

One Hundred Ninth Legislature - First Session - 2025

Introducer's Statement of Intent

LB521

Chairperson: Senator Rita Sanders

Committee: Government, Military and Veterans Affairs

Date of Hearing: February 20, 2025

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill is the annual Election Act update bill with recommended changes from the Nebraska Secretary of State. These changes are intended to promote efficient, reliable elections.

It would provide an exception to the definition of "candidate" for a candidate for delegate to a county, state, or national political party convention.

It includes hospice and disability services as entities whose photographic patient record may serve as a photographic voter identification document.

It cleans up obsolete language relating to duties of the Department of Motor Vehicles.

It provides for notice to a voter with an election commissioner or county clerk satisfies a request from that voter to cancel their voter registration.

It changes the timing of special elections held close in time to a legal holiday.

The bill also provides the specific form and contents for petitions for partisan and nonpartisan candidates for President of the United States and other elective offices, as well as petitions for the establishment of a new political party.

It would change the process for filing to be a write-in candidate and for withdrawing as a write-in candidate.

It would change the filing deadline for partisan ballot access petitions.

It would provide that a filing officer may stop verifying petition signatures when verified signatures exceed one hundred ten percent of the required number for candidate ballot access and for the formation of a new political party.

It specifies a procedure for circumstances where a qualified candidate declines placement on a general election ballot.

It provides a procedure for differentiating candidates with the same first and last name on the same ballot. Possible means of differentiation would include middle name, initials, or city of residence.

It would remove the Secretary of State's authority to rule on objections to certain candidate's filings.

It would provide a procedure for evaluating objections to a candidate's filing form in special elections.

It would clarify the qualifications required for a petition signer for different varieties of petitions.

It would require that petitions be submitted "as one instrument" rather than in batches.

The bill would authorize the Secretary of State to purchase or otherwise obtain software to assist in processing petitions.

The bill would specify that the deadline for a petition signer to request removal of their name from a petition is the day the petition is filed.

The bill would clarify that local election officials shall verify signatures on identification envelopes using signatures from voter registration records.

It would also change the location for the meetings of the state board of canvassers from the State Capitol to a location designated by the Secretary of State, in order to provide flexibility in cases where the State Capitol may be unavailable or an inappropriate venue for the meeting.

The bill would modify the procedures for use of vote counting devices and provide that a zero report be obtained from any such device before conducting a ballot count.

It would also instruct local election officials to implement processes for verifying voter signatures on ballot envelopes and verifying valid photographic identification as well as verifying provisional ballots and specifying anticipated dates for convening of counting and canvassing boards.

The bill would substantially revise the margins of victory below which a losing candidate is entitled to a recount, and it specifies who may observe the recount in the candidate's place if the candidate is personally unavailable.

Notifications from the Secretary of State relating to the determination of a petition's constitutional and legal sufficiency would be made by the "most expeditious method available."

The bill proposes prohibiting petition circulation within two hundred feet of a secure ballot drop-box.

The bill also proposes a minimum distance of eight feet from ballots, ballot boxes, sign-in registers, and counting devices for counting watchers or observers in vote counting locations.

The bill has split operative dates, with some measures taking effect immediately under the emergency clause, some taking effect three calendar months after adjournment of the legislative session, and some taking effect on January 1, 2026.

Principal Introducer: _____

Senator Rita Sanders