

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 577

Introduced by Bostar, 29.

Read first time January 19, 2021

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to elections; to amend sections 32-307,
2 32-308, 32-315, 32-1506, 60-4,130, and 60-4,130.02, Reissue Revised
3 Statutes of Nebraska, and sections 25-2221, 32-202, 32-312, 32-947,
4 32-1002, 60-484, 60-484.02, 60-4,144, and 62-301, Revised Statutes
5 Cumulative Supplement, 2020; to establish Election Day as a holiday;
6 to change provisions relating to holidays; to change provisions
7 relating to early voting and provide for early voting to be postage-
8 paid; to change provisions relating to automatic voter registration;
9 to harmonize provisions; to provide an operative date; to repeal the
10 original sections; and to outright repeal section 32-309, Reissue
11 Revised Statutes of Nebraska.
12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 25-2221, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 25-2221 Except as may be otherwise more specifically provided, the
4 period of time within which an act is to be done in any action or
5 proceeding shall be computed by excluding the day of the act, event, or
6 default after which the designated period of time begins to run. The last
7 day of the period so computed shall be included unless it is a Saturday,
8 a Sunday, or a day during which the offices of courts of record may be
9 legally closed as provided in this section, in which event the period
10 shall run until the end of the next day on which the office will be open.

11 All courts and their offices may be closed on Saturdays, Sundays,
12 days on which a specifically designated court is closed by order of the
13 Chief Justice of the Supreme Court, and these holidays: New Year's Day,
14 January 1; Birthday of Martin Luther King, Jr., the third Monday in
15 January; President's Day, the third Monday in February; Arbor Day, the
16 last Friday in April; Memorial Day, the last Monday in May; Independence
17 Day, July 4; Labor Day, the first Monday in September; Indigenous
18 Peoples' Day and Columbus Day, the second Monday in October; Election
19 Day, the first Tuesday following the first Monday in November in each
20 even-numbered year; Veterans Day, November 11; Thanksgiving Day, the
21 fourth Thursday in November; the day after Thanksgiving; Christmas Day,
22 December 25; and all days declared by law or proclamation of the Governor
23 to be holidays. Such days shall be designated as nonjudicial days. If any
24 such holiday falls on Sunday, the following Monday shall be a holiday. If
25 any such holiday falls on Saturday, the preceding Friday shall be a
26 holiday. Court services shall be available on all other days. If the date
27 designated by the state for observance of any legal holiday pursuant to
28 this section, except Veterans Day, is different from the date of
29 observance of such holiday pursuant to a federal holiday schedule, the
30 federal holiday schedule shall be observed.

31 Sec. 2. Section 32-202, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 32-202 In addition to any other duties prescribed by law, the
3 Secretary of State shall:

4 (1) Supervise the conduct of primary and general elections in this
5 state;

6 (2) Provide training for election commissioners, county clerks, and
7 other election officials in providing for registration of voters and the
8 conduct of elections;

9 (3) Enforce the Election Act;

10 (4) With the assistance and advice of the Attorney General, make
11 uniform interpretations of the act;

12 (5) Provide periodic training for the agencies and their agents and
13 contractors in carrying out their duties under sections 32-308 to 32-310;

14 (6) Develop and print forms for use as required by sections 32-308,
15 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

16 (7) Contract with the Department of Administrative Services for
17 storage and distribution of the forms;

18 (8) Require reporting to ensure compliance with sections 32-308 and
19 ~~to~~ 32-310;

20 (9) Prepare and transmit reports as required by the National Voter
21 Registration Act of 1993, 52 U.S.C. 20501 et seq.;

22 (10) Develop and print a manual describing the requirements of the
23 initiative and referendum process and distribute the manual to election
24 commissioners and county clerks for distribution to the public upon
25 request;

26 (11) Develop and print pamphlets described in section 32-1405.01;

27 (12) Adopt and promulgate rules and regulations as necessary for
28 elections conducted under sections 32-952 to 32-959; and

29 (13) Establish a free access system, such as a toll-free telephone
30 number or an Internet web site, that any voter who casts a provisional
31 ballot may access to discover whether the vote of that voter was counted

1 and, if the vote was not counted, the reason that the vote was not
2 counted. The Secretary of State shall establish and maintain reasonable
3 procedures necessary to protect the security, confidentiality, and
4 integrity of personal information collected, stored, or otherwise used by
5 the free access system. Access to information about an individual
6 provisional ballot shall be restricted to the individual who cast the
7 ballot.

8 Sec. 3. Section 32-307, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 32-307 No materials advocating or advertising any political issue,
11 candidate, or party shall be displayed or distributed within fifty feet
12 of any voter registration site. No alcohol shall be served within fifty
13 feet of any voter registration site. The registration procedure shall be
14 conducted in a neutral manner and shall not be connected with anything
15 unrelated to the object of registering electors except as otherwise
16 provided in sections 32-308 and ~~to~~ 32-310.

17 Sec. 4. Section 32-308, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 32-308 (1) The Secretary of State and the Director of Motor Vehicles
20 shall enter into an agreement to match information in the computerized
21 statewide voter registration list with information in the data base of
22 the Department of Motor Vehicles to the extent required to enable each
23 such official to verify the accuracy of the information provided on
24 applications for voter registration. The Director of Motor Vehicles shall
25 enter into an agreement with the Commissioner of Social Security under
26 section 205(r)(8) of the federal Social Security Act, 42 U.S.C. 405(r)
27 (8), as such section existed on April 17, 2003, for purposes of the
28 Election Act.

29 (2) The Department of Motor Vehicles, with the assistance of the
30 Secretary of State, shall prescribe a voter registration application
31 which may be used to register to vote or change his or her address for

1 voting purposes at the same time an elector applies for an original or
2 renewal motor vehicle operator's license, an original or renewal state
3 identification card, or a replacement thereof. The voter registration
4 application shall be designed so that the elector's information is
5 transmitted to the election commissioner or county clerk pursuant to
6 subsection (3) of this section unless the elector specifies on the form
7 that he or she does not want to register to vote or update his or her
8 voter registration record. The voter registration application shall
9 contain the information required pursuant to section 32-312 and shall be
10 designed so that it does not require the duplication of information in
11 the application for the motor vehicle operator's license or state
12 identification card, except that it may require a second signature of the
13 applicant. The department and the Secretary of State shall make the voter
14 registration application available to any person applying for an
15 operator's license or state identification card. The application shall be
16 completed at the office of the department by the close of business on the
17 third Friday preceding any election to be registered to vote at such
18 election. A registration application received after the deadline shall
19 not be processed by the election commissioner or county clerk until after
20 the election. If a voter registration application is submitted under this
21 section with the signature of the applicant but the applicant is not
22 eligible to register to vote, the submission shall not be considered a
23 violation of section 32-1502 or 32-1503 and the document submitted shall
24 not be considered a valid or completed voter registration application for
25 purposes of registration or enforcement of the Election Act unless the
26 applicant has willfully and knowingly taken affirmative steps to register
27 to vote knowing that he or she is not eligible to do so.

28 (3) The Department of Motor Vehicles, in conjunction with the
29 Secretary of State, shall ~~develop a process to~~ electronically transmit
30 voter registration application information received under subsection (2)
31 of this section to the election commissioner or county clerk of the

1 county in which the applicant resides within the time limits prescribed
2 in subsection (4) of this section for each applicant verified by the
3 Department of Motor Vehicles to be a citizen of the United States and at
4 least eighteen years of age or will be eighteen years of age on or before
5 the first Tuesday after the first Monday in November of the then-current
6 year. The Department of Motor Vehicles shall not transmit voter
7 registration application information for applications pursuant to section
8 60-480.01 . The Director of Motor Vehicles shall designate an
9 implementation date for the process which shall be on or before January
10 1, 2016.

11 (4) The voter registration application information shall be
12 transmitted to the election commissioner or county clerk of the county in
13 which the applicant resides not later than ten days after receipt, except
14 that if the voter registration application information is received within
15 five days prior to the third Friday preceding any election, it shall be
16 transmitted not later than five days after its original submission. Any
17 information on whether an applicant registers or declines to register and
18 the location of the office at which he or she registers shall be
19 confidential and shall only be used for voter registration purposes.

20 (5) For each voter registration application for which information is
21 transmitted electronically pursuant to this section, the Secretary of
22 State shall obtain a copy of the electronic representation of the
23 applicant's signature from the Department of Motor Vehicles' records of
24 his or her motor vehicle operator's license or state identification card
25 for purposes of voter registration. Each voter registration application
26 electronically transmitted under this section shall include information
27 provided by the applicant that includes whether the applicant is a
28 citizen of the United States, whether the applicant is of sufficient age
29 to register to vote, the applicant's residence address, the applicant's
30 postal address if different from the residence address, the date of birth
31 of the applicant, the party affiliation of the applicant or an indication

1 that the applicant is not affiliated with any political party, the
2 applicant's motor vehicle operator's license number, the applicant's
3 previous registration location by city, county, or state, if applicable,
4 and the applicant's signature.

5 (6) State agency personnel involved in the voter registration
6 process pursuant to this section ~~and section 32-309~~ shall not be
7 considered deputy registrars or agents or employees of the election
8 commissioner or county clerk.

9 Sec. 5. Section 32-312, Revised Statutes Cumulative Supplement,
10 2020, is amended to read:

11 32-312 The registration application prescribed by the Secretary of
12 State pursuant to section 32-304 or 32-311.01 shall provide the
13 instructional statements and request the information from the applicant
14 as provided in this section.

15 CITIZENSHIP—"Are you a citizen of the United States of America?"
16 with boxes to check to indicate whether the applicant is or is not a
17 citizen of the United States.

18 AGE—"Are you at least eighteen years of age or will you be eighteen
19 years of age on or before the first Tuesday following the first Monday of
20 November of this year?" with boxes to check to indicate whether or not
21 the applicant will be eighteen years of age or older on election day.

22 WARNING—"If you checked 'no' in response to either of these
23 questions, do not complete this application."

24 NAME—the name of the applicant giving the first and last name in
25 full, the middle name in full or the middle initial, and the maiden name
26 of the applicant, if applicable.

27 RESIDENCE—the name and number of the street, avenue, or other
28 location of the dwelling where the applicant resides if there is a
29 number. If the registrant resides in a hotel, apartment, tenement house,
30 or institution, such additional information shall be included as will
31 give the exact location of such registrant's place of residence. If the

1 registrant lives in an incorporated or unincorporated area not identified
2 by the use of roads, road names, or house numbers, the registrant shall
3 state the section, township, and range of his or her residence and the
4 corporate name of the school district as described in section 79-405 in
5 which he or she is located.

6 POSTAL ADDRESS—the address at which the applicant receives mail if
7 different from the residence address.

8 ADDRESS OF LAST REGISTRATION—the name and number of the street,
9 avenue, or other location of the dwelling from which the applicant last
10 registered.

11 TELEPHONE NUMBERS—the telephone numbers of the applicant. At the
12 request of the applicant, a designation shall be made that a telephone
13 number is an unlisted number, and such designation shall preclude the
14 listing of such telephone number on any list of voter registrations.

15 EMAIL ADDRESS—an email address of the applicant. At the request of
16 the applicant, a designation shall be made that the email address is
17 private, and such designation shall preclude the listing of the
18 applicant's email address on any list of voter registrations.

19 DRIVER'S LICENSE NUMBER OR LAST FOUR DIGITS OF SOCIAL SECURITY
20 NUMBER—if the applicant has a Nebraska driver's license, the license
21 number, and if the applicant does not have a Nebraska driver's license,
22 the last four digits of the applicant's social security number.

23 DATE OF APPLICATION FOR REGISTRATION—the month, day, and year when
24 the applicant presented himself or herself for registration, when the
25 applicant completed and signed the registration application if the
26 application was submitted by mail or delivered to the election official
27 by the applicant's personal messenger or personal agent, or when the
28 completed application was submitted if the registration application was
29 completed pursuant to section 32-304.

30 PLACE OF BIRTH—show the state, country, kingdom, empire, or dominion
31 where the applicant was born.

1 DATE OF BIRTH—show the date of the applicant's birth. The applicant
2 shall be at least eighteen years of age or attain eighteen years of age
3 on or before the first Tuesday after the first Monday in November to have
4 the right to register and vote in any election in the present calendar
5 year.

6 REGISTRATION TAKEN BY—show the signature of the authorized official
7 or staff member accepting the application pursuant to section ~~32-309~~ or
8 32-310 or at least one of the deputy registrars taking the application
9 pursuant to section 32-306, if applicable.

10 PARTY AFFILIATION—show the party affiliation of the applicant as
11 Democrat, Republican, or Other or show no party affiliation as
12 Nonpartisan. (Note: If you wish to vote in both partisan and nonpartisan
13 primary elections for state and local offices, you must indicate a
14 political party affiliation on the registration application. If you
15 register without a political party affiliation (nonpartisan), you will
16 receive only the nonpartisan ballots for state and local offices at
17 primary elections. If you register without a political party affiliation,
18 you may vote in partisan primary elections for congressional offices.)

19 OTHER—information the Secretary of State determines will assist in
20 the proper and accurate registration of the voter.

21 Immediately following the spaces for inserting information as
22 provided in this section, the following statement shall be printed:

23 To the best of my knowledge and belief, I declare under penalty of
24 election falsification that:

25 (1) I live in the State of Nebraska at the address provided in this
26 application;

27 (2) I have not been convicted of a felony or, if convicted, it has
28 been at least two years since I completed my sentence for the felony,
29 including any parole term;

30 (3) I have not been officially found to be non compos mentis
31 (mentally incompetent); and

1 (4) I am a citizen of the United States.

2 Any registrant who signs this application knowing that any of the
3 information in the application is false shall be guilty of a Class IV
4 felony under section 32-1502 of the statutes of Nebraska. The penalty for
5 a Class IV felony is up to two years imprisonment and twelve months post-
6 release supervision, a fine of up to ten thousand dollars, or both.

7 APPLICANT'S SIGNATURE—require the applicant to affix his or her
8 signature to the application.

9 Sec. 6. Section 32-315, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 32-315 Upon receiving a completed voter registration application
12 pursuant to section 32-308, ~~32-309~~, or 32-310 indicating that a voter who
13 is registered in the county has changed his or her name or moved to
14 another residence within the same county, the election commissioner or
15 county clerk shall change the voter registration record of the registered
16 voter to the new name or new address and shall send an acknowledgment
17 card to the registered voter indicating that the change of registration
18 has been completed and the address of the voter's new polling place.

19 Sec. 7. Section 32-947, Revised Statutes Cumulative Supplement,
20 2020, is amended to read:

21 32-947 (1) Upon receipt of an application or other request for a
22 ballot to vote early, the election commissioner or county clerk shall
23 determine whether the applicant is a registered voter and is entitled to
24 vote as requested. If the election commissioner or county clerk
25 determines that the applicant is a registered voter entitled to vote
26 early and the application was received not later than the close of
27 business on the second Friday preceding the election, the election
28 commissioner or county clerk shall deliver a ballot to the applicant in
29 person or by mail, postage paid. The election commissioner or county
30 clerk or any employee of the election commissioner or county clerk shall
31 write or cause to be affixed his or her customary signature or initials

1 on the ballot.

2 (2) An unsealed identification envelope shall be delivered with the
3 ballot. The official title and post office address of the election
4 commissioner or county clerk shall be printed on the face of such
5 envelope. Upon ~~and upon~~ the back of such the envelope shall be printed
6 a form substantially as follows:

7 VOTER'S OATH

8 I, the undersigned voter, declare that the enclosed ballot or
9 ballots contained no voting marks of any kind when I received them, and I
10 caused the ballot or ballots to be marked, enclosed in the identification
11 envelope, and sealed in such envelope.

12 To the best of my knowledge and belief, I declare under penalty of
13 election falsification that:

14 (a) I,, am a registered voter
15 in County;

16 (b) I reside in the State of Nebraska at

17 (c) I have voted the enclosed ballot and am returning it in
18 compliance with Nebraska law; and

19 (d) I have not voted and will not vote in this election except by
20 this ballot.

21 ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE INFORMATION
22 IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION FALSIFICATION, A CLASS
23 IV FELONY UNDER SECTION 32-1502 OF THE STATUTES OF NEBRASKA. THE PENALTY
24 FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO TWO YEARS AND TWELVE
25 MONTHS POST-RELEASE SUPERVISION OR A FINE NOT TO EXCEED TEN THOUSAND
26 DOLLARS, OR BOTH.

27 I also understand that failure to sign below will invalidate my
28 ballot.

29 Signature

30 ~~(3) If the ballot and identification envelope will be returned by~~
31 ~~mail or by someone other than the voter, the election commissioner or~~

1 ~~county clerk shall include with the ballot an identification envelope~~
2 ~~upon the face of which shall be printed the official title and post~~
3 ~~office address of the election commissioner or county clerk.~~

4 (3) (4) The election commissioner or county clerk shall also enclose
5 with the ballot materials:

6 (a) A registration application, if the election commissioner or
7 county clerk has determined that the applicant is not a registered voter
8 pursuant to section 32-945, with instructions that failure to return the
9 completed and signed application indicating the residence address as it
10 appears on the voter's request for a ballot to the election commissioner
11 or county clerk by the close of the polls on election day will result in
12 the ballot not being counted;

13 (b) A registration application and the oath pursuant to section
14 32-946, if the voter is without a residence address, with instructions
15 that the residence address of the voter shall be deemed that of the
16 office of the election commissioner or county clerk of the county of the
17 voter's prior residence and that failure to return the completed and
18 signed application and oath to the election commissioner or county clerk
19 by the close of the polls on election day will result in the ballot not
20 being counted; or

21 (c) Written instructions directing the voter to submit a copy of an
22 identification document pursuant to section 32-318.01 if the voter is
23 required to present identification under such section and advising the
24 voter that failure to submit identification to the election commissioner
25 or county clerk by the close of the polls on election day will result in
26 the ballot not being counted.

27 (4) (5) The election commissioner or county clerk shall ~~may~~ enclose
28 with the ballot materials a separate return envelope for the voter's use
29 in returning his or her identification envelope containing the voted
30 ballot, registration application, and other materials that may be
31 required. Such return envelope shall be postage-paid and preaddressed to

1 the election commissioner or county clerk.

2 Sec. 8. Section 32-1002, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 32-1002 (1) As the ballots are removed from the ballot box pursuant
5 to sections 32-1012 to 32-1018, the receiving board shall separate the
6 envelopes containing the provisional ballots from the rest of the ballots
7 and deliver them to the election commissioner or county clerk.

8 (2) Upon receipt of a provisional ballot, the election commissioner
9 or county clerk shall verify that the certificate on the front of the
10 envelope or the form attached to the envelope is in proper form and that
11 the certification has been signed by the voter.

12 (3) The election commissioner or county clerk shall also (a) verify
13 that such person has not voted anywhere else in the county or been issued
14 a ballot for early voting, (b) investigate whether any credible evidence
15 exists that the person was properly registered to vote in the county
16 before the deadline for registration for the election, (c) investigate
17 whether any information has been received pursuant to section 32-308,
18 ~~32-309~~, 32-310, or 32-324 that the person has resided, registered, or
19 voted in any other county or state since registering to vote in the
20 county, and (d) upon determining that credible evidence exists that the
21 person was properly registered to vote in the county, make the
22 appropriate changes to the voter registration register by entering the
23 information contained in the registration application completed by the
24 voter at the time of voting a provisional ballot.

25 (4) A provisional ballot cast by a voter pursuant to section 32-915
26 shall be counted if:

27 (a) Credible evidence exists that the voter was properly registered
28 in the county before the deadline for registration for the election;

29 (b) The voter has resided in the county continuously since
30 registering to vote in the county;

31 (c) The voter has not voted anywhere else in the county or has not

1 otherwise voted early using a ballot for early voting;

2 (d) The voter has completed a registration application prior to
3 voting as prescribed in subsection (6) of this section and:

4 (i) The residence address provided on the registration application
5 completed pursuant to subdivision (1)(e) of section 32-915 is located
6 within the precinct in which the person voted; and

7 (ii) If the voter is voting in a primary election, the party
8 affiliation provided on the registration application completed prior to
9 voting the provisional ballot is the same party affiliation that appears
10 on the voter's voter registration record based on his or her previous
11 registration application; and

12 (e) The certification on the front of the envelope or form attached
13 to the envelope is in the proper form and signed by the voter.

14 (5) A provisional ballot cast by a voter pursuant to section 32-915
15 shall not be counted if:

16 (a) The voter was not properly registered in the county before the
17 deadline for registration for the election;

18 (b) Information has been received pursuant to section 32-308,
19 ~~32-309~~, 32-310, or 32-324 that the voter has resided, registered, or
20 voted in any other county or state since registering to vote in the
21 county in which he or she cast the provisional ballot;

22 (c) Credible evidence exists that the voter has voted elsewhere or
23 has otherwise voted early;

24 (d) The voter failed to complete and sign a registration application
25 pursuant to subsection (6) of this section and subdivision (1)(e) of
26 section 32-915;

27 (e) The residence address provided on the registration application
28 completed pursuant to subdivision (1)(e) of section 32-915 is in a
29 different county or in a different precinct than the county or precinct
30 in which the voter voted;

31 (f) If the voter is voting in a primary election, the party

1 affiliation on the registration application completed prior to voting the
2 provisional ballot is different than the party affiliation that appears
3 on the voter's voter registration record based on his or her previous
4 registration application; or

5 (g) The voter failed to complete and sign the certification on the
6 envelope or form attached to the envelope pursuant to subsection (3) of
7 section 32-915.

8 (6) An error or omission of information on the registration
9 application or the certification required under section 32-915 shall not
10 result in the provisional ballot not being counted if:

11 (a)(i) The errant or omitted information is contained elsewhere on
12 the registration application or certification; or

13 (ii) The information is not necessary to determine the eligibility
14 of the voter to cast a ballot; and

15 (b) Both the registration application and the certification are
16 signed by the voter.

17 (7) Upon determining that the voter's provisional ballot is eligible
18 to be counted, the election commissioner or county clerk shall remove the
19 ballot from the envelope without exposing the marks on the ballot and
20 shall place the ballot with the ballots to be counted by the county
21 canvassing board.

22 (8) The election commissioner or county clerk shall notify the
23 system administrator of the system created pursuant to section 32-202 as
24 to whether the ballot was counted and, if not, the reason the ballot was
25 not counted.

26 (9) The verification and investigation shall be completed within
27 seven business days after the election.

28 Sec. 9. Section 32-1506, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-1506 Any deputy registrar, judge or clerk of election, or other
31 officer having the custody of records, registers, copies of records or

1 registers, oaths, certificates, or any other paper, document, or evidence
2 of any description by law directed to be made, filed, or preserved (1)
3 who steals, willfully destroys, mutilates, defaces, falsifies, or
4 fraudulently removes such paper, document, or evidence or any part
5 thereof, (2) who fraudulently makes an entry, erasure, or alteration in
6 such paper, document, or evidence except as allowed and directed by the
7 Election Act, (3) who uses the voter registration records for any purpose
8 other than voter registration, election administration, or enforcement of
9 the Election Act, (4) who permits any other person to commit any
10 violation listed in this section, or (5) who advises, procures, or abets
11 the commission of such a violation shall be guilty of a Class III
12 misdemeanor and shall forfeit his or her office. Any other person who
13 violates this section shall be guilty of a Class III misdemeanor.

14 Sec. 10. Section 60-484, Revised Statutes Cumulative Supplement,
15 2020, is amended to read:

16 60-484 (1) Except as otherwise provided in the Motor Vehicle
17 Operator's License Act, no resident of the State of Nebraska shall
18 operate a motor vehicle upon the alleys or highways of this state until
19 the person has obtained an operator's license for that purpose.

20 (2) Application for an operator's license or a state identification
21 card shall be made in a manner prescribed by the department.

22 (3) The applicant shall provide his or her full legal name, date of
23 birth, mailing address, gender, race or ethnicity, and social security
24 number, two forms of proof of address of his or her principal residence
25 unless the applicant is a program participant under the Address
26 Confidentiality Act, evidence of identity as required by subsection (6)
27 of this section, and a brief physical description of himself or herself.
28 The applicant: ~~(a) may also complete the voter registration portion~~
29 ~~pursuant to section 32-308, (b) shall~~

30 (a) Shall be provided the advisement language required by subsection
31 (5) of section 60-6,197; ~~(c) shall~~

1 **(b) Shall** answer the following:

2 (i) Have you within the last three months (e.g. due to diabetes,
3 epilepsy, mental illness, head injury, stroke, heart condition,
4 neurological disease, etc.):

5 (A) lost voluntary control or consciousness ... yes ... no

6 (B) experienced vertigo or multiple episodes of dizziness or
7 fainting ... yes ... no

8 (C) experienced disorientation ... yes ... no

9 (D) experienced seizures ... yes ... no

10 (E) experienced impairment of memory, memory loss ... yes ... no

11 Please explain:

12 (ii) Do you experience any condition which affects your ability to
13 operate a motor vehicle? (e.g. due to loss of, or impairment of, foot,
14 leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ...
15 no

16 Please explain:

17 (iii) Since the issuance of your last driver's license/permit, has
18 your health or medical condition changed or worsened? ... yes ... no

19 Please explain, including how the above affects your ability to
20 drive:; ~~and (d) may~~

21 **(c) Shall be advised as follows: We will use your information to**
22 **update your voter registration record or register you to vote.**

23 **The applicant shall be given the opportunity to choose not to use**
24 **his or her information for voter registration, otherwise the applicant**
25 **shall complete the voter registration portion that is transmitted to the**
26 **election commissioner or county clerk to register the applicant to vote**
27 **or update his or her voter registration record pursuant to section**
28 **32-308. If the voter registration portion is only partially completed,**
29 **the department may still proceed to issue the operator's license or state**
30 **identification card and shall transmit the incomplete voter registration**
31 **portion to the election commissioner or county clerk pursuant to section**

1 32-308. The department may still proceed to issue the operator's license
2 or state identification card if the applicant refuses to answer or does
3 not complete the voter registration portion; and

4 (d) May answer the following:

5 ~~(i) Do you wish to register to vote as part of this application~~
6 ~~process?~~

7 ~~(i) (ii)~~ Do you wish to have a veteran designation displayed on the
8 front of your operator's license or state identification card to show
9 that you served in the armed forces of the United States? (To be eligible
10 you must register with the Nebraska Department of Veterans' Affairs
11 registry.)

12 ~~(ii) (iii)~~ Do you wish to include your name in the Donor Registry of
13 Nebraska and donate your organs and tissues at the time of your death?

14 ~~(iii) (iv)~~ Do you wish to receive any additional specific
15 information regarding organ and tissue donation and the Donor Registry of
16 Nebraska?

17 ~~(iv) (v)~~ Do you wish to donate \$1 to promote the Organ and Tissue
18 Donor Awareness and Education Fund?

19 (4) Application for an operator's license or state identification
20 card shall include a signed oath, affirmation, or declaration of the
21 applicant that the information provided on the application for the
22 license or card is true and correct.

23 (5) The social security number shall not be printed on the
24 operator's license or state identification card and shall be used only
25 (a) to furnish information to the United States Selective Service System
26 under section 60-483, (b) with the permission of the director in
27 connection with the verification of the status of an individual's driving
28 record in this state or any other state, (c) for purposes of child
29 support enforcement pursuant to section 42-358.08 or 43-512.06, (d) to
30 furnish information regarding an applicant for or holder of a commercial
31 driver's license with a hazardous materials endorsement to the

1 Transportation Security Administration of the United States Department of
2 Homeland Security or its agent, (e) to furnish information to the
3 Department of Revenue under section 77-362.02, or (f) to furnish
4 information to the Secretary of State for purposes of the Election Act.

5 (6)(a) Each individual applying for an operator's license or a state
6 identification card shall furnish proof of date of birth and identity
7 with documents containing a photograph or with nonphoto identity
8 documents which include his or her full legal name and date of birth.
9 Such documents shall be those provided in subsection (1) of section
10 60-484.04.

11 (b) Any individual under the age of eighteen years applying for an
12 operator's license or a state identification card shall provide a
13 certified copy of his or her birth certificate or, if such individual is
14 unable to provide a certified copy of his or her birth certificate, other
15 reliable proof of his or her identity and age, as required in subdivision
16 (6)(a) of this section, accompanied by a certification signed by a parent
17 or guardian explaining the inability to produce a copy of such birth
18 certificate. The applicant also may be required to furnish proof to
19 department personnel that the parent or guardian signing the
20 certification is in fact the parent or guardian of such applicant.

21 (c) An applicant may present other documents as proof of
22 identification and age designated by the director. Any documents accepted
23 shall be recorded according to a written exceptions process established
24 by the director.

25 (7) Any individual applying for an operator's license or a state
26 identification card who indicated his or her wish to have a veteran
27 designation displayed on the front of such license or card shall comply
28 with section 60-4,189.

29 (8) No person shall be a holder of an operator's license and a state
30 identification card at the same time. A person who has a digital image
31 and digital signature on file with the department may apply

1 electronically to change his or her Class 0 operator's license to a state
2 identification card.

3 Sec. 11. Section 60-484.02, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 60-484.02 (1) Each applicant for an operator's license or state
6 identification card shall have his or her digital image captured. Digital
7 images shall be preserved for use as prescribed in sections 60-4,119,
8 60-4,151, and 60-4,180. The images shall be used for issuing operators'
9 licenses and state identification cards. The images may be retrieved only
10 by the Department of Motor Vehicles for issuing renewal and replacement
11 operators' licenses and state identification cards and may not be
12 otherwise released except in accordance with subsection (3) of this
13 section.

14 (2) Upon application for an operator's license or state
15 identification card, each applicant shall provide his or her signature in
16 a form prescribed by the department. Digital signatures shall be
17 preserved for use on original, renewal, and replacement operators'
18 licenses and state identification cards and may not be otherwise released
19 except in accordance with subsection (4) of this section.

20 (3) No officer, employee, agent, or contractor of the department or
21 law enforcement officer shall release a digital image except to a
22 federal, state, or local law enforcement agency, a certified law
23 enforcement officer employed in an investigative position by a federal,
24 state, or local agency, or a driver licensing agency of another state for
25 the purpose of carrying out the functions of the agency or assisting
26 another agency in carrying out its functions upon the verification of the
27 identity of the person requesting the release of the information and the
28 verification of the purpose of the requester in requesting the release.
29 Any officer, employee, agent, or contractor of the department or law
30 enforcement officer that knowingly discloses or knowingly permits
31 disclosure of a digital image or digital signature in violation of this

1 section shall be guilty of a Class I misdemeanor.

2 (4) No officer, employee, agent, or contractor of the department or
3 law enforcement officer shall release a digital signature except (a) to a
4 federal, state, or local law enforcement agency, a certified law
5 enforcement officer employed in an investigative position by a state or
6 federal agency, or a driver licensing agency of another state for the
7 purpose of carrying out the functions of the agency or assisting another
8 agency in carrying out its functions upon the verification of the
9 identity of the person requesting the release of the information and the
10 verification of the purpose of the requester in requesting the release or
11 (b) to the office of the Secretary of State for the purpose of voter
12 registration as described in section 32-304, or 32-308, ~~or 32-309~~ upon
13 the verification of the identity of the person requesting the release of
14 the information and the verification of the purpose of the requester in
15 requesting the release. No employee or official in the office of the
16 Secretary of State shall release a digital signature except to a federal,
17 state, or local law enforcement agency, a certified law enforcement
18 officer employed in an investigative position by a state or federal
19 agency, or a driver licensing agency of another state for the purpose of
20 carrying out the functions of the agency or assisting another agency in
21 carrying out its functions upon the verification of the identity of the
22 person requesting the release of the information and the verification of
23 the purpose of the requester in requesting the release. Any officer,
24 employee, agent, or contractor of the department, law enforcement
25 officer, or employee or official in the office of the Secretary of State
26 that knowingly discloses or knowingly permits disclosure of a digital
27 signature in violation of this section shall be guilty of a Class I
28 misdemeanor.

29 Sec. 12. Section 60-4,130, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-4,130 (1) Application for an employment driving permit shall be

1 made to the Department of Motor Vehicles on forms furnished for that
2 purpose by the department. The application form shall contain such
3 information as deemed necessary by the director to carry out this section
4 and section 60-4,129. If the department has a digital image and digital
5 signature of the applicant preserved in the digital system implemented
6 under section 60-484.01, the employment driving permit, if issued, may
7 contain such image and signature. The application form shall also include
8 a voter registration portion pursuant to subdivision (3)(c) of section
9 60-484. ~~section 32-308 and the following specific question: Do you wish~~
10 ~~to register to vote as part of this application process?~~ To be eligible
11 for an employment driving permit, the applicant shall furnish, along with
12 the application to the director, the following:

13 (a) An affidavit from the applicant's employer stating that such
14 applicant is required to operate a motor vehicle from his or her
15 residence to his or her place of employment and return;

16 (b) If such applicant requires the use of a motor vehicle during the
17 normal course of employment, an affidavit from the applicant's employer
18 setting forth the facts establishing such requirement;

19 (c) An affidavit stating that there exists no other reasonable
20 alternative means of transportation to and from work available to the
21 applicant; and

22 (d) If the applicant is self-employed, an affidavit to the
23 department setting forth the provisions of his or her employment.

24 (2) Except as otherwise provided in this subsection, upon making
25 application for such permit, the applicant shall certify that he or she
26 will attend and complete, within sixty days, a driver improvement course
27 presented by the department or show successful completion of the driver
28 education and training course as provided in section 60-4,183. If such
29 course is not completed, the employment driving permit shall be
30 surrendered to the department. If any person fails to return to the
31 department the permit as provided in this subsection, the department

1 shall direct any peace officer or authorized representative of the
2 department to secure possession of the permit and to return the permit to
3 the department. An applicant whose operator's license has been suspended
4 pursuant to section 43-3318 is not required to fulfill such driver
5 improvement or education and training course requirements. All applicants
6 shall file and maintain proof of financial responsibility as required by
7 the Motor Vehicle Safety Responsibility Act.

8 (3) Any person who fails to surrender a permit, as required by this
9 section, shall be guilty of a Class IV misdemeanor.

10 (4) The fee prescribed in section 60-4,115 shall be submitted to the
11 department along with the application for an employment driving permit.

12 (5) When the holder of an employment driving permit is convicted, on
13 or after the date of issuance of the employment driving permit, of any
14 traffic violation or of operating a motor vehicle for a purpose other
15 than specified by such permit, the person shall not be eligible to
16 receive another employment driving permit during that particular period
17 of revocation. This subsection does not apply to a holder of an
18 employment driving permit if the reason for his or her license revocation
19 or suspension only involved a suspension under section 43-3318 and not a
20 revocation under any other section.

21 (6) Any person who feels himself or herself aggrieved because of the
22 refusal of the director to issue the employment driving permit may appeal
23 in the manner set forth in section 60-4,105.

24 Sec. 13. Section 60-4,130.02, Reissue Revised Statutes of Nebraska,
25 is amended to read:

26 60-4,130.02 (1) Application for a medical hardship driving permit
27 shall be made to the Department of Motor Vehicles on forms furnished for
28 that purpose by the department. The application form shall contain such
29 information as deemed necessary by the director to carry out this section
30 and section 60-4,130.01. If the department has a digital image and
31 digital signature of the applicant preserved in the digital system

1 implemented under section 60-484.01, the medical hardship driving permit,
2 if issued, may contain such image and signature. The application form
3 shall also include a voter registration portion pursuant to subdivision
4 (3)(c) of section 60-484. ~~section 32-308 and the following specific~~
5 ~~question: Do you wish to register to vote as part of this application~~
6 ~~process?~~ To be eligible for a medical hardship driving permit, the
7 applicant shall furnish, along with the application to the director, the
8 following:

9 (a) An affidavit from the applicant's physician stating that it is
10 necessary for such applicant to receive medical treatment at a location
11 other than the applicant's residence and that the treatment will not
12 impair the applicant's ability to operate a motor vehicle; and

13 (b) An affidavit stating that there exists no other reasonable
14 alternative means of transportation to and from the site of medical
15 treatment available to the applicant.

16 (2) The applicant shall also be required to file and maintain proof
17 of financial responsibility as required by the Motor Vehicle Safety
18 Responsibility Act.

19 (3) The fee prescribed in section 60-4,115 shall be submitted to the
20 department along with the application for a medical hardship driving
21 permit.

22 (4) When the holder of a medical hardship driving permit is
23 convicted, on or after the date of issuance of the permit, of any traffic
24 violation or of operating a motor vehicle for a purpose other than
25 specified by such permit, the person shall not be eligible to receive
26 another medical hardship driving permit during that particular period of
27 revocation.

28 (5) Any person who feels himself or herself aggrieved because of the
29 refusal of the director to issue the medical hardship driving permit may
30 appeal in the manner set forth in section 60-4,105.

31 Sec. 14. Section 60-4,144, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 60-4,144 (1) An applicant for issuance of any original or renewal
3 commercial driver's license or an applicant for a change of class of
4 commercial motor vehicle, endorsement, or restriction shall demonstrate
5 his or her knowledge and skills for operating a commercial motor vehicle
6 as prescribed in the Motor Vehicle Operator's License Act. An applicant
7 for a commercial driver's license shall provide the information and
8 documentation required by this section and section 60-4,144.01. Such
9 information and documentation shall include any additional information
10 required by 49 C.F.R. parts 383 and 391 and also include:

11 (a) Certification that the commercial motor vehicle in which the
12 applicant takes any driving skills examination is representative of the
13 class of commercial motor vehicle that the applicant operates or expects
14 to operate; and

15 (b) The names of all states where the applicant has been licensed to
16 operate any type of motor vehicle in the ten years prior to the date of
17 application.

18 (2)(a) Before being issued a CLP-commercial learner's permit or
19 commercial driver's license, the applicant shall provide (i) his or her
20 full legal name, date of birth, mailing address, gender, race or
21 ethnicity, and social security number, (ii) two forms of proof of address
22 of his or her principal residence unless the applicant is a program
23 participant under the Address Confidentiality Act, except that a
24 nondomiciled applicant for a CLP-commercial learner's permit or
25 nondomiciled commercial driver's license holder does not have to provide
26 proof of residence in Nebraska, (iii) evidence of identity as required by
27 this section, and (iv) a brief physical description of himself or
28 herself.

29 (b) The applicant's social security number shall not be printed on
30 the CLP-commercial learner's permit or commercial driver's license and
31 shall be used only (i) to furnish information to the United States

1 Selective Service System under section 60-483, (ii) with the permission
2 of the director in connection with the certification of the status of an
3 individual's driving record in this state or any other state, (iii) for
4 purposes of child support enforcement pursuant to section 42-358.08 or
5 43-512.06, (iv) to furnish information regarding an applicant for or
6 holder of a commercial driver's license with a hazardous materials
7 endorsement to the Transportation Security Administration of the United
8 States Department of Homeland Security or its agent, (v) to furnish
9 information to the Department of Revenue under section 77-362.02, or (vi)
10 to furnish information to the Secretary of State for purposes of the
11 Election Act.

12 (c) No person shall be a holder of a CLP-commercial learner's permit
13 or commercial driver's license and a state identification card at the
14 same time.

15 (3) Before being issued a CLP-commercial learner's permit or
16 commercial driver's license, an applicant, except a nondomiciled
17 applicant, shall provide proof that this state is his or her state of
18 residence. Acceptable proof of residence is a document with the person's
19 name and residential address within this state.

20 (4)(a) Before being issued a CLP-commercial learner's permit or
21 commercial driver's license, an applicant shall provide proof of
22 identity.

23 (b) The following are acceptable as proof of identity:

24 (i) A valid, unexpired United States passport;

25 (ii) A certified copy of a birth certificate filed with a state
26 office of vital statistics or equivalent agency in the individual's state
27 of birth;

28 (iii) A Consular Report of Birth Abroad issued by the United States
29 Department of State;

30 (iv) A valid, unexpired permanent resident card issued by the United
31 States Department of Homeland Security or United States Citizenship and

1 Immigration Services;

2 (v) An unexpired employment authorization document issued by the
3 United States Department of Homeland Security;

4 (vi) An unexpired foreign passport with a valid, unexpired United
5 States visa affixed accompanied by the approved form documenting the
6 applicant's most recent admittance into the United States;

7 (vii) A Certificate of Naturalization issued by the United States
8 Department of Homeland Security;

9 (viii) A Certificate of Citizenship issued by the United States
10 Department of Homeland Security;

11 (ix) A driver's license or identification card issued in compliance
12 with the standards established by the REAL ID Act of 2005, Public Law
13 109-13, division B, section 1, 119 Stat. 302; or

14 (x) Such other documents as the director may approve.

15 (c) If an applicant presents one of the documents listed under
16 subdivision (b)(i), (ii), (iii), (iv), (vii), or (viii) of this
17 subsection, the verification of the applicant's identity will also
18 provide satisfactory evidence of lawful status.

19 (d) If the applicant presents one of the identity documents listed
20 under subdivision (b)(v), (vi), or (ix) of this subsection, the
21 verification of the identity documents does not provide satisfactory
22 evidence of lawful status. The applicant must also present a second
23 document from subdivision (4)(b) of this section, a document from
24 subsection (5) of this section, or documentation issued by the United
25 States Department of Homeland Security or other federal agencies
26 demonstrating lawful status as determined by the United States
27 Citizenship and Immigration Services.

28 (e) An applicant may present other documents as designated by the
29 director as proof of identity. Any documents accepted shall be recorded
30 according to a written exceptions process established by the director.

31 (5)(a) Whenever a person is renewing, replacing, upgrading,

1 transferring, or applying as a nondomiciled individual to this state for
2 a CLP-commercial learner's permit or commercial driver's license, the
3 Department of Motor Vehicles shall verify the citizenship in the United
4 States of the person or the lawful status in the United States of the
5 person.

6 (b) The following are acceptable as proof of citizenship or lawful
7 status:

8 (i) A valid, unexpired United States passport;

9 (ii) A certified copy of a birth certificate filed with a state
10 office of vital statistics or equivalent agency in the individual's state
11 of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the
12 Commonwealth of the Northern Mariana Islands;

13 (iii) A Consular Report of Birth Abroad issued by the United States
14 Department of State;

15 (iv) A Certificate of Naturalization issued by the United States
16 Department of Homeland Security;

17 (v) A Certificate of Citizenship issued by the United States
18 Department of Homeland Security; or

19 (vi) A valid, unexpired Permanent Resident Card issued by the United
20 States Department of Homeland Security or United States Citizenship and
21 Immigration Services.

22 (6) An applicant may present other documents as designated by the
23 director as proof of lawful status. Any documents accepted shall be
24 recorded according to a written exceptions process established by the
25 director.

26 (7)(a) An applicant shall obtain a nondomiciled CLP-commercial
27 driver's license or nondomiciled CLP-commercial learner's permit:

28 (i) If the applicant is domiciled in a foreign jurisdiction and the
29 Federal Motor Carrier Safety Administrator has not determined that the
30 commercial motor vehicle operator testing and licensing standards of that
31 jurisdiction meet the standards contained in subparts G and H of 49

1 C.F.R. part 383; or

2 (ii) If the applicant is domiciled in a state that is prohibited
3 from issuing commercial learners' permits and commercial drivers'
4 licenses in accordance with 49 C.F.R. 384.405. Such person is eligible to
5 obtain a nondomiciled CLP-commercial learner's permit or nondomiciled
6 commercial driver's license from Nebraska that complies with the testing
7 and licensing standards contained in subparts F, G, and H of 49 C.F.R.
8 part 383.

9 (b) An applicant for a nondomiciled CLP-commercial learner's permit
10 and nondomiciled commercial driver's license must do the following:

11 (i) Complete the requirements to obtain a CLP-commercial learner's
12 permit or a commercial driver's license under the Motor Vehicle
13 Operator's License Act, except that an applicant domiciled in a foreign
14 jurisdiction must provide an unexpired employment authorization document
15 issued by the United States Citizenship and Immigration Services or an
16 unexpired foreign passport accompanied by an approved I-94 form
17 documenting the applicant's most recent admittance into the United
18 States. No proof of domicile is required;

19 (ii) After receipt of the nondomiciled CLP-commercial learner's
20 permit or nondomiciled commercial driver's license and, for as long as
21 the permit or license is valid, notify the Department of Motor Vehicles
22 of any adverse action taken by any jurisdiction or governmental agency,
23 foreign or domestic, against his or her driving privileges. Such adverse
24 actions include, but are not limited to, license disqualification or
25 disqualification from operating a commercial motor vehicle for the
26 convictions described in 49 C.F.R. 383.51. Notifications must be made
27 within the time periods specified in 49 C.F.R. 383.33; and

28 (iii) Provide a mailing address to the Department of Motor Vehicles.
29 If the applicant is applying for a foreign nondomiciled CLP-commercial
30 learner's permit or foreign nondomiciled commercial driver's license, he
31 or she must provide a Nebraska mailing address and his or her employer's

1 mailing address to the Department of Motor Vehicles.

2 (c) An applicant for a nondomiciled CLP-commercial learner's permit
3 or nondomiciled commercial driver's license who holds a foreign
4 operator's license is not required to surrender his or her foreign
5 operator's license.

6 (8) Any person applying for a CLP-commercial learner's permit or
7 commercial driver's license may answer the following:

8 ~~(a) Do you wish to register to vote as part of this application~~
9 ~~process?~~

10 ~~(a) (b)~~ Do you wish to have a veteran designation displayed on the
11 front of your operator's license to show that you served in the armed
12 forces of the United States? (To be eligible you must register with the
13 Nebraska Department of Veterans' Affairs registry.)

14 ~~(b) (c)~~ Do you wish to include your name in the Donor Registry of
15 Nebraska and donate your organs and tissues at the time of your death?

16 ~~(c) (d)~~ Do you wish to receive any additional specific information
17 regarding organ and tissue donation and the Donor Registry of Nebraska?

18 ~~(d) (e)~~ Do you wish to donate \$1 to promote the Organ and Tissue
19 Donor Awareness and Education Fund?

20 (9) Any person applying for a CLP-commercial learner's permit or
21 commercial driver's license shall answer the voter registration question
22 as provided in subdivision (3)(c) of section 60-484.

23 ~~(10) (9)~~ Application for a CLP-commercial learner's permit or
24 commercial driver's license shall include a signed oath, affirmation, or
25 declaration of the applicant that the information provided on the
26 application for the permit or license is true and correct.

27 ~~(11) (10)~~ Any person applying for a CLP-commercial learner's permit
28 or commercial driver's license must make one of the certifications in
29 section 60-4,144.01 and any certification required under section 60-4,146
30 and must provide such certifications to the Department of Motor Vehicles
31 in order to be issued a CLP-commercial learner's permit or a commercial

1 driver's license.

2 (12) ~~(11)~~ Every person who holds any commercial driver's license
3 must provide to the department medical certification as required by
4 section 60-4,144.01. The department may provide notice and prescribe
5 medical certification compliance requirements for all holders of
6 commercial drivers' licenses. Holders of commercial drivers' licenses who
7 fail to meet the prescribed medical certification compliance requirements
8 may be subject to downgrade.

9 Sec. 15. Section 62-301, Revised Statutes Cumulative Supplement,
10 2020, is amended to read:

11 62-301 (1) For the purposes of the Uniform Commercial Code and
12 section 62-301.01, the following days shall be holidays: New Year's Day,
13 January 1; Birthday of Martin Luther King, Jr., the third Monday in
14 January; President's Day, the third Monday in February; Arbor Day, the
15 last Friday in April; Memorial Day, the last Monday in May; Independence
16 Day, July 4; Labor Day, the first Monday in September; Indigenous
17 Peoples' Day and Columbus Day, the second Monday in October; Election
18 Day, the first Tuesday following the first Monday in November in each
19 even-numbered year; Veterans Day, November 11, and the federally
20 recognized holiday therefor, or either of them; Thanksgiving Day, the
21 fourth Thursday in November; the day after Thanksgiving; and Christmas
22 Day, December 25. If any such holiday falls on Sunday, the following
23 Monday shall be a holiday. If the date designated by the state for
24 observance of any legal holiday enumerated in this section, except
25 Veterans Day, is different from the date of observance of such holiday
26 pursuant to a federal holiday schedule, the federal holiday schedule
27 shall be observed.

28 (2) Any bank doing business in this state may, by a brief written
29 notice at, on, or near its front door, fully dispense with or restrict,
30 to such extent as it may determine, the hours within which it will be
31 open for business.

1 (3) Any bank may close on Saturday if it states such fact by a brief
2 written notice at, on, or near its front door. When such bank will, in
3 observance of such a notice, not be open for general business, such day
4 shall, with respect to the particular bank, be the equivalent of a
5 holiday as fully as if such day were listed in subsection (1) of this
6 section, and any act authorized, required, or permitted to be performed
7 at, by, or with respect to such bank which will, in observance of such
8 notice, not be open for general business, acting in its own behalf or in
9 any capacity whatever, may be performed on the next succeeding business
10 day and no liability or loss of rights on the part of any person shall
11 result from such delay.

12 (4) Any bank which, by the notice provided for by subsection (3) of
13 this section, has created the holiday for such bank may, without
14 destroying the legal effect of the holiday for it and solely for the
15 convenience of its customers, remain open all or part of such day in a
16 limited fashion by treating every transaction with its customers on such
17 day as though the transaction had taken place immediately upon the
18 opening of such bank on the first following business day.

19 (5) Whenever the word bank is used in this section it includes
20 building and loan association, savings and loan association, credit
21 union, savings bank, trust company, investment company, and any other
22 type of financial institution.

23 Sec. 16. This act becomes operative on October 1, 2021.

24 Sec. 17. Original sections 32-307, 32-308, 32-315, 32-1506,
25 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, and
26 sections 25-2221, 32-202, 32-312, 32-947, 32-1002, 60-484, 60-484.02,
27 60-4,144, and 62-301, Revised Statutes Cumulative Supplement, 2020, are
28 repealed.

29 Sec. 18. The following section is outright repealed: Section
30 32-309, Reissue Revised Statutes of Nebraska.