

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 514**

FINAL READING

Introduced by Brewer, 43.

Read first time January 17, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 32-308,  
2 32-914, 32-941, 32-942, 32-943, 32-953, 32-957, 60-4,119, 60-4,120,  
3 and 71-612, Reissue Revised Statutes of Nebraska, and sections  
4 32-101, 32-103, 32-202, 32-318.01, 32-915, 32-1027, and 60-4,115,  
5 Revised Statutes Cumulative Supplement, 2022; to provide for valid  
6 photographic identification for voting purposes; to provide for  
7 verification of citizenship of registered voters; to provide  
8 procedures for a voter with a reasonable impediment or a religious  
9 objection to being photographed; to change provisions relating to  
10 voting and counting ballots; to provide for free state  
11 identification cards and certified copies of birth records for  
12 voting purposes as prescribed; to change provisions relating to  
13 issuance of a state identification card or an operator's license; to  
14 harmonize provisions; to provide operative dates; to repeal the  
15 original sections; and to declare an emergency.  
16 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-101, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 32-101 Sections 32-101 to 32-1551 and sections 3, 5, 10, 11, 12, and  
4 18 of this act shall be known and may be cited as the Election Act.

5 Sec. 2. Section 32-103, Revised Statutes Cumulative Supplement,  
6 2022, is amended to read:

7 32-103 For purposes of the Election Act, the definitions found in  
8 sections 32-104 to 32-120 and section 3 of this act shall be used.

9 Sec. 3. Valid photographic identification means:

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

13 (a) Shows the name of the individual to whom the document was  
14 issued; and

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

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

22 (a) Shows the name of the individual to whom the document was  
23 issued; and

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

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

28 (a) Shows the name of the individual who is the subject of the  
29 record; and

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

1           Sec. 4. Section 32-202, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3           32-202 In addition to any other duties prescribed by law, the  
4 Secretary of State shall:

5           (1) Supervise the conduct of primary and general elections in this  
6 state;

7           (2) Provide training and support for election commissioners, county  
8 clerks, and other election officials in providing for day-to-day  
9 operations of the office, registration of voters, and the conduct of  
10 elections;

11           (3) Enforce the Election Act;

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

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

16           (6) Develop and print forms for use as required by sections 32-308,  
17 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

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

20           (8) Require reporting to ensure compliance with sections 32-308 to  
21 32-310;

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

24           (10) Develop and print a manual describing the requirements of the  
25 initiative and referendum process and distribute the manual to election  
26 commissioners and county clerks for distribution to the public upon  
27 request;

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

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

31           (13) Establish a free access system, such as a toll-free telephone

1 number or an Internet website, that any voter who casts a provisional  
2 ballot may access to discover whether the vote of that voter was counted  
3 and, if the vote was not counted, the reason that the vote was not  
4 counted. The Secretary of State shall establish and maintain reasonable  
5 procedures necessary to protect the security, confidentiality, and  
6 integrity of personal information collected, stored, or otherwise used by  
7 the free access system. Access to information about an individual  
8 provisional ballot shall be restricted to the individual who cast the  
9 ballot; -

10 (14) Provide a website dedicated to voter identification  
11 requirements and procedures. The Secretary of State shall establish,  
12 maintain, and regularly update on the website a document entitled "List  
13 of Acceptable Forms of Identification" that lists forms of identification  
14 that qualify as valid photographic identification for purposes of voter  
15 identification;

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

19 (16) Provide instructions and information to the Department of  
20 Health and Human Services, the Department of Motor Vehicles, and the  
21 State Department of Education for distribution by such agencies to  
22 Nebraska residents regarding the requirement to present valid  
23 photographic identification in order to vote and the way to obtain free  
24 valid photographic identification; and

25 (17) Not use or allow the use of citizenship information shared with  
26 or collected by the Secretary of State pursuant to the Election Act for  
27 any purpose other than maintenance of the voter registration list,  
28 including law enforcement purposes.

29 Sec. 5. The Secretary of State shall develop a process to use the  
30 information in possession of or available to his or her office to match  
31 and verify the citizenship of the corresponding registered voter. The

1 Attorney General and the Department of Motor Vehicles shall cooperate  
2 with the Secretary of State for such purpose. The Secretary of State may  
3 adopt and promulgate rules and regulations to carry out this section.

4 Sec. 6. Section 32-308, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

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

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

1 after the deadline shall not be processed by the election commissioner or  
2 county clerk until after the election.

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

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

20 (5) For each voter registration application for which information is  
21 transmitted electronically pursuant to this section, the Secretary of  
22 State shall obtain a copy of the electronic representation of the  
23 applicant's signature from the Department of Motor Vehicles' records of  
24 his or her motor vehicle operator's license or state identification card  
25 for purposes of voter registration. Each voter registration application  
26 electronically transmitted under this section shall include information  
27 provided by the applicant that includes whether the applicant is a  
28 citizen of the United States, whether the applicant is of sufficient age  
29 to register to vote, the applicant's residence address, the applicant's  
30 postal address if different from the residence address, the date of birth  
31 of the applicant, the party affiliation of the applicant or an indication

1 that the applicant is not affiliated with any political party, the  
2 applicant's motor vehicle operator's license number, the applicant's  
3 previous registration location by city, county, or state, if applicable,  
4 and the applicant's signature.

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

9 Sec. 7. Section 32-318.01, Revised Statutes Cumulative Supplement,  
10 2022, is amended to read:

11 32-318.01 (1)(a) Except as provided by subsection (2) of this  
12 section, a person who registers to vote by mail after January 1, 2003,  
13 and has not previously voted in an election within the state shall  
14 present a photographic identification which is current and valid or a  
15 copy of a utility bill, bank statement, government check, paycheck, or  
16 other government document which is dated within the sixty days  
17 immediately prior to the date of presentation and which shows the same  
18 name and residence address of the person provided on the registration  
19 application in order to avoid identification requirements at the time of  
20 voting pursuant to section 32-914 or 32-947.

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

1 not later than the deadline for the receipt of ballots specified in  
2 subsection (2) of section 32-908 will be considered timely for purposes  
3 of determining the applicant's eligibility to vote in the election.

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

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

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

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

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

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

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

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

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



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

4       Sec. 8. Section 32-914, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6       32-914 (1) Official ballots shall be used at all elections. No  
7 person shall receive a ballot or be entitled to vote unless and until he  
8 or she is registered as a voter except as provided in section 32-914.01,  
9 32-914.02, 32-915, 32-915.01, or 32-936.

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

12       (a) The voter has presented valid photographic identification and  
13 stated the voter's ~~He or she announces his or her~~ name and address to the  
14 clerk of election unless otherwise entitled to vote in the precinct under  
15 section 10 of this act;

16       (b) The clerk has found that the voter ~~he or she~~ is a registered  
17 voter at the address as shown by the precinct list of registered voters  
18 unless otherwise entitled to vote in the precinct under section 32-328,  
19 32-914.01, 32-914.02, 32-915, or 32-915.01;

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

30       (d) As instructed by the clerk of election, the registered voter has  
31 personally written his or her name (i) in the precinct sign-in register

1 on the appropriate line which follows the last signature of any previous  
2 voter or (ii) in the combined document containing the precinct list of  
3 registered voters and the sign-in register; and

4 (e) The clerk has listed on the precinct list of registered voters  
5 the corresponding line number and name of the registered voter or has  
6 listed the name of the voter in a separate book as provided in section  
7 32-913.

8 Sec. 9. Section 32-915, Revised Statutes Cumulative Supplement,  
9 2022, is amended to read:

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

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

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

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

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

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

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

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

5 (a) I am a registered voter in ..... County;

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

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

9 (d) I registered to vote

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

11 .... by mail,

12 .... by using the Secretary of State's website,

13 .... through the Department of Motor Vehicles,

14 .... on a form through another state agency,

15 .... in some other way;

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

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

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

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

30 (5) If the voter is also required to fill out a provisional voter  
31 identification verification envelope pursuant to section 10 of this act,

1 the provisional ballot envelope shall be placed inside the provisional  
2 voter identification verification envelope.

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

8 Sec. 10. (1) A registered voter shall fill out a provisional voter  
9 identification verification envelope if:

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

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

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

18 (c) The voter has a reasonable impediment preventing the voter from  
19 presenting valid photographic identification or the voter's name appears  
20 on the precinct list of registered voters for the polling place with a  
21 notation that the voter has a religious objection to being photographed.

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

27 (a) My name is .....;

28 (b) I am registered to vote at .....;

29 (c) I did not provide valid photographic identification as required  
30 by law or I have a reasonable impediment preventing me from presenting  
31 valid photographic identification;

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

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

4       (i) I do not provide valid photographic identification to my county  
5 election office on or before the Tuesday after the election; or

6       (ii) I have a reasonable impediment that prevents me from presenting  
7 valid photographic identification and:

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

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

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

19       Sec. 11. (1) The Secretary of State shall provide a standard  
20 certification for a voter with a reasonable impediment preventing the  
21 voter from presenting valid photographic identification. The  
22 certification shall include the following as separate boxes that a voter  
23 may check to identify the applicable reasonable impediment:

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

25       (i) Disability or illness; or

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

27       (b) Religious objection to being photographed.

28       (2) The Secretary of State shall provide the form of the  
29 certification to the election commissioners and county clerks. A voter  
30 who has a reasonable impediment shall execute the certification. The  
31 election commissioner or county clerk shall verify the signature on the

1 certification with the signature appearing on the voter registration  
2 record. A voter who casts a ballot by mail shall include the  
3 certification with the application, except that a voter who casts a  
4 ballot pursuant to section 32-953 shall include the certification within  
5 the ballot envelope.

6       Sec. 12.   (1) A voter with a religious objection to being  
7 photographed may inform the election commissioner or county clerk of the  
8 county in which the voter resides of such objection in writing prior to  
9 an election. If the election commissioner or county clerk receives  
10 written notice not later than 6 p.m. on the second Friday preceding the  
11 election, the election commissioner or county clerk shall place a  
12 notation on the precinct list of registered voters for the polling place  
13 that the voter has a religious objection to being photographed.

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

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

20       (b) Has a ballot accepted pursuant to section 18 of this act; and

21       (c) Is otherwise eligible to vote.

22       Sec. 13. Section 32-941, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24       32-941 (1) Any registered voter permitted to vote early pursuant to  
25 section 32-938 may, not more than one hundred twenty days before any  
26 election and not later than the close of business on the second Friday  
27 preceding the election, request a ballot for the election to be mailed to  
28 a specific address. A registered voter shall request a ballot in writing  
29 to the election commissioner or county clerk in the county where the  
30 registered voter has established his or her home, and shall indicate his  
31 or her residence address, the address to which the ballot is to be mailed

1 if different, and his or her telephone number if available, and shall  
2 include:

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

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

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

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

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

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

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

26 Sec. 14. Section 32-942, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 32-942 (1)(a) A ~~(1) Except as otherwise provided in subsection (2)~~  
29 ~~of this section,~~ a registered voter of this state who anticipates being  
30 absent from the county of his or her residence on the day of any election  
31 may appear in person before the election commissioner or county clerk not

1 more than thirty days prior to the day of election, present valid  
2 photographic identification, and obtain his or her ballot unless  
3 otherwise entitled to vote in the office under section 10 of this act.

4 The registered voter shall vote the ballot in the office of the election  
5 commissioner or county clerk or shall return the ballot to the office not  
6 later than the closing of the polls on the day of the election.

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

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



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

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

11 Sec. 15. Section 32-943, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 32-943 (1) Any registered voter who is permitted to vote early  
14 pursuant to section 32-938 may appoint an agent to submit a request for a  
15 ballot for early voting on his or her behalf. The registered voter or his  
16 or her agent may request that the ballot be sent to the registered voter  
17 by mail or indicate on the request that the agent will personally pick up  
18 the ballot for such registered voter from the office of the election  
19 commissioner or county clerk. A registered voter or an agent acting on  
20 behalf of a registered voter shall request a ballot in writing to the  
21 election commissioner or county clerk in the county where the registered  
22 voter has established his or her residence, ~~and~~ shall indicate the  
23 voter's residence address, the address to which the ballot is to be  
24 mailed if different, and the voter's telephone number if available and  
25 precinct if known, ~~and shall: -~~

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

27 (b) Include, with the request:

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

30 (ii) A photocopy of valid photographic identification issued to or  
31 related to the voter; or

1            (iii) The voter's reasonable impediment certification. The  
2 certification shall be verified pursuant to section 18 of this act.

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

7            (3) ~~(2)~~ A candidate for office at such election and any person  
8 serving on a campaign committee for such a candidate shall not act as an  
9 agent for any registered voter requesting a ballot pursuant to this  
10 section unless such person is a member of the registered voter's family.  
11 No person shall act as agent for more than two registered voters in any  
12 election.

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

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

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

22            Sec. 16. Section 32-953, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

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

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

9 VOTER'S OATH

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

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

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

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

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

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

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

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

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

30 ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE INFORMATION  
31 IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION FALSIFICATION, A CLASS

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

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

7 Signature .....

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

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

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

18 32-957 (1) An official ballot under section 32-953 shall be counted  
19 only if it is returned in the identification envelope, the envelope is  
20 signed by the voter to whom it was issued, and the signature is verified  
21 by the election commissioner or county clerk, and the voter provided the  
22 voter's driver's license number or state identification card number on  
23 the envelope or provided a photocopy of valid photographic identification  
24 or a reasonable impediment certification inside the envelope.

25 (2) The election commissioner or county clerk shall verify the  
26 signature on each identification envelope received in his or her office  
27 with the signature appearing on the voter registration records. If the  
28 election commissioner or county clerk is unable to verify a signature,  
29 the election commissioner or county clerk shall contact the voter within  
30 two days after determining that he or she is unable to verify the  
31 signature to ascertain whether the voter cast a ballot. The election

1 commissioner or county clerk may request that the registered voter sign  
2 and submit a current signature card pursuant to section 32-318. The  
3 election commissioner or county clerk may begin verifying the signatures  
4 as the envelopes are received in his or her office.

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

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

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

20 Sec. 18. (1) As the ballots are removed from the ballot box  
21 pursuant to sections 32-1012 to 32-1018, the receiving board shall  
22 separate the provisional voter identification verification envelopes from  
23 the rest of the ballots and deliver them to the election commissioner or  
24 county clerk.

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

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

1 ballot for early voting.

2 (4) A ballot cast by a voter pursuant to section 10 of this act  
3 shall be counted if the voter completed and signed the certification on  
4 the provisional voter identification verification envelope and the voter:

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

8 (b) Has a reasonable impediment preventing the voter from presenting  
9 valid photographic identification, the voter completes a reasonable  
10 impediment certification, and the election commissioner or county clerk  
11 verifies the signature on the reasonable impediment certification with  
12 the signature appearing on the voter registration record.

13 (5) A ballot cast by a voter pursuant to section 10 of this act  
14 shall not be counted if:

15 (a) The voter failed to complete and sign the certification on the  
16 provisional voter identification verification envelope pursuant to  
17 subsection (2) of section 10 of this act;

18 (b) The voter failed to present valid photographic identification to  
19 the election commissioner or county clerk on or before the Tuesday after  
20 the election; or

21 (c) The voter has a reasonable impediment preventing the voter from  
22 presenting valid photographic identification and:

23 (i) The voter did not complete a reasonable impediment  
24 certification; or

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

28 (6) Upon determining that the voter's ballot is eligible to be  
29 counted, the election commissioner or county clerk shall remove the  
30 ballot from the provisional voter identification verification envelope  
31 without exposing the marks on the ballot and shall place the ballot with

1 the ballots to be counted by the county canvassing board.

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

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

8 Sec. 19. Section 32-1027, Revised Statutes Cumulative Supplement,  
9 2022, is amended to read:

10 32-1027 (1) The election commissioner or county clerk shall appoint  
11 two or more registered voters to the counting board for early voting. One  
12 registered voter shall be appointed from the political party casting the  
13 highest number of votes for Governor or for President of the United  
14 States in the county in the immediately preceding general election, and  
15 one registered voter shall be appointed from the political party casting  
16 the next highest vote for such office. The election commissioner or  
17 county clerk may appoint additional registered voters to serve on the  
18 counting board and may appoint registered voters to serve in case of a  
19 vacancy among any of the members of the counting board. Such appointees  
20 shall be balanced between the political parties and may include  
21 registered voters unaffiliated with any political party. The counting  
22 board may begin carrying out its duties not earlier than the second  
23 Friday before the election and shall meet as directed by the election  
24 commissioner or county clerk.

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

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

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

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

6 (c) A completed and signed registration application has been  
7 received from the voter by the deadline in section 32-302, 32-321, or  
8 32-325 or by the close of the polls pursuant to section 32-945;

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

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

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

17 (a) A ballot received from a voter who was properly registered on or  
18 prior to the deadline for registration pursuant to section 32-302 or  
19 32-321 shall be accepted for counting without further review if:

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

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

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

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

30 (i) A valid registration application completed and signed by the  
31 voter has been received by the election commissioner or county clerk



1 prior to the close of the polls on election day;

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

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

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

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

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

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

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

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

23 (d) In the case of a ballot received from a registered voter  
24 required to present identification before voting pursuant to section  
25 32-318.01, the ballot shall be accepted for counting if:

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

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

31 (iii) A copy of an identification document authorized in section

1 32-318.01 has been received by the election commissioner or county clerk  
2 prior to the close of the polls on election day; and

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

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

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

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

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

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

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

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

29 (7) If an identification envelope is rejected, the counting board  
30 shall not open the identification envelope. The counting board shall  
31 write Rejected on the identification envelope and the reason for the

1 rejection. If the ballot is rejected after opening the identification  
2 envelope because of the absence of the official signature on the ballot,  
3 the ballot shall be reinserted in the identification envelope which shall  
4 be resealed and marked Rejected, no official signature. The counting  
5 board shall place the rejected identification envelopes and ballots in a  
6 container labeled Rejected Ballots and seal it.

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

13 Sec. 20. Section 60-4,115, Revised Statutes Cumulative Supplement,  
14 2022, is amended to read:

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

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

28				Department	
29			County	of Motor	State
30	Document	Total	General	Vehicles	General
31		Fee	Fund	Cash Fund	Fund

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

1	Provisional operator's permit:				
2	Original	15.00	2.75	12.25	0
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	15.00	2.75	12.25	0
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	LPD-learner's permit:				
12	Original	8.00	.25	5.00	2.75
13	Replacement	11.00	2.75	6.00	2.25
14	Add, change, or remove class,				
15	endorsement, or restriction	5.00	0	5.00	0
16	LPE-learner's permit:				
17	Original	8.00	.25	5.00	2.75
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	School 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	Farm permit:				
27	Original or renewal	5.00	.25	0	4.75
28	Replacement	5.00	.25	0	4.75
29	Add, change, or remove class,				
30	endorsement, or restriction	5.00	0	5.00	0

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

1	Original or renewal	10.00	.25	5.00	4.75
2	Replacement	10.00	.25	5.00	4.75
3	Add, change, or remove class,				
4	endorsement, or restriction	10.00	.25	5.00	4.75

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

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

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

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

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

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

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

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

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

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

28 Sec. 21. Section 60-4,119, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

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



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

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

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

23 Sec. 22. Section 60-4,120, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

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

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

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

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

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

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

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

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

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

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

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

17 Sec. 23. Section 71-612, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 71-612 (1) The department, as the State Registrar, shall preserve  
20 permanently and index all certificates received. The department shall  
21 supply to any applicant for any proper purpose, as defined by rules and  
22 regulations of the department, a certified copy of the record of any  
23 birth, death, marriage, annulment, or dissolution of marriage or an  
24 abstract of marriage. The department shall supply a copy of a public  
25 vital record for viewing purposes at its office upon an application  
26 signed by the applicant and upon proof of the identity of the applicant.  
27 The application may include the name, address, and telephone number of  
28 the applicant, purpose for viewing each record, and other information as  
29 may be prescribed by the department by rules and regulations to protect  
30 the integrity of vital records and prevent their fraudulent use. Except  
31 as provided in subsections (2), (3), (5), (6), ~~and (7)~~, and (9) of this

1 section, the department shall be entitled to charge and collect in  
2 advance a fee of sixteen dollars to be paid by the applicant for each  
3 certified copy or abstract of marriage supplied to the applicant or for  
4 any search made at the applicant's request for access to or a certified  
5 copy of any record or abstract of marriage, whether or not the record or  
6 abstract is found on file with the department.

7 (2) The department shall, free of charge, search for and furnish a  
8 certified copy of any record or abstract of marriage on file with the  
9 department upon the request of (a) the United States Department of  
10 Veterans Affairs or any lawful service organization empowered to  
11 represent veterans if the copy of the record or abstract of marriage is  
12 to be issued, for the welfare of any member or veteran of the armed  
13 forces of the United States or in the interests of any member of his or  
14 her family, in connection with a claim growing out of service in the  
15 armed forces of the nation or (b) the Military Department.

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

21 (4) A strict account shall be kept of all funds received by the  
22 department. Funds received pursuant to subsections (1), (5), (6), and (8)  
23 of this section shall be remitted to the State Treasurer for credit to  
24 the Health and Human Services Cash Fund. Money credited to the fund  
25 pursuant to this section shall be used for the purpose of administering  
26 the laws relating to vital statistics and may be used to create a petty  
27 cash fund administered by the department to facilitate the payment of  
28 refunds to individuals who apply for copies or abstracts of records. The  
29 petty cash fund shall be subject to section 81-104.01, except that the  
30 amount in the petty cash fund shall not be less than twenty-five dollars  
31 nor more than one thousand dollars.

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

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

19           (7) In addition to the fees charged under subsection (1) of this  
20 section, the department shall charge and collect an additional fee of one  
21 dollar for any certified copy of the record of any birth or for any  
22 search made at the applicant's request for access to or a certified copy  
23 of any such record, whether or not the record is found on file with the  
24 department. Any county containing a city of the metropolitan class which  
25 has an established city-county or county health department pursuant to  
26 sections 71-1626 to 71-1636 which has an established system of  
27 registering births and deaths shall charge and collect in advance a fee  
28 of one dollar for any certified copy of the record of any birth or for  
29 any search made at the applicant's request for such record, whether or  
30 not the record is found on file with the county. All fees collected under  
31 this subsection shall be remitted to the State Treasurer for credit to

1 the Nebraska Child Abuse Prevention Fund.

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

7 (9) The department shall not charge any fee for a certified copy of  
8 a birth record if the applicant does not have a current Nebraska driver's  
9 license or state identification card and indicates in the application  
10 that the applicant needs a certified copy of the birth record to apply  
11 for a state identification card for voting purposes.

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

15 Sec. 25. Original sections 32-914, 32-941, 32-942, 32-943, 32-953,  
16 and 32-957, Reissue Revised Statutes of Nebraska, and sections 32-318.01,  
17 32-915, and 32-1027, Revised Statutes Cumulative Supplement, 2022, are  
18 repealed.

19 Sec. 26. Original sections 32-308, 60-4,119, 60-4,120, and 71-612,  
20 Reissue Revised Statutes of Nebraska, and sections 32-101, 32-103,  
21 32-202, and 60-4,115, Revised Statutes Cumulative Supplement, 2022, are  
22 repealed.

23 Sec. 27. Since an emergency exists, this act takes effect when  
24 passed and approved according to law.