

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 224

Introduced by Harr, 8.

Read first time January 13, 2015

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to electioneering; to amend section 32-1524,
2 Reissue Revised Statutes of Nebraska, and section 32-101, Revised
3 Statutes Cumulative Supplement, 2014; to require the marking of
4 areas near polling places for purposes of electioneering
5 restrictions as prescribed; to change restrictions on
6 electioneering; to prohibit removal of or refusal to display
7 electioneering materials as prescribed; to harmonize provisions; and
8 to repeal the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-101, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 32-101 Sections 32-101 to 32-1551 and section 2 of this act shall be
4 known and may be cited as the Election Act.

5 Sec. 2. (1) On the day of any election conducted by the election
6 commissioner or county clerk pursuant to the Election Act, the election
7 commissioner or county clerk shall cause flags to be placed to indicate
8 the area within two hundred feet, up to but not across a public
9 thoroughfare or private property, other than the property upon which the
10 building is located, of any part of a building in which one or more
11 polling places are being used at such election.

12 (2) The owner of a building in which a polling place is located
13 shall allow electioneering materials to be displayed on the same property
14 as the building outside of the area flagged pursuant to subsection (1) of
15 this section and shall allow campaign yard signs within the yard-sign
16 zone designated pursuant to subsection (3) of this section.

17 (3) The election commissioner or county clerk shall, in consultation
18 with the owner or property manager of the building, designate a yard-sign
19 zone for each building in which one or more polling places are located.
20 The election commissioner or county clerk shall cause the yard-sign zone
21 to be clearly marked at least one hour prior to the opening of the polls.
22 The yard-sign zone shall be within the two-hundred-foot area marked by
23 flags pursuant to subsection (1) of this section, shall be an area as
24 near as possible to ten feet by five feet, and shall be visible to voters
25 entering the building to vote.

26 (4) Any person may display a campaign sign in a yard-sign zone
27 beginning at 7 a.m. and ending at 9 p.m. on the day of an election.

28 Sec. 3. Section 32-1524, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-1524 (1) No judge or clerk of election or precinct or district
31 inspector shall do any electioneering while acting as an election

1 official.

2 (2) No person shall display electioneering materials or do any
3 electioneering, circulate petitions, or perform any action that involves
4 solicitation within any polling place or any building designated for
5 voters to cast ballots by the election commissioner or county clerk
6 pursuant to the Election Act while the polling place or building is set
7 up for voters to cast ballots ~~or within two hundred feet of any such~~
8 ~~polling place or building.~~

9 (3) Except as provided in section 2 of this act for yard-sign zones,
10 no person shall display electioneering materials or do any
11 electioneering, circulate petitions, or perform any action that involves
12 solicitation within two hundred feet, up to but not across a public
13 thoroughfare or private property, other than the property upon which the
14 building is located, of any part of a building in which any polling place
15 is located as designated by the election commissioner or county clerk
16 pursuant to section 2 of this act beginning at 7 a.m. and ending at 9
17 p.m. on the day of any election conducted pursuant to the Election Act.

18 (4) No person shall remove any lawfully displayed electioneering
19 materials without authorization.

20 (5) It shall be unlawful for the owner of a building in which a
21 polling place is located or his or her designee to (a) refuse to allow
22 electioneering materials to be lawfully displayed on the same property as
23 the building as provided in section 2 of this act or (b) allow
24 electioneering materials which are lawfully displayed as provided in
25 section 2 of this act to be removed without approval prior to the close
26 of the polls.

27 (6) Any person violating this section shall be guilty of a Class IV
28 ✕ misdemeanor.

29 Sec. 4. Original section 32-1524, Reissue Revised Statutes of
30 Nebraska, and section 32-101, Revised Statutes Cumulative Supplement,
31 2014, are repealed.