

AMENDMENTS TO LB514

(Amendments to Standing Committee amendments, AM853)

Introduced by Slama, 1.

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

3 Section 1. Section 32-101, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 32-101 Sections 32-101 to 32-1551 and sections 3, 5 to 10, 23, 24,
6 32, and 35 of this act shall be known and may be cited as the Election
7 Act.

8 Sec. 2. Section 32-103, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 32-103 For purposes of the Election Act, the definitions found in
11 sections 32-104 to 32-120 and section 3 of this act shall be used.

12 Sec. 3. Valid photographic identification means:

13 (1) An operator's license or a state identification card issued by
14 the Department of Motor Vehicles, regardless of whether the card has
15 passed its expiration date, or a receipt that is valid for up to thirty
16 days and issued under the Motor Vehicle Operator's License Act as a part
17 of the process of issuance of an operator's license or a state
18 identification card;

19 (2) A United States passport;

20 (3) A document issued by a government agency or political
21 subdivision that satisfies all of the following:

22 (a) The document shows the name of the individual to whom the
23 document was issued and the name conforms to the name in the individual's
24 voter registration record;

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

1 (c) One of the items listed as evidence of lawful status in
2 subdivisions (1)(a) through (i) of section 60-484.04 was provided by the
3 individual as part of the issuing process for the document;

4 (d) The agency or political subdivision that issued the document
5 provides the lawful status information from the item provided pursuant to
6 subdivision (c) of this subdivision to the Attorney General; and

7 (e) The document has a mark or symbol displayed on it, as designated
8 by the Secretary of State, indicating that it complies with this
9 subdivision (3) of this section;

10 (4) A document issued by the United States Department of Defense,
11 the United States Department of Veterans Affairs or its predecessor, the
12 Veterans Administration, a branch of the uniformed service as defined in
13 section 85-2902, or a Native American Indian tribe or band recognized by
14 the United States Government that:

15 (a) Shows the name of the individual to whom the document was issued
16 and the name conforms to the name in the individual's voter registration
17 record;

18 (b) Shows a photograph or digital image of the individual to whom
19 the document was issued; and

20 (c) Has no expiration date or states that the document has an
21 indefinite expiration date; or

22 (5) A document that satisfies all of the following:

23 (a) The document shows the name of the individual to whom the
24 document was issued and the name conforms to the name in the individual's
25 voter registration record;

26 (b) The document shows a photograph or digital image of the
27 individual to whom the document was issued;

28 (c) The document was issued by an assisted-living facility, an
29 intermediate care facility, a nursing facility, or a skilled nursing
30 facility, which is licensed under the Health Care Facility Licensure Act
31 and located in the State of Nebraska; and

1 (d) The document (i) indicates on its face that the individual to
2 whom the document was issued is a medicare or medicaid recipient or (ii)
3 has a mark on its face designated by the Secretary of State for
4 signifying that the individual to whom the document was issued is a
5 medicare or medicaid recipient.

6 Sec. 4. Section 32-202, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 32-202 In addition to any other duties prescribed by law, the
9 Secretary of State shall:

10 (1) Supervise the conduct of primary and general elections in this
11 state;

12 (2) Provide training and support for election commissioners, county
13 clerks, and other election officials in providing for day-to-day
14 operations of the office, registration of voters, and the conduct of
15 elections;

16 (3) Enforce the Election Act;

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

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

21 (6) Develop and print forms for use as required by sections 32-308,
22 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

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

25 (8) Require reporting to ensure compliance with sections 32-308 to
26 32-310;

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

29 (10) Develop and print a manual describing the requirements of the
30 initiative and referendum process and distribute the manual to election
31 commissioners and county clerks for distribution to the public upon

1 request;

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

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

5 (13) Establish a free access system, such as a toll-free telephone
6 number or a an Internet website, that any voter who fills out casts a
7 provisional ballot or a ballot for early voting may access to discover
8 whether the vote of that voter was counted and, if the vote was not
9 counted, the reason that the vote was not counted. The Secretary of State
10 shall establish and maintain reasonable procedures necessary to protect
11 the security, confidentiality, and integrity of personal information
12 collected, stored, or otherwise used by the free access system. Access to
13 information about an individual provisional ballot or ballot for early
14 voting shall be restricted to the individual who filled out east the
15 ballot. If a ballot for early voting was not counted due to a failure to
16 include the signature of the witness, the printed name of the witness, or
17 any other required information for the applicable category of witness
18 under the WITNESS OATH on the early voting ballot envelope, the
19 information provided to the voter on the free access system shall include
20 instructions to the voter that the voter may present valid photographic
21 identification to the election commissioner or county clerk or his or her
22 designee on or before the Tuesday after the election for the ballot to be
23 counted;

24 (14) Provide a website dedicated to voter identification
25 requirements and procedures, maintain and regularly update on the website
26 a document entitled "List of Acceptable Forms of Identification" that
27 lists all forms of identification that meet the requirements to qualify
28 as valid photographic identification, maintain on the website a document
29 entitled "Who May Serve as a Ballot Witness" that lists all of the
30 categories of individuals who could serve as a ballot witness and the
31 requirements for each category, and include on the website any

1 information deemed necessary by the State Treasurer;

2 (15) Provide a public awareness campaign regarding the voter
3 identification requirements and procedures, including communication using
4 multiple media and in-person events; and

5 (16) Provide instructions and information to the Department of
6 Health and Human Services, the Department of Motor Vehicles, and the
7 State Department of Education for distribution by such agencies to
8 Nebraska residents regarding the requirement to present valid
9 photographic identification in order to vote and the way to obtain valid
10 photographic identification at no charge.

11 Sec. 5. (1) The State Treasurer shall provide only the following
12 services related to an application for a state identification card or
13 inclusion on the Signature Photo ID List:

14 (a) Assisting applicants in identifying where to procure the
15 necessary documentation;

16 (b) Assisting applicants in procuring necessary documentation to
17 apply for a state identification card or inclusion on the Signature Photo
18 ID List pursuant to subsection (3) of section 9 of this act or section 10
19 of this act, including paying any required fees for necessary
20 documentation;

21 (c) Verifying when a voter is unable to meet lawful status
22 documentation requirements;

23 (d) Notifying the Secretary of State when to place an individual on
24 the Signature Photo ID List; and

25 (e) Any other task deemed necessary by the State Treasurer.

26 (2) The State Treasurer may adopt and promulgate rules and
27 regulations to implement sections 4, 5, 8, 9, and 10 of this act.

28 Sec. 6. (1)(a) Prior to January 15, 2024, the Attorney General
29 shall use the information in the possession of or available to his or her
30 office to match and verify the citizenship of each registered voter who
31 registered to vote prior to January 1, 2024.

1 (b) If the Attorney General has reason to believe, from the
2 information in the possession of or available to his or her office, that
3 a registered voter might not be a citizen of the United States, the
4 Attorney General shall undertake an investigation to determine whether
5 the registered voter is a citizen of the United States. The Attorney
6 General shall attempt to contact the individual to inform the individual
7 of the investigation and seek further information.

8 (2)(a) The Attorney General shall develop a process to use the
9 information in possession of his or her office to match and verify the
10 citizenship of each individual who submits a voter registration
11 application that is otherwise proper.

12 (b)(i) If the Attorney General has reason to believe, from the
13 information in the possession of his or her office, that an applicant
14 might not be a citizen of the United States and there is sufficient time
15 to undertake and complete an investigation without preventing an
16 applicant from being registered to vote by the deadline for the next
17 election for federal office in which the applicant would be entitled to
18 vote, the Attorney General shall undertake an investigation to determine
19 whether the applicant is a citizen of the United States. The Attorney
20 General shall attempt to contact the individual to inform the individual
21 of the investigation and seek further information. The Attorney General
22 shall complete each investigation within a reasonable amount of time and
23 shall make a determination regarding the applicant's citizenship status.

24 (ii) If the Attorney General determines that the individual is not a
25 citizen of the United States, the Attorney General shall inform the
26 Secretary of State. The Secretary of State shall send a notification to
27 the applicant indicating that the application is not proper.

28 (iii) If the Attorney General determines that the applicant is a
29 citizen of the United States, the applicant shall be placed on the list
30 of registered voters.

31 (iv) If the Attorney General determines, during the course of the

1 investigation, that the investigation cannot be completed in time to
2 place the applicant on the list of registered voters in time for the
3 deadline to register to vote for the next election for federal office in
4 which the applicant would be entitled to vote, the Attorney General shall
5 notify the Secretary of State to place the applicant on the list of
6 registered voters. The Attorney General shall proceed with the
7 investigation pursuant to subdivision (c) of this subsection.

8 (c) If the Attorney General has reason to believe, from the
9 information in the possession of his or her office, that an applicant
10 might not be a citizen of the United States and there is insufficient
11 time to undertake or complete an investigation without preventing an
12 applicant from being registered to vote by the deadline for the next
13 election for federal office in which the applicant would be entitled to
14 vote, the applicant shall be placed on the list of registered voters. If
15 required by section 32-304, the Attorney General shall send an
16 acknowledgment of registration. The Attorney General shall undertake an
17 investigation to determine whether the registered voter is a citizen of
18 the United States. The Attorney General shall attempt to contact the
19 individual to inform the individual of the investigation and seek further
20 information.

21 (3) The Attorney General may prosecute any violation of the Election
22 Act discovered pursuant to this section.

23 (4) The Secretary of State shall only remove an individual from the
24 voter registration list pursuant to this section if:

25 (a) The individual requests to be removed from the list of
26 registered voters; or

27 (b) The individual has been convicted of election falsification
28 pursuant to this section.

29 Sec. 7. The Election Integrity Fund is created. The State Treasurer
30 shall transfer from the General Fund to the Election Integrity Fund the
31 amount determined to be necessary to carry out sections 5, 9, and 10 of

1 this act. Any money in the fund available for investment shall be
2 invested by the state investment officer pursuant to the Nebraska Capital
3 Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 8. (1) The Secretary of State shall create and maintain a
5 Signature Photo ID List. A registered voter may apply to the State
6 Treasurer for inclusion on the list under section 9 or 10 of this act.

7 (2) For purposes of section 9 of this act, the State Treasurer shall
8 provide a standard affidavit and prescribe the form for inclusion on the
9 Signature Photo ID List for a registered voter who has a sincerely held
10 religious belief against being photographed and shall provide the
11 standard affidavit to the election commissioners and county clerks.

12 (3) The Secretary of State shall cause a notation that is visible to
13 the election commissioners and county clerks to be placed in the voter
14 registration record for a registered voter placed on the Signature Photo
15 ID List.

16 Sec. 9. (1) An individual who has a sincerely held religious belief
17 against being photographed may apply to the State Treasurer for inclusion
18 on the Signature Photo ID List.

19 (2) The applicant shall execute the affidavit prescribed pursuant to
20 section 8 of this act and submit the affidavit to the State Treasurer or
21 the appropriate election commissioner or county clerk. If an election
22 commissioner or county clerk receives such an affidavit, the election
23 commissioner or county clerk shall check that the signature on such
24 affidavit conforms to the signature on the applicant's voter registration
25 record and shall transmit the affidavit to the State Treasurer. If the
26 affidavit is submitted to the State Treasurer and the State Treasurer
27 certifies that the applicant otherwise qualifies for inclusion on the
28 Signature Photo ID List, the Secretary of State shall verify that the
29 signature on the affidavit conforms to the signature on the applicant's
30 voter registration record before placing the applicant on the Signature
31 Photo ID List.

1 (3)(a) The applicant shall also provide one of the documents
2 referred to in subdivision (3)(c) of section 3 of this act.

3 (b) If an applicant does not have a document referred to in
4 subdivision (3)(c) of section 3 of this act but is a citizen of the
5 United States, the State Treasurer shall assist the applicant to procure
6 such a document.

7 (c) If the State Treasurer determines that the applicant is a
8 citizen of the United States but cannot meet the requirement of
9 subdivision (3)(a) of this section, the State Treasurer may then certify
10 the applicant qualifies for inclusion on the Signature Photo ID List
11 pursuant to section 10 of this act.

12 (4) A registered voter placed on the Signature Photo ID List
13 pursuant to this section shall, after filling out a ballot, submit the
14 ballot in the Signature Photo ID Ballot Envelope pursuant to section 24
15 of this act.

16 Sec. 10. (1) The Secretary of State may place an individual who
17 does not have a document referred to in subdivision (3)(c) of section 3
18 of this act on the Signature Photo ID List if the State Treasurer
19 certifies that all of the following conditions are met:

20 (a) The individual does not have valid photographic identification;

21 (b) The State Treasurer believes that the individual is who the
22 individual claims to be;

23 (c) The State Treasurer believes that the individual is qualified to
24 vote;

25 (d) The State Treasurer has attempted to assist the individual in
26 acquiring the documents necessary to either (i) obtain a state
27 identification card or (ii) be placed on the Signature Photo ID List
28 pursuant to section 9 of this act; and

29 (e) The State Treasurer believes that even with continued good faith
30 efforts by the State Treasurer and the individual, it will not be
31 possible to obtain the necessary documents for the individual to (i)

1 obtain a state identification card or (ii) be placed on the Signature
2 Photo ID List pursuant to section 9 of this act.

3 (2) If the individual does not have a sincerely held religious
4 belief against being photographed, the State Treasurer shall direct the
5 appropriate elections commissioner or county clerk to (a) cause the
6 individual's photograph or digital image to be taken and placed on a
7 certificate that includes the individual's name and the certification of
8 the Secretary of State, (b) print the certificate, and (c) provide the
9 certificate to the individual.

10 (3) The State Treasurer shall be responsible for the payment of all
11 administrative fees associated with procuring the documentation necessary
12 to be placed on the Signature Photo ID List.

13 (4) A registered voter placed on the Signature Photo ID List
14 pursuant to this section shall, after filling out a ballot, submit the
15 ballot in the Signature Photo ID Ballot Envelope pursuant to section 24
16 of this act.

17 Sec. 11. Section 32-301, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 32-301 (1) The Secretary of State shall implement, in a uniform and
20 nondiscriminatory manner, a single, uniform, official, centralized,
21 interactive computerized statewide voter registration list defined,
22 maintained, and administered at the office of the Secretary of State that
23 contains the name and registration information of every legally
24 registered voter in the state and assigns a unique identifier to each
25 legally registered voter in the state. The computerized list shall serve
26 as the single system for storing and managing the official list of
27 registered voters throughout the state and shall comprise the voter
28 registration register. The computerized list shall be coordinated with
29 other agency databases within the state and shall be available for
30 electronic access by election commissioners and county clerks. The
31 computerized list shall serve as the official voter registration list for

1 the conduct of all elections under the Election Act and ~~beginning July 1,~~
2 ~~2019,~~ shall be the basis for electronic poll books at each precinct, if
3 applicable. The Secretary of State shall provide such support as may be
4 required so that election commissioners and county clerks are able to
5 electronically enter voter registration information obtained by such
6 officials on an expedited basis at the time the information is received.
7 The Secretary of State shall provide adequate technological security
8 measures to prevent unauthorized access to the computerized list.

9 (2) The election commissioner or county clerk shall provide for the
10 registration of the electors of the county. Upon receipt of a voter
11 registration application in his or her office from an eligible elector
12 and after compliance with section 6 of this act, the election
13 commissioner or county clerk shall enter the information from the
14 application in the voter registration register and may create an
15 electronic image, photograph, microphotograph, or reproduction in an
16 electronic digital format to be used as the voter registration record.
17 The election commissioner or county clerk shall provide a precinct list
18 of registered voters for each precinct for the use of judges and clerks
19 of election in their respective precincts on election day. The Beginning
20 July 1, 2019, the election commissioner or county clerk may provide an
21 electronic poll book as described in section 32-301.01 to meet the
22 requirements for a precinct list of registered voters.

23 (3) The digital signatures in the possession of the Secretary of
24 State, the election commissioner, or the county clerk shall not be public
25 records as defined in section 84-712.01 and are not subject to disclosure
26 under sections 84-712 to 84-712.09.

27 Sec. 12. Section 32-304, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 32-304 (1) The Secretary of State in conjunction with the Department
30 of Motor Vehicles shall implement a registration application process
31 which may be used statewide to register to vote and update voter

1 registration records electronically using the Secretary of State's
2 website. An applicant who has a valid Nebraska motor vehicle operator's
3 license or state identification card may use the application process to
4 register to vote or to update his or her voter registration record with
5 changes in his or her personal information or other information related
6 to his or her eligibility to vote. For each electronic application, the
7 Secretary of State shall obtain a copy of the electronic representation
8 of the applicant's signature from the Department of Motor Vehicles'
9 records of his or her motor vehicle operator's license or state
10 identification card for purposes of voter registration and electronic
11 poll books.

12 (2) The application shall contain substantially all the information
13 provided in section 32-312 and the following informational statements:

14 (a) An applicant who submits this application electronically is
15 affirming that the information in the application is true. Any applicant
16 who submits this application electronically knowing that any of the
17 information in the application is false shall be guilty of a Class IV
18 felony under section 32-1502 of the statutes of Nebraska. The penalty for
19 a Class IV felony is up to two years imprisonment and twelve months post-
20 release supervision, a fine of up to ten thousand dollars, or both;

21 (b) An applicant who submits this application electronically is
22 agreeing to the use of his or her digital signature from the Department
23 of Motor Vehicles' records of his or her motor vehicle operator's license
24 or state identification card for purposes of voter registration;

25 (c) To vote at the polling place on election day, the completed
26 application must be submitted on or before the third Friday before the
27 election and prior to midnight on such Friday; and

28 (d) The election commissioner or county clerk will, within a
29 reasonable time after ~~upon~~ receipt of the application for registration,
30 send an acknowledgment of registration to the applicant indicating
31 whether the application is proper or not.

1 Sec. 13. Section 32-308, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-308 (1) The Secretary of State and the Director of Motor Vehicles
4 shall enter into an agreement to match information in the computerized
5 statewide voter registration list with information in the database of the
6 Department of Motor Vehicles to the extent required to enable each such
7 official to verify the accuracy of the information, including lawful
8 status, provided on applications for voter registration, motor vehicle
9 operator's licenses, and state identification cards. The Director of
10 Motor Vehicles shall enter into an agreement with the Commissioner of
11 Social Security under section 205(r)(8) of the federal Social Security
12 Act, 42 U.S.C. 405(r)(8), as such section existed on April 17, 2003, for
13 purposes of the Election Act.

14 (2) The Department of Motor Vehicles, with the assistance of the
15 Secretary of State, shall prescribe a voter registration application
16 which may be used to register to vote or change his or her address for
17 voting purposes at the same time an elector applies for an original or
18 renewal motor vehicle operator's license, an original or renewal state
19 identification card, or a replacement thereof. The voter registration
20 application shall contain the information required pursuant to section
21 32-312 and shall be designed so that it does not require the duplication
22 of information in the application for the motor vehicle operator's
23 license or state identification card, except that it may require a second
24 signature of the applicant. The department and the Secretary of State
25 shall make the voter registration application available to any person
26 applying for an operator's license or state identification card. The
27 application shall be completed at the office of the department by the
28 close of business on the third Friday preceding any election to be
29 registered to vote at such election. A registration application received
30 after the deadline shall not be processed by the election commissioner or
31 county clerk until after the election.

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

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

18 (5) For each voter registration application for which information is
19 transmitted electronically pursuant to this section, the Secretary of
20 State shall obtain a copy of the electronic representation of the
21 applicant's signature from the Department of Motor Vehicles' records of
22 his or her motor vehicle operator's license or state identification card
23 for purposes of voter registration. Each voter registration application
24 electronically transmitted under this section shall include information
25 provided by the applicant that includes whether the applicant is a
26 citizen of the United States, whether the applicant is of sufficient age
27 to register to vote, the applicant's residence address, the applicant's
28 postal address if different from the residence address, the date of birth
29 of the applicant, the party affiliation of the applicant or an indication
30 that the applicant is not affiliated with any political party, the
31 applicant's motor vehicle operator's license number, the applicant's

1 previous registration location by city, county, or state, if applicable,
2 and the applicant's signature.

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

7 Sec. 14. Section 32-318.01, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 32-318.01 (1) Nothing in this section shall be construed to allow a
10 person to vote without complying with the requirement to present valid
11 photographic identification as otherwise prescribed in the Election Act.

12 (2)(a) (1)(a) Except as provided by subsection (3) (2) of this
13 section, a person who registers to vote by mail after January 1, 2003,
14 and has not previously voted in an election within the state shall
15 present a photographic identification which is current and valid or a
16 copy of a utility bill, bank statement, government check, paycheck, or
17 other government document which is dated within the sixty days
18 immediately prior to the date of presentation and which shows the same
19 name and residence address of the person provided on the registration
20 application in order to avoid identification requirements at the time of
21 voting pursuant to section 32-914 or 32-947.

22 (b) Such documentation may be presented at the time of application
23 for registration, after submission of the application for registration,
24 or at the time of voting. The documentation must be received by the
25 election commissioner or county clerk not later than 6 p.m. on the second
26 Friday preceding the election to avoid additional identification
27 requirements at the time of voting at the polling place if the voter
28 votes in person. If the voter is voting using a ballot for early voting,
29 the documentation must be received by the election commissioner or county
30 clerk prior to the date on which the ballot is mailed to the voter to
31 avoid additional identification requirements at the time of voting.

1 Documentation received after the ballot has been mailed to the voter but
2 not later than the deadline for the receipt of ballots specified in
3 subsection (2) of section 32-908 will be considered timely for purposes
4 of determining the applicant's eligibility to vote in the election.

5 (c) Such documentation may be presented in person, by mail, or by
6 facsimile transmission.

7 (d) Failure to present such documentation may result in the ballot
8 not being counted pursuant to verification procedures prescribed in
9 sections 32-1002 and 32-1027.

10 ~~(3) This section shall not apply to a (2)~~ A person who registers to
11 vote by mail after January 1, 2003, and has not previously voted in an
12 election within the state ~~shall not be required to present identification~~
13 if he or she:

14 (a) Has provided his or her Nebraska driver's license number or the
15 last four digits of his or her social security number and the election
16 commissioner or county clerk verifies the number provided pursuant to
17 subsection (2) of section 32-312.03;

18 (b) Is a member of the armed forces of the United States who by
19 reason of active duty is absent from his or her place of residence where
20 the member is otherwise eligible to vote;

21 (c) Is a member of the United States Merchant Marine who by reason
22 of service is away from his or her place of residence where the member is
23 otherwise eligible to vote;

24 (d) Is a spouse or dependent of a member of the armed forces of the
25 United States or United States Merchant Marine who is absent from his or
26 her place of residence due to the service of that member;

27 (e) Resides outside the United States and but for such residence
28 would be qualified to vote in the state if the state was the last place
29 in which the person was domiciled before leaving the United States; or

30 (f) Is elderly or handicapped and has requested to vote by
31 alternative means other than by casting a ballot at his or her polling

1 place on election day.

2 Sec. 15. Section 32-902, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-902 (1) The election commissioner or county clerk shall cause
5 instructions for the guidance of registered voters in preparing their
6 ballots to be printed in large, clear type on cards in English. He or she
7 shall furnish at least five such cards to each polling place in each
8 precinct at the same time and in the same manner as the printed ballots.
9 The judges or clerks of election shall post such cards in each voting
10 booth on the day of election. The card shall contain full instructions on
11 preparing and casting ballots, including how to cast a write-in vote. The
12 form and contents of the cards shall be approved by the Secretary of
13 State.

14 (2) The election commissioner or county clerk shall cause voting
15 information to be posted in each polling place on the day of election.
16 The voting information shall include the following information as
17 approved by the Secretary of State:

18 (a) Information regarding the date of the election and the hours
19 during which polling places will be open;

20 (b) Instructions for voters who registered to vote pursuant to
21 section 32-304 or by mail and first-time voters;

22 (c) General information on voting rights under applicable federal
23 and state laws, including information on the right of an individual to
24 fill out ~~cast~~ a provisional ballot and instructions on how to contact the
25 appropriate officials if these rights are alleged to have been violated;
26 and

27 (d) General information on federal and state laws regarding
28 prohibitions on acts of fraud and misrepresentation.

29 Sec. 16. Section 32-914, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 32-914 (1) Official ballots shall be used at all elections. No

1 person shall receive a ballot or be entitled to vote unless and until he
2 or she is registered as a voter except as provided in section 32-914.01,
3 32-914.02, 32-915, 32-915.01, or 32-936.

4 (2) Except as otherwise specifically provided, no ballot shall be
5 handed to any voter at any election until the voter has presented valid
6 photographic identification and stated his or her name and address to the
7 clerk of election. ÷

8 ~~(a) He or she announces his or her name and address to the clerk of~~
9 ~~election;~~

10 (3) In addition to the requirements of subsection (2) of this
11 section and except as otherwise specifically provided, no ballot shall be
12 handed to any voter at any election until:

13 (a) ~~(b)~~ The clerk has found that the voter ~~he or she~~ is a registered
14 voter at the address as shown by the precinct list of registered voters
15 unless otherwise entitled to vote in the precinct under section 32-328,
16 32-914.01, 32-914.02, 32-915, or 32-915.01;

17 (b) ~~As required by section 32-318.01, the~~ ~~(c)~~ The voter has
18 presented a photographic identification which is current and valid at the
19 time of the election, or a copy of a utility bill, bank statement,
20 paycheck, government check, or other government document which is current
21 at the time of the election and which shows the same name and residence
22 address of the voter that is on the precinct list of registered voters,
23 if the voter registered by mail after January 1, 2003, and has not
24 previously voted in an election for a federal office within the county
25 and a notation appears on the precinct list of registered voters that the
26 voter has not previously presented identification to the election
27 commissioner or county clerk;

28 (c) ~~(d)~~ As instructed by the clerk of election, the registered voter
29 has personally written his or her name (i) in the precinct sign-in
30 register on the appropriate line which follows the last signature of any
31 previous voter or (ii) in the combined document containing the precinct

1 list of registered voters and the sign-in register; and

2 (d) ~~(e)~~ The clerk has listed on the precinct list of registered
3 voters the corresponding line number and name of the registered voter or
4 has listed the name of the voter in a separate book as provided in
5 section 32-913.

6 Sec. 17. Section 32-915, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 32-915 (1) A person whose name does not appear on the precinct list
9 of registered voters at the polling place for the precinct in which he or
10 she resides, whose name appears on the precinct list of registered voters
11 at the polling place for the precinct in which he or she resides at a
12 different residence address as described in section 32-914.02, or whose
13 name appears with a notation that he or she received a ballot for early
14 voting may fill out ~~vote~~ a provisional ballot if he or she:

15 (a) Claims that he or she is a registered voter who has continuously
16 resided in the county in which the precinct is located since registering
17 to vote;

18 (b) Is not entitled to vote under section 32-914.01 or 32-914.02;

19 (c) Has not registered to vote or voted in any other county since
20 registering to vote in the county in which the precinct is located;

21 (d) Has appeared to fill out a ballot ~~vote~~ at the polling place for
22 the precinct to which the person would be assigned based on his or her
23 residence address; ~~and~~

24 (e) Has presented valid photographic identification; and

25 (f) ~~(e)~~ Completes and signs a registration application before
26 voting.

27 (2) A voter whose name appears on the precinct list of registered
28 voters for the polling place with a notation that the voter is required
29 to present identification pursuant to section 32-318.01 but fails to
30 present identification may fill out ~~vote~~ a provisional ballot if he or
31 she completes and signs a registration application before voting.

1 (3) If the person's name does not appear on the precinct list of
2 registered voters for the polling place and the judge or clerk of
3 election determines that the person's residence address is located in
4 another precinct within the same county, the judge or clerk of election
5 shall direct the person to the correct polling place for such person to
6 vote.

7 (4) (3) Each person filling out a voting by provisional ballot shall
8 enclose his or her ballot in an envelope marked Provisional Ballot and
9 shall, by signing the certification on the front of the envelope or a
10 separate form attached to the envelope, certify to the following facts:

11 (a) I am a registered voter in County;

12 (b) My name or address did not correctly appear on the precinct list
13 of registered voters without a notation;

14 (c) I registered to vote on or about this date

15 (d) I registered to vote

16 in person at the election office or a voter registration site,

17 by mail,

18 by using the Secretary of State's website,

19 through the Department of Motor Vehicles,

20 on a form through another state agency,

21 in some other way;

22 (e) I have not resided outside of this county or voted outside of
23 this county since registering to vote in this county;

24 (f) My current address is shown on the registration application
25 completed as a requirement for voting by provisional ballot; and

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

28 (5) (4) The voter shall sign the certification under penalty of
29 election falsification. The following statements shall be on the front of
30 the provisional ballot envelope or on the attached form: By signing the
31 front of this envelope or the attached form, you are certifying to the

1 information contained on this envelope or the attached form under penalty
2 of election falsification. Election falsification is a Class IV felony
3 and may be punished by up to two years imprisonment and twelve months
4 post-release supervision, a fine of up to ten thousand dollars, or both.

5 (6) A voter who is included on the Signature Photo ID List and who
6 fills out a provisional ballot shall place the provisional ballot
7 envelope inside a Signature Photo ID Ballot Envelope pursuant to section
8 24 of this act.

9 (7) A ballot filled out pursuant to this section shall not be deemed
10 to be cast until the election commissioner or county clerk, pursuant to
11 section 32-1002, has verified the information submitted by the voter and
12 has placed the ballot with the ballots to be counted ~~(5) If the person's~~
13 ~~name does not appear on the precinct list of registered voters for the~~
14 ~~polling place and the judge or clerk of election determines that the~~
15 ~~person's residence address is located in another precinct within the same~~
16 ~~county, the judge or clerk of election shall direct the person to his or~~
17 ~~her correct polling place to vote.~~

18 Sec. 18. Section 32-915.01, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 32-915.01 Any person who votes in an election for federal office as
21 a result of a federal or state court order or any other order extending
22 the time established for closing the polls pursuant to a state law in
23 effect ten days before the date of that election may only vote in that
24 election by filling out ~~casting~~ a provisional ballot as described in
25 section 32-915.

26 Sec. 19. Section 32-916, Revised Statutes Cumulative Supplement,
27 2022, is amended to read:

28 32-916 (1) Two judges of election or a precinct inspector and a
29 judge of election shall affix their initials to the official ballots. The
30 judge of election shall deliver a ballot to each registered voter after
31 complying with section 32-914.

1 (2) After filling out or voting the ballot, the registered voter
2 shall, as directed by the judge of election, fold his or her ballot or
3 place the ballot in the provisional ballot envelope or ballot sleeve so
4 as to conceal the voting marks and to expose the initials affixed on the
5 ballot. The registered voter shall, without delay and without exposing
6 the voting marks upon the ballot, deliver the ballot to the judge of
7 election before leaving the enclosure in which the voting booths are
8 placed.

9 (3) The judge of election shall, without exposing the voting marks
10 on the ballot, approve the exposed initials upon the ballot and deposit
11 the ballot in the ballot box or the precinct-based optical scanner in the
12 presence of the registered voter. No judge of election shall deposit any
13 ballot in a ballot box unless the ballot has been identified as having
14 the appropriate initials. Any ballot not properly identified shall be
15 rejected in the presence of the voter, the judge of election shall make a
16 notation on the ballot Rejected, not properly identified, and another
17 ballot shall be issued to the voter and the voter shall then be permitted
18 to cast his or her ballot. If the ballot is in order, the judge shall
19 deposit the ballot in the ballot box or the precinct-based optical
20 scanner in the presence of the voter and the voter shall promptly leave
21 the polling place. If a precinct uses a precinct-based optical scanner
22 and a ballot is identified by the scanner as containing an overvote or an
23 undervote, the voter shall be notified of the consequence of an overvote
24 and the right to vote in the case of an undervote, whichever is
25 applicable. The judges of election shall maintain the secrecy of the
26 rejected ballots and shall cause the rejected ballots to be made up in a
27 sealed packet. The judges of election shall endorse the packet with the
28 words Rejected Ballots and the designation of the precinct. The judges of
29 election shall sign the endorsement label and shall return the packet to
30 the election commissioner or county clerk with a statement by the judges
31 of election showing the number of ballots rejected.

1 (4) Upon receiving a provisional ballot as provided in section
2 32-915, the judge of election shall give the voter written information
3 that states that the voter may determine if his or her vote was counted
4 and, if not, the reason that the vote was not counted by accessing the
5 system created pursuant to section 32-202 and the judge of election shall
6 ensure that the appropriate information is on the outside of the
7 provisional ballot envelope in which the ballot is enclosed or attached
8 to the provisional ballot envelope, attach the statement required by
9 section 32-915 if not contained on the provisional ballot envelope, and
10 place the entire provisional ballot envelope into the ballot box. Upon
11 receiving a provisional ballot as provided in section 32-915.01, the
12 judge of election shall comply with the requirements for a provisional
13 ballot under this subsection, except that a provisional ballot filled out
14 ~~cast~~ pursuant to section 32-915.01 shall be kept separate from the other
15 ballots cast at the election.

16 Sec. 20. Section 32-929, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-929 If a person is challenged on the ground that he or she is not
19 a resident of this state, the county, or the precinct, the person shall
20 answer the following questions on the form provided by the election
21 commissioner or county clerk:

22 Do you have a residence in this state: Yes or No?

23 Do you have a residence in this county: Yes or No?

24 Do you have a residence in this precinct: Yes or No?

25 If a person has moved from one residence to another within the
26 precinct in which he or she is registered to vote, such voter shall be
27 entitled to vote as provided in section 32-914.02. If a person has moved
28 from one residence to another within the county in which he or she is
29 registered to vote, such voter shall be entitled to fill out ~~vote~~ a
30 provisional ballot as provided in section 32-915.

31 Sec. 21. Section 32-942, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 32-942 ~~(1)(a)~~ ~~(1)~~ Except as otherwise provided in subsection (2) of
3 this section, a registered voter of this state who anticipates being
4 absent from the county of his or her residence on the day of any election
5 may appear in person before the election commissioner or county clerk not
6 more than thirty days prior to the day of election, present valid
7 photographic identification, and obtain his or her ballot. The registered
8 voter shall vote the ballot in the office of the election commissioner or
9 county clerk or shall return the ballot to the office not later than the
10 closing of the polls on the day of the election. If the registered voter
11 does not vote the ballot in the office of the election commissioner or
12 county clerk and returns the ballot to the office before the closing of
13 polls on the day of the election, the voter shall present valid
14 photographic identification before the ballot is accepted. If a voter
15 fails to produce valid photographic identification upon returning the
16 ballot, the voter shall fill out a provisional voter identification
17 verification envelope pursuant to section 23 of this act.

18 (b) A registered voter who is present in the county on the day of
19 the election and who chooses to vote on the day of the election shall
20 vote at the polling place assigned to the precinct in which he or she
21 resides unless he or she is returning a ballot for early voting or
22 submitting a ballot voting pursuant to section 32-943.

23 ~~(2)(a)~~ ~~(2)~~ If a person registers to vote and requests a ballot at
24 the same time under this section, he or she shall, in addition to the
25 identification requirements of subsection (1) of this section, (i)(A) ~~(a)~~
26 ~~(i)~~ present valid photographic identification that confirms the address
27 at which the voter is registered to vote or one of the address
28 confirmation documents as prescribed in subdivision (2)(a) ~~(1)(a)~~ of
29 section 32-318.01, (B) ~~(ii)~~ present proof that he or she is a member of
30 the armed forces of the United States who by reason of active duty has
31 been absent from his or her place of residence where the member is

1 otherwise eligible to vote, is a member of the United States Merchant
2 Marine who by reason of service has been away from his or her place of
3 residence where the member is otherwise eligible to vote, is a spouse or
4 dependent of a member of the armed forces of the United States or United
5 States Merchant Marine who has been absent from his or her place of
6 residence due to the service of that member, or resides outside the
7 United States and but for such residence would be qualified to vote in
8 the state if the state was the last place in which the person was
9 domiciled before leaving the United States, or (C) ~~(iii)~~ state that he or
10 she is elderly or handicapped and has requested to vote by alternative
11 means other than by casting a ballot at his or her polling place on
12 election day or (ii) fill out (b) ~~vote~~ a ballot which is placed in a
13 provisional voter identification verification ~~an~~ envelope with the
14 voter's name and address and other necessary identifying information and
15 kept securely for counting as provided in this subsection. This
16 subsection does not extend the deadline for voter registration specified
17 in section 32-302.

18 (b) A ballot filled out ~~cast~~ pursuant to subdivision (a)(ii) ~~(b)~~ of
19 this subsection shall be rejected and shall not be counted if (i) the
20 acknowledgment of registration sent to the registrant pursuant to section
21 32-322 is returned as undeliverable for a reason other than clerical
22 error within ten days after it is mailed or (ii) the voter fails to
23 present valid photographic identification to the election commissioner or
24 county clerk or his or her designee on or before the Tuesday after the
25 election, if applicable. ~~After , otherwise after~~ such ten-day period, the
26 ballot shall be counted.

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

30 Sec. 22. Section 32-943, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-943 (1) Any registered voter who is permitted to vote early
2 pursuant to section 32-938 may appoint a member of the voter's household
3 as an agent to submit a request for a ballot for early voting on the
4 voter's ~~his or her~~ behalf pursuant to this subsection. The registered
5 voter or his or her agent may request that the ballot be sent to the
6 registered voter by mail or indicate on the request that the agent will
7 personally pick up the ballot for such registered voter from the office
8 of the election commissioner or county clerk. A registered voter or an
9 agent acting on behalf of a registered voter shall request a ballot in
10 writing to the election commissioner or county clerk in the county where
11 the registered voter has established his or her residence, shall
12 acknowledge that only the voter is permitted to return the ballot to the
13 election office unless an agent is authorized pursuant to subsection (2)
14 of this section, and shall indicate the voter's residence address, the
15 address to which the ballot is to be mailed if different, and the voter's
16 telephone number if available and precinct if known. The registered voter
17 or the voter's agent may use the form published by the election
18 commissioner or county clerk pursuant to section 32-808. The registered
19 voter or his or her agent shall sign the request.

20 (2) Any registered voter who is permitted to vote early pursuant to
21 section 32-938 and who the Secretary of State has determined is unable to
22 vote at the polls on election day or appear before an undesignated
23 witness due to a mobility-related issue may apply to the Secretary of
24 State or to the election commissioner or county clerk in a manner
25 prescribed by the Secretary of State for the appointment of an agent to
26 witness and return the voter's ballot in compliance with section 32-1027.
27 Upon receipt and verification of such an application, the Secretary of
28 State shall work with the election commissioner or county clerk to
29 arrange for such an agent and shall pay the costs associated with such
30 arrangement.

31 (3) Only the following persons shall be eligible to serve as an

1 agent as described in subsection (2) of this section: (a) An individual
2 registered to vote in the State of Nebraska; (b) an individual who is a
3 notary public under the law of any state or territory of the United
4 States; (c) a Consular Officer of any United States embassy; or (d) a
5 person authorized to perform notarial acts pursuant to 10 U.S.C. 1044a,
6 as such section existed on January 1, 2023. ~~(2)~~ A candidate for office at
7 such election and any person serving on a campaign committee for such a
8 candidate shall not act as an agent for any registered voter requesting a
9 ballot pursuant to this section unless such person is a member of the
10 registered voter's family. ~~No person shall act as agent for more than two~~
11 registered voters in any election.

12 (4) ~~(3)~~ The agent shall pick up the ballot before one hour prior to
13 the closing of the polls on election day and deliver the ballot to the
14 registered voter. The ballot shall be returned not later than the closing
15 of the polls on the day of the election and shall be returned in an early
16 voting ballot envelope as provided in section 32-947.

17 (5) ~~(4)~~ The election commissioner or county clerk shall adopt
18 procedures for the distribution of ballots under this section.

19 Sec. 23. (1) If a registered voter fails to produce valid
20 photographic identification (a) at the polling place and the voter's name
21 appears on the precinct list of registered voters for the polling place
22 without a notation that the voter is on the Signature Photo ID List, (b)
23 at the time of returning the ballot pursuant to subsection (1) of section
24 32-942, or (c) at the time of filling out the ballot for early voting in
25 person at the office of the election commissioner or county clerk, the
26 voter shall fill out a provisional voter identification verification
27 envelope.

28 (2) If a voter is otherwise entitled to fill out a provisional
29 ballot pursuant to section 32-915 but fails to produce valid photographic
30 identification, the voter shall fill out the provisional ballot in
31 compliance with section 32-915 and shall also fill out a provisional

1 voter identification verification envelope. The voter's provisional
2 ballot envelope containing the provisional ballot shall be enclosed
3 inside the provisional voter identification verification envelope.

4 (3) Each voter filling out a ballot using a provisional voter
5 identification verification envelope shall enclose the ballot in an
6 envelope marked provisional voter identification verification and shall,
7 by signing the certification on the front of the envelope, certify to the
8 following facts:

9 (a) My name is (full legal name);

10 (b) I am registered to vote at (residence address);

11 (c) I did not provide valid photographic identification as required
12 by law;

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

15 (e) I acknowledge that if I do not appear in person at my county
16 election office and provide valid photographic identification to an
17 official in that office on or before the Tuesday after the election, my
18 ballot will not be counted.

19 (4) The voter shall sign the certification under penalty of election
20 falsification. The following statements shall be on the front of the
21 provisional voter identification verification envelope: By signing the
22 front of this envelope, you are certifying to the information contained
23 on this envelope under penalty of election falsification. Election
24 falsification is a Class IV felony and may be punished by up to two years
25 imprisonment and twelve months post-release supervision, a fine of up to
26 ten thousand dollars, or both.

27 Sec. 24. (1) Any voter who has been placed on the Signature Photo
28 ID List may fill out a ballot and shall submit it enclosed in a Signature
29 Photo ID Ballot Envelope either (a) early pursuant to sections 32-941 to
30 32-943 or (b) at the voter's assigned polling place on election day.

31 (2) If the voter filed an affidavit with the Secretary of State

1 declaring the voter's sincerely held religious belief against being
2 photographed, the voter is not required to do anything more than sign the
3 certification on the Signature Photo ID Ballot Envelope and does not need
4 to have the signature witnessed. If the voter has not filed such an
5 affidavit with the Secretary of State, the voter is required to appear
6 before a witness and present the certificate issued to the voter by the
7 Secretary of State under section 10 of this act for identity
8 verification.

9 (3) Only the following persons shall be eligible to verify the
10 identity of the voter and sign the Signature Photo ID Ballot Envelope as
11 a witness: (a) An individual registered to vote in the State of Nebraska;
12 (b) an individual who is a notary public under the law of any state or
13 territory of the United States; (c) a Consular Officer of any United
14 States embassy; or (d) a person authorized to perform notarial acts
15 pursuant to 10 U.S.C. 1044a, as such section existed on January 1, 2023.
16 The witness shall sign an oath on the envelope under the penalty of
17 election falsification. If the witness is a notary public or a person
18 authorized to perform notarial acts, the witness shall notarize the
19 document according to the law under which the notary public or person is
20 authorized to perform notarial acts.

21 (4) Each Signature Photo ID Ballot Envelope shall be labeled
22 "SIGNATURE PHOTO ID BALLOT ENVELOPE". The envelope shall have printed
23 upon its face the official title and post office address of the election
24 commissioner or county clerk and shall have a form printed on it
25 substantially as follows:

26 VOTER'S OATH

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

31 To the best of my knowledge and belief, I declare under penalty of

1 election falsification that:

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

4 (b) I reside in the State of Nebraska at _____
5 (residence address);

6 (c) I have applied to be on, and have been notified by the Secretary
7 of State in writing that I am on, the Signature Photo ID List;

8 (d) I have filled out the enclosed ballot and am returning it in
9 compliance with Nebraska law; and

10 (e) I have not voted and will not vote in this election except by
11 this ballot.

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

18 I understand that if I have NOT filed an affidavit declaring my
19 SINCERELY HELD RELIGIOUS BELIEF AGAINST BEING PHOTOGRAPHED with the
20 Secretary of State, I am required to appear before a witness and present
21 the certificate issued to me by the Secretary of State for identity
22 verification. If I have filed an affidavit with the Secretary of State
23 declaring my sincerely held religious belief against being photographed,
24 I am not required to do anything more than sign below and do not need to
25 have my signature witnessed.

26 I also understand that failure to sign below will invalidate my
27 ballot.

28 Signature _____

29 WITNESS INSTRUCTIONS

30 1. You must be registered to vote in the State of Nebraska to
31 witness this ballot envelope or be a notary public under the law of any

1 state or territory of the United States, a Consular Officer of any United
2 States embassy, or a person authorized to perform notarial acts pursuant
3 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. A full
4 list of persons who may serve as a witness was sent to the voter with the
5 ballot provided pursuant to this section.

6 2. Verify with the voter that the voter has NOT filed an affidavit
7 with the Secretary of State declaring a sincerely held religious belief
8 against being photographed. If the voter has filed such an affidavit, the
9 witness oath is not required and the voter should sign and submit the
10 Signature Photo ID Ballot Envelope.

11 3. Verify that the ballot envelope is sealed.

12 4. Verify that the identification presented by the voter is a
13 certificate issued by the Secretary of State for inclusion on the
14 Signature Photo ID List.

15 5. Verify that the name written on the ballot envelope matches the
16 name on the certificate the voter presents and that the individual
17 pictured on the certificate is the individual before you.

18 6. Instruct the voter to sign the ballot envelope on the space
19 provided.

20 7. If you are a notary public or a person authorized to perform
21 notarial acts, notarize the document according to the law under which you
22 are authorized to perform notarial acts.

23 8. Print your name and any other applicable information and sign the
24 WITNESS OATH in the space provided below.

25 WITNESS OATH

26 I, the undersigned witness, declare under penalty of election
27 falsification that the voter's oath was executed in the manner prescribed
28 by the WITNESS INSTRUCTIONS, that the person who signed the ballot
29 envelope was the voter indicated on the voter's oath, that I verified the
30 voter's identity with the certificate issued to the voter by the
31 Secretary of State for inclusion on the Signature Photo ID List, and that

1 I witnessed that voter sign the ballot envelope.

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

8 I,, am a registered voter in
9 County, Nebraska, and I reside in the State of Nebraska
10 at (residence address).

11 OR

12 I,, am authorized to perform notarial acts under
13 state...../territory...../federal law (circle
14 appropriate jurisdiction and, if applicable, fill in space with state or
15 territory name), or am a Consular Officer of the U.S. Embassy
16 in If applicable, my commission number or other
17 identification number is

18 Signature Print name

19 Sec. 25. Section 32-947, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 32-947 (1) Upon receipt of an application or other request for a
22 ballot to vote early, the election commissioner or county clerk shall
23 determine whether the applicant is a registered voter and is entitled to
24 vote as requested. If the election commissioner or county clerk
25 determines that the applicant is a registered voter entitled to vote
26 early and the application was received not later than the close of
27 business on the second Friday preceding the election, the election
28 commissioner or county clerk shall deliver a ballot to the applicant in
29 person or by mail, postage paid. The election commissioner or county
30 clerk or any employee of the election commissioner or county clerk shall
31 write or cause to be affixed his or her customary signature or initials

1 on the ballot.

2 (2) If the voter is on the Signature Photo ID List, an unsealed
3 Signature Photo ID Ballot Envelope shall be delivered with the ballot.

4 (3) If the voter is not on the Signature Photo ID List, an early
5 voting ballot ~~(2) An unsealed identification~~ envelope shall be delivered
6 with the ballot, and upon the back of the envelope shall be printed a
7 form substantially as follows:

8 VOTER'S OATH

9 I, the undersigned voter, declare that the enclosed ballot or
10 ballots contained no voting marks of any kind when I received them, and I
11 caused the ballot or ballots to be marked, enclosed in the early voting
12 ballot identification envelope, and sealed in such envelope.

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

15 (a) I,, am a registered voter
16 in County;

17 (b) I reside in the State of Nebraska at
18 (residence address);

19 (c) I have filled out ~~voted~~ the enclosed ballot and am returning it
20 in compliance with Nebraska law; and

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

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

29 I also understand that failure to appear before a witness, present
30 valid photographic identification to the witness, and sign below will
31 invalidate my ballot.

1 Signature (DO NOT SIGN UNTIL PRESENT BEFORE A WITNESS AND INSTRUCTED
2 TO DO SO).....

3 WITNESS INSTRUCTIONS

4 1. You must be registered to vote in the State of Nebraska to
5 witness this ballot envelope or be a notary public under the law of any
6 state or territory of the United States, a Consular Officer of any United
7 States embassy, or a person authorized to perform notarial acts pursuant
8 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. A full
9 list of persons who may serve as a witness was sent to the voter with the
10 ballot provided pursuant to this section.

11 2. Verify that the ballot envelope is sealed.

12 3. Verify that the identification presented by the voter is a type
13 of identification listed on the document entitled "List of Acceptable
14 Forms of Identification." This document was sent to the voter with the
15 ballot and is also available at (the URL of the website provided pursuant
16 to subdivision (13) of section 32-202).

17 4. Verify that the name written on the ballot envelope matches the
18 name on the identification the voter presents and that the individual
19 pictured on the identification is the individual appearing before you.

20 5. Instruct the voter to sign the ballot envelope on the space
21 provided.

22 6. If you are a notary public or a person authorized to perform
23 notarial acts, notarize the document according to the law under which you
24 are authorized to perform notarial acts.

25 7. Print your name and any other applicable information and sign the
26 WITNESS OATH in the space provided below.

27 WITNESS OATH

28 I, the undersigned witness, declare under penalty of election
29 falsification that the voter's oath was executed in the manner prescribed
30 by the WITNESS INSTRUCTIONS, that the person who signed the ballot
31 envelope was the voter indicated on the voter's oath, that I verified the

1 voter's identity with one of the forms of identification listed on the
2 document entitled "List of Acceptable Forms of Identification," and that
3 I witnessed that voter sign the ballot envelope.

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

10 I,, am a registered voter in
11 County, Nebraska, and I reside in the State of Nebraska
12 at (residence address).

13 OR

14 I,, am authorized to perform notarial acts under
15 state...../territory...../federal law (circle
16 appropriate jurisdiction and, if applicable, fill in space with state or
17 territory name), or am a Consular Officer of the U.S. Embassy
18 in If applicable, my commission number or other
19 identification number is

20 Signature Print name

21 ~~(4) The early voting ballot (3) If the ballot and identification~~
22 ~~envelope will be returned by mail or by someone other than the voter, the~~
23 ~~election commissioner or county clerk shall include with the ballot an~~
24 ~~identification envelope upon the face of which shall have be printed on~~
25 ~~its face the official title and post office address of the election~~
26 ~~commissioner or county clerk.~~

27 ~~(5) (4) The election commissioner or county clerk shall also enclose~~
28 ~~with the ballot materials:~~

29 ~~(a)(i) If (a) A registration application, if the election~~
30 ~~commissioner or county clerk has determined that the applicant is not a~~
31 ~~registered voter pursuant to section 32-945, a registration application~~

1 with instructions that failure to return the completed and signed
2 application indicating the residence address as it appears on the voter's
3 request for a ballot to the election commissioner or county clerk by the
4 close of the polls on election day will result in the ballot not being
5 counted; or

6 (ii) If the voter is without a residence address, a (b) A
7 registration application and the oath pursuant to section 32-946, ~~if the~~
8 ~~voter is without a residence address,~~ with instructions that the
9 residence address of the voter shall be deemed that of the office of the
10 election commissioner or county clerk of the county of the voter's prior
11 residence and that failure to return the completed and signed application
12 and oath to the election commissioner or county clerk by the close of the
13 polls on election day will result in the ballot not being counted; ~~or~~

14 (b) If the voter is required to present identification under section
15 32-318.01, written (c) Written instructions directing the voter to submit
16 a photocopy copy of an identification document pursuant to such section
17 32-318.01 if the voter is required to present identification under such
18 section and advising the voter that failure to submit such identification
19 to the election commissioner or county clerk by the close of the polls on
20 election day will result in the ballot not being counted; ~~or~~

21 (c) Written instructions that inform the voter that (i) the voter
22 should check the status of the ballot on the free access system created
23 pursuant to section 32-202 or by calling the office of the election
24 commissioner or county clerk and (ii) if the ballot is not accepted due
25 to a defect in witnessing, the voter may present valid photographic
26 identification to the election commissioner or county clerk or his or her
27 designee on or before the Tuesday after the election for the ballot to be
28 counted;

29 (d) If the voter is not on the Signature Photo ID List, a printed
30 copy of the document entitled "List of Acceptable Forms of
31 Identification" as it appears on the website provided pursuant to

1 subdivision (14) of section 32-202; and

2 (e) If there is not a notation in the voter's voter registration
3 record that the voter has a sincerely held religious belief against being
4 photographed, a printed copy of the document entitled "Who May Serve as a
5 Ballot Witness" as it appears on the website provided pursuant to
6 subdivision (14) of section 32-202.

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

12 Sec. 26. Section 32-949, Reissue Revised Statutes of Nebraska, is
13 amended to read:

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

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

30 (a) Place the marked ballot in the early voting ballot
31 identification envelope received for that purpose in such a manner that

1 the signature of the issuing officer on the ballot is visible;

2 (b) Complete and sign the voter's oath on the outside of the early
3 voting ballot identification envelope under the penalty of election
4 falsification and in the presence of a witness;

5 (c) Enclose, in the early voting ballot identification envelope or
6 separately in the return envelope if one has been provided, his or her
7 completed registration application if one was provided pursuant to
8 section 32-945 or 32-946, a copy of his or her identification document if
9 such identification has been requested, and the oath completed and signed
10 by a voter without a residence address if required pursuant to section
11 32-946;

12 (d) Ensure that the early voting ballot identification envelope or
13 return envelope is sealed; and

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

17 (3) In order to verify the identity of the voter and sign the early
18 voting ballot envelope as a witness, an individual shall be registered to
19 vote in the State of Nebraska or be a notary public under the law of any
20 state or territory of the United States, a Consular Officer of any United
21 States embassy, or a person authorized to perform notarial acts pursuant
22 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. The
23 witness shall sign an oath on the envelope under the penalty of election
24 falsification. If the witness is a notary public or a person authorized
25 to perform notarial acts, the witness shall notarize the document
26 according to the law under which the notary public or person is
27 authorized to perform notarial acts.

28 (4) ~~(3)~~ All postage costs related to returning such ballots and
29 required materials, if any, to the election commissioner or county clerk
30 shall be paid by the applicant.

31 Sec. 27. Section 32-949.01, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 32-949.01 (1) If a ballot for early voting is destroyed, spoiled,
3 lost, or not received by the registered voter, the voter may fill out
4 ~~east~~ a provisional ballot pursuant to section 32-915 at the voter's
5 polling place on election day or may obtain a replacement ballot from the
6 election commissioner or county clerk by signing a statement on a form
7 prescribed by the Secretary of State that the original ballot for early
8 voting was destroyed, spoiled, lost, or not received and delivering the
9 statement to the election commissioner or county clerk.

10 (2) If the voter mails the statement or uses electronic mail or a
11 facsimile machine for the submission of the statement, the election
12 commissioner or county clerk shall not mail a replacement ballot to the
13 voter unless the statement is received by 6 p.m. on the second Friday
14 preceding the election. To receive a replacement ballot in person, the
15 voter shall return the statement to the office of the election
16 commissioner or county clerk by the deadline for the receipt of ballots
17 specified in subsection (2) of section 32-908.

18 (3) The election commissioner or county clerk shall verify the
19 signature on the statement with the signature appearing on the voter
20 registration records.

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

28 Sec. 28. Section 32-953, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-953 (1) Except as otherwise provided in subsection (2) of this
31 section, the election commissioner or county clerk shall mail the

1 official ballot to all registered voters of the political subdivision or
2 the district or ward of the political subdivision at the addresses
3 appearing on the voter registration register on the same day. The ballots
4 shall be mailed by nonforwardable first-class mail not sooner than the
5 twenty-second day before the date set for the election and not later than
6 the tenth day before the date set for the election. The election
7 commissioner or county clerk shall include with the ballot an unsealed
8 Signature Photo ID Ballot Envelope or early voting ballot identification
9 envelope meeting the requirements of subsection (2) or (3) of section
10 32-947 and instructions sufficient to describe the voting process.

11 (2) The election commissioner or county clerk may choose not to mail
12 a ballot to all registered voters who have been sent a notice pursuant to
13 section 32-329 and failed to respond to the notice. If the election
14 commissioner or county clerk chooses not to mail a ballot to such voters,
15 he or she shall mail a notice to all such registered voters explaining
16 how to obtain a ballot and stating the applicable deadlines.

17 Sec. 29. Section 32-954, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 32-954 Upon receipt of the official ballot, the registered voter
20 shall mark it, seal the ballot in the ballot identification envelope
21 supplied with the ballot as provided in section 32-953, sign the ballot
22 identification envelope, and comply with the instructions provided with
23 the ballot. The voter may return the ballot to the election commissioner
24 or county clerk by mailing it or by personally delivering it to the
25 office of the election commissioner or county clerk. The deadline for
26 receipt of the ballot is 5 p.m. on the date set for the election. The
27 official ballot must be returned in the ballot identification envelope.
28 The registered voter shall, by signing the ballot envelope, certify to
29 the facts contained on the envelope. The election commissioner or county
30 clerk shall keep the ballot identification envelopes received from
31 registered voters unopened in a fireproof safe or other suitable location

1 which is locked until delivered to the counting board.

2 Sec. 30. Section 32-957, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-957 An official ballot under section 32-953 shall be counted only
5 if it is returned in the ballot identification envelope supplied with the
6 ballot, the ballot envelope is signed by the voter to whom it was issued,
7 and the signature is verified by the election commissioner or county
8 clerk. The election commissioner or county clerk shall verify the
9 signature on each ballot identification envelope received in his or her
10 office with the signature appearing on the voter registration records. If
11 the election commissioner or county clerk is unable to verify a
12 signature, the election commissioner or county clerk shall contact the
13 voter within two days after determining that he or she is unable to
14 verify the signature to ascertain whether the voter filled out and
15 returned ~~cast~~ a ballot. The election commissioner or county clerk may
16 request that the registered voter sign and submit a current signature
17 card pursuant to section 32-318. The election commissioner or county
18 clerk may begin verifying the signatures as the ballot envelopes are
19 received in his or her office. If the election commissioner or county
20 clerk determines that a voter has filled out and returned ~~voted~~ more than
21 one ballot ~~once~~, no ballot filled out and returned ~~cast~~ by that voter in
22 that election shall be counted. The election commissioner or county clerk
23 shall make public any record or list of registered voters who have
24 returned their ballots.

25 Sec. 31. Section 32-1002, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 32-1002 (1) As the ballots are removed from the ballot box pursuant
28 to sections 32-1012 to 32-1018, the receiving board shall separate the
29 provisional ballot envelopes containing the provisional ballots from the
30 rest of the ballots and deliver them to the election commissioner or
31 county clerk.

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

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

20 (4) A provisional ballot filled out ~~east~~ by a voter pursuant to
21 section 32-915 shall be counted if:

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

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

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

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

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

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

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

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

11 (5) A provisional ballot filled out ~~east~~ by a voter pursuant to
12 section 32-915 shall not be counted if any of the following apply:

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

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

19 (c) Credible evidence exists that the voter has voted elsewhere or
20 has otherwise submitted a ballot for early voting ~~voted early~~;

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

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

28 (f) If the voter is voting in a primary election, the party
29 affiliation on the registration application completed as prescribed in
30 subsection (6) of this section ~~prior to voting the provisional ballot~~ is
31 different than the party affiliation that appears on the voter's voter

1 registration record based on his or her previous registration
2 application;~~or~~

3 (g) The voter failed to complete and sign the certification on the
4 envelope or form attached to the envelope pursuant to subsection (4) ~~(3)~~
5 of section 32-915; ~~or~~

6 (h) The voter failed to present valid photographic identification;
7 or

8 (i) If the voter is on the Signature Photo ID List, the Signature
9 Photo ID Ballot Envelope is incomplete.

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

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

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

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

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

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

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

30 Sec. 32. (1) As the ballots are removed from the ballot box
31 pursuant to sections 32-1012 to 32-1018, the receiving board shall

1 separate the provisional voter identification verification envelopes and
2 Signature Photo ID Ballot Envelopes from the rest of the ballots and
3 deliver them to the election commissioner or county clerk.

4 (2) Upon receipt of a provisional voter identification verification
5 envelope or Signature Photo ID Ballot Envelope, the election commissioner
6 or county clerk shall verify that the certificate on the front of the
7 envelope is in proper form and that the certification has been signed by
8 the voter.

9 (3) The election commissioner or county clerk shall also verify that
10 such person has not voted anywhere else in the county.

11 (4) A ballot filled out by a voter and placed in a provisional voter
12 identification verification envelope pursuant to section 23 of this act
13 shall be counted only if:

14 (a) The voter presents valid photographic identification to the
15 election commissioner or county clerk or his or her designee on or before
16 the Tuesday after the election; and

17 (b) The voter completed and signed the certification on the
18 provisional voter identification verification envelope.

19 (5) A ballot filled out by a voter and placed in a Signature Photo
20 ID Ballot Envelope pursuant to section 24 of this act shall be counted
21 only if:

22 (a) The voter is on the Signature Photo ID List;

23 (b) The election commissioner or county clerk verifies that the
24 signature on the envelope conforms to the signature on the individual's
25 voter registration record; and

26 (c) The envelope meets one of the following criteria:

27 (i) The envelope was filled out and signed by a voter whose record
28 indicates that the voter has a sincerely held religious belief against
29 being photographed;

30 (ii) The envelope was filled out and signed by a voter whose record
31 does not indicate that the voter has a sincerely held religious belief

1 against being photographed and the envelope was signed by a witness
2 declaring that the witness verified the voter's identity with a
3 certificate issued by the Secretary of State pursuant to section 10 of
4 this act; or

5 (iii) The envelope was filled out and signed by a voter whose record
6 does not indicate that the voter has a sincerely held religious belief
7 against being photographed, the envelope was not signed by a witness
8 declaring that the witness verified the voter's identity, and the voter
9 presented a certificate issued by the Secretary of State pursuant to
10 section 10 of this act verifying the voter's identity to the election
11 commissioner or county clerk or his or her designee on or before the
12 Tuesday after the election.

13 (6) Upon determining that the voter has complied with subsection (4)
14 or (5) of this section, the election commissioner or county clerk shall
15 remove the ballot or provisional ballot envelope from the provisional
16 voter identification verification envelope or Signature Photo ID Ballot
17 Envelope without exposing the marks on the ballot. If only a ballot is
18 removed, the election commissioner or county clerk shall place the ballot
19 with the ballots to be counted by the county canvassing board. If a
20 provisional ballot envelope is removed, the provisional ballot envelope
21 shall remain sealed until the election commissioner or county clerk
22 determines that the provisional ballot envelope complies with section
23 32-1002. The provisional ballot envelope shall only be opened and the
24 ballot removed pursuant to section 32-1002.

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

29 Sec. 33. Section 32-1027, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

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

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

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

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

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

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

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

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

1 section 32-318.01; ~~and~~

2 (e) The signature of the registered voter conforms to the signature
3 in the voter registration records;

4 (f) The signature of the witness, the printed name of the witness,
5 and any other required information for the applicable category of witness
6 appear under the WITNESS OATH; and

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

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

12 (a) A ballot received from a voter who was properly registered on or
13 prior to the deadline for registration pursuant to section 32-302 or
14 32-321 shall be accepted for counting without further review if:

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

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

22 (iii) The early voting ballot identification envelope has been
23 signed by the voter and the signature of the voter conforms to the
24 signature in the voter registration records; and ÷

25 (iv) The signature of the witness, the printed name of the witness,
26 and any other required information for the applicable category of witness
27 appear under the WITNESS OATH or the valid photographic identification
28 has been verified according to subsection (5) of this section;

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

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

4 (ii) The name on the early voting ballot identification envelope
5 appears to be that of the person who requested the ballot;

6 (iii) The residence address provided on the early voting ballot
7 ~~identification~~ envelope and on the registration application is the same
8 as the residence address as provided on the voter's request for a ballot
9 for early voting; ~~and~~

10 (iv) The early voting ballot identification envelope has been signed
11 by the voter and the signature of the voter conforms to the signature in
12 the voter registration records; and ÷

13 (v) The signature of the witness, the printed name of the witness,
14 and any other required information for the applicable category of witness
15 appear under the WITNESS OATH or the valid photographic identification
16 has been verified according to subsection (5) of this section;

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

20 (i) The name on the early voting ballot identification envelope
21 appears to be that of a registered voter to whom a ballot has been sent;

22 (ii) A valid registration application completed and signed by the
23 voter, for whom the residence address is deemed to be the address of the
24 office of the election commissioner or county clerk pursuant to section
25 32-946, has been received by the election commissioner or county clerk
26 prior to the close of the polls on election day;

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

31 (iv) The early voting ballot identification envelope has been signed

1 by the voter and the signature of the voter conforms to the signature in
2 the voter registration records; and

3 (v) The signature of the witness, the printed name of the witness,
4 and any other required information for the applicable category of witness
5 appear under the WITNESS OATH or the valid photographic identification
6 has been verified according to subsection (5) of this section; and

7 (d) In the case of a ballot received from a registered voter
8 required to present identification before voting pursuant to section
9 32-318.01, the ballot shall be accepted for counting if:

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

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

17 (iii) A copy of an identification document authorized in section
18 32-318.01 has been received by the election commissioner or county clerk
19 prior to the close of the polls on election day; ~~and~~

20 (iv) The early voting ballot identification envelope has been signed
21 by the voter and the signature of the voter conforms to the signature in
22 the voter registration records; and -

23 (v) The signature of the witness, the printed name of the witness,
24 and any other required information for the applicable category of witness
25 appear under the WITNESS OATH or the valid photographic identification
26 has been verified according to subsection (5) of this section.

27 (5)(a) In the case of a ballot received from a voter whose early
28 voting ballot envelope does not include the signature of the witness, the
29 printed name of the witness, or any other required information for the
30 applicable category of witness under the WITNESS OATH, the ballot shall
31 be accepted for counting if the voter presents valid photographic

1 identification to the election commissioner or county clerk or his or her
2 designee on or before the Tuesday after the election. Upon determining
3 that an early voting ballot envelope does not include the signature of
4 the witness, the printed name of the witness, or any other required
5 information for the applicable category of witness under the WITNESS
6 OATH, the counting board shall affix to the early voting ballot envelope
7 the reason for its rejection and place the envelope with the provisional
8 voter identification verification envelopes. If the voter fails to
9 present qualifying identification on or before the Tuesday after the
10 election, the ballot shall be placed with the other rejected ballots for
11 early voting.

12 (b) The election commissioner or county clerk shall notify the
13 system administrator of the free access system created pursuant to
14 section 32-202 as to whether a ballot was counted and, if not, the reason
15 the ballot was not counted.

16 (6) (5) In opening the early voting ballot identification envelope
17 or the separate return envelope to determine if registration
18 applications, oaths, or identification documents have been enclosed by
19 the voters from whom they are required, the counting board shall make a
20 good faith effort to ensure that the ballot remains folded and that the
21 secrecy of the vote is preserved.

22 (7) (6) The counting board may, on the second Friday before the
23 election, open all early voting ballot identification envelopes which are
24 approved, and if the signature of the election commissioner or county
25 clerk or his or her employee is on the ballot, the ballot shall be
26 unfolded, flattened for purposes of using the optical scanner, and placed
27 in a sealed container for counting as directed by the election
28 commissioner or county clerk. At the discretion of the election
29 commissioner or county clerk, the counting board may begin counting early
30 ballots no earlier than twenty-four hours prior to the opening of the
31 polls on the day of the election.

1 (8) (7) If an early voting ballot identification envelope is
2 rejected, the counting board shall not open the early voting ballot
3 identification envelope. The counting board shall write Rejected on the
4 early voting ballot identification envelope and the reason for the
5 rejection. If the ballot is rejected after opening the early voting
6 ballot identification envelope because of the absence of the official
7 signature on the ballot, the ballot shall be reinserted in the early
8 voting ballot identification envelope which shall be resealed and marked
9 Rejected, no official signature. The counting board shall place the
10 rejected early voting ballot identification envelopes and ballots in a
11 container labeled Rejected Ballots and seal it.

12 (9) (8) As soon as all ballots have been placed in the sealed
13 container and rejected early voting ballot identification envelopes or
14 ballots have been sealed in the Rejected Ballots container, the counting
15 board shall count the ballots the same as all other ballots and an
16 unofficial count shall be reported to the election commissioner or county
17 clerk. No results shall be released prior to the closing of the polls on
18 election day.

19 Sec. 34. Section 32-1032, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 32-1032 Upon the completion of the canvass by the county canvassing
22 board, all books shall again be sealed, and the election commissioner or
23 county clerk shall keep all election materials, including the ballots-
24 cast containers from each precinct, the sealed envelopes containing the
25 precinct list of registered voters, the precinct sign-in register, the
26 official summary or summaries of votes cast, and the container for early
27 voting materials, for not less than twenty-two months when statewide
28 primary, general, or special elections involve federal offices,
29 candidates, and issues and not less than fifty days for local elections
30 not held in conjunction with a statewide primary, general, or special
31 election. The election commissioner or county clerk shall keep on file

1 one copy of each ballot face used in each precinct of the official
2 partisan, nonpartisan, constitutional amendment, and initiative and
3 referendum ballots, as used for voting, and all election notices used at
4 each primary and general election for twenty-two months. The precinct
5 sign-in register, the record of early voters, and the official summary of
6 votes cast shall be subject to the inspection of any person who may wish
7 to examine the same after the primary, general, or special election. The
8 election commissioner or county clerk shall not allow any other election
9 materials to be inspected, including ballots and provisional ballot
10 envelopes, except when an election is contested, an audit is conducted
11 pursuant to section 35 of this act, or the materials become necessary to
12 be used in evidence in the courts. The election commissioner or county
13 clerk shall direct the destruction of such materials after such time,
14 except that the election commissioner or county clerk may retain
15 materials for the purposes of establishing voter histories.

16 Sec. 35. (1) For each election conducted pursuant to the Election
17 Act, based on the number of voters that voted using an early voting
18 ballot envelope or a Signature Photo ID Ballot Envelope, the Attorney
19 General shall conduct an audit of witness signatures of a meaningful
20 sample of those envelopes for the purpose of identifying violations of
21 the Election Act. The audit shall be conducted by comparing the witness
22 signature on the ballot envelope to the signature in the voter
23 registration records or, for envelopes signed by a witness who is not a
24 registered voter, making reasonable efforts to confirm the credentials of
25 the witness.

26 (2) For any election that requires certification by the state
27 canvassing board, the audit shall be completed before the meeting of the
28 state canvassing board. The Attorney General shall report the findings of
29 the audit to the state canvassing board at or prior to the meeting of the
30 board.

31 (3) For each required audit, the Attorney General shall generate a

1 list of voters who voted using an early voting ballot envelope or a
2 Signature Photo ID Ballot Envelope and shall use that list to generate a
3 random list of envelopes to be audited. The Attorney General shall inform
4 the relevant election commissioners or county clerks as to which
5 envelopes are to be audited. The election commissioners or county clerks
6 shall transmit the envelopes to be audited to the Attorney General in the
7 manner prescribed by the Attorney General.

8 (4) The Attorney General may, at any time, examine any early voting
9 ballot envelope or Signature Photo ID Ballot Envelope for compliance with
10 the Election Act. Such examination shall take place in a manner
11 prescribed by the Attorney General.

12 (5) The Secretary of State shall facilitate access by the Attorney
13 General to the voter registration list for purposes of carrying out this
14 section.

15 (6) The Attorney General may adopt and promulgate rules and
16 regulations to carry out this section, including the maintenance of
17 voting envelopes by election commissioners and county clerks.

18 (7) The Attorney General may prosecute any violation of the Election
19 Act discovered pursuant to this section.

20 Sec. 36. Section 32-1201, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 32-1201 (1) The county board shall draw warrants in payment of all
23 bills submitted by the election commissioner or county clerk related to
24 the cost of any election conducted by the office of the election
25 commissioner or county clerk. Except as otherwise provided in subsection
26 (4) of section 32-1203, the initial payment for bills submitted to the
27 election commissioner or county clerk for the cost of preparing for and
28 conducting elections shall be a county expense.

29 (2) The compensation of the election commissioner or county clerk,
30 the deputy election commissioner or deputy county clerk for elections,
31 and all permanent employees of the election commissioner or county clerk,

1 the expenditures for the rental, furnishing, and equipping of the office
2 of the election commissioner or county clerk, the expenditures for
3 necessary office supplies, books, documents, and appurtenances relating
4 to or used in performing the duties of the election commissioner or
5 county clerk in relation to elections, and the cost of elections for
6 county, state, and federal governments shall be an apportioned county
7 expense and shall not be chargeable to other political subdivisions.

8 (3) It is the intent of the Legislature to appropriate sufficient
9 funds to the Secretary of State to reimburse all costs incurred by
10 political subdivisions in implementing and carrying out the changes made
11 by this legislative bill.

12 Sec. 37. Section 60-484.02, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-484.02 (1) Each applicant for an operator's license or state
15 identification card shall have his or her digital image captured. Digital
16 images shall be preserved for use as prescribed in sections 60-4,119,
17 60-4,151, and 60-4,180. The images shall be used for issuing operators'
18 licenses and state identification cards. The images may be retrieved only
19 by the Department of Motor Vehicles for issuing renewal and replacement
20 operators' licenses and state identification cards and may not be
21 otherwise released except in accordance with subsection (3) of this
22 section.

23 (2) Upon application for an operator's license or state
24 identification card, each applicant shall provide his or her signature in
25 a form prescribed by the department. Digital signatures shall be
26 preserved for use on original, renewal, and replacement operators'
27 licenses and state identification cards and may not be otherwise released
28 except in accordance with subsection (4) of this section.

29 (3) No officer, employee, agent, or contractor of the department or
30 law enforcement officer shall release a digital image except to a
31 federal, state, or local law enforcement agency, a certified law

1 enforcement officer employed in an investigative position by a federal,
2 state, or local agency, or a driver licensing agency of another state for
3 the purpose of carrying out the functions of the agency or assisting
4 another agency in carrying out its functions upon the verification of the
5 identity of the person requesting the release of the information and the
6 verification of the purpose of the requester in requesting the release.
7 Any officer, employee, agent, or contractor of the department or law
8 enforcement officer that knowingly discloses or knowingly permits
9 disclosure of a digital image or digital signature in violation of this
10 section shall be guilty of a Class I misdemeanor.

11 (4) No officer, employee, agent, or contractor of the department or
12 law enforcement officer shall release a digital signature except (a) to a
13 federal, state, or local law enforcement agency, a certified law
14 enforcement officer employed in an investigative position by a state or
15 federal agency, or a driver licensing agency of another state for the
16 purpose of carrying out the functions of the agency or assisting another
17 agency in carrying out its functions upon the verification of the
18 identity of the person requesting the release of the information and the
19 verification of the purpose of the requester in requesting the release or
20 (b) to the office of the Secretary of State for the purpose of voter
21 registration as described in section 32-304, 32-308, or 32-309 upon the
22 verification of the identity of the person requesting the release of the
23 information and the verification of the purpose of the requester in
24 requesting the release. No employee or official in the office of the
25 Secretary of State shall release a digital signature except to the
26 Attorney General for purposes of section 35 of this act or a federal,
27 state, or local law enforcement agency, a certified law enforcement
28 officer employed in an investigative position by a state or federal
29 agency, or a driver licensing agency of another state for the purpose of
30 carrying out the functions of the agency or assisting another agency in
31 carrying out its functions upon the verification of the identity of the

1 person requesting the release of the information and the verification of
2 the purpose of the requester in requesting the release. Any officer,
3 employee, agent, or contractor of the department, law enforcement
4 officer, or employee or official in the office of the Secretary of State
5 that knowingly discloses or knowingly permits disclosure of a digital
6 signature in violation of this section shall be guilty of a Class I
7 misdemeanor.

8 Sec. 38. Section 60-4,115, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 60-4,115 (1) Fees for operators' licenses and state identification
11 cards shall be collected by department personnel or the county treasurer
12 and distributed according to the table in subsection (2) of this section,
13 except for the ignition interlock permit and associated fees as outlined
14 in subsection (4) of this section and the 24/7 sobriety program permit
15 and associated fees as outlined in subsection (5) of this section. County
16 officials shall remit the county portion of the fees collected to the
17 county treasurer for placement in the county general fund. All other fees
18 collected shall be remitted to the State Treasurer for credit to the
19 appropriate fund.

20 (2) Except as otherwise provided in subsection (7) of this section,
21 the ~~The~~ fees provided in this subsection in the following dollar amounts
22 apply for operators' licenses and state identification cards.

| | | | Department | | |
|----|----------------------------|-------|------------|-----------|---------|
| | | | County | of Motor | State |
| | Document | Total | General | Vehicles | General |
| | | Fee | Fund | Cash Fund | Fund |
| 27 | State identification card: | | | | |
| 28 | Valid for 1 year or less | 5.00 | 2.75 | 1.25 | 1.00 |
| 29 | Valid for more than 1 year | | | | |
| 30 | but not more than 2 years | 10.00 | 2.75 | 4.00 | 3.25 |

| | | | | | |
|----|--------------------------------|-------|------|-------|-------|
| 1 | Valid for more than 2 years | | | | |
| 2 | but not more than 3 years | 14.00 | 2.75 | 5.25 | 6.00 |
| 3 | Valid for more than 3 years | | | | |
| 4 | but not more than 4 years | 19.00 | 2.75 | 8.00 | 8.25 |
| 5 | Valid for more than 4 years | | | | |
| 6 | for person under 21 | 24.00 | 2.75 | 10.25 | 11.00 |
| 7 | Valid for 5 years | 24.00 | 3.50 | 13.25 | 7.25 |
| 8 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 9 | Class O or M operator's | | | | |
| 10 | license: | | | | |
| 11 | Valid for 1 year or less | 5.00 | 2.75 | 1.25 | 1.00 |
| 12 | Valid for more than 1 year | | | | |
| 13 | but not more than 2 years | 10.00 | 2.75 | 4.00 | 3.25 |
| 14 | Valid for more than 2 years | | | | |
| 15 | but not more than 3 years | 14.00 | 2.75 | 5.25 | 6.00 |
| 16 | Valid for more than 3 years | | | | |
| 17 | but not more than 4 years | 19.00 | 2.75 | 8.00 | 8.25 |
| 18 | Valid for 5 years | 24.00 | 3.50 | 13.25 | 7.25 |
| 19 | Bioptic or telescopic lens | | | | |
| 20 | restriction: | | | | |
| 21 | Valid for 1 year or less | 5.00 | 0 | 5.00 | 0 |
| 22 | Valid for more than 1 year | | | | |
| 23 | but not more than 2 years | 10.00 | 2.75 | 4.00 | 3.25 |
| 24 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 25 | Add, change, or remove class, | | | | |
| 26 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 27 | Provisional operator's permit: | | | | |
| 28 | Original | 15.00 | 2.75 | 12.25 | 0 |
| 29 | Bioptic or telescopic lens | | | | |

| | | | | | |
|----|-------------------------------|-------|------|-------|-------|
| 1 | restriction: | | | | |
| 2 | Valid for 1 year or less | 5.00 | 0 | 5.00 | 0 |
| 3 | Valid for more than 1 year | | | | |
| 4 | but not more than 2 years | 15.00 | 2.75 | 12.25 | 0 |
| 5 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 6 | Add, change, or remove class, | | | | |
| 7 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 8 | LPD-learner's permit: | | | | |
| 9 | Original | 8.00 | .25 | 5.00 | 2.75 |
| 10 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 11 | Add, change, or remove class, | | | | |
| 12 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 13 | LPE-learner's permit: | | | | |
| 14 | Original | 8.00 | .25 | 5.00 | 2.75 |
| 15 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 16 | Add, change, or remove class, | | | | |
| 17 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 18 | School permit: | | | | |
| 19 | Original | 8.00 | .25 | 5.00 | 2.75 |
| 20 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 21 | Add, change, or remove class, | | | | |
| 22 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 23 | Farm permit: | | | | |
| 24 | Original or renewal | 5.00 | .25 | 0 | 4.75 |
| 25 | Replacement | 5.00 | .25 | 0 | 4.75 |
| 26 | Add, change, or remove class, | | | | |
| 27 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 28 | Driving permits: | | | | |
| 29 | Employment | 45.00 | 0 | 5.00 | 40.00 |

| | | | | | |
|----|-------------------------------|-------|------|------|-------|
| 1 | Medical hardship | 45.00 | 0 | 5.00 | 40.00 |
| 2 | Replacement | 10.00 | .25 | 5.00 | 4.75 |
| 3 | Add, change, or remove class, | | | | |
| 4 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 5 | Commercial driver's license: | | | | |
| 6 | Valid for 1 year or less | 11.00 | 1.75 | 5.00 | 4.25 |
| 7 | Valid for more than 1 year | | | | |
| 8 | but not more than 2 years | 22.00 | 1.75 | 5.00 | 15.25 |
| 9 | Valid for more than 2 years | | | | |
| 10 | but not more than 3 years | 33.00 | 1.75 | 5.00 | 26.25 |
| 11 | Valid for more than 3 years | | | | |
| 12 | but not more than 4 years | 44.00 | 1.75 | 5.00 | 37.25 |
| 13 | Valid for 5 years | 55.00 | 1.75 | 5.00 | 48.25 |
| 14 | Bioptic or telescopic lens | | | | |
| 15 | restriction: | | | | |
| 16 | Valid for one year or less | 11.00 | 1.75 | 5.00 | 4.25 |
| 17 | Valid for more than 1 year | | | | |
| 18 | but not more than 2 years | 22.00 | 1.75 | 5.00 | 15.25 |
| 19 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 20 | Add, change, or remove class, | | | | |
| 21 | endorsement, or restriction | 10.00 | 1.75 | 5.00 | 3.25 |
| 22 | CLP-commercial learner's | | | | |
| 23 | permit: | | | | |
| 24 | Original or renewal | 10.00 | .25 | 5.00 | 4.75 |
| 25 | Replacement | 10.00 | .25 | 5.00 | 4.75 |
| 26 | Add, change, or remove class, | | | | |
| 27 | endorsement, or restriction | 10.00 | .25 | 5.00 | 4.75 |
| 28 | Seasonal permit: | | | | |
| 29 | Original or renewal | 10.00 | .25 | 5.00 | 4.75 |

| | | | | | |
|---|-------------------------------|-------|-----|------|------|
| 1 | Replacement | 10.00 | .25 | 5.00 | 4.75 |
| 2 | Add, change, or remove class, | | | | |
| 3 | endorsement, or restriction | 10.00 | .25 | 5.00 | 4.75 |

4 (3) If the department issues an operator's license or a state
5 identification card and collects the fees, the department shall remit the
6 county portion of the fees to the State Treasurer for credit to the
7 Department of Motor Vehicles Cash Fund.

8 (4)(a) The fee for an ignition interlock permit shall be forty-five
9 dollars. Five dollars of the fee shall be remitted to the State Treasurer
10 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
11 of the fee shall be remitted to the State Treasurer for credit to the
12 Department of Motor Vehicles Ignition Interlock Fund.

13 (b) The fee for a replacement ignition interlock permit shall be
14 eleven dollars. Two dollars and seventy-five cents of the fee shall be
15 remitted to the county treasurer for credit to the county general fund.
16 Six dollars of the fee shall be remitted to the State Treasurer for
17 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
18 twenty-five cents of the fee shall be remitted to the State Treasurer for
19 credit to the General Fund.

20 (c) The fee for adding, changing, or removing a class, endorsement,
21 or restriction on an ignition interlock permit shall be five dollars. The
22 fee shall be remitted to the State Treasurer for credit to the Department
23 of Motor Vehicles Cash Fund.

24 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
25 five dollars. Twenty-five dollars of the fee shall be remitted to the
26 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
27 Fifteen dollars of the fee shall be remitted to the State Treasurer for
28 credit to the General Fund. Five dollars of the fee shall be remitted to
29 the county treasurer for credit to the county general fund.

30 (b) The fee for a replacement 24/7 sobriety program permit shall be

1 eleven dollars. Two dollars and seventy-five cents of the fee shall be
2 remitted to the county treasurer for credit to the county general fund.
3 Six dollars of the fee shall be remitted to the State Treasurer for
4 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
5 twenty-five cents of the fee shall be remitted to the State Treasurer for
6 credit to the General Fund.

7 (c) The fee for adding, changing, or removing a class, endorsement,
8 or restriction on a 24/7 sobriety program permit shall be five dollars.
9 The fee shall be remitted to the State Treasurer for credit to the
10 Department of Motor Vehicles Cash Fund.

11 (6) The department and its agents may collect an identity security
12 surcharge to cover the cost of security and technology practices used to
13 protect the identity of applicants for and holders of operators' licenses
14 and state identification cards and to reduce identity theft, fraud, and
15 forgery and counterfeiting of such licenses and cards to the maximum
16 extent possible. The surcharge shall be in addition to all other required
17 fees for operators' licenses and state identification cards. The amount
18 of the surcharge shall be determined by the department. The surcharge
19 shall not exceed eight dollars. The surcharge shall be remitted to the
20 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

21 (7) No fee shall be charged for issuance of an original or duplicate
22 state identification card to a resident of Nebraska who (a) does not have
23 a Nebraska operator's license, (b) is requesting issuance of such state
24 identification card for voting purposes, and (c) is at least eighteen
25 years of age or is seventeen years of age and will attain the age of
26 eighteen years on or before the first Tuesday after the first Monday in
27 November of the then-current calendar year.

28 Sec. 39. Section 60-4,119, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-4,119 (1) All state identification cards and operators' licenses,
31 except farm permits, shall include a digital image and a digital

1 signature of the cardholder or licensee as provided in section 60-484.02.
2 Receipts for state identification cards and operators' licenses shall
3 include a digital image of the cardholder or licensee and shall be issued
4 by the county treasurer or the Department of Motor Vehicles. The director
5 shall negotiate and enter into a contract to provide the necessary
6 equipment, supplies, and forms for the issuance of the licenses and
7 cards. All costs incurred by the Department of Motor Vehicles under this
8 section shall be paid by the state out of appropriations made to the
9 department. All costs of capturing the digital images and digital
10 signatures shall be paid by the issuer from the fees provided to the
11 issuer pursuant to section 60-4,115.

12 (2) A person who is out of the state at the time of renewal of his
13 or her operator's license may apply for a license upon payment of a fee
14 as provided in section 60-4,115. The license may be issued at any time
15 within one year after the expiration of the original license. Such
16 application shall be made to the department, and the department shall
17 issue the license.

18 (3) Any operator's license and any state identification card issued
19 to a minor as defined in section 53-103.23, as such definition may be
20 amended from time to time by the Legislature, shall be of a distinct
21 designation, of a type prescribed by the director, from the operator's
22 license or state identification card of a person who is not a minor.

23 Sec. 40. Section 60-4,120, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-4,120 (1) Any person duly licensed or holding a valid state
26 identification card issued under the Motor Vehicle Operator's License Act
27 who loses his or her operator's license or card may make application to
28 the department for a replacement license or card.

29 (2) If any person changes his or her name because of marriage or
30 divorce or by court order or a common-law name change, he or she shall
31 apply to the department for a replacement operator's license or state

1 identification card and furnish proof of identification in accordance
2 with section 60-484. If any person changes his or her address, the person
3 shall apply to the department for a replacement operator's license or
4 state identification card and furnish satisfactory evidence of such
5 change. The application shall be made within sixty days after the change
6 of name or address.

7 (3) In the event a mutilated or unreadable operator's license is
8 held by any person duly licensed under the act or a mutilated or
9 unreadable state identification card which was issued under the act is
10 held by a person, such person may obtain a replacement license or card.
11 Upon report of the mutilated or unreadable license or card and
12 application for a replacement license or card, a replacement license or
13 card may be issued if the department is satisfied that the original
14 license or card is mutilated or unreadable.

15 (4) If any person duly licensed under the act loses his or her
16 operator's license or if any holder of a state identification card loses
17 his or her card while temporarily out of the state, he or she may make
18 application to the department for a replacement operator's license or
19 card by applying to the department and reporting such loss. Upon receipt
20 of a correctly completed application, the department shall cause to be
21 issued a replacement operator's license or card.

22 (5) Any person who holds a valid operator's license or state
23 identification card without a digital image shall surrender such license
24 or card to the department within thirty days after resuming residency in
25 this state. After the thirty-day period, such license or card shall be
26 considered invalid and no license or card shall be issued until the
27 individual has made application for replacement or renewal.

28 (6) Application for a replacement operator's license or state
29 identification card shall include the information required under sections
30 60-484 and 60-484.04.

31 (7) An applicant may obtain a replacement operator's license or

1 state identification card pursuant to subsection (1) or (3) of this
2 section by electronic means in a manner prescribed by the department. No
3 replacement license or card shall be issued unless the applicant has a
4 digital image and digital signature preserved in the digital system.

5 (8) Each replacement operator's license or state identification card
6 shall be issued with the same expiration date as the license or card for
7 which the replacement is issued. The replacement license or card shall
8 also state the new issuance date. Upon issuance of any replacement
9 license or card, the license or card for which the replacement is issued
10 shall be void.

11 (9) A replacement operator's license or state identification card
12 issued under this section shall be delivered to the applicant as provided
13 in section 60-4,113 after the county treasurer or department collects the
14 fee and surcharge prescribed in section 60-4,115 and issues the applicant
15 a receipt with driving privileges which is valid for up to thirty days.
16 The receipt shall contain the digital image of the applicant.

17 Sec. 41. Section 85-609, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 85-609 (1) Beginning with the 2022-23 academic year, each public
20 postsecondary institution authorized to operate in this state shall
21 require that the telephone number for a national suicide prevention
22 hotline, a local suicide prevention hotline, or a crisis text line is
23 printed on each new student identification card issued to a student
24 enrolled in such public postsecondary institution.

25 (2) Each public postsecondary institution authorized to operate in
26 this state shall create a process by which an individual to whom the
27 institution issues an identification card can opt to have the card comply
28 with subdivision (3) of section 3 of this act if the individual is
29 eighteen years of age or older. The process shall require the individual
30 to whom the card is issued to expressly consent in writing to have all
31 information required to be collected to comply with subdivision (3) of

1 section 3 of this act shared with the Attorney General. Each institution
2 shall share all information collected pursuant to this section with the
3 Attorney General.

4 (3) Nothing in this section shall be construed to require the
5 issuance of student identification cards to students in any postsecondary
6 institution.

7 Sec. 42. In order to facilitate the law enforcement duties of the
8 Attorney General, the Department of Health and Human Services shall share
9 with the Attorney General the documents provided to the department by
10 recipients of benefits under the medicare and medicaid programs for the
11 purposes of establishing citizenship or legal status. The department and
12 the Attorney General may adopt and promulgate rules and regulations to
13 ensure the security and privacy of the information shared pursuant to
14 this section.

15 Sec. 43. Sections 6, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22,
16 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 45 of this act
17 become operative on January 1, 2024. The other sections of this act
18 become operative on their effective date.

19 Sec. 44. If any section in this act or any part of any section is
20 declared invalid or unconstitutional, the declaration shall not affect
21 the validity or constitutionality of the remaining portions.

22 Sec. 45. Original sections 32-902, 32-914, 32-915.01, 32-929,
23 32-942, 32-943, 32-949, 32-953, 32-954, 32-957, and 32-1032, Reissue
24 Revised Statutes of Nebraska, and sections 32-301, 32-304, 32-318.01,
25 32-915, 32-916, 32-947, 32-949.01, 32-1002, and 32-1027, Revised Statutes
26 Cumulative Supplement, 2022, are repealed.

27 Sec. 46. Original sections 32-308, 32-1201, 60-484.02, 60-4,119,
28 and 60-4,120, Reissue Revised Statutes of Nebraska, and sections 32-101,
29 32-103, 32-202, and 60-4,115, Revised Statutes Cumulative Supplement,
30 2022, are repealed.