

## LEGISLATIVE BILL 727

Approved by the Governor April 9, 2004

Introduced by Connealy, 16

AN ACT relating to elections; to amend section 32-939, Reissue Revised Statutes of Nebraska; to provide for use of the Federal Write-In Absentee Ballot; to provide for facsimile transmission of certain ballots and related documents; and to repeal the original section.

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

Section 1. Section 32-939, Reissue Revised Statutes of Nebraska, is amended to read:

32-939. (1) The persons listed in this subsection who are residents of Nebraska but who reside outside the United States shall be allowed to simultaneously register to vote and make application for absentee ballots for all elections in a calendar year through the use of the Federal Post Card Application or a personal letter which includes the same information as appears on the Federal Post Card Application:

(a) Members of the armed forces of the United States and their spouses and dependents residing with them;

(b) Citizens temporarily residing outside of the United States and the District of Columbia; and

(c) Overseas citizens.

(2) An omission of required information, except the political party affiliation of the applicant, may prevent the processing of an application and mailing of absentee ballots. The request for absentee ballots and registration forms shall be sent to the election commissioner or county clerk of the county of the applicant's residence at any time in the same calendar year but prior to any election. If so requested, absentee ballots may be sent for all elections held in the county in that calendar year.

(3) Any person meeting the criteria in subsection (1) of this section may cast a ballot by the use of the Federal Write-In Absentee Ballot. The Federal Write-In Absentee Ballot may be used for all elections. If a person casting a ballot using the Federal Write-In Absentee Ballot is not a registered voter, the information submitted in the Federal Write-In Absentee Ballot transmission envelope shall be treated as a voter registration application.

(4) Any person meeting the criteria in subsection (1) of this section requesting an absentee ballot under this section or the special absentee ballot described in section 32-808 may receive the ballot and the oath prescribed in subsection (2) of section 32-947 by facsimile but shall return the cast ballot and completed oath by mail.

Sec. 2. Original section 32-939, Reissue Revised Statutes of Nebraska, is repealed.