

AMENDMENTS TO LB535

(Amendments to Standing Committee amendments, AM1748)

Introduced by Slama, 1.

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

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

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

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

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

12 Sec. 3. Valid photographic identification means:

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

19 (2) A United States passport;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (3) Enforce the Election Act;

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

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

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

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

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

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

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

1 request;

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

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

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

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

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

4 (16) Mail a postcard to every registered voter who does not have
5 valid photographic identification issued by the State of Nebraska and
6 every new voter that registers to vote who does not have valid
7 photographic identification issued by the State of Nebraska and include
8 information on the postcard regarding the requirement to present valid
9 photographic identification for purposes of voting and the process for
10 obtaining valid photographic identification at no charge;

11 (17) Provide instructions and information to the Department of
12 Health and Human Services, the Department of Motor Vehicles, and the
13 State Department of Education for distribution by such agencies to
14 Nebraska residents regarding the requirement to present valid
15 photographic identification in order to vote and the way to obtain valid
16 photographic identification at no charge; and

17 (18) Not use or allow the use of lawful status information shared
18 with or collected by the Secretary of State pursuant to the Election Act
19 for any purpose other than carrying out section 6 of this act or law
20 enforcement purposes unless such information was used by the Secretary of
21 State in such a manner prior to the operative date of this section.

22 Sec. 5. The Secretary of State shall designate one or more
23 individuals in his or her office to help voters comply with voter
24 identification requirements including:

25 (1) Assisting in procuring necessary documentation for applying for
26 a state identification card pursuant to section 7 of this act or
27 inclusion on the Signature Photo ID List pursuant to section 9 or 10 of
28 this act. Such assistance may include:

- 29 (a) Identifying where to procure the necessary documentation;
- 30 (b) Helping the voter procure the necessary documentation;
- 31 (c) Paying any required fees for such documentation; and

- 1 (d) Any other task deemed necessary by the Secretary of State;
2 (2) Creating and maintaining the Signature Photo ID List; and
3 (3) Coordinating agents pursuant to subsection (2) of section
4 32-943.

5 Sec. 6. (1)(a) Prior to January 15, 2024, the Secretary of State
6 shall use the information in the possession of or available to his or her
7 office to match and verify the citizenship of each registered voter who
8 registered to vote prior to January 1, 2024.

9 (b) If the Secretary of State has reason to believe, from the
10 information in the possession of or available to his or her office, that
11 a registered voter might not be a citizen of the United States, the
12 Secretary of State shall undertake an investigation to determine whether
13 the registered voter is a citizen of the United States. The Secretary of
14 State shall attempt to contact the individual to inform the individual of
15 the investigation and seek further information. Before ceasing contact
16 attempts due to an individual's failure to respond, the Secretary of
17 State shall attempt to contact the individual by mailing a citizenship
18 investigation notice card to the individual's address on the voter
19 registration record at least three times. The Secretary of State shall
20 create a standard citizenship investigation notice card. The Secretary of
21 State shall allow ten days between each attempted contact made by mail.
22 If an individual does not respond to the third attempted contact by mail
23 within ten days, the individual shall be deemed to have failed to
24 respond.

25 (c) If the Secretary of State determines that there is enough
26 evidence that an individual who is registered to vote is not a citizen of
27 the United States, the Secretary of State shall inform the individual of
28 such determination in writing by mailing a notification to the address
29 where the individual is registered to vote. The notification shall
30 instruct the individual to respond in a manner prescribed by the
31 Secretary of State within fifteen days, shall give the individual the

1 option of requesting to be removed from the list of registered voters,
2 and shall inform the individual of the effect of not responding to the
3 notification within fifteen days and the effect of not requesting to be
4 removed from the list of registered voters. If an individual does not
5 respond to the notification within fifteen days, the individual shall be
6 deemed to have failed to respond.

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

11 (b) If the Secretary of State has reason to believe, from the
12 information in the possession of his or her office, that an applicant
13 might not be a citizen of the United States and there is sufficient time
14 to undertake and complete an investigation without preventing an
15 applicant from being registered to vote by the deadline for the next
16 election for federal office in which the applicant would be entitled to
17 vote, the Secretary of State shall undertake an investigation to
18 determine whether the applicant is a citizen of the United States. The
19 Secretary of State shall attempt to contact the individual to inform the
20 individual of the investigation and seek further information. The
21 Secretary of State shall complete each investigation within a reasonable
22 amount of time and shall make a determination regarding the applicant's
23 citizenship status. If the Secretary of State determines that the
24 individual is not a citizen of the United States, either the Secretary of
25 State or the appropriate election commissioner or county clerk shall send
26 a notification to the applicant indicating that the application is not
27 proper. If the Secretary of State determines that the applicant is a
28 citizen of the United States, the applicant shall be placed on the list
29 of registered voters.

30 (c) If the Secretary of State has reason to believe, from the
31 information in the possession of his or her office, that an applicant

1 might not be a citizen of the United States and there is insufficient
2 time to undertake or complete an investigation without preventing an
3 applicant from being registered to vote by the deadline for the next
4 election for federal office in which the applicant would be entitled to
5 vote, the applicant shall be placed on the list of registered voters. If
6 required by section 32-304, the Secretary of State shall send an
7 acknowledgment of registration. The Secretary of State shall undertake an
8 investigation to determine whether the registered voter is a citizen of
9 the United States. The Secretary of State shall attempt to contact the
10 individual to inform the individual of the investigation and seek further
11 information. Before ceasing contact attempts due to an individual's
12 failure to respond, the Secretary of State shall attempt to contact the
13 individual by mailing a citizenship investigation notice card to the
14 individual's address on the voter registration record at least three
15 times. The Secretary of State shall create a standard citizenship
16 investigation notice card. The Secretary of State shall allow ten days
17 between each attempted contact made by mail. If an individual does not
18 respond to the third attempted contact by mail within ten days, the
19 individual shall be deemed to have failed to respond. If the Secretary of
20 State determines that there is enough evidence that an individual who is
21 registered to vote is not a citizen of the United States, the Secretary
22 of State shall inform the individual of such determination in writing by
23 mailing a notification to the address where the individual is registered
24 to vote. The notification shall instruct the individual to respond in a
25 manner prescribed by the Secretary of State within fifteen days, shall
26 give the individual the option of requesting to be removed from the list
27 of registered voters, and shall inform the individual of the effect of
28 not responding to the notification within fifteen days and the effect of
29 not requesting to be removed from the list of registered voters. If an
30 individual does not respond to the notification within fifteen days, the
31 individual shall be deemed to have failed to respond.

1 (3) The Secretary of State shall refer an individual to the
2 appropriate prosecutorial authority for prosecution for election
3 falsification if the individual:

4 (a) Fails to respond to the notification of determination from the
5 Secretary of State that the individual is not a citizen of the United
6 States pursuant to subdivision (1)(c) or (2)(c) of this section; or

7 (b) Does not request to be removed from the voter registration list
8 after the Secretary of State has determined that there is enough evidence
9 that the individual is not a citizen of the United States pursuant to
10 subdivision (1)(c) or (2)(c) of this section.

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

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

15 (b) The Secretary of State has referred the individual to the
16 appropriate prosecutorial authority for prosecution for election
17 falsification pursuant to this section and the individual has been
18 convicted.

19 Sec. 7. (1) Any individual registered to vote in the State of
20 Nebraska who does not have an operator's license or a state
21 identification card issued by the Department of Motor Vehicles may seek
22 the assistance of the Secretary of State to obtain a state identification
23 card. The Secretary of State shall provide assistance to any such voter
24 who requests assistance to obtain a state identification card or
25 documents necessary to obtain a state identification card regardless of
26 whether the voter completed an application for assistance under this
27 section. For any such voter, the Secretary of State shall be responsible
28 for the payment of all administrative fees associated with procuring the
29 documentation necessary to obtain a state identification card.

30 (2) The Secretary of State shall provide a standard application for
31 assistance, shall make the application available at the office of the

1 election commissioner and county clerk, and shall make a printable
2 version available on the Secretary of State's website.

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

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

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

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

18 (2) The applicant shall execute the affidavit prescribed pursuant to
19 section 8 of this act and submit the affidavit to the Secretary of State
20 or the appropriate election commissioner or county clerk. The Secretary
21 of State, election commissioner, or county clerk shall check that the
22 signature on the affidavit conforms to the signature on the applicant's
23 voter registration record.

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

26 (b) If an applicant does not have a document referred to in
27 subdivision (3)(c) of section 3 of this act but is a citizen of the
28 United States, the Secretary of State shall assist the applicant to
29 procure such a document or to be placed on the Signature Photo ID List
30 pursuant to section 10 of this act.

31 (4) A registered voter placed on the Signature Photo ID List

1 pursuant to this section shall, after filling out a ballot, submit the
2 ballot in the Signature Photo ID Ballot Envelope pursuant to section 24
3 of this act.

4 Sec. 10. (1) The Secretary of State may place an individual who
5 does not have a document referred to in subdivision (3)(c) of section 3
6 of this act on the Signature Photo ID List if all of the following
7 conditions are met:

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

9 (b) The Secretary of State believes, after interviewing the
10 individual, that the individual is who the individual claims to be;

11 (c) The Secretary of State believes, after interviewing the
12 individual, that the individual is qualified to vote;

13 (d) The Secretary of State has attempted to assist the individual in
14 acquiring the documents necessary to either (i) obtain a state
15 identification card or (ii) be placed on the Signature Photo ID List
16 pursuant to section 9 of this act;

17 (e) The Secretary of State believes that even with continued good
18 faith efforts by the Secretary of State and the individual, it will not
19 be possible to obtain the necessary documents for the individual to (i)
20 obtain a state identification card or (ii) be placed on the Signature
21 Photo ID List pursuant to section 9 of this act;

22 (f) The individual signs an affidavit attesting to the individual's
23 qualifications to vote; and

24 (g) If the individual has a sincerely held religious belief against
25 being photographed, the individual complies with subsection (1) of
26 section 9 of this act.

27 (2) If the individual does not have a sincerely held religious
28 belief against being photographed, the Secretary of State shall (a) cause
29 the individual's photograph or digital image to be taken and placed on a
30 certificate that includes the individual's name and the certification of
31 the Secretary of State, (b) print the certificate, and (c) provide the

1 certificate to the individual.

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

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

9 Sec. 11. Section 32-301, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 32-301 (1) The Secretary of State shall implement, in a uniform and
12 nondiscriminatory manner, a single, uniform, official, centralized,
13 interactive computerized statewide voter registration list defined,
14 maintained, and administered at the office of the Secretary of State that
15 contains the name and registration information of every legally
16 registered voter in the state and assigns a unique identifier to each
17 legally registered voter in the state. The computerized list shall serve
18 as the single system for storing and managing the official list of
19 registered voters throughout the state and shall comprise the voter
20 registration register. The computerized list shall be coordinated with
21 other agency databases within the state and shall be available for
22 electronic access by election commissioners and county clerks. The
23 computerized list shall serve as the official voter registration list for
24 the conduct of all elections under the Election Act and ~~beginning July 1,~~
25 ~~2019,~~ shall be the basis for electronic poll books at each precinct, if
26 applicable. The Secretary of State shall provide such support as may be
27 required so that election commissioners and county clerks are able to
28 electronically enter voter registration information obtained by such
29 officials on an expedited basis at the time the information is received.
30 The Secretary of State shall provide adequate technological security
31 measures to prevent unauthorized access to the computerized list.

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

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

19 Sec. 12. Section 32-304, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

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

1 records of his or her motor vehicle operator's license or state
2 identification card for purposes of voter registration and electronic
3 poll books.

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

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

13 (b) An applicant who submits this application electronically is
14 agreeing to the use of his or her digital signature from the Department
15 of Motor Vehicles' records of his or her motor vehicle operator's license
16 or state identification card for purposes of voter 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, within a
21 reasonable time after ~~upon~~ receipt of the application for registration,
22 send an acknowledgment of registration to the applicant indicating
23 whether the application is proper or not.

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

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

1 operator's licenses, and state identification cards. The Director of
2 Motor Vehicles shall enter into an agreement with the Commissioner of
3 Social Security under section 205(r)(8) of the federal Social Security
4 Act, 42 U.S.C. 405(r)(8), as such section existed on April 17, 2003, for
5 purposes of the Election Act.

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

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

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

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

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

30 Sec. 14. Section 32-318.01, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

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

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

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

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

30 (d) Failure to present such documentation may result in the ballot
31 not being counted pursuant to verification procedures prescribed in

1 sections 32-1002 and 32-1027.

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

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

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

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

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

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

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

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

27 32-902 (1) The election commissioner or county clerk shall cause
28 instructions for the guidance of registered voters in preparing their
29 ballots to be printed in large, clear type on cards in English. He or she
30 shall furnish at least five such cards to each polling place in each
31 precinct at the same time and in the same manner as the printed ballots.

1 The judges or clerks of election shall post such cards in each voting
2 booth on the day of election. The card shall contain full instructions on
3 preparing and casting ballots, including how to cast a write-in vote. The
4 form and contents of the cards shall be approved by the Secretary of
5 State.

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

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

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

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

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

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

23 32-914 (1) Official ballots shall be used at all elections. No
24 person shall receive a ballot or be entitled to vote unless and until he
25 or she is registered as a voter except as provided in section 32-914.01,
26 32-914.02, 32-915, 32-915.01, or 32-936.

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

31 ~~(a) He or she announces his or her name and address to the clerk of~~

1 ~~election;~~

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

5 (a) (b) The clerk has found that the voter ~~he or she~~ is a registered
6 voter at the address as shown by the precinct list of registered voters
7 unless otherwise entitled to vote in the precinct under section 32-328,
8 32-914.01, 32-914.02, 32-915, or 32-915.01;

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

20 (c) (d) As instructed by the clerk of election, the registered voter
21 has personally written his or her name (i) in the precinct sign-in
22 register on the appropriate line which follows the last signature of any
23 previous voter or (ii) in the combined document containing the precinct
24 list of registered voters and the sign-in register; and

25 (d) (e) The clerk has listed on the precinct list of registered
26 voters the corresponding line number and name of the registered voter or
27 has listed the name of the voter in a separate book as provided in
28 section 32-913.

29 Sec. 17. Section 32-915, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 32-915 (1) A person whose name does not appear on the precinct list

1 of registered voters at the polling place for the precinct in which he or
2 she resides, whose name appears on the precinct list of registered voters
3 at the polling place for the precinct in which he or she resides at a
4 different residence address as described in section 32-914.02, or whose
5 name appears with a notation that he or she received a ballot for early
6 voting may fill out ~~vote~~ a provisional ballot if he or she:

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

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

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

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

16 (e) Has presented valid photographic identification; and

17 (f) ~~(e)~~ Completes and signs a registration application before
18 voting.

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

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

30 (4) ~~(3)~~ Each person filling out a ~~voting by~~ provisional ballot shall
31 enclose his or her ballot in an envelope marked Provisional Ballot and

1 shall, by signing the certification on the front of the envelope or a
2 separate form attached to the envelope, certify to the following facts:

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

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

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

7 (d) I registered to vote

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

9 by mail,

10 by using the Secretary of State's website,

11 through the Department of Motor Vehicles,

12 on a form through another state agency,

13 in some other way;

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

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

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

20 (5) ~~(4)~~ The voter shall sign the certification under penalty of
21 election falsification. The following statements shall be on the front of
22 the provisional ballot envelope or on the attached form: By signing the
23 front of this envelope or the attached form, you are certifying to the
24 information contained on this envelope or the attached form under penalty
25 of election falsification. Election falsification is a Class IV felony
26 and may be punished by up to two years imprisonment and twelve months
27 post-release supervision, a fine of up to ten thousand dollars, or both.

28 (6) A voter who is included on the Signature Photo ID List and who
29 fills out a provisional ballot shall place the provisional ballot
30 envelope inside a Signature Photo ID Ballot Envelope pursuant to section
31 24 of this act.

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

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

12 32-915.01 Any person who votes in an election for federal office as
13 a result of a federal or state court order or any other order extending
14 the time established for closing the polls pursuant to a state law in
15 effect ten days before the date of that election may only vote in that
16 election by filling out ~~casting~~ a provisional ballot as described in
17 section 32-915.

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

20 32-916 (1) Two judges of election or a precinct inspector and a
21 judge of election shall affix their initials to the official ballots. The
22 judge of election shall deliver a ballot to each registered voter after
23 complying with section 32-914.

24 (2) After filling out or voting the ballot, the registered voter
25 shall, as directed by the judge of election, fold his or her ballot or
26 place the ballot in the provisional ballot envelope or ballot sleeve so
27 as to conceal the voting marks and to expose the initials affixed on the
28 ballot. The registered voter shall, without delay and without exposing
29 the voting marks upon the ballot, deliver the ballot to the judge of
30 election before leaving the enclosure in which the voting booths are
31 placed.

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

24 (4) Upon receiving a provisional ballot as provided in section
25 32-915, the judge of election shall give the voter written information
26 that states that the voter may determine if his or her vote was counted
27 and, if not, the reason that the vote was not counted by accessing the
28 system created pursuant to section 32-202 and the judge of election shall
29 ensure that the appropriate information is on the outside of the
30 provisional ballot envelope in which the ballot is enclosed or attached
31 to the provisional ballot envelope, attach the statement required by

1 section 32-915 if not contained on the provisional ballot envelope, and
2 place the entire provisional ballot envelope into the ballot box. Upon
3 receiving a provisional ballot as provided in section 32-915.01, the
4 judge of election shall comply with the requirements for a provisional
5 ballot under this subsection, except that a provisional ballot filled out
6 ~~east~~ pursuant to section 32-915.01 shall be kept separate from the other
7 ballots cast at the election.

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

10 32-929 If a person is challenged on the ground that he or she is not
11 a resident of this state, the county, or the precinct, the person shall
12 answer the following questions on the form provided by the election
13 commissioner or county clerk:

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

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

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

17 If a person has moved from one residence to another within the
18 precinct in which he or she is registered to vote, such voter shall be
19 entitled to vote as provided in section 32-914.02. If a person has moved
20 from one residence to another within the county in which he or she is
21 registered to vote, such voter shall be entitled to fill out ~~vote~~ a
22 provisional ballot as provided in section 32-915.

23 Sec. 21. Section 32-942, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 32-942 (1)(a) ~~(1)~~ Except as otherwise provided in subsection (2) of
26 this section, a registered voter of this state who anticipates being
27 absent from the county of his or her residence on the day of any election
28 may appear in person before the election commissioner or county clerk not
29 more than thirty days prior to the day of election, present valid
30 photographic identification, and obtain his or her ballot. The registered
31 voter shall vote the ballot in the office of the election commissioner or

1 county clerk or shall return the ballot to the office not later than the
2 closing of the polls on the day of the election. If the registered voter
3 does not vote the ballot in the office of the election commissioner or
4 county clerk and returns the ballot to the office before the closing of
5 polls on the day of the election, the voter shall present valid
6 photographic identification before the ballot is accepted. If a voter
7 fails to produce valid photographic identification upon returning the
8 ballot, the voter shall fill out a provisional voter identification
9 verification envelope pursuant to section 23 of this act.

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

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

1 domiciled before leaving the United States, or (C) ~~(iii)~~ state that he or
2 she is elderly or handicapped and has requested to vote by alternative
3 means other than by casting a ballot at his or her polling place on
4 election day or (ii) fill out ~~(b)~~ vote a ballot which is placed in a
5 provisional voter identification verification an envelope with the
6 voter's name and address and other necessary identifying information and
7 kept securely for counting as provided in this subsection. This
8 subsection does not extend the deadline for voter registration specified
9 in section 32-302.

10 (b) A ballot filled out ~~cast~~ pursuant to subdivision (a)(ii) ~~(b)~~ of
11 this subsection shall be rejected and shall not be counted if (i) the
12 acknowledgment of registration sent to the registrant pursuant to section
13 32-322 is returned as undeliverable for a reason other than clerical
14 error within ten days after it is mailed or (ii) the voter fails to
15 present valid photographic identification to the election commissioner or
16 county clerk or his or her designee on or before the Tuesday after the
17 election, if applicable. After ~~, otherwise after~~ such ten-day period, the
18 ballot shall be counted.

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

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

24 32-943 (1) Any registered voter who is permitted to vote early
25 pursuant to section 32-938 may appoint a member of the voter's household
26 as an agent to submit a request for a ballot for early voting on the
27 voter's ~~his or her~~ behalf pursuant to this subsection. The registered
28 voter or his or her agent may request that the ballot be sent to the
29 registered voter by mail or indicate on the request that the agent will
30 personally pick up the ballot for such registered voter from the office
31 of the election commissioner or county clerk. A registered voter or an

1 agent acting on behalf of a registered voter shall request a ballot in
2 writing to the election commissioner or county clerk in the county where
3 the registered voter has established his or her residence, shall
4 acknowledge that only the voter is permitted to return the ballot to the
5 election office unless an agent is authorized pursuant to subsection (2)
6 of this section, and shall indicate the voter's residence address, the
7 address to which the ballot is to be mailed if different, and the voter's
8 telephone number if available and precinct if known. The registered voter
9 or the voter's agent may use the form published by the election
10 commissioner or county clerk pursuant to section 32-808. The registered
11 voter or his or her agent shall sign the request.

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

23 (3) Only the following persons shall be eligible to serve as an
24 agent as described in subsection (2) of this section: (a) An individual
25 registered to vote in the State of Nebraska; (b) an individual who is a
26 notary public under the law of any state or territory of the United
27 States; (c) a Consular Officer of any United States embassy; or (d) a
28 person authorized to perform notarial acts pursuant to 10 U.S.C. 1044a,
29 as such section existed on January 1, 2023. {2} A candidate for office at
30 such election and any person serving on a campaign committee for such a
31 candidate shall not act as an agent for any registered voter requesting a

1 ~~ballot pursuant to this section~~ unless such person is a member of the
2 registered voter's family. ~~No person shall act as agent for more than two~~
3 ~~registered voters in any election.~~

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

9 ~~(5) (4) The election commissioner or county clerk shall adopt~~
10 ~~procedures for the distribution of ballots under this section.~~

11 Sec. 23. (1) If a registered voter fails to produce valid
12 photographic identification (a) at the polling place and the voter's name
13 appears on the precinct list of registered voters for the polling place
14 without a notation that the voter is on the Signature Photo ID List, (b)
15 at the time of returning the ballot pursuant to subsection (1) of section
16 32-942, or (c) at the time of filling out the ballot for early voting in
17 person at the office of the election commissioner or county clerk, the
18 voter shall fill out a provisional voter identification verification
19 envelope.

20 (2) If a voter is otherwise entitled to fill out a provisional
21 ballot pursuant to section 32-915 but fails to produce valid photographic
22 identification, the voter shall fill out the provisional ballot in
23 compliance with section 32-915 and shall also fill out a provisional
24 voter identification verification envelope. The voter's provisional
25 ballot envelope containing the provisional ballot shall be enclosed
26 inside the provisional voter identification verification envelope.

27 (3) Each voter filling out a ballot using a provisional voter
28 identification verification envelope shall enclose the ballot in an
29 envelope marked provisional voter identification verification and shall,
30 by signing the certification on the front of the envelope, certify to the
31 following facts:

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

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

3 (c) I did not provide valid photographic identification as required
4 by law;

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

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

11 (4) The voter shall sign the certification under penalty of election
12 falsification. The following statements shall be on the front of the
13 provisional voter identification verification envelope: By signing the
14 front of this envelope, you are certifying to the information contained
15 on this envelope under penalty of election falsification. Election
16 falsification is a Class IV felony and may be punished by up to two years
17 imprisonment and twelve months post-release supervision, a fine of up to
18 ten thousand dollars, or both.

19 Sec. 24. (1) Any voter who has been placed on the Signature Photo
20 ID List may fill out a ballot and shall submit it enclosed in a Signature
21 Photo ID Ballot Envelope either (a) early pursuant to sections 32-941 to
22 32-943 or (b) at the voter's assigned polling place on election day.

23 (2) If the voter filed an affidavit with the Secretary of State
24 declaring the voter's sincerely held religious belief against being
25 photographed, the voter is not required to do anything more than sign the
26 certification on the Signature Photo ID Ballot Envelope and does not need
27 to have the signature witnessed. If the voter has not filed such an
28 affidavit with the Secretary of State, the voter is required to appear
29 before a witness and present the certificate issued to the voter by the
30 Secretary of State under section 10 of this act for identity
31 verification.

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

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

18 VOTER'S OATH

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

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

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

27 (b) I reside in the State of Nebraska at
28 (residence address);

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

31 (d) I have filled out the enclosed ballot and am returning it in

1 compliance with Nebraska law; and

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

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

10 I understand that if I have NOT filed an affidavit declaring my
11 SINCERELY HELD RELIGIOUS BELIEF AGAINST BEING PHOTOGRAPHED with the
12 Secretary of State, I am required to appear before a witness and present
13 the certificate issued to me by the Secretary of State for identity
14 verification. If I have filed an affidavit with the Secretary of State
15 declaring my sincerely held religious belief against being photographed,
16 I am not required to do anything more than sign below and do not need to
17 have my signature witnessed.

18 I also understand that failure to sign below will invalidate my
19 ballot.

20 Signature

21 WITNESS INSTRUCTIONS

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

29 2. Verify with the voter that the voter has NOT filed an affidavit
30 with the Secretary of State declaring a sincerely held religious belief
31 against being photographed. If the voter has filed such an affidavit, the

1 witness oath is not required and the voter should sign and submit the
2 Signature Photo ID Ballot Envelope.

3 3. Verify that the ballot envelope is sealed.

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

7 5. Verify that the name written on the ballot envelope matches the
8 name on the certificate the voter presents and that the individual
9 pictured on the certificate is the individual before you.

10 6. Instruct the voter to sign the ballot envelope on the space
11 provided.

12 7. If you are a notary public or a person authorized to perform
13 notarial acts, notarize the document according to the law under which you
14 are authorized to perform notarial acts.

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

17 WITNESS OATH

18 I, the undersigned witness, declare under penalty of election
19 falsification that the voter's oath was executed in the manner prescribed
20 by the WITNESS INSTRUCTIONS, that the person who signed the ballot
21 envelope was the voter indicated on the voter's oath, that I verified the
22 voter's identity with the certificate issued to the voter by the
23 Secretary of State for inclusion on the Signature Photo ID List, and that
24 I witnessed that voter sign the ballot envelope.

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

31 I,, am a registered voter in

1 County, Nebraska, and I reside in the State of Nebraska
2 at (residence address).

3 OR

4 I,, am authorized to perform notarial acts under
5 state...../territory...../federal law (circle
6 appropriate jurisdiction and, if applicable, fill in space with state or
7 territory name), or am a Consular Officer of the U.S. Embassy
8 in If applicable, my commission number or other
9 identification number is

10 Signature Print name

11 Sec. 25. Section 32-947, Revised Statutes Cumulative Supplement,
12 2022, is amended to read:

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

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

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

31 VOTER'S OATH

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

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

7 (a) I,, am a registered voter
8 in County;

9 (b) I reside in the State of Nebraska at
10 (residence address);

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

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

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

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

24 Signature (DO NOT SIGN UNTIL PRESENT BEFORE A WITNESS AND INSTRUCTED
25 TO DO SO)

26 WITNESS INSTRUCTIONS

27 1. You must be registered to vote in the State of Nebraska to
28 witness this ballot envelope or be a notary public under the law of any
29 state or territory of the United States, a Consular Officer of any United
30 States embassy, or a person authorized to perform notarial acts pursuant
31 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. A full

1 list of persons who may serve as a witness was sent to the voter with the
2 ballot provided pursuant to this section.

3 2. Verify that the ballot envelope is sealed.

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

9 4. Verify that the name written on the ballot envelope matches the
10 name on the identification the voter presents and that the individual
11 pictured on the identification is the individual appearing before you.

12 5. Instruct the voter to sign the ballot envelope on the space
13 provided.

14 6. If you are a notary public or a person authorized to perform
15 notarial acts, notarize the document according to the law under which you
16 are authorized to perform notarial acts.

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

19 WITNESS OATH

20 I, the undersigned witness, declare under penalty of election
21 falsification that the voter's oath was executed in the manner prescribed
22 by the WITNESS INSTRUCTIONS, that the person who signed the ballot
23 envelope was the voter indicated on the voter's oath, that I verified the
24 voter's identity with one of the forms of identification listed on the
25 document entitled "List of Acceptable Forms of Identification," and that
26 I witnessed that voter sign the ballot envelope.

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

1 DOLLARS, OR BOTH.

2 I,, am a registered voter in
3 County, Nebraska, and I reside in the State of Nebraska
4 at (residence address).

5 OR

6 I,, am authorized to perform notarial acts under
7 state...../territory...../federal law (circle
8 appropriate jurisdiction and, if applicable, fill in space with state or
9 territory name), or am a Consular Officer of the U.S. Embassy
10 in If applicable, my commission number or other
11 identification number is

12 Signature Print name

13 ~~(4) The early voting ballot (3) If the ballot and identification~~
14 ~~envelope will be returned by mail or by someone other than the voter, the~~
15 ~~election commissioner or county clerk shall include with the ballot an~~
16 ~~identification envelope upon the face of which shall have be printed on~~
17 ~~its face the official title and post office address of the election~~
18 ~~commissioner or county clerk.~~

19 ~~(5) (4) The election commissioner or county clerk shall also enclose~~
20 ~~with the ballot materials:~~

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

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

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

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

13 (c) Written instructions that inform the voter that (i) the voter
14 should check the status of the ballot on the free access system created
15 pursuant to section 32-202 or by calling the office of the election
16 commissioner or county clerk and (ii) if the ballot is not accepted due
17 to a defect in witnessing, the voter may present valid photographic
18 identification to the election commissioner or county clerk or his or her
19 designee on or before the Tuesday after the election for the ballot to be
20 counted;

21 (d) If the voter is not on the Signature Photo ID List, a printed
22 copy of the document entitled "List of Acceptable Forms of
23 Identification" as it appears on the website provided pursuant to
24 subdivision (14) of section 32-202; and

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

30 (6) ~~(5)~~ The election commissioner or county clerk may enclose with
31 the ballot materials a separate return envelope for the voter's use in

1 returning the early voting ballot ~~his or her identification~~ envelope
2 containing the marked ~~voted~~ ballot, the registration application, and
3 other materials that may be required.

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

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

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

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

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

28 (c) Enclose, in the early voting ballot ~~identification~~ envelope or
29 separately in the return envelope if one has been provided, his or her
30 completed registration application if one was provided pursuant to
31 section 32-945 or 32-946, a copy of his or her identification document if

1 such identification has been requested, and the oath completed and signed
2 by a voter without a residence address if required pursuant to section
3 32-946;

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

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

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

20 (4) ~~(3)~~ All postage costs related to returning such ballots and
21 required materials, if any, to the election commissioner or county clerk
22 shall be paid by the applicant.

23 Sec. 27. Section 32-949.01, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 32-949.01 (1) If a ballot for early voting is destroyed, spoiled,
26 lost, or not received by the registered voter, the voter may fill out
27 ~~east~~ a provisional ballot pursuant to section 32-915 at the voter's
28 polling place on election day or may obtain a replacement ballot from the
29 election commissioner or county clerk by signing a statement on a form
30 prescribed by the Secretary of State that the original ballot for early
31 voting was destroyed, spoiled, lost, or not received and delivering the

1 statement to the election commissioner or county clerk.

2 (2) If the voter mails the statement or uses electronic mail or a
3 facsimile machine for the submission of the statement, the election
4 commissioner or county clerk shall not mail a replacement ballot to the
5 voter unless the statement is received by 6 p.m. on the second Friday
6 preceding the election. To receive a replacement ballot in person, the
7 voter shall return the statement to the office of the election
8 commissioner or county clerk by the deadline for the receipt of ballots
9 specified in subsection (2) of section 32-908.

10 (3) The election commissioner or county clerk shall verify the
11 signature on the statement with the signature appearing on the voter
12 registration records.

13 (4) If the election commissioner or county clerk receives a
14 statement meeting the requirements of this section, the election
15 commissioner or county clerk shall deliver a replacement ballot to the
16 voter if the voter is present in the office or shall mail a replacement
17 ballot to the voter at the address shown on the statement. The election
18 commissioner or county clerk shall keep a record of all replacement
19 ballots issued under this section.

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

22 32-953 (1) Except as otherwise provided in subsection (2) of this
23 section, the election commissioner or county clerk shall mail the
24 official ballot to all registered voters of the political subdivision or
25 the district or ward of the political subdivision at the addresses
26 appearing on the voter registration register on the same day. The ballots
27 shall be mailed by nonforwardable first-class mail not sooner than the
28 twenty-second day before the date set for the election and not later than
29 the tenth day before the date set for the election. The election
30 commissioner or county clerk shall include with the ballot an unsealed
31 Signature Photo ID Ballot Envelope or early voting ballot identification

1 envelope meeting the requirements of subsection (2) or (3) of section
2 32-947 and instructions sufficient to describe the voting process.

3 (2) The election commissioner or county clerk may choose not to mail
4 a ballot to all registered voters who have been sent a notice pursuant to
5 section 32-329 and failed to respond to the notice. If the election
6 commissioner or county clerk chooses not to mail a ballot to such voters,
7 he or she shall mail a notice to all such registered voters explaining
8 how to obtain a ballot and stating the applicable deadlines.

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

11 32-954 Upon receipt of the official ballot, the registered voter
12 shall mark it, seal the ballot in the ballot identification envelope
13 supplied with the ballot as provided in section 32-953, sign the ballot
14 identification envelope, and comply with the instructions provided with
15 the ballot. The voter may return the ballot to the election commissioner
16 or county clerk by mailing it or by personally delivering it to the
17 office of the election commissioner or county clerk. The deadline for
18 receipt of the ballot is 5 p.m. on the date set for the election. The
19 official ballot must be returned in the ballot identification envelope.
20 The registered voter shall, by signing the ballot envelope, certify to
21 the facts contained on the envelope. The election commissioner or county
22 clerk shall keep the ballot identification envelopes received from
23 registered voters unopened in a fireproof safe or other suitable location
24 which is locked until delivered to the counting board.

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

27 32-957 An official ballot under section 32-953 shall be counted only
28 if it is returned in the ballot identification envelope supplied with the
29 ballot, the ballot envelope is signed by the voter to whom it was issued,
30 and the signature is verified by the election commissioner or county
31 clerk. The election commissioner or county clerk shall verify the

1 signature on each ballot identification envelope received in his or her
2 office with the signature appearing on the voter registration records. If
3 the election commissioner or county clerk is unable to verify a
4 signature, the election commissioner or county clerk shall contact the
5 voter within two days after determining that he or she is unable to
6 verify the signature to ascertain whether the voter filled out and
7 returned ~~east~~ a ballot. The election commissioner or county clerk may
8 request that the registered voter sign and submit a current signature
9 card pursuant to section 32-318. The election commissioner or county
10 clerk may begin verifying the signatures as the ballot envelopes are
11 received in his or her office. If the election commissioner or county
12 clerk determines that a voter has filled out and returned ~~voted~~ more than
13 one ballot ~~once~~, no ballot filled out and returned ~~east~~ by that voter in
14 that election shall be counted. The election commissioner or county clerk
15 shall make public any record or list of registered voters who have
16 returned their ballots.

17 Sec. 31. Section 32-1002, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 32-1002 (1) As the ballots are removed from the ballot box pursuant
20 to sections 32-1012 to 32-1018, the receiving board shall separate the
21 provisional ballot envelopes containing the provisional ballots from the
22 rest of the ballots and deliver them to the election commissioner or
23 county clerk.

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

29 (3) The election commissioner or county clerk shall also (a) verify
30 that such person has not voted anywhere else in the county or been issued
31 a ballot for early voting, (b) investigate whether any credible evidence

1 exists that the person was properly registered to vote in the county
2 before the deadline for registration for the election, (c) investigate
3 whether any information has been received pursuant to section 32-308,
4 32-309, 32-310, or 32-324 that the person has resided, registered, or
5 voted in any other county or state since registering to vote in the
6 county, and (d) upon determining that credible evidence exists that the
7 person was properly registered to vote in the county, make the
8 appropriate changes to the voter registration register by entering the
9 information contained in the registration application completed by the
10 voter at the time the voter filled out the ~~of voting a~~ provisional
11 ballot.

12 (4) A provisional ballot filled out ~~cast~~ by a voter pursuant to
13 section 32-915 shall be counted if:

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

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

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

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

23 (i) The residence address provided on the registration application
24 completed pursuant to subdivision (1)(f) ~~(1)(e)~~ of section 32-915 is
25 located within the precinct in which the person voted; and

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

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

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

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

7 (b) Information has been received pursuant to section 32-308,
8 32-309, 32-310, or 32-324 that the voter has resided, registered, or
9 voted in any other county or state since registering to vote in the
10 county in which he or she filled out ~~east~~ the provisional ballot;

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

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

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

20 (f) If the voter is voting in a primary election, the party
21 affiliation on the registration application completed as prescribed in
22 subsection (6) of this section ~~prior to voting the provisional ballot~~ is
23 different than the party affiliation that appears on the voter's voter
24 registration record based on his or her previous registration
25 application; ~~or~~

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

29 (h) The voter failed to present valid photographic identification;
30 or

31 (i) If the voter is on the Signature Photo ID List, the Signature

1 Photo ID Ballot Envelope is incomplete.

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

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

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

9 (b) Both the registration application and the certification are
10 signed by the voter.

11 (7) Upon determining that the voter's provisional ballot is eligible
12 to be counted, the election commissioner or county clerk shall remove the
13 ballot from the envelope without exposing the marks on the ballot and
14 shall place the ballot with the ballots to be counted by the county
15 canvassing board.

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

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

22 Sec. 32. (1) As the ballots are removed from the ballot box
23 pursuant to sections 32-1012 to 32-1018, the receiving board shall
24 separate the provisional voter identification verification envelopes and
25 Signature Photo ID Ballot Envelopes from the rest of the ballots and
26 deliver them to the election commissioner or county clerk.

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

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

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

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

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

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

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

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

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

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

22 (ii) The envelope was filled out and signed by a voter whose record
23 does not indicate that the voter has a sincerely held religious belief
24 against being photographed and the envelope was signed by a witness
25 declaring that the witness verified the voter's identity with a
26 certificate issued by the Secretary of State pursuant to section 10 of
27 this act; or

28 (iii) The envelope was filled out and signed by a voter whose record
29 does not indicate that the voter has a sincerely held religious belief
30 against being photographed, the envelope was not signed by a witness
31 declaring that the witness verified the voter's identity, and the voter

1 presented a certificate issued by the Secretary of State pursuant to
2 section 10 of this act verifying the voter's identity to the election
3 commissioner or county clerk or his or her designee on or before the
4 Tuesday after the election.

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

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

21 Sec. 33. Section 32-1027, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 32-1027 (1) The election commissioner or county clerk shall appoint
24 two or more registered voters to the counting board for early voting. One
25 registered voter shall be appointed from the political party casting the
26 highest number of votes for Governor or for President of the United
27 States in the county in the immediately preceding general election, and
28 one registered voter shall be appointed from the political party casting
29 the next highest vote for such office. The election commissioner or
30 county clerk may appoint additional registered voters to serve on the
31 counting board and may appoint registered voters to serve in case of a

1 vacancy among any of the members of the counting board. Such appointees
2 shall be balanced between the political parties and may include
3 registered voters unaffiliated with any political party. The counting
4 board may begin carrying out its duties not earlier than the second
5 Friday before the election and shall meet as directed by the election
6 commissioner or county clerk.

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

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

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

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

19 (c) A completed and signed registration application has been
20 received from the voter by the deadline in section 32-302, 32-321, or
21 32-325 or by the close of the polls pursuant to section 32-945;

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

25 (e) The signature of the registered voter conforms to the signature
26 in the voter registration records;

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

30 (g) ~~(e)~~ A completed and signed registration application and oath has
31 been received from the voter by the close of the polls on election day if

1 required pursuant to section 32-946.

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

4 (a) A ballot received from a voter who was properly registered on or
5 prior to the deadline for registration pursuant to section 32-302 or
6 32-321 shall be accepted for counting without further review if:

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

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

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

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

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

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

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

29 (iii) The residence address provided on the early voting ballot
30 identification envelope and on the registration application is the same
31 as the residence address as provided on the voter's request for a ballot

1 for early voting;~~and~~

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

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

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

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

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

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

22 and

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

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

30 (d) In the case of a ballot received from a registered voter
31 required to present identification before voting pursuant to section

1 32-318.01, the ballot shall be accepted for counting if:

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

5 (ii) The residence address provided on the early voting ballot
6 identification envelope is the same address at which the voter is
7 registered or is in the same precinct and subdivision of a precinct, if
8 any;

9 (iii) A copy of an identification document authorized in section
10 32-318.01 has been received by the election commissioner or county clerk
11 prior to the close of the polls on election day;~~and~~

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

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

19 (5)(a) In the case of a ballot received from a voter whose early
20 voting ballot envelope does not include the signature of the witness, the
21 printed name of the witness, or any other required information for the
22 applicable category of witness under the WITNESS OATH, the ballot shall
23 be accepted for counting if the voter presents valid photographic
24 identification to the election commissioner or county clerk or his or her
25 designee on or before the Tuesday after the election. Upon determining
26 that an early voting ballot envelope does not include the signature of
27 the witness, the printed name of the witness, or any other required
28 information for the applicable category of witness under the WITNESS
29 OATH, the counting board shall affix to the early voting ballot envelope
30 the reason for its rejection and place the envelope with the provisional
31 voter identification verification envelopes. If the voter fails to

1 present qualifying identification on or before the Tuesday after the
2 election, the ballot shall be placed with the other rejected ballots for
3 early voting.

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

8 (6) (5) In opening the early voting ballot identification envelope
9 or the separate return envelope to determine if registration
10 applications, oaths, or identification documents have been enclosed by
11 the voters from whom they are required, the counting board shall make a
12 good faith effort to ensure that the ballot remains folded and that the
13 secrecy of the vote is preserved.

14 (7) (6) The counting board may, on the second Friday before the
15 election, open all early voting ballot identification envelopes which are
16 approved, and if the signature of the election commissioner or county
17 clerk or his or her employee is on the ballot, the ballot shall be
18 unfolded, flattened for purposes of using the optical scanner, and placed
19 in a sealed container for counting as directed by the election
20 commissioner or county clerk. At the discretion of the election
21 commissioner or county clerk, the counting board may begin counting early
22 ballots no earlier than twenty-four hours prior to the opening of the
23 polls on the day of the election.

24 (8) (7) If an early voting ballot identification envelope is
25 rejected, the counting board shall not open the early voting ballot
26 identification envelope. The counting board shall write Rejected on the
27 early voting ballot identification envelope and the reason for the
28 rejection. If the ballot is rejected after opening the early voting
29 ballot identification envelope because of the absence of the official
30 signature on the ballot, the ballot shall be reinserted in the early
31 voting ballot identification envelope which shall be resealed and marked

1 Rejected, no official signature. The counting board shall place the
2 rejected early voting ballot identification envelopes and ballots in a
3 container labeled Rejected Ballots and seal it.

4 (9) ~~(8)~~ As soon as all ballots have been placed in the sealed
5 container and rejected early voting ballot identification envelopes or
6 ballots have been sealed in the Rejected Ballots container, the counting
7 board shall count the ballots the same as all other ballots and an
8 unofficial count shall be reported to the election commissioner or county
9 clerk. No results shall be released prior to the closing of the polls on
10 election day.

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

13 32-1032 Upon the completion of the canvass by the county canvassing
14 board, all books shall again be sealed, and the election commissioner or
15 county clerk shall keep all election materials, including the ballots-
16 cast containers from each precinct, the sealed envelopes containing the
17 precinct list of registered voters, the precinct sign-in register, the
18 official summary or summaries of votes cast, and the container for early
19 voting materials, for not less than twenty-two months when statewide
20 primary, general, or special elections involve federal offices,
21 candidates, and issues and not less than fifty days for local elections
22 not held in conjunction with a statewide primary, general, or special
23 election. The election commissioner or county clerk shall keep on file
24 one copy of each ballot face used in each precinct of the official
25 partisan, nonpartisan, constitutional amendment, and initiative and
26 referendum ballots, as used for voting, and all election notices used at
27 each primary and general election for twenty-two months. The precinct
28 sign-in register, the record of early voters, and the official summary of
29 votes cast shall be subject to the inspection of any person who may wish
30 to examine the same after the primary, general, or special election. The
31 election commissioner or county clerk shall not allow any other election

1 materials to be inspected, including ballots and provisional ballot
2 envelopes, except when an election is contested, an audit is conducted
3 pursuant to section 35 of this act, or the materials become necessary to
4 be used in evidence in the courts. The election commissioner or county
5 clerk shall direct the destruction of such materials after such time,
6 except that the election commissioner or county clerk may retain
7 materials for the purposes of establishing voter histories.

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

18 (2) For any election that requires certification by the state
19 canvassing board, the audit shall be completed before the meeting of the
20 state canvassing board. The Attorney General shall report the findings of
21 the audit to the state canvassing board at or prior to the meeting of the
22 board.

23 (3) For each required audit, the Attorney General shall generate a
24 list of voters who voted using an early voting ballot envelope or a
25 Signature Photo ID Ballot Envelope and shall use that list to generate a
26 random list of envelopes to be audited. The Attorney General shall inform
27 the relevant election commissioners or county clerks as to which
28 envelopes are to be audited. The election commissioners or county clerks
29 shall transmit the envelopes to be audited to the Attorney General in the
30 manner prescribed by the Attorney General.

31 (4) The Attorney General may, at any time, examine any early voting

1 ballot envelope or Signature Photo ID Ballot Envelope for compliance with
2 the Election Act. Such examination shall take place in a manner
3 prescribed by the Attorney General.

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

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

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

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

14 32-1201 (1) The county board shall draw warrants in payment of all
15 bills submitted by the election commissioner or county clerk related to
16 the cost of any election conducted by the office of the election
17 commissioner or county clerk. Except as otherwise provided in subsection
18 (4) of section 32-1203, the initial payment for bills submitted to the
19 election commissioner or county clerk for the cost of preparing for and
20 conducting elections shall be a county expense.

21 (2) The compensation of the election commissioner or county clerk,
22 the deputy election commissioner or deputy county clerk for elections,
23 and all permanent employees of the election commissioner or county clerk,
24 the expenditures for the rental, furnishing, and equipping of the office
25 of the election commissioner or county clerk, the expenditures for
26 necessary office supplies, books, documents, and appurtenances relating
27 to or used in performing the duties of the election commissioner or
28 county clerk in relation to elections, and the cost of elections for
29 county, state, and federal governments shall be an apportioned county
30 expense and shall not be chargeable to other political subdivisions.

31 (3) It is the intent of the Legislature to appropriate sufficient

1 funds to the Secretary of State to reimburse all costs incurred by
2 political subdivisions in implementing and carrying out the changes made
3 by this legislative bill.

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

6 60-484.02 (1) Each applicant for an operator's license or state
7 identification card shall have his or her digital image captured. Digital
8 images shall be preserved for use as prescribed in sections 60-4,119,
9 60-4,151, and 60-4,180. The images shall be used for issuing operators'
10 licenses and state identification cards. The images may be retrieved only
11 by the Department of Motor Vehicles for issuing renewal and replacement
12 operators' licenses and state identification cards and may not be
13 otherwise released except in accordance with subsection (3) of this
14 section.

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

21 (3) No officer, employee, agent, or contractor of the department or
22 law enforcement officer shall release a digital image except to a
23 federal, state, or local law enforcement agency, a certified law
24 enforcement officer employed in an investigative position by a federal,
25 state, or local agency, or a driver licensing agency of another state for
26 the purpose of carrying out the functions of the agency or assisting
27 another agency in carrying out its functions upon the verification of the
28 identity of the person requesting the release of the information and the
29 verification of the purpose of the requester in requesting the release.
30 Any officer, employee, agent, or contractor of the department or law
31 enforcement officer that knowingly discloses or knowingly permits

1 disclosure of a digital image or digital signature in violation of this
2 section shall be guilty of a Class I misdemeanor.

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

31 Sec. 38. Section 60-4,115, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

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

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

			Department		
			County	of Motor	State
	Document	Total	General	Vehicles	General
		Fee	Fund	Cash Fund	Fund
19	State identification card:				
20	Valid for 1 year or less	5.00	2.75	1.25	1.00
21	Valid for more than 1 year				
22	but not more than 2 years	10.00	2.75	4.00	3.25
23	Valid for more than 2 years				
24	but not more than 3 years	14.00	2.75	5.25	6.00
25	Valid for more than 3 years				
26	but not more than 4 years	19.00	2.75	8.00	8.25
27	Valid for more than 4 years				
28	for person under 21	24.00	2.75	10.25	11.00
29	Valid for 5 years	24.00	3.50	13.25	7.25
30	Replacement	11.00	2.75	6.00	2.25

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

1	Original	8.00	.25	5.00	2.75
2	Replacement	11.00	2.75	6.00	2.25
3	Add, change, or remove class,				
4	endorsement, or restriction	5.00	0	5.00	0
5	LPE-learner's permit:				
6	Original	8.00	.25	5.00	2.75
7	Replacement	11.00	2.75	6.00	2.25
8	Add, change, or remove class,				
9	endorsement, or restriction	5.00	0	5.00	0
10	School permit:				
11	Original	8.00	.25	5.00	2.75
12	Replacement	11.00	2.75	6.00	2.25
13	Add, change, or remove class,				
14	endorsement, or restriction	5.00	0	5.00	0
15	Farm permit:				
16	Original or renewal	5.00	.25	0	4.75
17	Replacement	5.00	.25	0	4.75
18	Add, change, or remove class,				
19	endorsement, or restriction	5.00	0	5.00	0
20	Driving permits:				
21	Employment	45.00	0	5.00	40.00
22	Medical hardship	45.00	0	5.00	40.00
23	Replacement	10.00	.25	5.00	4.75
24	Add, change, or remove class,				
25	endorsement, or restriction	5.00	0	5.00	0
26	Commercial driver's license:				
27	Valid for 1 year or less	11.00	1.75	5.00	4.25
28	Valid for more than 1 year				
29	but not more than 2 years	22.00	1.75	5.00	15.25

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

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

29 (4)(a) The fee for an ignition interlock permit shall be forty-five
30 dollars. Five dollars of the fee shall be remitted to the State Treasurer

1 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
2 of the fee shall be remitted to the State Treasurer for credit to the
3 Department of Motor Vehicles Ignition Interlock Fund.

4 (b) The fee for a replacement ignition interlock permit shall be
5 eleven dollars. Two dollars and seventy-five cents of the fee shall be
6 remitted to the county treasurer for credit to the county general fund.
7 Six dollars of the fee shall be remitted to the State Treasurer for
8 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
9 twenty-five cents of the fee shall be remitted to the State Treasurer for
10 credit to the General Fund.

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

15 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
16 five dollars. Twenty-five dollars of the fee shall be remitted to the
17 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
18 Fifteen dollars of the fee shall be remitted to the State Treasurer for
19 credit to the General Fund. Five dollars of the fee shall be remitted to
20 the county treasurer for credit to the county general fund.

21 (b) The fee for a replacement 24/7 sobriety program permit shall be
22 eleven dollars. Two dollars and seventy-five cents of the fee shall be
23 remitted to the county treasurer for credit to the county general fund.
24 Six dollars of the fee shall be remitted to the State Treasurer for
25 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
26 twenty-five cents of the fee shall be remitted to the State Treasurer for
27 credit to the General Fund.

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

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

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

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

20 60-4,119 (1) All state identification cards and operators' licenses,
21 except farm permits, shall include a digital image and a digital
22 signature of the cardholder or licensee as provided in section 60-484.02.
23 Receipts for state identification cards and operators' licenses shall
24 include a digital image of the cardholder or licensee and shall be issued
25 by the county treasurer or the Department of Motor Vehicles. The director
26 shall negotiate and enter into a contract to provide the necessary
27 equipment, supplies, and forms for the issuance of the licenses and
28 cards. All costs incurred by the Department of Motor Vehicles under this
29 section shall be paid by the state out of appropriations made to the
30 department. All costs of capturing the digital images and digital
31 signatures shall be paid by the issuer from the fees provided to the

1 issuer pursuant to section 60-4,115.

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

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

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

15 60-4,120 (1) Any person duly licensed or holding a valid state
16 identification card issued under the Motor Vehicle Operator's License Act
17 who loses his or her operator's license or card may make application to
18 the department for a replacement license or card.

19 (2) If any person changes his or her name because of marriage or
20 divorce or by court order or a common-law name change, he or she shall
21 apply to the department for a replacement operator's license or state
22 identification card and furnish proof of identification in accordance
23 with section 60-484. If any person changes his or her address, the person
24 shall apply to the department for a replacement operator's license or
25 state identification card and furnish satisfactory evidence of such
26 change. The application shall be made within sixty days after the change
27 of name or address.

28 (3) In the event a mutilated or unreadable operator's license is
29 held by any person duly licensed under the act or a mutilated or
30 unreadable state identification card which was issued under the act is
31 held by a person, such person may obtain a replacement license or card.

1 Upon report of the mutilated or unreadable license or card and
2 application for a replacement license or card, a replacement license or
3 card may be issued if the department is satisfied that the original
4 license or card is mutilated or unreadable.

5 (4) If any person duly licensed under the act loses his or her
6 operator's license or if any holder of a state identification card loses
7 his or her card while temporarily out of the state, he or she may make
8 application to the department for a replacement operator's license or
9 card by applying to the department and reporting such loss. Upon receipt
10 of a correctly completed application, the department shall cause to be
11 issued a replacement operator's license or card.

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

18 (6) Application for a replacement operator's license or state
19 identification card shall include the information required under sections
20 60-484 and 60-484.04.

21 (7) An applicant may obtain a replacement operator's license or
22 state identification card pursuant to subsection (1) or (3) of this
23 section by electronic means in a manner prescribed by the department. No
24 replacement license or card shall be issued unless the applicant has a
25 digital image and digital signature preserved in the digital system.

26 (8) Each replacement operator's license or state identification card
27 shall be issued with the same expiration date as the license or card for
28 which the replacement is issued. The replacement license or card shall
29 also state the new issuance date. Upon issuance of any replacement
30 license or card, the license or card for which the replacement is issued
31 shall be void.

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

7 Sec. 41. Section 84-712.05, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 84-712.05 The following records, unless publicly disclosed in an
10 open court, open administrative proceeding, or open meeting or disclosed
11 by a public entity pursuant to its duties, may be withheld from the
12 public by the lawful custodian of the records:

13 (1) Personal information in records regarding a student, prospective
14 student, or former student of any educational institution or exempt
15 school that has effectuated an election not to meet state approval or
16 accreditation requirements pursuant to section 79-1601 when such records
17 are maintained by and in the possession of a public entity, other than
18 routine directory information specified and made public consistent with
19 20 U.S.C. 1232g, as such section existed on February 1, 2013, and
20 regulations adopted thereunder;

21 (2) Medical records, other than records of births and deaths and
22 except as provided in subdivision (5) of this section, in any form
23 concerning any person; records of elections filed under section 44-2821;
24 and patient safety work product under the Patient Safety Improvement Act;

25 (3) Trade secrets, academic and scientific research work which is in
26 progress and unpublished, and other proprietary or commercial information
27 which if released would give advantage to business competitors and serve
28 no public purpose;

29 (4) Records which represent the work product of an attorney and the
30 public body involved which are related to preparation for litigation,
31 labor negotiations, or claims made by or against the public body or which

1 are confidential communications as defined in section 27-503;

2 (5) Records developed or received by law enforcement agencies and
3 other public bodies charged with duties of investigation or examination
4 of persons, institutions, or businesses, when the records constitute a
5 part of the examination, investigation, intelligence information, citizen
6 complaints or inquiries, informant identification, or strategic or
7 tactical information used in law enforcement training, except that this
8 subdivision shall not apply to records so developed or received:

9 (a) Relating to the presence of and amount or concentration of
10 alcohol or drugs in any body fluid of any person; or

11 (b) Relating to the cause of or circumstances surrounding the death
12 of an employee arising from or related to his or her employment if, after
13 an investigation is concluded, a family member of the deceased employee
14 makes a request for access to or copies of such records. This subdivision
15 does not require access to or copies of informant identification, the
16 names or identifying information of citizens making complaints or
17 inquiries, other information which would compromise an ongoing criminal
18 investigation, or information which may be withheld from the public under
19 another provision of law. For purposes of this subdivision, family member
20 means a spouse, child, parent, sibling, grandchild, or grandparent by
21 blood, marriage, or adoption;

22 (6) The identity and personal identifying information of an alleged
23 victim of sexual assault or sex trafficking as provided in section
24 29-4316;

25 (7) Appraisals or appraisal information and negotiation records
26 concerning the purchase or sale, by a public body, of any interest in
27 real or personal property, prior to completion of the purchase or sale;

28 (8) Personal information in records regarding personnel of public
29 bodies other than salaries and routine directory information;

30 (9) Information solely pertaining to protection of the security of
31 public property and persons on or within public property, such as

1 specific, unique vulnerability assessments or specific, unique response
2 plans, either of which is intended to prevent or mitigate criminal acts
3 the public disclosure of which would create a substantial likelihood of
4 endangering public safety or property; computer or communications network
5 schema, passwords, and user identification names; guard schedules; lock
6 combinations; or public utility infrastructure specifications or design
7 drawings the public disclosure of which would create a substantial
8 likelihood of endangering public safety or property, unless otherwise
9 provided by state or federal law;

10 (10) Information that relates details of physical and cyber assets
11 of critical energy infrastructure or critical electric infrastructure,
12 including (a) specific engineering, vulnerability, or detailed design
13 information about proposed or existing critical energy infrastructure or
14 critical electric infrastructure that (i) relates details about the
15 production, generation, transportation, transmission, or distribution of
16 energy, (ii) could be useful to a person in planning an attack on such
17 critical infrastructure, and (iii) does not simply give the general
18 location of the critical infrastructure and (b) the identity of personnel
19 whose primary job function makes such personnel responsible for (i)
20 providing or granting individuals access to physical or cyber assets or
21 (ii) operating and maintaining physical or cyber assets, if a reasonable
22 person, knowledgeable of the electric utility or energy industry, would
23 conclude that the public disclosure of such identity could create a
24 substantial likelihood of risk to such physical or cyber assets.
25 Subdivision (10)(b) of this section shall not apply to the identity of a
26 chief executive officer, general manager, vice president, or board member
27 of a public entity that manages critical energy infrastructure or
28 critical electric infrastructure. The lawful custodian of the records
29 must provide a detailed job description for any personnel whose identity
30 is withheld pursuant to subdivision (10)(b) of this section. For purposes
31 of subdivision (10) of this section, critical energy infrastructure and

1 critical electric infrastructure mean existing and proposed systems and
2 assets, including a system or asset of the bulk-power system, whether
3 physical or virtual, the incapacity or destruction of which would
4 negatively affect security, economic security, public health or safety,
5 or any combination of such matters;

6 (11) The security standards, procedures, policies, plans,
7 specifications, diagrams, access lists, and other security-related
8 records of the Lottery Division of the Department of Revenue and those
9 persons or entities with which the division has entered into contractual
10 relationships. Nothing in this subdivision shall allow the division to
11 withhold from the public any information relating to amounts paid persons
12 or entities with which the division has entered into contractual
13 relationships, amounts of prizes paid, the name of the prize winner, and
14 the city, village, or county where the prize winner resides;

15 (12) With respect to public utilities and except as provided in
16 sections 43-512.06 and 70-101, personally identified private citizen
17 account payment and customer use information, credit information on
18 others supplied in confidence, and customer lists;

19 (13) Records or portions of records kept by a publicly funded
20 library which, when examined with or without other records, reveal the
21 identity of any library patron using the library's materials or services;

22 (14) Correspondence, memoranda, and records of telephone calls
23 related to the performance of duties by a member of the Legislature in
24 whatever form. The lawful custodian of the correspondence, memoranda, and
25 records of telephone calls, upon approval of the Executive Board of the
26 Legislative Council, shall release the correspondence, memoranda, and
27 records of telephone calls which are not designated as sensitive or
28 confidential in nature to any person performing an audit of the
29 Legislature. A member's correspondence, memoranda, and records of
30 confidential telephone calls related to the performance of his or her
31 legislative duties shall only be released to any other person with the

1 explicit approval of the member;

2 (15) Records or portions of records kept by public bodies which
3 would reveal the location, character, or ownership of any known
4 archaeological, historical, or paleontological site in Nebraska when
5 necessary to protect the site from a reasonably held fear of theft,
6 vandalism, or trespass. This section shall not apply to the release of
7 information for the purpose of scholarly research, examination by other
8 public bodies for the protection of the resource or by recognized tribes,
9 the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or
10 the federal Native American Graves Protection and Repatriation Act;

11 (16) Records or portions of records kept by public bodies which
12 maintain collections of archaeological, historical, or paleontological
13 significance which reveal the names and addresses of donors of such
14 articles of archaeological, historical, or paleontological significance
15 unless the donor approves disclosure, except as the records or portions
16 thereof may be needed to carry out the purposes of the Unmarked Human
17 Burial Sites and Skeletal Remains Protection Act or the federal Native
18 American Graves Protection and Repatriation Act;

19 (17) Library, archive, and museum materials acquired from
20 nongovernmental entities and preserved solely for reference, research, or
21 exhibition purposes, for the duration specified in subdivision (17)(b) of
22 this section, if:

23 (a) Such materials are received by the public custodian as a gift,
24 purchase, bequest, or transfer; and

25 (b) The donor, seller, testator, or transferor conditions such gift,
26 purchase, bequest, or transfer on the materials being kept confidential
27 for a specified period of time;

28 (18) Job application materials submitted by applicants, other than
29 finalists or a priority candidate for a position described in section
30 85-106.06 selected using the enhanced public scrutiny process in section
31 85-106.06, who have applied for employment by any public body as defined

1 in section 84-1409. For purposes of this subdivision, (a) job application
2 materials means employment applications, resumes, reference letters, and
3 school transcripts and (b) finalist means any applicant who is not an
4 applicant for a position described in section 85-106.06 and (i) who
5 reaches the final pool of applicants, numbering four or more, from which
6 the successful applicant is to be selected, (ii) who is an original
7 applicant when the final pool of applicants numbers less than four, or
8 (iii) who is an original applicant and there are four or fewer original
9 applicants;

10 (19)(a) Records obtained by the Public Employees Retirement Board
11 pursuant to section 84-1512 and (b) records maintained by the board of
12 education of a Class V school district and obtained by the board of
13 trustees or the Public Employees Retirement Board for the administration
14 of a retirement system provided for under the Class V School Employees
15 Retirement Act pursuant to section 79-989;

16 (20) Social security numbers; credit card, charge card, or debit
17 card numbers and expiration dates; and financial account numbers supplied
18 to state and local governments by citizens;

19 (21) Information exchanged between a jurisdictional utility and city
20 pursuant to section 66-1867;

21 (22) Draft records obtained by the Nebraska Retirement Systems
22 Committee of the Legislature and the Governor from Nebraska Public
23 Employees Retirement Systems pursuant to subsection (4) of section
24 84-1503;

25 (23) All prescription drug information submitted pursuant to section
26 71-2454, all data contained in the prescription drug monitoring system,
27 and any report obtained from data contained in the prescription drug
28 monitoring system;

29 (24) Information obtained by any government entity, whether federal,
30 state, county, or local, regarding firearm registration, possession,
31 sale, or use that is obtained for purposes of an application permitted or

1 required by law or contained in a permit or license issued by such
2 entity. Such information shall be available upon request to any federal,
3 state, county, or local law enforcement agency;~~and~~

4 (25) The security standards, procedures, policies, plans,
5 specifications, diagrams, and access lists and other security-related
6 records of the State Racing and Gaming Commission, those persons or
7 entities with which the commission has entered into contractual
8 relationships, and the names of any individuals placed on the list of
9 self-excluded persons with the commission as provided in section 9-1118.
10 Nothing in this subdivision shall allow the commission to withhold from
11 the public any information relating to the amount paid any person or
12 entity with which the commission has entered into a contractual
13 relationship, the amount of any prize paid, the name of the prize winner,
14 and the city, village, or county where the prize winner resides; and -

15 (26) Lawful status information shared with or collected by the
16 Secretary of State pursuant to the Election Act. The Secretary of State
17 shall not withhold information pursuant to this subdivision if the
18 information was collected by the Secretary of State prior to the
19 operative date of this section and would not have been withheld prior to
20 such date.

21 Sec. 42. Section 85-609, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

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

29 (2) Each public postsecondary institution authorized to operate in
30 this state shall create a process by which an individual to whom the
31 institution issues an identification card can opt to have the card comply

1 with subdivision (3) of section 3 of this act if the individual is
2 eighteen years of age or older. The process shall require the individual
3 to whom the card is issued to expressly consent in writing to have all
4 information required to be collected to comply with subdivision (3) of
5 section 3 of this act shared with the Secretary of State. Each
6 institution shall share all information collected pursuant to this
7 section with the Secretary of State.

8 (3) Nothing in this section shall be construed to require the
9 issuance of student identification cards to students in any postsecondary
10 institution.

11 Sec. 43. In order to facilitate the law enforcement duties of the
12 Secretary of State as the chief election officer of the state, the
13 Department of Health and Human Services shall share with the Secretary of
14 State the documents provided to the department by recipients of benefits
15 under the medicare and medicaid programs for the purposes of establishing
16 citizenship or legal status. The Secretary of State shall only use this
17 information for the purposes of section 6 of this act. The department and
18 the Secretary of State may adopt and promulgate rules and regulations to
19 ensure the security and privacy of the information shared pursuant to
20 this section.

21 Sec. 44. Sections 6, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22,
22 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 46 of this act
23 become operative on January 1, 2024. The other sections of this act
24 become operative on their effective date.

25 Sec. 45. If any section in this act or any part of any section is
26 declared invalid or unconstitutional, the declaration shall not affect
27 the validity or constitutionality of the remaining portions.

28 Sec. 46. Original sections 32-902, 32-914, 32-915.01, 32-929,
29 32-942, 32-943, 32-949, 32-953, 32-954, 32-957, and 32-1032, Reissue
30 Revised Statutes of Nebraska, and sections 32-301, 32-304, 32-318.01,
31 32-915, 32-916, 32-947, 32-949.01, 32-1002, and 32-1027, Revised Statutes

1 Cumulative Supplement, 2022, are repealed.

2 Sec. 47. Original sections 32-308, 32-1201, 60-484.02, 60-4,119,
3 and 60-4,120, Reissue Revised Statutes of Nebraska, and sections 32-101,
4 32-103, 32-202, 60-4,115, and 84-712.05, Revised Statutes Cumulative
5 Supplement, 2022, are repealed.