

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 324**

Introduced by Nelson, 6.

Read first time January 15, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-904  
2 and 32-1524, Reissue Revised Statutes of Nebraska; to  
3 provide for designation of voting entrances; to change  
4 restrictions on electioneering, circulating petitions,  
5 or soliciting near polling places; and to repeal the  
6 original sections.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 32-904, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           32-904 (1) The election commissioner or county clerk  
4 shall designate the polling places for each precinct at which the  
5 registered voters of the precinct will cast their votes.

6           (2) Polling places representing different precincts may  
7 be combined at a single location when potential sites cannot be  
8 found, contracts for utilizing polling sites cannot be obtained,  
9 or a potential site is not accessible to handicapped persons. When  
10 combining polling places at a single site for an election other  
11 than a special election, the election commissioner or county clerk  
12 shall clearly separate the polling places from each other and  
13 maintain separate receiving boards. When combining polling places  
14 at a single site for a special election, the election commissioner  
15 or county clerk may combine the polling places and receiving  
16 boards.

17           (3) Polling places shall not be changed between the  
18 statewide primary and general elections unless the election  
19 commissioner or county clerk has been authorized to make such  
20 change by the Secretary of State. If changes are authorized, the  
21 election commissioner or county clerk shall notify each state and  
22 local candidate affected by the change.

23           (4) Notwithstanding any other provision of the Election  
24 Act, the Secretary of State may adopt and promulgate rules  
25 and regulations, with the consent of the appropriate election

1 commissioner or county clerk, for the establishment of polling  
2 places which may be used for voting pursuant to section 32-1041 for  
3 the twenty days preceding the day of election. Such polling places  
4 shall be in addition to the office of the election commissioner or  
5 county clerk and the polling places otherwise established pursuant  
6 to this section.

7 (5) The election commissioner or county clerk shall  
8 designate one or more primary voting entrances for each polling  
9 place or other building where voters cast ballots for purposes of  
10 section 32-1524.

11 Sec. 2. Section 32-1524, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 32-1524 (1) No judge or clerk of election or precinct or  
14 district inspector shall do any electioneering while acting as an  
15 election official.

16 (2) No person shall do any electioneering, circulate  
17 petitions, or perform any action that involves solicitation within  
18 any polling place or any building designated for voters to cast  
19 ballots by the election commissioner or county clerk pursuant to  
20 the Election Act while the polling place or building is set up  
21 for voters to cast ballots or within ~~two~~ one hundred feet of any  
22 primary voting entrance designated pursuant to section 32-904 for  
23 such polling place or building. Any person violating this section  
24 shall be guilty of a Class V misdemeanor.

25 Sec. 3. Original sections 32-904 and 32-1524, Reissue

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1 Revised Statutes of Nebraska, are repealed.