

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 144
Final Reading

Introduced by Brasch, 16.

Read first time January 11, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend section 32-605, Reissue
2 Revised Statutes of Nebraska, and section 32-615, Revised
3 Statutes Cumulative Supplement, 2012; to provide for
4 certain defeated candidates to be eligible for write-in
5 candidacy; to harmonize provisions; and to repeal the
6 original sections.

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

1 Section 1. Section 32-605, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-605 No candidate defeated at a primary election shall
4 be permitted to file an affidavit declaring a write-in candidacy,
5 file by petition, or file a nomination, if nominated by party
6 convention or committee, for the following general election for the
7 same office except as provided in section 32-615, 32-616, or 32-625.

8 Sec. 2. Section 32-615, Revised Statutes Cumulative
9 Supplement, 2012, is amended to read:

10 32-615 (1) Any candidate engaged in or pursuing a write-
11 in campaign shall file a notarized affidavit of his or her intent
12 together with the receipt for any filing fee with the filing officer
13 as provided in section 32-608 no earlier than December 1 and no later
14 than ten days prior to the election.

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

23 (3) A candidate who files a notarized affidavit shall be
24 entitled to all write-in votes for the candidate even if only the
25 last name of the candidate has been written if such last name is

1 reasonably close to the proper spelling.

2 Sec. 3. Original section 32-605, Reissue Revised Statutes
3 of Nebraska, and section 32-615, Revised Statutes Cumulative
4 Supplement, 2012, are repealed.