

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 991

Introduced by Avery, 28.

Read first time January 16, 2008

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-107,
2 32-108, 32-114, 32-115, 32-221, 32-302, 32-307, 32-813,
3 32-816, 32-902, 32-907, 32-910, 32-912, 32-917, 32-918,
4 32-919, 32-920, 32-922, 32-923, 32-925, 32-927, 32-929,
5 32-933, 32-934, 32-935, 32-937, 32-1302, 32-1307,
6 32-1403, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519,
7 32-1528, 32-1531, and 32-1532, Reissue Revised Statutes
8 of Nebraska, sections 32-101, 32-306, 32-308, 32-311.01,
9 32-314, 32-321, 32-325, 32-807, 32-901, 32-915, 32-916,
10 32-921, 32-936, 32-938, 32-940, 32-941, 32-945, 32-952,
11 32-1502, and 32-1530, Revised Statutes Cumulative
12 Supplement, 2006, and sections 32-310, 32-904, 32-906,
13 32-913, 32-914, 32-1001, 32-1002, and 32-1041, Revised
14 Statutes Supplement, 2007; to provide for voter

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1 registration on election day as prescribed; to change
2 provisions relating to registration and voting; to
3 harmonize provisions; and to repeal the original
4 sections.

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

1 Section 1. Section 32-101, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 32-101 Sections 32-101 to 32-1551 and sections 14 and 30
4 of this act shall be known and may be cited as the Election Act.

5 Sec. 2. Section 32-107, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-107 District shall mean a subdivision of the state
8 or of a county, city, village, or other political subdivision in
9 which all ~~registered voters~~ electors residing within the district
10 are entitled to participate in the election of any one or more
11 candidates or in the determination by election of any question or
12 proposition.

13 Sec. 3. Section 32-108, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 32-108 Election shall mean any statewide or local
16 primary, special, joint, or general election at which ~~registered~~
17 ~~voters~~ electors of the state or the political subdivision holding
18 the election by ballot choose public officials or decide any
19 questions and propositions lawfully submitted to them.

20 Sec. 4. Section 32-114, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 32-114 Precinct shall mean a defined area established
23 by in accordance with law within which all ~~registered voters~~
24 ~~cast their votes~~ electors vote at one polling place. Precinct
25 may include any ward or other division of territory in any city

1 or village when created and designated by ordinance for election
2 purposes.

3 Sec. 5. Section 32-115, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-115 Registered voter shall mean an elector who has
6 a valid voter registration record ~~on file with~~ in the voter
7 registration register prepared by the election commissioner or
8 county clerk in the county of his or her residence.

9 Sec. 6. Section 32-221, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 32-221 (1) The election commissioner shall appoint
12 precinct and district inspectors, judges of election, and clerks
13 of election to assist the election commissioner in registering
14 voters and conducting elections on election day. In counties with
15 a population of less than three hundred thousand inhabitants,
16 judges and clerks of election and inspectors shall be appointed at
17 least thirty days prior to the statewide primary election, shall
18 hold office for terms of two years or until their successors are
19 appointed and qualified for the next statewide primary election,
20 and shall serve at all elections in the county during their
21 terms of office. In counties with a population of three hundred
22 thousand or more inhabitants, judges and clerks of election shall
23 be appointed at least thirty days prior to the first election for
24 which appointments are necessary and shall serve for at least four
25 elections.

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

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

18 (4) If a vacancy occurs in the office of judge or clerk
19 of election or inspector, the election commissioner shall fill such
20 vacancy in accordance with section 32-223. If any judge or clerk
21 of election or inspector fails to appear at the hour appointed for
22 the opening of the polls, the remaining officers shall notify the
23 election commissioner, select a registered voter to serve in place
24 of the absent officer if so directed by the election commissioner,
25 and proceed to conduct the election. If the election commissioner

1 finds that a judge or clerk of election or inspector does not
2 possess all the qualifications prescribed in this section or if any
3 judge or clerk of election or inspector is guilty of neglecting the
4 duties of the office or of any official misconduct, the election
5 commissioner shall remove the person and fill the vacancy.

6 Sec. 7. Section 32-302, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-302 The office of the election commissioner or county
9 clerk shall remain open during the usual business days of the
10 year for purposes of general registration and revision and for
11 the transaction of the business of the office. Such registration
12 and revision shall be carried on at all times during the regular
13 business hours of the office of the election commissioner or county
14 clerk ending at 6 p.m. on the second Friday preceding any election
15 and resuming on election day as provided in section 14 of this
16 act. The election commissioner or county clerk may, during any of
17 the seven days immediately preceding the ~~deadline for registration,~~
18 second Friday preceding any election, cause his or her office to be
19 open at times in addition to the hours during which it is required
20 by law to be open in order for electors to register to vote.

21 Sec. 8. Section 32-306, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 32-306 Deputy registrars shall register voters in teams
24 of at least two deputies, one of whom is not a member of the same
25 political party as the other or others. The deputy registrars shall

1 return the completed registration applications to the office of the
2 election commissioner or county clerk of the county in which the
3 registrations are to be effective no later than the end of the
4 next business day after the registrations are taken. The election
5 commissioner or county clerk shall mail an acknowledgment of
6 registration at least five days prior to the next election to each
7 person registered by a deputy registrar. Deputy registrars shall
8 not register voters after 6 p.m. on the third Friday preceding any
9 election. A registration application received after the deadline
10 shall not be processed by the election commissioner or county
11 clerk until after the election and shall be invalid if the elector
12 registers to vote on election day. This section shall not apply to
13 registration done by the employees of the election commissioner or
14 county clerk.

15 Sec. 9. Section 32-307, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-307 No materials advocating or advertising any
18 political issue, candidate, or party shall be displayed or
19 distributed within fifty feet of any voter registration site. No
20 alcohol shall be served within fifty feet of any voter registration
21 site. The registration procedure shall be conducted in a neutral
22 manner and shall not be connected with anything unrelated to the
23 object of registering electors except as otherwise provided in
24 sections 32-308 to 32-310 and section 14 of this act.

25 Sec. 10. Section 32-308, Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 32-308 (1) The Secretary of State and the Director of
3 Motor Vehicles shall enter into an agreement to match information
4 in the computerized statewide voter registration list with
5 information in the data base of the Department of Motor Vehicles
6 to the extent required to enable each such official to verify the
7 accuracy of the information provided on applications for voter
8 registration. The Director of Motor Vehicles shall enter into an
9 agreement with the Commissioner of Social Security under section
10 205(r)(8) of the federal Social Security Act, 42 U.S.C. 405(r)(8),
11 as such section existed on April 17, 2003, for purposes of the
12 Election Act.

13 (2) The Department of Motor Vehicles, with the assistance
14 of the Secretary of State, shall prescribe a voter registration
15 application which may be used to register to vote or change his or
16 her address for voting purposes at the same time an elector applies
17 for an original or renewal motor vehicle operator's license, an
18 original or renewal state identification card, or a replacement
19 or duplicate thereof. The voter registration application shall
20 contain the information required pursuant to section 32-312 and
21 shall be designed so that it does not require the duplication of
22 information in the application for the motor vehicle operator's
23 license or state identification card, except that it may require
24 a second signature of the applicant. The department and the
25 Secretary of State shall make the voter registration application

1 available to the county treasurer, the license examiners of the
2 department, and any other person who issues operators' licenses
3 or state identification cards. The application shall be completed
4 at the office of the county treasurer or department by the close
5 of business on the third Friday preceding any election to be
6 registered to vote at such election. A registration application
7 received by the county treasurer or department after the deadline
8 third Friday preceding an election shall not be processed by the
9 election commissioner or county clerk until after the election and
10 shall be invalid if the elector registers to vote on election day.

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

15 Sec. 11. Section 32-310, Revised Statutes Supplement,
16 2007, is amended to read:

17 32-310 (1) The State Department of Education and
18 the Department of Health and Human Services shall provide the
19 opportunity to register to vote at the time of application, review,
20 or change of address for the following programs, as applicable:

21 (a) The food stamp program; (b) the medicaid program; (c) the WIC
22 program as defined in section 71-2225; (d) the aid to dependent
23 children program; (e) the vocational rehabilitation program; and
24 (f) any other public assistance program or program primarily for
25 the purpose of providing services to persons with disabilities.

1 If the application, review, or change of address is accomplished
2 through an agent or contractor of the department, the agent or
3 contractor shall provide the opportunity to register to vote.
4 Any information on whether an applicant registers or declines
5 to register and the agency at which he or she registers shall
6 be confidential and shall only be used for voter registration
7 purposes.

8 (2) The department, agent, or contractor shall make
9 the mail-in registration application described in section 32-320
10 available at the time of application, review, or change of address
11 and shall provide assistance, if necessary, to the applicant in
12 completing the application to register to vote. The department
13 shall retain records indicating whether an applicant accepted or
14 declined the opportunity to register to vote.

15 (3) Department personnel, agents, and contractors
16 involved in the voter registration process pursuant to this section
17 shall not be considered deputy registrars or agents or employees of
18 the election commissioner or county clerk.

19 (4) The applicant may return the completed voter
20 registration application to the department, agent, or contractor
21 or may personally mail or deliver the application to the election
22 commissioner or county clerk as provided in section 32-321. If
23 the applicant returns the completed application to the department,
24 agent, or contractor, the department, agent, or contractor shall
25 deliver the application to the election commissioner or county

1 clerk of the county in which the office of the department, agent,
2 or contractor is located not later than ten days after receipt
3 by the department, agent, or contractor, except that if the
4 application is returned to the department, agent, or contractor
5 within five days prior to the third Friday preceding any election,
6 it shall be delivered not later than five days after the date it
7 is returned. The election commissioner or county clerk shall, if
8 necessary, forward the application to the election commissioner or
9 county clerk of the county in which the applicant resides within
10 such prescribed time limits. The application shall be completed
11 and returned to the department, agency, or contractor by the close
12 of business on the third Friday preceding any election to be
13 registered to vote at such election. A registration application
14 received by the department, agency, or contractor after the
15 deadline third Friday preceding an election shall not be processed
16 by the election commissioner or county clerk until after the
17 election and shall be invalid if the elector registers to vote on
18 election day.

19 (5) The departments shall adopt and promulgate rules and
20 regulations to ensure compliance with this section.

21 Sec. 12. Section 32-311.01, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 32-311.01 (1) The Secretary of State shall prescribe a
24 registration application which may be used statewide to register
25 to vote and update voter registration records. An applicant may

1 use the application to register to vote or to update his or her
2 voter registration record with changes in his or her personal
3 information or other information related to his or her eligibility
4 to vote. An applicant may submit the application in person, through
5 a personal messenger or personal agent, or by mail. Every election
6 commissioner or county clerk shall accept such an application for
7 registration. If an applicant who is eligible to register to vote
8 submits the application in person at the office of the election
9 commissioner or county clerk, the information from the application
10 shall be entered into the voter registration register in the
11 presence of the applicant if possible.

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

15 (a) An applicant who is unable to sign his or her name
16 may affix his or her mark next to his or her name written on the
17 signature line by some other person;

18 (b) If the application is submitted by mail and the
19 applicant is registering in the state for the first time and has
20 not previously voted within the state, the applicant must submit
21 with the application a copy of a photo identification which is
22 current and valid or a copy of a utility bill, bank statement,
23 government check, paycheck, or other government document that is
24 current and that shows the name and address of the applicant
25 as they appear on the application in order to avoid additional

1 identification requirements when voting for the first time;

2 (c) An applicant may deliver the application to the
3 office of the election commissioner or county clerk in person,
4 through a personal messenger or personal agent, ~~or~~ by mail, or
5 through his or her polling place;

6 (d) To vote at the polling place on election day, the
7 completed application must be:

8 (i) Delivered by the applicant in person to the office
9 of the election commissioner or county clerk on or before the
10 deadline second Friday preceding the election as prescribed in
11 section 32-302;

12 (ii) Delivered by the applicant's personal messenger or
13 personal agent to the office of the election commissioner or county
14 clerk on or before the third Friday before the election; ~~or~~

15 (iii) Postmarked on or before the third Friday before the
16 election if the application is submitted by mail; and or

17 (iv) Delivered by the applicant in person to the polling
18 place on election day, subject to submission of identification
19 documents as described in section 14 of this act; and

20 (e) The election commissioner or county clerk will, upon
21 receipt of the application for registration, send an acknowledgment
22 of registration to the applicant indicating whether the application
23 is proper or not.

24 Sec. 13. Section 32-314, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

1 32-314 (1) Any person going into another territory or
2 state and registering to vote or voting in that territory or state
3 shall lose his or her eligibility to vote in this state. Any person
4 going into another county of this state and registering to vote or
5 voting in that county shall lose his or her eligibility to vote in
6 the county where he or she was registered.

7 (2) A registered voter who changes his or her residence
8 in one county to a residence address in a different county in the
9 state shall register again or update his or her voter registration
10 record in order to be eligible to vote.

11 (3) A registered voter who changes his or her name or
12 residence within the county and has retained legal residence in
13 the county since the date of his or her last registration shall
14 register again or update his or her voter registration record to
15 avoid additional requirements at the time of voting as provided in
16 sections 32-914 and 32-915 and may be entitled to vote pursuant to
17 section 32-914.01, 32-914.02, or 32-915.

18 (4) A registered voter who wants to change his or her
19 party affiliation for purposes of a primary election shall complete
20 a registration application pursuant to section 32-312.04 and submit
21 it to the election commissioner or county clerk as provided in
22 and prior to the deadline second Friday preceding the election
23 as prescribed by section 32-302 or prior to the deadline for
24 applications mailed as prescribed by section 32-321.

25 Sec. 14. An elector who has not registered to vote in

1 his or her county of residence may register to vote and vote on
2 election day by completing a voter registration application at the
3 office of the election commissioner or county clerk in his or her
4 county of residence or at his or her polling place as provided
5 in section 30 of this act. The office shall accept and process
6 such voter registration applications on the day of election and
7 shall resume general registration and revision on the day after an
8 election. If the elector is registering in the state for the first
9 time and has not previously voted within the state, the elector
10 shall present with the application a copy of a photo identification
11 which is current and valid or a copy of a utility bill, bank
12 statement, government check, paycheck, or other government document
13 that is current and that shows the name and address of the elector
14 as they appear on the application.

15 Sec. 15. Section 32-321, Revised Statutes Cumulative
16 Supplement, 2006, is amended to read:

17 32-321 (1) Any elector may request a voter registration
18 application from the office of the election commissioner or county
19 clerk. The election commissioner or county clerk shall make
20 registration applications prescribed by the Secretary of State
21 available and may place the applications in public places. The
22 election commissioner or county clerk may require that all unused
23 applications be returned to his or her office and may place
24 reasonable limits on the amount of applications requested.

25 (2) If an elector mails the registration application to

1 the election commissioner or county clerk:

2 (a) (i) The application shall be postmarked on or before
3 the third Friday before the next election; or

4 (ii) The application shall be received not later than
5 the second Tuesday before the next election if the postmark is
6 unreadable; and

7 (b) The application shall be processed by the election
8 office as a proper registration for the voter to be entitled to
9 vote on the day of the next election.

10 (3) If the registration application arrives after the
11 ~~registration deadline,~~ second Friday preceding the election, the
12 application shall not be processed until after the election and
13 shall be invalid if the elector registers to vote on election day.

14 Written notice shall be given to any applicant whose registration
15 application failed to meet the registration deadline or was found
16 to be incorrect or incomplete and shall state the specific reason
17 for rejection. If the application is incomplete, the election
18 commissioner or county clerk shall notify the applicant of the
19 failure to provide the required information, including failure to
20 provide identification if required, and provide the applicant with
21 the opportunity to submit an identification document as described
22 in section 32-318.01 prior to the deadline for voter registration
23 or to complete and submit a corrected registration application
24 in a timely manner to allow for the proper registration of the
25 applicant prior to the next election. The notice shall include

1 a statement that the elector can register and vote on election
2 day at the office of the election commissioner or county clerk
3 or at his or her polling place subject to additional procedures.

4 All postage costs related to returning registration applications
5 to the election commissioner or county clerk shall be paid by the
6 registrant.

7 Sec. 16. Section 32-325, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 32-325 (1) A registration application completed and
10 signed by a registered voter seeking to update his or her voter
11 registration record shall be completed in person at or delivered or
12 mailed to the office of the election commissioner or county clerk.
13 To avoid additional requirements at the polling place pursuant to
14 section 32-914.01, 32-914.02, or 32-915 or section 30 of this act,
15 an application to update a voter registration record must be:

16 (a) Completed or delivered by the applicant in person
17 at the office of the election commissioner or county clerk on
18 or before the ~~deadline~~ second Friday preceding the election as
19 prescribed in section 32-302; ~~or~~

20 (b) Delivered by a personal messenger or personal agent
21 to the office ~~or~~ mailed so that it is received by the election
22 commissioner or county clerk on or before the deadline prescribed
23 in subsection (2) of section 32-321.

24 (2) After verifying the signature on the previous
25 registration of the registered voter, the election commissioner or

1 county clerk shall make the change of name, party affiliation,
2 or address on all pertinent election records. The election
3 commissioner or county clerk shall send an acknowledgment card to
4 the registered voter indicating that the change of registration
5 has been completed and shall include the address of the registered
6 voter's new polling place.

7 Sec. 17. Section 32-807, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 32-807 The election commissioner, county clerk, or city
10 or village clerk shall print and deliver to each precinct or
11 district in the county, city, or village an approximate number
12 of ballots based upon what would appear sufficient at the time
13 the ballots are to be printed. Such totals shall take into
14 consideration election-day voter registration, increases in voter
15 registration, early voting, annexations, changes in boundaries,
16 spoiled ballots, and any other factor that may influence the total
17 number of ballots needed. Additional ballots shall be printed to
18 meet any contingency in order to provide a sufficient number of
19 ballots for each precinct or district in the county, city, or
20 village.

21 Sec. 18. Section 32-813, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 32-813 (1) The names of all candidates and all proposals
24 to be voted upon at the general election shall be arranged upon
25 the ballot in parts separated from each other by bold lines in

1 the order the offices and proposals are set forth in this section.
2 If any office is not subject to the upcoming election, the office
3 shall be omitted from the ballot and the remaining offices shall
4 move up so that the same relative order is preserved. The order of
5 any offices may be altered to allow for the best utilization of
6 ballot space in order to avoid printing a second ballot when one
7 ballot would be sufficient if an optical-scan ballot is used. All
8 proposals on the ballot shall remain separate from the offices, and
9 the proposals shall follow all offices on the ballot.

10 (2) (a) If the election is in a year in which a President
11 of the United States is to be elected, the names and spaces for
12 voting for candidates for President and Vice President shall be
13 entitled Presidential Ticket in boldface type.

14 (b) The names of candidates for President and Vice
15 President for each political party shall be grouped together, and
16 each group shall be enclosed with brackets with the political party
17 name next to the brackets and one square or oval opposite the names
18 in which the voter indicates his or her choice.

19 (c) The names of candidates for President and Vice
20 President who have successfully petitioned on the ballot for the
21 general election shall be grouped together with the candidates
22 appearing on the same petition being grouped together, and each
23 group shall be enclosed with brackets with the words "By Petition"
24 next to the brackets and one square or oval opposite the names in
25 which the voter indicates his or her choice.

1 (d) Beneath the names of the candidates for President and
2 Vice President certified by the officers of the national political
3 party conventions pursuant to section 32-712 and beneath the names
4 of all candidates for President and Vice President placed on the
5 general election ballot by petition, two write-in lines shall be
6 provided in which the voter may fill in the names of the candidates
7 of his or her choice. The lines shall be enclosed with brackets
8 with one square or oval opposite the names in which the voter
9 indicates his or her choice. The name appearing on the top line
10 shall be considered to be the candidate for President, and the
11 name appearing on the second line shall be considered to be the
12 candidate for Vice President.

13 (3) The names and spaces for voting for candidates for
14 United States Senator if any are to be elected shall be entitled
15 United States Senatorial Ticket in boldface type.

16 (4) The names and spaces for voting for candidates for
17 Representatives in Congress shall be entitled Congressional Ticket
18 in boldface type. Above the candidates' names, the office shall be
19 designated For Representative in Congress District.

20 (5) The names and spaces for voting for candidates for
21 the various state officers shall be entitled State Ticket in
22 boldface type. Each set of candidates shall be separated by lines
23 across the column, and above each set of candidates shall be
24 designated the office for which they are candidates, arranged in
25 the order prescribed by the Secretary of State. The candidates

1 for Governor of each political party receiving the highest number
2 of votes in the primary election shall be grouped together with
3 their respective candidates for Lieutenant Governor. Each group
4 shall be enclosed with brackets with the political party name
5 next to the brackets and one square or oval opposite the names
6 in which the voter indicates his or her choice for Governor
7 and Lieutenant Governor jointly. The candidates for Governor and
8 Lieutenant Governor who have successfully petitioned on the general
9 election ballot shall be grouped together with the candidates
10 appearing on the same petition being grouped together. Each group
11 shall be enclosed with brackets with the words "By Petition" next
12 to the brackets and one square or oval opposite the names in which
13 the voter indicates his or her choice for Governor and Lieutenant
14 Governor jointly. Beneath the names of the candidates for Governor
15 nominated at a primary election by political party and their
16 respective candidates for Lieutenant Governor and beneath the names
17 of all candidates for Governor and Lieutenant Governor placed on
18 the general election ballot by petition, one write-in line shall be
19 provided in which the ~~registered voter~~ elector may fill in the name
20 of the candidate for Governor of his or her choice and one square
21 or oval opposite the line in which the voter indicates his or her
22 choice for Governor.

23 (6) The names and spaces for voting for nonpartisan
24 candidates shall be entitled Nonpartisan Ticket in boldface type.
25 The names of all nonpartisan candidates shall appear in the order

1 listed in this subsection, except that when using an optical-scan
2 ballot, the order of offices may be altered to allow for the best
3 utilization of ballot space to avoid printing a second ballot when
4 one ballot would be sufficient:

- 5 (a) Legislature;
- 6 (b) State Board of Education;
- 7 (c) Board of Regents of the University of Nebraska;
- 8 (d) Chief Justice of the Supreme Court;
- 9 (e) Judge of the Supreme Court;
- 10 (f) Judge of the Court of Appeals;
- 11 (g) Judge of the Nebraska Workers' Compensation Court;
- 12 (h) Judge of the District Court;
- 13 (i) Judge of the Separate Juvenile Court;
- 14 (j) Judge of the County Court; and
- 15 (k) County officers in the order prescribed by the
16 election commissioner or county clerk.

17 (7) The names and spaces for voting for the various
18 county offices and for measures submitted to the county vote only
19 or in only a part of the county shall be entitled County Ticket in
20 boldface type. If the election commissioner or county clerk deems
21 it advisable, the measures may be submitted on a separate ballot if
22 using a paper ballot or on either side of an optical-scan ballot if
23 the ballot is placed in a ballot envelope or sleeve before being
24 deposited in a ballot box.

25 (8) The candidates for office in the precinct only or

1 in the city or village only shall be printed on the ballot,
2 except that if the election commissioner or county clerk deems
3 it advisable, candidates for these offices may be submitted on a
4 separate ballot if using a paper ballot or on either side of an
5 optical-scan ballot if the ballot is placed in a ballot envelope or
6 sleeve before being deposited in a ballot box.

7 (9) All proposals submitted by initiative or referendum
8 and proposals for constitutional amendments shall be placed on a
9 separate ballot when a paper ballot is used which requires that
10 the ballot after being voted be folded before being deposited in
11 a ballot box. When an optical-scan ballot is used which requires
12 a ballot envelope or sleeve in which the ballot after being voted
13 is placed before being deposited in a ballot box, initiative or
14 referendum proposals and proposals for constitutional amendments
15 may be placed on either side of the ballot, shall be separated
16 by a bold line, and shall follow all other offices placed on the
17 same side of the ballot. Initiative or referendum proposals and
18 constitutional amendments so arranged shall constitute a separate
19 ballot. Proposals for constitutional amendments proposed by the
20 Legislature shall be placed on the ballot as provided in sections
21 49-201 to 49-211.

22 Sec. 19. Section 32-816, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 32-816 (1) A blank space shall be provided at the
25 end of each office division on the ballot for ~~registered voters~~

1 electors to fill in the name of any person for whom they wish
2 to vote and whose name is not printed upon the ballot, except
3 that (a) at the primary election there shall be no write-in
4 space for delegates to the county political party convention,
5 delegates to the national political party convention, directors of
6 natural resources districts, or directors of public power districts
7 and (b) at the general election there shall be no write-in
8 space for directors of reclamation districts, members of the
9 board of educational service units, directors of natural resources
10 districts, directors of public power districts, or members of
11 county weed district boards. A square or oval shall be printed
12 opposite each write-in space similar to the square or oval placed
13 opposite other candidates and issues on the ballot. The square or
14 oval shall be marked to vote for a write-in candidate whose name
15 appears in the write-in space provided.

16 (2) The Secretary of State shall approve write-in space
17 for optical-scan ballots and electronic voting systems. Adequate
18 provision shall be made for write-in votes sufficient to allow one
19 write-in space for each office to be elected at any election except
20 offices for which write-in votes are specifically prohibited. The
21 write-in ballot shall clearly identify the office for which such
22 write-in vote is cast. The write-in space shall be a part of the
23 official ballot, may be on the envelope or a separate piece of
24 paper from the printed portion of the ballot, and shall allow the
25 voter adequate space to fill in the name of the candidate for whom

1 he or she desires to cast his or her ballot.

2 Sec. 20. Section 32-901, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 32-901 (1) To vote for a candidate or on a ballot
5 question using a paper ballot that is to be manually counted, the
6 ~~registered voter~~ elector shall make a cross or other clear,
7 discernable mark in the square opposite the name of every
8 candidate, including write-in candidates, for whom he or she
9 desires to vote and, in the case of a ballot question, opposite the
10 answer he or she wishes to give. Making a cross or other clear,
11 discernable mark in the square constitutes a valid vote.

12 (2) To vote for a candidate or on a ballot question
13 using a ballot that is to be counted by optical scanner, the
14 ~~registered voter~~ elector shall fill in the oval or other space
15 provided opposite the name of every candidate, including write-in
16 candidates, for whom he or she desires to vote and, in the case of
17 a ballot question, opposite the answer he or she wishes to give.
18 A mark in the oval or provided space that is discernable by the
19 scanner constitutes a valid vote.

20 (3) To vote for a candidate or on a ballot question using
21 an electronic voting system, the ~~registered voter~~ elector shall
22 follow the instructions for using the electronic voting system
23 to cause a mark to be recorded opposite the candidate or ballot
24 question response for which the voter wishes to vote. Causing such
25 mark to be recorded constitutes a valid vote.

1 Sec. 21. Section 32-902, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-902 (1) The election commissioner or county clerk
4 shall cause instructions for the guidance of ~~registered voters~~
5 electors in preparing their ballots to be printed in large, clear
6 type on cards in English. He or she shall furnish at least five
7 such cards to each polling place in each precinct at the same time
8 and in the same manner as the printed ballots. The judges or clerks
9 of election shall post such cards in each voting booth on the day
10 of election. The card shall contain full instructions on preparing
11 and casting ballots, including how to cast a write-in vote. The
12 form and contents of the cards shall be approved by the Secretary
13 of State.

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

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

20 (b) Instructions for voters who registered to vote by
21 mail and first-time voters;

22 (c) Instructions for electors registering to vote on
23 election day;

24 ~~(e)~~ (d) General information on voting rights under
25 applicable federal and state laws, including information on

1 the right of an individual to cast a provisional ballot and
2 instructions on how to contact the appropriate officials if these
3 rights are alleged to have been violated; and

4 ~~(d)~~ (e) General information on federal and state laws
5 regarding prohibitions on acts of fraud and misrepresentation.

6 Sec. 22. Section 32-904, Revised Statutes Supplement,
7 2007, is amended to read:

8 32-904 The election commissioner or county clerk shall
9 designate the polling places for each precinct at which the
10 ~~registered voters~~ electors of the precinct will cast their votes.
11 Polling places representing different precincts may be combined at
12 a single location when potential sites cannot be found, contracts
13 for utilizing polling sites cannot be obtained, or a potential site
14 is not accessible to handicapped persons. When combining polling
15 places at a single site for an election other than a special
16 election, the election commissioner or county clerk shall clearly
17 separate the polling places from each other and maintain separate
18 receiving boards. When combining polling places at a single site
19 for a special election, the election commissioner or county clerk
20 may combine the polling places and receiving boards. Polling places
21 shall not be changed between the statewide primary and general
22 elections unless the election commissioner or county clerk has
23 been authorized to make such change by the Secretary of State. If
24 changes are authorized, the election commissioner or county clerk
25 shall notify each state and local candidate affected by the change.

1 Notwithstanding any other provision of the Election Act, the
2 Secretary of State may adopt and promulgate rules and regulations,
3 with the consent of the appropriate election commissioner or
4 county clerk, for the establishment of polling places which may
5 be used for voting pursuant to section 32-1041 for the twenty
6 days preceding the day of election. Such polling places shall be
7 in addition to the office of the election commissioner or county
8 clerk and the polling places otherwise established pursuant to this
9 section.

10 Sec. 23. Section 32-906, Revised Statutes Supplement,
11 2007, is amended to read:

12 32-906 (1) The election commissioner or county clerk
13 shall provide each polling place with ballot boxes, ballot box
14 locks and keys, and a sufficient number of voting booths furnished
15 with supplies and conveniences to enable each ~~registered voter~~
16 elector to prepare his or her ballot for voting and to secretly
17 mark his or her ballot. One voting booth shall be provided for
18 approximately every one hundred registered voters in the precinct.
19 The election commissioner or county clerk may increase or decrease
20 the number of voting booths to accommodate the expected voter
21 turnout of any election other than a statewide election.

22 (2) When there is no structure within the precinct
23 suitable for use as a polling place, the election commissioner or
24 county clerk may designate a polling place outside the precinct
25 and convenient thereto which shall be provided with voting booths

1 furnished with supplies and conveniences as are other polling
2 places.

3 (3) Standards for polling places shall include any
4 applicable standards developed under sections 81-5,147 and
5 81-5,148.

6 Sec. 24. Section 32-907, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-907 All polling places shall be accessible to all
9 ~~registered voters~~ electors and shall be in compliance with the
10 federal Americans with Disabilities Act of 1990, as amended. All
11 polling places shall be modified or relocated to architecturally
12 barrier-free buildings to provide unobstructed access to such
13 polling places by people with physical limitations. At least one
14 voting booth shall be so constructed as to provide easy access
15 for people with limitations and shall accommodate a wheelchair. The
16 modifications required by this section may be of a temporary nature
17 to provide such unobstructed access only on election day.

18 Sec. 25. Section 32-910, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 32-910 Any judge or clerk of election, precinct or
21 district inspector, sheriff, or other peace officer shall clear
22 the passageways and prevent obstruction of the doors or entries
23 and provide free ingress to and egress from the polling place or
24 building and shall arrest any person obstructing such passageways.
25 Other than a ~~registered voter~~ an elector engaged in receiving,

1 preparing, or marking a ballot, an election commissioner, a county
2 clerk, a precinct inspector, a district inspector, a judge of
3 election, a clerk of election, or a member of a counting board, no
4 person shall be permitted to be within eight feet of the ballot
5 boxes or within eight feet of any ballots being counted by a
6 counting board.

7 Sec. 26. Section 32-912, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-912 (1) Any ~~registered voter~~ elector desiring to vote
10 in a primary election held under the Election Act shall be entitled
11 to participate in such primary election upon presenting himself
12 or herself at the polling place for his or her residence. A
13 registered voter who is affiliated with a political party shall
14 receive from the receiving board all nonpartisan ballots and the
15 partisan ballot of the political party indicated on his or her
16 voter registration. Except as provided in subsections (2) and (3)
17 of this section, a registered voter who is not affiliated with
18 any political party shall receive only nonpartisan ballots at a
19 primary election. An elector who registers to vote under section
20 14 of this act shall receive (a) nonpartisan ballots, (b) if he
21 or she designates a political party affiliation on his or her
22 voter registration application, the partisan ballots of that party,
23 and (c) if no political party affiliation is designated, partisan
24 ballots as allowed under subsections (2) and (3) of this act.

25 (2) Any political party may allow registered voters or

1 electors registering to vote under section 14 of this act who
2 are not affiliated with a political party to vote in the primary
3 election for any elective office for which the party has candidates
4 except for the office of delegate to the party's county, state,
5 or national convention. Any political party desiring to permit
6 such registered voters or electors to vote for candidates of that
7 party in the primary election shall file a letter stating that
8 the governing body of the political party has adopted a rule
9 allowing registered voters or electors who are not affiliated with
10 a political party to vote in the primary election for candidates
11 of that party. The letter and copy of the adopted rule shall
12 be filed with the Secretary of State at least sixty days before
13 the primary election. The Secretary of State shall notify the
14 appropriate election commissioners and county clerks in writing
15 that the political party filing the letter will allow registered
16 voters or electors who are not affiliated with a political party
17 to vote in the primary election for candidates of that party. Once
18 filed, the rule allowing such voters or electors to vote in such
19 primary election shall be irrevocable and shall apply only to the
20 primary election immediately following the adoption of the rule.

21 (3) A registered voter or elector registering to vote
22 under section 14 of this act who is not affiliated with a political
23 party and who desires to vote in the primary election for the
24 office of United States Senator or United States Representative
25 may request a partisan ballot for either or both of such offices

1 from any political party. The election commissioner or county clerk
2 shall post a notice in a conspicuous location, easily visible and
3 readable by voters prior to approaching the receiving board, that a
4 registered voter or elector who is not affiliated with a political
5 party may request such ballots. No such registered voter or elector
6 shall receive more than one such partisan ballot.

7 (4) The registered voters and electors registering to
8 vote under section 14 of this act residing in a political
9 subdivision may cast their ballots for candidates for the offices
10 in that subdivision and for issues proposed for that subdivision,
11 except that when officers are to be nominated or elected from a
12 subdistrict of the political subdivision, the registered voters and
13 electors residing in the subdistrict may only vote for candidates
14 from the subdistrict and for candidates for officers to be elected
15 at large from the whole political subdivision.

16 Sec. 27. Section 32-913, Revised Statutes Supplement,
17 2007, is amended to read:

18 32-913 (1) The clerks of election shall have a list of
19 registered voters of the precinct and a sign-in register at the
20 polling place on election day. The list of registered voters shall
21 be used for guidance on election day and may be in the form of a
22 computerized, typed, or handwritten list or precinct registration
23 cards. ~~Registered voters~~ Electors of the precinct shall place and
24 record their signature in the sign-in register before receiving any
25 ballot. The list of registered voters and the sign-in register may

1 be combined into one document at the discretion of the election
2 commissioner or county clerk. If a combined document is used, a
3 clerk of election may list the names of the ~~registered voters~~
4 electors in a separate book in the order in which they voted.

5 (2) Within twenty-four hours after the polls close in the
6 precinct, the precinct inspector or one of the judges of election
7 shall deliver the precinct list of registered voters and the
8 precinct sign-in register to the election commissioner or county
9 clerk. The election commissioner or county clerk shall file and
10 preserve the list and register. No member of a receiving board who
11 has custody or charge of the precinct list of registered voters and
12 the precinct sign-in register shall permit the list or register to
13 leave his or her possession from the time of receipt until he or
14 she delivers them to another member of the receiving board or to
15 the precinct inspector or judge of election for delivery to the
16 election commissioner or county clerk.

17 Sec. 28. Section 32-914, Revised Statutes Supplement,
18 2007, is amended to read:

19 32-914 (1) Official ballots shall be used at all
20 elections. No person shall receive a ballot or be entitled to
21 vote unless and until he or she is registered as a voter except
22 as provided in section 32-914.01, 32-914.02, 32-915, 32-915.01, or
23 32-936 or section 30 of this act.

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

1 (a) He or she announces his or her name and address to
2 the clerk of election;

3 (b) The clerk has found that he or she is a registered
4 voter at the address as shown by the precinct list of registered
5 voters unless otherwise entitled to vote in the precinct under
6 section 32-328, 32-914.01, 32-914.02, 32-915, or 32-915.01 or
7 section 30 of this act;

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

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

25 (e) The clerk has listed on the precinct list of

1 registered voters the corresponding line number and name of the
2 registered voter or has listed the name of the voter in a separate
3 book as provided in section 32-913.

4 Sec. 29. Section 32-915, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 32-915 (1) A person who is a registered voter in the
7 precinct in which he or she resides and whose name does not appear
8 on the precinct list of registered voters at the polling place for
9 the precinct in which he or she resides or whose name appears with
10 a notation that he or she received a ballot for early voting may
11 vote a provisional ballot if he or she:

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

15 (b) Is not entitled to vote under section 32-914.01 or
16 32-914.02;

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

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

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

25 (2) A voter whose name appears on the precinct list

1 of registered voters for the polling place with a notation
 2 that the voter is required to present identification pursuant
 3 to section 32-318.01 but fails to present identification may vote a
 4 provisional ballot if he or she completes and signs a registration
 5 application before voting.

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

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

12 (b) My name did not appear on the precinct list of
 13 registered voters;

14 (c) I registered to vote on or about this date
 15

16 (d) I registered to vote
 17 in person at the election office or a voter
 18 registration site,
 19 by mail,
 20 on a form through the Department of Motor Vehicles,
 21 on a form through another state agency,
 22 in some other way;

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

25 (f) My current address is shown on the registration

1 application completed as a requirement for voting by provisional
2 ballot; and

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

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

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

19 Sec. 30. If an elector is not registered to vote in the
20 county of his or her residence, he or she is entitled to vote
21 on election day upon completing and signing a voter registration
22 application as provided in section 14 of this act at the office of
23 the election commissioner or county clerk of the county for his or
24 her place of residence or at the polling place for his or her place
25 of residence. If the election is conducted by mail as provided in

1 sections 32-953 to 32-959, the elector shall register to vote and
2 vote at the office of the election commissioner or county clerk.

3 Sec. 31. Section 32-916, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 32-916 (1) Two judges of election or a precinct inspector
6 and a judge of election shall affix their initials to the official
7 ballots. The judge of election shall deliver a ballot to each
8 ~~registered voter~~ elector after complying with section 32-914.

9 (2) After voting the ballot, the ~~registered voter~~ elector
10 shall, as directed by the judge of election, fold his or her ballot
11 or place the ballot in the ballot envelope or sleeve so as to
12 conceal the voting marks and to expose the initials affixed on
13 the ballot. The ~~registered voter~~ elector shall, without delay and
14 without exposing the voting marks upon the ballot, deliver the
15 ballot to the judge of election before leaving the enclosure in
16 which the voting booths are placed.

17 (3) The judge of election shall, without exposing the
18 voting marks on the ballot, approve the exposed initials upon the
19 ballot and deposit the ballot in the ballot box in the presence of
20 the ~~registered voter~~. elector. No judge of election shall deposit
21 any ballot in a ballot box unless the ballot has been identified as
22 having the appropriate initials. Any ballot not properly identified
23 shall be rejected in the presence of the voter, the judge of
24 election shall make a notation on the ballot Rejected, not properly
25 identified, and another ballot shall be issued to the voter and

1 the voter shall then be permitted to cast his or her ballot. If
2 the ballot is in order, the judge shall deposit the ballot in
3 the ballot box in the presence of the voter and the voter shall
4 promptly leave the polling place. The judges of election shall
5 maintain the secrecy of the rejected ballots and shall cause the
6 rejected ballots to be made up in a sealed packet. The judges of
7 election shall endorse the packet with the words Rejected Ballots
8 and the designation of the precinct. The judges of election shall
9 sign the endorsement label and shall return the packet to the
10 election commissioner or county clerk with a statement by the
11 judges of election showing the number of ballots rejected.

12 (4) Upon receiving a provisional ballot as provided in
13 section 32-915, the judge of election shall give the voter written
14 information that states that the voter may determine if his or
15 her vote was counted and, if not, the reason that the vote was
16 not counted by accessing the system created pursuant to section
17 32-202 and the judge of election shall ensure that the appropriate
18 information is on the outside of the envelope in which the ballot
19 is enclosed or attached to the envelope, attach the statement
20 required by section 32-915 if not contained on the envelope, and
21 place the entire envelope into the ballot box. Upon receiving a
22 provisional ballot as provided in section 32-915.01, the judge
23 of election shall comply with the requirements for a provisional
24 ballot under this subsection, except that a provisional ballot cast
25 pursuant to section 32-915.01 shall be kept separate from the other

1 ballots cast at the election.

2 Sec. 32. Section 32-917, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-917 Any ~~registered voter~~ elector who spoils his or
5 her ballot may receive another ballot after returning the spoiled
6 ballot. No ~~registered voter~~ elector shall receive more than four
7 ballots in all. The ~~registered voter~~ elector shall write invalid
8 or void on the spoiled ballot and return it to the judges of
9 election. The judges of election shall maintain the secrecy of the
10 spoiled ballots and shall cause the spoiled ballots to be made up
11 in a sealed packet. The judges of election shall endorse the packet
12 with the words Spoiled Ballots and the designation of the precinct.
13 The judges of election shall sign such endorsement label and shall
14 return the packet to the election commissioner or county clerk with
15 a statement by the judges of election showing the number of ballots
16 spoiled.

17 Sec. 33. Section 32-918, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 32-918 (1) If a ~~registered voter~~ an elector declares
20 to the judge of election that he or she cannot read or that he
21 or she suffers blindness or other physical disability or handicap
22 such that the ~~registered voter~~ elector requires assistance in the
23 marking of his or her ballot, (a) the ~~registered voter~~ elector may
24 be assisted in marking his or her ballot by a relative or friend
25 of his or her selection or (b) one judge of election and one clerk

1 of election of different political parties may take the ballot
2 or ballots from the polling place to a convenient place within
3 the building or to the ~~registered voter's~~ elector's automobile if
4 the automobile is within one block of the polling place and the
5 disabled or handicapped person may cast his or her ballot in the
6 general presence of the judge and clerk. If a ~~registered voter~~ an
7 elector declares to the judge of election that he or she needs
8 assistance in the operation of a voting device, a judge or clerk of
9 election may assist the voter in operating the device.

10 (2) The judge and clerk shall give no information
11 regarding the casting of the ballot. Any ~~registered voter~~ elector
12 receiving assistance in voting the ballot from a judge and clerk
13 shall declare to the judge and clerk the name of the candidates and
14 the measures for which he or she desires to vote, and the judge and
15 clerk shall cast his or her ballot only as he or she so requests.
16 No person other than the ~~registered voter~~ elector who is receiving
17 assistance shall divulge to anyone within the polling place the
18 name of any candidate for whom he or she intends to vote or ask or
19 receive assistance within the polling place in the preparation of
20 his or her ballot.

21 (3) The judges of election shall enter Assistance
22 Rendered upon the precinct sign-in register near the name of any
23 ~~registered voter~~ elector who receives such assistance in casting
24 his or her ballot and shall include the name of such person
25 rendering assistance to the ~~registered voter.~~ elector. The person

1 rendering assistance shall sign an oath before a judge of election
 2 substantially as follows:, hereby swears that he
 3 or she is a friend or relative of, a disabled
 4 ~~registered voter~~ elector who requested assistance in casting the
 5 ballot, that he or she did enter the voting booth or aid such voter
 6 outside of the voting booth and marked the ballot according to the
 7 intentions and desires of the ~~registered voter,~~ elector, that he or
 8 she has kept the ballot at all times in his or her possession, and
 9 that the ballot was duly delivered to the judge of election on this
 10 day of 20.... .

11 Sec. 34. Section 32-919, Reissue Revised Statutes of
 12 Nebraska, is amended to read:

13 32-919 Every ~~registered voter~~ elector receiving a ballot
 14 shall, before leaving the polling room, vote or, if he or she does
 15 not wish to vote, return all ballots so received to be deposited
 16 into the ballot box by a member of the receiving board. No person
 17 receiving a ballot shall take the same from the polling room except
 18 as authorized in the Election Act. No person shall remove any
 19 ballot from the polling room before the closing of the polls except
 20 as otherwise authorized under the Election Act. Any person taking
 21 a ballot from the polling room in violation of this section shall
 22 forfeit and lose his or her right to vote at the election. If
 23 an inspector or a judge or clerk of election observes a person
 24 about to violate this section, the inspector, judge, or clerk shall
 25 inform the person of the penalties provided in this section and

1 section 32-1535.

2 Sec. 35. Section 32-920, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-920 A ~~registered voter~~ An elector may take with him
5 or her into the polling place any printed or written memorandum or
6 paper to assist him or her in preparing or marking the ballot.

7 Sec. 36. Section 32-921, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 32-921 Except as provided in subsection (1) of section
10 32-918, no ~~registered voter~~ elector shall be allowed to occupy a
11 voting booth occupied by another. A ~~registered voter~~ An elector
12 shall not remain within the enclosure in which the voting booths
13 are situated more than twenty minutes unless he or she is in line
14 waiting to vote or voting. A ~~registered voter~~ An elector shall not
15 occupy a voting booth for more than ten minutes.

16 Sec. 37. Section 32-922, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 32-922 Any ~~registered voter~~ elector who does not have two
19 consecutive hours in the period between the time of the opening and
20 closing of the polls during which he or she is not required to be
21 present at work for an employer shall be entitled on election day
22 to be absent from employment for such a period of time as will in
23 addition to his or her nonworking time total two consecutive hours
24 between the time of the opening and closing of the polls. If the
25 ~~registered voter~~ employee applies for such leave of absence prior

1 to or on election day, the ~~registered voter~~ employee shall not be
2 liable for any penalty and no deduction shall be made from his or
3 her salary or wages on account of such absence. The employer may
4 specify the hours during which the employee may be absent.

5 Sec. 38. Section 32-923, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-923 ~~Registered voters~~ Electors shall in all cases,
8 except treason, felony, or breach of the peace, be privileged
9 from arrest during the attendance at elections and while going to
10 and returning from the same. No ~~registered voter~~ elector shall be
11 obliged to do military duty on election day except in time of war
12 and public danger.

13 Sec. 39. Section 32-925, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 32-925 If any person conducts himself or herself in a
16 noisy, riotous, or tumultuous manner at or about the polls so as to
17 disturb the election or insults or abuses the precinct or district
18 inspectors or judges or clerks of election and persists in such
19 conduct after being warned to desist, any election commissioner,
20 county clerk, inspector, judge of election, police officer, or
21 sheriff shall arrest him or her without warrant and bring him or
22 her before the county court. Such person shall be permitted to vote
23 if he or she is a ~~registered voter.~~ an elector.

24 Sec. 40. Section 32-927, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 32-927 If any person offering to vote is challenged by
2 an inspector, judge or clerk of election, or registered voter,
3 the person shall, in the presence of an inspector or a judge of
4 election, affix his or her signature and print his or her name and
5 address on the following oath: I do solemnly swear that I will
6 fully and truly answer all such questions put to me related to
7 my place of residence and qualifications as a ~~registered voter~~ an
8 elector at this election. The inspector or judge of election shall
9 require the ~~registered voter~~ elector to comply with sections 32-928
10 to 32-930 as applicable and shall ask any other questions to the
11 person challenged as necessary to test his or her qualifications as
12 a ~~registered voter~~ an elector at that election.

13 Sec. 41. Section 32-929, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 32-929 If a person is challenged on the ground that
16 he or she is not a resident of this state, the county, or the
17 precinct, the person shall answer the following questions on the
18 form provided by the election commissioner or county clerk:

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

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

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

22 If a person has moved from one residence to another
23 within the precinct in which he or she is registered to vote, such
24 voter shall be entitled to vote as provided in section 32-914.02.
25 If a person has moved from one residence to another within the

1 county in which he or she is registered to vote, such voter shall
2 be entitled to vote a provisional ballot as provided in section
3 32-915. If a person has moved from a residence outside of the
4 county in which he or she resides and has not registered to vote in
5 such county, such person shall be entitled to register and vote as
6 provided in section 32-933 or section 30 of this act.

7 Sec. 42. Section 32-933, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 32-933 (1) Any person listed in this subsection shall be
10 eligible as a new resident to vote ~~for President and Vice President~~
11 ~~of the United States~~ at the statewide general election; ~~but for no~~
12 ~~other offices.~~

13 (a) Any citizen of the United States who is at least
14 the constitutionally prescribed age of a voter and who comes into
15 Nebraska after the voter registration period is closed pursuant to
16 section 32-302 for the purpose of making Nebraska his or her place
17 of residence; and

18 (b) Any registered voter who moves from one county
19 to another county within Nebraska after the close of the voter
20 registration period.

21 (2) Any registered voter who moves from Nebraska to
22 another state or to the District of Columbia for the purpose of
23 making such new location his or her place of residence after the
24 close of the voter registration period for such location shall
25 be eligible as a former resident to vote for President and Vice

1 President of the United States at the statewide general election
2 but for no other offices.

3 (3) Any person described in subsection (1) of this
4 section shall cast his or her ballot in the office of the election
5 commissioner or county clerk at any time between the close of the
6 voter registration period and the close of ~~the polls on~~ business on
7 the day prior to election day or may register and vote on election
8 day as provided in sections 14 and 30 of this act. ~~Such ballots~~
9 ~~shall be available after the close of the voter registration~~
10 ~~period.~~ Ballots for former residents under subsection (2) of this
11 section shall be available thirty-five days prior to the election
12 and - ~~The ballots may be~~ (a) voted in the office of the election
13 commissioner or county clerk at any time between thirty-five days
14 prior to the election and the close of the polls on election day~~7~~
15 ~~or the ballots may be~~ (b) mailed to the office and counted if they
16 arrive before the close of the polls on election day.

17 Sec. 43. Section 32-934, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 32-934 Any person who desires to vote pursuant to section
20 32-933 shall execute an affidavit in duplicate substantially as
21 follows:

22 I,, do solemnly swear that:

23 1. I am a citizen of the United States.

24 2. Before moving, I resided at the following address
25 (describing it by street and number if in a city or village and by

1 section, township, and range if outside of a city or village, and
2 the precinct, city, county, and state in which such residence is
3 located):

4

5

6 3. On the day of the next presidential election, I will
7 be at least the constitutionally prescribed age of a voter and I
8 reside at the following address:

9

10

11 4. I am unable to vote ~~for all offices~~ because the voter
12 registration deadline has passed and, ~~under the Election Act,~~ I
13 believe I am entitled to vote for the candidates for President
14 and Vice President of the United States I am unable to go to the
15 polling place and register and vote at the election to be held
16 November, 20.... .

17 5. I hereby make application for a presidential and
18 vice-presidential ballot or a statewide election ballot, as
19 applicable. I have not voted and will not vote otherwise than by
20 this ballot ~~for President and Vice President.~~ at this election.

21 Sec. 44. Section 32-935, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 32-935 The election commissioner or county clerk shall
24 immediately mail the duplicate of the affidavit described in
25 section 32-934 to the appropriate official of the state ~~or county~~

1 ~~in Nebraska~~ in which the applicant last resided. Upon receipt, the
2 election commissioner or county clerk shall file each duplicate
3 application or other official information from another state ~~or~~
4 ~~county in Nebraska~~ or the District of Columbia indicating that
5 a former resident of this state ~~or county in Nebraska~~ has made
6 application to vote at a presidential election in another state
7 ~~or county in Nebraska~~ or the District of Columbia and shall
8 maintain an alphabetical index of such information for a period of
9 twenty-two months after the election.

10 Sec. 45. Section 32-936, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 32-936 If satisfied that the application is proper and
13 that the applicant is qualified to vote under section 32-933,
14 the election commissioner or county clerk shall deliver to the
15 applicant a ballot for President and Vice President of the United
16 States- or the statewide general election, as applicable. After
17 voting the ballot, the voter shall securely seal the ballot in
18 an envelope furnished by the election commissioner or county
19 clerk. On the back of the envelope shall be imprinted a statement
20 substantially as follows:

21 Certification of New (or Former) Resident Voter

22 I have qualified as a new (or former) resident voter in
23 this state or county. I have not applied nor do I intend to apply
24 for a ballot for early voting from the state, county in Nebraska,
25 or District of Columbia from which I have moved. I have not voted

1 and I will not vote at this election otherwise than by this ballot.

2 The voter shall sign and date the certification upon the
3 envelope. The election commissioner or county clerk shall keep the
4 envelope in his or her office until delivered by him or her to the
5 counting board under section 32-1027.

6 Sec. 46. Section 32-937, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-937 The election commissioner or county clerk shall
9 keep open to public inspection a list of all persons voting in
10 the county as new or former residents which shows their names,
11 addresses, and application dates. The election commissioner or
12 county clerk shall record the name of any person voting pursuant
13 to section 32-933 in the list of voters book with a notation
14 designating him or her as a new or former resident voting ~~for~~
15 ~~President and Vice President of the United States only.~~ at the
16 statewide general election.

17 Sec. 47. Section 32-938, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 32-938 (1) A registered voter shall be permitted to vote
20 early by requesting a ballot for early voting pursuant to section
21 32-941 or 32-943.

22 (2) Any person excluded from voting under section 32-313
23 or 32-314 shall not be allowed to receive a ballot for early
24 voting.

25 (3) Any person who fails to register to vote by the

1 voter registration deadline shall not be allowed to vote except as
2 provided in section 32-940 or 32-941 or section 30 of this act.

3 Sec. 48. Section 32-940, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 32-940 Any person employed in federal service whose
6 status has been terminated by discharge from the armed forces or
7 by separation from employment outside the territorial limits of the
8 United States who was unable to register to vote may (1) register
9 to vote and vote on election day as provided in section 14 of this
10 act or (2) register to vote after the voter registration deadline
11 by completing the necessary voter registration application in the
12 office of the election commissioner or county clerk of the county
13 of his or her residence no later than noon of the day before the
14 election. After completing the voter registration application, such
15 person shall then be allowed to vote and then vote in the election
16 office.

17 Sec. 49. Section 32-941, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 32-941 Any registered voter permitted to vote early
20 pursuant to section 32-938 may, not more than one hundred twenty
21 days before any election and not later than 4 p.m. on the Wednesday
22 preceding the election, request a ballot for the election to be
23 mailed to a specific address. A registered voter shall request a
24 ballot in writing to the election commissioner or county clerk in
25 the county where the registered voter has established his or her

1 home and shall indicate his or her residence address, the address
2 to which the ballot is to be mailed if different, and his or
3 her political party, telephone number if available, and precinct
4 if known. The registered voter may use the form published by the
5 election commissioner or county clerk pursuant to section 32-808.
6 The registered voter shall sign the request. A registered voter
7 may use a facsimile machine for the submission of a request for
8 a ballot. The election commissioner or county clerk shall include
9 a registration application with the ballots if the person is not
10 registered. Registration applications shall not be issued or mailed
11 after the second Friday preceding the election, but a notice shall
12 be sent to the person of the provision to register and vote on
13 election day under section 14 of this act. If the person is not
14 registered to vote, the registration application shall be returned
15 not later than the closing of the polls on the day of the election.
16 No ballot issued under this section shall be counted unless such
17 registration application is properly completed and processed.

18 Sec. 50. Section 32-945, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 32-945 When a request for a ballot from a person who
21 is not registered to vote in the county reaches the election
22 commissioner or county clerk by mail, by facsimile transmission,
23 or by means other than by application in person on or prior to
24 the third Friday preceding the election, the election commissioner
25 or county clerk shall mail to the applicant the registration

1 application with the ballot. No ballot shall be sent by mail to any
2 person after the third Friday preceding the election if such person
3 is not a registered voter, but a notice shall be sent to the person
4 of the provision to register and vote on election day under section
5 14 of this act. When an application for a ballot from a person who
6 is registered in the county reaches the county clerk or election
7 commissioner by mail, facsimile transmission, or other means than
8 by application in person and the application indicates that the
9 applicant has changed his or her residence within the county, the
10 county clerk or election commissioner shall change the address on
11 the applicant's voter registration and mail to such applicant an
12 acknowledgment of change of registration and the ballot as provided
13 by section 32-947.

14 Sec. 51. Section 32-952, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 32-952 If a political subdivision decides to place
17 an issue on the ballot at a special election, the election
18 commissioner or county clerk may conduct the special election
19 by mail as provided in section 32-953 or conduct the special
20 election as otherwise authorized in the Election Act. In making a
21 determination as to whether to conduct the election by mail, the
22 election commissioner or county clerk shall consider whether all of
23 the following conditions are met:

24 (1) All ~~registered voters~~ electors of the political
25 subdivision who register to vote are eligible to vote on the issue

1 or issues submitted to the voters;

2 (2) Only ~~registered voters~~ electors of the political
3 subdivision who register to vote are eligible to vote on the issue
4 or issues submitted to the voters;

5 (3) Only issues and not candidates are submitted to the
6 ~~registered~~ voters;

7 (4) A review has been conducted of the costs and the
8 expected voter turnout which may result from holding the election
9 by mail;

10 (5) The election commissioner or county clerk has
11 determined a date for the election which is not the same date as
12 another election in which the ~~registered~~ voters of the political
13 subdivision are eligible to vote;

14 (6) The clerk of the political subdivision will certify
15 the issue or issues to the election commissioner or county clerk at
16 least fifty days prior to the date of the election; and

17 (7) The Secretary of State has approved a written plan
18 for the conduct of the election, including a written timetable for
19 the conduct of the election, submitted by the election commissioner
20 or county clerk. The written plan shall include provisions for the
21 notice of election to be published and for the application for
22 ballots for early voting notwithstanding other statutory provisions
23 regarding the content and publication of a notice of election or
24 the application for ballots for early voting.

25 Sec. 52. Section 32-1001, Revised Statutes Supplement,

1 2007, is amended to read:

2 32-1001 After the polls have closed, the precinct list of
3 registered voters and the precinct sign-in register shall be signed
4 by all members of the receiving board, the names of the ~~registered~~
5 voters shall be counted, and the number shall be recorded where
6 designated on the list and the register. If a line is missed or a
7 name is voided, the receiving board shall subtract such omissions
8 or voids from the total before recording the total on the list
9 and the register. The receiving board shall certify to all matters
10 pertaining to casting of ballots and shall turn over the ballots,
11 ballot boxes, precinct list of registered voters, and precinct
12 sign-in register to the election commissioner or county clerk.

13 Sec. 53. Section 32-1002, Revised Statutes Supplement,
14 2007, is amended to read:

15 32-1002 (1) As the ballots are removed from the ballot
16 box pursuant to sections 32-1012 to 32-1018, the receiving board
17 shall separate the envelopes containing the provisional ballots
18 from the rest of the ballots and deliver them to the election
19 commissioner or county clerk.

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

25 (3) The election commissioner or county clerk shall

1 also (a) verify that such person has not voted anywhere else
2 in the county or been issued a ballot for early voting, (b)
3 investigate whether any credible evidence exists that the person
4 was properly registered to vote in the county before the deadline
5 for registration for the election, (c) investigate whether any
6 information has been received pursuant to section 32-309, 32-310,
7 or 32-324 that the person has resided, registered, or voted in
8 any other county or state since registering to vote in the county,
9 ~~and~~ (d) upon determining that credible evidence exists that the
10 person was properly registered to vote in the county, make the
11 appropriate changes to the voter registration register by entering
12 the information contained in the registration application completed
13 by the voter at the time of voting a provisional ballot, and (e)
14 upon determining that credible evidence exists that the person
15 is eligible to register and vote on election day as provided in
16 section 30 of this act, make the appropriate entries in the voter
17 registration register to create a voter registration record for
18 such person based on the information contained in the registration
19 application completed by such person at the time of voting.

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

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

25 (b) The voter has resided in the county continuously

1 since registering to vote in the county;

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

4 (d) The voter has completed a registration application
5 prior to voting and:

6 (i) The residence address provided on the registration
7 application completed pursuant to subdivision (1)(e) of section
8 32-915 is located within the precinct in which the person voted;
9 and

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

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

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

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

22 (b) Information has been received pursuant to section
23 32-309, 32-310, or 32-324 that the voter has resided, registered,
24 or voted in any other county or state since registering to vote in
25 the county in which he or she cast the provisional ballot;

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

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

5 (e) The residence address provided on the registration
6 application completed pursuant to subdivision (1)(e) of section
7 32-915 is in a different county or in a different precinct than the
8 county or precinct in which the voter voted;

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

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

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

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

1 (8) The verification and investigation shall be completed
2 within seven days after the election.

3 Sec. 54. Section 32-1041, Revised Statutes Supplement,
4 2007, is amended to read:

5 32-1041 The election commissioner or county clerk may use
6 optical-scan ballots or voting systems approved by the Secretary
7 of State to allow ~~registered voters~~ electors to cast their votes
8 at any election. The election commissioner or county clerk may
9 use vote counting devices and voting systems approved by the
10 Secretary of State for tabulating the votes cast at any election.
11 Vote counting devices shall include electronic counting devices
12 such as optical scanners. Any new voting or counting system
13 shall be approved by the Secretary of State prior to use by an
14 election commissioner or county clerk. Notwithstanding any other
15 provision of the Election Act, the Secretary of State may adopt and
16 promulgate rules and regulations to establish different procedures
17 and locations for voting and counting votes pursuant to the use of
18 any new voting or counting system. The procedures shall be designed
19 to preserve the safety and confidentiality of each vote cast and
20 the secrecy and security of the counting process, to establish
21 security provisions for the prevention of fraud, and to ensure that
22 the election is conducted in a fair manner.

23 Sec. 55. Section 32-1302, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 32-1302 (1) Except for trustees of sanitary and

1 improvement districts, any elected official of a political
2 subdivision and any elected member of the governing bodies of
3 cities, villages, counties, irrigation districts, natural resources
4 districts, public power districts, school districts, community
5 college areas, educational service units, hospital districts, and
6 metropolitan utilities districts may be removed from office by
7 recall pursuant to sections 32-1301 to 32-1309. A trustee of a
8 sanitary and improvement district may be removed from office by
9 recall pursuant to sections 31-786 to 31-793.

10 (2) If due to reapportionment the boundaries of the area
11 served by the official or body change, the recall procedure and
12 special election provisions of sections 32-1301 to 32-1309 shall
13 apply to ~~the registered voters~~ those residing within the boundaries
14 of the new area.

15 (3) The recall procedure and special election provisions
16 of such sections shall apply to members of the governing bodies
17 listed in subsection (1) of this section, other than sanitary and
18 improvement districts, who are elected by precinct, district, or
19 subdistrict of the political subdivision. Only registered voters
20 of such member's precinct, district, or subdistrict may sign a
21 recall petition. Only electors of such member's precinct, district,
22 or subdistrict who register to vote may ~~or~~ vote at the recall
23 election. The recall election shall be held within the member's
24 precinct, district, or subdistrict. When an elected member is
25 nominated by precinct, district, or subdistrict in the primary

1 election and elected at large in the general election, the recall
2 provisions shall apply to the ~~registered voters~~ electors at the
3 general election.

4 (4) The recall procedure and special election provisions
5 shall apply to the mayor and members of the city council
6 of municipalities with a home rule charter notwithstanding any
7 contrary provisions of the home rule charter.

8 Sec. 56. Section 32-1307, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 32-1307 The form of the official ballot at a recall
11 election held pursuant to section 32-1306 shall conform to the
12 requirements of this section. With respect to each person whose
13 removal is sought, the question shall be submitted: Shall (name of
14 person) be removed from the office of (name of office)? Immediately
15 following each such question there shall be printed on the ballot
16 the two responses: Yes and No. Next to each response shall be
17 placed a square or oval in which the ~~registered voters~~ electors may
18 vote for one of the responses by making a cross or other clear,
19 identifiable mark. The name of the official which shall appear on
20 the ballot shall be the name of the official that appeared on the
21 ballot of the previous general election that included his or her
22 name.

23 Sec. 57. Section 32-1403, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 32-1403 A full and correct copy of the title and text

1 of the law or amendment to the Constitution of Nebraska to be
2 proposed by an initiative petition or the measure sought to be
3 referred to the registered voters by a referendum petition shall be
4 printed upon each sheet of the petition which contains signatures.
5 The petition may be filed with the Secretary of State in numbered
6 sections for convenience in handling.

7 Sec. 58. Section 32-1502, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 32-1502 A person shall be guilty of election
10 falsification if, orally or in writing, he or she purposely states
11 a falsehood under oath lawfully administered or in a statement made
12 under penalty of election falsification (1) as to a material matter
13 relating to an election in a proceeding before a court, tribunal,
14 or public official or (2) in a matter in relation to which an oath
15 or statement under penalty of election falsification is authorized
16 by law, including a statement required for verifying or filing a
17 voter registration application, election-day voter registration, or
18 voting early, ~~or~~ a statement required by a ~~new~~ ~~or~~ former resident
19 to enable him or her to vote for President or Vice President of
20 the United States, or a statement required by a new resident to
21 enable him or her to vote in the statewide general election. Any
22 person committing election falsification shall be guilty of a Class
23 IV felony.

24 Sec. 59. Section 32-1503, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 32-1503 Any person who (1) falsely impersonates an
2 elector and registers or attempts or offers to register in the
3 name of such elector, (2) knowingly or fraudulently registers or
4 offers to, attempts to, or makes application to register in or
5 under the name of any other person, in or under any false, assumed,
6 or fictitious name, or in or under any name not his or her own, (3)
7 knowingly or fraudulently registers in two election districts, (4)
8 having registered in one district, fraudulently attempts or offers
9 to register at any other election district in which he or she does
10 not have a lawful right to register, (5) knowingly or willfully
11 does any unlawful act to secure registration for himself or herself
12 or any other person, (6) knowingly, willfully, or fraudulently, by
13 false impersonation or by any unlawful means, causes, procures, or
14 attempts to cause or procure the name of any registered voter in
15 any election precinct to be erased or stricken from any register
16 of the voters of such precinct, (7) by force, threat, menace,
17 intimidation, bribery, reward, offer or promise of reward, or other
18 unlawful means, prevents, hinders, or delays any person having a
19 lawful right to register or to be registered from duly exercising
20 such right, (8) knowingly, willfully, or fraudulently compels,
21 induces, or attempts or offers to compel or induce, by any unlawful
22 means, any deputy registrar to register any person not lawfully
23 entitled to registration ~~in such precinct~~ or to register any false,
24 assumed, or fictitious name or any name of any other person, (9)
25 knowingly, willfully, or fraudulently interferes with, hinders, or

1 delays any deputy registrar in the discharge of his or her duties,
2 (10) counsels, advises, induces, or attempts to induce any deputy
3 registrar to refuse to perform or neglect to comply with his or her
4 duties or to violate any of the provisions of the Election Act, or
5 (11) aids, counsels, procures, or advises any person to do any act
6 forbidden by this section or to omit to do any act by law directed
7 to be done shall be guilty of a Class IV felony.

8 Sec. 60. Section 32-1504, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 32-1504 Any deputy registrar who is guilty of any willful
11 neglect of his or her duty or of any corrupt or fraudulent conduct
12 or practice in the execution of his or her duty or who willfully
13 neglects or, when called upon, willfully declines to exercise the
14 powers conferred on him or her by sections 32-301 to 32-330 and
15 section 14 of this act shall be guilty of a Class IV felony.

16 Sec. 61. Section 32-1508, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 32-1508 Any person who is guilty of willful or corrupt
19 false swearing in taking an oath prescribed by or upon any
20 examination provided for in sections 32-301 to 32-330 and section
21 14 of this act or upon being challenged as unqualified to register
22 to vote shall be guilty of a Class IV felony.

23 Sec. 62. Section 32-1512, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 32-1512 Irregularities or defects in the mode of

1 noticing, convening, holding, or conducting any registration or
2 revision of registration authorized by sections 32-301 to 32-330
3 and section 14 of this act shall not constitute a defense to a
4 prosecution for a violation of any of the provisions of sections
5 32-1503 to 32-1511.

6 Sec. 63. Section 32-1519, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-1519 (1) Any judge of election who (a) knowingly
9 receives or sanctions the reception of an improper or illegal vote,
10 ~~from any person who is not a registered voter,~~ (b) receives or
11 sanctions the reception of a ballot from any person who refuses
12 to answer any question which is put to him or her in accordance
13 with the Election Act, (c) refuses to take the oath prescribed by
14 the act, (d) sanctions the refusal by any other judge of election
15 to administer any oath required by the act when such oath is
16 required, or (e) refuses to receive or sanctions the rejection of
17 a ballot from any ~~registered voter~~ elector at the place where such
18 ~~registered voter~~ elector properly and legally offers to vote shall
19 be guilty of a Class III misdemeanor.

20 (2) Any judge or clerk of election on whom any duty is
21 enjoined by the act who willfully neglects any such duty or who
22 engages in any corrupt conduct in the discharge of his or her duty
23 shall be guilty of a Class III misdemeanor.

24 Sec. 64. Section 32-1528, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 32-1528 Any person who votes a ballot in any election
2 held for a school district, village, or precinct of a city in this
3 state in which he or she does not actually reside or into which he
4 or she has come for merely temporary purposes shall be guilty of a
5 Class III misdemeanor.

6 Sec. 65. Section 32-1530, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 32-1530 Any person who votes (1) who is not a resident of
9 this state, who is not registered to vote in the county in which
10 he or she voted or did not register to vote in such county as
11 otherwise provided by the Election Act, or registered in the county
12 or who at the time of election is not of the constitutionally
13 prescribed age of a registered voter, (2) who is not a citizen of
14 the United States, or (3) after being disqualified by law by reason
15 of his or her conviction of a felony and prior to the end of the
16 two-year period after completing the sentence, including any parole
17 term, shall be guilty of a Class IV felony.

18 Sec. 66. Section 32-1531, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 32-1531 ~~Except as provided in sections 32-933 to 32-937,~~
21 any Any person who is a resident of this state and who goes or
22 comes into any county of which he or she is not an actual resident
23 and votes in such county shall be guilty of a Class IV felony.

24 Sec. 67. Section 32-1532, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 32-1532 Any person who procures, aids, assists, counsels,
2 or advises another to give his or her vote, knowing that such
3 other person is not a resident of this state ~~or a registered voter~~
4 ~~of the county~~ as required by law at the time of election, is
5 not registered to vote in the county in which such other person
6 would be voting or does not intend to register to vote in such
7 county as otherwise provided by the Election Act, is not of the
8 constitutionally prescribed age of a registered voter, is not a
9 citizen of the United States, or is not duly qualified as a result
10 of any other disability to vote at the place where and the time
11 when the vote is to be given, shall be guilty of a Class IV felony.

12 Sec. 68. Original sections 32-107, 32-108, 32-114,
13 32-115, 32-221, 32-302, 32-307, 32-813, 32-816, 32-902, 32-907,
14 32-910, 32-912, 32-917, 32-918, 32-919, 32-920, 32-922, 32-923,
15 32-925, 32-927, 32-929, 32-933, 32-934, 32-935, 32-937, 32-1302,
16 32-1307, 32-1403, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519,
17 32-1528, 32-1531, and 32-1532, Reissue Revised Statutes of
18 Nebraska, sections 32-101, 32-306, 32-308, 32-311.01, 32-314,
19 32-321, 32-325, 32-807, 32-901, 32-915, 32-916, 32-921, 32-936,
20 32-938, 32-940, 32-941, 32-945, 32-952, 32-1502, and 32-1530,
21 Revised Statutes Cumulative Supplement, 2006, and sections 32-310,
22 32-904, 32-906, 32-913, 32-914, 32-1001, 32-1002, and 32-1041,
23 Revised Statutes Supplement, 2007, are repealed.