

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1038

FINAL READING

Introduced by Thibodeau, 6.

Read first time January 17, 2018

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to registration of voters; to amend section
2 32-206, Reissue Revised Statutes of Nebraska, and section 32-304,
3 Revised Statutes Supplement, 2017; to provide a deadline for
4 electronic voter registration; to harmonize provisions; to repeal
5 the original sections; and to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-206, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-206 (1) The Secretary of State shall publish an official election
4 calendar by November 1 prior to the statewide primary election. Such
5 calendar, to be approved as to form by the Attorney General, shall set
6 forth the various election deadline dates and other pertinent data as
7 determined by the Secretary of State. The official election calendar
8 shall be merely a guideline and shall in no way legally bind the
9 Secretary of State or the Attorney General.

10 (2) The Secretary of State shall deliver a copy of the official
11 election calendar to the state party headquarters of each recognized
12 political party within ten days after publication under subsection (1) of
13 this section.

14 (3) Except as provided in sections 32-302, 32-304, and 32-306, any
15 filing or other act required to be performed by a specified day shall be
16 performed by 5 p.m. of such day, except that if such day falls upon a
17 Saturday, Sunday, or legal holiday, performance shall be required on the
18 next business day.

19 Sec. 2. Section 32-304, Revised Statutes Supplement, 2017, is
20 amended to read:

21 32-304 (1) The Secretary of State in conjunction with the Department
22 of Motor Vehicles shall, on or before September 1, 2015, develop and
23 implement a registration application process which may be used statewide
24 to register to vote and update voter registration records electronically
25 using the Secretary of State's web site. An applicant who has a valid
26 Nebraska motor vehicle operator's license or state identification card
27 may use the application process to register to vote or to update his or
28 her voter registration record with changes in his or her personal
29 information or other information related to his or her eligibility to
30 vote. For each electronic application, the Secretary of State shall
31 obtain a copy of the electronic representation of the applicant's

1 signature from the Department of Motor Vehicles' records of his or her
2 motor vehicle operator's license or state identification card for
3 purposes of voter registration.

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

6 (a) An applicant who submits this application electronically is
7 affirming that the information in the application is true. Any applicant
8 who submits this application electronically knowing that any of the
9 information in the application is false shall be guilty of a Class IV
10 felony under section 32-1502 of the statutes of Nebraska. The penalty for
11 a Class IV felony is up to two years imprisonment and twelve months post-
12 release supervision, a fine of up to ten thousand dollars, or both;

13 (b) An applicant who submits this application electronically is
14 agreeing to the use of his or her signature from the Department of Motor
15 Vehicles' records of his or her motor vehicle operator's license or state
16 identification card for purposes of voter registration;

17 (c) To vote at the polling place on election day, the completed
18 application must be submitted on or before the third Friday before the
19 election and prior to midnight on such Friday; and

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

23 Sec. 3. Original section 32-206, Reissue Revised Statutes of
24 Nebraska, and section 32-304, Revised Statutes Supplement, 2017, are
25 repealed.

26 Sec. 4. Since an emergency exists, this act takes effect when
27 passed and approved according to law.