

AMENDMENTS TO LB514

Introduced by Brewer, 43.

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, 11, 12, 13, and
6 19 of this act shall be known and may be cited as the Election Act.

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

9 32-103 For purposes of the Election Act, the definitions found in
10 sections 32-104 to 32-120 and section 3 of this act shall be used.

11 Sec. 3. Valid photographic identification means:

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

15 (a) Shows the name of the individual to whom the document was
16 issued; and

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

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

24 (a) Shows the name of the individual to whom the document was
25 issued; and

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

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

3 (a) Shows the name of the individual who is the subject of the
4 record; and

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

7 Sec. 4. Section 32-202, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

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

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

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

17 (3) Enforce the Election Act;

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

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

22 (6) Develop and print forms for use as required by sections 32-308,
23 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

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

26 (8) Require reporting to ensure compliance with sections 32-308 to
27 32-310;

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

30 (10) Develop and print a manual describing the requirements of the
31 initiative and referendum process and distribute the manual to election

1 commissioners and county clerks for distribution to the public upon
2 request;

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

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

6 (13) Establish a free access system, such as a toll-free telephone
7 number or an Internet website, that any voter who casts a provisional
8 ballot may access to discover whether the vote of that voter was counted
9 and, if the vote was not counted, the reason that the vote was not
10 counted. The Secretary of State shall establish and maintain reasonable
11 procedures necessary to protect the security, confidentiality, and
12 integrity of personal information collected, stored, or otherwise used by
13 the free access system. Access to information about an individual
14 provisional ballot shall be restricted to the individual who cast the
15 ballot; -

16 (14) Provide a website dedicated to voter identification
17 requirements and procedures. The Secretary of State shall establish,
18 maintain, and regularly update on the website a document entitled "List
19 of Acceptable Forms of Identification" that lists forms of identification
20 that qualify as valid photographic identification for purposes of voter
21 identification;

22 (15) Provide a public awareness campaign regarding the voter
23 identification requirements and procedures, including communication
24 through multiple mediums and in-person events;

25 (16) Provide instructions and information to the Department of
26 Health and Human Services, the Department of Motor Vehicles, and the
27 State Department of Education for distribution by such agencies to
28 Nebraska residents regarding the requirement to present valid
29 photographic identification in order to vote and the way to obtain free
30 valid photographic identification; and

31 (17) Not use or allow the use of citizenship information shared with

1 or collected by the Secretary of State pursuant to the Election Act for
2 any purpose other than maintenance of the voter registration list,
3 including law enforcement purposes.

4 Sec. 5. The Secretary of State shall develop a process to use the
5 information in possession of or available to his or her office to match
6 and verify the citizenship of the corresponding registered voter. The
7 process developed shall ensure that no registered voter is removed from
8 the voter registration register in violation of state or federal law. The
9 Attorney General and the Department of Motor Vehicles shall cooperate
10 with the Secretary of State for such purpose. The Secretary of State may
11 adopt and promulgate rules and regulations to carry out this section.

12 Sec. 6. Section 32-304, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 32-304 (1) The Secretary of State in conjunction with the Department
15 of Motor Vehicles shall implement a registration application process
16 which may be used statewide to register to vote and update voter
17 registration records electronically using the Secretary of State's
18 website. An applicant who has a valid Nebraska motor vehicle operator's
19 license or state identification card may use the application process to
20 register to vote or to update his or her voter registration record with
21 changes in his or her personal information or other information related
22 to his or her eligibility to vote. For each electronic application, the
23 Secretary of State shall obtain a copy of the electronic representation
24 of the applicant's digital image and signature from the Department of
25 Motor Vehicles' records of his or her motor vehicle operator's license or
26 state identification card for purposes of voter registration, ~~and~~
27 electronic poll books, and voting.

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

30 (a) An applicant who submits this application electronically is
31 affirming that the information in the application is true. Any applicant

1 who submits this application electronically knowing that any of the
2 information in the application is false shall be guilty of a Class IV
3 felony under section 32-1502 of the statutes of Nebraska. The penalty for
4 a Class IV felony is up to two years imprisonment and twelve months post-
5 release supervision, a fine of up to ten thousand dollars, or both;

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

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

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

16 Sec. 7. Section 32-308, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-308 (1) The Secretary of State and the Director of Motor Vehicles
19 shall enter into an agreement to match information in the computerized
20 statewide voter registration list with information in the database of the
21 Department of Motor Vehicles to the extent required to enable each such
22 official to verify the accuracy of the information, including
23 citizenship, provided on applications for voter registration. The
24 Director of Motor Vehicles shall enter into an agreement with the
25 Commissioner of Social Security under section 205(r)(8) of the federal
26 Social Security Act, 42 U.S.C. 405(r)(8), as such section existed on
27 April 17, 2003, for purposes of the Election Act.

28 (2) The Department of Motor Vehicles, with the assistance of the
29 Secretary of State, shall prescribe a voter registration application
30 which may be used to register to vote or change his or her address for
31 voting purposes at the same time an elector applies for an original or

1 renewal motor vehicle operator's license, an original or renewal state
2 identification card, or a replacement thereof. The voter registration
3 application shall contain the information required pursuant to section
4 32-312 and shall be designed so that it does not require the duplication
5 of information in the application for the motor vehicle operator's
6 license or state identification card, except that it may require a second
7 signature of the applicant. The department and the Secretary of State
8 shall make the voter registration application available to any person
9 applying for an operator's license or state identification card. The
10 application shall be completed at the office of the department by the
11 close of business on the third Friday preceding any election to be
12 registered to vote at such election. A registration application received
13 after the deadline shall not be processed by the election commissioner or
14 county clerk until after the election.

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

23 (4) The voter registration application information shall be
24 transmitted to the election commissioner or county clerk of the county in
25 which the applicant resides not later than ten days after receipt, except
26 that if the voter registration application information is received within
27 five days prior to the third Friday preceding any election, it shall be
28 transmitted not later than five days after its original submission. Any
29 information on whether an applicant registers or declines to register and
30 the location of the office at which he or she registers shall be
31 confidential and shall only be used for voter registration purposes.

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

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

21 Sec. 8. Section 32-318.01, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 32-318.01 (1)(a) Except as provided by subsection (2) of this
24 section, a person who registers to vote by mail after January 1, 2003,
25 and has not previously voted in an election within the state shall
26 present a photographic identification which is current and valid or a
27 copy of a utility bill, bank statement, government check, paycheck, or
28 other government document which is dated within the sixty days
29 immediately prior to the date of presentation and which shows the same
30 name and residence address of the person provided on the registration
31 application in order to avoid identification requirements at the time of

1 voting pursuant to section 32-914 or 32-947.

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

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

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

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

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

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

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

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

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

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

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

16 Sec. 9. Section 32-914, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-914 (1) Official ballots shall be used at all elections. No
19 person shall receive a ballot or be entitled to vote unless and until he
20 or she is registered as a voter except as provided in section 32-914.01,
21 32-914.02, 32-915, 32-915.01, or 32-936.

22 (2) Except as otherwise specifically provided, no ballot shall be
23 handed to any voter at any election until:

24 (a) The voter has presented valid photographic identification and
25 stated the voter's ~~He or she announces his or her~~ name and address to the
26 clerk of election unless otherwise entitled to vote in the precinct under
27 section 11 of this act;

28 (b) The clerk has found that the voter ~~he or she~~ is a registered
29 voter at the address as shown by the precinct list of registered voters
30 unless otherwise entitled to vote in the precinct under section 32-328,
31 32-914.01, 32-914.02, 32-915, or 32-915.01;

1 (c) The voter has presented a photographic identification which is
2 current and valid at the time of the election, or a copy of a utility
3 bill, bank statement, paycheck, government check, or other government
4 document which is current at the time of the election and which shows the
5 same name and residence address of the voter that is on the precinct list
6 of registered voters, if the voter registered by mail after January 1,
7 2003, and has not previously voted in an election for a federal office
8 within the county and a notation appears on the precinct list of
9 registered voters that the voter has not previously presented
10 identification to the election commissioner or county clerk;

11 (d) As instructed by the clerk of election, the registered voter has
12 personally written his or her name (i) in the precinct sign-in register
13 on the appropriate line which follows the last signature of any previous
14 voter or (ii) in the combined document containing the precinct list of
15 registered voters and the sign-in register; and

16 (e) The clerk has listed on the precinct list of registered voters
17 the corresponding line number and name of the registered voter or has
18 listed the name of the voter in a separate book as provided in section
19 32-913.

20 Sec. 10. Section 32-915, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 32-915 (1) A person whose name does not appear on the precinct list
23 of registered voters at the polling place for the precinct in which he or
24 she resides, whose name appears on the precinct list of registered voters
25 at the polling place for the precinct in which he or she resides at a
26 different residence address as described in section 32-914.02, or whose
27 name appears with a notation that he or she received a ballot for early
28 voting may vote a provisional ballot if he or she:

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

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

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

4 (d) Has appeared to vote at the polling place for the precinct to
5 which the person would be assigned based on his or her residence address;
6 and

7 (e) Completes and signs a registration application before voting.

8 (2) A voter whose name appears on the precinct list of registered
9 voters for the polling place with a notation that the voter is required
10 to present identification pursuant to section 32-318.01 but fails to
11 present identification may vote a provisional ballot if he or she
12 completes and signs a registration application before voting.

13 (3) Each person voting by provisional ballot shall enclose his or
14 her ballot in an envelope marked Provisional Ballot and shall, by signing
15 the certification on the front of the envelope or a separate form
16 attached to the envelope, certify to the following facts:

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

18 (b) My name or address did not correctly appear on the precinct list
19 of registered voters;

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

21 (d) I registered to vote
22 in person at the election office or a voter registration site,
23 by mail,
24 by using the Secretary of State's website,
25 through the Department of Motor Vehicles,
26 on a form through another state agency,
27 in some other way;

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

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

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

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

11 (5) If the voter is also required to fill out a provisional voter
12 identification verification envelope pursuant to section 11 of this act,
13 the provisional ballot envelope shall be placed inside the provisional
14 voter identification verification envelope.

15 (6) (5) If the person's name does not appear on the precinct list of
16 registered voters for the polling place and the judge or clerk of
17 election determines that the person's residence address is located in
18 another precinct within the same county, the judge or clerk of election
19 shall direct the person to his or her correct polling place to vote.

20 Sec. 11. (1) A registered voter shall fill out a provisional voter
21 identification verification envelope if:

22 (a)(i) The voter fails to present valid photographic identification
23 at the polling place; and

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

27 (b) The voter fails to present valid photographic identification at
28 the time of voting early in person at the office of the election
29 commissioner or county clerk; or

30 (c) The voter has a reasonable impediment preventing the voter from
31 obtaining valid photographic identification or the voter's name appears

1 on the precinct list of registered voters for the polling place with a
2 notation that the voter has a religious objection to being photographed.

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

8 (a) My name is;

9 (b) I am registered to vote at;

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

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

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

16 (i) I do not present valid photographic identification to my county
17 election office on or before the Tuesday after the election; or

18 (ii) I have a reasonable impediment that prevents me from obtaining
19 valid photographic identification and:

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

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

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

31 Sec. 12. (1) The Secretary of State shall provide a standard

1 certification for a voter with a reasonable impediment preventing the
2 voter from obtaining valid photographic identification. A voter with a
3 reasonable impediment shall check the applicable reasonable impediment
4 box on the certification, which shall be limited to only the following
5 reasons:

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

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

9 (ii) Lack of a birth certificate or other required documents; or

10 (b) Religious objection to being photographed.

11 (2) The Secretary of State shall provide the form of the
12 certification to the election commissioners and county clerks. A voter
13 who has a reasonable impediment shall sign the certification. The
14 election commissioner or county clerk shall verify:

15 (a) The signature on the certification with the signature appearing
16 on the voter registration record; and

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

19 (3) A voter who casts a ballot by mail shall include the
20 certification with the application, except that a voter who casts a
21 ballot pursuant to section 32-953 shall include the certification within
22 the ballot envelope.

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

30 Sec. 13. (1) A voter with a religious objection to being
31 photographed may inform the election commissioner or county clerk of the

1 county in which the voter resides of such objection in writing prior to
2 an election. If the election commissioner or county clerk receives
3 written notice not later than 6 p.m. on the second Friday preceding the
4 election, the election commissioner or county clerk shall place a
5 notation on the precinct list of registered voters for the polling place
6 that the voter has a religious objection to being photographed.

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

11 (a) Completes a reasonable impediment certification pursuant to
12 section 12 of this act;

13 (b) Has a ballot accepted pursuant to section 19 of this act; and

14 (c) Is otherwise eligible to vote.

15 Sec. 14. Section 32-941, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-941 (1) Any registered voter permitted to vote early pursuant to
18 section 32-938 may, not more than one hundred twenty days before any
19 election and not later than the close of business on the second Friday
20 preceding the election, request a ballot for the election to be mailed to
21 a specific address. A registered voter shall request a ballot in writing
22 to the election commissioner or county clerk in the county where the
23 registered voter has established his or her home, ~~and~~ shall indicate his
24 or her residence address, the address to which the ballot is to be mailed
25 if different, and his or her telephone number if available, and shall
26 include:

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

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

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

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

6 (3) If such identification or certification is not provided or
7 cannot be verified, the election commissioner or county clerk shall
8 contact the voter and inform the voter that the ballot will not be issued
9 until the voter provides the identification or certification required
10 under this section.

11 (4) The registered voter may use the form published by the election
12 commissioner or county clerk pursuant to section 32-808. The registered
13 voter shall sign the request. A registered voter may use a facsimile
14 machine or electronic mail for the submission of a request for a ballot.

15 (5) The election commissioner or county clerk shall include a
16 registration application with the ballots if the person is not
17 registered. Registration applications shall not be mailed after the third
18 Friday preceding the election. If the person is not registered to vote,
19 the registration application shall be returned not later than the closing
20 of the polls on the day of the election. No ballot issued under this
21 section shall be counted unless such registration application is properly
22 completed and processed.

23 (6) Subdivisions (1)(a) through (c) of this section do not apply to
24 any voter who casts a ballot pursuant to section 32-939.02 or 32-939.03.

25 (7) The Attorney General shall have the authority to audit any
26 request for a ballot made under this section.

27 Sec. 15. Section 32-942, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 32-942 (1)(a) A ~~(1) Except as otherwise provided in subsection (2)~~
30 ~~of this section,~~ a registered voter of this state who anticipates being
31 absent from the county of his or her residence on the day of any election

1 may appear in person before the election commissioner or county clerk not
2 more than thirty days prior to the day of election, present valid
3 photographic identification, and obtain his or her ballot unless
4 otherwise entitled to vote in the office under section 11 of this act.
5 The registered voter shall vote the ballot in the office of the election
6 commissioner or county clerk or shall return the ballot to the office not
7 later than the closing of the polls on the day of the election.

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

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

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

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

12 Sec. 16. Section 32-943, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 32-943 (1) Any registered voter who is permitted to vote early
15 pursuant to section 32-938 may appoint an agent to submit a request for a
16 ballot for early voting on his or her behalf. The registered voter or his
17 or her agent may request that the ballot be sent to the registered voter
18 by mail or indicate on the request that the agent will personally pick up
19 the ballot for such registered voter from the office of the election
20 commissioner or county clerk. A registered voter or an agent acting on
21 behalf of a registered voter shall request a ballot in writing to the
22 election commissioner or county clerk in the county where the registered
23 voter has established his or her residence, ~~and~~ shall indicate the
24 voter's residence address, the address to which the ballot is to be
25 mailed if different, and the voter's telephone number if available and
26 precinct if known, and shall: -

27 (a) Present a valid photographic identification of the voter; or

28 (b) Include, with the request:

29 (i) The identification number of the voter's driver's license or
30 state identification card issued by the State of Nebraska;

31 (ii) A photocopy of any other valid photographic identification

1 issued to or related to the voter; or

2 (iii) The voter's reasonable impediment certification. The
3 certification shall be verified pursuant to section 19 of this act.

4 (2) The registered voter or the voter's agent may use the form
5 published by the election commissioner or county clerk pursuant to
6 section 32-808. The registered voter or his or her agent shall sign the
7 request.

8 (3) ~~(2)~~ A candidate for office at such election and any person
9 serving on a campaign committee for such a candidate shall not act as an
10 agent for any registered voter requesting a ballot pursuant to this
11 section unless such person is a member of the registered voter's family.
12 No person shall act as agent for more than two registered voters in any
13 election.

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

19 (5) ~~(4)~~ The election commissioner or county clerk shall adopt
20 procedures for the distribution of ballots under this section.

21 (6) Subdivisions (1)(a) and (b) of this section do not apply to any
22 voter who casts a ballot pursuant to section 32-939.02 or 32-939.03.

23 Sec. 17. Section 32-953, Reissue Revised Statutes of Nebraska, is
24 amended to read:

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

1 the tenth day before the date set for the election. The election
2 commissioner or county clerk shall include with the ballot instructions
3 sufficient to describe the voting process and an unsealed identification
4 envelope. Upon the back of the identification envelope shall be printed
5 boxes sufficient for the voter to provide the voter's Nebraska driver's
6 license number or Nebraska state identification card number and a form
7 substantially as follows: ~~meeting the requirements of subsection (2) of~~
8 ~~section 32-947 and instructions sufficient to describe the voting~~
9 ~~process.~~

10 VOTER'S OATH

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

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

17 (a) I,, am a registered voter
18 in County;

19 (b) I reside in the State of Nebraska at;

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

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

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

26 (ii) A photocopy of my valid photographic identification is
27 enclosed; or

28 (iii) I have a reasonable impediment that prevents me from
29 presenting valid photographic identification and my certification is
30 enclosed.

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

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

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

8 Signature

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

15 (3) This section does not apply to any voter who casts a ballot
16 pursuant to section 32-939.02 or 32-939.03.

17 Sec. 18. Section 32-957, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 32-957 (1) An official ballot under section 32-953 shall be counted
20 only if it is returned in the identification envelope, the envelope is
21 signed by the voter to whom it was issued, and the signature is verified
22 by the election commissioner or county clerk, and the voter provided the
23 voter's Nebraska driver's license number or Nebraska state identification
24 card number on the envelope or provided a photocopy of valid photographic
25 identification or a reasonable impediment certification inside the
26 envelope.

27 (2) The election commissioner or county clerk shall verify the
28 signature on each identification envelope received in his or her office
29 with the signature appearing on the voter registration records. If the
30 election commissioner or county clerk is unable to verify a signature,
31 the election commissioner or county clerk shall contact the voter within

1 two days after determining that he or she is unable to verify the
2 signature to ascertain whether the voter cast a ballot. The election
3 commissioner or county clerk may request that the registered voter sign
4 and submit a current signature card pursuant to section 32-318. The
5 election commissioner or county clerk may begin verifying the signatures
6 as the envelopes are received in his or her office.

7 (3) If a voter fails to provide the voter's Nebraska driver's
8 license number or Nebraska state identification card number, valid
9 photographic identification, or a reasonable impediment certification as
10 required under subsection (1) of this section, the election commissioner
11 or county clerk shall contact the voter no later than the day after the
12 election and the voter shall present valid photographic identification or
13 a reasonable impediment certification to the election commissioner or
14 county clerk on or before the Tuesday after the election or the ballot
15 shall not be counted.

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

21 (5) Subsections (1) and (3) of this section do not apply to any
22 voter who casts a ballot pursuant to section 32-939.02 or 32-939.03.

23 Sec. 19. (1) As the ballots are removed from the ballot box
24 pursuant to sections 32-1012 to 32-1018, the receiving board shall
25 separate the provisional voter identification verification envelopes from
26 the rest of the ballots and deliver them to the election commissioner or
27 county clerk.

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

1 the voter.

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

5 (4) A ballot cast by a voter pursuant to section 11 of this act
6 shall be counted if the voter completed and signed the certification on
7 the provisional voter identification verification envelope and the voter:

8 (a) Presented valid photographic identification to the election
9 commissioner or county clerk on or before the Tuesday after the election;
10 or

11 (b) Has a reasonable impediment preventing the voter from obtaining
12 valid photographic identification, the voter completes a reasonable
13 impediment certification, and the election commissioner or county clerk
14 verifies:

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

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

19 (5) A ballot cast by a voter pursuant to section 11 of this act
20 shall not be counted if:

21 (a) The voter failed to complete and sign the certification on the
22 provisional voter identification verification envelope pursuant to
23 subsection (2) of section 11 of this act;

24 (b) The voter failed to present valid photographic identification to
25 the election commissioner or county clerk on or before the Tuesday after
26 the election; or

27 (c) The voter has a reasonable impediment preventing the voter from
28 presenting valid photographic identification and either:

29 (i) The voter did not complete a reasonable impediment
30 certification; or

31 (ii) The election commissioner or county clerk was not able to

1 verify the signature on the reasonable impediment certification with the
2 signature appearing on the voter registration record.

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

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

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

14 Sec. 20. Section 32-1027, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

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

31 (2) The counting board shall place all identification envelopes in

1 order and shall review each returned identification envelope pursuant to
2 verification procedures prescribed in subsections (3) and (4) of this
3 section.

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

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

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

12 (c) A completed and signed registration application has been
13 received from the voter by the deadline in section 32-302, 32-321, or
14 32-325 or by the close of the polls pursuant to section 32-945;

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

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

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

23 (a) A ballot received from a voter who was properly registered on or
24 prior to the deadline for registration pursuant to section 32-302 or
25 32-321 shall be accepted for counting without further review if:

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (d) In the case of a ballot received from a registered voter
30 required to present identification before voting pursuant to section
31 32-318.01, the ballot shall be accepted for counting if:

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

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

6 (iii) A copy of an identification document authorized in section
7 32-318.01 has been received by the election commissioner or county clerk
8 prior to the close of the polls on election day; and

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

10 (e) In the case of a ballot received from a registered voter who
11 filled out a reasonable impediment certification pursuant to section 12
12 of this act, the ballot shall be accepted for counting if:

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

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

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

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

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

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

29 (6) The counting board may, on the second Friday before the
30 election, open all identification envelopes which are approved, and if
31 the signature of the election commissioner or county clerk or his or her

1 employee is on the ballot, the ballot shall be unfolded, flattened for
2 purposes of using the optical scanner, and placed in a sealed container
3 for counting as directed by the election commissioner or county clerk. At
4 the discretion of the election commissioner or county clerk, the counting
5 board may begin counting early ballots no earlier than twenty-four hours
6 prior to the opening of the polls on the day of the election.

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

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

22 Sec. 21. Section 60-4,115, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

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

1 collected shall be remitted to the State Treasurer for credit to the
 2 appropriate fund.

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

		Department		
		County	of Motor	State
	Document	General	Vehicles	General
		Fund	Cash Fund	Fund
	Total			
	Fee			
10	State identification card:			
11	Valid for 1 year or less	5.00	2.75	1.25
12	Valid for more than 1 year			
13	but not more than 2 years	10.00	2.75	4.00
14	Valid for more than 2 years			
15	but not more than 3 years	14.00	2.75	5.25
16	Valid for more than 3 years			
17	but not more than 4 years	19.00	2.75	8.00
18	Valid for more than 4 years			
19	for person under 21	24.00	2.75	10.25
20	Valid for 5 years	24.00	3.50	13.25
21	Replacement	11.00	2.75	6.00
22	Class 0 or M operator's			
23	license:			
24	Valid for 1 year or less	5.00	2.75	1.25
25	Valid for more than 1 year			
26	but not more than 2 years	10.00	2.75	4.00
27	Valid for more than 2 years			
28	but not more than 3 years	14.00	2.75	5.25
29	Valid for more than 3 years			

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

1	endorsement, or restriction	5.00	0	5.00	0
2	School permit:				
3	Original	8.00	.25	5.00	2.75
4	Replacement	11.00	2.75	6.00	2.25
5	Add, change, or remove class,				
6	endorsement, or restriction	5.00	0	5.00	0
7	Farm permit:				
8	Original or renewal	5.00	.25	0	4.75
9	Replacement	5.00	.25	0	4.75
10	Add, change, or remove class,				
11	endorsement, or restriction	5.00	0	5.00	0
12	Driving permits:				
13	Employment	45.00	0	5.00	40.00
14	Medical hardship	45.00	0	5.00	40.00
15	Replacement	10.00	.25	5.00	4.75
16	Add, change, or remove class,				
17	endorsement, or restriction	5.00	0	5.00	0
18	Commercial driver's license:				
19	Valid for 1 year or less	11.00	1.75	5.00	4.25
20	Valid for more than 1 year				
21	but not more than 2 years	22.00	1.75	5.00	15.25
22	Valid for more than 2 years				
23	but not more than 3 years	33.00	1.75	5.00	26.25
24	Valid for more than 3 years				
25	but not more than 4 years	44.00	1.75	5.00	37.25
26	Valid for 5 years	55.00	1.75	5.00	48.25
27	Bioptic or telescopic lens				
28	restriction:				
29	Valid for one year or less	11.00	1.75	5.00	4.25

1	Valid for more than 1 year				
2	but not more than 2 years	22.00	1.75	5.00	15.25
3	Replacement	11.00	2.75	6.00	2.25
4	Add, change, or remove class,				
5	endorsement, or restriction	10.00	1.75	5.00	3.25
6	CLP-commercial learner's				
7	permit:				
8	Original or renewal	10.00	.25	5.00	4.75
9	Replacement	10.00	.25	5.00	4.75
10	Add, change, or remove class,				
11	endorsement, or restriction	10.00	.25	5.00	4.75
12	Seasonal permit:				
13	Original or renewal	10.00	.25	5.00	4.75
14	Replacement	10.00	.25	5.00	4.75
15	Add, change, or remove class,				
16	endorsement, or restriction	10.00	.25	5.00	4.75

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

21 (4)(a) The fee for an ignition interlock permit shall be forty-five
22 dollars. Five dollars of the fee shall be remitted to the State Treasurer
23 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
24 of the fee shall be remitted to the State Treasurer for credit to the
25 Department of Motor Vehicles Ignition Interlock Fund.

26 (b) The fee for a replacement ignition interlock permit shall be
27 eleven dollars. Two dollars and seventy-five cents of the fee shall be
28 remitted to the county treasurer for credit to the county general fund.
29 Six dollars of the fee shall be remitted to the State Treasurer for
30 credit to the Department of Motor Vehicles Cash Fund. Two dollars and

1 twenty-five cents of the fee shall be remitted to the State Treasurer for
2 credit to the General Fund.

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

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

13 (b) The fee for a replacement 24/7 sobriety program permit shall be
14 eleven dollars. Two dollars and seventy-five cents of the fee shall be
15 remitted to the county treasurer for credit to the county general fund.
16 Six dollars of the fee shall be remitted to the State Treasurer for
17 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
18 twenty-five cents of the fee shall be remitted to the State Treasurer for
19 credit to the General Fund.

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

24 (6) The department and its agents may collect an identity security
25 surcharge to cover the cost of security and technology practices used to
26 protect the identity of applicants for and holders of operators' licenses
27 and state identification cards and to reduce identity theft, fraud, and
28 forgery and counterfeiting of such licenses and cards to the maximum
29 extent possible. The surcharge shall be in addition to all other required
30 fees for operators' licenses and state identification cards. The amount
31 of the surcharge shall be determined by the department. The surcharge

1 shall not exceed eight dollars. The surcharge shall be remitted to the
2 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

3 (7) No fee shall be charged for issuance of an original, renewal, or
4 replacement state identification card to a resident of Nebraska.

5 Sec. 22. Section 60-4,119, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-4,119 (1) All state identification cards and operators' licenses,
8 except farm permits, shall include a digital image and a digital
9 signature of the cardholder or licensee as provided in section 60-484.02.
10 Receipts for state identification cards and operators' licenses shall
11 include a digital image of the cardholder or licensee and shall be issued
12 by the county treasurer or the Department of Motor Vehicles. The director
13 shall negotiate and enter into a contract to provide the necessary
14 equipment, supplies, and forms for the issuance of the licenses and
15 cards. All costs incurred by the Department of Motor Vehicles under this
16 section shall be paid by the state out of appropriations made to the
17 department. All costs of capturing the digital images and digital
18 signatures shall be paid by the issuer from the fees provided to the
19 issuer pursuant to section 60-4,115.

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

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

31 Sec. 23. Section 60-4,120, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-4,120 (1) Any person duly licensed or holding a valid state
3 identification card issued under the Motor Vehicle Operator's License Act
4 who loses his or her operator's license or card may make application to
5 the department for a replacement license or card.

6 (2) If any person changes his or her name because of marriage or
7 divorce or by court order or a common-law name change, he or she shall
8 apply to the department for a replacement operator's license or state
9 identification card and furnish proof of identification in accordance
10 with section 60-484. If any person changes his or her address, the person
11 shall apply to the department for a replacement operator's license or
12 state identification card and furnish satisfactory evidence of such
13 change. The application shall be made within sixty days after the change
14 of name or address.

15 (3) In the event a mutilated or unreadable operator's license is
16 held by any person duly licensed under the act or a mutilated or
17 unreadable state identification card which was issued under the act is
18 held by a person, such person may obtain a replacement license or card.
19 Upon report of the mutilated or unreadable license or card and
20 application for a replacement license or card, a replacement license or
21 card may be issued if the department is satisfied that the original
22 license or card is mutilated or unreadable.

23 (4) If any person duly licensed under the act loses his or her
24 operator's license or if any holder of a state identification card loses
25 his or her card while temporarily out of the state, he or she may make
26 application to the department for a replacement operator's license or
27 card by applying to the department and reporting such loss. Upon receipt
28 of a correctly completed application, the department shall cause to be
29 issued a replacement operator's license or card.

30 (5) Any person who holds a valid operator's license or state
31 identification card without a digital image shall surrender such license

1 or card to the department within thirty days after resuming residency in
2 this state. After the thirty-day period, such license or card shall be
3 considered invalid and no license or card shall be issued until the
4 individual has made application for replacement or renewal.

5 (6) Application for a replacement operator's license or state
6 identification card shall include the information required under sections
7 60-484 and 60-484.04.

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

13 (8) Each replacement operator's license or state identification card
14 shall be issued with the same expiration date as the license or card for
15 which the replacement is issued. The replacement license or card shall
16 also state the new issuance date. Upon issuance of any replacement
17 license or card, the license or card for which the replacement is issued
18 shall be void.

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

25 Sec. 24. Section 71-612, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 71-612 (1) The department, as the State Registrar, shall preserve
28 permanently and index all certificates received. The department shall
29 supply to any applicant for any proper purpose, as defined by rules and
30 regulations of the department, a certified copy of the record of any
31 birth, death, marriage, annulment, or dissolution of marriage or an

1 abstract of marriage. The department shall supply a copy of a public
2 vital record for viewing purposes at its office upon an application
3 signed by the applicant and upon proof of the identity of the applicant.
4 The application may include the name, address, and telephone number of
5 the applicant, purpose for viewing each record, and other information as
6 may be prescribed by the department by rules and regulations to protect
7 the integrity of vital records and prevent their fraudulent use. Except
8 as provided in subsections (2), (3), (5), (6), ~~and (7)~~, and (9) of this
9 section, the department shall be entitled to charge and collect in
10 advance a fee of sixteen dollars to be paid by the applicant for each
11 certified copy or abstract of marriage supplied to the applicant or for
12 any search made at the applicant's request for access to or a certified
13 copy of any record or abstract of marriage, whether or not the record or
14 abstract is found on file with the department.

15 (2) The department shall, free of charge, search for and furnish a
16 certified copy of any record or abstract of marriage on file with the
17 department upon the request of (a) the United States Department of
18 Veterans Affairs or any lawful service organization empowered to
19 represent veterans if the copy of the record or abstract of marriage is
20 to be issued, for the welfare of any member or veteran of the armed
21 forces of the United States or in the interests of any member of his or
22 her family, in connection with a claim growing out of service in the
23 armed forces of the nation or (b) the Military Department.

24 (3) The department may, free of charge, search for and furnish a
25 certified copy of any record or abstract of marriage on file with the
26 department when in the opinion of the department it would be a hardship
27 for the claimant of old age, survivors, or disability benefits under the
28 federal Social Security Act to pay the fee provided in this section.

29 (4) A strict account shall be kept of all funds received by the
30 department. Funds received pursuant to subsections (1), (5), (6), and (8)
31 of this section shall be remitted to the State Treasurer for credit to

1 the Health and Human Services Cash Fund. Money credited to the fund
2 pursuant to this section shall be used for the purpose of administering
3 the laws relating to vital statistics and may be used to create a petty
4 cash fund administered by the department to facilitate the payment of
5 refunds to individuals who apply for copies or abstracts of records. The
6 petty cash fund shall be subject to section 81-104.01, except that the
7 amount in the petty cash fund shall not be less than twenty-five dollars
8 nor more than one thousand dollars.

9 (5) The department shall, upon request, conduct a search of death
10 certificates for stated individuals for the Nebraska Medical Association
11 or any of its allied medical societies or any inhospital staff committee
12 pursuant to sections 71-3401 to 71-3403. If such death certificate is
13 found, the department shall provide a noncertified copy. The department
14 shall charge a fee for each search or copy sufficient to cover its actual
15 direct costs, except that the fee shall not exceed three dollars per
16 individual search or copy requested.

17 (6) The department may permit use of data from vital records for
18 statistical or research purposes under section 71-602 or disclose data
19 from certificates or records to federal, state, county, or municipal
20 agencies of government for use in administration of their official duties
21 and charge and collect a fee that will recover the department's cost of
22 production of the data. The department may provide access to public vital
23 records for viewing purposes by electronic means, if available, under
24 security provisions which shall assure the integrity and security of the
25 records and database and shall charge and collect a fee that shall
26 recover the department's costs.

27 (7) In addition to the fees charged under subsection (1) of this
28 section, the department shall charge and collect an additional fee of one
29 dollar for any certified copy of the record of any birth or for any
30 search made at the applicant's request for access to or a certified copy
31 of any such record, whether or not the record is found on file with the

1 department. Any county containing a city of the metropolitan class which
2 has an established city-county or county health department pursuant to
3 sections 71-1626 to 71-1636 which has an established system of
4 registering births and deaths shall charge and collect in advance a fee
5 of one dollar for any certified copy of the record of any birth or for
6 any search made at the applicant's request for such record, whether or
7 not the record is found on file with the county. All fees collected under
8 this subsection shall be remitted to the State Treasurer for credit to
9 the Nebraska Child Abuse Prevention Fund.

10 (8) The department shall not charge other state agencies the fees
11 authorized under subsections (1) and (7) of this section for automated
12 review of any certificates or abstracts of marriage. The department shall
13 charge and collect a fee from other state agencies for such automated
14 review that will recover the department's cost.

15 (9) The department shall not charge any fee for a certified copy of
16 a birth record if the applicant does not have a current Nebraska motor
17 vehicle operator's license or Nebraska state identification card and
18 indicates in the application that the applicant needs a certified copy of
19 the birth record to apply for a state identification card for voting
20 purposes.

21 Sec. 25. Sections 6, 7, 21, 22, 23, and 27 of this act become
22 operative on January 1, 2024. Sections 8, 9, 10, 11, 12, 13, 14, 15, 16,
23 17, 18, 19, 20, and 28 of this act become operative on April 1, 2024. The
24 other sections of this act become operative on their effective date.

25 Sec. 26. 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. 27. Original sections 32-308, 60-4,119, and 60-4,120, Reissue
29 Revised Statutes of Nebraska, and sections 32-304 and 60-4,115, Revised
30 Statutes Cumulative Supplement, 2022, are repealed.

31 Sec. 28. Original sections 32-914, 32-941, 32-942, 32-943, 32-953,

1 and 32-957, Reissue Revised Statutes of Nebraska, and sections 32-318.01,
2 32-915, and 32-1027, Revised Statutes Cumulative Supplement, 2022, are
3 repealed.

4 Sec. 29. Original section 71-612, Reissue Revised Statutes of
5 Nebraska, and sections 32-101, 32-103, and 32-202, Revised Statutes
6 Cumulative Supplement, 2022, are repealed.

7 Sec. 30. Since an emergency exists, this act takes effect when
8 passed and approved according to law.