

LEGISLATIVE BILL 521

Approved by the Governor May 30, 2025

Introduced by Sanders, 45.

A BILL FOR AN ACT relating to government; to amend sections 14-201, 14-202, 14-204, 14-205, 14-206, 14-207, 14-210, 14-217.01, 14-376, 14-521, 14-811, 14-1206, 14-1211, 14-1216, 14-1251, 15-301, 32-104, 32-239, 32-307, 32-315, 32-401, 32-402, 32-536, 32-554, 32-568, 32-603, 32-620, 32-621, 32-624, 32-628, 32-629, 32-704, 32-707, 32-912, 32-1032, 32-1037, 32-1119, 32-1122, 32-1404, and 84-1411, Reissue Revised Statutes of Nebraska, and sections 14-211, 31-727.02, 32-101, 32-123, 32-202, 32-221, 32-231, 32-308, 32-312, 32-326, 32-405, 32-607, 32-613, 32-615, 32-617, 32-618, 32-630, 32-631, 32-632, 32-716, 32-717, 32-803, 32-809, 32-811, 32-1002, 32-1005, 32-1007, 32-1013, 32-1049, 32-1409, 32-1525, 32-1546, 70-1014, and 70-1014.02, Revised Statutes Cumulative Supplement, 2024; to redefine terms; to change provisions relating to elections in cities of the metropolitan class and cities of the primary class; to change provisions relating to voter registration, primary, general, and special elections, petitions, political parties, write-in candidates, ballots, vote counting devices, counting watchers and observers, judges of election and clerks of election, candidate filing forms, the board of state canvassers, and counting and recounting ballots; to change provisions relating to filling a vacancy in the office of city council member or mayor in a city of the metropolitan class; to provide forms for petitions; to provide for the verification of identification envelopes; to provide powers and duties for the Secretary of State, election commissioners, and county clerks; to eliminate provisions relating to voter registration and political party delegates; to change requirements for notice of meetings under the Open Meetings Act; to harmonize provisions; to eliminate obsolete provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 32-309 and 32-705, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Section 1. Section 14-201, Reissue Revised Statutes of Nebraska, is amended to read:

14-201 (1) Except as provided in subsection (2) of this section, the primary election for the nomination of elective officers of cities of the metropolitan class shall be held on the first Tuesday of April preceding the date of the general election, and the In each city of the metropolitan class, seven city council members shall be elected to the city council as provided in section 32-536. The general city election for the election of elective officers of cities of the metropolitan class shall be held on the first Tuesday after the second Monday in May 1993 and every four years thereafter. The terms of office of such elective officers ~~city council members~~ shall commence on the fourth Monday after such election.

(2) Each city of the metropolitan class may, by provision of such city's home rule charter, schedule candidates for elective office of such city to be nominated at the statewide primary election and elected at the statewide general election of each presidential election year.

Sec. 2. Section 14-202, Reissue Revised Statutes of Nebraska, is amended to read:

14-202 The city council of a city of the metropolitan class is authorized to call, by ordinance, special elections and to submit at such elections such questions and propositions as may be authorized by law to be submitted to the electors at a special election. Unless otherwise specifically directed, it shall be sufficient to give, in the manner required by law, thirty days' notice of the time and place of holding such special election. Unless otherwise specifically designated, a majority vote of the electors voting on any proposition shall be regarded sufficient to approve or carry such proposition. The vote at such special election shall be canvassed by the authority or officer authorized to canvass the vote at the general ~~city~~ election for the election of elective officers of the city, and the result of such election certified or declared and certificate of election, if required, shall be issued.

Sec. 3. Section 14-204, Reissue Revised Statutes of Nebraska, is amended to read:

14-204 (1) Each city of the metropolitan class shall elect seven city council members to the city council as provided in section 32-536. A candidate for city council member of a city of the metropolitan class shall be a registered voter and a resident of the district from which such candidate ~~he or she~~ seeks election and shall have been a resident in the city and district or any area annexed by the city for six months. ~~The primary election for nomination of city council members shall be held on the first Tuesday of April preceding the date of the general city election.~~

(2) Any person desiring to become a candidate for city council member shall file a candidate filing form pursuant to sections 32-606 and 32-607.

Sec. 4. Section 14-205, Reissue Revised Statutes of Nebraska, is amended to read:

14-205 Notwithstanding any more general law respecting primary elections in force in this state, the official ballot to be prepared and used at the primary election under section ~~14-201~~ ~~14-204~~ shall be in substantially the form provided in this section. The names of all candidates shall be placed upon the ballot without any party designation.

Candidate for Nomination for City Council Member from City Council District No., of the City of, at the Primary Election

Vote for only one:

.....
(Names of candidates)

In all other respects the general character of the ballot to be used shall be the same as authorized by the Election Act.

In printing, the names shall not be arranged alphabetically but shall be rotated according to the following plan: The form shall be set up by the printer, with the names in the order in which they are placed upon the sample ballot prepared by the officer authorized to conduct the general city election. In printing the ballots for the various election districts or precincts, the position of the names shall be changed for each election district, and in making the change of position the printer shall take the line of type containing the name at the head of the form and place it at the bottom, moving ~~shoving up~~ the column up so that the name that was second before the change shall be the first after the change. The primary election shall be conducted pursuant to the Election Act except as provided in section ~~14-201~~ ~~14-204~~ and unless otherwise provided in the home rule charter or city code.

Sec. 5. Section 14-206, Reissue Revised Statutes of Nebraska, is amended to read:

14-206 The two candidates receiving the highest number of votes in each city council district at the primary election under section ~~14-201~~ ~~14-204~~ shall be the candidates and the only candidates whose names shall be placed upon the official ballot for city council members in such city council district at the general city election in such city.

Sec. 6. Section 14-207, Reissue Revised Statutes of Nebraska, is amended to read:

14-207 At the general city election at which city council members are to be elected, the ballot shall be prepared in substantially the same form as provided in section 14-205, and the person receiving the highest number of votes in each of the city council districts shall be the city council member elected. The general city election shall be conducted pursuant to the Election Act unless otherwise provided in the home rule charter or city code.

Sec. 7. Section 14-210, Reissue Revised Statutes of Nebraska, is amended to read:

14-210 (1) The right to enact ordinances for any city of the metropolitan class is hereby granted to the qualified electors of such city, but such grant is made upon the following conditions and in addition to the right granted to the city council to legislate as provided in this section.

(2)(a) Whenever qualified electors of any city of the metropolitan class equal in number to fifteen percent of the vote cast at the last preceding city election for the election of elective officers of the city petition the city council to enact a proposed ordinance, it shall be the duty of the city council to either enact such ordinance without amendment within thirty days or submit such ordinance to a vote of the people at the next election held within such city ~~regardless of whether such election be a city, county, or state election.~~

(b) Whenever such proposed ordinance is petitioned for by qualified electors equal in number to twenty-five percent of the votes cast at the last preceding city election for the election of elective officers of the city and such petition requests that a special election be called to submit the proposed ordinance to a vote of the people in the event that the city council shall fail to enact such ordinance, the city council shall either enact such ordinance without amendment within thirty days or submit such ordinance to a vote of the people at a special election called by the city council for that purpose. The date of such election shall not be less than fifty days nor more than seventy days after the filing of the petition for the proposed ordinance.

(3) The petition provided for in this section shall be in the general form and as to signatures and verification as provided in section 14-212 and shall be filed with the city clerk. Upon the filing of a petition, the city clerk and the county clerk or election commissioner of the county in which the city is located may by mutual agreement provide that the county clerk or election commissioner shall ascertain whether the petition is signed by the requisite number of voters. When the verifying official has ascertained the percent of the voters signing such petition, such official shall transmit the official's ~~his or her~~ findings, together with such petition, to the city council.

(4) In the event the city council shall fail to enact such ordinance, the city council shall submit such ordinance to a vote of the people of such city as provided in this section. The mayor shall notify the electors of such election at least fifteen days prior to such election, and the city council shall cause to have published a notice of the election and a copy of such proposed ordinance once in each of the daily legal newspapers in or of general circulation in the city, or, if there is no such newspaper, then once in each weekly legal newspaper in or of general circulation in such city. Such publication shall be not more than twenty nor less than five days prior to such

election.

(5) All proposed ordinances shall have a title which shall state in a general way the purpose and intent of such ordinance.

(6) The ballots used when voting upon such proposed ordinance shall contain the following: For the ordinance (set forth the title thereof) and Against the ordinance (set forth the title thereof).

(7) If a majority of the electors voting on the proposed ordinance shall vote in favor of the question, such ordinance shall become a valid and binding ordinance of the city. An ordinance adopted as provided in this section shall not be altered or modified by the city council within one year after such adoption.

(8) Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section, except that the same measure, either in form or essential substance, shall not be submitted more often than once every two years.

Sec. 8. Section 14-211, Revised Statutes Cumulative Supplement, 2024, is amended to read:

14-211 (1)(a) No ordinance passed by the city council of a city of the metropolitan class, except when otherwise required by the general laws of the state, by other provisions of sections 14-201 to 14-229, or as provided in subdivision (1)(b) of this section, shall go into effect before fifteen days from the time of its final passage.

(b) An ordinance passed by the city council of a city of the metropolitan class may take effect sooner than fifteen days from the time of its final passage if the ordinance is:

(i) For the appropriation of money to pay the salary of officers or employees of the city other than salaries of the mayor and city council members; or

(ii) An emergency ordinance that is for the preservation of the public peace, health, or safety and that contains a statement of such emergency.

(2)(a) If during such fifteen days a petition, signed and verified as provided in this section by electors of the city equal in number to at least fifteen percent of the highest number of votes cast for any city council member at the last preceding general city election, protesting against the passage of such ordinance, shall be presented to the city council, then such ordinance shall be suspended from going into operation, and it shall be the duty of the city council to reconsider such ordinance.

(b) If such ordinance is not repealed by the city council, then the city council shall proceed to submit to the voters such ordinance at a special election to be called for such purpose or at a general city election, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on such ordinance shall vote in favor of the question.

(3) Such petition shall be in all respects in accordance with the provisions of section 14-212 relating to signatures, verification, inspection, and certification.

Sec. 9. Section 14-217.01, Reissue Revised Statutes of Nebraska, is amended to read:

14-217.01 Each A city of the metropolitan class shall elect a mayor as provided in section 32-536 whose for such term of office shall coincide with the terms of city council members elected concurrently to the city council as may be provided by the laws and ordinances of such city.

Sec. 10. Section 14-376, Reissue Revised Statutes of Nebraska, is amended to read:

14-376 Whenever the qualified electors of any city of the metropolitan class vote at any general or special election to acquire and appropriate by an exercise of the power of eminent domain, any waterworks, waterworks system, gas plant, electric light plant, electric light and power plant, street railway, or street railway system, located or operating within or partly within and partly without such city if the main part of such works, plant, or system be within such city and even though a franchise for the construction and operation of such works, plant, or system may or may not have expired, then the city shall have the power and authority by an exercise of the power of eminent domain to appropriate and acquire for the public use of the city, such works, plant, or system. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724. The city council shall have the power to submit such question or proposition to the qualified electors of the city at any general city election or at any special city election and may submit such proposition in connection with any city special election called for any other purpose, and the votes cast on such question shall be canvassed and the result found and declared as in any general other city election for the election of elective officers of the city. The city council shall submit such question at any such election whenever a petition asking for such submission is signed by the legal voters of the city equaling in number fifteen percent of the votes cast at the last general city election for the election of elective officers of the city, and is filed in the city clerk's office at least fifteen days before the election at which the submission is asked.

Sec. 11. Section 14-521, Reissue Revised Statutes of Nebraska, is amended to read:

14-521 The city council of a city of the metropolitan class may issue bonds, as provided in this section, for the purpose of improving lands, lots, or grounds purchased, appropriated, or acquired for parks, parkways, boulevards, or playgrounds. Bonds so issued shall be known as park bonds and

the issuance of such bonds except as provided in this section shall be governed by section 14-515. The city council may issue in any one year and without a vote of the electors one hundred thousand dollars of such bonds. The city council may also issue such bonds if authorized by a majority vote of the electors of the city voting on the proposition at a general ~~city~~ election or a special election called for that purpose. A part of the proceeds from the sale of such bonds may be used to pay for improvements upon streets, sidewalks, or thoroughfares abutting upon or immediately adjacent to parks, parkways, boulevards, and playgrounds when such costs would otherwise be chargeable to the city.

Sec. 12. Section 14-811, Reissue Revised Statutes of Nebraska, is amended to read:

14-811 Any ordinance or resolution granting, extending, changing, or modifying the terms and conditions of a franchise in a city of the metropolitan class shall not be passed until at least four weeks have elapsed after its introduction or proposal, and not until such resolution or ordinance has been published daily for at least two weeks in the official newspaper of the city. Such ordinance or resolution shall not become effective or binding until submitted to the electors and approved by a majority vote of such electors. Submission to the electors shall be made as provided in section 14-202. A new franchise shall not hereafter be granted or any modification or extension of any existing franchise made unless an annuity or royalty be provided and reserved to the city to be based either upon a fixed reasonable amount per year or a fixed percentage of the earnings under the operation of the franchise so granted, and not then until such franchise has been submitted to a vote and approved by the electors at a general ~~city~~ election or a special election called for that purpose.

Sec. 13. Section 14-1206, Reissue Revised Statutes of Nebraska, is amended to read:

14-1206 (1) If any city of the metropolitan class desires to purchase, lease, or sublease any existing bridge and shall have received any such authority as may be necessary from the government of the United States, the city council may determine the fair value of such bridge, the appraised value of which shall not exceed two million dollars, including all interests of any nature in such bridge, and may by written resolution tentatively offer the owners of such bridge jointly the price so determined.

(2) If all such owners within ninety days thereafter shall file with the city clerk of such city a duly authorized and properly executed written tentative acceptance of such offer, binding themselves to accept such offer and to assign such lease or sublease or convey good and complete title by warranty deed when and if the necessary funds shall be provided for such offer, then upon the filing of such acceptance, the city council may submit to the electors of such city, at a special election called for that purpose or at any general election ~~of such city or of the State of Nebraska~~ within one hundred and twenty days after the filing of such acceptance, the question whether such purchase shall be made at the price stated on the ballot and the city council be authorized to issue bonds of the kind or kinds stated in the proposition and in any such amount as may be required to provide the necessary funds. The proposition so submitted shall be carried if the majority of the electors voting on such proposition shall vote in favor of such proposition.

(3) No election and no vote of electors shall be required upon the question of acquiring by purchase, lease, or sublease any existing bridge or issuing revenue bonds, in an amount not to exceed two million dollars as authorized by section 14-1217, for the acquisition by purchase, lease, or sublease of any existing bridge, if the city council determines by a vote of a majority of its members to dispense with such election or vote of electors as to such question.

(4) If the proposition shall be carried at the election, or if the city council determines to dispense with such election, the tentative acceptance of the owners of such bridge shall then become final and binding upon such owners and may be enforced in any court of competent jurisdiction.

(5) Such purchase may also be made subject to existing mortgages and the assumption of outstanding bonds.

(6) If repairs, reconditioning, or reconstruction shall be necessary to place any bridge so purchased or to be purchased in safe, efficient, or convenient condition, the city council may issue additional revenue bonds to provide funds for such purpose in an amount not to exceed fifteen percent of the purchase price of such bridge.

(7) Any proposition submitted to the electors shall be published on three consecutive days in the official newspaper of the city to be completed not less than ten days before the date of the election.

(8) If the city council determines to dispense with such election or vote of the electors, or if a proposition is submitted to a vote of the electors and carried at such election, the city council may exercise all power and authority reasonably necessary and incidental to the exercise of the powers granted in this section.

Sec. 14. Section 14-1211, Reissue Revised Statutes of Nebraska, is amended to read:

14-1211 (1) Within ninety days after a final condemnation award pursuant to section 14-1207 has been made, the city council of such city of the metropolitan class shall, if such city council elects to proceed further, introduce an ordinance providing for the submission to the electors of the city the question whether such award shall be confirmed and the property be taken

and bonds of the kind or kinds determined by the city council, and stated upon the ballot, shall be issued in the amount of the award.

(2) Such proposition shall be submitted within ninety days after the ordinance becomes effective at a special election called for that purpose or at any general ~~city or state~~ election, and shall be carried if a majority of the electors voting on such proposition shall vote in favor of such proposition.

(3) No election and no vote of electors shall be required upon the question of acquiring by condemnation any bridge or issuing revenue bonds as authorized by section 14-1217 for the acquisition by condemnation of any existing bridge, if the city council determines by a vote of a majority of its members to dispense with such election or vote of electors as to such question.

Sec. 15. Section 14-1216, Reissue Revised Statutes of Nebraska, is amended to read:

14-1216 (1) To finance any of the purposes or powers provided for in sections 14-1201 to 14-1252, the city council of a city of the metropolitan class shall in the first instance determine whether any purchase, condemnation, or construction authorized by such sections shall be financed by bonds which are general obligations of the city and which may also be supported by a lien or mortgage on the bridge itself or upon the collection of tolls to be derived from the use of such bridge, or both, or by revenue bonds as provided for in section 14-1217 and which are charged solely against the revenue to be derived from such bridge through the collection of tolls, or part one kind of bonds and part the other.

(2) The city council shall not have authority to purchase, condemn, nor construct any bridge nor to issue any bonds, except the preliminary bonds specially authorized by section 14-1215, until first authorized by the majority vote of the electors voting on such proposition, which proposition shall indicate the method of acquiring the bridge and the kind or kinds of bonds, at a special election called for that purpose or at any general ~~city or state~~ election. No election and no vote of electors shall be required upon the question of acquiring or constructing any bridge or issuing revenue bonds as authorized by section 14-1217, for the acquisition or construction of any bridge located more than one mile from any existing bridge, other than a railroad bridge, if the city council determines by a vote of the majority of its members to dispense with such election or vote of electors as to such question.

(3) This grant of power to issue bonds is in addition to any other power which may now have been or hereafter may be conferred upon such city, and shall be free from the restrictions now imposed by the home rule charter of the city upon the issuance of bonds and incurring of indebtedness, and subject only to the provisions of the Constitution of Nebraska.

(4) At an election under subsection (2) of this section, the proposition shall be separate as to the bonds for each bridge to be acquired or constructed and the amount of bonds may be either a specific amount equal to the estimated total cost of every nature plus not to exceed twenty-five percent, or may be general and authorize the issuance of bonds in such amount as may be found necessary from time to time to complete the acquisition, construction, and equipment of the bridge and all costs incident to such bridge, or may be part one and part the other.

(5) For all purposes of financing, the total cost of any improvement authorized by sections 14-1201 to 14-1252 may include every item of expense in connection with the project, and among other items shall also include the cost of acquiring every interest of every nature and of every person in any existing bridge; the cost of constructing the superstructure, roadway, and substructure of any bridge; the approaches and avenues or rights-of-way of access to such bridge; necessary real estate in connection with such bridge; toll houses; equipment of such bridge; franchises, easements, rights, or damages incident to or consequent upon the complete project expenses preliminary to construction, including investigation and expenses incident to such construction; prior to and during construction the proper traffic estimates; interest upon bonds; and all such other expenses as after the beginning of operation would be properly chargeable as cost of operation, maintenance, and repairs.

Sec. 16. Section 14-1251, Reissue Revised Statutes of Nebraska, is amended to read:

14-1251 (1) Elections on propositions arising in connection with the exercise of any of the powers granted by sections 14-1201 to 14-1252 may be submitted by the city council of a city of the metropolitan class to the electors of such city at any general, ~~city, or state~~ election or at any special election called for that purpose. Any proposition shall be carried if a majority of the electors voting on such proposition vote in favor of such proposition.

(2) No bridge shall be finally or irrevocably acquired, whether by purchase, condemnation, or construction, until such action and the necessary financing have been approved by a majority of the electors voting on the proposition at a general ~~city or state~~ election or at a special election called for that purpose or have been approved by the city council, as authorized by such sections.

(3) Two or more propositions or questions may be submitted at the same election and on the same ballot provided each is so presented that the electors may vote separately upon each proposition. A vote of the electors authorizing independent action shall be held to also authorize joint action for the purpose so authorized but a vote on a proposition of joint action shall not be held to authorize independent action.

(4) The city council is authorized to determine what shall be included in the proposition to be stated in notices of election and upon the ballots in its full discretion, except that any proposition must indicate whether the bridge shall be acquired by purchase, by the condemnation of an existing bridge, or by the construction of a new bridge, and the kind of bonds to be issued to finance such bridge and the amount of such bonds may be set forth in any manner authorized in such sections.

Sec. 17. Section 15-301, Reissue Revised Statutes of Nebraska, is amended to read:

15-301 The general city elections in cities of the primary class shall be held on the first Tuesday in May of every odd-numbered year or, by provision of such city's home rule charter, in conjunction with the statewide general election. All city elections shall be conducted in accordance with the Election Act.

Sec. 18. Section 31-727.02, Revised Statutes Cumulative Supplement, 2024, is amended to read:

31-727.02 (1) Except as provided in subsection (5) ~~(6)~~ of section 84-1411, the clerk or administrator of each sanitary and improvement district shall notify any municipality or county within whose zoning jurisdiction such district is located of all meetings of the district board of trustees or called by the administrator by sending a notice of such meeting to the clerk of the municipality or county not less than seven days prior to the date set for any meeting. In the case of meetings called by the administrator, notice shall be provided to the clerk of the district not less than seven days prior to the date set for any meeting.

(2) Except as provided in subsection (5) ~~(6)~~ of section 84-1411, within thirty days after any meeting of a sanitary and improvement district board of trustees or called by the administrator, the clerk or administrator of the district shall transmit to the municipality or county within whose zoning jurisdiction the sanitary and improvement district is located a copy of the minutes of such meeting.

Sec. 19. Section 32-101, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-101 Sections 32-101 to 32-1552 and sections 40, 43, 46, 48, 50, 59, 69, and 72 of this act shall be known and may be cited as the Election Act.

Sec. 20. Section 32-104, Reissue Revised Statutes of Nebraska, is amended to read:

32-104 Candidate shall mean a registered voter for whom votes may be cast at any election and who, either tacitly or expressly, consents to be considered. Candidate shall not include a candidate for President or Vice President of the United States or a candidate for delegate to a county, state, or national political party convention.

Sec. 21. Section 32-123, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-123 Valid photographic identification means:

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

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

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

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

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

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

(3) A hospital, an assisted-living facility, a nursing home, a hospice, a provider agency for home or community-based developmental disability services, or any other intermediate care facility record that:

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

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

Sec. 22. Section 32-202, Revised Statutes Cumulative Supplement, 2024, is amended to read:

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

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

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

(3) Enforce the Election Act;

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

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

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

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

(8) Require reporting to ensure compliance with sections 32-308 and ~~to~~

32-310;

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

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

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

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

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

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

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

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

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

Sec. 23. Section 32-221, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-221 (1) The election commissioner shall appoint precinct and district inspectors, judges of election, and clerks of election to assist the election commissioner in conducting elections on election day. In counties with a population of less than four hundred thousand inhabitants as determined by the most recent federal decennial census, judges and clerks of election and inspectors shall be appointed at least thirty days prior to the statewide primary election, shall hold office for terms of two years or until their successors are appointed and qualified for the next statewide primary election, and shall serve at all elections in the county during their terms of office. In counties with a population of four hundred thousand or more inhabitants as determined by the most recent federal decennial census, judges and clerks of election shall be appointed at least thirty days prior to the first election for which appointments are necessary and shall serve for at least four elections.

(2) Judges and clerks of election may be selected at random from a cross section of the population of the county. All qualified citizens shall have the opportunity to be considered for service. All qualified citizens shall fulfill their obligation to serve as judges or clerks of election as prescribed by the election commissioner. No citizen shall be excluded from service as a result of discrimination based upon race, color, religion, sex, national origin, or economic status. No citizen shall be excluded from service unless excused by reason of ill health or other good and sufficient reason.

(3) All persons appointed shall be of good repute and character, be able to read and write the English language, and except as otherwise provided in subsections (4), (5), and (6) of section 32-223, be registered voters in the county. No candidate at an election shall be appointed as a judge or clerk of election or inspector for such election ~~other than a candidate for delegate to a county, state, or national political party convention.~~

(4) If a vacancy occurs in the office of judge or clerk of election or inspector, the election commissioner shall fill such vacancy in accordance with section 32-223. If any judge or clerk of election or inspector fails to appear at the hour appointed for the opening of the polls, the remaining officers shall notify the election commissioner, select a registered voter to serve in place of the absent officer if so directed by the election commissioner, and proceed to conduct the election. If the election commissioner finds that a judge or clerk of election or inspector does not possess all the qualifications prescribed in this section or if any judge or clerk of election or inspector is guilty of neglecting the duties of the office or of any official misconduct, the election commissioner shall remove the person and fill the vacancy.

Sec. 24. Section 32-231, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-231 (1) Each judge and clerk of election appointed pursuant to section 32-230 shall (a) be of good repute and character and able to read and write the English language, (b) reside in the precinct in which he or she is to serve unless necessity demands that personnel be appointed from another precinct, (c) be a registered voter except as otherwise provided in subsections (6), (7), and

(8) of section 32-230, and (d) serve for a term of two years or until judges and clerks of election are appointed for the next primary election. No candidate at an election shall be eligible to serve as a judge or clerk of election at the same election ~~other than a candidate for a delegate to a county, state, or national political party convention.~~

(2) The county clerk may appoint district inspectors to aid the county clerk in the performance of his or her duties and supervise a group of precincts on election day. A district inspector shall meet the requirements for judges and clerks of election as provided in subsection (1) of this section, shall oversee the procedures of a group of polling places, and shall act as the personal agent and deputy of the county clerk. The district inspector shall ensure that the Election Act is uniformly enforced at the polling places assigned to him or her and perform tasks assigned by the county clerk. The district inspector may perform all of the duties required of a judge or clerk of election.

Sec. 25. Section 32-239, Reissue Revised Statutes of Nebraska, is amended to read:

32-239 All vacancies of judges and clerks of election appointed pursuant to section 32-230 and district inspectors appointed pursuant to subsection (2) of section 32-231 shall be filled as nearly as possible in the manner in which the original appointments were made. At least fifteen days prior to any election, the county clerk shall review the list of district inspectors and the list of judges and clerks of election in the precincts in which the election is to occur and fill any vacancies. When a district inspector or judge or clerk of election is a candidate for an office to be voted upon at the election, ~~except for a candidate for a delegate to a county, state, or national political party convention,~~ his or her position as a district inspector, judge, or clerk shall be vacant.

Sec. 26. Section 32-307, Reissue Revised Statutes of Nebraska, is amended to read:

32-307 No materials advocating or advertising any political issue, candidate, or party shall be displayed or distributed within fifty feet of any voter registration site. No alcohol shall be served within fifty feet of any voter registration site. The registration procedure shall be conducted in a neutral manner and shall not be connected with anything unrelated to the object of registering electors except as otherwise provided in sections 32-308 and to 32-310.

Sec. 27. Section 32-308, Revised Statutes Cumulative Supplement, 2024, is amended to read:

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

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

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

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

(5) For each voter registration application for which information is transmitted electronically pursuant to this section, the Secretary of State shall obtain a copy of the electronic representation of the applicant's digital

image and signature from the Department of Motor Vehicles' records of his or her motor vehicle operator's license or state identification card for purposes of voter registration and voting. Each voter registration application electronically transmitted under this section shall include information provided by the applicant that includes whether the applicant is a citizen of the United States, whether the applicant is of sufficient age to register to vote, the applicant's residence address, the applicant's postal address if different from the residence address, the date of birth of the applicant, the party affiliation of the applicant or an indication that the applicant is not affiliated with any political party, the applicant's motor vehicle operator's license number, the applicant's previous registration location by city, county, or state, if applicable, and the applicant's signature.

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

Sec. 28. Section 32-312, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-312 The registration application prescribed by the Secretary of State pursuant to section 32-304 or 32-311.01 shall provide the instructional statements and request the information from the applicant as provided in this section.

CITIZENSHIP—"Are you a citizen of the United States of America?" with boxes to check to indicate whether the applicant is or is not a citizen of the United States.

AGE—"Are you at least eighteen years of age or will you be eighteen years of age on or before the first Tuesday following the first Monday of November of this year?" with boxes to check to indicate whether or not the applicant will be eighteen years of age or older on election day.

WARNING—"If you checked 'no' in response to either of these questions, do not complete this application.".

NAME—the name of the applicant giving the first and last name in full, the middle name in full or the middle initial, and the maiden name of the applicant, if applicable.

RESIDENCE—the name and number of the street, avenue, or other location of the dwelling where the applicant resides if there is a number. If the registrant resides in a hotel, apartment, tenement house, or institution, such additional information shall be included as will give the exact location of such registrant's place of residence. If the registrant lives in an incorporated or unincorporated area not identified by the use of roads, road names, or house numbers, the registrant shall state the section, township, and range of his or her residence and the corporate name of the school district as described in section 79-405 in which he or she is located.

POSTAL ADDRESS—the address at which the applicant receives mail if different from the residence address.

ADDRESS OF LAST REGISTRATION—the name and number of the street, avenue, or other location of the dwelling from which the applicant last registered.

TELEPHONE NUMBERS—the telephone numbers of the applicant. At the request of the applicant, a designation shall be made that a telephone number is an unlisted number, and such designation shall preclude the listing of such telephone number on any list of voter registrations.

EMAIL ADDRESS—an email address of the applicant. At the request of the applicant, a designation shall be made that the email address is private, and such designation shall preclude the listing of the applicant's email address on any list of voter registrations.

DRIVER'S LICENSE NUMBER OR LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER—if the applicant has a Nebraska driver's license, the license number, and if the applicant does not have a Nebraska driver's license, the last four digits of the applicant's social security number.

DATE OF APPLICATION FOR REGISTRATION—the month, day, and year when the applicant presented himself or herself for registration, when the applicant completed and signed the registration application if the application was submitted by mail or delivered to the election official by the applicant's personal messenger or personal agent, or when the completed application was submitted if the registration application was completed pursuant to section 32-304.

PLACE OF BIRTH—show the state, country, kingdom, empire, or dominion where the applicant was born.

DATE OF BIRTH—show the date of the applicant's birth. The applicant shall be at least eighteen years of age or attain eighteen years of age on or before the first Tuesday after the first Monday in November to have the right to register and vote in any election in the present calendar year.

REGISTRATION TAKEN BY—show the signature of the authorized official or staff member accepting the application pursuant to section ~~32-309~~ or 32-310 or at least one of the deputy registrars taking the application pursuant to section 32-306, if applicable.

PARTY AFFILIATION—show the party affiliation of the applicant as Democratic, Republican, or Other or show no party affiliation as Nonpartisan. (Note: If you wish to vote in both partisan and nonpartisan primary elections for state and local offices, you must indicate a political party affiliation on the registration application. If you register without a political party affiliation (nonpartisan), you will receive only the nonpartisan ballots for state and local offices at primary elections. If you register without a political party affiliation, you may vote in partisan

primary elections for congressional offices.)

OTHER—information the Secretary of State determines will assist in the proper and accurate registration of the voter.

Immediately following the spaces for inserting information as provided in this section, the following statement shall be printed:

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

(1) I live in the State of Nebraska at the address provided in this application;

(2) I have not been convicted of a felony or, if convicted, I have completed my sentence for the felony, including any parole term;

(3) I have not been officially found to be non compos mentis (mentally incompetent); and

(4) I am a citizen of the United States.

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

APPLICANT'S SIGNATURE—require the applicant to affix his or her signature to the application.

Sec. 29. Section 32-315, Reissue Revised Statutes of Nebraska, is amended to read:

32-315 Upon receiving a completed voter registration application pursuant to section 32-308 ~~, 32-309,~~ or 32-310 indicating that a voter who is registered in the county has changed his or her name or moved to another residence within the same county, the election commissioner or county clerk shall change the voter registration record of the registered voter to the new name or new address and shall send an acknowledgment card to the registered voter indicating that the change of registration has been completed and the address of the voter's new polling place.

Sec. 30. Section 32-326, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-326 (1) The election commissioner or county clerk shall remove the name of a registered voter from the voter registration register and cancel the registration of such voter if:

(a) ~~(1)~~ The election commissioner or county clerk has received information that the voter is deceased;

(b) ~~(2)~~ The voter requests in writing that his or her name be removed;

(c) ~~(3)~~ The election commissioner or county clerk has received information that the voter has moved from the address at which he or she is registered to vote from the National Change of Address program of the United States Postal Service pursuant to section 32-329 and the voter has not responded to a confirmation notice sent pursuant to section 32-329 and has not voted or offered to vote at any election held prior to and including the second statewide federal general election following the mailing of the confirmation notice;

(d) ~~(4)~~ The election commissioner or county clerk has received information that the registrant has moved out of the state and has registered to vote or voted in another territory or state pursuant to section 32-314;

(e) ~~(5)~~ The election commissioner or county clerk has received information from the Department of Motor Vehicles that the registrant has changed the registrant's state of residence by surrendering the registrant's Nebraska motor vehicle operator's license or state identification card to another state; or

(f) ~~(6)~~ The voter has become ineligible to vote as provided in section 32-313.

(2) Upon receipt of a request under subdivision (1)(b) of this section, the election commissioner or county clerk shall notify the voter and indicate that the voter's registration has been canceled.

Sec. 31. Section 32-401, Reissue Revised Statutes of Nebraska, is amended to read:

32-401 The statewide primary election shall be held on the first Tuesday after the second Monday in May in even-numbered years. The statewide primary election shall be held for the purposes of (1) nominating all candidates to be voted for at the statewide general election except (a) candidates who were unopposed at the primary election and not required to be on the ballot and (b) candidates who petition on the ballot or are nominated by their political party, (2) ~~electing delegates to the county, state, and national political party conventions, if applicable,~~ (3) in each presidential election year, voting on a preference for President of the United States, and ~~(3) (4)~~ electing officers in political subdivisions which hold their general elections at the time of the statewide primary election.

Sec. 32. Section 32-402, Reissue Revised Statutes of Nebraska, is amended to read:

32-402 Any primary election other than a primary election provided for in sections ~~14-201 14-204~~ and 32-401 shall be held on Tuesday four weeks before the general election.

Sec. 33. Section 32-405, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-405 (1) Except as otherwise specifically provided:

(a) Any special election under the Election Act shall be held on the first Tuesday following the second Monday of the selected month, except that if such day falls upon a legal holiday, the election shall be held on the first Tuesday

~~following the first Monday of the selected month; unless otherwise specifically provided. Except as otherwise specifically provided,~~

(b) ~~No~~ special election shall be held under the Election Act in March, April, May, June, October, November, or December of an even-numbered year unless it is held in conjunction with the statewide primary or general election; and -

(c) No special election shall be held under the Election Act in August or September of an even-numbered year except as provided in section 32-564 and except for a special election by a political subdivision pursuant to section 13-519 ~~to exceed an applicable allowable growth percentage or section 77-3444 to exceed a property tax levy limit in section 77-3442 or 77-3444 to approve a property tax levy or exceed a property tax levy limitation.~~

(2) A special election for a Class I, II, III, IV, or V school district which is located in whole or in part in a county in which a city of the primary or metropolitan class is located may be held in conjunction with the primary or general election for a city of the primary or metropolitan class which is governed by a home rule charter.

Sec. 34. Section 32-536, Reissue Revised Statutes of Nebraska, is amended to read:

32-536 In a city of the metropolitan class, ~~the mayor and seven city council members shall be elected to the city council~~ for terms of four years at the general city election in 1993 pursuant to section 14-201. One city council member shall be nominated and elected from each of the districts into which the city is divided pursuant to section 14-201.03. The city council members shall meet the qualifications found in sections 14-204 and 14-230.

Sec. 35. Section 32-554, Reissue Revised Statutes of Nebraska, is amended to read:

32-554 (1)(a) Any city not under a home rule charter, village, county, or school district nominating and electing members to its governing board at large may, either by majority vote of the governing body or by petition of registered voters pursuant to subsection (2) of this section, submit, at a general election, the question of nominating and electing members to its governing board by district or ward.

(b) Any city not under a home rule charter, village, county having not more than four hundred thousand inhabitants as determined by the most recent federal decennial census, or school district nominating and electing members to its governing board by district or ward may, either by majority vote of the governing body or by petition of registered voters pursuant to subsection (2) of this section, submit, at a general election, the question of nominating and electing members to its governing board at large.

(c) Any city of the first class, except a city having adopted the commissioner or city manager plan of government, nominating and electing members to its governing body by ward may, either by ordinance by majority vote of the governing body or by petition of registered voters pursuant to subsection (2) of this section, submit, at a general election, the question of nominating and electing some of the members to its governing body by ward and some at large. No more than four members of the city council may be elected on an at-large basis, and at least four members of the city council shall be elected by ward. The ordinance of the governing body or petition shall specify the number of at-large members to be elected. At the first election in which one or more at-large members are to be elected to the city council, the members shall be elected to serve for initial terms of office of the following lengths: (i) If one at-large member is to be elected, he or she shall serve for a four-year term; (ii) if two at-large members are to be elected, the candidate receiving the highest number of votes shall be elected to serve for a four-year term and the other elected member shall be elected to serve for a two-year term; (iii) if three at-large members are to be elected, the two candidates receiving the highest number of votes shall be elected to serve for four-year terms and the other elected member shall be elected to serve for a two-year term; and (iv) if four at-large members are to be elected, the two candidates receiving the highest number of votes shall be elected to serve for four-year terms and the other elected members shall be elected to serve for two-year terms. Following the initial term of office, all at-large council members shall be elected to serve for four-year terms. No candidate may file as both an at-large candidate and a candidate by ward at the same election.

(2) Petitions for submission of the question shall be signed by registered voters of the city, village, county, or school district desiring to change the procedures for electing the governing board of the city, village, county, or school district. The petition or petitions shall be signed by registered voters equal in number to twenty-five percent of the votes cast for the person receiving the highest number of votes in the city, village, county, or school district at the preceding general election for electing the last member or members to its governing board. Each sheet of the petition shall have printed the full and correct copy of the question as it will appear on the official ballot. The petitions shall be filed with the county clerk or election commissioner not less than seventy days prior to the date of the general election, and no signatures shall be added or removed from the petitions after they have been so filed. Petitions shall be verified as provided in section 32-631. If the petition or petitions are found to contain the required number of valid signatures, the county clerk or election commissioner shall place the question on a separate ballot to be issued to the registered voters of the city, village, county, or school district entitled to vote on the question.

(3)(a) Any city, village, county, or school district voting to change from

nominating and electing the members of its governing board by district or ward to nominating and electing some or all of such members at large shall notify the public and instruct the filing officer to accept the appropriate filings on an at-large basis. Candidates to be elected at large shall be nominated and elected on an at-large basis at the next primary and general election following submission of the question.

(b) Any city, village, county, or school district voting to change from nominating and electing the members of its governing board at large to nominating and electing by district or ward shall notify the public and instruct the filing officer to accept all filings by district or ward. Candidates shall be nominated and elected by district or ward at the next primary and general election following submission of the question. When district or ward elections have been approved by the majority of the electorate, the governing board of any city, village, county, or school district approving such question shall establish districts substantially equal in population as determined by the most recent federal decennial census except as provided in subsection (2) of section 32-553.

(4) Except as provided in section ~~14-204~~ 14-201, each city not under a home rule charter, village, county, and school district which votes to nominate and elect members to its governing board by district or ward shall establish districts or wards so that approximately one-half of the members of its governing board may be nominated and elected from districts or wards at each election. Districts or wards shall be created not later than October 1 in the year following the general election at which the question was voted upon. If the governing board fails to draw district boundaries by October 1, the procedures set forth in section 32-555 shall be followed.

Sec. 36. Section 32-568, Reissue Revised Statutes of Nebraska, is amended to read:

32-568 (1) ~~If any vacancy occurs in the office of city council member or of a city of the metropolitan class, the remaining members of the council shall appoint a person to fill such vacancy from the district in which the vacancy occurred for the remainder of the term. The person thus appointed shall qualify and give bond as by law provided for council members elected to such office. A vacancy in the office of mayor of a city of the metropolitan class, the vacancy shall be filled as provided by local law.~~

(2) The city council of a city of the primary class may provide for filling any vacancies that occur in any elective office by appointment by the mayor, with the advice and consent of the council, to hold office until the next general city election. In case of vacancy in the office of mayor of a city of the primary class or his or her absence or disability, the president of the council shall exercise the powers and duties of the office until such vacancy is filled or disability removed or, in case of temporary absence, until the mayor returns, and such acting mayor shall perform such other duties as may be required by law.

(3) In a city of the first class except a city which has adopted the commissioner or city manager plan of government, any vacancy on the council resulting from causes other than expiration of the term shall be filled by appointment by the mayor with the consent of the city council to hold office for the remainder of the term. When there is a vacancy in the office of the mayor in a city of the first class, the president of the city council shall serve as mayor for the unexpired term. In case of any temporary absence or disability on the part of the mayor, the president of the council shall exercise the powers and duties of the office of mayor until such disability is removed, or in case of temporary absence until the mayor returns, and shall perform such other duties as may be required by law.

(4) Any vacancy on the city council of a city of the second class shall be filled as provided in section 32-569. In the case of any vacancy in the office of mayor, or in case of his or her disability or absence, the president of the council shall exercise the office of mayor for the unexpired term, until such disability is removed, or in case of temporary absence, until the mayor returns. If the president of the council assumes the office of mayor for the unexpired term, there shall be a vacancy on the council.

(5) A vacancy on the board of trustees of a village shall be filled as provided in section 32-569, except that the board of trustees of a village situated in more than one county shall have power to fill by appointment any vacancy that may occur in their number.

(6) If any vacancy occurs in the office of council member in a city under the commission plan of government, the vacancy shall be filled as provided in section 32-569. If an incumbent in a city under the commission plan of government files for a city office other than the office he or she holds, the office he or she holds shall become vacant as of the date of the commencement of the term of the office for which he or she has filed. If such vacancy results in an unexpired term, such vacancy shall be filled by election for the remainder of the unexpired term. In a city under the commission plan of government, the vice president of the city council shall perform the duties of the mayor of the city in the absence or inability of the mayor to serve. If a vacancy occurs in the office of mayor by death or otherwise, the vice president shall perform the duties of mayor of the city until such time as the council shall fill such vacancy, which shall be done at the first council meeting after such vacancy occurs or as soon thereafter as may be practicable.

(7) If a vacancy occurs in the office of council member in a city under a city manager plan, a successor council member shall be elected at the next regular city election to serve for the remainder of the term, except that a

majority of the remaining members of the council shall appoint a registered voter to serve as council member until the successor is so elected and has qualified. If the council members are elected by ward, the council member elected or appointed to fill the vacancy shall be a registered voter of the ward in which the vacancy exists. If for any reason the seats of one-half or more of the members of the council become vacant, the Secretary of State shall conduct a special election to fill the vacancies for the unexpired portion of each term. A vacancy in any office to which the council elects shall be filled by the council for the unexpired term.

(8) Vacancies in city offices in any city under home rule charter shall be filled as provided in the home rule charter.

Sec. 37. Section 32-603, Reissue Revised Statutes of Nebraska, is amended to read:

32-603 (1) No candidate for member of the Legislature or an elective office described in Article IV, section 1 or 20, or Article VII, section 3 or 10, of the Constitution of Nebraska shall be eligible to file as a candidate, to petition on the ballot as a candidate, to accept a nomination by a political party or by party convention, caucus, or committee to fill a vacancy, or to be a declared write-in candidate for more than one elective office to be filled at the same election ~~except for the position of delegate to a county, state, or national political party convention~~. No candidate for any other high elective office as defined in subsection (6) of section 32-604 shall be eligible to file as a candidate, to petition on the ballot as a candidate, to accept a nomination by a political party or by party convention, caucus, or committee to fill a vacancy, or to be a declared write-in candidate for more than one high elective office to be filled at the same election. Any such person who has filed for a high elective office shall withdraw such filing prior to filing for any other elective office to be filled at the same election ~~except for the position of delegate to a county, state, or national political party convention~~. Any such person who has won a nomination in a primary election and who is nominated to any additional offices by a write-in vote or by a political party convention or committee shall decline one of the nominations pursuant to section 32-623 and shall do so within seven days after receiving any subsequent nomination. If the candidate fails to take such action, any subsequent nomination shall be declared void. Any filing made in violation of this section shall be void, and the Secretary of State, election commissioner, or county clerk shall not place the name of any person on the ballot for any office for which such person filed in violation of this section.

(2) If a filing officer determines that a candidate has filed for more than one office in violation of subsection (1) of this section, the filing officer shall notify the Secretary of State, the Secretary of State shall determine the order of the filings and notify the candidate that the subsequent filing is invalid, and the candidate's name shall not be printed on the ballot for such office. The Secretary of State shall notify the filing officers of the counties involved of the action taken on such subsequent filing.

(3) When the name of a candidate appears on the ballot for more than one office during an election in violation of subsection (1) of this section, the filing officer when possible shall correct the error by removing the candidate's name from the ballot and reprinting corrected ballots. When it is not possible to print a corrected set of ballots in time for the election, all votes cast for such candidate as a candidate for the subsequent office appearing on the ballot shall not be counted, and no certificate of nomination or election shall be issued to such candidate for such subsequent office.

Sec. 38. Section 32-607, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-607 (1)(a) All candidate filing forms shall contain the following statement: I hereby swear that I will abide by the laws of the State of Nebraska regarding the results of the primary and general elections, that I am a registered voter and qualified to be elected, and that I will serve if elected. Candidate filing forms shall also contain the following information regarding the candidate: Name, as provided under subdivision (b) of this subsection; residence address; mailing address if different from the residence address; telephone number; office sought; party affiliation if the office sought is a partisan office; a statement as to whether or not civil penalties are owed pursuant to the Nebraska Political Accountability and Disclosure Act; and, if civil penalties are owed, whether or not a surety bond has been filed pursuant to subdivision (4)(b) of section 32-602. An email address shall also be included on the filing form as an optional field.

(b) The name contained on a candidate filing form shall be the name by which the candidate is generally known in the community and by which the candidate is distinguished from others and shall not contain titles, characterizations, or designations.

(2) Candidate filing forms shall be filed with the following filing officers:

(a) For candidates for national, state, or congressional office, directors of public power and irrigation districts, directors of reclamation districts, directors of natural resources districts, directors of metropolitan utilities districts, members of the boards of educational service units, members of governing boards of community colleges, ~~delegates to national conventions~~, and other offices filled by election held in more than one county and judges desiring retention, in the office of the Secretary of State;

(b) For officers elected within a county, in the office of the election commissioner or county clerk;

(c) For officers in school districts which include land in adjoining counties, in the office of the election commissioner or county clerk of the county in which the greatest number of registered voters entitled to vote for the officers reside; and

(d) For city or village officers, in the office of the election commissioner or county clerk.

(3) Objections to the name of a candidate submitted on a candidate filing form may be made and passed upon in the same manner as objections to a candidate filing form pursuant to section 32-624.

Sec. 39. Section 32-613, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-613 Any petition to place a person's name on the primary election ballot for President of the United States shall contain the names of not less than one hundred voters registered with the appropriate political party from each congressional district of the state, except that if the political party dissolves as provided in subsection (2) of section 32-720, the Secretary of State shall not accept a petition under this section. The name of the candidate for President shall be placed upon the ballot only when written consent of such person has been filed with the Secretary of State not less than sixty days before the primary election. The form of the petition shall comply with the requirements of section 32-628 and section 40 of this act and shall as nearly as possible conform to the form prescribed by the Secretary of State. All signed petitions not filed with the Secretary of State shall become invalid if not filed not less than sixty days before the primary election not filed by August 1 of the presidential election year.

Sec. 40. In addition to the requirements of section 32-613, the form of a petition for partisan candidates for President of the United States shall be substantially as follows:

Petition for Office of President of the United States
Name of Candidate:
Residence Address:
City, State, and Zip Code:
Party Affiliation:
To the Honorable, Secretary of State for the State of Nebraska:

We, the undersigned residents of the State of Nebraska and the county of, respectfully demand that the above-named candidate be placed on the ballot at the primary election to be held on the day of 20...., and each for himself or herself says:

I have personally signed this petition on the date opposite my name;
I am a registered voter of the State of Nebraska and the county of and am qualified to sign this petition and am affiliated with the appropriate political party or I will be so registered, qualified, and affiliated on or before the date on which this petition is filed with the Secretary of State; and

My printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.

(Here follow numbered lines for signature, printed name, date of birth, date, street and number or voting precinct, and city, village, or post office address.)

Sec. 41. Section 32-615, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-615 (1) Except as otherwise provided in subsection (2) of this section, any candidate engaged in or pursuing a write-in campaign shall file a notarized affidavit of his or her intent together with the receipt for any filing fee with the filing officer as provided in section 32-608 no earlier than January 5 and no later than the second Friday prior to the election.

(2) For any county office elected pursuant to sections 32-517 to 32-529 which is subject to subdivision (1)(b) of section 32-811, a candidate may engage in or pursue a write-in campaign if he or she files a notarized affidavit of his or her intent together with the receipt for the filing fee with the filing officer as provided in section 32-608 on or before March 3 of the year of the statewide primary election. If such an affidavit is filed as prescribed, the election commissioner or county clerk shall place that county office on the statewide primary election ballot with the names of the candidate properly filed for the nomination of the applicable political party and a line for write-in candidates.

(3) A candidate submitting an affidavit under this section for a partisan office on the statewide primary election ballot shall be a registered voter of the political party named in the affidavit unless the political party allows candidates not affiliated with the party by not adopting a rule under section 32-702.

(4) A candidate who has been defeated as a candidate in the primary election or defeated as a write-in candidate in the primary election shall not be eligible as a write-in candidate for the same office in the general election unless (a) a vacancy on the ballot exists pursuant to section 32-625 or (b) the candidate was a candidate for an office described in sections 32-512 to 32-550 and the candidate lost the election as a result of a determination pursuant to section 32-1122 in the case of a tie vote.

(5) A candidate who files a notarized affidavit shall be entitled to all write-in votes for the candidate even if only the last name of the candidate has been written if such last name is reasonably close to the proper spelling.

(6) If any candidate who has filed pursuant to this section notifies the

filing officer in writing duly acknowledged by the second Friday prior to the election that the candidate declines to be a write-in candidate, the notarized affidavit shall be considered withdrawn and no votes shall be counted for the withdrawn candidate under sections 32-1005 to 32-1008.

Sec. 42. Section 32-617, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-617 (1) Petitions for nomination for partisan and nonpartisan offices shall conform to the requirements of section 32-628 and section 43 of this act. ~~Petitions shall state the office to be filled and the name and address of the candidate. Petitions for partisan office shall also indicate the party affiliation of the candidate.~~ A sample copy of the petition shall be filed with the filing officer prior to circulation. Petitions shall be signed by registered voters residing in the district or political subdivision in which the officer is to be elected and shall be filed with the filing officer in the same manner as provided for candidate filing forms in section 32-607. Petition signers and petition circulators shall conform to the requirements of sections 32-629 and 32-630. No petition for nomination shall be filed unless there is attached thereto a receipt showing the payment of the filing fee required pursuant to section 32-608. Except as provided in section 32-621, such Such petitions shall be filed by August 1 in the year of the general election for partisan offices and September 1 in the year of the general election for nonpartisan offices, and all signed petitions not filed with the filing officer ~~Secretary of State~~ by such date shall become invalid.

(2) The filing officer shall verify the signatures according to section 32-631. Within three days after the signatures on a petition for nomination have been verified pursuant to such section and the filing officer has determined that pursuant to section 32-618 a sufficient number of registered voters signed the petitions, the filing officer shall notify the candidate so nominated by registered or certified mail or electronic mail, and the candidate shall, within five days after the date of receiving such notification, file with such officer his or her acceptance of the nomination or his or her name will not be printed on the ballot.

(3) A candidate placed on the ballot by petition shall be termed a candidate by petition. The words BY PETITION shall be printed upon the ballot after the name of each candidate by petition.

Sec. 43. In addition to the requirements of sections 32-617 and 32-619, if the Secretary of State is the filing officer for a petition for nomination for partisan and nonpartisan offices, the form of the petition shall be substantially as follows:

Petition for Office for General Election
Name of Candidate:
Residence Address:
City, State, and Zip Code:
Name of Office:
District (if applicable):
Party Affiliation (if applicable):
To the Honorable, Secretary of State for the State of Nebraska:

We, the undersigned residents of the State of Nebraska and the county of, respectfully demand that the above-named candidate be placed on the ballot at the general election to be held on the day of 20...., and each for himself or herself says:

I have personally signed this petition on the date opposite my name;
I am a registered voter of the State of Nebraska and the county of and am qualified to sign this petition or I will be so registered and qualified on or before the date on which this petition is filed with the Secretary of State; and

My printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.
(Here follow numbered lines for signature, printed name, date of birth, date, street and number or voting precinct, and city, village, or post office address.)

Sec. 44. Section 32-618, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-618 (1) The number of signatures of registered voters needed to place the name of a candidate upon the nonpartisan ballot for the general election shall be as follows:

(a) For each nonpartisan office other than members of the Board of Regents of the University of Nebraska and board members of a Class I, II, or III school district, at least ten percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election in the district or political subdivision in which the officer is to be elected, not to exceed two thousand;

(b) For members of the Board of Regents of the University of Nebraska, at least ten percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election in the regent district in which the officer is to be elected, not to exceed one thousand; and

(c) For board members of a Class I, II, or III school district, at least twenty percent of the total number of votes cast for the board member receiving the highest number of votes at the immediately preceding general election in the school district.

(2) The number of signatures of registered voters needed to place the name

of a candidate for an office upon the partisan ballot for the general election shall be as follows:

(a) For each partisan office to be filled by the registered voters of the entire state, at least four thousand, and at least seven hundred fifty signatures shall be obtained in each congressional district in the state;

(b) For each partisan office to be filled by the registered voters of a county, at least twenty percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the county, not to exceed two thousand, except that the number of signatures shall not be required to exceed twenty-five percent of the total number of registered voters voting for the office at the immediately preceding general election; and

(c) For each partisan office to be filled by the registered voters of a political subdivision other than a county, at least twenty percent of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the political subdivision, not to exceed two thousand.

(3) If the filing officer verifies signatures in excess of one hundred ten percent of the number necessary to place the candidate upon the ballot, the filing officer may stop verifying signatures and consider the petition sufficient and valid.

Sec. 45. Section 32-620, Reissue Revised Statutes of Nebraska, is amended to read:

32-620 (1) Partisan candidates for the offices of President and Vice President of the United States on the general election ballot shall be certified to the Governor and Secretary of State by the national nominating convention as provided by law.

(2) Candidates for the offices of President and Vice President of the United States of newly established political parties may obtain general election ballot position by filing with the Secretary of State an application containing:

- (a) The name or names to be printed on the ballot;
- (b) The name of the political party;
- (c) The written consent of the designated vice-presidential candidate to have his or her name printed on the ballot; and
- (d) The names and addresses of the persons who will represent the applicant as presidential elector candidates together with the written consent of such persons to become candidates.

(3) Candidates for the offices of President and Vice President of the United States of nonpartisan status may obtain general election ballot position by filing with the Secretary of State:

- (a) An application containing:
 - (i) The name or names to be printed on the ballot;
 - (ii) The status of the candidacy as nonpartisan;
 - (iii) The written consent of the designated vice-presidential candidate to have his or her name printed on the ballot; and
 - (iv) The names and addresses of the persons who will represent the applicant as presidential elector candidates together with the written consent of such persons to become candidates;
- (b) A petition signed by not less than two thousand five hundred registered voters. Such petitions shall conform to the requirements of section 32-628 and section 46 of this act and shall be filed with the Secretary of State by August 1 in the year of the presidential general election.

(4) If a presidential candidate who obtained ballot placement pursuant to subsection (2) or (3) of this section files an affidavit with the Secretary of State stating that the candidate declines ballot placement at least sixty days before the general election, the name shall not be printed on the general election ballot.

Sec. 46. In addition to the requirements of subsection (3) of section 32-620, the form of a petition for nonpartisan candidates for President of the United States shall be substantially as follows:

Petition for Office of President of United States
Name of Candidate:
Residence Address:
City, State, and Zip Code:
To the Honorable, Secretary of State for the State of Nebraska:

We, the undersigned residents of the State of Nebraska and the county of, respectfully demand that the above-named candidate be placed on the ballot at the general election to be held on the day of 20...., and each for himself or herself says:

I have personally signed this petition on the date opposite my name;
I am a registered voter of the State of Nebraska and the county of and am qualified to sign this petition or I will be so registered and qualified on or before the date on which this petition is filed with the Secretary of State; and

My printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.
(Here follow numbered lines for signature, printed name, date of birth, date, street and number or voting precinct, and city, village, or post office address.)

Sec. 47. Section 32-621, Reissue Revised Statutes of Nebraska, is amended to read:

32-621 When a new political party has been properly established under section 32-716 prior to the general election and after the primary election of the same year, all candidates except candidates for President or Vice President of the United States shall pay the filing fee as provided in section 32-608, file a candidate filing form with the filing officer as provided in section 32-607 no later than September 1 prior to the general election accompanied by a petition of nomination containing the names of not less than twenty-five registered voters of the political party obtained from the appropriate jurisdiction, and comply with the Nebraska Political Accountability and Disclosure Act. The petition of nomination shall conform to the requirements of section 32-628 and section 43 of this act. If the filing officer verifies signatures in excess of one hundred ten percent of the number necessary to place the candidate upon the ballot, the filing officer may stop verifying signatures and consider the petition sufficient and valid.

Sec. 48. If two or more candidates with identical first and last names file for the same office in a primary, general, or special election, the filing officer shall notify the candidates within five days after the nonincumbent filing deadline for that office and specify that the candidates' names will be differentiated on the ballot. Notification shall be made by any method specified in section 25-505.01. If an incumbent of that office is one of the notified candidates, the incumbent may choose a varying combination of first and middle names and initials by which to distinguish the candidate or to have the candidate's city of residence printed beside the candidate's name. If the incumbent does not make a choice within five days after notification or if none of the candidates are an incumbent of that office, the filing officer shall designate the names by which the candidates will be identified on the ballot. The filing officer shall use a varying combination of first and middle names and initials or include the city of residence of each candidate.

Sec. 49. Section 32-624, Reissue Revised Statutes of Nebraska, is amended to read:

32-624 (1) A candidate filing form filed for the primary or general election pursuant to section which appears to conform with sections 32-606 and 32-607 shall be deemed to be valid unless objections are made in writing within seven days after the filing deadline. If an objection is made, notice shall be mailed to all candidates who may be affected thereby. Any political party committee may institute actions in court based upon fraud or crime resorted to in connection with the candidate filing forms or the acceptance of a nomination. No county committee shall have the authority to bring such action as to candidates for congressional or state office or as to candidates to be elected from legislative districts composed of more than one county. A state political party committee may institute actions to determine the legality of any candidate for a state or congressional office or for any district office if the district composes more than one county. Objections to the use of the name of a political party may also be made and passed upon in the same manner as objections to a candidate filing form or other acceptance of nomination.

(2) The filing officer with whom the candidate filing form was filed shall determine the validity of such objection, and his or her decision shall be final unless an order is made in the matter by a judge of the county court, district court, Court of Appeals, or Supreme Court on or before the fifty-fifth day preceding the election. Such order may be made summarily upon application of any political party committee or other interested party and upon such notice as the court or judge may require. The decision of the Secretary of State or the order of the court judge shall be binding on all filing officers.

Sec. 50. (1) A candidate filing form filed for a special election pursuant to section 32-606.01 shall be deemed to be valid unless objections are made in writing within three business days after the filing deadline. If an objection is made, notice shall be mailed to all candidates who may be affected thereby.

(2) The filing officer with whom the candidate filing form was filed shall determine the validity of such objection, and the filing officer's decision shall be final unless an order is made in the matter by a judge of the county court, district court, Court of Appeals, or Supreme Court no later than the fourth Friday before the election. Such order may be made summarily upon application of any interested party and upon such notice as the court may require. The order of the court shall be binding on all filing officers.

Sec. 51. Section 32-628, Reissue Revised Statutes of Nebraska, is amended to read:

32-628 (1) All petitions prepared or filed pursuant to the Election Act or any petition which requires the Secretary of State, election commissioner, or county clerk to verify signatures by utilizing the voter registration register shall provide a space at least two and one-half inches long for written signatures, a space at least two inches long for printed names, and sufficient space for date of birth and street name and number, city or village, and zip code. Lines on each petition shall not be less than one-fourth inch apart. Petitions may be designed in such a manner that lines for signatures and other information run the length of the page rather than the width. Petitions shall provide for no more than twenty signatures per page.

(2) For the purpose of preventing fraud, deception, and misrepresentation, every sheet of every petition containing signatures shall have upon it, above the signatures, the statements contained in this subsection, except that a petition for recall of an elected official shall also have the additional information specified in subsection (2) of section 32-1304. The statements shall be printed in boldface type in substantially the following form:

WARNING TO PETITION SIGNERS—VIOLATION OF ANY OF THE FOLLOWING PROVISIONS OF LAW MAY RESULT IN THE FILING OF CRIMINAL CHARGES: Any person who signs any name other than his or her own to any petition or who is not qualified to sign the petition shall be guilty of a Class I misdemeanor. Any person who falsely swears to a circulator's affidavit on a petition, who accepts money or other things of value for signing a petition, or who offers money or other things of value in exchange for a signature upon any petition shall be guilty of a Class IV felony.

(3) Every sheet of a petition which contains signatures shall have upon it, below the signatures, an affidavit as provided in this subsection, except that the affidavit for a petition for recall of an elected official shall also include the additional language specified in subsection (3) of section 32-1304. The affidavit shall be in substantially the following form:

STATE OF NEBRASKA)

)ss.

COUNTY OF)

....., (name of circulator) being first duly sworn, deposes and says that he or she is the circulator of this petition containing signatures, that he or she is at least eighteen years of age, that each person whose name appears on the petition personally signed the petition in the presence of the affiant, that the date to the left of each signature is the correct date on which the signature was affixed to the petition and that the date was personally affixed by the person signing such petition, that the affiant believes that each signer has written his or her name, street and number or voting precinct, and city, village, or post office address correctly, that the affiant believes that each signer was qualified to sign the petition, and that the affiant stated to each signer the object of the petition as printed on the petition before he or she affixed his or her signature to the petition.

Circulator

Address

Subscribed and sworn to before me, a notary public, this day of 20.... at, Nebraska.

Notary Public

(4) Each sheet of a petition shall have upon its face and in plain view of persons who sign the petition a statement in letters not smaller than sixteen-point type in red print on the petition. If the petition is circulated by a paid circulator, the statement shall be as follows: This petition is circulated by a paid circulator. If the petition is circulated by a circulator who is not being paid, the statement shall be as follows: This petition is circulated by a volunteer circulator.

Sec. 52. Section 32-629, Reissue Revised Statutes of Nebraska, is amended to read:

32-629 For any petition prepared or filed pursuant to the Election Act:

(1) Each petition signer shall be a registered voter and qualified to sign a petition at the time of signing a petition, except that a signer of a petition for President of the United States, a candidate petition, a new political party petition, or an initiative or referendum petition under sections 32-1401 to 32-1409 shall be a registered voter of the State of Nebraska on or before the date on which the petition is filed with the filing officer; and Except as otherwise provided in section 32-1404 for initiative and referendum petitions, only a registered voter of the State of Nebraska shall qualify as a valid signer of a petition and may sign petitions under the Election Act.

(2) Only a person who is at least eighteen years of age shall qualify as a valid circulator of a petition and may circulate petitions under the Election Act. Petition circulators shall comply with section 32-630.

Sec. 53. Section 32-630, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-630 (1) Each person who signs a petition shall, at the time of and in addition to signing, personally affix the date, print his or her last name and first name in full, and affix his or her date of birth and address, including the street and number or a designation of a rural route or voting precinct and the city or village or a post office address. A person signing a petition may use his or her initials in place of his or her first name if such person is registered to vote under such initials.

(2) Each circulator of a petition shall personally witness the signatures on the petition and shall sign the circulator's affidavit.

(3) No person shall:

(a) Sign any name other than his or her own to any petition;

(b) Knowingly sign his or her name more than once for the same petition effort or measure;

(c) Sign a petition if he or she is not a registered voter and qualified to sign the same except as provided in subdivision (1) of section 32-629 32-1404;

(d) Falsely swear to any signature upon any such petition;

(e) Accept money or other thing of value for signing any petition; or

(f) Offer money or other thing of value in exchange for a signature upon any petition.

Sec. 54. Section 32-631, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-631 (1) Any petition prepared or filed pursuant to the Election Act shall be filed as one instrument, and no additional petition papers may be submitted after filing. All petitions that are filed with the Secretary of State, election commissioner, or county clerk for signature verification shall be retained in the election office and shall be open to public inspection. Upon receipt of the pages of a petition, the Secretary of State, election commissioner, or county clerk shall issue a written receipt indicating the number of pages of the petition in his or her custody to the person filing the petition for signature verification. Petitions may be destroyed twenty-two months after the election to which they apply.

(2) The election commissioner or county clerk shall determine the validity and sufficiency of such petition by comparing the names, dates of birth if applicable, and addresses of the signers with the voter registration records to determine if the signers were registered voters pursuant to subdivision (1) of section 32-629 on the date of signing the petition. If it is determined that a signer has affixed his or her signature more than once to any petition and that only one person is registered by that name, the election commissioner or county clerk shall strike from the pages of the petition all but one such signature. Only one of the duplicate signatures shall be added to the total number of valid signatures. All signatures, dates of birth, and addresses shall be presumed to be valid if the election commissioner or county clerk has found the signers to be registered voters on or before the date on which the petition was signed. This presumption shall not be conclusive and may be rebutted by any credible evidence which the election commissioner or county clerk finds sufficient.

(3) If the election commissioner or county clerk verifies signatures in excess of one hundred ten percent of the number necessary for the issue to be placed on the ballot, the election commissioner or county clerk may cease verifying signatures and certify the number of signatures verified to the person who delivered the petitions for verification.

(4) If the number of signatures verified does not equal or exceed the number necessary to place the issue on the ballot upon completion of the comparison of names and addresses with the voter registration records, the election commissioner or county clerk shall prepare in writing a certification under seal setting forth the name and address of each signer found not to be a registered voter and the petition page number and line number where the signature is found. If the signature or address is challenged for a reason other than the nonregistration of the signer, the election commissioner or county clerk shall set forth the reasons for the challenge of the signature.

(5) The Secretary of State may purchase, lease, lease-purchase, rent, or contract for software that assists in processing a filed petition. Such software shall not be used for the verification of signatures.

Sec. 55. Section 32-632, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-632 (1) Any person may remove his or her name from a petition by signing and delivering a written letter to the Secretary of State, election commissioner, or county clerk. Name removal letters shall be filed with the following officers:

(a) For initiative and referendum petitions, new political party petitions, and petitions for President of the United States, with the Secretary of State;

(b) For candidate petitions, with the filing officer prescribed in section 32-607;

(c) For recall petitions, with the filing officer prescribed in section 32-1301; and

(d) For all other petitions, with the applicable election commissioner, county clerk, or city clerk.

(2) The name removal letter shall be delivered to and received by the officer prescribed in subsection (1) of this section by the following deadlines:

(a) For initiative and referendum petitions, by the deadline for filing petitions pursuant to section 32-1407;

(b) For new political party petitions, prior to or on the day the petition is filed for verification with the Secretary of State;

(c) For petitions for President of the United States, prior to or on the day the petition is filed for verification with the Secretary of State by the deadline for filing petitions pursuant to section 32-613 for the primary election or pursuant to section 32-620 for the general election;

(d) For candidate petitions, prior to or on the day the petition is filed for verification with the filing officer by the deadline for filing petitions pursuant to section 32-617;

(e) For recall petitions, by the deadline for filing petitions prescribed by section 32-1305; and

(f) For all other petitions, prior to or on the day the petition is filed for verification with the election commissioner, county clerk, or city clerk.

(3) The Secretary of State, election commissioner, or county clerk shall verify the signature in the letter with the signature appearing in the voter registration records.

Sec. 56. Section 32-704, Reissue Revised Statutes of Nebraska, is amended to read:

32-704 Any person seeking to be elected as a delegate or alternate

delegate to the national convention of a political party shall submit a filing form under this section regardless of the method of election used by the political party. The filing form for nomination of a candidate for election as a delegate or alternate delegate to the national convention of a political party shall (1) contain a statement of commitment to a candidate for the office of President of the United States or that he or she is uncommitted, (2) include a pledge swearing to support the candidate for President of the United States to which the candidate for delegate or alternate delegate to the national convention is committed until (a) such candidate receives less than thirty-five percent of the votes for nomination by such convention or releases the delegate from such commitment or (b) two convention nominating ballots have been taken, and (3) be filed with the political party Secretary of State. No filing form for nomination shall be accepted unless signed by the candidate. ~~The Secretary of State shall prescribe the filing form for nomination.~~

Sec. 57. Section 32-707, Reissue Revised Statutes of Nebraska, is amended to read:

32-707 (1) A political party may conduct county conventions at an hour and place to be designated by a political party. The political party shall cause to be published, at least seven days prior to the date of the county convention, an official notice of the date, time, and place of the convention. ~~The political party may elect to have delegates to the county convention register with the election commissioner or county clerk.~~

~~(2) If a political party elects to have delegates to the county convention register with the election commissioner or county clerk, such delegates shall register with the election commissioner or county clerk on or before March 1 of each year in which the political party conducts a county convention. The election commissioner or county clerk shall deliver to the state chairperson of a political party the roll, properly certified, showing the name, address, and precinct of each delegate registered for such convention, no later than March 15 of each presidential election year. If there is not a full quota of delegates for the county convention as established by the political party, the delegates at the county convention may select delegates to fill the quota from the registered voters affiliated with the political party in the county.~~

Sec. 58. Section 32-716, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-716 (1) Any person, group, or association desiring to form a new political party shall present to the Secretary of State petitions containing signatures totaling not less than one percent of the total votes cast for Governor at the most recent general election for such office. The signatures of registered voters on such petitions shall be so distributed as to include registered voters totaling at least one percent of the votes cast for Governor in the most recent gubernatorial election in each of the three congressional districts in this state. Petition signers and petition circulators shall conform to the requirements of sections 32-629 and 32-630. The petitions shall be filed with the Secretary of State no later than January 15 before any statewide primary election for the new political party to be entitled to have ballot position in the primary election of that year. If the new political party desires to be established and have ballot position for the general election and not in the primary election of that year, the petitions shall be filed with the Secretary of State on or before July 15 of that year. Prior to the circulation of petitions to form a new political party, a sample copy of the petitions shall be filed with the Secretary of State by the person, group, or association seeking to establish the new party. The sample petition shall be accompanied by the name and address of the person or the names and addresses of the members of the group or association sponsoring the petition to form a new political party. Sponsors of the petition may be added or removed with the unanimous written consent of the original sponsor or sponsors at any time prior to or on the day the petition is filed for verification with the Secretary of State. The sponsor or sponsors of the petition shall file, as one instrument, all petition papers comprising a new political party petition for signature verification with the Secretary of State. All signed petitions in circulation but not filed with the Secretary of State shall become invalid after July 15 in the year of the statewide general election.

(2) The petition shall conform to the requirements of section 32-628 and section 59 of this act. The Secretary of State shall prescribe the form of the petition for the formation of a new political party. The petition shall be addressed to and filed with the Secretary of State and shall state its purpose and the name of the party to be formed. Such name shall not be or include the name of any political party then in existence or any word forming any part of the name of any political party then in existence, and in order to avoid confusion regarding party affiliation of a candidate or registered voter, the name of the party to be formed shall not include the word "independent" or "nonpartisan". ~~The petition shall contain a statement substantially as follows:~~

~~We, the undersigned registered voters of the State of Nebraska and the county of, being severally qualified to sign this petition, respectfully request that the above-named new political party be formed in the State of Nebraska, and each for himself or herself says: I have personally signed this petition on the date opposite my name; I am a registered voter of the State of Nebraska and county of and am qualified to sign this petition; and my date of birth and city, village, or post office address and my street and number or voting precinct are correctly written after my name.~~

Sec. 59. In addition to the requirements of section 32-716, the form of a

petition to form a new political party shall be substantially as follows:

Petition for Formation of a New Political Party
Name of Party to be Formed:
Purpose of Party:
To the Honorable, Secretary of State for the State of
Nebraska:

We, the undersigned residents of the State of Nebraska and the county
of, respectfully demand that the above-named new political party
be formed in the State of Nebraska, and each for himself or herself says:

I have personally signed this petition on the date opposite my name;
I am a registered voter of the State of Nebraska and the county
of and am qualified to sign this petition or I will be so
registered and qualified on or before the date on which this petition is filed
with the Secretary of State; and

My printed name, date of birth, street and number or voting precinct, and
city, village, or post office address are correctly written after my signature.

(Here follow numbered lines for signature, printed name, date of birth,
date, street and number or voting precinct, and city, village, or post office
address.)

Sec. 60. Section 32-717, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-717 (1) Within twenty business days after all the petitions to form a new political party which contain signatures are filed with the Secretary of State, he or she shall determine the validity and sufficiency of such petitions and signatures. Clerical and technical errors in a petition shall be disregarded if the forms prescribed by the Secretary of State are substantially followed. If the Secretary of State verifies signatures in excess of one hundred ten percent of the number necessary for the formation of a new political party, the Secretary of State may stop verifying signatures and notify the person, group, or association forming the new political party pursuant to subsection (2) of this section.

(2) If the petitions are determined to be sufficient and valid, the Secretary of State shall notify issue a certification establishing the new political party. Copies of such certification shall be issued to the person, group, or association forming the new political party. Within twenty days after notification the certification of establishment of the new political party by the Secretary of State, the person, group, or association forming the new political party or its new officers shall file with the Secretary of State the constitution and bylaws of such party along with a certified list of the names and addresses of the officers of the new political party. Upon receipt of the constitution and bylaws of such party, the Secretary of State shall issue a certification establishing the new political party. If the constitution and bylaws of a new political party are not filed within twenty days after the Secretary of State's notification, no certification shall be issued and the party shall not be considered properly established.

Sec. 61. Section 32-803, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-803 (1) A sample of the official ballot shall be printed in one or more newspapers of general circulation in the county, city, or village as designated by the election commissioner, county clerk, city council, or village board. The sample shall be printed in English and in any other language required pursuant to the Voting Rights Language Assistance Act of 1992.

(2) Except for elections conducted in accordance with section 32-960, such publication shall be made not more than thirty fifteen nor less than two days before the day of election, and the same shall appear in only one regular issue of each paper. For elections conducted in accordance with section 32-960, such publication shall be made not less than thirty days before the election.

(3) The form of the ballot so published shall conform in all respects to the form prescribed for official ballots as set forth in sections 32-806, 32-809, and 32-812, but larger or smaller type may be used. When paper ballots are not being used, a reduced-size facsimile of the official ballot shall be published as it appears on the voting system. Such publication shall include suitable instructions to the voters for casting their ballots using the voting system being used at the election.

(4) The rate charged by the newspapers and paid by the county board for the publication of such sample ballot shall not exceed the rate regularly charged for display advertising in such newspaper in which the publication is made.

Sec. 62. Section 32-809, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-809 (1) The form of the official ballot at the statewide primary election shall be prescribed by the Secretary of State. At the top of the ballot and over all else shall be printed in boldface type the name of the political party, Official Ballot, Primary Election 20.. . Each division containing the names of the office and a list of candidates for such office shall be separated from other groups by a bold line. The ballot shall list at-large candidates and subdistrict candidates under appropriate headings.

(2) All proposals for constitutional amendments and candidates on the nonpartisan ballot shall be submitted on a ballot where bold lines separate one office or issue from another. Proposals for constitutional amendments proposed by the Legislature shall be placed on the ballot as provided in sections 49-201 to 49-211. All constitutional amendments shall be placed on a separate ballot when a paper ballot is used which requires the ballot after being voted to be

folded before being deposited in a ballot box. When an optical-scan ballot is used which requires a ballot envelope or sleeve in which the ballot after being voted is placed before being deposited in a ballot box, constitutional amendments may be printed on either side of the ballot and shall be separated from other offices or issues by a bold line. Constitutional amendments so arranged shall constitute a separate ballot.

(3) Except as otherwise provided in section 32-811, the statewide primary election ballot shall contain the name of every candidate filing or recognized under subsection (1) of section 32-606 and sections 32-611, 32-613, and 32-614 and no other names. No name of a candidate for member of the Legislature or an elective office described in Article IV, section 1, of the Constitution of Nebraska shall appear on any ballot or any series of ballots at any primary election more than once. ~~When two or more of the last names of candidates for the same office at the primary election are the same in spelling or sound, the official ballots may, on the request of any such candidate, have his or her address printed immediately below his or her name in capital and lowercase letters in lightface type of the same size as the type in which the name of the candidate is printed.~~

Sec. 63. Section 32-811, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-811 (1)(a) If the names of candidates properly filed for nomination at the primary election for directors of natural resources districts, directors of public power districts, members of airport authority boards elected pursuant to sections 32-547 to 32-549, members of the boards of governors of community college areas, members of the boards of Class I, Class II, Class III, or Class V school districts which nominate candidates at a primary election, and officers of cities of the first or second class and cities having a city manager plan of government do not exceed two candidates for each position to be filled, any such candidates shall be declared nominated and their names shall not appear on any primary election ballots.

(b) If the number of candidates properly filed for the nomination of a political party at the primary election for any county officer elected pursuant to sections 32-517 to 32-529 does not exceed the number of candidates to be nominated by that party for that office, any such properly filed candidates shall be declared nominated and their names shall not appear on any primary election ballots.

(c) The official abstract of votes kept by the county or state shall show the names of such candidates with the statement Nominated Without Opposition. The election commissioner or county clerk shall place the names of such automatically nominated candidates on the general election ballot as provided in section 32-814 or 32-815.

(2) Candidates shall not appear on the ballot in the primary election for the offices listed in subsection (2) of section 32-606.

~~(3) If the number of candidates for delegates to a county or national political party convention are the same in number or less than the number of candidates to be elected, the names shall not appear on the primary election ballot and those so filed shall receive a certificate of election.~~

Sec. 64. Section 32-912, Reissue Revised Statutes of Nebraska, is amended to read:

32-912 (1) Any registered voter desiring to vote in a primary election held under the Election Act shall be entitled to participate in such primary election upon presenting himself or herself at the polling place for his or her residence. A registered voter who is affiliated with a political party shall receive from the receiving board all nonpartisan ballots and the partisan ballot of the political party indicated on his or her voter registration. Except as provided in subsections (2) and (3) of this section, a registered voter who is not affiliated with any political party shall receive only nonpartisan ballots at a primary election.

(2) Any political party may allow registered voters who are not affiliated with a political party to vote in the primary election for any elective office for which the party has candidates ~~except for the office of delegate to the party's county, state, or national convention.~~ Any political party desiring to permit such registered voters to vote for candidates of that party in the primary election shall file a letter stating that the governing body of the political party has adopted a rule allowing registered voters who are not affiliated with a political party to vote in the primary election for candidates of that party. The letter and copy of the adopted rule shall be filed with the Secretary of State at least sixty days before the primary election. The Secretary of State shall notify the appropriate election commissioners and county clerks in writing that the political party filing the letter will allow registered voters who are not affiliated with a political party to vote in the primary election for candidates of that party. Once filed, the rule allowing such voters to vote in such primary election shall be irrevocable and shall apply only to the primary election immediately following the adoption of the rule.

(3) A registered voter who is not affiliated with a political party and who desires to vote in the primary election for the office of United States Senator or United States Representative may request a partisan ballot for either or both of such offices from any political party. The election commissioner or county clerk shall post a notice in a conspicuous location, easily visible and readable by voters prior to approaching the receiving board, that a registered voter who is not affiliated with a political party may request such ballots. No such registered voter shall receive more than one such

partisan ballot.

(4) The registered voters residing in a political subdivision may cast their ballots for candidates for the offices in that subdivision and for issues proposed for that subdivision, except that when officers are to be nominated or elected from a subdistrict of the political subdivision, the registered voters residing in the subdistrict may only vote for candidates from the subdistrict and for candidates for officers to be elected at large from the whole political subdivision.

Sec. 65. Section 32-1002, Revised Statutes Cumulative Supplement, 2024, is amended to read:

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

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

(3) The election commissioner or county clerk shall also (a) verify that such person has not voted anywhere else in the county or been issued a ballot for early voting, (b) investigate whether any credible evidence exists that the person was properly registered to vote in the county before the deadline for registration for the election, (c) investigate whether any information has been received pursuant to section 32-308, ~~32-309~~, 32-310, or 32-324 that the person has resided, registered, or voted in any other county or state since registering to vote in the county, and (d) upon determining that credible evidence exists that the person was properly registered to vote in the county, make the appropriate changes to the voter registration register by entering the information contained in the registration application completed by the voter at the time of voting a provisional ballot.

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

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

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

(c) The voter has not voted anywhere else in the county or has not otherwise voted early using a ballot for early voting;

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

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

(ii) If the voter is voting in a primary election, the party affiliation provided on the registration application completed prior to voting the provisional ballot is the same party affiliation that appears on the voter's voter registration record based on his or her previous registration application; and

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

(5) A provisional ballot cast by a voter pursuant to section 32-915 shall not be counted if:

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

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

(c) Credible evidence exists that the voter has voted elsewhere or has otherwise voted early;

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

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

(f) If the voter is voting in a primary election, the party affiliation on the registration application completed prior to voting the provisional ballot is different than the party affiliation that appears on the voter's voter registration record based on his or her previous registration application; or

(g) The voter failed to complete and sign the certification on the envelope or form attached to the envelope pursuant to subsection (3) of section 32-915.

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

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

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

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

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

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

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

Sec. 66. Section 32-1005, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1005 If the last name or a reasonably close spelling of the last name of a person engaged in or pursuing a write-in campaign pursuant to section 32-615 or 32-633 is written or printed on a line provided for that purpose and the square or oval opposite such line has been marked with a cross or other clear, intelligible mark, the vote shall be valid and the ballot shall be counted except as provided in section 32-1007. A write-in vote for a person who is not engaged in or pursuing a write-in campaign pursuant to section 32-615 or 32-633 shall not be counted.

Sec. 67. Section 32-1007, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1007 (1) If the last name of a person engaged in or pursuing a write-in campaign pursuant to section 32-615 is the same or substantially similar to the last name of another person engaged in or pursuing a write-in campaign for the same office or a candidate appearing on the ballot for the same office, the write-in vote shall be valid only if, in addition to the requirements of section 32-1005, the first or generally recognized name of the person engaged in or pursuing the write-in campaign is also written or printed on the line provided for that purpose.

(2) If only the last name of a person is in the write-in space on the ballot and the last name is the same or substantially similar to the last name of another person engaged in or pursuing a write-in campaign for the same office or a candidate appearing on the ballot for the same office there is more than one person in the county having the same last name, the counting board shall reject the ballot for that office unless the last name is reasonably close to the proper spelling of the last name of a candidate engaged in or pursuing a write-in campaign pursuant to section 32-615. The counting board shall make the following notation on the rejected ballot: Rejected for the office of, no first or generally recognized name.

Sec. 68. Section 32-1013, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1013 (1) In each counting location, watchers may be appointed to be present and observe the counting of ballots. Each political party shall be entitled to one watcher at each location appointed and supplied with credentials by the county central committee of such political party. The district court having jurisdiction over any such county may appoint additional watchers for any location.

(2) The watchers and the members of the counting board shall take the following oath administered by the election commissioner or county clerk or an election official designated by the election commissioner or county clerk: I do solemnly swear that I will not in any manner make known to anyone other than duly authorized election officials the results of the votes as they are being counted until the polls have officially closed and the summary of votes cast is delivered to the election commissioner or county clerk.

(3) Except for polling places using precinct-based optical scanners, all other persons shall be excluded from the place where the counting is being conducted except for observers authorized by the election commissioner or county clerk. No such observer shall be connected with any candidate, political party, or measure on the ballot.

(4) No such watcher or observer shall be excluded from the counting location unless the election commissioner or county clerk provides an unobstructed view of the counting of ballots by use of closed-circuit television or similar device.

Sec. 69. The election commissioner or county clerk shall verify the signature on each identification envelope received in his or her office with the signature on the voter registration records.

Sec. 70. Section 32-1032, Reissue Revised Statutes of Nebraska, is amended to read:

32-1032 Upon the completion of the canvass by the county canvassing board, all books shall again be sealed, and the election commissioner or county clerk shall keep all election materials, including the ballots-cast containers from each precinct, the sealed envelopes containing the precinct list of registered voters, the precinct sign-in register, the official summary or summaries of votes cast, and the container for early voting materials, for not less than twenty-two months when statewide primary, general, or special elections involve federal offices, candidates, and issues and not less than fifty days for local elections not held in conjunction with a statewide primary, general, or special election. The election commissioner or county clerk shall keep on file one copy of each ballot face used in each precinct of the official partisan, nonpartisan, constitutional amendment, and initiative and referendum ballots, as used for voting, and all election notices used at each primary and general election for twenty-two months. The precinct sign-in register, the record of early voters, and the official summary of votes cast shall be subject to the

inspection of any person who may wish to examine the same after the primary, general, or special election. The election commissioner or county clerk shall not allow any other election materials to be inspected, including ballots, the names of voters who filled out a provisional voter identification verification envelope pursuant to section 32-915.03, and provisional ballot envelopes, except when an election is contested or the materials become necessary to be used in evidence in the courts. The election commissioner or county clerk shall direct the destruction of such materials after such time, except that the election commissioner or county clerk may retain materials for the purposes of establishing voter histories.

Sec. 71. Section 32-1037, Reissue Revised Statutes of Nebraska, is amended to read:

32-1037 There shall be a board of state canvassers consisting of the Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, and Attorney General. The board of state canvassers shall meet at a location designated by the Secretary of State ~~the office of the Secretary of State or such other location within the State Capitol as designated by the Secretary of State~~ on the fourth Monday after each statewide primary and general election for the sole purpose of canvassing the votes cast for all officers and issues certified to the election commissioner or county clerk by the Secretary of State. The board of state canvassers may adjourn from day to day until all returns are received and all votes are tabulated. The Governor on the advice of the Secretary of State or the Attorney General may call an extraordinary session of the board of state canvassers. The duty of the board of state canvassers to canvass the votes is ministerial in nature.

Sec. 72. (1) An election commissioner or county clerk using a vote counting device to count ballots shall conduct at least three independent tests before counting begins to verify the accuracy of the counting process, which includes the computerized program installed for counting various ballots by vote counting device. The test shall be conducted by:

- (a) The election commissioner or county clerk;
- (b) The chief deputy election commissioner or a registered voter with a different party affiliation than that of the election commissioner or county clerk; and
- (c) The person who installed the program in the vote counting device or the person in charge of operating the device.

(2) Watchers may be appointed to be present and observe the tests. Each political party shall be entitled to one watcher appointed and supplied with credentials by the county central committee of such political party. All other persons shall be excluded, except for observers authorized by the election commissioner or county clerk. Watchers and observers shall comply with the requirements for watchers and observers under section 32-1525. Watchers and observers cannot be excluded from the testing location unless the election commissioner or county clerk provides an unobstructed view of the testing by use of closed-circuit television or similar device.

(3) Prior to any statewide primary or general election, the election commissioner or county clerk shall certify the date the testing was completed to the Secretary of State. The Secretary of State shall post the certification on the Secretary of State's website.

Sec. 73. Section 32-1049, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1049 Any election commissioner or county clerk using a vote counting device to count ballots in a centralized location shall:

(1) Provide for the proper sealing of the containers and the security of the ballots when transported from each polling place to the centralized location and when removed from their containers and delivered to the personnel who operate the vote counting devices;

(2) Provide a process of counting which allows for the ballots of each precinct to be placed in a sealed container and placed in a secure location after the counting process has been completed;

(3) Provide for a method of overseeing the ballots that have been overvoted or damaged which does not involve judging voter intent to assure that these ballots have not been or will not be intentionally mismarked;

(4) Provide for a procedure for counting write-in votes when such votes and names of write-in candidates are to be counted and recorded;

(5) Provide the Secretary of State with the anticipated date by which the testing required pursuant to section 72 of this act will be completed; for at least three independent tests to be conducted before counting begins to verify the accuracy of the counting process, which includes the computerized program installed for counting various ballots by vote counting devices, by (a) the election commissioner or county clerk, (b) the chief deputy election commissioner or a registered voter with a different party affiliation than that of the election commissioner or county clerk, and (c) the person who installed the program in the vote counting device or the person in charge of operating the device;

(6) Before any ballots are counted by a vote counting device, provide for the running of a zero report that indicates the vote counting devices are clear of any previous results;

(7) (6) Provide for storing and safeguarding the magnetic tapes or computer chips of the vote counting devices for the required period of time;

(8) (7) Provide the appropriate security personnel or measures necessary to safeguard the secrecy and security of the counting process;

(9) (8) Develop a procedure for picking up and counting ballots during

election day at the discretion of the election commissioner or county clerk. No report or tabulation of vote totals for such ballots shall be produced or generated prior to one hour before the closing of the polls;

~~(10) (9)~~ Develop a procedure for picking up and transporting ballots from a secure ballot drop-box to the office of the election commissioner or county clerk; and

~~(11)~~ Provide a process for verifying early voting ballots that includes verifying the voter's signature on the envelope and, for elections conducted pursuant to section 32-953, the voter's valid photographic identification;

~~(12)~~ Provide for verification of provisional ballots;

~~(13)~~ Provide a timeline for counting that includes the anticipated date the counting and canvassing boards will convene; and

~~(14) (10)~~ Submit a written plan to the Secretary of State specifically outlining the procedures that will be followed before, during, and after an election day to implement this section. The plan shall be submitted no later than twenty-five days before the election and may shall be modified, as necessary, for each primary, general, or special election.

Sec. 74. Section 32-1119, Reissue Revised Statutes of Nebraska, is amended to read:

32-1119 (1) Any candidate who failed to be nominated or elected shall be entitled to a recount if it appears, as evidenced by the abstract of votes, that the candidate failed to be nominated or elected by one of the following margins:

(a) If more than five hundred votes were cast for the office, one percent or less of the votes received by the candidate:

(i) Who received the highest number of votes, for offices in which two or fewer candidates are nominated or one candidate is elected; or

(ii) Who received the fewest number of votes qualifying the candidate for nomination or election, for offices in which three or more candidates are nominated or two or more candidates are elected; and

(b) If five hundred or fewer votes were cast for the office, two percent or less of the votes received by the candidate:

(i) Who received the highest number of votes, for offices in which two or fewer candidates are nominated or one candidate is elected; or

(ii) Who received the fewest number of votes qualifying the candidate for nomination or election, for offices in which three or more candidates are nominated or two or more candidates are elected.

~~If it appears as evidenced by the abstract of votes that any candidate failed to be nominated or elected by a margin of (a) one percent or less of the votes received by the candidate who received the highest number of votes for the office at an election in which more than five hundred total votes were cast or (b) two percent or less of the votes received by the candidate who received the highest number of votes for the office at an election in which five hundred or less total votes were cast, then such candidate shall be entitled to a recount.~~

~~(2)~~ Any losing candidate may waive his or her right to a recount by filing a written statement with the Secretary of State, election commissioner, or county clerk with whom he or she made his or her filing. All expenses of a recount under this section shall be paid by those political subdivisions involved in the recount.

~~(3) (2)~~ Recounts shall be made by the county canvassing board which officiated in making the official county canvass of the election returns. If any member of the county canvassing board cannot participate in the recount, another person shall be appointed by the election commissioner or county clerk to take the member's place.

~~(4) (3)~~ Recounts for candidates who filed with the Secretary of State shall be made on the fifth Wednesday after the election and shall commence at 9 a.m. The Secretary of State shall inform each election commissioner or county clerk of the names of the candidates for which the board of state canvassers deems a recount to be necessary.

~~(5) (4)~~ The election commissioner or county clerk shall be responsible for recounting the ballots for those candidates for whom the county canvassing board deems a recount to be necessary. The recount shall be made as soon as possible after the adjournment of the county canvassing board, except that if a recount is required under subsection ~~(4) (3)~~ of this section, the recounts may be conducted concurrently.

~~(6) (5)~~ The Secretary of State, election commissioner, or county clerk shall notify all candidates whose ballots will be recounted of the time, date, and place of the recount. Candidates whose ballots will be recounted may be present or be represented by an agent appointed by the candidate.

~~(7) (6)~~ The procedures for the recounting of ballots shall be the same as those used for the counting of ballots on election day. The recount shall be conducted at the county courthouse, except that if vote counting devices are used for the counting or recounting, such counting or recounting may be accomplished at the site of the devices. Counties counting ballots by using a vote counting device shall first recount the ballots by use of the device. If substantial changes are found, the ballots shall then be counted using such device in any precinct which might reflect a substantial change.

Sec. 75. Section 32-1122, Reissue Revised Statutes of Nebraska, is amended to read:

32-1122 (1) If a recount after a primary election results in any two or more persons having an equal and the highest number of votes for the same nomination for the same county, city, village, or school district office, the

county canvassing board shall, in the presence of the candidates or their representatives, determine by lot which of the candidates shall be nominated. The election commissioner or county clerk shall notify such candidates by certified mail to appear at his or her office on a given day and hour to determine the same before the county canvassing board. If a candidate or candidate's representative fails to appear at the given day and hour, a person designated by the election commissioner or county clerk shall participate in the candidate's stead. The election commissioner or county clerk shall make a certificate of nomination for the person so nominated and shall cause such certificate to be delivered to the person entitled thereto.

(2) If a recount after a general or special election results in any two or more persons having an equal and the highest number of votes for the same county, city, village, or school district office, the county canvassing board shall, in the presence of the candidates or their representatives, determine by lot which of the candidates shall be elected. The election commissioner or county clerk shall notify such candidates by certified mail to appear at his or her office on a given day and hour to determine the same before the county canvassing board. If a candidate or candidate's representative fails to appear at the given day and hour, a person designated by the election commissioner or county clerk shall participate in the candidate's stead. The election commissioner or county clerk shall make a certificate of election for the person so elected and shall cause such certificate to be delivered to the person entitled thereto.

(3) If a recount after a primary election results in any two or more persons having an equal and the highest number of votes for nomination to an office canvassed by the board of state canvassers, the board shall decide by lot which of such persons is nominated.

(4) If a recount after a general or special election results in any two or more persons having an equal and the highest number of votes for the office of the Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, or other officer elected to an executive department, the Legislature shall choose one of such persons for the office. If the office involved in the recount is the office of the Governor, the Lieutenant Governor shall be the candidate for Lieutenant Governor chosen by the person selected by the Legislature as Governor.

(5) If a recount after a general or special election results in any two or more persons having an equal and the highest number of votes for an office canvassed by the board of state canvassers, the board shall decide by lot which of such persons is elected, except officers elected to the executive department.

Sec. 76. Section 32-1404, Reissue Revised Statutes of Nebraska, is amended to read:

~~32-1404 Initiative and referendum petition signers shall conform to the requirements of sections 32-629 and 32-630. A signer of an initiative and referendum petition shall be a registered voter of the State of Nebraska on or before the date on which the petition is required to be filed with the Secretary of State and shall meet the requirements of section 32-630. A person who circulates initiative and referendum petitions shall comply with the requirements of section 32-629 and subsection (2) of section 32-630 and with the prohibitions contained in subdivisions (3)(a), (d), and (f) of section 32-630.~~

Sec. 77. Section 32-1409, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1409 (1) Upon the receipt of the petitions, the Secretary of State, with the aid and assistance of the election commissioner or county clerk, shall determine the validity and sufficiency of signatures on the pages of the filed petition. The various pages of the filed petition may remain in the office of the Secretary of State. The Secretary of State shall deliver the various pages or copies of the various pages of the filed petition to the election commissioner or county clerk by hand carrier, by use of law enforcement officials, or by certified mail, return receipt requested, or by a secure method designated by the Secretary of State. Upon receipt of the pages of the petition, the election commissioner or county clerk shall issue to the Secretary of State a written receipt that the pages of the petition are in the custody of the election commissioner or county clerk. The election commissioner or county clerk shall determine if each signer was a registered voter on or before the date on which the petition was required to be filed with the Secretary of State. The election commissioner or county clerk shall compare the signer's signature, printed name, date of birth, street name and number or voting precinct, and city, village, or post office address with the voter registration records to determine whether the signer was a registered voter. The determination of the election commissioner or county clerk may be rebutted by any credible evidence which the election commissioner or county clerk finds sufficient. The express purpose of the comparison of names and addresses with the voter registration records, in addition to helping to determine the validity of such petition, the sufficiency of such petition, and the qualifications of the signer, shall be to prevent fraud, deception, and misrepresentation in the petition process. If the Secretary of State receives reports from a sufficient number of the counties that signatures in excess of one hundred ten percent of the number necessary to place the issue on the ballot have been verified, the Secretary of State may instruct the election commissioners and county clerks in all counties to stop verifying signatures and certify the number of signatures verified as of receipt of the instruction

from the Secretary of State.

(2) Upon completion of the determination of registration, the election commissioner or county clerk shall prepare in writing a certification under seal setting forth the name and address of each signer found not to be a registered voter and the petition page number and line number where the name is found, and if the reason for the invalidity of the signature or address is other than the nonregistration of the signer, the election commissioner or county clerk shall set forth the reason for the invalidity of the signature. If the election commissioner or county clerk determines that a signer has affixed his or her signature more than once to any page or pages of the petition and that only one person is registered by that name, the election commissioner or county clerk shall prepare in writing a certification under seal setting forth the name of the duplicate signature and shall count only the first verified earliest-dated signature. The election commissioner or county clerk shall deliver all pages of the petition and the certifications to the Secretary of State within forty days after the receipt of such pages or copies of such pages from the Secretary of State. The delivery shall be by hand carrier, by use of law enforcement officials, or by certified mail, ~~return receipt requested~~. The Secretary of State may grant to the election commissioner or county clerk an additional ten days to deliver ~~return~~ all certifications and pages of the petition in extraordinary circumstances.

(3) Upon receipt of the pages of the petition, the Secretary of State shall issue a written receipt indicating the number of pages of the petition that are in his or her custody. ~~When all the petitions and certifications have been received by the Secretary of State, he or she shall strike from the pages of the petition all but the earliest dated signature of any duplicate signatures and such stricken signatures shall not be added to the total number of valid signatures.~~ Not more than twenty signatures on one sheet shall be counted. All signatures secured in a manner contrary to sections 32-1401 to 32-1416 shall not be counted. Clerical and technical errors in a petition shall be disregarded if the forms prescribed in sections 32-1401 to 32-1403 are substantially followed. The Secretary of State shall total the valid signatures and determine if constitutional and statutory requirements have been met. The Secretary of State shall immediately serve a copy of such determination by the most expeditious method available ~~certified or registered mail~~ upon the person filing the initiative or referendum petition. If the petition is found to be valid and sufficient, the Secretary of State shall proceed to place the measure on the general election ballot.

(4) The Secretary of State may adopt and promulgate rules and regulations for the issuance of all necessary forms and procedural instructions to carry out this section.

Sec. 78. Section 32-1525, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1525 (1) No person shall conduct an exit poll, a public opinion poll, or any other interview with voters on election day seeking to determine voter preference within twenty feet of the entrance of any polling place or, if inside the polling place or building, within one hundred feet of any voting booth.

(2)(a) No poll watcher shall interfere with any voter in the preparation or casting of such voter's ballot or prevent any election worker from performing the worker's duties.

(b) A poll watcher shall not provide assistance to a voter as described in section 32-918 unless selected by the voter to provide assistance as provided in section 32-918.

(c) A poll watcher shall not do any electioneering or disseminate any information or materials advertising or advocating for or against any ballot measure while engaged in observing at a polling place.

(d) A poll watcher shall maintain a distance of at least eight feet from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast, except that if the polling place is not large enough for a distance of eight feet, the judge of election shall post a notice of the minimum distance the poll watcher must maintain from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast. The posted notice shall be clearly visible to the voters and shall be posted prior to the opening of the polls on election day. The minimum distance shall not be determined to exclude a poll watcher from being in the polling place.

(3)(a) No counting watcher or observer shall prevent any election worker from performing the worker's duties.

(b) A counting watcher or observer shall maintain a distance of at least eight feet from any ballots, ballot boxes, sign-in registers, and vote counting devices, except that if the counting location is not large enough for a distance of eight feet, the election commissioner or county clerk shall post a notice of the minimum distance the counting watcher or observer must maintain from any ballots, ballot boxes, sign-in registers, and vote counting devices. The posted notice should be clearly visible to the counting watcher or observer and shall be posted prior to the counting board convening. The minimum distance shall not be determined to exclude a counting watcher or observer from being in the counting location except as provided in subsection (4) of section 32-1013.

~~(4) (3)~~ Any person violating this section shall be guilty of a Class V misdemeanor.

Sec. 79. Section 32-1546, Revised Statutes Cumulative Supplement, 2024, is amended to read:

32-1546 (1) Any person who is not, at the time of signing a petition, a registered voter and qualified to sign the petition except as provided for ~~initiative and referendum petitions in subdivision (1) of section 32-629~~ 32-1404 or who signs any name other than his or her own to any petition shall be guilty of a Class I misdemeanor.

(2) Any person who falsely swears to a circulator's affidavit on a petition, who accepts money or other things of value for signing a petition, or who offers money or other things of value in exchange for a signature upon any petition shall be guilty of a Class IV felony.

(3) Any person who falsifies a letter submitted pursuant to section 32-632 or subsection (3) of section 32-1305 or who signs any name other than his or her own to such letter shall be guilty of a Class I misdemeanor.

Sec. 80. Section 70-1014, Revised Statutes Cumulative Supplement, 2024, is amended to read:

70-1014 (1) After hearing, the board shall have authority to approve or deny the application. Except as provided in section 70-1014.01 for special generation applications, before approval of an application, the board shall find that:

(a) The application will serve the public convenience and necessity, and that the applicant can most economically and feasibly supply the electric service resulting from the proposed construction or acquisition without unnecessary duplication of facilities or operations; and

(b)(i) For any proposed electric generation facility that has a generating capacity that is greater than ten megawatts, the applicant has held at least one public meeting with advanced publicized notice in one of the counties in which the proposed facility will be located at which (A) at least fifty percent of the governing body of the electric supplier attends either in person or by videoconference, but with not less than one member of the governing body physically present, (B) the applicant explains the need for the proposed facility and the type of facility, and (C) real property owners in any of the counties in which the proposed facility will be located are provided an opportunity to comment on the proposed facility. The applicant shall provide a report to the board containing the minutes of any such meeting and how many people commented on the proposed facility. Documentation received at any such meeting shall be made available to the board upon its request. A meeting described in this subdivision is not subject to the requirements described in subdivision (2)(b)(iv) ~~(3)(b)(iv)~~ of section 84-1411.

(ii) This subdivision (b) shall not apply if the proposed facility will be located on real property owned by the applicant at the time of application.

(2) If the application involves a transmission line or related facilities planned and approved by a regional transmission organization and the regional transmission organization has issued a notice to construct or similar notice or order to a utility to construct the line or related facilities, the board shall also consider information from the regional transmission organization's planning process and may consider the benefits to the region, which shall include Nebraska, provided by the proposed line or related facilities as part of the board's process in determining whether to approve or deny the application.

(3) A privately developed renewable energy generation facility is exempt from this section if it complies with section 70-1014.02.

Sec. 81. Section 70-1014.02, Revised Statutes Cumulative Supplement, 2024, is amended to read:

70-1014.02 (1) The Legislature finds that:

(a) Nebraska has the authority as a sovereign state to protect its land, natural resources, and cultural resources for economic and aesthetic purposes for the benefit of its residents and future generations by regulation of energy generation projects;

(b) The unique terrain and ecology of the Nebraska Sandhills provide an irreplaceable habitat for millions of migratory birds and other wildlife every year and serve as the home to numerous ranchers and farmers;

(c) The grasslands of the Nebraska Sandhills and other natural resources in Nebraska will become increasingly valuable, both economically and strategically, as the demand for food and energy increases; and

(d) The Nebraska Sandhills are home to priceless archaeological sites of historical and cultural significance to American Indians.

(2)(a) A privately developed renewable energy generation facility that meets the requirements of this section is exempt from sections 70-1012 to 70-1014.01 if, no less than thirty days prior to the commencement of construction, the owner of the facility:

(i) Notifies the board in writing of its intent to commence construction of a privately developed renewable energy generation facility;

(ii) Certifies to the board that the facility will meet the requirements for a privately developed renewable energy generation facility;

(iii) Certifies to the board that the private electric supplier will (A) comply with any decommissioning requirements adopted by the local governmental entities having jurisdiction over the privately developed renewable energy generation facility and (B) except as otherwise provided in subdivision (b) of this subsection, submit a decommissioning plan to the board obligating the private electric supplier to bear all costs of decommissioning the privately developed renewable energy generation facility and requiring that the private electric supplier post a security bond or other instrument, no later than the sixth year following commercial operation, securing the costs of decommissioning the facility and provide a copy of the bond or instrument to

the board;

(iv) Certifies to the board that the private electric supplier has entered into or prior to commencing construction will enter into a joint transmission development agreement pursuant to subdivision (c) of this subsection with the electric supplier owning the transmission facilities of sixty thousand volts or greater to which the privately developed renewable energy generation facility will interconnect;

(v) Certifies to the board that the private electric supplier has consulted with the Game and Parks Commission to identify potential measures to avoid, minimize, and mitigate impacts to species identified under subsection (1) or (2) of section 37-806 during the project planning and design phases, if possible, but in no event later than the commencement of construction;

(vi) Certifies in writing to the board that the facility, if located within a ten-mile radius of a military installation:

(A) Contains no materials, electronics, or other components manufactured by any foreign government or foreign nongovernment person determined to be a foreign adversary pursuant to 15 C.F.R. 7.4; or

(B) Is in compliance with the critical infrastructure protection requirements issued by the North American Electric Reliability Corporation if connected to the transmission grid at one hundred kilovolts or higher voltage and has to have a nameplate rating of twenty megavolt amperes for a single generation unit or injecting at an aggregate of seventy-five megavolt amperes or greater. The private electric supplier shall also submit written notice to the board at any time such private electric supplier is no longer in such compliance; and

(vii) For a proposed privately developed renewable energy generation facility that has a generating capacity that is greater than ten megawatts, certifies to the board that the private electric supplier has held at least one public meeting with advanced publicized notice in one of the counties in which the proposed facility will be located at which (A) the private electric supplier explains the need for the proposed facility and the type of facility and (B) real property owners in any of the counties in which the proposed facility will be located are provided an opportunity to comment on the proposed facility. The private electric supplier shall provide a report to the board containing the minutes of any such meeting and how many people commented on the proposed facility. Documentation received at any such meeting shall be made available to the board upon its request. A meeting described in this subdivision is not subject to the requirements described in subdivision (2)(b)(iv) ~~(3)(b)(iv)~~ of section 84-1411.

(b) The board may bring an action in the name of the State of Nebraska for failure to comply with subdivision (a)(iii)(B) of this subsection, except that such subdivision does not apply if a local government entity with the authority to create requirements for decommissioning has enacted decommissioning requirements for the applicable jurisdiction.

(c) A joint transmission development agreement shall be entered into to address construction, ownership, operation, and maintenance of such additions or upgrades to the transmission facilities as required for the privately developed renewable energy generation facility. The joint transmission development agreement shall be negotiated and executed contemporaneously with the generator interconnection agreement or other directives of the applicable regional transmission organization with jurisdiction over the addition or upgrade of transmission, upon terms consistent with prudent electric utility practices for the interconnection of renewable generation facilities, the electric supplier's reasonable transmission interconnection requirements, and applicable transmission design and construction standards. The electric supplier shall have the right to purchase and own transmission facilities as set forth in the joint transmission development agreement. The private electric supplier of the privately developed renewable energy generation facility shall have the right to construct any necessary facilities or improvements set forth in the joint transmission development agreement pursuant to the standards set forth in the agreement at the private electric supplier's cost.

(3) Within ten days after receipt of a written notice complying with subsection (2) of this section, the executive director of the board shall issue a written acknowledgment that the privately developed renewable energy generation facility is exempt from sections 70-1012 to 70-1014.01 if such facility remains in compliance with the requirements of this section.

(4) The exemption allowed under this section for a privately developed renewable energy generation facility shall extend to and exempt all private electric suppliers owning any interest in the facility, including any successor private electric supplier which subsequently acquires any interest in the facility.

(5) No property owned, used, or operated as part of a privately developed renewable energy generation facility shall be subject to eminent domain by a consumer-owned electric supplier operating in the State of Nebraska. Nothing in this section shall be construed to grant the power of eminent domain to a private electric supplier or limit the rights of any entity to acquire any public, municipal, or utility right-of-way across property owned, used, or operated as part of a privately developed renewable energy generation facility as long as the right-of-way does not prevent the operation of or access to the privately developed renewable energy generation facility.

(6) Only a consumer-owned electric supplier operating in the State of Nebraska may exercise eminent domain authority to acquire the land rights necessary for the construction of transmission lines and related facilities.

There is a rebuttable presumption that the exercise of eminent domain to provide needed transmission lines and related facilities for a privately developed renewable energy generation facility is a public use.

(7) Nothing in this section shall be construed to authorize a private electric supplier to sell or deliver electricity at retail in Nebraska.

(8) Nothing in this section shall be construed to limit the authority of or require a consumer-owned electric supplier operating in the State of Nebraska to enter into a joint agreement with a private electric supplier to develop, construct, and jointly own a privately developed renewable energy generation facility.

Sec. 82. Section 84-1411, Reissue Revised Statutes of Nebraska, is amended to read:

84-1411 (1) ~~Until January 1, 2025:~~

~~(a) Except as provided in subsection (10) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.~~

~~(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website.~~

~~(ii) In the case of the governing body of a city of the second class or village or such body's advisory committee or the governing body of a rural or suburban fire protection district, such notice shall be published by:~~

~~(A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website; or~~

~~(B) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted in the same three places for each meeting.~~

~~(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.~~

~~(iv) In case of refusal, neglect, or inability of the newspaper to timely publish the notice, the public body shall (A) post such notice on its website, if available, and (B) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.~~

~~(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.~~

~~(d) Each public body shall record the methods and dates of such notice in its minutes.~~

~~(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.~~

~~(2) Beginning January 1, 2025:~~

~~(1)(a) (a) Except as provided in subsection (9) (10) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.~~

~~(b)(i) Except as provided in subdivision (1)(b)(ii) (2)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committees, such notice shall be given by:~~

~~(A)(I) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper; or~~

~~(B)(I) Posting to the newspaper's website, if available, and (II) posting to a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper.~~

~~(ii) In the case of the governing body of a city of the second class or village, any advisory committee of such governing body, or the governing body of a rural or suburban fire protection district, such notice shall be given by:~~

~~(A)(I) Publication in a newspaper of general circulation within the public~~

body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper;

(B)(I) Posting to the newspaper's website, if available, and (II) posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(C) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted by the public body in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) ~~(2)(b)(i)~~ or (ii) of this section, such notice shall be given by a method designated by the public body.

(iv) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public body shall (A) post such notice on its website, if available, (B) request the newspaper submit a post on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers, and (C) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting pursuant to subdivision (1)(b)(iv)(A) and (C) of this section and a written record of the request to the newspaper pursuant to subdivision (1)(b)(iv)(B) of this section. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2)(a) (3)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) (3)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority; and

(xiii) A natural resources district.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsection (1) ~~subsections (1) and (2)~~ of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual

conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision, subsection (1) of section 70-1014, subsection (2) of section 70-1014.02, or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of (A) an organization created under the Interlocal Cooperation Act that sells electricity or natural gas, (B) an organization created under the Municipal Cooperative Financing Act, (C) a governing body of a risk management pool and any advisory committee of such governing body, or (D) any advisory committee of any state entity created in response to the Opioid Prevention and Treatment Act, such organization, governing body, or committee may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing.

~~(3)~~ ~~(4)~~ Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

~~(4)~~ ~~(5)~~ The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

~~(5)~~ ~~(6)~~ When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection ~~(4)~~ ~~(5)~~ of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

~~(6)~~ ~~(7)~~ A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

~~(7)(a)~~ ~~(8)(a)~~ Notwithstanding subsections ~~(2)~~ and ~~(5)~~ ~~(3)~~ and ~~(6)~~ of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) ~~subsections (1) and (2)~~ of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection ~~(4)~~ ~~(5)~~ of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsection (5) of section 84-1413.

~~(8)~~ ~~(9)~~ In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision ~~(2)(a)~~ ~~(3)(a)~~ of this section may hold a meeting by virtual conferencing if:

(a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body;

(b) No action is taken by the public body at the virtual meeting; and

(c) The public body complies with subdivisions ~~(2)(b)(i)~~ ~~(3)(b)(i)~~ and (ii) of this section.

~~(9)~~ ~~(10)~~ This section does not apply to a meeting of the Nebraska Power Review Board or a public power district, a public power and irrigation district, an electric membership association, an electric cooperative company, a municipality having a generation and distribution system, or a registered group of municipalities if such meeting is subject to section 70-1034.

Sec. 83. Sections 72, 73, and 84 of this act become operative on January 1, 2026. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 71, 74, 76, 77, 79, 85, and 87 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 84. Original section 32-1049, Revised Statutes Cumulative Supplement, 2024, is repealed.

Sec. 85. Original sections 14-201, 14-202, 14-204, 14-205, 14-206,

14-207, 14-210, 14-217.01, 14-376, 14-521, 14-811, 14-1206, 14-1211, 14-1216, 14-1251, 15-301, 32-104, 32-239, 32-307, 32-315, 32-401, 32-402, 32-536, 32-554, 32-568, 32-603, 32-620, 32-621, 32-624, 32-628, 32-629, 32-704, 32-707, 32-912, 32-1037, 32-1119, and 32-1404, Reissue Revised Statutes of Nebraska, and sections 14-211, 32-202, 32-221, 32-231, 32-308, 32-312, 32-326, 32-607, 32-613, 32-615, 32-617, 32-618, 32-630, 32-632, 32-716, 32-717, 32-803, 32-809, 32-811, 32-1002, 32-1005, 32-1007, 32-1409, and 32-1546, Revised Statutes Cumulative Supplement, 2024, are repealed.

Sec. 86. Original sections 32-1032, 32-1122, and 84-1411, Reissue Revised Statutes of Nebraska, and sections 31-727.02, 32-101, 32-123, 32-405, 32-631, 32-1013, 32-1525, 70-1014, and 70-1014.02, Revised Statutes Cumulative Supplement, 2024, are repealed.

Sec. 87. The following sections are outright repealed: Sections 32-309 and 32-705, Reissue Revised Statutes of Nebraska.

Sec. 88. Since an emergency exists, this act takes effect when passed and approved according to law.