

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 368

Introduced by Groene, 42.

Read first time January 15, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to petition circulators; to amend sections
- 2 32-630 and 32-1546, Reissue Revised Statutes of Nebraska; to
- 3 prohibit certain activities interfering with a circulator; to
- 4 provide a penalty; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-630, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-630 (1) Each person who signs a petition shall, at the time of
4 and in addition to signing, personally affix the date, print his or her
5 last name and first name in full, and affix his or her date of birth and
6 address, including the street and number or a designation of a rural
7 route or voting precinct and the city or village or a post office
8 address. A person signing a petition may use his or her initials in place
9 of his or her first name if such person is registered to vote under such
10 initials. No signer shall use ditto marks as a means of personally
11 affixing the date or address to any petition. A wife shall not use her
12 husband's first name when she signs a petition but shall personally affix
13 her first name and her last name by marriage or her surname. Any
14 signature using ditto marks as a means of personally affixing the date or
15 address of any petition or any signature using a spouse's first name
16 instead of his or her own shall be invalid.

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

19 (3) No person shall:

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

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

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

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

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

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

29 (g) Pay a circulator based on the number of signatures collected.

30 (4) To protect the right of a citizen to sign a petition:

31 (a) No person shall harass, intimidate, or impede a circulator of a

1 petition within two hundred feet of the circulator;

2 (b) If a circulator is stationary at a fixed table or booth, no
3 person shall prevent the circulator from talking to any person or prevent
4 any person from approaching the circulator; and

5 (c) No person shall do any electioneering within two hundred feet of
6 a circulator.

7 Sec. 2. Section 32-1546, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 32-1546 (1) Any person who is not, at the time of signing a
10 petition, a registered voter and qualified to sign the petition, except
11 as provided for initiative and referendum petitions in section 32-1404,
12 or who signs any name other than his or her own to any petition shall be
13 guilty of a Class I misdemeanor.

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

18 (3) Any person who (a) harasses, intimidates, or impedes a
19 circulator of a petition within two hundred feet of the circulator, (b)
20 who prevents a circulator from talking to any person or prevents any
21 person from approaching the circulator if the circulator is stationary at
22 a fixed table or booth, or (c) does any electioneering within two hundred
23 feet of a circulator shall be guilty of a Class V misdemeanor.

24 Sec. 3. Original sections 32-630 and 32-1546, Reissue Revised
25 Statutes of Nebraska, are repealed.