred feet
29 of the entrances to any such polling place or building except as
30 otherwise provided in subsection (4) of this section.

31 (3) No person shall do any electioneering or disseminate information

1 or materials advertising or advocating for or against any ballot measure
2 within two hundred feet of or circulate petitions within fifty feet of
3 any secure ballot drop-box; -

4 (a) For special elections by mail conducted pursuant to section
5 32-953, between the date ballots are mailed and the deadline for the
6 receipt of ballots; and

7 (b) For all other elections, between the date ballots for early
8 voting are mailed and the deadline for the receipt of ballots.

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

14 (5) If an election official or law enforcement officer observes a
15 person violating this section, the election official or law enforcement
16 officer shall inform such person that the person is in violation of this
17 section and warn such person to cease such violation. Any person, who
18 after being warned, persists in ~~Any person~~ violating this section shall
19 be guilty of a Class V misdemeanor.

20 **Sec. 39.** Section 79-3405, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 79-3405 (1) A school district's property tax request may exceed its
23 property tax request authority by an amount approved by a sixty percent
24 majority of legal voters voting on the issue at a special election called
25 for such purpose upon the recommendation of the school board of such
26 school district or upon the receipt by the county clerk or election
27 commissioner of a petition requesting an election signed by at least five
28 percent of the legal voters of the school district. The recommendation of
29 the school board or the petition of the legal voters shall include the
30 amount by which the school board would increase its property tax request
31 for the year over and above the property tax request authority of such

1 school district. The recommendation or petition shall be filed with the
2 election commissioner or county clerk no later than thirty-one days prior
3 to the date of the election. The county clerk or election commissioner
4 shall call for a special election on the issue within thirty days after
5 the receipt of such school board recommendation or legal voter petition.
6 The election shall be held pursuant to the Election Act, and all costs
7 shall be paid by the school district.

8 (2)(a) A school district may increase the base growth percentage
9 used to determine its property tax request authority under section
10 79-3403 by a percentage approved by an affirmative vote of at least
11 seventy percent of the school board of such school district. The maximum
12 base growth percentage that may be approved under this subsection shall
13 be:

14 (i) The base growth percentage that would otherwise be applicable
15 plus an additional seven percent for school districts with an average
16 daily membership of no more than four hundred seventy-one students;

17 (ii) The base growth percentage that would otherwise be applicable
18 plus an additional six percent for school districts with an average daily
19 membership of more than four hundred seventy-one students but no more
20 than three thousand forty-four students;

21 (iii) The base growth percentage that would otherwise be applicable
22 plus an additional five percent for school districts with an average
23 daily membership of more than three thousand forty-four students but no
24 more than ten thousand students; or

25 (iv) The base growth percentage that would otherwise be applicable
26 plus an additional four percent for school districts with an average
27 daily membership of more than ten thousand students.

28 (b) Before a school board votes to increase a school district's base
29 growth percentage under this subsection, the school board shall publish
30 notice of the upcoming vote in a legal newspaper of general circulation
31 in the school district. Such publication shall occur at least one week

1 prior to the public meeting at which the vote will be taken.

2 (3) A school district's property tax request may exceed its property
3 tax request authority pursuant to any property tax authority approved by
4 the voters at a levy override election under section 77-3444 held prior
5 to January 1, 2024.

6 **Sec. 40.** Sections 5, 10, 14, 18, 19, 21, 35, 36, 37, 41, and 44 of
7 this act become operative three calendar months after the adjournment of
8 this legislative session. Sections 15, 25, 26, 42 of this act become
9 operative on January 1, 2027. The other sections of this act become
10 operative on their effective date.

11 **Sec. 41.** Original sections 32-945, 32-949, and 32-1516, Reissue
12 Revised Statutes of Nebraska, sections 32-559, 32-947, and 32-1203,
13 Revised Statutes Cumulative Supplement, 2024, and section 32-912, Revised
14 Statutes Supplement, 2025, are repealed.

15 **Sec. 42.** Original sections 32-915.03, 32-957, and 32-1002.01,
16 Revised Statutes Cumulative Supplement, 2024, are repealed.

17 **Sec. 43.** Original sections 32-228, 32-917, 32-948, 32-1034,
18 32-1035, and 79-3405, Reissue Revised Statutes of Nebraska, sections
19 32-235, 32-622.01, 32-802, 32-903, 32-942, 32-949.01, 32-953, 32-956,
20 32-1031, 32-1121, and 32-1524, Revised Statutes Cumulative Supplement,
21 2024, and sections 32-101, 32-617, 32-624, 32-624.01, 32-803, 32-1013,
22 32-1032, 32-1044, and 32-1119, Revised Statutes Supplement, 2025, are
23 repealed.

24 **Sec. 44.** The following section is outright repealed: Section
25 32-1406, Reissue Revised Statutes of Nebraska.

26 **Sec. 45.** Since an emergency exists, this act takes effect when
27 passed and approved according to law.