

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 287

FINAL READING

Introduced by Brewer, 43; Linehan, 39.

Read first time January 11, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to law; to amend sections 2-3213, 2-3214,
2 16-202, 18-2518, 25-1274, 32-233, 32-564, 32-565, 32-569, 32-613,
3 32-617, 32-630, 32-632, 32-713, 32-1205, 32-1301, 32-1304, 32-1308,
4 32-1546, 49-1499.03, 58-230, 58-817, 60-483, 60-484.02, 84-217, and
5 85-1514, Reissue Revised Statutes of Nebraska, sections 31-727.02,
6 32-304, 32-320.01, 32-330, 32-404, 32-405, 32-552, 32-553, 32-570,
7 32-606, 32-607, 32-608, 32-615, 32-716, 32-802, 32-808.01, 32-903,
8 32-947, 32-950.01, 32-1203, 32-1303, 32-1305, 32-1306, 32-1405,
9 32-1407, 32-1524, 32-1525, 70-663, 79-1218, and 84-1411, Revised
10 Statutes Cumulative Supplement, 2022, and sections 32-101, 32-103,
11 32-123, 32-202.01, 32-308, 32-318.01, 32-912.01, 32-912.02,
12 32-915.03, 32-941, 32-942, 32-1002.01, 32-1027, and 60-4,115,
13 Revised Statutes Supplement, 2023; to eliminate obsolete provisions
14 relating to adjusting certain boundaries after the federal decennial
15 census and charter amendment procedures for certain public power
16 districts; to change provisions relating to remonstrance petitions
17 in the sale and conveyance of real estate owned by a city of the
18 first class; to change provisions relating to the Election Act; to
19 provide and change penalty provisions; to change provisions relating
20 to conflicts of interest by certain officeholders and public
21 employees; to change provisions relating to state identification
22 cards; to change proof of publication requirements for legal notices

1 and requirements for published notice and virtual conferencing under
2 the Open Meetings Act; to eliminate provisions relating to opinions
3 of the Attorney General regarding the unconstitutionality of
4 legislative bills; to harmonize provisions; to provide operative
5 dates; to repeal the original sections; to outright repeal section
6 84-215, Reissue Revised Statutes of Nebraska; and to declare an
7 emergency.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-3213, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 2-3213 (1) Except as provided in subsections (2), (3), and (4) of
4 this section, each district shall be governed by a board of directors of
5 five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, or
6 twenty-one members. The board of directors shall determine the number of
7 directors and in making such determination shall consider the complexity
8 of the foreseeable programs and the population and land area of the
9 district. Districts shall be political subdivisions of the state, shall
10 have perpetual succession, and may sue and be sued in the name of the
11 district.

12 (2) ~~At Except as provided by subsection (7) of this section,~~ at
13 least six months prior to the primary election, the board of directors of
14 any natural resources district may change the number of directors for the
15 district and may change subdistrict boundaries to accommodate the
16 increase or decrease in the number of directors.

17 (3) The board of directors shall utilize the criteria found in
18 subsection (1) of this section and in subsection (2) of section 2-3214
19 when changing the number of directors. Except as provided in subsection
20 (6) of this section, no director's term of office shall be shortened as a
21 result of any change in the number of directors. Any reduction in the
22 number of directors shall be made as directors take office during the two
23 succeeding elections or more quickly if the reduction can be made by not
24 filling vacancies on the board and if desired by the board. If necessary
25 to preserve staggered terms for directors when the reduction in number is
26 made in whole or in part through unfilled vacancies, the board may
27 provide for a one-time election of one or more directors for a two-year
28 term. The board of directors shall inform the Secretary of State whenever
29 any such one-time elections have been approved. Notwithstanding
30 subsection (1) of this section, the district may be governed by an even
31 number of directors during the two-year transition to a board of reduced

1 number.

2 (4) Whenever any change of boundaries, division, or merger results
3 in a natural resources district director residing in a district other
4 than the one to which such director was elected to serve, such director
5 shall automatically become a director of the board of the district in
6 which he or she then resides. Except as provided in subsection (6) of
7 this section, all such directors shall continue to serve in office until
8 the expiration of the term of office for which they were elected.
9 Directors or supervisors of other special-purpose districts merged into a
10 natural resources district shall not become members of the natural
11 resources district board but may be appointed as advisors in accordance
12 with section 2-3228. No later than six months after any change, division,
13 or merger, each affected board, in accordance with the procedures and
14 criteria found in this section and section 2-3214, shall determine the
15 number of directors for the district as it then exists, the option chosen
16 for nomination and election of directors, and, if appropriate, new
17 subdistrict boundaries.

18 (5) To facilitate the task of administration of any board increased
19 in size by a change of boundaries or merger, such board may appoint an
20 executive committee to conduct the business of the board in the interim
21 until board size reductions can be made in accordance with this section.
22 An executive committee shall be empowered to act for the full board in
23 all matters within its purview unless specifically limited by the board
24 in the establishment and appointment of the executive committee.

25 (6) Notwithstanding the provisions of section 2-3214 and subsections
26 (4) and (5) of this section, the board of directors of any natural
27 resources district established by merging two or more districts in their
28 entirety may provide that all directors be nominated and elected at the
29 first primary and general elections following the year in which such
30 merger becomes effective. In districts which have one director elected
31 from each subdistrict, each director elected from an even-numbered

1 subdistrict shall be elected for a two-year term and each director from
2 an odd-numbered district and any member to be elected at large shall be
3 elected for a four-year term. In districts which have two directors
4 elected from each subdistrict, the four candidates receiving the highest
5 number of votes at the primary election shall be carried over to the
6 general election, and at such general election the candidate receiving
7 the highest number of votes shall be elected for a four-year term and the
8 candidate receiving the second highest number of votes shall be elected
9 for a two-year term. Thereafter each director shall be elected for a
10 four-year term.

11 ~~(7) Following the release of the 2020 Census of Population data by~~
12 ~~the United States Department of Commerce, Bureau of the Census, as~~
13 ~~required by Public Law 94-171, any natural resources district that will~~
14 ~~have a change to the number of directors as a result of any adjustment to~~
15 ~~the boundaries of election districts shall provide to the election~~
16 ~~commissioner or county clerk (a) written notice of the need and necessity~~
17 ~~of his or her office to perform such adjustments and (b) a revised~~
18 ~~election district boundary map that has been approved by the board of~~
19 ~~directors and subjected to all public review and challenge ordinances of~~
20 ~~the natural resources district by December 30, 2021.~~

21 Sec. 2. Section 2-3214, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 2-3214 (1) District directors shall be elected as provided in
24 section 32-513. Elections shall be conducted as provided in the Election
25 Act. Registered voters residing within the district shall be eligible for
26 nomination as candidates for any at-large position or, in those districts
27 that have established subdistricts, as candidates from the subdistrict
28 within which they reside.

29 (2) The board of directors may choose to: (a) Nominate candidates
30 from subdistricts and from the district at large who shall be elected by
31 the registered voters of the entire district; (b) nominate and elect each

1 candidate from the district at large; or (c) nominate and elect
2 candidates from subdistricts of substantially equal population except
3 that any at-large candidate would be nominated and elected by the
4 registered voters of the entire district. Unless the board of directors
5 determines that the nomination and election of all directors will be at
6 large, the board shall strive to divide the district into subdistricts of
7 substantially equal population, except that no subdistrict shall have a
8 population greater than three times the population of any other
9 subdistrict within the district. Such subdistricts shall be consecutively
10 numbered and shall be established with due regard to all factors
11 including, but not limited to, the location of works of improvement and
12 the distribution of population and taxable values within the district.
13 ~~The Except as provided by subsection (7) of this section,~~ the boundaries
14 and numbering of such subdistricts shall be designated at least six
15 months prior to the primary election. Unless the district has been
16 divided into subdistricts with substantially equal population, all
17 directors shall be elected by the registered voters of the entire
18 district and all registered voters shall vote on the candidates
19 representing each subdistrict and any at-large candidates. If a district
20 has been divided into subdistricts with substantially equal population,
21 the board of directors may determine that directors shall be elected only
22 by the registered voters of the subdistrict except that an at-large
23 director may be elected by registered voters of the entire district.

24 (3) Except in districts which have chosen to have a single director
25 serve from each subdistrict, the number of subdistricts for a district
26 shall equal a number which is one less than a majority of directors for
27 the district. In districts which have chosen to have a single director
28 serve from each subdistrict, the number of subdistricts shall equal a
29 number which is equal to the total number of directors of the district or
30 which is one less than the total number of directors for the district if
31 there is an at-large candidate. If the number of directors to be elected

1 exceeds the number of subdistricts or if the term of the at-large
2 director expires in districts which have chosen to have a single director
3 serve from each subdistrict, candidates may file as a candidate from the
4 district at large. Registered voters may each cast a number of votes not
5 larger than the total number of directors to be elected.

6 (4) Elected directors shall take their oath of office in the same
7 manner provided for county officials.

8 (5) At least six months prior to the primary election, the board of
9 directors may choose to have a single director serve from each
10 subdistrict.

11 (6) The board of directors shall certify to the Secretary of State
12 and the election commissioners or county clerks the number of directors
13 to be elected at each election and the length of their terms as provided
14 in section 32-404.

15 ~~(7) Following the release of the 2020 Census of Population data by~~
16 ~~the United States Department of Commerce, Bureau of the Census, as~~
17 ~~required by Public Law 94-171, any board of directors requesting the~~
18 ~~adjustment of the boundaries of election districts shall provide to the~~
19 ~~election commissioner or county clerk (a) written notice of the need and~~
20 ~~necessity of his or her office to perform such adjustments and (b) a~~
21 ~~revised election district boundary map that has been approved by the~~
22 ~~board and subjected to all public review and challenge ordinances of the~~
23 ~~natural resources district by December 30, 2021.~~

24 Sec. 3. Section 16-202, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 16-202 (1) Except as otherwise provided in subsection (4) of this
27 section, the power to sell and convey any real estate owned by a city of
28 the first class, including park land, shall be exercised by ordinance
29 directing the conveyance of such real estate and the manner and terms
30 thereof. Notice of such sale and the terms thereof shall be published for
31 three consecutive weeks in a legal newspaper in or of general circulation

1 in such city immediately after the passage and publication of such
2 ordinance.

3 (2) If within thirty days after the passage and publication of such
4 ordinance a remonstrance petition against such sale, that conforms to
5 section 32-628, is signed by registered voters of the city equal in
6 number to thirty percent of the registered voters of the city voting at
7 the last regular city election held therein and is filed with the city
8 council, the property shall not then, nor within one year thereafter, be
9 sold. If the date for filing the petition falls upon a Saturday, Sunday,
10 or legal holiday, the signatures shall be collected within the thirty-day
11 period, but the filing shall be considered timely if filed or postmarked
12 on or before the next business day. Upon the receipt of the petition, the
13 city council, with the aid and assistance of the election commissioner or
14 county clerk, shall determine the validity and sufficiency of signatures
15 on the petition. The city council shall deliver the petition to the
16 election commissioner or county clerk by hand carrier, by use of law
17 enforcement officials, or by certified mail, return receipt requested.
18 Upon receipt of the petition, the election commissioner or county clerk
19 shall issue to the city council a written receipt that the petition is in
20 the custody of the election commissioner or county clerk. The election
21 commissioner or county clerk shall compare the signature of each person
22 signing the petition with the voter registration records to determine if
23 each signer was a registered voter on or before the date on which the
24 petition was filed with the city council. The election commissioner or
25 county clerk shall also compare the signer's printed name, street and
26 number or voting precinct, and city, village, or post office address with
27 the voter registration records to determine whether the signer was a
28 registered voter. The signature and address shall be presumed to be valid
29 only if the election commissioner or county clerk determines that the
30 printed name, street and number or voting precinct, and city, village, or
31 post office address matches the registration records and that the

1 registration was received on or before the date on which the petition was
2 filed with the city council. The determinations of the election
3 commissioner or county clerk may be rebutted by any credible evidence
4 which the city council finds sufficient. The express purpose of the
5 comparison of names and addresses with the voter registration records, in
6 addition to helping to determine the validity of the petition, the
7 sufficiency of the petition, and the qualifications of the signer, shall
8 be to prevent fraud, deception, and misrepresentation in the petition
9 process. Upon completion of the comparison of names and addresses with
10 the voter registration records, the election commissioner or county clerk
11 shall prepare in writing a certification under seal setting forth the
12 name and address of each signer found not to be a registered voter and
13 the signature page number and line number where the name is found, and if
14 the reason for the invalidity of the signature or address is other than
15 the nonregistration of the signer, the election commissioner or county
16 clerk shall set forth the reason for the invalidity of the signature. If
17 the election commissioner or county clerk determines that a signer has
18 affixed his or her signature more than once to the petition and that only
19 one person is registered by that name, the election commissioner or
20 county clerk shall prepare in writing a certification under seal setting
21 forth the name of the duplicate signature and shall count only the
22 earliest dated signature. The election commissioner or county clerk shall
23 certify to the city council the number of valid signatures necessary to
24 constitute a valid petition. The election commissioner or county clerk
25 shall deliver the petition and the certifications to the city council
26 within forty days after the receipt of the petition from the city
27 council. The delivery shall be by hand carrier, by use of law enforcement
28 officials, or by certified mail, return receipt requested. Not more than
29 twenty signatures on one signature page shall be counted.

30 (3) The city council shall, within thirty days after the receipt of
31 the petition and certifications from the election commissioner or county

1 clerk, hold a public hearing to review the petition and certifications
2 and receive testimony regarding them. The city council shall, following
3 the hearing, vote on whether or not the petition is valid and shall
4 uphold the petition if sufficient valid signatures have been received.

5 (4) This section does not apply to (a) real estate used in the
6 operation of public utilities, (b) real estate for state armory sites for
7 the use of the State of Nebraska as expressly provided in section 16-201,
8 or (c) real estate for state veterans' cemetery sites for the use of the
9 State of Nebraska as expressly provided in section 12-1301.

10 Sec. 4. Section 18-2518, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 18-2518 (1) Each signed petition ~~Signed petitions~~ shall be filed
13 with the city clerk for signature verification. The city clerk shall
14 immediately notify the county clerk or election commissioner of the
15 signed petition. Upon the filing of a petition, a municipality, upon
16 passage of a resolution by the governing body of such municipality, and
17 the county clerk or election commissioner of the county in which such
18 municipality is located may by mutual agreement provide that the county
19 clerk or election commissioner shall ascertain whether the petition is
20 signed by the requisite number of voters. The municipality shall
21 reimburse the county for any costs incurred by the county clerk or
22 election commissioner. When the verifying official has determined that
23 one hundred percent of the necessary signatures required by the Municipal
24 Initiative and Referendum Act have been obtained, he or she shall notify
25 the governing body of the municipality of that fact and shall immediately
26 forward to the governing body a copy of the petition.

27 (2) In order for an initiative or referendum proposal to be
28 submitted to the governing body and the voters, the necessary signatures
29 shall be on file with the city clerk within six months from the date the
30 prospective petition was authorized for circulation. If the necessary
31 signatures are not obtained by such date, the petition shall be void.

1 Sec. 5. Section 25-1274, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 25-1274 Publications required by law to be made in a newspaper or on
4 a statewide website established and maintained as a repository of public
5 notices by a majority of Nebraska newspapers, may be proved by affidavit
6 of any person having knowledge of the fact, specifying the time when and
7 the paper in which or the website whereon the publication was made, and
8 if made by publication in a newspaper, that such ~~said~~ newspaper is a
9 legal newspaper under the statutes of the State of Nebraska, but such
10 affidavit must, for the purposes now contemplated, be made within six
11 months after the last day of publication, in the office where the
12 original affidavit of publication is required to be filed.

13 Sec. 6. Section 31-727.02, Revised Statutes Cumulative Supplement,
14 2022, is amended to read:

15 31-727.02 (1) Except as provided in subsection (6) ~~(5)~~ of section
16 84-1411, the clerk or administrator of each sanitary and improvement
17 district shall notify any municipality or county within whose zoning
18 jurisdiction such district is located of all meetings of the district
19 board of trustees or called by the administrator by sending a notice of
20 such meeting to the clerk of the municipality or county not less than
21 seven days prior to the date set for any meeting. In the case of meetings
22 called by the administrator, notice shall be provided to the clerk of the
23 district not less than seven days prior to the date set for any meeting.

24 (2) Except as provided in subsection (6) ~~(5)~~ of section 84-1411,
25 within thirty days after any meeting of a sanitary and improvement
26 district board of trustees or called by the administrator, the clerk or
27 administrator of the district shall transmit to the municipality or
28 county within whose zoning jurisdiction the sanitary and improvement
29 district is located a copy of the minutes of such meeting.

30 Sec. 7. Section 32-101, Revised Statutes Supplement, 2023, is
31 amended to read:

1 32-101 Sections 32-101 to 32-1551 and sections 9, 26, 30, 46, and 64
2 of this act shall be known and may be cited as the Election Act.

3 Sec. 8. Section 32-103, Revised Statutes Supplement, 2023, is
4 amended to read:

5 32-103 For purposes of the Election Act, the definitions found in
6 sections 32-104 to 32-120 and 32-123 and section 9 of this act shall be
7 used.

8 Sec. 9. (1) Electioneering means the deliberate, visible display or
9 audible or physical dissemination of information for the purpose of
10 advocating for or against:

11 (a) Any candidate for an office on the ballot for the election at
12 which such display or dissemination is occurring;

13 (b) Any officeholder of an elected state constitutional office or
14 federal office at the time of the election at which such display or
15 dissemination is occurring; or

16 (c) Any political party on the ballot for the election at which such
17 display or dissemination is occurring.

18 (2) For purposes of this section, information includes: (a) A
19 candidate's name, likeness, logo, or symbol; (b) a button, hat, pencil,
20 pen, shirt, sign, or sticker containing information described by this
21 section; and (c) audible information or any literature, writing, or
22 drawing referring to a candidate, an officeholder, or a political party
23 described in this section.

24 Sec. 10. Section 32-123, Revised Statutes Supplement, 2023, is
25 amended to read:

26 32-123 Valid photographic identification means:

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

30 (a) Shows the name of the individual to whom the document was
31 issued; and

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

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

8 (a) Shows the name of the individual to whom the document was
9 issued; and

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

12 (3) A hospital, an assisted-living facility, a nursing home, or any
13 other intermediate skilled care facility record that:

14 (a) Shows the name of the individual who is the subject of the
15 record; and

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

18 Sec. 11. Section 32-202.01, Revised Statutes Supplement, 2023, is
19 amended to read:

20 32-202.01 The Secretary of State shall develop a process to use the
21 information in possession of or available to his or her office to match
22 and verify the citizenship of the corresponding registered voter. The
23 process developed shall ensure that no registered voter is removed from
24 the voter registration register in violation of state or federal law. The
25 Attorney General and the Department of Motor Vehicles shall cooperate
26 with the Secretary of State for such purpose. The Secretary of State may
27 adopt and promulgate rules and regulations to carry out this section.

28 Sec. 12. Section 32-233, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-233 (1) Except as otherwise provided in subsection (2) of this
31 section, judges Judges and clerks of election, district inspectors,

1 messengers, and other temporary election workers shall receive wages at
2 no less than the minimum rate set in section 48-1203 for each hour of
3 service rendered. The county clerk shall determine the rate of pay and
4 may vary the rate based on the duties of each position. Each such
5 election worker shall sign an affidavit stating the number of hours he or
6 she has worked.

7 (2) Any judge or clerk of election, district inspector, messenger,
8 or other temporary election worker may choose either:

9 (a) Not to be paid for the hours he or she works. An election worker
10 that chooses not to be paid shall sign a waiver agreeing not to be paid
11 for each election for which he or she chooses not to be paid; or

12 (b) To have his or her election pay used by the county clerk to
13 contract with an organization authorized by the county clerk to recruit
14 election workers if the county clerk contracts with such an organization.
15 To be eligible to enter into such a contract, the organization shall be
16 exempt for federal tax purposes under section 501(c)(3) of the Internal
17 Revenue Code, as defined in section 49-801.01.

18 Sec. 13. Section 32-304, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 32-304 (1) The Secretary of State in conjunction with the Department
21 of Motor Vehicles shall implement a registration application process
22 which may be used statewide to register to vote and update voter
23 registration records electronically using the Secretary of State's
24 website. An applicant who has a valid Nebraska motor vehicle operator's
25 license or state identification card may use the application process to
26 register to vote or to update his or her voter registration record with
27 changes in his or her personal information or other information related
28 to his or her eligibility to vote. For each electronic application, the
29 Secretary of State shall obtain a copy of the electronic representation
30 of the applicant's digital image and signature from the Department of
31 Motor Vehicles' records of his or her motor vehicle operator's license or

1 state identification card for purposes of voter registration, and
2 electronic poll books, and voting.

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

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

12 (b) An applicant who submits this application electronically is
13 agreeing to the use of his or her digital image and signature from the
14 Department of Motor Vehicles' records of his or her motor vehicle
15 operator's license or state identification card for purposes of voter
16 registration;

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

20 (d) The election commissioner or county clerk will, upon receipt of
21 the application for registration, send an acknowledgment of registration
22 to the applicant indicating whether the application is proper or not.

23 Sec. 14. Section 32-308, Revised Statutes Supplement, 2023, is
24 amended to read:

25 32-308 (1) The Secretary of State and the Director of Motor Vehicles
26 shall enter into an agreement to match information in the computerized
27 statewide voter registration list with information in the database of the
28 Department of Motor Vehicles to the extent required to enable each such
29 official to verify the accuracy of the information, including
30 citizenship, provided on applications for voter registration. The
31 Director of Motor Vehicles shall enter into an agreement with the

1 Commissioner of Social Security under section 205(r)(8) of the federal
2 Social Security Act, 42 U.S.C. 405(r)(8), as such section existed on
3 April 17, 2003, for purposes of the Election Act.

4 (2) The Department of Motor Vehicles, with the assistance of the
5 Secretary of State, shall prescribe a voter registration application
6 which may be used to register to vote or change his or her address for
7 voting purposes at the same time an elector applies for an original or
8 renewal motor vehicle operator's license, an original or renewal state
9 identification card, or a replacement thereof. The voter registration
10 application shall contain the information required pursuant to section
11 32-312 and shall be designed so that it does not require the duplication
12 of information in the application for the motor vehicle operator's
13 license or state identification card, except that it may require a second
14 signature of the applicant. The department and the Secretary of State
15 shall make the voter registration application available to any person
16 applying for an operator's license or state identification card. The
17 application shall be completed at the office of the department by the
18 close of business on the third Friday preceding any election to be
19 registered to vote at such election. A registration application received
20 after the deadline shall not be processed by the election commissioner or
21 county clerk until after the election.

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

30 (4) The voter registration application information shall be
31 transmitted to the election commissioner or county clerk of the county in

1 which the applicant resides not later than ten days after receipt, except
2 that if the voter registration application information is received within
3 five days prior to the third Friday preceding any election, it shall be
4 transmitted not later than five days after its original submission. Any
5 information on whether an applicant registers or declines to register and
6 the location of the office at which he or she registers shall be
7 confidential and shall only be used for voter registration purposes.

8 (5) For each voter registration application for which information is
9 transmitted electronically pursuant to this section, the Secretary of
10 State shall obtain a copy of the electronic representation of the
11 applicant's digital image and signature from the Department of Motor
12 Vehicles' records of his or her motor vehicle operator's license or state
13 identification card for purposes of voter registration and voting. Each
14 voter registration application electronically transmitted under this
15 section shall include information provided by the applicant that includes
16 whether the applicant is a citizen of the United States, whether the
17 applicant is of sufficient age to register to vote, the applicant's
18 residence address, the applicant's postal address if different from the
19 residence address, the date of birth of the applicant, the party
20 affiliation of the applicant or an indication that the applicant is not
21 affiliated with any political party, the applicant's motor vehicle
22 operator's license number, the applicant's previous registration location
23 by city, county, or state, if applicable, and the applicant's signature.

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

28 Sec. 15. Section 32-318.01, Revised Statutes Supplement, 2023, is
29 amended to read:

30 32-318.01 (1)(a) Except as provided by subsection (2) of this
31 section, a person who registers to vote by mail after January 1, 2003,

1 and has not previously voted in an election within the state shall
2 present a photographic identification which is current and valid or a
3 copy of a utility bill, bank statement, government check, paycheck, or
4 other government document which is dated within the sixty days
5 immediately prior to the date of presentation and which shows the same
6 name and residence address of the person provided on the registration
7 application in order to avoid identification requirements at the time of
8 voting pursuant to section 32-914 or 32-947.

9 (b) Such documentation may be presented at the time of application
10 for registration, after submission of the application for registration,
11 or at the time of voting. The documentation must be received by the
12 election commissioner or county clerk not later than 6 p.m. on the second
13 Friday preceding the election to avoid additional identification
14 requirements at the time of voting at the polling place if the voter
15 votes in person. If the voter is voting using a ballot for early voting,
16 the documentation must be received by the election commissioner or county
17 clerk prior to the date on which the ballot is mailed to the voter to
18 avoid additional identification requirements at the time of voting.
19 Documentation received after the ballot has been mailed to the voter but
20 not later than the deadline for the receipt of ballots specified in
21 subsection (2) of section 32-908 will be considered timely for purposes
22 of determining the applicant's eligibility to vote in the election.

23 (c) Such documentation may be presented in person, by mail, ~~or~~ by
24 facsimile transmission, or by electronic mail.

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

28 (2) This section shall not apply to a person who registers to vote
29 by mail after January 1, 2003, and has not previously voted in an
30 election within the state if he or she:

31 (a) Has provided his or her Nebraska driver's license number or the

1 last four digits of his or her social security number and the election
2 commissioner or county clerk verifies the number provided pursuant to
3 subsection (2) of section 32-312.03;

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

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

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

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

16 (f) Is elderly or handicapped and has requested to vote by
17 alternative means other than by casting a ballot at his or her polling
18 place on election day.

19 (3) In addition to the requirements of this section, a qualified
20 voter shall present valid photographic identification before casting a
21 ballot.

22 Sec. 16. Section 32-320.01, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 32-320.01 (1) Except as provided in subsection (2) of this section,
25 any person or organization distributing voter registration applications
26 by mail shall:

27 (a) Use use the form prescribed by the Secretary of State. The form
28 shall contain on the top of the first page in bold type (i) ~~(a)~~ the
29 identity of the person or organization distributing the form and (ii) ~~(b)~~
30 the following statements:

31 You may submit this form if you wish to register to vote or update

1 your voter registration. You do not need to complete this form if you
2 have already registered to vote; and -

3 (b) If enclosing a return envelope, have either a blank address or
4 the address of the election commissioner or county clerk printed on the
5 envelope.

6 (2) This section shall not apply to voter registration applications
7 distributed by the Secretary of State, an election commissioner, a county
8 clerk, the State Department of Education, the Department of Health and
9 Human Services, or the Department of Motor Vehicles.

10 Sec. 17. Section 32-330, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 32-330 (1) Except as otherwise provided in subsection (3) of section
13 32-301, the voter registration register shall be a public record. Any
14 person may examine the register at the office of the election
15 commissioner or county clerk, but no person other than the Secretary of
16 State, the election commissioner, the county clerk, or law enforcement
17 shall be allowed to make copies of the register. Copies of the register
18 shall only be used for list maintenance as provided in section 32-329 or
19 law enforcement purposes. The electronic records of the original voter
20 registrations created pursuant to section 32-301 may constitute the voter
21 registration register. The Secretary of State, election commissioner, or
22 county clerk shall withhold information in the register designated as
23 confidential under section 32-331. No portion of the register made
24 available to the public and no list distributed pursuant to this section
25 shall include the digital signature of any voter.

26 (2) The Secretary of State, election commissioner, or county clerk
27 shall make available a list of registered voters that contains no more
28 than the information authorized in subsections (3) and (7) of this
29 section and, if requested, a list that only contains such information for
30 registered voters who have voted in an election held more than thirty
31 days prior to the request for the list. The Secretary of State, election

1 commissioner, or county clerk shall establish the price of the lists at a
2 rate that fairly covers the actual production cost of the lists, not to
3 exceed three cents per name. Lists shall be used solely for purposes
4 related to elections, political activities, voter registration, law
5 enforcement, or jury selection. Lists shall not be posted, displayed, or
6 used for commercial purposes or made accessible on the Internet.

7 (3)(a) The Secretary of State, election commissioner, or county
8 clerk shall withhold from any list of registered voters distributed
9 pursuant to subsection (2) of this section any information in the voter
10 registration records which is designated as confidential under section
11 32-331 or marked private on the voter registration application or voter
12 registration record.

13 (b) Except as otherwise provided in subdivision (a) of this
14 subsection, a list of registered voters distributed pursuant to
15 subsection (2) of this section shall contain no more than the following
16 information:

- 17 (i) The registrant's name;
- 18 (ii) The registrant's residential address;
- 19 (iii) The registrant's mailing address;
- 20 (iv) The registrant's telephone number;
- 21 (v) The registrant's voter registration status;
- 22 (vi) The registrant's voter identification number;
- 23 (vii) The registrant's birth year;
- 24 (viii) The registrant's date of voter registration;
- 25 (ix) The registrant's voting precinct;
- 26 (x) The registrant's polling site;
- 27 (xi) The registrant's political party affiliation;
- 28 (xii) The political subdivisions in which the registrant resides;
- 29 and
- 30 (xiii) The registrant's voter history.

31 (4) Any person who acquires a list of registered voters under

1 subsection (2) of this section shall provide his or her name, address,
2 telephone number, email address, and campaign committee name or
3 organization name, if applicable, the state of organization, if
4 applicable, and the reason for requesting the list, and shall take and
5 subscribe to an oath in substantially the following form:

6 I hereby swear that I will use the list of registered voters
7 of County, Nebraska, (or the State of Nebraska) only for the
8 purposes prescribed in section 32-330 and for no other purpose, that I
9 will not permit the use or copying of such list for unauthorized
10 purposes, and that I will not post, display, or make such list accessible
11 on the Internet.

12 I hereby declare under the penalty of election falsification that
13 the statements above are true to the best of my knowledge.

14 The penalty for election falsification is a Class IV felony.

15 (Signature of person acquiring list)

16 Subscribed and sworn to before me this day of 20.. .

17 (Signature of officer)

18 (Name and official title of officer)

19 (5) The Secretary of State, election commissioner, or county clerk
20 shall provide, upon request and free of charge, a complete and current
21 listing of all registered voters and their addresses to the Clerk of the
22 United States District Court for the District of Nebraska. Such list
23 shall be provided no later than December 31 of each even-numbered year.

24 (6)(a) ~~(6)~~ The Secretary of State, election commissioner, or county
25 clerk shall provide, upon request and free of charge, a complete and
26 current listing of all registered voters containing only the information
27 authorized under subsection (3) of this section to the state party
28 headquarters of each political party and to the county chairperson of
29 each political party.

30 (b) The Secretary of State, election commissioner, or county clerk
31 shall not be required to provide more than one list of registered voters

1 free of charge to the state party headquarters of each political party or
2 the county chairperson of each political party per calendar month.

3 (7) The Secretary of State shall make available to each jury
4 commissioner a list of registered voters that contains the information
5 authorized in this section and in subsection (1) of section 25-1654 the
6 ~~registrant's motor vehicle operator's license number or state~~
7 ~~identification card number.~~

8 (8) Nothing in this section shall prevent a political party or
9 candidate from using the list of registered voters for campaign
10 activities.

11 (9) Any person who acquires a list of registered voters under
12 subsection (2) of this section shall, following discovery or notification
13 of a breach in the security of the storage of the information, disclose
14 the breach in security to the Secretary of State, election commissioner,
15 or county clerk without delay.

16 Sec. 18. Section 32-404, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 32-404 (1) When any political subdivision holds an election in
19 conjunction with the statewide primary or general election, the election
20 shall be held as provided in the Election Act. Any other election held by
21 a political subdivision shall be held as provided in the act unless
22 otherwise provided by the charter, code, or bylaws of the political
23 subdivision.

24 (2) No later than December 1 of each odd-numbered year, the
25 Secretary of State, election commissioner, or county clerk shall give
26 notice to each political subdivision of the filing deadlines for the
27 statewide primary election. No later than January 5 of each even-numbered
28 year, the governing board of each political subdivision which will hold
29 an election in conjunction with a statewide primary election shall
30 certify to the Secretary of State, the election commissioner, or the
31 county clerk the name of the subdivision, the number of officers to be

1 elected, the length of the terms of office, the vacancies to be filled by
2 election and length of remaining term, and the number of votes to be cast
3 by a registered voter for each office.

4 (3) No later than June 15 of each even-numbered year, the governing
5 board of each reclamation district, county weed district, village, county
6 under township organization, public power district receiving annual gross
7 revenue of less than forty million dollars, or educational service unit
8 which will hold an election in conjunction with a statewide general
9 election shall certify to the Secretary of State, the election
10 commissioner, or the county clerk the name of the subdivision, the number
11 of officers to be elected, the length of the terms of office, the
12 vacancies to be filled by election and length of remaining term, and the
13 number of votes to be cast by a registered voter for each office.

14 (4) The Secretary of State shall prescribe the forms to be used for
15 certification to him or her, and the election commissioner or county
16 clerk shall prescribe the forms to be used for certification to him or
17 her.

18 (5) Each city, village, township, school district, public power
19 district, sanitary and improvement district, metropolitan utilities
20 district, fire protection district, natural resources district, regional
21 metropolitan transit authority, community college area, learning
22 community coordinating council, educational service unit, hospital
23 district, reclamation district, library board, and airport authority
24 shall furnish to the Secretary of State and election commissioner or
25 county clerk any maps and additional information which the Secretary of
26 State and election commissioner or county clerk may require in the proper
27 performance of their duties in the conduct of elections and certification
28 of results.

29 Sec. 19. Section 32-405, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 32-405 Any special election under the Election Act shall be held on

1 the first Tuesday following the second Monday of the selected month
2 unless otherwise specifically provided. Except as otherwise specifically
3 provided, no ~~No~~ special election shall be held under the Election Act in
4 April, May, June, October, November, or December of an even-numbered year
5 unless it is held in conjunction with the statewide primary or general
6 election. No special election shall be held under the Election Act in
7 September of an even-numbered year except as provided in section 32-564
8 and except for a special election by a political subdivision pursuant to
9 section 13-519 or 77-3444 to approve a property tax levy or exceed a
10 property tax levy limitation. A special election for a Class III, IV, or
11 V school district which is located in whole or in part in a county in
12 which a city of the primary or metropolitan class is located may be held
13 in conjunction with the primary or general election for a city of the
14 primary or metropolitan class which is governed by a home rule charter.

15 Sec. 20. Section 32-552, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 32-552 (1) ~~At Except as provided by subsection (4) of this section,~~
18 ~~at~~ least five months prior to an election, the governing board of any
19 political subdivision requesting the adjustment of the boundaries of
20 election districts shall provide to the election commissioner or county
21 clerk (a) written notice of the need and necessity of his or her office
22 to perform such adjustments and (b) a revised election district boundary
23 map that has been approved by the requesting political subdivision's
24 governing board and subjected to all public review and challenge
25 ordinances of the political subdivision.

26 (2) After each ~~the next~~ federal decennial census, the election
27 commissioner of the county in which the greater part of a Class IV school
28 district is situated shall, subject to review by the school board, divide
29 the school district into seven numbered districts, substantially equal in
30 population as determined by the most recent federal decennial census. The
31 election commissioner shall consider the location of schools within the

1 district and their boundaries. The election commissioner shall adjust the
2 boundaries of the election districts, subject to final review and
3 adjustment by the school board, to conform to changes in the territory
4 and population of the school district and also following each federal
5 decennial census. Except when specific procedures are otherwise provided,
6 section 32-553 shall apply to all Class IV school districts.

7 (3) For purposes of election of members to the board of education of
8 a Class V school district, ~~such~~ : ~~(a)(i) The Legislature hereby divides~~
9 ~~such~~ school district shall be divided into nine numbered election
10 districts of compact and contiguous territory and of as nearly equal
11 population as may be practical. Each election district shall be entitled
12 to one member on the board of education of such Class V school district.
13 ~~The Legislature adopts the official population figures and maps from the~~
14 ~~2010 Census Redistricting (Public Law 94-171) TIGER/Line Shapefiles~~
15 ~~published by the United States Department of Commerce, Bureau of the~~
16 ~~Census. The numbers and boundaries of the election districts are~~
17 ~~designated and established by a map identified and labeled as OPS-13-002,~~
18 ~~filed with the Clerk of the Legislature, and incorporated by reference as~~
19 ~~part of Laws 2013, LB125. Such districts are drawn using the boundaries~~
20 ~~of the Class V school district as they existed on February 12, 2013; (ii)~~
21 ~~the Clerk of the Legislature shall transfer possession of the map~~
22 ~~referred to in subdivision (a)(i) of this subsection to the Secretary of~~
23 ~~State and the election commissioner of the county in which the greater~~
24 ~~part of the school district is situated on February 12, 2013; (iii) when~~
25 ~~questions of interpretation of such election district boundaries arise,~~
26 ~~the map referred to in subdivision (a)(i) of this subsection in~~
27 ~~possession of such election commissioner shall serve as the indication of~~
28 ~~the legislative intent in drawing the election district boundaries; and~~
29 ~~(iv) the Secretary of State and such election commissioner shall also~~
30 ~~have available for viewing on his or her website the map referred to in~~
31 ~~subdivision (a)(i) of this subsection identifying the boundaries for such~~

1 ~~election districts; and (b) After each the next federal decennial census,~~
2 ~~the election commissioner of the county in which the greater part of a~~
3 ~~Class V school district is situated shall divide the school district into~~
4 ~~nine numbered districts of compact and contiguous territory and of as~~
5 ~~nearly equal population as may be practical. The election commissioner~~
6 ~~shall adjust the boundaries of such districts, subject to final review~~
7 ~~and adjustment by the school board, to conform to changes in the~~
8 ~~territory of the school district and also following each federal~~
9 ~~decennial census.~~

10 ~~(4) Following the release of the 2020 Census of Population data by~~
11 ~~the United States Department of Commerce, Bureau of the Census, as~~
12 ~~required by Public Law 94-171, the governing board of any political~~
13 ~~subdivision requesting the adjustment of the boundaries of election~~
14 ~~districts shall provide to the election commissioner or county clerk (a)~~
15 ~~written notice of the need and necessity of his or her office to perform~~
16 ~~such adjustments and (b) a revised election district boundary map that~~
17 ~~has been approved by the requesting political subdivision's governing~~
18 ~~board and subjected to all public review and challenge ordinances of the~~
19 ~~political subdivision by December 30, 2021.~~

20 ~~(5) The Secretary of State may grant additional days upon request of~~
21 ~~the political subdivision if precinct maps are not delivered to the~~
22 ~~political subdivision by November 1, 2021, or for an extraordinary~~
23 ~~circumstance.~~

24 ~~Sec. 21. Section 32-553, Revised Statutes Cumulative Supplement,~~
25 ~~2022, is amended to read:~~

26 ~~32-553 (1)(a) When any political subdivision except a public power~~
27 ~~district nominates or elects members of the governing board by districts,~~
28 ~~such districts shall be substantially equal in population as determined~~
29 ~~by the most recent federal decennial census.~~

30 ~~(b) Any Except as provided by subdivision (c) of this subsection,~~
31 ~~(i) any such political subdivision that which has districts in place on~~

1 the date the census figures used in drawing district boundaries for the
2 Legislature are required to be submitted to the state by the United
3 States Department of Commerce, Bureau of the Census, shall, if necessary
4 to maintain substantial population equality as required by this
5 subsection, have new district boundaries drawn within six months after
6 the passage and approval of the legislative bill providing for
7 reestablishing legislative districts. Any and ~~(ii) any~~ such political
8 subdivision in existence on the date the census figures used in drawing
9 district boundaries for the Legislature are required to be submitted to
10 the state by the United States Department of Commerce, Bureau of the
11 Census, and which has not established any district boundaries shall
12 establish district boundaries pursuant to this section within six months
13 after such date.

14 ~~(c) Following the release of the 2020 Census of Population data by~~
15 ~~the United States Department of Commerce, Bureau of the Census, as~~
16 ~~required by Public Law 94-171, any such political subdivision which has~~
17 ~~districts in place on the date the census figures used in drawing~~
18 ~~district boundaries for the Legislature are required to be submitted to~~
19 ~~the state by the United States Department of Commerce, Bureau of the~~
20 ~~Census, shall, if necessary to maintain substantial population equality~~
21 ~~as required by this subsection, have new district boundaries drawn and~~
22 ~~submitted to the election commissioner or county clerk by December 30,~~
23 ~~2021, after the passage and approval of the legislative bill providing~~
24 ~~for reestablishing legislative districts. Any such political subdivision~~
25 ~~in existence on the date the census figures used in drawing district~~
26 ~~boundaries for the Legislature are required to be submitted to the state~~
27 ~~by the United States Department of Commerce, Bureau of the Census, and~~
28 ~~which has not established any district boundaries shall establish~~
29 ~~district boundaries and submit the boundaries to the election~~
30 ~~commissioner or county clerk pursuant to this section by December 30,~~
31 ~~2021.~~

1 ~~(d) The Secretary of State may grant additional days upon request of~~
2 ~~the political subdivision if precinct maps are not delivered to the~~
3 ~~political subdivision by November 1, 2021, or for an extraordinary~~
4 ~~circumstance.~~

5 (c) (e) If the deadline for drawing or redrawing district boundary
6 lines imposed by this section is not met, the procedures set forth in
7 section 32-555 shall be followed.

8 (2) The governing board of each such political subdivision shall be
9 responsible for drawing its own district boundaries and shall, as nearly
10 as possible, follow the precinct lines created by the election
11 commissioner or county clerk after each federal decennial census, except
12 that the election commissioner of any county in which a Class IV or V
13 school district is located shall draw district boundaries for such school
14 district as provided in this section and section 32-552.

15 Sec. 22. Section 32-564, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-564 (1) Except as otherwise provided in subsection (2) of this
18 section:

19 (a) If a vacancy occurs in the office of Representative in Congress
20 on or after August 1 in an even-numbered year and prior to the statewide
21 general election in such year, the Governor shall order a special
22 election to be held in conjunction with such statewide general election.
23 The only candidates who may appear on the ballot for such office at such
24 special election are those who were nominated at the statewide primary
25 election in such year, those who comply with section 32-616, and those
26 who comply with section 32-627 to fill a vacancy on the ballot if such a
27 vacancy exists. The candidate receiving the most votes at such special
28 election shall serve for the remainder of the vacated term and for the
29 succeeding term of office;

30 (b) If a vacancy occurs in the office of Representative in Congress
31 on or after the day of the statewide general election and prior to the

1 end of the term of the office which is vacated, no special election shall
2 be called; and

3 (c) If a vacancy occurs in such office at any time other than as
4 described in subdivision (a) or (b) of this subsection, the Governor
5 shall order a special election to be held not less than seventy-five days
6 nor more than ~~within~~ ninety days after the vacancy occurs. Such election
7 shall be held on a Tuesday. Each political party which polled at least
8 five percent of the entire vote in the district in which the vacancy
9 occurs may select a candidate following the applicable procedures in
10 subsection (2) of section 32-627, except that the certificate and filing
11 fee shall be submitted at least sixty-seven ~~sixty-five~~ days prior to the
12 day of the election. Any candidate so selected shall have his or her name
13 placed on the ballot with the appropriate political party designation.
14 Any other person may have his or her name placed on the ballot without a
15 political party designation by filing petitions pursuant to sections
16 32-617 and 32-618 and paying the filing fee as provided by section
17 32-608, except that the deadline for filing the petitions and paying the
18 fee shall be sixty-seven ~~sixty-five~~ days prior to the day of the
19 election. The candidate receiving the most votes at such special election
20 shall serve for the remainder of the vacated term.

21 (2)(a) If the Speaker of the United States House of Representatives
22 announces that there are more than one hundred vacancies in the House of
23 Representatives requiring special elections according to 2 U.S.C. 8, as
24 such section existed on July 18, 2008, and there is any vacancy in the
25 office of Representative in Congress representing Nebraska, the Governor
26 shall issue a writ of election. The writ of election shall specify the
27 date of a special election to fill such vacancy to be held within forty-
28 nine days after the Speaker's announcement.

29 (b) The Secretary of State shall notify the chairperson and
30 secretary of each political party which polled at least five percent of
31 the entire vote in the district in which the vacancy occurs that the

1 party may select a candidate following the applicable procedures in
2 subsection (2) of section 32-627, except that the certificate and filing
3 fee shall be submitted within seven days after notification by the
4 Secretary of State. Any candidate so selected shall have his or her name
5 placed on the ballot with the appropriate political party designation.

6 (c) The ballot for any voter meeting the criteria of section 32-939
7 shall be transmitted to such voter within fifteen days after the
8 Speaker's announcement and shall be accepted if received by the election
9 commissioner or county clerk within forty-five days after transmission to
10 the voter.

11 (d) The candidate receiving the most votes at such special election
12 shall serve for the remainder of the vacated term.

13 Sec. 23. Section 32-565, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 32-565 (1) When a vacancy occurs in the representation of the State
16 of Nebraska in the Senate of the United States, the office shall be
17 filled by the Governor. The Governor shall appoint a suitable person
18 possessing the qualifications necessary for senator to fill such vacancy.

19 (2)(a) If the vacancy occurs on or after August 1 ~~sixty days or less~~
20 prior to a statewide general election and if the term vacated expires on
21 the following January 3, the appointee shall serve until the following
22 January 3.

23 (b) If the vacancy occurs on or after August 1 ~~sixty days or less~~
24 prior to a statewide general election and if the term extends beyond the
25 following January 3, the appointee shall serve until January 3 following
26 the second statewide general election next succeeding the vacancy ~~his or~~
27 ~~her appointment~~ and at such election a senator shall be elected to serve
28 the unexpired term if any.

29 (c) ~~(3)~~ If the vacancy occurs at any time not described in
30 subdivision (a) or (b) of this subsection ~~more than sixty days prior to a~~
31 ~~statewide general election~~, the appointee shall serve until January 3

1 following the next statewide general election next succeeding the vacancy
2 and at such election a senator shall be elected to serve the unexpired
3 term if any.

4 Sec. 24. Section 32-569, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 32-569 (1)(a) Except as otherwise provided in subsection (2) or (3)
7 of this section or section 32-568, vacancies in city and village elected
8 offices shall be filled by the mayor and council or board of trustees for
9 the balance of the unexpired term. Notice of a vacancy, except a vacancy
10 resulting from the death of the incumbent, shall be in writing and
11 presented to the council or board of trustees at a regular or special
12 meeting and shall appear as a part of the minutes of such meeting. The
13 council or board of trustees shall at once give public notice of the
14 vacancy by causing to be published in a newspaper of general circulation
15 within the city or village or by posting in three public places in the
16 city or village the office vacated and the length of the unexpired term.

17 (b) The mayor or chairperson of the board shall call a special
18 meeting of the council or board of trustees or place the issue of filling
19 such vacancy on the agenda at the next regular meeting at which time the
20 mayor or chairperson shall submit the name of a qualified registered
21 voter to fill the vacancy for the balance of the unexpired term. The
22 regular or special meeting shall occur upon the death of the incumbent or
23 within four weeks after the meeting at which such notice of vacancy has
24 been presented. The council or board of trustees shall vote upon such
25 nominee, and if a majority votes in favor of such nominee, the vacancy
26 shall be declared filled. If the nominee fails to receive a majority of
27 the votes, the nomination shall be rejected and the mayor or chairperson
28 shall at the next regular or special meeting submit the name of another
29 qualified registered voter to fill the vacancy. If the subsequent nominee
30 fails to receive a majority of the votes, the mayor or chairperson shall
31 continue at such meeting to submit the names of qualified registered

1 voters in nomination and the council or board of trustees shall continue
2 to vote upon such nominations at such meeting until the vacancy is
3 filled. The mayor shall cast his or her vote for or against the nominee
4 in the case of a tie vote of the council. All council members and
5 trustees present shall cast a ballot for or against the nominee. Any
6 member of the city council or board of trustees who has been appointed to
7 fill a vacancy on the council or board shall have the same rights,
8 including voting, as if such person were elected.

9 (2) The mayor and council or chairperson and board of trustees may,
10 in lieu of filling a vacancy in a city or village elected office as
11 provided in subsection (1) of this section or subsection (3) of section
12 32-568, call a special city election to fill such vacancy.

13 (3) If vacancies exist in the offices of one-half or more of the
14 members of a city council or village board, the Secretary of State shall
15 conduct a special city election to fill such vacancies. Candidates for
16 such special election shall file a candidate filing form pursuant to
17 section 26 of this act.

18 Sec. 25. Section 32-570, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 32-570 (1) A vacancy in the membership of a school board shall occur
21 as set forth in section 32-560 or in the case of absences, unless excused
22 by a majority of the remaining members of the board, when a member is
23 absent from the district for a continuous period of sixty days at one
24 time or from more than two consecutive regular meetings of the board. The
25 resignation of a member or any other reason for a vacancy shall be made a
26 part of the minutes of the school board. The school board shall give
27 notice of the date the vacancy occurred, the office vacated, and the
28 length of the unexpired term (a) in writing to the election commissioner
29 or county clerk and (b) by a notice published in a newspaper of general
30 circulation in the school district.

31 (2) Except as provided in subsection (3) of this section, a vacancy

1 in the membership of a school board resulting from any cause other than
2 the expiration of a term shall be filled by appointment of a qualified
3 registered voter by the remaining members of the board for the remainder
4 of the unexpired term. A registered voter appointed pursuant to this
5 subsection shall meet the same requirements as the member whose office is
6 vacant.

7 (3) Any vacancy in the membership of a school board of a school
8 district described in section 79-549 which does not nominate candidates
9 at a primary election and elect members at the following general election
10 shall be filled by appointment of a qualified registered voter by the
11 remaining members of the board for the remainder of the unexpired term.

12 (4) If any school board fails to fill a vacancy on the board, the
13 vacancy may be filled by election at a special election or school
14 district meeting called for that purpose. Such election or meeting shall
15 be called in the same manner and subject to the same procedures as other
16 special elections or school district meetings.

17 (5) If there are vacancies in the offices of one-half or more of the
18 members of a school board, the Secretary of State shall conduct a special
19 school district election to fill such vacancies. Candidates for such
20 special election shall file a candidate filing form pursuant to section
21 26 of this act.

22 Sec. 26. (1) Except as provided in section 32-564, any candidate in
23 a special election to fill a vacancy for an office of a political
24 subdivision may have his or her name placed on the special election
25 ballot by filing a candidate filing form prescribed by the Secretary of
26 State as provided in section 32-607 and this section. The filing period
27 for filing the candidate filing form shall be:

28 (a) On or before March 1 for a special election to be held in
29 conjunction with the statewide primary election;

30 (b) On or before August 1 for a special election to be held in
31 conjunction with the statewide general election; and

1 (c) Between the eighth Friday prior to the election and the fifth
2 Friday prior to the election for all other elections.

3 (2) A candidate filing form for such special election shall meet the
4 requirements of section 32-607, except that the form shall contain the
5 following statement: "I hereby swear that I will abide by the laws of the
6 State of Nebraska regarding the results of the special election, that I
7 am a registered voter and qualified to be elected, and that I will serve
8 if elected."

9 (3) A candidate filing form for such special election shall be filed
10 with the filing officer specified in subsection (2) of section 32-607.

11 Sec. 27. Section 32-606, Revised Statutes Cumulative Supplement,
12 2022, is amended to read:

13 32-606 (1) Any candidate may place his or her name on the primary
14 election ballot by filing a candidate filing form prescribed by the
15 Secretary of State as provided in section 32-607. Except as otherwise
16 provided in subsection (4) of this section, if a candidate for an
17 elective office is an incumbent of any elective office, the filing period
18 for filing the candidate filing form shall be between January 5 and
19 February 15 prior to the date of the primary election. No incumbent who
20 resigns from elective office prior to the expiration of his or her term
21 shall file for any office after February 15 of that election year. All
22 other candidates shall file for office between January 5 and March 1
23 prior to the date of the primary election. A candidate filing form and a
24 copy of payment of the filing fee, if applicable, may be transmitted by
25 facsimile for the offices listed in subdivision (2)(a) ~~(1)~~ of section
26 32-607 if (a) the transmission is received in the office of the filing
27 officer by the filing deadline and (b) the original filing form and
28 payment of the filing fee, if applicable, is mailed to the filing officer
29 with a legible postmark bearing a date on or prior to the filing deadline
30 and is in the office of the filing officer no later than seven days after
31 the filing deadline.

1 (2) Any candidate for a township office in a county under township
2 organization, the board of trustees of a village, the board of directors
3 of a reclamation district, the county weed district board, the board of
4 directors of a public power district receiving annual gross revenue of
5 less than forty million dollars, or the board of an educational service
6 unit may place his or her name on the general election ballot by filing a
7 candidate filing form prescribed by the Secretary of State as provided in
8 section 32-607. Except as otherwise provided in subsection (4) of this
9 section, if a candidate for an elective office is an incumbent of any
10 elective office, the filing period for filing the candidate filing form
11 shall be between January 5 and July 15 prior to the date of the general
12 election. No incumbent who resigns from elective office prior to the
13 expiration of his or her term shall file for any office after July 15 of
14 that election year. All other candidates shall file for office between
15 January 5 and August 1 prior to the date of the general election. A
16 candidate filing form may be transmitted by facsimile for the offices
17 listed in subdivision (2)(a) ~~(1)~~ of section 32-607 if (a) the
18 transmission is received in the office of the filing officer by the
19 filing deadline and (b) the original filing form is mailed to the filing
20 officer with a legible postmark bearing a date on or prior to the filing
21 deadline and is in the office of the filing officer no later than seven
22 days after the filing deadline.

23 (3) Any city having a home rule charter may provide for filing
24 deadlines for any person desiring to be a candidate for the office of
25 council member or mayor.

26 (4) If a candidate for an elective office was appointed to an
27 elective office to fill a vacancy after the deadline for an incumbent to
28 file a candidate filing form in subsection (1) or (2) of this section but
29 before the deadline for all other candidates, the candidate may file a
30 candidate filing form for any office on or before the deadline for all
31 other candidates.

1 Sec. 28. Section 32-607, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-607 (1)(a) All candidate filing forms shall contain the
4 following statement: I hereby swear that I will abide by the laws of the
5 State of Nebraska regarding the results of the primary and general
6 elections, that I am a registered voter and qualified to be elected, and
7 that I will serve if elected. Candidate filing forms shall also contain
8 the following information regarding the candidate: Name, as provided
9 under subdivision (b) of this subsection; residence address; mailing
10 address if different from the residence address; telephone number; office
11 sought; party affiliation if the office sought is a partisan office; a
12 statement as to whether or not civil penalties are owed pursuant to the
13 Nebraska Political Accountability and Disclosure Act; and, if civil
14 penalties are owed, whether or not a surety bond has been filed pursuant
15 to subdivision (4)(b) of section 32-602. An email address shall also be
16 included on the filing form as an optional field.

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

21 (2) Candidate filing forms shall be filed with the following filing
22 officers:

23 (a) {1} For candidates for national, state, or congressional office,
24 directors of public power and irrigation districts, directors of
25 reclamation districts, directors of natural resources districts,
26 directors of metropolitan utilities districts, members of the boards of
27 educational service units, members of governing boards of community
28 colleges, delegates to national conventions, and other offices filled by
29 election held in more than one county and judges desiring retention, in
30 the office of the Secretary of State;

31 (b) {2} For officers elected within a county, in the office of the

1 election commissioner or county clerk;

2 (c) ~~(3)~~ For officers in school districts which include land in
3 adjoining counties, in the office of the election commissioner or county
4 clerk of the county in which the greatest number of registered voters
5 entitled to vote for the officers reside; and

6 (d) ~~(4)~~ For city or village officers, in the office of the election
7 commissioner or county clerk.

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

11 Sec. 29. Section 32-608, Revised Statutes Cumulative Supplement,
12 2022, is amended to read:

13 32-608 (1) Except as provided in subsection (4) or (5) of this
14 section, a filing fee shall be paid by or on behalf of each candidate
15 prior to filing for office. For candidates who file in the office of the
16 Secretary of State as provided in subdivision (2)(a) ~~(1)~~ of section
17 32-607, the filing fee shall be paid to the Secretary of State who shall
18 remit the fee to the State Treasurer for credit to the Election
19 Administration Fund. For candidates for any city or village office, the
20 filing fee shall be paid to the city or village treasurer of the city or
21 village in which the candidate resides. For candidates who file in the
22 office of the election commissioner or county clerk, the filing fee shall
23 be paid to the election commissioner or county clerk in the county in
24 which the office is sought. The election commissioner or county clerk
25 shall remit the fee to the county treasurer. The fee shall be placed in
26 the general fund of the county, city, or village. No candidate filing
27 forms shall be filed until the proper payment or the proper receipt
28 showing the payment of such filing fee is presented to the filing
29 officer. On the day of the filing deadline, the city or village
30 treasurer's office shall remain open to receive filing fees until the
31 hour of the filing deadline.

1 (2) Except as provided in subsection (4) or (5) of this section, the
2 filing fees shall be as follows:

3 (a) For the office of United States Senator, state officers,
4 including members of the Legislature, Representatives in Congress, county
5 officers, and city or village officers, except the mayor or council
6 members of cities having a home rule charter, a sum equal to one percent
7 of the annual salary as of November 30 of the year preceding the election
8 for the office for which he or she files as a candidate;

9 (b) For directors of public power and irrigation districts in
10 districts receiving annual gross revenue of forty million dollars or
11 more, twenty-five dollars, and in districts receiving annual gross
12 revenue of less than forty million dollars, ten dollars;

13 (c) For directors of reclamation districts, ten dollars; and

14 (d) For Regents of the University of Nebraska, members of the State
15 Board of Education, and directors of metropolitan utilities districts,
16 twenty-five dollars.

17 (3) All declared write-in candidates shall pay the filing fees that
18 are required for the office at the time that they present the write-in
19 affidavit to the filing officer.

20 (4) No filing fee shall be required for any candidate filing for an
21 office in which a per diem is paid rather than a salary or for which
22 there is a salary of less than five hundred dollars per year. No filing
23 fee shall be required for any candidate for membership on a school board,
24 on the board of an educational service unit, on the board of governors of
25 a community college area, on the board of directors of a natural
26 resources district, or on the board of trustees of a sanitary and
27 improvement district.

28 (5) No filing fee shall be required of any candidate completing an
29 affidavit requesting to file for elective office in forma pauperis. A
30 pauper shall mean a person whose income and other resources for
31 maintenance are found under assistance standards to be insufficient for

1 meeting the cost of his or her requirements and whose reserve of cash or
2 other available resources does not exceed the maximum available resources
3 that an eligible individual may own. Available resources shall include
4 every type of property or interest in property that an individual owns
5 and may convert into cash except:

6 (a) Real property used as a home;

7 (b) Household goods of a moderate value used in the home; and

8 (c) Assets to a maximum value of three thousand dollars used by a
9 recipient in a planned effort directed towards self-support.

10 (6) If any candidate dies prior to an election, the spouse of the
11 candidate may file a claim for refund of the filing fee with the proper
12 governing body prior to the date of the election. Upon approval of the
13 claim by the proper governing body, the filing fee shall be refunded.

14 Sec. 30. (1) Any person who has filed for elective office pursuant
15 to subsection (1) of section 32-606 whose legal name has changed since
16 filing may change the name to appear on the ballot to reflect the
17 person's changed legal name by March 1 before the primary election. The
18 candidate shall provide any documentation verifying the legal name change
19 to the filing officer by March 1.

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

27 (3) Any objection to a name change pursuant to subsection (1) or (2)
28 of this section may be made and passed upon in the same manner as an
29 objection to a candidate filing form pursuant to section 32-624, except
30 that any objection pursuant to this subsection shall be made within seven
31 days after the documentation verifying the legal name change is provided

1 to the filing officer.

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

7 Sec. 31. Section 32-613, Reissue Revised Statutes of Nebraska, is
8 amended to read:

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

23 Sec. 32. Section 32-615, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 32-615 (1) Except as otherwise provided in subsection (2) of this
26 section, any candidate engaged in or pursuing a write-in campaign shall
27 file a notarized affidavit of his or her intent together with the receipt
28 for any filing fee with the filing officer as provided in section 32-608
29 no earlier than January 5 and no later than the second Friday prior to
30 the election.

31 (2) For any county office elected pursuant to sections 32-517 to

1 32-529 which is subject to subdivision (1)(b) of section 32-811, a
2 candidate may engage in or pursue a write-in campaign if he or she files
3 a notarized affidavit of his or her intent together with the receipt for
4 the filing fee with the filing officer as provided in section 32-608 on
5 or before March 3 of the year of the statewide primary election. If such
6 an affidavit is filed as prescribed, the election commissioner or county
7 clerk shall place that county office on the statewide primary election
8 ballot with the names of the candidate properly filed for the nomination
9 of the applicable political party and a line for write-in candidates.

10 (3) A candidate submitting an affidavit under this section for a
11 partisan office on the statewide primary election ballot shall be a
12 registered voter of the political party named in the affidavit unless the
13 political party allows candidates not affiliated with the party by not
14 adopting a rule under section 32-702.

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

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

27 Sec. 33. Section 32-617, Reissue Revised Statutes of Nebraska, is
28 amended to read:

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

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

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

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

27 Sec. 34. Section 32-630, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 32-630 (1) Each person who signs a petition shall, at the time of
30 and in addition to signing, personally affix the date, print his or her
31 last name and first name in full, and affix his or her date of birth and

1 address, including the street and number or a designation of a rural
2 route or voting precinct and the city or village or a post office
3 address. A person signing a petition may use his or her initials in place
4 of his or her first name if such person is registered to vote under such
5 initials. ~~No signer shall use ditto marks as a means of personally~~
6 ~~affixing the date or address to any petition. A wife shall not use her~~
7 ~~husband's first name when she signs a petition but shall personally affix~~
8 ~~her first name and her last name by marriage or her surname. Any~~
9 ~~signature using ditto marks as a means of personally affixing the date or~~
10 ~~address of any petition or any signature using a spouse's first name~~
11 ~~instead of his or her own shall be invalid.~~

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

14 (3) No person shall:

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

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

18 (c) Sign a petition if he or she is not a registered voter and
19 qualified to sign the same except as provided in section 32-1404;

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

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

22 or

23 (f) Offer money or other thing of value in exchange for a signature
24 upon any petition.

25 Sec. 35. Section 32-632, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 32-632 (1) Any person may remove his or her name from a petition by
28 signing and delivering a written letter to the Secretary of State, an
29 affidavit signed and sworn to by such person before the election
30 commissioner, or the county clerk, or a notary public. Name removal
31 letters shall be filed with the following officers:

1 (a) For initiative and referendum petitions, new political party
2 petitions, and petitions for President of the United States, with the
3 Secretary of State;

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

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

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

10 (2) The name removal letter affidavit shall be delivered presented
11 to and received by the officer prescribed in subsection (1) of this
12 section by the following deadlines:

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

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

17 (c) For petitions for President of the United States, by the
18 deadline for filing petitions pursuant to section 32-613 for the primary
19 election or pursuant to section 32-620 for the general election;

20 (d) For candidate petitions, by the deadline for filing petitions
21 pursuant to section 32-617;

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

24 (f) For all other petitions, prior to or on the day the petition is
25 filed for verification with the election commissioner, county clerk, or
26 city clerk. Secretary of State, election commissioner, or county clerk
27 prior to or on the day the petition is filed for verification with the
28 election commissioner or county clerk.

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

1 Sec. 36. Section 32-713, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-713 (1) The certificates of appointment for presidential electors
4 shall be served by the Governor on each person appointed. The Governor
5 shall notify the presidential electors to be at the meeting location
6 designated by the Governor State Capitol at noon on the first Tuesday
7 ~~Monday~~ after the second Wednesday in December after appointment and
8 report to the Governor at the designated meeting location ~~his or her~~
9 ~~office in the capitol~~ as being in attendance. The Governor shall serve
10 the certificates of appointment by registered or certified mail. In
11 submitting this state's certificate of ascertainment as required by 3
12 U.S.C. 5 ~~6~~, the Governor shall certify this state's presidential
13 electors, include a security feature for purposes of verifying the
14 authenticity of the certificate, and state in the certificate that:

15 (a) The presidential electors will serve as presidential electors
16 unless a vacancy occurs in the office of presidential elector before the
17 end of the meeting at which the presidential electors cast their votes,
18 in which case a substitute presidential elector will fill the vacancy;
19 and

20 (b) If a substitute presidential elector is appointed to fill a
21 vacancy, the Governor will submit an amended certificate of ascertainment
22 stating the names on the final list of this state's presidential
23 electors.

24 (2) The presidential electors shall convene at 2 p.m. of such
25 Tuesday Monday at the meeting location designated by the Governor
26 ~~Governor's office in the capitol~~. Each presidential elector shall execute
27 the following pledge: As a presidential elector duly selected (or
28 appointed) for this position, I agree to serve and to mark my ballots for
29 President and Vice President for the presidential and vice-presidential
30 candidates who received the highest number of votes in the state if I am
31 an at-large presidential elector or the highest number of votes in my

1 congressional district if I am a congressional district presidential
2 elector.

3 Sec. 37. Section 32-716, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

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

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

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

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

25 Sec. 38. Section 32-802, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 32-802 The notice of election for any election shall state the date
28 on which the election is to be held and the hours the polls will be open
29 and list all offices, candidates, and issues that will appear on the
30 ballots. The notice of election shall be printed in English and in any
31 other language required pursuant to the Voting Rights Act Language

1 Assistance Amendments of 1992. In the case of a primary election, the
2 notice of election shall list all offices and candidates that are being
3 forwarded to the general election. The notice of election shall only
4 state that amendments or referendums will be voted upon and that the
5 Secretary of State will publish a true copy of the title and text of any
6 amendments or referendums once each week for three consecutive weeks
7 preceding the election. Such notice of election shall appear in at least
8 one newspaper designated by the election commissioner, county clerk, city
9 council, or village board no later than forty-two days prior to the
10 election. The election commissioner or county clerk shall, not later than
11 forty-two days prior to the election, (1) post in his or her office the
12 same notice of election published in the newspaper and (2) provide a copy
13 of the notice to the political subdivisions appearing on the notice of
14 election ballot. The election commissioner or county clerk shall correct
15 the ballot to reflect any corrections received within five days after
16 mailing the notice as provided in section 32-819. The notice of election
17 shall be posted in lieu of sample ballots until such time as sample
18 ballots are printed. If joint elections are held in conjunction with the
19 statewide primary or general election by a county, city, or village, only
20 one notice of election need be published and signed by the election
21 commissioner or county clerk.

22 Sec. 39. Section 32-808.01, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 32-808.01 (1) Except as provided in subsection (2) of this section,
25 any person or organization distributing an application by mail for a
26 ballot for early voting shall:

27 (a) Use use the form prescribed by the Secretary of State. The form
28 shall contain on the top of the first page in bold type (i) ~~(a)~~ the
29 identity of the person or organization distributing the form and (ii) ~~(b)~~
30 the following statements:

31 You may submit this form if you wish to request a ballot for early

1 voting. You do not need to complete this form if you have already
2 requested a ballot for early voting for this election; and -

3 (b) If enclosing a return envelope, have either a blank address or
4 the address of the election commissioner or county clerk printed on the
5 envelope.

6 (2) This section shall not apply to an application for a ballot for
7 early voting distributed by the Secretary of State, an election
8 commissioner, or a county clerk.

9 Sec. 40. Section 32-903, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 32-903 (1) The election commissioner or county clerk shall create
12 precincts composed of compact and contiguous territory within the
13 boundary lines of legislative districts. The precincts shall contain not
14 less than seventy-five nor more than one thousand seven hundred fifty
15 registered voters based on the number of voters voting at the last
16 statewide general election, except that a precinct may contain less than
17 seventy-five registered voters if in the judgment of the election
18 commissioner or county clerk it is necessary to avoid creating an undue
19 hardship on the registered voters in the precinct. The election
20 commissioner or county clerk shall create precincts based on the number
21 of votes cast at the immediately preceding presidential election or the
22 current list of registered voters for the precinct. The election
23 commissioner or county clerk shall revise and rearrange the precincts and
24 increase or decrease them at such times as may be necessary to make the
25 precincts contain as nearly as practicable not less than seventy-five nor
26 more than one thousand seven hundred fifty registered voters voting at
27 the last statewide general election. The election commissioner or county
28 clerk shall, when necessary and possible, readjust precinct boundaries to
29 coincide with the boundaries of cities, villages, and school districts
30 which are divided into districts or wards for election purposes. The
31 election commissioner or county clerk shall not make any precinct changes

1 in precinct boundaries or divide precincts into two or more parts between
2 the statewide primary and general elections unless he or she has been
3 authorized to do so by the Secretary of State. If changes are authorized,
4 the election commissioner or county clerk shall notify each state and
5 local candidate affected by the change.

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

14 ~~(3) Following the release of the 2020 Census of Population data by~~
15 ~~the United States Department of Commerce, Bureau of the Census, as~~
16 ~~required by Public Law 94-171, the election commissioner or county clerk~~
17 ~~shall create, revise, or rearrange precincts in compliance with~~
18 ~~subsections (1) and (2) of this section and deliver maps of the updated~~
19 ~~precinct boundaries to all applicable political subdivisions within the~~
20 ~~jurisdiction of the election commissioner or county clerk by November 1,~~
21 ~~2021.~~

22 ~~(4) The Secretary of State may grant additional days for election~~
23 ~~commissioners and county clerks to meet the requirements of subsection~~
24 ~~(3) of this section for an extraordinary circumstance.~~

25 Sec. 41. Section 32-912.01, Revised Statutes Supplement, 2023, is
26 amended to read:

27 32-912.01 (1) A voter with a religious objection to being
28 photographed may inform the election commissioner or county clerk of the
29 county in which the voter resides of such objection in writing prior to
30 an election. If the election commissioner or county clerk receives
31 written notice not later than 6 p.m. on the second Friday preceding the

1 election, the election commissioner or county clerk shall place a
2 notation on the precinct list of registered voters for the polling place
3 that the voter has a religious objection to being photographed.

4 (2) For all subsequent elections, the election commissioner or
5 county clerk shall place a notation on the precinct list of registered
6 voters for the polling place that the voter has a religious objection to
7 being photographed if such voter:

8 (a) Completes a reasonable impediment certification pursuant to
9 section 32-912.02;

10 (b) Has a ballot accepted pursuant to section 32-1002.01; and

11 (c) Is otherwise eligible to vote.

12 (3) The election commissioner or county clerk shall remove a
13 notation if the election commissioner or county clerk receives written
14 notice from the voter that the voter no longer has a religious objection
15 to being photographed.

16 Sec. 42. Section 32-912.02, Revised Statutes Supplement, 2023, is
17 amended to read:

18 32-912.02 (1) The Secretary of State shall provide a standard
19 certification for a voter with a reasonable impediment preventing the
20 voter from obtaining ~~presenting~~ valid photographic identification. A
21 voter with a reasonable impediment shall check to identify the applicable
22 reasonable impediment box on the certification, which shall be limited to
23 only the following reasons ~~The certification shall include the following~~
24 ~~as separate boxes that a voter may check to identify the applicable~~
25 ~~reasonable impediment:~~

26 (a) Inability to obtain valid photographic identification due to:

27 (i) Disability or illness that prevents the voter from obtaining
28 valid photographic identification; or

29 (ii) Lack of a birth certificate or other required documents and an
30 inability to obtain a birth certificate or other required documents
31 without significant difficulty or expense; or

1 (b) Religious objection to being photographed.

2 (2) The Secretary of State shall provide the form of the
3 certification to the election commissioners and county clerks. A voter
4 who has a reasonable impediment shall execute the certification under
5 penalty of election falsification. The election commissioner or county
6 clerk shall verify:

7 (a) The ~~the~~ signature on the certification with the signature
8 appearing on the voter registration record; and -

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

11 (3) A voter who casts a ballot by mail shall include the
12 certification with the application, except that a voter who casts a
13 ballot pursuant to section 32-953 shall include the certification within
14 the ballot envelope.

15 Sec. 43. Section 32-915.03, Revised Statutes Supplement, 2023, is
16 amended to read:

17 32-915.03 (1) A registered voter shall fill out a provisional voter
18 identification verification envelope if:

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

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

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

27 (c) The voter has a reasonable impediment preventing the voter from
28 obtaining ~~presenting~~ valid photographic identification or the voter's
29 name appears on the precinct list of registered voters for the polling
30 place with a notation that the voter has a religious objection to being
31 photographed.

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

6 (a) My name is

7 (b) I am registered to vote at

8 (c) I did not present ~~provide~~ valid photographic identification as
9 required by law or I have a reasonable impediment preventing me from
10 obtaining ~~presenting~~ valid photographic identification;

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

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

14 (i) I do not present ~~provide~~ valid photographic identification to my
15 county election office on or before the Tuesday after the election; or

16 (ii) I have a reasonable impediment that prevents me from obtaining
17 ~~presenting~~ valid photographic identification and:

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

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

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

29 Sec. 44. Section 32-941, Revised Statutes Supplement, 2023, is
30 amended to read:

31 32-941 (1) Any registered voter permitted to vote early pursuant to

1 section 32-938 may, not more than one hundred twenty days before any
2 election and not later than the close of business on the second Friday
3 preceding the election, request a ballot for the election to be mailed to
4 a specific address. A registered voter shall request a ballot in writing
5 to the election commissioner or county clerk in the county where the
6 registered voter has established his or her home, shall indicate his or
7 her residence address, the address to which the ballot is to be mailed if
8 different, and his or her telephone number if available, and shall
9 include:

10 (a) The identification number of the voter's driver's license or
11 state identification card issued by the State of Nebraska;

12 (b) A photocopy of any other valid photographic identification
13 issued to or related to the voter; or

14 (c) The voter's reasonable impediment certification.

15 (2) If the identification number of the voter's driver's license or
16 state identification card issued by the State of Nebraska is provided,
17 the election commissioner or county clerk shall verify the driver's
18 license or state identification card data with the information provided
19 by the Department of Motor Vehicles pursuant to section 32-308.

20 (3) ~~(2)~~ If such identification or certification is not provided or
21 cannot be verified, the election commissioner or county clerk shall
22 contact the voter and inform the voter that the ballot will not be issued
23 until the voter provides the identification or certification required
24 under this section.

25 (4) ~~(3)~~ The registered voter may use the form published by the
26 election commissioner or county clerk pursuant to section 32-808. The
27 registered voter shall sign the request. A registered voter may use a
28 facsimile machine or electronic mail for the submission of a request for
29 a ballot.

30 (5) ~~(4)~~ The election commissioner or county clerk shall include a
31 registration application with the ballots if the person is not

1 registered. Registration applications shall not be mailed after the third
2 Friday preceding the election. If the person is not registered to vote,
3 the registration application shall be returned not later than the closing
4 of the polls on the day of the election. No ballot issued under this
5 section shall be counted unless such registration application is properly
6 completed and processed.

7 ~~(6) (5)~~ Subdivisions (1)(a) through (c) of this section do not apply
8 to any voter who casts a ballot pursuant to section 32-939.02 or
9 32-939.03.

10 Sec. 45. Section 32-942, Revised Statutes Supplement, 2023, is
11 amended to read:

12 32-942 (1)(a) A registered voter of this state who anticipates being
13 absent from the county of his or her residence on the day of any election
14 may appear in person before the election commissioner or county clerk not
15 more than thirty days prior to the day of election for a statewide
16 primary or general election, and not more than fifteen days prior to the
17 election for all other elections, present valid photographic
18 identification, and obtain his or her ballot unless otherwise entitled to
19 vote in the office under section 32-915.03. The registered voter shall
20 vote the ballot in the office of the election commissioner or county
21 clerk or shall return the ballot to the office not later than the closing
22 of the polls on the day of the election.

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

28 (2) If a person registers to vote and requests a ballot at the same
29 time under this section, he or she shall, in addition to the requirements
30 of subsection (1) of this section, (a)(i) present one of the address
31 confirmation documents as prescribed in subdivision (1)(a) of section

1 32-318.01, (ii) present proof that he or she is a member of the armed
2 forces of the United States who by reason of active duty has been absent
3 from his or her place of residence where the member is otherwise eligible
4 to vote, is a member of the United States Merchant Marine who by reason
5 of service has been away from his or her place of residence where the
6 member is otherwise eligible to vote, is a spouse or dependent of a
7 member of the armed forces of the United States or United States Merchant
8 Marine who has been absent from his or her place of residence due to the
9 service of that member, or resides outside the United States and but for
10 such residence would be qualified to vote in the state if the state was
11 the last place in which the person was domiciled before leaving the
12 United States, or (iii) state that he or she is elderly or handicapped
13 and has requested to vote by alternative means other than by casting a
14 ballot at his or her polling place on election day or (b) vote a ballot
15 which is placed in an envelope with the voter's name and address and
16 other necessary identifying information and kept securely for counting as
17 provided in this subsection. This subsection does not extend the deadline
18 for voter registration specified in section 32-302. A ballot cast
19 pursuant to subdivision (b) of this subsection shall be rejected and
20 shall not be counted if the acknowledgment of registration sent to the
21 registrant pursuant to section 32-322 is returned as undeliverable for a
22 reason other than clerical error within ten days after it is mailed,
23 otherwise after such ten-day period, the ballot shall be counted.

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

27 Sec. 46. If a person becomes a naturalized citizen of the United
28 States after the voter registration deadline for any election, such
29 person may register to vote after the voter registration deadline by
30 completing the necessary voter registration application in the office of
31 the election commissioner or county clerk of the county of such person's

1 residence before one hour prior to the closing of the polls on election
2 day. After completing the voter registration application and the
3 citizenship attestation provided by section 32-928, such person shall
4 then be allowed to vote in the office of the election commissioner or
5 county clerk.

6 Sec. 47. Section 32-947, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

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

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

23 VOTER'S OATH

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

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

30 (a) I,, am a registered voter
31 in County;

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

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

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

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

12 I also understand that failure to sign below will invalidate my
13 ballot.

14 Signature

15 (3) If the ballot and identification envelope will be returned by
16 mail or by someone other than the voter, the election commissioner or
17 county clerk shall include with the ballot an identification envelope
18 upon the face of which shall be printed the official title and post
19 office address of the election commissioner or county clerk.

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

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

29 (b) A registration application and the oath pursuant to section
30 32-946, if the voter is without a residence address, with instructions
31 that the residence address of the voter shall be deemed that of the

1 office of the election commissioner or county clerk of the county of the
2 voter's prior residence and that failure to return the completed and
3 signed application and oath to the election commissioner or county clerk
4 by the close of the polls on election day will result in the ballot not
5 being counted; or

6 (c) Written instructions directing the voter to submit a copy of an
7 identification document pursuant to section 32-318.01 if the voter is
8 required to present identification under such section and advising the
9 voter that failure to submit identification to the election commissioner
10 or county clerk by the close of the polls on election day will result in
11 the ballot not being counted.

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

16 Sec. 48. Section 32-950.01, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 32-950.01 (1) If an election commissioner or county clerk maintains
19 a secure ballot drop-box for voters to deposit completed ballots, the
20 election commissioner or county clerk shall ensure that the secure ballot
21 drop-box:

22 (a) Is securely fastened to the ground or a concrete slab connected
23 to the ground;

24 (b) Is secured by a lock that can only be opened by the election
25 commissioner or county clerk or by an election official designated by the
26 election commissioner or county clerk; and

27 (c) Complies with the federal Americans with Disabilities Act of
28 1990 and is accessible as determined by the election commissioner or
29 county clerk.

30 (2) The election commissioner or county clerk shall inform the
31 Secretary of State of each secure ballot drop-box's location no later

1 than forty-two days prior to any statewide primary or general election.

2 (3) Except for a secure ballot drop-box for an election conducted
3 under section 32-960, the The election commissioner or county clerk or an
4 election official designated by the election commissioner or county clerk
5 shall open each secure ballot drop-box no later than the sixth Friday
6 prior to any statewide primary or general election and no later than the
7 fourth Friday prior to any special election. For any statewide primary or
8 general election, each secure ballot drop-box shall remain accessible to
9 voters until the deadline for the receipt of ballots as provided in
10 section 32-908. For any special election, at least one secure ballot
11 drop-box shall remain accessible to voters until the deadline for the
12 receipt of ballots as provided in section 32-954.

13 (4) After a secure ballot drop-box is made available for depositing
14 ballots, the election commission or county clerk shall ensure that
15 ballots deposited in such secure ballot drop-box are collected and
16 returned to the office of the election commissioner or county clerk at
17 least once during each business day.

18 Sec. 49. Section 32-1002.01, Revised Statutes Supplement, 2023, is
19 amended to read:

20 32-1002.01 (1) As the ballots are removed from the ballot box
21 pursuant to sections 32-1012 to 32-1018, the receiving board shall
22 separate the provisional voter identification verification envelopes from
23 the rest of the ballots and deliver them to the election commissioner or
24 county clerk.

25 (2) Upon receipt of a provisional voter identification verification
26 envelope, the election commissioner or county clerk shall verify that the
27 certificate on the front of the envelope or the form attached to the
28 envelope is in proper form and that the certification has been signed by
29 the voter.

30 (3) The election commissioner or county clerk shall also verify that
31 such person has not voted anywhere else in the county or been issued a

1 ballot for early voting.

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

5 (a) Presented valid photographic identification to the election
6 commissioner or county clerk on or before the Tuesday after the election;
7 or

8 (b) Has a reasonable impediment preventing the voter from obtaining
9 ~~presenting~~ valid photographic identification, the voter completes a
10 reasonable impediment certification, and the election commissioner or
11 county clerk verifies:

12 (i) The the signature on the reasonable impediment certification
13 with the signature appearing on the voter registration record; and -

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

16 (5) A ballot cast by a voter pursuant to section 32-915.03 shall not
17 be counted if:

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

21 (b) The voter failed to present valid photographic identification to
22 the election commissioner or county clerk on or before the Tuesday after
23 the election; or

24 (c) The voter has a reasonable impediment preventing the voter from
25 obtaining ~~presenting~~ valid photographic identification and:

26 (i) The voter did not complete a reasonable impediment
27 certification; or

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

31 (6) Upon determining that the voter's ballot is eligible to be

1 counted, the election commissioner or county clerk shall remove the
2 ballot from the provisional voter identification verification envelope
3 without exposing the marks on the ballot and shall place the ballot with
4 the ballots to be counted by the county canvassing board.

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

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

11 Sec. 50. Section 32-1027, Revised Statutes Supplement, 2023, is
12 amended to read:

13 32-1027 (1) The election commissioner or county clerk shall appoint
14 two or more registered voters to the counting board for early voting. One
15 registered voter shall be appointed from the political party casting the
16 highest number of votes for Governor or for President of the United
17 States in the county in the immediately preceding general election, and
18 one registered voter shall be appointed from the political party casting
19 the next highest vote for such office. The election commissioner or
20 county clerk may appoint additional registered voters to serve on the
21 counting board and may appoint registered voters to serve in case of a
22 vacancy among any of the members of the counting board. Such appointees
23 shall be balanced between the political parties and may include
24 registered voters unaffiliated with any political party. The counting
25 board may begin carrying out its duties not earlier than the second
26 Friday before the election and shall meet as directed by the election
27 commissioner or county clerk.

28 (2) The counting board shall place all identification envelopes in
29 order and shall review each returned identification envelope pursuant to
30 verification procedures prescribed in subsections (3) and (4) of this
31 section.

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

2 (a) The voter has provided his or her name, residence address, and
3 signature on the voter identification envelope;

4 (b) The ballot has been received from the voter who requested it and
5 the residence address is the same address provided on the voter's request
6 for a ballot for early voting, by comparing the information provided on
7 the identification envelope with information recorded in the record of
8 early voters or the voter's request;

9 (c) A completed and signed registration application has been
10 received from the voter by the deadline in section 32-302, 32-321, or
11 32-325 or by the close of the polls pursuant to section 32-945;

12 (d) An identification document has been received from the voter not
13 later than the close of the polls on election day if required pursuant to
14 section 32-318.01; and

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

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

20 (a) A ballot received from a voter who was properly registered on or
21 prior to the deadline for registration pursuant to section 32-302 or
22 32-321 shall be accepted for counting without further review if:

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

26 (ii) The residence address provided on the identification envelope
27 is the same residence address at which the voter is registered or is in
28 the same precinct and subdivision of a precinct, if any; and

29 (iii) The identification envelope has been signed by the voter;

30 (b) In the case of a ballot received from a voter who was not
31 properly registered prior to the deadline for registration pursuant to

1 section 32-302 or 32-321, the ballot shall be accepted for counting if:

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

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

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

10 (iv) The identification envelope has been signed by the voter;

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

14 (i) The name on the identification envelope appears to be that of a
15 registered voter to whom a ballot has been sent;

16 (ii) A valid registration application completed and signed by the
17 voter, for whom the residence address is deemed to be the address of the
18 office of the election commissioner or county clerk pursuant to section
19 32-946, has been received by the election commissioner or county clerk
20 prior to the close of the polls on election day;

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

25 (iv) The identification envelope has been signed by the voter;

26 (d) In the case of a ballot received from a registered voter
27 required to present identification before voting pursuant to section
28 32-318.01, the ballot shall be accepted for counting if:

29 (i) The name on the identification envelope appears to be that of a
30 registered voter to whom a ballot has been issued or sent;

31 (ii) The residence address provided on the identification envelope

1 is the same address at which the voter is registered or is in the same
2 precinct and subdivision of a precinct, if any;

3 (iii) A copy of an identification document authorized in section
4 32-318.01 has been received by the election commissioner or county clerk
5 prior to the close of the polls on election day; and

6 (iv) The identification envelope has been signed by the voter; and

7 (e) In the case of a ballot received from a registered voter who
8 filled out a reasonable impediment certification pursuant to section
9 32-912.02, the ballot shall be accepted for counting if:

10 (i) The signature on the certification matches the signature on file
11 with the election commissioner or county clerk;

12 (ii) The election commissioner or county clerk verifies that the
13 voter does not have a current, unexpired driver's license or state
14 identification card issued by the State of Nebraska;

15 (iii) (ii) The name on the identification envelope appears to be
16 that of a registered voter to whom a ballot has been issued or sent;

17 (iv) (iii) The residence address provided on the identification
18 envelope is the same address at which the voter is registered or is in
19 the same precinct and subdivision of a precinct, if any; and

20 (v) (iv) The identification envelope has been signed by the voter.

21 (5) In opening the identification envelope or the return envelope to
22 determine if registration applications, oaths, or identification
23 documents have been enclosed by the voters from whom they are required,
24 the counting board shall make a good faith effort to ensure that the
25 ballot remains folded and that the secrecy of the vote is preserved.

26 (6) The counting board may, on the second Friday before the
27 election, open all identification envelopes which are approved, and if
28 the signature of the election commissioner or county clerk or his or her
29 employee is on the ballot, the ballot shall be unfolded, flattened for
30 purposes of using the optical scanner, and placed in a sealed container
31 for counting as directed by the election commissioner or county clerk. At

1 the discretion of the election commissioner or county clerk, the counting
2 board may begin counting early ballots no earlier than twenty-four hours
3 prior to the opening of the polls on the day of the election.

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

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

19 Sec. 51. Section 32-1203, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 32-1203 (1) Each city, village, township, school district, public
22 power district, sanitary and improvement district, metropolitan utilities
23 district, fire protection district, natural resources district, regional
24 metropolitan transit authority, community college area, learning
25 community coordinating council, educational service unit, hospital
26 district, reclamation district, library board, and airport authority
27 shall pay for the costs of nominating and electing its officers as
28 provided in subsection (2), (3), or (4) of this section. If a special
29 issue is placed on the ballot at the time of the statewide primary or
30 general election by any political subdivision, the political subdivision
31 shall pay for the costs of the election as provided in subsection (2),

1 ~~(3), or (4) of this section. The districts listed in this subsection~~
2 ~~shall furnish to the Secretary of State and election commissioner or~~
3 ~~county clerk any maps and additional information which the election~~
4 ~~commissioner or county clerk may require in the proper performance of~~
5 ~~their duties in the conduct of elections and certification of results.~~

6 (2) The charge for each primary and general election shall be
7 determined by (a) ascertaining the total cost of all chargeable costs as
8 described in section 32-1202, (b) dividing the total cost by the number
9 of precincts participating in the election to fix the cost per precinct,
10 (c) prorating the cost per precinct by the inked ballot inch in each
11 precinct for each political subdivision, and (d) totaling the cost for
12 each precinct for each political subdivision, except that the minimum
13 charge for each primary and general election for each political
14 subdivision shall be one hundred dollars.

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

18 (4) In lieu of the charge determined pursuant to subsection (2) of
19 this section, the election commissioner or county clerk may bill school
20 districts directly for the costs of an election held under section
21 10-703.01.

22 Sec. 52. Section 32-1205, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-1205 A political subdivision in which a recall petition is
25 issued, a recall election is held, an official is recalled, or a vacancy
26 needs to be filled as the result of a recall petition shall pay the costs
27 of the recall procedure and any special election held as a result of a
28 recall election. If a recall election is canceled pursuant to section
29 32-1306, the political subdivision shall be responsible for costs
30 incurred related to the canceled election. The costs shall include all
31 chargeable costs as provided in section 32-1202 associated with preparing

1 for and conducting a recall or special election.

2 Sec. 53. Section 32-1301, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-1301 For purposes of sections 32-1301 to 32-1309, filing officer
5 means (1) clerk shall mean the election commissioner or county clerk for
6 recall of elected officers of cities, villages, counties, irrigation
7 districts, school districts, and hospital districts and (2) the Secretary
8 of State for recall of elected officers of natural resources districts,
9 public power districts, ~~school districts,~~ community college areas,
10 educational service units, ~~hospital districts,~~ and metropolitan utilities
11 districts.

12 Sec. 54. Section 32-1303, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 32-1303 (1) A petition demanding that the question of removing an
15 elected official or member of a governing body listed in section 32-1302
16 be submitted to the registered voters shall be signed by registered
17 voters equal in number to at least thirty-five percent of the total vote
18 cast for that office in the last general election, except that (a) for an
19 office for which more than one candidate is chosen, the petition shall be
20 signed by registered voters equal in number to at least thirty-five
21 percent of the number of votes cast for the person receiving the most
22 votes for such office in the last general election and (b) for a member
23 of a governing body of a village, the petition shall be signed by
24 registered voters of the village equal in number to at least forty-five
25 percent of the total vote cast for the person receiving the most votes
26 for that office in the last general election. The signatures shall be
27 affixed to petition papers and shall be considered part of the petition.

28 (2) Petition circulators shall conform to the requirements of
29 sections 32-629 and 32-630.

30 (3) The petition papers shall be procured from the filing officer
31 ~~clerk~~. Prior to the issuance of such petition papers, a recall petition

1 filing form shall be signed and filed with the filing officer ~~clerk~~ by at
2 least one registered voter. Such voter or voters shall be deemed to be
3 the principal circulator or circulators of the recall petition. The
4 filing form shall state the name and office of the official sought to be
5 removed, shall include in concise language of sixty words or less the
6 reason or reasons for which recall is sought, and shall request that the
7 filing officer ~~clerk~~ issue initial petition papers to the principal
8 circulator for circulation.

9 (4) After receiving the filing form, the ~~The~~ filing officer ~~clerk~~
10 shall notify the official whose removal is ~~sought to be removed~~ by any
11 method specified in section 25-505.01 or, if notification cannot be made
12 with reasonable diligence by any of the methods specified in section
13 25-505.01, by leaving a copy of the filing form at the official's usual
14 place of residence and mailing a copy by first-class mail to the
15 official's last-known address. If the official chooses, he or she may
16 submit a defense statement in concise language of sixty words or less for
17 inclusion on the petition. Any such defense statement shall be submitted
18 to the filing officer ~~clerk~~ within twenty days after the official
19 receives the copy of the filing form. The filing officer ~~clerk~~ shall
20 prepare the petition papers within five business days after receipt of
21 the defense statement. The principal circulator or circulators shall
22 gather the petition papers within twenty days after being notified by the
23 filing officer ~~clerk~~ that the petition papers are available. The filing
24 officer ~~clerk~~ shall notify the principal circulator or circulators that
25 the necessary signatures must be gathered within thirty days from the
26 date of issuing the petitions.

27 (5) (4) The filing officer ~~clerk~~, upon issuing the initial petition
28 papers or any subsequent petition papers, shall enter in a record, to be
29 kept in his or her office, the name of the principal circulator or
30 circulators to whom the papers were issued, the date of issuance, and the
31 number of papers issued. The filing officer ~~clerk~~ shall certify on the

1 papers the name of the principal circulator or circulators to whom the
2 papers were issued and the date they were issued. No petition paper shall
3 be accepted as part of the petition unless it bears such certificate. The
4 principal circulator or circulators who check out petitions from the
5 filing officer ~~clerk~~ may distribute such petitions to persons who may act
6 as circulators of such petitions.

7 (6) ~~(5)~~ Petition signers shall conform to the requirements of
8 sections 32-629 and 32-630. Each signer of a recall petition shall be a
9 registered voter and qualified by his or her place of residence to vote
10 for the office in question.

11 Sec. 55. Section 32-1304, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-1304 (1) The Secretary of State shall design the uniform petition
14 papers to be distributed by all filing officers ~~clerks~~ and shall keep a
15 sufficient number of such blank petition papers on file for distribution
16 to any filing officer ~~clerk~~ requesting recall petitions. The petition
17 papers shall as nearly as possible conform to the requirements of section
18 32-628.

19 (2) In addition to the requirements specified in section 32-628, for
20 the purpose of preventing fraud, deception, and misrepresentation, every
21 sheet of each petition paper presented to a registered voter for his or
22 her signature shall have upon it, above the lines for signatures, (a) a
23 statement that the signatories must be registered voters qualified by
24 residence to vote for the office in question and support the holding of a
25 recall election and (b) in letters not smaller than sixteen-point type in
26 red print (i) the name and office of the individual sought to be
27 recalled, (ii) the reason or reasons for which recall is sought, (iii)
28 the defense statement, if any, submitted by the official, and (iv) the
29 name of the principal circulator or circulators of the recall petition.
30 The decision of a county attorney to prosecute or not to prosecute any
31 individual shall not be stated on a petition as a reason for recall.

1 (3) Every sheet of each petition paper presented to a registered
2 voter for his or her signature shall have upon it, below the lines for
3 signatures, an affidavit as required in subsection (3) of section 32-628
4 which also includes language substantially as follows: "and that the
5 affiant stated to each signer, before the signer affixed his or her
6 signature to the petition, the following: (a) The name and office of the
7 individual sought to be recalled, (b) the reason or reasons for which
8 recall is sought as printed on the petition, (c) the defense statement,
9 if any, submitted by the official as printed on the petition, and (d) the
10 name of the principal circulator or circulators of the recall petition".

11 (4) Each petition paper shall contain a statement entitled
12 Instructions to Petition Circulators prepared by the Secretary of State
13 to assist circulators in understanding the provisions governing the
14 petition process established by sections 32-1301 to 32-1309. The
15 instructions shall include the following statements:

16 (a) No one circulating this petition paper in an attempt to gather
17 signatures shall sign the circulator's affidavit unless each person who
18 signed the petition paper did so in the presence of the circulator.

19 (b) No one circulating this petition paper in an attempt to gather
20 signatures shall allow a person to sign the petition until the circulator
21 has stated to the person (i) the object of the petition as printed on the
22 petition, (ii) the name and office of the individual sought to be
23 recalled, (iii) the reason or reasons for which recall is sought as
24 printed on the petition, (iv) the defense statement, if any, submitted by
25 the official as printed on the petition, and (v) the name of the
26 principal circulator or circulators of the recall petition.

27 Sec. 56. Section 32-1305, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 32-1305 (1) The principal circulator or circulators shall file, as
30 one instrument, all petition papers comprising a recall petition for
31 signature verification with the filing officer ~~clerk~~ within thirty days

1 after the filing officer ~~clerk~~ issues the initial petition papers to the
2 principal circulator or circulators as provided in section 32-1303.

3 (2) If the filing officer ~~clerk~~ is the subject of a recall petition,
4 the signature verification process shall be conducted by two election
5 commissioners or county clerks appointed by the Secretary of State which
6 shall not include the filing officer. Mileage and expenses incurred by
7 officials appointed pursuant to this subsection shall be reimbursed by
8 the political subdivision involved in the recall.

9 (3) Within fifteen business days after the filing of the petition,
10 the filing officer ~~clerk~~ shall ascertain whether or not the petition is
11 signed by the requisite number of registered voters. No new signatures
12 may be added after the initial filing of the petition papers. Any person
13 may remove his or her name from a petition as provided in section 32-632.
14 ~~No signatures may be removed unless the filing clerk receives an~~
15 ~~affidavit signed by the person requesting his or her signature be removed~~
16 ~~before the petitions are filed with the filing clerk for signature~~
17 ~~verification.~~ If the petition is found to be sufficient, the filing
18 officer ~~clerk~~ shall attach to the petition a certificate showing the
19 result of such examination. If the requisite number of signatures has not
20 been gathered, the filing officer ~~clerk~~ shall file the petition in his or
21 her office without prejudice to the filing of a new petition for the same
22 purpose.

23 Sec. 57. Section 32-1306, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 32-1306 (1) If the recall petition is found to be sufficient, the
26 filing officer ~~clerk~~ shall notify the official whose removal is sought
27 and the governing body of the affected political subdivision that
28 sufficient signatures have been gathered. Notification of the official
29 sought to be removed shall ~~may~~ be by any method specified in section
30 25-505.01 or, if notification cannot be made with reasonable diligence by
31 any of the methods specified in section 25-505.01, by leaving such notice

1 at the official's usual place of residence and mailing a copy by first-
2 class mail to the official's last-known address.

3 (2) The governing body of the political subdivision shall, within
4 twenty-one days after receipt of the notification from the filing officer
5 ~~clerk~~ pursuant to subsection (1) of this section, order an election. The
6 date of the election shall be the first available date that complies with
7 section 32-405 and that can be certified to the election commissioner or
8 county clerk at least fifty days prior to the election, except that if
9 any other election is to be held in that political subdivision within
10 ninety days after such notification, the governing body of the political
11 subdivision shall provide for the holding of the recall election on the
12 same day.

13 (3) All resignations shall be tendered as provided in section
14 32-562. If the official whose removal is sought resigns before the recall
15 election is held, the governing body may cancel the recall election if
16 the governing body notifies the election commissioner or county clerk of
17 the cancellation on or before the fourth Thursday prior to the election,
18 otherwise the recall election shall be held as scheduled.

19 (4) If a filing officer ~~clerk~~ is subject to a recall election, the
20 Secretary of State shall conduct the recall election.

21 Sec. 58. Section 32-1308, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 32-1308 (1) If a majority of the votes cast at a recall election are
24 against the removal of the official named on the ballot or the election
25 results in a tie, the official shall continue in office for the remainder
26 of his or her term but may be subject to further recall attempts as
27 provided in section 32-1309.

28 (2) If a majority of the votes cast at a recall election are for the
29 removal of the official named on the ballot, he or she shall, regardless
30 of any technical defects in the recall petition, be deemed removed from
31 office unless a recount is ordered. If the official is deemed removed,

1 the removal shall result in a vacancy in the office which shall be filled
2 as provided in this section and sections 32-567 to 32-570 and 32-574 and
3 section 26 of this act.

4 (3) If the election results show a margin of votes equal to one
5 percent or less between the removal or retention of the official in
6 question, the Secretary of State, election commissioner, or county clerk
7 shall order a recount of the votes cast unless the official named on the
8 ballot files a written statement with the filing officer ~~clerk~~ that he or
9 she does not want a recount.

10 (4) If there are vacancies in the offices of one-half or more of the
11 members of any governing body at one time due to the recall of such
12 members, a special election to fill such vacancies shall be conducted as
13 expeditiously as possible by the Secretary of State, election
14 commissioner, or county clerk. Candidates for the special election shall
15 file a candidate filing form pursuant to section 26 of this act.

16 (5) No official who is removed at a recall election or who resigns
17 after the initiation of the recall process shall be appointed to fill the
18 vacancy resulting from his or her removal or the removal of any other
19 member of the same governing body during the remainder of his or her term
20 of office.

21 Sec. 59. Section 32-1405, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 32-1405 (1) Prior to obtaining any signatures on an initiative or
24 referendum petition, a statement of the object of the petition and the
25 text of the measure shall be filed with the Secretary of State together
26 with a sworn statement containing the names and street addresses of every
27 person, corporation, or association sponsoring the petition. Sponsors of
28 the petition may be added or removed with the unanimous written consent
29 of the original sponsor or sponsors at any time prior to or on the day
30 the petition is filed for verification with the Secretary of State.

31 (2) Upon receipt of the filing, the Secretary of State shall

1 transmit the text of the proposed measure to the Revisor of Statutes. The
2 Revisor of Statutes shall review the proposed measure and suggest changes
3 as to form and draftsmanship. The revisor shall complete the review
4 within ten business days after receipt from the Secretary of State. The
5 Secretary of State shall provide the results of the review and suggested
6 changes to the sponsor but shall otherwise keep the proposed measure, the
7 review, and the sworn statement confidential for five days after receipt
8 of the review by the sponsor. The Secretary of State shall then maintain
9 the proposed measure, the opinion, and the sworn statement as public
10 information and as a part of the official record of the initiative. The
11 sponsor may make any changes recommended by the Revisor of Statutes and
12 shall submit final language to the Secretary of State. If the final
13 language is addressing a subject that is substantially different in form
14 or substance from the initial filing or the changes recommended by the
15 Revisor of Statutes, the Secretary of State shall reject it.

16 (3) The Secretary of State shall prepare the form of the petition
17 from the final language filed by the sponsor and shall provide a copy of
18 the form of the petition to the sponsor within five business days after
19 receipt of the final language of the proposed measure. The sponsor shall
20 print the petitions to be circulated from the forms provided. Prior to
21 circulation, the sponsor shall file a sample copy of the petition to be
22 circulated with the Secretary of State.

23 Sec. 60. Section 32-1407, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 32-1407 (1) Initiative petitions shall be filed in the office of the
26 Secretary of State at least four months prior to the general election at
27 which the proposal would be submitted to the voters.

28 (2) When a copy of the form of any initiative petition is filed with
29 the Secretary of State prior to obtaining signatures, the issue presented
30 by such petition shall be placed before the voters at the next general
31 election occurring at least four months after the date that such copy is

1 filed if the signed petitions are found to be valid and sufficient. All
2 signed initiative petitions shall become invalid on the date of the first
3 general election occurring at least four months after the date on which
4 the copy of the form is filed with the Secretary of State.

5 (3) Petitions invoking a referendum shall be filed in the office of
6 the Secretary of State within ninety days after the Legislature at which
7 the act sought to be referred was passed has adjourned sine die or has
8 adjourned for more than ninety days.

9 (4) At the time of filing the signed petitions, at least one sponsor
10 shall sign an affidavit certifying that the petitions contain a
11 sufficient number and distribution of signatures pursuant to Article III,
12 section 2, of the Constitution of Nebraska to place the issue on the
13 ballot if such number and distribution of signatures were found to be
14 valid.

15 Sec. 61. Section 32-1524, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 32-1524 ~~(1) For purposes of this section:~~

18 ~~(a) Electioneering means the deliberate, visible display or audible~~
19 ~~or physical dissemination of information for the purpose of advocating~~
20 ~~for or against:~~

21 ~~(i) Any candidate on the ballot for the election at which such~~
22 ~~display or dissemination is occurring;~~

23 ~~(ii) Any elected officeholder of a state constitutional office or~~
24 ~~federal office at the time of the election at which such display or~~
25 ~~dissemination is occurring;~~

26 ~~(iii) Any political party on the ballot for the election at which~~
27 ~~such display or dissemination is occurring; or~~

28 ~~(iv) Any measure on the ballot for the election at which such~~
29 ~~display or dissemination is occurring; and~~

30 ~~(b) Information includes:~~

31 ~~(i) Such a candidate's name, likeness, logo, or symbol;~~

1 ~~(ii) Such a ballot measure's number, title, subject matter, logo, or~~
2 ~~symbol;~~

3 ~~(iii) A button, hat, pencil, pen, shirt, sign, or sticker containing~~
4 ~~information prohibited by this section;~~

5 ~~(iv) Audible information prohibited by this section; and~~

6 ~~(v) Literature or any writing or drawing referring to a candidate,~~
7 ~~officeholder, or ballot measure described in subdivision (a) of this~~
8 ~~subsection.~~

9 ~~(1) (2)~~ No judge or clerk of election or precinct or district
10 inspector shall do any electioneering or disseminate information or
11 materials advertising or advocating for or against any ballot measure
12 while acting as an election official.

13 ~~(2) (3)~~ No person shall do any electioneering, disseminate
14 information or materials advertising or advocating for or against any
15 ballot measure, or circulate petitions within any polling place or any
16 building designated for voters to cast ballots by the election
17 commissioner or county clerk pursuant to the Election Act while the
18 polling place or building is set up for voters to cast ballots or within
19 two hundred feet of the entrances to any such polling place or building
20 except as otherwise provided in subsection ~~(4) (5)~~ of this section.

21 ~~(3) (4)~~ No person shall do any electioneering or disseminate
22 information or materials advertising or advocating for or against any
23 ballot measure within two hundred feet of any secure ballot drop-box.

24 ~~(4) (5)~~ Subject to any local ordinance, a person may display yard
25 signs on private real property within two hundred feet of a polling place
26 or building designated for voters to cast ballots or a secure ballot
27 drop-box if the property is not under common ownership with the property
28 on which the polling place, ~~or~~ building, or secure ballot drop-box is
29 located.

30 ~~(5) (6)~~ Any person violating this section shall be guilty of a Class
31 V misdemeanor.

1 Sec. 62. Section 32-1525, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

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

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

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

14 (c) A poll watcher shall not do any engage in electioneering or
15 disseminate any information or materials advertising or advocating for or
16 against any ballot measure as defined in section 32-1524 while engaged in
17 observing at a polling place.

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

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

31 Sec. 63. Section 32-1546, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 32-1546 (1) Any person who is not, at the time of signing a
3 petition, a registered voter and qualified to sign the petition except as
4 provided for initiative and referendum petitions in section 32-1404 or
5 who signs any name other than his or her own to any petition shall be
6 guilty of a Class I misdemeanor.

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

11 (3) Any person who falsifies a letter submitted pursuant to section
12 32-632 or subsection (3) of section 32-1305 or who signs any name other
13 than his or her own to such letter shall be guilty of a Class I
14 misdemeanor.

15 Sec. 64. Any person who knowingly and falsely swears to a sponsor's
16 affidavit on a petition filed under section 32-1407 shall be guilty of a
17 Class I misdemeanor.

18 Sec. 65. Section 49-1499.03, Reissue Revised Statutes of Nebraska,
19 is amended to read:

20 49-1499.03 (1)(a) An official of a political subdivision designated
21 in section 49-1493 who would be required to take any action or make any
22 decision in the discharge of his or her official duties that may cause
23 financial benefit or detriment to him or her, a member of his or her
24 immediate family, or a business with which he or she is associated, which
25 is distinguishable from the effects of such action on the public
26 generally or a broad segment of the public, shall take the following
27 actions as soon as he or she is aware of such potential conflict or
28 should reasonably be aware of such potential conflict, whichever is
29 sooner:

30 (i) Prepare a written statement describing the matter requiring
31 action or decision and the nature of the potential conflict; and

1 (ii) Deliver a copy of the statement to the commission and to the
2 person in charge of keeping records for the political subdivision who
3 shall enter the statement onto the public records of the political
4 subdivision.

5 (b) The official shall take such action as the commission shall
6 advise or prescribe to remove himself or herself from influence over the
7 action or decision on the matter.

8 (c) This subsection does not prevent such a person from making or
9 participating in the making of a governmental decision to the extent that
10 the individual's participation is legally required for the action or
11 decision to be made. A person acting pursuant to this subdivision shall
12 report the occurrence to the commission.

13 (2)(a) Any public official ~~person holding an elective office of any~~
14 political subdivision ~~a city or village~~ not designated in section 49-1493
15 ~~and any person holding an elective office of a school district~~ who would
16 be required to take any action or make any decision in the discharge of
17 his or her official duties that may cause financial benefit or detriment
18 to him or her, a member of his or her immediate family, or a business
19 with which he or she is associated, which is distinguishable from the
20 effects of such action on the public generally or a broad segment of the
21 public, shall take the following actions as soon as he or she is aware of
22 such potential conflict or should reasonably be aware of such potential
23 conflict, whichever is sooner:

24 (i) Prepare a written statement describing the matter requiring
25 action or decision and the nature of the potential conflict;

26 (ii) Deliver a copy of the statement to the person in charge of
27 keeping records for the political subdivision ~~city, village, or school~~
28 ~~district~~ who shall enter the statement onto the public records of the
29 political subdivision ~~city, village, or school district~~; and

30 (iii) Except as otherwise provided in subsection (3) of this
31 section, abstain from participating or voting on the matter in which the

1 ~~public official person holding elective office~~ has a conflict of
2 interest.

3 (b) The ~~public official person holding elective office~~ may apply to
4 the commission for an opinion as to whether the person has a conflict of
5 interest.

6 (3)(a) This section does not prevent a public official person
7 ~~holding an elective office~~ of any political subdivision city, village, or
8 ~~school district~~ from making or participating in the making of a
9 governmental decision:

10 (i) To the extent that the individual's participation is legally
11 required for the action or decision to be made; or

12 (ii) If the potential conflict of interest is based on a business
13 association and (A) such business association is an association of such
14 political subdivisions cities and villages or school districts, (B) the
15 political subdivision city, village, or school district is a member of
16 such association, and (C) the business association exists only as the
17 result of such ~~public official person holding elective office~~.

18 (b) A public official ~~person holding elective office~~ of any city
19 subject to subsection (1) of this section who is acting pursuant to this
20 subsection shall report the occurrence as provided in subdivisions (1)(a)
21 (i) and (ii) of this section.

22 (c) A person subject to subsection (2) of this section who is acting
23 pursuant to this subsection shall report the occurrence as provided in
24 subdivisions (2)(a)(i) and (ii) of this section.

25 (4)(a) Any employee of a political subdivision whose annual salary
26 and benefits exceed one hundred fifty thousand dollars and who would be
27 required to take any action or make any decision in the discharge of his
28 or her official duties that may cause financial benefit or detriment to
29 him or her, a member of his or her immediate family, or a business with
30 which he or she is associated, which is distinguishable from the effects
31 of such action on the public generally or a broad segment of the public,

1 shall take the following actions as soon as he or she is aware of such
2 potential conflict or should reasonably be aware of such potential
3 conflict, whichever is sooner:

4 (i) Prepare a written statement describing the matter requiring
5 action or decision and the nature of the potential conflict;

6 (ii) Deliver a copy of the statement to the person in charge of
7 keeping records for the political subdivision who shall enter the
8 statement onto the public records of the political subdivision; and

9 (iii) Except as otherwise provided in subdivision (4)(c) of this
10 section, abstain from participating in the matter in which the employee
11 has a conflict of interest.

12 (b) An employee described in subdivision (4)(a) of this section may
13 apply to the commission for an opinion as to whether he or she has a
14 conflict of interest.

15 (c) This subsection does not prevent an employee described in
16 subdivision (4)(a) of this section from making or participating in the
17 making of a governmental decision to the extent that the employee's
18 participation is legally required for the action or decision to be made.
19 An employee who is acting pursuant to this subdivision shall report the
20 occurrence as provided in subdivisions (4)(a)(i) and (ii) of this
21 section.

22 (5) ~~(4)~~ Matters involving an interest in a contract are governed
23 either by sections 49-14,102 and 49-14,103 or by sections 49-14,103.01 to
24 49-14,103.06. Matters involving the hiring of an immediate family member
25 are governed by section 49-1499.04. Matters involving nepotism or the
26 supervision of a family member by an official or employee in the
27 executive branch of state government are governed by section 49-1499.07.

28 (6) This section does not apply to a sanitary and improvement
29 district.

30 Sec. 66. Section 58-230, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 58-230 Meetings of the members of the authority shall be held at
2 least once every three months to attend to the business of the authority
3 and may be held at the call of the chairperson or whenever any five
4 members so request. Such meetings shall at all times be subject to the
5 Open Meetings Act, and such meetings may be held by means of virtual
6 conferencing in accordance with ~~subsection (2) of~~ section 84-1411.

7 Sec. 67. Section 58-817, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 58-817 Four members of the authority shall constitute a quorum. The
10 affirmative vote of a majority of all of the members of the authority
11 shall be necessary for any action taken by the authority. A vacancy in
12 the membership of the authority shall not impair the right of a quorum to
13 exercise all the rights and perform all the duties of the authority. Any
14 action taken by the authority under the Nebraska Educational, Health,
15 Cultural, and Social Services Finance Authority Act may be authorized by
16 resolution at any regular or special meeting, and each such resolution
17 shall take effect immediately and need not be published or posted.
18 Members of the authority may participate in a regular or special meeting
19 of the authority by virtual conferencing as long as the chairperson or
20 vice-chairperson conducts the meeting at a location where the public is
21 able to participate by attendance at that location and the virtual
22 conferencing otherwise conforms to the requirements of ~~subsection (2) of~~
23 section 84-1411.

24 Sec. 68. Section 60-483, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 60-483 (1) The director shall assign a distinguishing number to each
27 operator's license issued and shall keep a record of the same which shall
28 be open to public inspection by any person requesting inspection of such
29 record who qualifies under section 60-2906 or 60-2907. Any person
30 requesting such driver record information shall furnish to the Department
31 of Motor Vehicles (a) verification of identity and purpose that the

1 requester is entitled under section 60-2906 or 60-2907 to disclosure of
2 the personal information in the record, (b) the name of the person whose
3 record is being requested, and (c) when the name alone is insufficient to
4 identify the correct record, the department may request additional
5 identifying information. The department shall, upon request of any
6 requester, furnish a certified abstract of the operating record of any
7 person, in either hard copy or electronically, and shall charge the
8 requester a fee of three dollars per abstract.

9 (2) The department shall remit any revenue generated under
10 subsections (1) through (5) of this section to the State Treasurer, and
11 the State Treasurer shall credit forty-one and two-thirds ~~eight and one-~~
12 ~~third~~ percent to the Department of Motor Vehicles Cash Fund, twenty-five
13 ~~fifty-eight and one-third~~ percent to the General Fund, and thirty-three
14 and one-third percent to the Records Management Cash Fund.

15 (3) The director shall, upon receiving a request and an agreement
16 from the United States Selective Service System to comply with
17 requirements of this section, furnish driver record information to the
18 United States Selective Service System to include the name, post office
19 address, date of birth, sex, and social security number of licensees. The
20 United States Selective Service System shall pay all costs incurred by
21 the department in providing the information but shall not be required to
22 pay any other fee required by law for information. No driver record
23 information shall be furnished to the United States Selective Service
24 System regarding any female, nor regarding any male other than those
25 between the ages of seventeen years and twenty-six years. The information
26 shall only be used in the fulfillment of the required duties of the
27 United States Selective Service System and shall not be furnished to any
28 other person.

29 (4) The director shall keep a record of all applications for
30 operators' licenses that are disapproved with a brief statement of the
31 reason for disapproval of the application.

1 (5) The director may establish a monitoring service which provides
2 information on operating records that have changed due to any adjudicated
3 traffic citation or administrative action. The director shall charge a
4 fee of six cents per operating record searched pursuant to this section
5 and the fee provided in subsection (1) of this section for each abstract
6 returned as a result of the search.

7 (6) Driver record header information, including name, license
8 number, date of birth, address, and physical description, from every
9 driver record maintained by the department may be made available so long
10 as the Uniform Motor Vehicle Records Disclosure Act is not violated.
11 Monthly updates, including all new records, may also be made available.
12 There shall be a fee of eighteen dollars per thousand records. All fees
13 collected pursuant to this subsection shall be remitted to the State
14 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

15 (7) The department may enter into a reciprocity agreement with a
16 foreign country to provide for the mutual recognition and reciprocal
17 exchange of a valid operator's license issued by this state or the
18 foreign country if the department determines that the licensing standards
19 of the foreign country are comparable to those of this state. Any such
20 agreement entered into by the department shall not include the mutual
21 recognition and reciprocal exchange of a commercial driver's license.

22 (8) Beginning July 1, 2021, for any record provided pursuant to
23 subsection (1) of this section, the requester shall be required to pay,
24 in addition to the fee prescribed in such subsection, a fee of four
25 dollars and fifty cents per record. Fifty cents shall be credited to the
26 Department of Motor Vehicles Cash Fund and four dollars shall be credited
27 to the Operator's License Services System Replacement and Maintenance
28 Fund.

29 Sec. 69. Section 60-484.02, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-484.02 (1) Each applicant for an operator's license or state

1 identification card shall have his or her digital image captured. Digital
2 images shall be preserved for use as prescribed in sections 60-4,119,
3 60-4,151, and 60-4,180. The images shall be used for issuing operators'
4 licenses and state identification cards. The images may be retrieved only
5 by the Department of Motor Vehicles for issuing renewal and replacement
6 operators' licenses and state identification cards and may not be
7 otherwise released except in accordance with subsection (3) of this
8 section.

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

15 (3) No officer, employee, agent, or contractor of the department or
16 law enforcement officer shall release a digital image except (a) to a
17 federal, state, or local law enforcement agency, a certified law
18 enforcement officer employed in an investigative position by a federal,
19 state, or local agency, or a driver licensing agency of another state for
20 the purpose of carrying out the functions of the agency or assisting
21 another agency in carrying out its functions upon the verification of the
22 identity of the person requesting the release of the information and the
23 verification of the purpose of the requester in requesting the release or
24 (b) to the office of the Secretary of State for the purpose of voter
25 registration and voter identification as prescribed in the Election Act
26 upon the verification of the identity of the person requesting the
27 release of the information and the verification of the purpose of the
28 requester in requesting the release. No employee or official in the
29 office of the Secretary of State shall release a digital image except to
30 a federal, state, or local law enforcement agency, a certified law
31 enforcement officer employed in an investigative position by a federal,

1 state, or local agency, or a driver licensing agency of another state for
2 the purpose of carrying out the functions of the agency or assisting
3 another agency in carrying out its functions upon the verification of the
4 identity of the person requesting the release of the information and the
5 verification of the purpose of the requester in requesting the release.
6 Any officer, employee, agent, or contractor of the department, ~~or~~ law
7 enforcement officer, or employee or official in the office of the
8 Secretary of State 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, state, or local agency, or a driver licensing agency of another
16 state for the purpose of carrying out the functions of the agency or
17 assisting another agency in carrying out its functions upon the
18 verification of the identity of the person requesting the release of the
19 information and the verification of the purpose of the requester in
20 requesting the release or (b) to the office of the Secretary of State for
21 the purpose of voter registration and voter identification as prescribed
22 in the Election Act as described in section 32-304, 32-308, or 32-309
23 upon the verification of the identity of the person requesting the
24 release of the information and the verification of the purpose of the
25 requester in requesting the release. No employee or official in the
26 office of the Secretary of State shall release a digital signature except
27 to a federal, state, or local law enforcement agency, a certified law
28 enforcement officer employed in an investigative position by a ~~state or~~
29 federal, state, or local agency, or a driver licensing agency of another
30 state for the purpose of carrying out the functions of the agency or
31 assisting another agency in carrying out its functions upon the

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

8 (5) The department shall develop a process for the release of
9 digital images to the Secretary of State for the purpose of voter
10 identification as prescribed by the Election Act. The process shall
11 include proper measures for access, security, storage, and retention of
12 the digital image and verification of the release of the digital image to
13 any officer, agent, or contractor of the Secretary of State. The
14 Secretary of State and the department shall enter into an agreement for
15 the release, use, protection, storage, and retention of digital images as
16 prescribed under this section and the Uniform Motor Vehicle Records
17 Disclosure Act. The department may adopt and promulgate rules and
18 regulations to carry out this subsection.

19 Sec. 70. Section 60-4,115, Revised Statutes Supplement, 2023, is
20 amended to read:

21 60-4,115 (1) Fees for operators' licenses and state identification
22 cards shall be collected by department personnel or the county treasurer
23 and distributed according to the table in subsection (2) of this section,
24 except for the ignition interlock permit and associated fees as outlined
25 in subsection (4) of this section and the 24/7 sobriety program permit
26 and associated fees as outlined in subsection (5) of this section. County
27 officials shall remit the county portion of the fees collected to the
28 county treasurer for placement in the county general fund. All other fees
29 collected shall be remitted to the State Treasurer for credit to the
30 appropriate fund.

31 (2) Except as otherwise provided in subsection (7) of this section,

1 the fees provided in this subsection in the following dollar amounts
2 apply for operators' licenses and state identification cards.

			Department
		County	of Motor
Document	Total	General	Vehicles
	Fee	Fund	Cash Fund
7 State identification card:			
8 Valid for 1 year or less	5.00	2.75	2.25
9 Valid for more than 1 year			
10 but not more than 2 years	10.00	2.75	7.25
11 Valid for more than 2 years			
12 but not more than 3 years	14.00	2.75	11.25
13 Valid for more than 3 years			
14 but not more than 4 years	19.00	2.75	16.25
15 Valid for more than 4 years			
16 for a person under 21	24.00	2.75	21.25
17 Valid for 5 years	24.00	3.50	20.50
18 Replacement	11.00	2.75	8.25
19 Class 0 or M operator's license:			
20 Valid for 1 year or less	5.00	2.75	2.25
21 Valid for more than 1 year			
22 but not more than 2 years	10.00	2.75	7.25
23 Valid for more than 2 years			
24 but not more than 3 years	14.00	2.75	11.25
25 Valid for more than 3 years			
26 but not more than 4 years	19.00	2.75	16.25
27 Valid for 5 years	24.00	3.50	20.50
28 Bioptic or telescopic lens			
29 restriction:			
30 Valid for 1 year or less	5.00	0	5.00

1	Valid for more than 1 year			
2	but not more than 2 years	10.00	2.75	7.25
3	Replacement	11.00	2.75	8.25
4	Add, change, or remove class,			
5	endorsement, or restriction	5.00	0	5.00
6	Provisional operator's permit:			
7	Original	15.00	2.75	12.25
8	Bioptic or telescopic lens			
9	restriction:			
10	Valid for 1 year or less	5.00	0	5.00
11	Valid for more than 1 year			
12	but not more than 2 years	15.00	2.75	12.25
13	Replacement	11.00	2.75	8.25
14	Add, change, or remove class,			
15	endorsement, or restriction	5.00	0	5.00
16	LPD-learner's permit:			
17	Original	8.00	.25	7.75
18	Replacement	11.00	2.75	8.25
19	Add, change, or remove class,			
20	endorsement, or restriction	5.00	0	5.00
21	LPE-learner's permit:			
22	Original	8.00	.25	7.75
23	Replacement	11.00	2.75	8.25
24	Add, change, or remove class,			
25	endorsement, or restriction	5.00	0	5.00
26	School permit:			
27	Original	8.00	.25	7.75
28	Replacement	11.00	2.75	8.25
29	Add, change, or remove class,			
30	endorsement, or restriction	5.00	0	5.00

1	Farm permit:			
2	Original or renewal	5.00	.25	4.75
3	Replacement	5.00	.25	4.75
4	Add, change, or remove class,			
5	endorsement, or restriction	5.00	0	5.00
6	Driving permits:			
7	Employment	45.00	0	45.00
8	Medical hardship	45.00	0	45.00
9	Replacement	10.00	.25	9.75
10	Add, change, or remove class,			
11	endorsement, or restriction	5.00	0	5.00
12	Commercial driver's license:			
13	Valid for 1 year or less	11.00	1.75	9.25
14	Valid for more than 1 year			
15	but not more than 2 years	22.00	1.75	20.25
16	Valid for more than 2 years			
17	but not more than 3 years	33.00	1.75	31.25
18	Valid for more than 3 years			
19	but not more than 4 years	44.00	1.75	42.25
20	Valid for 5 years	55.00	1.75	53.25
21	Bioptic or telescopic lens			
22	restriction:			
23	Valid for one year or less	11.00	1.75	9.25
24	Valid for more than 1 year			
25	but not more than 2 years	22.00	1.75	20.25
26	Replacement	11.00	2.75	8.25
27	Add, change, or remove class,			
28	endorsement, or restriction	10.00	1.75	8.25
29	CLP-commercial learner's permit:			
30	Original or renewal	10.00	.25	9.75

1	Replacement	10.00	.25	9.75
2	Add, change, or remove class,			
3	endorsement, or restriction	10.00	.25	9.75
4	Seasonal permit:			
5	Original or renewal	10.00	.25	9.75
6	Replacement	10.00	.25	9.75
7	Add, change, or remove class,			
8	endorsement, or restriction	10.00	.25	9.75

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

13 (4)(a) The fee for an ignition interlock permit shall be forty-five
14 dollars. Five dollars of the fee shall be remitted to the State Treasurer
15 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
16 of the fee shall be remitted to the State Treasurer for credit to the
17 Department of Motor Vehicles Ignition Interlock Fund.

18 (b) The fee for a replacement ignition interlock permit shall be
19 eleven dollars. Two dollars and seventy-five cents of the fee shall be
20 remitted to the county treasurer for credit to the county general fund.
21 Eight dollars and twenty-five cents of the fee shall be remitted to the
22 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

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

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

1 (b) The fee for a replacement 24/7 sobriety program permit shall be
2 eleven dollars. Two dollars and seventy-five cents of the fee shall be
3 remitted to the county treasurer for credit to the county general fund.
4 Eight dollars and twenty-five cents of the fee shall be remitted to the
5 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

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

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

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

28 Sec. 71. Section 70-663, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 70-663 (1) ~~This subsection applies to charter amendments submitted~~
31 ~~after December 31, 2021. Upon such authorization as provided in section~~

1 ~~70-662~~ occurring, the proposed amendment shall thereupon be submitted to
2 the Nebraska Power Review Board, together with a petition setting forth
3 the reasons for the adoption of such amendment, and requesting that the
4 same be approved. The Nebraska Power Review Board shall then cause notice
5 to be given by publication for three consecutive weeks in two legal
6 newspapers of general circulation within such district. Such notice shall
7 set forth in full the proposed amendment and set a date, not sooner than
8 three weeks after the last date of publication of the notice, for
9 protests, complaints, or objections to be filed with the Nebraska Power
10 Review Board in opposition to the adoption of such amendment. The cost of
11 such publication shall be paid by such district. If any person residing
12 in such district, or affected by the proposed amendment, shall, within
13 the time provided, file a protest, complaint, or objection, the Nebraska
14 Power Review Board shall schedule a hearing and give due notice thereof
15 to the district, the district's representative, and the person who filed
16 such protest, complaint, or objection. Any person filing a protest,
17 complaint, or objection may appear at such hearing and contest the
18 approval by the Nebraska Power Review Board of such proposed amendment.
19 After all protests, complaints, or objections have been heard, the
20 Nebraska Power Review Board shall act upon the petition and either
21 approve or disapprove the amendment. If no protests, complaints, or
22 objections are properly filed, the board shall either approve the
23 amendment without a hearing or schedule a hearing to determine whether or
24 not the amendment should be approved. If a hearing is scheduled, due
25 notice shall be provided to the district and the district representative.

26 ~~(2) This subsection applies to charter amendments submitted before~~
27 ~~December 31, 2021. Following the release of the 2020 Census of Population~~
28 ~~data by the United States Department of Commerce, Bureau of the Census,~~
29 ~~as required by Public Law 94-171, any public power district seeking an~~
30 ~~amendment to its charter shall submit the proposed amendment to the~~
31 ~~Nebraska Power Review Board on or before December 17, 2021. If the~~

1 ~~proposed amendment is in proper form, the Nebraska Power Review Board~~
2 ~~shall give conditional approval of the amendment on or before December~~
3 ~~30, 2021. The approval process provided in subsection (1) of this section~~
4 ~~shall occur concurrent with the conditional approval process. If a~~
5 ~~protest, complaint, or objection is filed and a hearing is set, any~~
6 ~~decision from the Nebraska Power Review Board rejecting the amendment~~
7 ~~shall be decided and notification provided to the Secretary of State by~~
8 ~~March 1, 2022. Immediately upon receiving such notification, the~~
9 ~~Secretary of State shall notify all election commissioners and county~~
10 ~~clerks responsible for such elections within the public power district~~
11 ~~that the conditionally approved boundaries were rejected and that the~~
12 ~~previous boundaries shall be used for the primary and general elections.~~

13 Sec. 72. Section 79-1218, Revised Statutes Cumulative Supplement,
14 2022, is amended to read:

15 79-1218 The board of each educational service unit shall meet and
16 organize by naming one of its members as president, one as vice
17 president, and one as secretary. The board shall employ a treasurer who
18 shall be paid a salary to be fixed by the board.

19 The board of the educational service unit shall determine the
20 participation of the educational service unit in providing supplementary
21 educational services. If the board of the educational service unit does
22 not provide supplementary educational services, it shall meet during each
23 succeeding January to determine the participation in providing
24 supplementary educational services for that calendar year. Meetings may
25 be held by means of virtual conferencing in accordance with subsection
26 ~~(2)~~ of section 84-1411.

27 Sec. 73. Section 84-217, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 84-217 Section 84-216 is Sections 84-215 to 84-217 shall be
30 cumulative to any existing remedies which may exist.

31 Sec. 74. Section 84-1411, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 84-1411 (1) Until January 1, 2025:

3 (a) (1)(a) Each public body shall give reasonable advance publicized
4 notice of the time and place of each meeting as provided in this
5 subsection. Such notice shall be transmitted to all members of the public
6 body and to the public.

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

12 (ii) In the case of the governing body of a city of the second class
13 or village or such body's advisory committee or the governing body of a
14 rural or suburban fire protection district, such notice shall be
15 published by:

16 (A) Publication in a newspaper of general circulation within the
17 public body's jurisdiction and, if available, on such newspaper's
18 website; or

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

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

25 (iv) In case of refusal, neglect, or inability of the newspaper to
26 timely publish the notice, the public body shall (A) post such notice on
27 its website, if available, and (B) post such notice in a conspicuous
28 public place in such public body's jurisdiction. The public body shall
29 keep a written record of such posting. The record of such posting shall
30 be evidence that such posting was done as required and shall be
31 sufficient to fulfill the requirement of publication.

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

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

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

20 (2) Beginning January 1, 2025:

21 (a) Each public body shall give reasonable advance publicized notice
22 of the time and place of each meeting as provided in this subsection.
23 Such notice shall be transmitted to all members of the public body and to
24 the public.

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

29 (A)(I) Publication in a newspaper of general circulation within the
30 public body's jurisdiction that is finalized for printing prior to the
31 time and date of the meeting, (II) posting on such newspaper's website,

1 if available, and (III) posting on a statewide website established and
2 maintained as a repository for such notices by a majority of Nebraska
3 newspapers. Such notice shall be placed in the newspaper and on the
4 websites by the newspaper; or

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

12 (ii) In the case of the governing body of a city of the second class
13 or village, any advisory committee of such governing body, or the
14 governing body of a rural or suburban fire protection district, such
15 notice shall be given by:

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

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

30 (C)(III) Posting written notice in three conspicuous public places
31 in such city, village, or district. Such notice shall be posted by the

1 public body in the same three places for each meeting.

2 (iii) In the case of a public body not described in subdivision (2)
3 (b)(i) or (ii) of this section, such notice shall be given by a method
4 designated by the public body.

5 (iv) In case of refusal, neglect, or inability of the newspaper to
6 publish the notice, the public body shall (A) post such notice on its
7 website, if available, (B) submit a post on a statewide website
8 established and maintained as a repository for such notices by a majority
9 of Nebraska newspapers, and (C) post such notice in a conspicuous public
10 place in such public body's jurisdiction. The public body shall keep a
11 written record of such posting. The record of such posting shall be
12 evidence that such posting was done as required and shall be sufficient
13 to fulfill the requirement of publication.

14 (3)(a) ~~(2)(a)~~ The following entities may hold a meeting by means of
15 virtual conferencing if the requirements of subdivision (3)(b) ~~(2)(b)~~ of
16 this section are met:

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

19 (ii) An organization, including the governing body, created under
20 the Interlocal Cooperation Act, the Joint Public Agency Act, or the
21 Municipal Cooperative Financing Act;

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

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

26 (v) An educational service unit;

27 (vi) The Educational Service Unit Coordinating Council;

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

31 (viii) A community college board of governors;

- 1 (ix) The Nebraska Brand Committee;
- 2 (x) A local public health department;
- 3 (xi) A metropolitan utilities district;
- 4 (xii) A regional metropolitan transit authority; and
- 5 (xiii) A natural resources district.

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

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

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

21 (iii) At least one copy of all documents being considered at the
22 meeting is available at any physical site open to the public where
23 individuals may attend the virtual conference. The public body shall also
24 provide links to an electronic copy of the agenda, all documents being
25 considered at the meeting, and the current version of the Open Meetings
26 Act; and

27 (iv) Except as otherwise provided in this subdivision or subsection
28 (4) of section 79-2204, no more than one-half of the meetings of the
29 state entities, advisory committees, boards, councils, organizations, or
30 governing bodies are held by virtual conferencing in a calendar year. In
31 the case of (A) an organization created under the Interlocal Cooperation

1 Act that sells electricity or natural gas, ~~(B) at wholesale on a~~
2 ~~multistate basis or an organization created under the Municipal~~
3 ~~Cooperative Financing Act, (C) a governing body of a risk management pool~~
4 ~~and any advisory committee of such governing body, or (D) any advisory~~
5 ~~committee of any state entity created in response to the Opioid~~
6 ~~Prevention and Treatment Act, such the organization, governing body, or~~
7 ~~committee~~ may hold more than one-half of its meetings by virtual
8 conferencing if such organization holds at least one meeting each
9 calendar year that is not by virtual conferencing. ~~The governing body of~~
10 ~~a risk management pool that meets at least quarterly and the advisory~~
11 ~~committees of the governing body may each hold more than one-half of its~~
12 ~~meetings by virtual conferencing if the governing body's quarterly~~
13 ~~meetings are not held by virtual conferencing.~~

14 ~~(4) (3)~~ Virtual conferencing, emails, faxes, or other electronic
15 communication shall not be used to circumvent any of the public
16 government purposes established in the Open Meetings Act.

17 ~~(5) (4)~~ The secretary or other designee of each public body shall
18 maintain a list of the news media requesting notification of meetings and
19 shall make reasonable efforts to provide advance notification to them of
20 the time and place of each meeting and the subjects to be discussed at
21 that meeting.

22 ~~(6) (5)~~ When it is necessary to hold an emergency meeting without
23 reasonable advance public notice, the nature of the emergency shall be
24 stated in the minutes and any formal action taken in such meeting shall
25 pertain only to the emergency. Such emergency meetings may be held by
26 virtual conferencing. The provisions of subsection ~~(5) (4)~~ of this
27 section shall be complied with in conducting emergency meetings. Complete
28 minutes of such emergency meetings specifying the nature of the emergency
29 and any formal action taken at the meeting shall be made available to the
30 public by no later than the end of the next regular business day.

31 ~~(7) (6)~~ A public body may allow a member of the public or any other

1 witness to appear before the public body by means of virtual
2 conferencing.

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

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

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

27 ~~(9)~~ ~~(8)~~ In addition to any other statutory authorization for virtual
28 conferencing, any public body not listed in subdivision ~~(3)(a)~~ ~~(2)(a)~~ of
29 this section may hold a meeting by virtual conferencing if:

30 (a) The purpose of the virtual meeting is to discuss items that are
31 scheduled to be discussed or acted upon at a subsequent non-virtual open

1 meeting of the public body;

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

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

6 Sec. 75. Section 85-1514, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 85-1514 (1) In addition to the events listed in section 32-560, a
9 vacancy on any board shall exist in the event of the removal of a board
10 member from the community college area for board members elected at large
11 or community college district for board members elected by district.
12 After notice and hearing, a vacancy shall also exist when any board
13 member is absent from more than three consecutive regular meetings of the
14 board unless such absences are excused by a majority of the remaining
15 board members. In the event of a vacancy from any of such causes or
16 otherwise, such vacancy shall be filled by the remaining board members
17 for the balance of the unexpired term. Any person so named to fill a
18 vacancy shall have the same qualifications as his or her immediate
19 predecessor. Such appointment shall be made in writing and certified to
20 the office of the Secretary of State.

21 (2) If after a primary election there is a vacancy upon the ballot,
22 such vacancy shall be filled by a petition candidate pursuant to section
23 32-625.

24 (3) An incumbent shall not be permitted to hold over the term, but
25 such office shall automatically become vacant and an appointment shall be
26 made within one calendar month to fill such vacancy for the ensuing term.
27 If there are vacancies in the offices of a majority of the members of the
28 board, the Secretary of State shall conduct a special election to fill
29 such vacancies. Candidates for such special election shall file a
30 candidate filing form pursuant to section 26 of this act.

31 Sec. 76. Sections 1, 2, 3, 4, 15, 16, 18, 20, 21, 24, 25, 26, 27,

1 28, 29, 30, 32, 35, 37, 38, 39, 40, 42, 47, 48, 51, 52, 53, 54, 55, 56,
2 57, 58, 59, 63, 65, 71, 73, 75, 77, and 81 of this act become operative
3 three calendar months after the adjournment of this legislative session.
4 Sections 34, 68, 70, and 78 of this act become operative on July 1, 2024.
5 Sections 13, 14, 45, 69, and 79 of this act become operative on January
6 1, 2025. The other sections of this act become operative on their
7 effective date.

8 Sec. 77. Original sections 2-3213, 2-3214, 16-202, 18-2518, 32-569,
9 32-632, 32-1205, 32-1301, 32-1304, 32-1308, 32-1546, 49-1499.03, 84-217,
10 and 85-1514, Reissue Revised Statutes of Nebraska, sections 32-320.01,
11 32-404, 32-552, 32-553, 32-570, 32-606, 32-607, 32-608, 32-615, 32-716,
12 32-802, 32-808.01, 32-903, 32-947, 32-950.01, 32-1203, 32-1303, 32-1305,
13 32-1306, 32-1405, and 70-663, Revised Statutes Cumulative Supplement,
14 2022, and sections 32-318.01 and 32-912.02, Revised Statutes Supplement,
15 2023, are repealed.

16 Sec. 78. Original sections 32-630 and 60-483, Reissue Revised
17 Statutes of Nebraska, and section 60-4,115, Revised Statutes Supplement,
18 2023, are repealed.

19 Sec. 79. Original section 60-484.02, Reissue Revised Statutes of
20 Nebraska, section 32-304, Revised Statutes Cumulative Supplement, 2022,
21 and sections 32-308 and 32-942, Revised Statutes Supplement, 2023, are
22 repealed.

23 Sec. 80. Original sections 25-1274, 32-233, 32-564, 32-565, 32-613,
24 32-617, 32-713, 58-230, and 58-817, Reissue Revised Statutes of Nebraska,
25 sections 31-727.02, 32-330, 32-405, 32-1407, 32-1524, 32-1525, 79-1218,
26 and 84-1411, Revised Statutes Cumulative Supplement, 2022, and sections
27 32-101, 32-103, 32-123, 32-202.01, 32-912.01, 32-915.03, 32-941,
28 32-1002.01, and 32-1027, Revised Statutes Supplement, 2023, are repealed.

29 Sec. 81. The following section is outright repealed: Section
30 84-215, Reissue Revised Statutes of Nebraska.

31 Sec. 82. Since an emergency exists, this act takes effect when

1 passed and approved according to law.