

AMENDMENTS TO LB535

Introduced by Slama, 1.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 32-101, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 32-101 Sections 32-101 to 32-1551 and sections 3, 5 to 10, 23, 24,
6 32, and 35 of this act shall be known and may be cited as the Election
7 Act.

8 Sec. 2. Section 32-103, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 32-103 For purposes of the Election Act, the definitions found in
11 sections 32-104 to 32-120 and section 3 of this act shall be used.

12 Sec. 3. Valid photographic identification means:

13 (1) An operator's license or a state identification card issued by
14 the Department of Motor Vehicles, regardless of whether the card has
15 passed its expiration date, or a receipt that is valid for up to thirty
16 days and issued under the Motor Vehicle Operator's License Act as a part
17 of the process of issuance of an operator's license or a state
18 identification card;

19 (2) A United States passport;

20 (3) A document issued by a government agency or political
21 subdivision that satisfies all of the following:

22 (a) The document shows the name of the individual to whom the
23 document was issued and the name conforms to the name in the individual's
24 voter registration record;

25 (b) The document shows a photograph or digital image of the
26 individual to whom the document was issued;

27 (c) One of the items listed as evidence of lawful status in

1 subdivisions (1)(a) through (i) of section 60-484.04 was provided by the
2 individual as part of the issuing process for the document;

3 (d) The agency or political subdivision that issued the document
4 provides the lawful status information from the item provided pursuant to
5 subdivision (c) of this subdivision to the Secretary of State; and

6 (e) The document has a mark or symbol displayed on it, as designated
7 by the Secretary of State, indicating that it complies with this
8 subdivision (3) of this section;

9 (4) A document issued by the United States Department of Defense,
10 the United States Department of Veterans Affairs or its predecessor, the
11 Veterans Administration, a branch of the uniformed service as defined in
12 section 85-2902, or a Native American Indian tribe or band recognized by
13 the United States Government that:

14 (a) Shows the name of the individual to whom the document was issued
15 and the name conforms to the name in the individual's voter registration
16 record;

17 (b) Shows a photograph or digital image of the individual to whom
18 the document was issued; and

19 (c) Has no expiration date or states that the document has an
20 indefinite expiration date; or

21 (5) A document that satisfies all of the following:

22 (a) The document shows the name of the individual to whom the
23 document was issued and the name conforms to the name in the individual's
24 voter registration record;

25 (b) The document shows a photograph or digital image of the
26 individual to whom the document was issued;

27 (c) The document was issued by an assisted-living facility, an
28 intermediate care facility, a nursing facility, or a skilled nursing
29 facility, which is licensed under the Health Care Facility Licensure Act
30 and located in the State of Nebraska; and

31 (d) The document (i) indicates on its face that the individual to

1 whom the document was issued is a medicare or medicaid recipient or (ii)
2 has a mark on its face designated by the Secretary of State for
3 signifying that the individual to whom the document was issued is a
4 medicare or medicaid recipient.

5 Sec. 4. Section 32-202, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 32-202 In addition to any other duties prescribed by law, the
8 Secretary of State shall:

9 (1) Supervise the conduct of primary and general elections in this
10 state;

11 (2) Provide training and support for election commissioners, county
12 clerks, and other election officials in providing for day-to-day
13 operations of the office, registration of voters, and the conduct of
14 elections;

15 (3) Enforce the Election Act;

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

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

20 (6) Develop and print forms for use as required by sections 32-308,
21 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

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

24 (8) Require reporting to ensure compliance with sections 32-308 to
25 32-310;

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

28 (10) Develop and print a manual describing the requirements of the
29 initiative and referendum process and distribute the manual to election
30 commissioners and county clerks for distribution to the public upon
31 request;

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

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

4 (13) Establish a free access system, such as a toll-free telephone
5 number or a an Internet website, that any voter who fills out casts a
6 provisional ballot or a ballot for early voting may access to discover
7 whether the vote of that voter was counted and, if the vote was not
8 counted, the reason that the vote was not counted. The Secretary of State
9 shall establish and maintain reasonable procedures necessary to protect
10 the security, confidentiality, and integrity of personal information
11 collected, stored, or otherwise used by the free access system. Access to
12 information about an individual provisional ballot or ballot for early
13 voting shall be restricted to the individual who filled out cast the
14 ballot. If a ballot for early voting was not counted due to a failure to
15 include the signature of the witness, the printed name of the witness, or
16 any other required information for the applicable category of witness
17 under the WITNESS OATH on the early voting ballot envelope, the
18 information provided to the voter on the free access system shall include
19 instructions to the voter that the voter may present valid photographic
20 identification to the election commissioner or county clerk or his or her
21 designee on or before the Tuesday after the election for the ballot to be
22 counted;

23 (14) Provide a website dedicated to voter identification
24 requirements and procedures, maintain and regularly update on the website
25 a document entitled "List of Acceptable Forms of Identification" that
26 lists all forms of identification that meet the requirements to qualify
27 as valid photographic identification, and maintain on the website a
28 document entitled "Who May Serve as a Ballot Witness" that lists all of
29 the categories of individuals who could serve as a ballot witness and the
30 requirements for each category;

31 (15) Provide a public awareness campaign regarding the voter

1 identification requirements and procedures, including communication using
2 multiple media and in-person events;

3 (16) Mail a postcard to every registered voter who does not have
4 valid photographic identification issued by the State of Nebraska and
5 every new voter that registers to vote who does not have valid
6 photographic identification issued by the State of Nebraska and include
7 information on the postcard regarding the requirement to present valid
8 photographic identification for purposes of voting and the process for
9 obtaining valid photographic identification at no charge;

10 (17) Provide instructions and information to the Department of
11 Health and Human Services, the Department of Motor Vehicles, and the
12 State Department of Education for distribution by such agencies to
13 Nebraska residents regarding the requirement to present valid
14 photographic identification in order to vote and the way to obtain valid
15 photographic identification at no charge; and

16 (18) Not use or allow the use of lawful status information shared
17 with or collected by the Secretary of State pursuant to the Election Act
18 for any purpose other than carrying out section 6 of this act or law
19 enforcement purposes unless such information was used by the Secretary of
20 State in such a manner prior to the operative date of this section.

21 Sec. 5. The Secretary of State shall designate one or more
22 individuals in his or her office to help voters comply with voter
23 identification requirements including:

24 (1) Assisting in procuring necessary documentation for applying for
25 a state identification card pursuant to section 7 of this act or
26 inclusion on the Signature Photo ID List pursuant to section 9 or 10 of
27 this act. Such assistance may include:

28 (a) Identifying where to procure the necessary documentation;

29 (b) Helping the voter procure the necessary documentation;

30 (c) Paying any required fees for such documentation; and

31 (d) Any other task deemed necessary by the Secretary of State;

1 (2) Creating and maintaining the Signature Photo ID List; and
2 (3) Coordinating agents pursuant to subsection (2) of section
3 32-943.

4 Sec. 6. (1)(a) Prior to January 15, 2024, the Secretary of State
5 shall use the information in the possession of or available to his or her
6 office to match and verify the citizenship of each registered voter who
7 registered to vote prior to January 1, 2024.

8 (b) If the Secretary of State has reason to believe, from the
9 information in the possession of or available to his or her office, that
10 a registered voter might not be a citizen of the United States, the
11 Secretary of State shall undertake an investigation to determine whether
12 the registered voter is a citizen of the United States. The Secretary of
13 State shall attempt to contact the individual to inform the individual of
14 the investigation and seek further information. Before ceasing contact
15 attempts due to an individual's failure to respond, the Secretary of
16 State shall attempt to contact the individual by mailing a citizenship
17 investigation notice card to the individual's address on the voter
18 registration record at least three times. The Secretary of State shall
19 create a standard citizenship investigation notice card. The Secretary of
20 State shall allow ten days between each attempted contact made by mail.
21 If an individual does not respond to the third attempted contact by mail
22 within ten days, the individual shall be deemed to have failed to
23 respond.

24 (c) If the Secretary of State determines that there is enough
25 evidence that an individual who is registered to vote is not a citizen of
26 the United States, the Secretary of State shall inform the individual of
27 such determination in writing by mailing a notification to the address
28 where the individual is registered to vote. The notification shall
29 instruct the individual to respond in a manner prescribed by the
30 Secretary of State within fifteen days, shall give the individual the
31 option of requesting to be removed from the list of registered voters,

1 and shall inform the individual of the effect of not responding to the
2 notification within fifteen days and the effect of not requesting to be
3 removed from the list of registered voters. If an individual does not
4 respond to the notification within fifteen days, the individual shall be
5 deemed to have failed to respond.

6 (2)(a) The Secretary of State shall develop a process to use the
7 information in possession of his or her office to match and verify the
8 citizenship of each individual who submits a voter registration
9 application that is otherwise proper.

10 (b) If the Secretary of State has reason to believe, from the
11 information in the possession of his or her office, that an applicant
12 might not be a citizen of the United States and there is sufficient time
13 to undertake and complete an investigation without preventing an
14 applicant from being registered to vote by the deadline for the next
15 election for federal office in which the applicant would be entitled to
16 vote, the Secretary of State shall undertake an investigation to
17 determine whether the applicant is a citizen of the United States. The
18 Secretary of State shall attempt to contact the individual to inform the
19 individual of the investigation and seek further information. The
20 Secretary of State shall complete each investigation within a reasonable
21 amount of time and shall make a determination regarding the applicant's
22 citizenship status. If the Secretary of State determines that the
23 individual is not a citizen of the United States, either the Secretary of
24 State or the appropriate election commissioner or county clerk shall send
25 a notification to the applicant indicating that the application is not
26 proper. If the Secretary of State determines that the applicant is a
27 citizen of the United States, the applicant shall be placed on the list
28 of registered voters.

29 (c) If the Secretary of State has reason to believe, from the
30 information in the possession of his or her office, that an applicant
31 might not be a citizen of the United States and there is insufficient

1 time to undertake or complete an investigation without preventing an
2 applicant from being registered to vote by the deadline for the next
3 election for federal office in which the applicant would be entitled to
4 vote, the applicant shall be placed on the list of registered voters. If
5 required by section 32-304, the Secretary of State shall send an
6 acknowledgment of registration. The Secretary of State shall undertake an
7 investigation to determine whether the registered voter is a citizen of
8 the United States. The Secretary of State shall attempt to contact the
9 individual to inform the individual of the investigation and seek further
10 information. Before ceasing contact attempts due to an individual's
11 failure to respond, the Secretary of State shall attempt to contact the
12 individual by mailing a citizenship investigation notice card to the
13 individual's address on the voter registration record at least three
14 times. The Secretary of State shall create a standard citizenship
15 investigation notice card. The Secretary of State shall allow ten days
16 between each attempted contact made by mail. If an individual does not
17 respond to the third attempted contact by mail within ten days, the
18 individual shall be deemed to have failed to respond. If the Secretary of
19 State determines that there is enough evidence that an individual who is
20 registered to vote is not a citizen of the United States, the Secretary
21 of State shall inform the individual of such determination in writing by
22 mailing a notification to the address where the individual is registered
23 to vote. The notification shall instruct the individual to respond in a
24 manner prescribed by the Secretary of State within fifteen days, shall
25 give the individual the option of requesting to be removed from the list
26 of registered voters, and shall inform the individual of the effect of
27 not responding to the notification within fifteen days and the effect of
28 not requesting to be removed from the list of registered voters. If an
29 individual does not respond to the notification within fifteen days, the
30 individual shall be deemed to have failed to respond.

31 (3) The Secretary of State shall refer an individual to the

1 appropriate prosecutorial authority for prosecution for election
2 falsification if the individual:

3 (a) Fails to respond to the notification of determination from the
4 Secretary of State that the individual is not a citizen of the United
5 States pursuant to subdivision (1)(c) or (2)(c) of this section; or

6 (b) Does not request to be removed from the voter registration list
7 after the Secretary of State has determined that there is enough evidence
8 that the individual is not a citizen of the United States pursuant to
9 subdivision (1)(c) or (2)(c) of this section.

10 (4) The Secretary of State shall only remove an individual from the
11 voter registration list pursuant to this section if:

12 (a) The individual requests to be removed from the list of
13 registered voters; or

14 (b) The Secretary of State has referred the individual to the
15 appropriate prosecutorial authority for prosecution for election
16 falsification pursuant to this section and the individual has been
17 convicted.

18 Sec. 7. (1) Any individual registered to vote in the State of
19 Nebraska who does not have an operator's license or a state
20 identification card issued by the Department of Motor Vehicles may seek
21 the assistance of the Secretary of State to obtain a state identification
22 card. The Secretary of State shall provide assistance to any such voter
23 who requests assistance to obtain a state identification card or
24 documents necessary to obtain a state identification card regardless of
25 whether the voter completed an application for assistance under this
26 section. For any such voter, the Secretary of State shall be responsible
27 for the payment of all administrative fees associated with procuring the
28 documentation necessary to obtain a state identification card.

29 (2) The Secretary of State shall provide a standard application for
30 assistance, shall make the application available at the office of the
31 election commissioner and county clerk, and shall make a printable

1 version available on the Secretary of State's website.

2 Sec. 8. (1) The Secretary of State shall create and maintain a
3 Signature Photo ID List. A registered voter may apply to the Secretary of
4 State for inclusion on the list under section 9 or 10 of this act.

5 (2) For purposes of section 9 of this act, the Secretary of State
6 shall provide a standard affidavit and prescribe the form for inclusion
7 on the Signature Photo ID List for a registered voter who has a sincerely
8 held religious belief against being photographed and shall provide the
9 standard affidavit to the election commissioners and county clerks.

10 (3) The Secretary of State shall cause a notation that is visible to
11 the election commissioners and county clerks to be placed in the voter
12 registration record for a registered voter placed on the Signature Photo
13 ID List.

14 Sec. 9. (1) An individual who has a sincerely held religious belief
15 against being photographed may apply to the Secretary of State for
16 inclusion on the Signature Photo ID List.

17 (2) The applicant shall execute the affidavit prescribed pursuant to
18 section 8 of this act and submit the affidavit to the Secretary of State
19 or the appropriate election commissioner or county clerk. The Secretary
20 of State, election commissioner, or county clerk shall check that the
21 signature on the affidavit conforms to the signature on the applicant's
22 voter registration record.

23 (3)(a) The applicant shall also provide one of the documents
24 referred to in subdivision (3)(c) of section 3 of this act.

25 (b) If an applicant does not have a document referred to in
26 subdivision (3)(c) of section 3 of this act but is a citizen of the
27 United States, the Secretary of State shall assist the applicant to
28 procure such a document or to be placed on the Signature Photo ID List
29 pursuant to section 10 of this act.

30 (4) A registered voter placed on the Signature Photo ID List
31 pursuant to this section shall, after filling out a ballot, submit the

1 ballot in the Signature Photo ID Ballot Envelope pursuant to section 24
2 of this act.

3 Sec. 10. (1) The Secretary of State may place an individual who
4 does not have a document referred to in subdivision (3)(c) of section 3
5 of this act on the Signature Photo ID List if all of the following
6 conditions are met:

7 (a) The individual does not have valid photographic identification;

8 (b) The Secretary of State believes, after interviewing the
9 individual, that the individual is who the individual claims to be;

10 (c) The Secretary of State believes, after interviewing the
11 individual, that the individual is qualified to vote;

12 (d) The Secretary of State has attempted to assist the individual in
13 acquiring the documents necessary to either (i) obtain a state
14 identification card or (ii) be placed on the Signature Photo ID List
15 pursuant to section 9 of this act;

16 (e) The Secretary of State believes that even with continued good
17 faith efforts by the Secretary of State and the individual, it will not
18 be possible to obtain the necessary documents for the individual to (i)
19 obtain a state identification card or (ii) be placed on the Signature
20 Photo ID List pursuant to section 9 of this act;

21 (f) The individual signs an affidavit attesting to the individual's
22 qualifications to vote; and

23 (g) If the individual has a sincerely held religious belief against
24 being photographed, the individual complies with subsection (1) of
25 section 9 of this act.

26 (2) If the individual does not have a sincerely held religious
27 belief against being photographed, the Secretary of State shall (a) cause
28 the individual's photograph or digital image to be taken and placed on a
29 certificate that includes the individual's name and the certification of
30 the Secretary of State, (b) print the certificate, and (c) provide the
31 certificate to the individual.

1 (3) The Secretary of State shall be responsible for the payment of
2 all administrative fees associated with procuring the documentation
3 necessary to be placed on the Signature Photo ID List.

4 (4) A registered voter placed on the Signature Photo ID List
5 pursuant to this section shall, after filling out a ballot, submit the
6 ballot in the Signature Photo ID Ballot Envelope pursuant to section 24
7 of this act.

8 Sec. 11. Section 32-301, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 32-301 (1) The Secretary of State shall implement, in a uniform and
11 nondiscriminatory manner, a single, uniform, official, centralized,
12 interactive computerized statewide voter registration list defined,
13 maintained, and administered at the office of the Secretary of State that
14 contains the name and registration information of every legally
15 registered voter in the state and assigns a unique identifier to each
16 legally registered voter in the state. The computerized list shall serve
17 as the single system for storing and managing the official list of
18 registered voters throughout the state and shall comprise the voter
19 registration register. The computerized list shall be coordinated with
20 other agency databases within the state and shall be available for
21 electronic access by election commissioners and county clerks. The
22 computerized list shall serve as the official voter registration list for
23 the conduct of all elections under the Election Act and ~~beginning July 1,~~
24 ~~2019,~~ shall be the basis for electronic poll books at each precinct, if
25 applicable. The Secretary of State shall provide such support as may be
26 required so that election commissioners and county clerks are able to
27 electronically enter voter registration information obtained by such
28 officials on an expedited basis at the time the information is received.
29 The Secretary of State shall provide adequate technological security
30 measures to prevent unauthorized access to the computerized list.

31 (2) The election commissioner or county clerk shall provide for the

1 registration of the electors of the county. Upon receipt of a voter
2 registration application in his or her office from an eligible elector
3 and after compliance with section 6 of this act, the election
4 commissioner or county clerk shall enter the information from the
5 application in the voter registration register and may create an
6 electronic image, photograph, microphotograph, or reproduction in an
7 electronic digital format to be used as the voter registration record.
8 The election commissioner or county clerk shall provide a precinct list
9 of registered voters for each precinct for the use of judges and clerks
10 of election in their respective precincts on election day. The Beginning
11 July 1, 2019, the election commissioner or county clerk may provide an
12 electronic poll book as described in section 32-301.01 to meet the
13 requirements for a precinct list of registered voters.

14 (3) The digital signatures in the possession of the Secretary of
15 State, the election commissioner, or the county clerk shall not be public
16 records as defined in section 84-712.01 and are not subject to disclosure
17 under sections 84-712 to 84-712.09.

18 Sec. 12. Section 32-304, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 32-304 (1) The Secretary of State in conjunction with the Department
21 of Motor Vehicles shall implement a registration application process
22 which may be used statewide to register to vote and update voter
23 registration records electronically using the Secretary of State's
24 website. An applicant who has a valid Nebraska motor vehicle operator's
25 license or state identification card may use the application process to
26 register to vote or to update his or her voter registration record with
27 changes in his or her personal information or other information related
28 to his or her eligibility to vote. For each electronic application, the
29 Secretary of State shall obtain a copy of the electronic representation
30 of the applicant's signature from the Department of Motor Vehicles'
31 records of his or her motor vehicle operator's license or state

1 identification card for purposes of voter registration and electronic
2 poll books.

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

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

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

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

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

23 Sec. 13. Section 32-308, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 32-308 (1) The Secretary of State and the Director of Motor Vehicles
26 shall enter into an agreement to match information in the computerized
27 statewide voter registration list with information in the database of the
28 Department of Motor Vehicles to the extent required to enable each such
29 official to verify the accuracy of the information, including lawful
30 status, provided on applications for voter registration, motor vehicle
31 operator's licenses, and state identification cards. The Director of

1 Motor Vehicles shall enter into an agreement with the Commissioner of
2 Social Security under section 205(r)(8) of the federal Social Security
3 Act, 42 U.S.C. 405(r)(8), as such section existed on April 17, 2003, for
4 purposes of the Election Act.

5 (2) The Department of Motor Vehicles, with the assistance of the
6 Secretary of State, shall prescribe a voter registration application
7 which may be used to register to vote or change his or her address for
8 voting purposes at the same time an elector applies for an original or
9 renewal motor vehicle operator's license, an original or renewal state
10 identification card, or a replacement thereof. The voter registration
11 application shall contain the information required pursuant to section
12 32-312 and shall be designed so that it does not require the duplication
13 of information in the application for the motor vehicle operator's
14 license or state identification card, except that it may require a second
15 signature of the applicant. The department and the Secretary of State
16 shall make the voter registration application available to any person
17 applying for an operator's license or state identification card. The
18 application shall be completed at the office of the department by the
19 close of business on the third Friday preceding any election to be
20 registered to vote at such election. A registration application received
21 after the deadline shall not be processed by the election commissioner or
22 county clerk until after the election.

23 (3) The Department of Motor Vehicles, in conjunction with the
24 Secretary of State, shall develop a process to electronically transmit
25 voter registration application information received under subsection (2)
26 of this section to the election commissioner or county clerk of the
27 county in which the applicant resides within the time limits prescribed
28 in subsection (4) of this section. The Director of Motor Vehicles shall
29 designate an implementation date for the process which shall be on or
30 before January 1, 2016.

31 (4) The voter registration application information shall be

1 transmitted to the election commissioner or county clerk of the county in
2 which the applicant resides not later than ten days after receipt, except
3 that if the voter registration application information is received within
4 five days prior to the third Friday preceding any election, it shall be
5 transmitted not later than five days after its original submission. Any
6 information on whether an applicant registers or declines to register and
7 the location of the office at which he or she registers shall be
8 confidential and shall only be used for voter registration purposes.

9 (5) For each voter registration application for which information is
10 transmitted electronically pursuant to this section, the Secretary of
11 State shall obtain a copy of the electronic representation of the
12 applicant's signature from the Department of Motor Vehicles' records of
13 his or her motor vehicle operator's license or state identification card
14 for purposes of voter registration. Each voter registration application
15 electronically transmitted under this section shall include information
16 provided by the applicant that includes whether the applicant is a
17 citizen of the United States, whether the applicant is of sufficient age
18 to register to vote, the applicant's residence address, the applicant's
19 postal address if different from the residence address, the date of birth
20 of the applicant, the party affiliation of the applicant or an indication
21 that the applicant is not affiliated with any political party, the
22 applicant's motor vehicle operator's license number, the applicant's
23 previous registration location by city, county, or state, if applicable,
24 and the applicant's signature.

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

29 Sec. 14. Section 32-318.01, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 32-318.01 (1) Nothing in this section shall be construed to allow a

1 person to vote without complying with the requirement to present valid
2 photographic identification as otherwise prescribed in the Election Act.

3 (2)(a) ~~(1)(a)~~ Except as provided by subsection (3) ~~(2)~~ of this
4 section, a person who registers to vote by mail after January 1, 2003,
5 and has not previously voted in an election within the state shall
6 present a photographic identification which is current and valid or a
7 copy of a utility bill, bank statement, government check, paycheck, or
8 other government document which is dated within the sixty days
9 immediately prior to the date of presentation and which shows the same
10 name and residence address of the person provided on the registration
11 application in order to avoid identification requirements at the time of
12 voting pursuant to section 32-914 or 32-947.

13 (b) Such documentation may be presented at the time of application
14 for registration, after submission of the application for registration,
15 or at the time of voting. The documentation must be received by the
16 election commissioner or county clerk not later than 6 p.m. on the second
17 Friday preceding the election to avoid additional identification
18 requirements at the time of voting at the polling place if the voter
19 votes in person. If the voter is voting using a ballot for early voting,
20 the documentation must be received by the election commissioner or county
21 clerk prior to the date on which the ballot is mailed to the voter to
22 avoid additional identification requirements at the time of voting.
23 Documentation received after the ballot has been mailed to the voter but
24 not later than the deadline for the receipt of ballots specified in
25 subsection (2) of section 32-908 will be considered timely for purposes
26 of determining the applicant's eligibility to vote in the election.

27 (c) Such documentation may be presented in person, by mail, or by
28 facsimile transmission.

29 (d) Failure to present such documentation may result in the ballot
30 not being counted pursuant to verification procedures prescribed in
31 sections 32-1002 and 32-1027.

1 ~~(3) This section shall not apply to a (2)~~ A person who registers to
2 vote by mail after January 1, 2003, and has not previously voted in an
3 election within the state ~~shall not be required to present identification~~
4 if he or she:

5 (a) Has provided his or her Nebraska driver's license number or the
6 last four digits of his or her social security number and the election
7 commissioner or county clerk verifies the number provided pursuant to
8 subsection (2) of section 32-312.03;

9 (b) Is a member of the armed forces of the United States who by
10 reason of active duty is absent from his or her place of residence where
11 the member is otherwise eligible to vote;

12 (c) Is a member of the United States Merchant Marine who by reason
13 of service is away from his or her place of residence where the member is
14 otherwise eligible to vote;

15 (d) Is a spouse or dependent of a member of the armed forces of the
16 United States or United States Merchant Marine who is absent from his or
17 her place of residence due to the service of that member;

18 (e) Resides outside the United States and but for such residence
19 would be qualified to vote in the state if the state was the last place
20 in which the person was domiciled before leaving the United States; or

21 (f) Is elderly or handicapped and has requested to vote by
22 alternative means other than by casting a ballot at his or her polling
23 place on election day.

24 Sec. 15. Section 32-902, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 32-902 (1) The election commissioner or county clerk shall cause
27 instructions for the guidance of registered voters in preparing their
28 ballots to be printed in large, clear type on cards in English. He or she
29 shall furnish at least five such cards to each polling place in each
30 precinct at the same time and in the same manner as the printed ballots.
31 The judges or clerks of election shall post such cards in each voting

1 booth on the day of election. The card shall contain full instructions on
2 preparing and casting ballots, including how to cast a write-in vote. The
3 form and contents of the cards shall be approved by the Secretary of
4 State.

5 (2) The election commissioner or county clerk shall cause voting
6 information to be posted in each polling place on the day of election.
7 The voting information shall include the following information as
8 approved by the Secretary of State:

9 (a) Information regarding the date of the election and the hours
10 during which polling places will be open;

11 (b) Instructions for voters who registered to vote pursuant to
12 section 32-304 or by mail and first-time voters;

13 (c) General information on voting rights under applicable federal
14 and state laws, including information on the right of an individual to
15 fill out ~~cast~~ a provisional ballot and instructions on how to contact the
16 appropriate officials if these rights are alleged to have been violated;
17 and

18 (d) General information on federal and state laws regarding
19 prohibitions on acts of fraud and misrepresentation.

20 Sec. 16. Section 32-914, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 32-914 (1) Official ballots shall be used at all elections. No
23 person shall receive a ballot or be entitled to vote unless and until he
24 or she is registered as a voter except as provided in section 32-914.01,
25 32-914.02, 32-915, 32-915.01, or 32-936.

26 (2) Except as otherwise specifically provided, no ballot shall be
27 handed to any voter at any election until the voter has presented valid
28 photographic identification and stated his or her name and address to the
29 clerk of election. ÷

30 ~~(a) He or she announces his or her name and address to the clerk of~~
31 ~~election;~~

1 (3) In addition to the requirements of subsection (2) of this
2 section and except as otherwise specifically provided, no ballot shall be
3 handed to any voter at any election until:

4 (a) ~~(b)~~ The clerk has found that the voter ~~he or she~~ is a registered
5 voter at the address as shown by the precinct list of registered voters
6 unless otherwise entitled to vote in the precinct under section 32-328,
7 32-914.01, 32-914.02, 32-915, or 32-915.01;

8 (b) As required by section 32-318.01, the ~~(c)~~ The voter has
9 presented a photographic identification which is current and valid at the
10 time of the election, or a copy of a utility bill, bank statement,
11 paycheck, government check, or other government document which is current
12 at the time of the election and which shows the same name and residence
13 address of the voter that is on the precinct list of registered voters,
14 if the voter registered by mail after January 1, 2003, and has not
15 previously voted in an election for a federal office within the county
16 and a notation appears on the precinct list of registered voters that the
17 voter has not previously presented identification to the election
18 commissioner or county clerk;

19 (c) ~~(d)~~ As instructed by the clerk of election, the registered voter
20 has personally written his or her name (i) in the precinct sign-in
21 register on the appropriate line which follows the last signature of any
22 previous voter or (ii) in the combined document containing the precinct
23 list of registered voters and the sign-in register; and

24 (d) ~~(e)~~ The clerk has listed on the precinct list of registered
25 voters the corresponding line number and name of the registered voter or
26 has listed the name of the voter in a separate book as provided in
27 section 32-913.

28 Sec. 17. Section 32-915, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 32-915 (1) A person whose name does not appear on the precinct list
31 of registered voters at the polling place for the precinct in which he or

1 she resides, whose name appears on the precinct list of registered voters
2 at the polling place for the precinct in which he or she resides at a
3 different residence address as described in section 32-914.02, or whose
4 name appears with a notation that he or she received a ballot for early
5 voting may fill out ~~vote~~ a provisional ballot if he or she:

6 (a) Claims that he or she is a registered voter who has continuously
7 resided in the county in which the precinct is located since registering
8 to vote;

9 (b) Is not entitled to vote under section 32-914.01 or 32-914.02;

10 (c) Has not registered to vote or voted in any other county since
11 registering to vote in the county in which the precinct is located;

12 (d) Has appeared to fill out a ballot ~~vote~~ at the polling place for
13 the precinct to which the person would be assigned based on his or her
14 residence address; ~~and~~

15 (e) Has presented valid photographic identification; and

16 (f) (e) Completes and signs a registration application before
17 voting.

18 (2) A voter whose name appears on the precinct list of registered
19 voters for the polling place with a notation that the voter is required
20 to present identification pursuant to section 32-318.01 but fails to
21 present identification may fill out ~~vote~~ a provisional ballot if he or
22 she completes and signs a registration application before voting.

23 (3) If the person's name does not appear on the precinct list of
24 registered voters for the polling place and the judge or clerk of
25 election determines that the person's residence address is located in
26 another precinct within the same county, the judge or clerk of election
27 shall direct the person to the correct polling place for such person to
28 vote.

29 (4) (3) Each person filling out a ~~voting by~~ provisional ballot shall
30 enclose his or her ballot in an envelope marked Provisional Ballot and
31 shall, by signing the certification on the front of the envelope or a

1 separate form attached to the envelope, certify to the following facts:

2 (a) I am a registered voter in County;

3 (b) My name or address did not correctly appear on the precinct list
4 of registered voters without a notation;

5 (c) I registered to vote on or about this date

6 (d) I registered to vote

7 in person at the election office or a voter registration site,

8 by mail,

9 by using the Secretary of State's website,

10 through the Department of Motor Vehicles,

11 on a form through another state agency,

12 in some other way;

13 (e) I have not resided outside of this county or voted outside of
14 this county since registering to vote in this county;

15 (f) My current address is shown on the registration application
16 completed as a requirement for voting by provisional ballot; and

17 (g) I am eligible to vote in this election and I have not voted and
18 will not vote in this election except by this ballot.

19 (5) (4) The voter shall sign the certification under penalty of
20 election falsification. The following statements shall be on the front of
21 the provisional ballot envelope or on the attached form: By signing the
22 front of this envelope or the attached form, you are certifying to the
23 information contained on this envelope or the attached form under penalty
24 of election falsification. Election falsification is a Class IV felony
25 and may be punished by up to two years imprisonment and twelve months
26 post-release supervision, a fine of up to ten thousand dollars, or both.

27 (6) A voter who is included on the Signature Photo ID List and who
28 fills out a provisional ballot shall place the provisional ballot
29 envelope inside a Signature Photo ID Ballot Envelope pursuant to section
30 24 of this act.

31 (7) A ballot filled out pursuant to this section shall not be deemed

1 to be cast until the election commissioner or county clerk, pursuant to
2 section 32-1002, has verified the information submitted by the voter and
3 has placed the ballot with the ballots to be counted ~~(5) If the person's~~
4 ~~name does not appear on the precinct list of registered voters for the~~
5 ~~polling place and the judge or clerk of election determines that the~~
6 ~~person's residence address is located in another precinct within the same~~
7 ~~county, the judge or clerk of election shall direct the person to his or~~
8 ~~her correct polling place to vote.~~

9 Sec. 18. Section 32-915.01, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 32-915.01 Any person who votes in an election for federal office as
12 a result of a federal or state court order or any other order extending
13 the time established for closing the polls pursuant to a state law in
14 effect ten days before the date of that election may only vote in that
15 election by filling out ~~casting~~ a provisional ballot as described in
16 section 32-915.

17 Sec. 19. Section 32-916, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 32-916 (1) Two judges of election or a precinct inspector and a
20 judge of election shall affix their initials to the official ballots. The
21 judge of election shall deliver a ballot to each registered voter after
22 complying with section 32-914.

23 (2) After filling out or voting the ballot, the registered voter
24 shall, as directed by the judge of election, fold his or her ballot or
25 place the ballot in the provisional ballot envelope or ballot sleeve so
26 as to conceal the voting marks and to expose the initials affixed on the
27 ballot. The registered voter shall, without delay and without exposing
28 the voting marks upon the ballot, deliver the ballot to the judge of
29 election before leaving the enclosure in which the voting booths are
30 placed.

31 (3) The judge of election shall, without exposing the voting marks

1 on the ballot, approve the exposed initials upon the ballot and deposit
2 the ballot in the ballot box or the precinct-based optical scanner in the
3 presence of the registered voter. No judge of election shall deposit any
4 ballot in a ballot box unless the ballot has been identified as having
5 the appropriate initials. Any ballot not properly identified shall be
6 rejected in the presence of the voter, the judge of election shall make a
7 notation on the ballot Rejected, not properly identified, and another
8 ballot shall be issued to the voter and the voter shall then be permitted
9 to cast his or her ballot. If the ballot is in order, the judge shall
10 deposit the ballot in the ballot box or the precinct-based optical
11 scanner in the presence of the voter and the voter shall promptly leave
12 the polling place. If a precinct uses a precinct-based optical scanner
13 and a ballot is identified by the scanner as containing an overvote or an
14 undervote, the voter shall be notified of the consequence of an overvote
15 and the right to vote in the case of an undervote, whichever is
16 applicable. The judges of election shall maintain the secrecy of the
17 rejected ballots and shall cause the rejected ballots to be made up in a
18 sealed packet. The judges of election shall endorse the packet with the
19 words Rejected Ballots and the designation of the precinct. The judges of
20 election shall sign the endorsement label and shall return the packet to
21 the election commissioner or county clerk with a statement by the judges
22 of election showing the number of ballots rejected.

23 (4) Upon receiving a provisional ballot as provided in section
24 32-915, the judge of election shall give the voter written information
25 that states that the voter may determine if his or her vote was counted
26 and, if not, the reason that the vote was not counted by accessing the
27 system created pursuant to section 32-202 and the judge of election shall
28 ensure that the appropriate information is on the outside of the
29 provisional ballot envelope in which the ballot is enclosed or attached
30 to the provisional ballot envelope, attach the statement required by
31 section 32-915 if not contained on the provisional ballot envelope, and

1 place the entire provisional ballot envelope into the ballot box. Upon
2 receiving a provisional ballot as provided in section 32-915.01, the
3 judge of election shall comply with the requirements for a provisional
4 ballot under this subsection, except that a provisional ballot filled out
5 ~~east~~ pursuant to section 32-915.01 shall be kept separate from the other
6 ballots cast at the election.

7 Sec. 20. Section 32-929, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 32-929 If a person is challenged on the ground that he or she is not
10 a resident of this state, the county, or the precinct, the person shall
11 answer the following questions on the form provided by the election
12 commissioner or county clerk:

13 Do you have a residence in this state: Yes or No?

14 Do you have a residence in this county: Yes or No?

15 Do you have a residence in this precinct: Yes or No?

16 If a person has moved from one residence to another within the
17 precinct in which he or she is registered to vote, such voter shall be
18 entitled to vote as provided in section 32-914.02. If a person has moved
19 from one residence to another within the county in which he or she is
20 registered to vote, such voter shall be entitled to fill out ~~vote~~ a
21 provisional ballot as provided in section 32-915.

22 Sec. 21. Section 32-942, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-942 (1)(a) ~~(1)~~ Except as otherwise provided in subsection (2) of
25 this section, a registered voter of this state who anticipates being
26 absent from the county of his or her residence on the day of any election
27 may appear in person before the election commissioner or county clerk not
28 more than thirty days prior to the day of election, present valid
29 photographic identification, and obtain his or her ballot. The registered
30 voter shall vote the ballot in the office of the election commissioner or
31 county clerk or shall return the ballot to the office not later than the

1 closing of the polls on the day of the election. If the registered voter
2 does not vote the ballot in the office of the election commissioner or
3 county clerk and returns the ballot to the office before the closing of
4 polls on the day of the election, the voter shall present valid
5 photographic identification before the ballot is accepted. If a voter
6 fails to produce valid photographic identification upon returning the
7 ballot, the voter shall fill out a provisional voter identification
8 verification envelope pursuant to section 23 of this act.

9 (b) A registered voter who is present in the county on the day of
10 the election and who chooses to vote on the day of the election shall
11 vote at the polling place assigned to the precinct in which he or she
12 resides unless he or she is returning a ballot for early voting or
13 submitting a ballot ~~voting~~ pursuant to section 32-943.

14 (2)(a) ~~(2)~~ If a person registers to vote and requests a ballot at
15 the same time under this section, he or she shall, in addition to the
16 identification requirements of subsection (1) of this section, (i)(A) ~~(a)~~
17 ~~(i)~~ present valid photographic identification that confirms the address
18 at which the voter is registered to vote or one of the address
19 confirmation documents as prescribed in subdivision (2)(a) ~~(1)(a)~~ of
20 section 32-318.01, (B) ~~(ii)~~ present proof that he or she is a member of
21 the armed forces of the United States who by reason of active duty has
22 been absent from his or her place of residence where the member is
23 otherwise eligible to vote, is a member of the United States Merchant
24 Marine who by reason of service has been away from his or her place of
25 residence where the member is otherwise eligible to vote, is a spouse or
26 dependent of a member of the armed forces of the United States or United
27 States Merchant Marine who has been absent from his or her place of
28 residence due to the service of that member, or resides outside the
29 United States and but for such residence would be qualified to vote in
30 the state if the state was the last place in which the person was
31 domiciled before leaving the United States, or (C) ~~(iii)~~ state that he or

1 she is elderly or handicapped and has requested to vote by alternative
2 means other than by casting a ballot at his or her polling place on
3 election day or (ii) fill out ~~(b) vote~~ a ballot which is placed in a
4 provisional voter identification verification an envelope with the
5 voter's name and address and other necessary identifying information and
6 kept securely for counting as provided in this subsection. This
7 subsection does not extend the deadline for voter registration specified
8 in section 32-302.

9 (b) A ballot filled out ~~cast~~ pursuant to subdivision (a)(ii) ~~(b)~~ of
10 this subsection shall be rejected and shall not be counted if (i) the
11 acknowledgment of registration sent to the registrant pursuant to section
12 32-322 is returned as undeliverable for a reason other than clerical
13 error within ten days after it is mailed or (ii) the voter fails to
14 present valid photographic identification to the election commissioner or
15 county clerk or his or her designee on or before the Tuesday after the
16 election, if applicable. After ~~, otherwise after~~ such ten-day period, the
17 ballot shall be counted.

18 (3) This section applies only to a person who appears in person to
19 obtain a ballot as provided in subsection (1) of this section and does
20 not apply to a ballot mailed to a voter pursuant to section 32-945.

21 Sec. 22. Section 32-943, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 32-943 (1) Any registered voter who is permitted to vote early
24 pursuant to section 32-938 may appoint a member of the voter's household
25 as an agent to submit a request for a ballot for early voting on the
26 voter's his or her behalf pursuant to this subsection. The registered
27 voter or his or her agent may request that the ballot be sent to the
28 registered voter by mail or indicate on the request that the agent will
29 personally pick up the ballot for such registered voter from the office
30 of the election commissioner or county clerk. A registered voter or an
31 agent acting on behalf of a registered voter shall request a ballot in

1 writing to the election commissioner or county clerk in the county where
2 the registered voter has established his or her residence, shall
3 acknowledge that only the voter is permitted to return the ballot to the
4 election office unless an agent is authorized pursuant to subsection (2)
5 of this section, and shall indicate the voter's residence address, the
6 address to which the ballot is to be mailed if different, and the voter's
7 telephone number if available and precinct if known. The registered voter
8 or the voter's agent may use the form published by the election
9 commissioner or county clerk pursuant to section 32-808. The registered
10 voter or his or her agent shall sign the request.

11 (2) Any registered voter who is permitted to vote early pursuant to
12 section 32-938 and who the Secretary of State has determined is unable to
13 vote at the polls on election day or appear before an undesignated
14 witness due to a mobility-related issue may apply to the Secretary of
15 State or to the election commissioner or county clerk in a manner
16 prescribed by the Secretary of State for the appointment of an agent to
17 witness and return the voter's ballot in compliance with section 32-1027.
18 Upon receipt and verification of such an application, the Secretary of
19 State shall work with the election commissioner or county clerk to
20 arrange for such an agent and shall pay the costs associated with such
21 arrangement.

22 (3) Only the following persons shall be eligible to serve as an
23 agent as described in subsection (2) of this section: (a) An individual
24 registered to vote in the State of Nebraska; (b) an individual who is a
25 notary public under the law of any state or territory of the United
26 States; (c) a Consular Officer of any United States embassy; or (d) a
27 person authorized to perform notarial acts pursuant to 10 U.S.C. 1044a,
28 as such section existed on January 1, 2023. ~~(2) A candidate for office at~~
29 such election and any person serving on a campaign committee for such a
30 candidate shall not act as an agent ~~for any registered voter requesting a~~
31 ballot pursuant to this section unless such person is a member of the

1 registered voter's family. ~~No person shall act as agent for more than two~~
2 ~~registered voters in any election.~~

3 ~~(4) (3) The agent shall pick up the ballot before one hour prior to~~
4 ~~the closing of the polls on election day and deliver the ballot to the~~
5 ~~registered voter. The ballot shall be returned not later than the closing~~
6 ~~of the polls on the day of the election and shall be returned in an early~~
7 ~~voting ballot envelope as provided in section 32-947.~~

8 ~~(5) (4) The election commissioner or county clerk shall adopt~~
9 ~~procedures for the distribution of ballots under this section.~~

10 Sec. 23. (1) If a registered voter fails to produce valid
11 photographic identification (a) at the polling place and the voter's name
12 appears on the precinct list of registered voters for the polling place
13 without a notation that the voter is on the Signature Photo ID List, (b)
14 at the time of returning the ballot pursuant to subsection (1) of section
15 32-942, or (c) at the time of filling out the ballot for early voting in
16 person at the office of the election commissioner or county clerk, the
17 voter shall fill out a provisional voter identification verification
18 envelope.

19 (2) If a voter is otherwise entitled to fill out a provisional
20 ballot pursuant to section 32-915 but fails to produce valid photographic
21 identification, the voter shall fill out the provisional ballot in
22 compliance with section 32-915 and shall also fill out a provisional
23 voter identification verification envelope. The voter's provisional
24 ballot envelope containing the provisional ballot shall be enclosed
25 inside the provisional voter identification verification envelope.

26 (3) Each voter filling out a ballot using a provisional voter
27 identification verification envelope shall enclose the ballot in an
28 envelope marked provisional voter identification verification and shall,
29 by signing the certification on the front of the envelope, certify to the
30 following facts:

31 (a) My name is (full legal name);

1 (b) I am registered to vote at (residence address);

2 (c) I did not provide valid photographic identification as required
3 by law;

4 (d) I am eligible to vote in this election and I have not voted and
5 will not vote in this election except by this ballot; and

6 (e) I acknowledge that if I do not appear in person at my county
7 election office and provide valid photographic identification to an
8 official in that office on or before the Tuesday after the election, my
9 ballot will not be counted.

10 (4) The voter shall sign the certification under penalty of election
11 falsification. The following statements shall be on the front of the
12 provisional voter identification verification envelope: By signing the
13 front of this envelope, you are certifying to the information contained
14 on this envelope under penalty of election falsification. Election
15 falsification is a Class IV felony and may be punished by up to two years
16 imprisonment and twelve months post-release supervision, a fine of up to
17 ten thousand dollars, or both.

18 Sec. 24. (1) Any voter who has been placed on the Signature Photo
19 ID List may fill out a ballot and shall submit it enclosed in a Signature
20 Photo ID Ballot Envelope either (a) early pursuant to sections 32-941 to
21 32-943 or (b) at the voter's assigned polling place on election day.

22 (2) If the voter filed an affidavit with the Secretary of State
23 declaring the voter's sincerely held religious belief against being
24 photographed, the voter is not required to do anything more than sign the
25 certification on the Signature Photo ID Ballot Envelope and does not need
26 to have the signature witnessed. If the voter has not filed such an
27 affidavit with the Secretary of State, the voter is required to appear
28 before a witness and present the certificate issued to the voter by the
29 Secretary of State under section 10 of this act for identity
30 verification.

31 (3) Only the following persons shall be eligible to verify the

1 identity of the voter and sign the Signature Photo ID Ballot Envelope as
2 a witness: (a) An individual registered to vote in the State of Nebraska;
3 (b) an individual who is a notary public under the law of any state or
4 territory of the United States; (c) a Consular Officer of any United
5 States embassy; or (d) a person authorized to perform notarial acts
6 pursuant to 10 U.S.C. 1044a, as such section existed on January 1, 2023.
7 The witness shall sign an oath on the envelope under the penalty of
8 election falsification. If the witness is a notary public or a person
9 authorized to perform notarial acts, the witness shall notarize the
10 document according to the law under which the notary public or person is
11 authorized to perform notarial acts.

12 (4) Each Signature Photo ID Ballot Envelope shall be labeled
13 "SIGNATURE PHOTO ID BALLOT ENVELOPE". The envelope shall have printed
14 upon its face the official title and post office address of the election
15 commissioner or county clerk and shall have a form printed on it
16 substantially as follows:

17 VOTER'S OATH

18 I, the undersigned voter, declare that the enclosed ballot or
19 ballots contained no voting marks of any kind when I received them, and I
20 caused the ballot or ballots to be marked, enclosed in the Signature
21 Photo ID Ballot Envelope, and sealed in such envelope.

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

24 (a) I,, am a registered voter
25 in County;

26 (b) I reside in the State of Nebraska at
27 (residence address);

28 (c) I have applied to be on, and have been notified by the Secretary
29 of State in writing that I am on, the Signature Photo ID List;

30 (d) I have filled out the enclosed ballot and am returning it in
31 compliance with Nebraska law; and

1 (e) I have not voted and will not vote in this election except by
2 this ballot.

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

9 I understand that if I have NOT filed an affidavit declaring my
10 SINCERELY HELD RELIGIOUS BELIEF AGAINST BEING PHOTOGRAPHED with the
11 Secretary of State, I am required to appear before a witness and present
12 the certificate issued to me by the Secretary of State for identity
13 verification. If I have filed an affidavit with the Secretary of State
14 declaring my sincerely held religious belief against being photographed,
15 I am not required to do anything more than sign below and do not need to
16 have my signature witnessed.

17 I also understand that failure to sign below will invalidate my
18 ballot.

19 Signature

20 WITNESS INSTRUCTIONS

21 1. You must be registered to vote in the State of Nebraska to
22 witness this ballot envelope or be a notary public under the law of any
23 state or territory of the United States, a Consular Officer of any United
24 States embassy, or a person authorized to perform notarial acts pursuant
25 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. A full
26 list of persons who may serve as a witness was sent to the voter with the
27 ballot provided pursuant to this section.

28 2. Verify with the voter that the voter has NOT filed an affidavit
29 with the Secretary of State declaring a sincerely held religious belief
30 against being photographed. If the voter has filed such an affidavit, the
31 witness oath is not required and the voter should sign and submit the

1 Signature Photo ID Ballot Envelope.

2 3. Verify that the ballot envelope is sealed.

3 4. Verify that the identification presented by the voter is a
4 certificate issued by the Secretary of State for inclusion on the
5 Signature Photo ID List.

6 5. Verify that the name written on the ballot envelope matches the
7 name on the certificate the voter presents and that the individual
8 pictured on the certificate is the individual before you.

9 6. Instruct the voter to sign the ballot envelope on the space
10 provided.

11 7. If you are a notary public or a person authorized to perform
12 notarial acts, notarize the document according to the law under which you
13 are authorized to perform notarial acts.

14 8. Print your name and any other applicable information and sign the
15 WITNESS OATH in the space provided below.

16 WITNESS OATH

17 I, the undersigned witness, declare under penalty of election
18 falsification that the voter's oath was executed in the manner prescribed
19 by the WITNESS INSTRUCTIONS, that the person who signed the ballot
20 envelope was the voter indicated on the voter's oath, that I verified the
21 voter's identity with the certificate issued to the voter by the
22 Secretary of State for inclusion on the Signature Photo ID List, and that
23 I witnessed that voter sign the ballot envelope.

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

30 I,, am a registered voter in
31 County, Nebraska, and I reside in the State of Nebraska

1 at (residence address).

2 OR

3 I,, am authorized to perform notarial acts under
4 state...../territory...../federal law (circle
5 appropriate jurisdiction and, if applicable, fill in space with state or
6 territory name), or am a Consular Officer of the U.S. Embassy
7 in If applicable, my commission number or other
8 identification number is

9 Signature Print name

10 Sec. 25. Section 32-947, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 32-947 (1) Upon receipt of an application or other request for a
13 ballot to vote early, the election commissioner or county clerk shall
14 determine whether the applicant is a registered voter and is entitled to
15 vote as requested. If the election commissioner or county clerk
16 determines that the applicant is a registered voter entitled to vote
17 early and the application was received not later than the close of
18 business on the second Friday preceding the election, the election
19 commissioner or county clerk shall deliver a ballot to the applicant in
20 person or by mail, postage paid. The election commissioner or county
21 clerk or any employee of the election commissioner or county clerk shall
22 write or cause to be affixed his or her customary signature or initials
23 on the ballot.

24 (2) If the voter is on the Signature Photo ID List, an unsealed
25 Signature Photo ID Ballot Envelope shall be delivered with the ballot.

26 (3) If the voter is not on the Signature Photo ID List, an early
27 voting ballot ~~(2) An unsealed identification envelope shall be delivered~~
28 with the ballot, and upon the back of the envelope shall be printed a
29 form substantially as follows:

30 VOTER'S OATH

31 I, the undersigned voter, declare that the enclosed ballot or

1 ballots contained no voting marks of any kind when I received them, and I
2 caused the ballot or ballots to be marked, enclosed in the early voting
3 ballot identification envelope, and sealed in such envelope.

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

6 (a) I,, am a registered voter
7 in County;

8 (b) I reside in the State of Nebraska at
9 (residence address);

10 (c) I have filled out ~~voted~~ the enclosed ballot and am returning it
11 in compliance with Nebraska law; and

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

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

20 I also understand that failure to appear before a witness, present
21 valid photographic identification to the witness, and sign below will
22 invalidate my ballot.

23 Signature (DO NOT SIGN UNTIL PRESENT BEFORE A WITNESS AND INSTRUCTED
24 TO DO SO)

25 WITNESS INSTRUCTIONS

26 1. You must be registered to vote in the State of Nebraska to
27 witness this ballot envelope or be a notary public under the law of any
28 state or territory of the United States, a Consular Officer of any United
29 States embassy, or a person authorized to perform notarial acts pursuant
30 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. A full
31 list of persons who may serve as a witness was sent to the voter with the

1 ballot provided pursuant to this section.

2 2. Verify that the ballot envelope is sealed.

3 3. Verify that the identification presented by the voter is a type
4 of identification listed on the document entitled "List of Acceptable
5 Forms of Identification." This document was sent to the voter with the
6 ballot and is also available at (the URL of the website provided pursuant
7 to subdivision (13) of section 32-202).

8 4. Verify that the name written on the ballot envelope matches the
9 name on the identification the voter presents and that the individual
10 pictured on the identification is the individual appearing before you.

11 5. Instruct the voter to sign the ballot envelope on the space
12 provided.

13 6. If you are a notary public or a person authorized to perform
14 notarial acts, notarize the document according to the law under which you
15 are authorized to perform notarial acts.

16 7. Print your name and any other applicable information and sign the
17 WITNESS OATH in the space provided below.

18 WITNESS OATH

19 I, the undersigned witness, declare under penalty of election
20 falsification that the voter's oath was executed in the manner prescribed
21 by the WITNESS INSTRUCTIONS, that the person who signed the ballot
22 envelope was the voter indicated on the voter's oath, that I verified the
23 voter's identity with one of the forms of identification listed on the
24 document entitled "List of Acceptable Forms of Identification," and that
25 I witnessed that voter sign the ballot envelope.

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

1 I,, am a registered voter in
2 County, Nebraska, and I reside in the State of Nebraska
3 at (residence address).

4 OR

5 I,, am authorized to perform notarial acts under
6 state...../territory...../federal law (circle
7 appropriate jurisdiction and, if applicable, fill in space with state or
8 territory name), or am a Consular Officer of the U.S. Embassy
9 in If applicable, my commission number or other
10 identification number is

11 Signature Print name

12 ~~(4) The early voting ballot (3) If the ballot and identification~~
13 ~~envelope will be returned by mail or by someone other than the voter, the~~
14 ~~election commissioner or county clerk shall include with the ballot an~~
15 ~~identification envelope upon the face of which shall have be printed on~~
16 ~~its face the official title and post office address of the election~~
17 ~~commissioner or county clerk.~~

18 ~~(5) (4) The election commissioner or county clerk shall also enclose~~
19 ~~with the ballot materials:~~

20 ~~(a)(i) If (a) A registration application, if the election~~
21 ~~commissioner or county clerk has determined that the applicant is not a~~
22 ~~registered voter pursuant to section 32-945, a registration application~~
23 ~~with instructions that failure to return the completed and signed~~
24 ~~application indicating the residence address as it appears on the voter's~~
25 ~~request for a ballot to the election commissioner or county clerk by the~~
26 ~~close of the polls on election day will result in the ballot not being~~
27 ~~counted; or~~

28 ~~(ii) If the voter is without a residence address, a (b) A~~
29 ~~registration application and the oath pursuant to section 32-946, if the~~
30 ~~voter is without a residence address, with instructions that the~~
31 ~~residence address of the voter shall be deemed that of the office of the~~

1 election commissioner or county clerk of the county of the voter's prior
2 residence and that failure to return the completed and signed application
3 and oath to the election commissioner or county clerk by the close of the
4 polls on election day will result in the ballot not being counted; ~~or~~

5 (b) If the voter is required to present identification under section
6 32-318.01, written ~~(c) Written~~ instructions directing the voter to submit
7 a photocopy ~~copy~~ of an identification document pursuant to such section
8 ~~32-318.01 if the voter is required to present identification under such~~
9 ~~section~~ and advising the voter that failure to submit such identification
10 to the election commissioner or county clerk by the close of the polls on
11 election day will result in the ballot not being counted; ~~-~~

12 (c) Written instructions that inform the voter that (i) the voter
13 should check the status of the ballot on the free access system created
14 pursuant to section 32-202 or by calling the office of the election
15 commissioner or county clerk and (ii) if the ballot is not accepted due
16 to a defect in witnessing, the voter may present valid photographic
17 identification to the election commissioner or county clerk or his or her
18 designee on or before the Tuesday after the election for the ballot to be
19 counted;

20 (d) If the voter is not on the Signature Photo ID List, a printed
21 copy of the document entitled "List of Acceptable Forms of
22 Identification" as it appears on the website provided pursuant to
23 subdivision (14) of section 32-202; and

24 (e) If there is not a notation in the voter's voter registration
25 record that the voter has a sincerely held religious belief against being
26 photographed, a printed copy of the document entitled "Who May Serve as a
27 Ballot Witness" as it appears on the website provided pursuant to
28 subdivision (14) of section 32-202.

29 (6) (5) The election commissioner or county clerk may enclose with
30 the ballot materials a separate return envelope for the voter's use in
31 returning the early voting ballot his or her identification envelope

1 containing the marked ~~voted~~ ballot, the registration application, and
2 other materials that may be required.

3 Sec. 26. Section 32-949, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 32-949 (1) After a ballot for early voting is received by a voter
6 and before placing any marks thereon, the voter shall note whether there
7 are any voting marks on the ballot and whether there is a signature or
8 initials on the ballot in the space provided for the election official's
9 signature or initials. If there are any voting marks or no signature or
10 initials, the ballot shall be returned immediately to the election
11 commissioner or county clerk. If there are no such marks, the voter shall
12 cause the ballot to be marked. If the ballot is voted in the office of
13 the election commissioner or county clerk, the registered voter shall
14 return the ballot and early voting ballot identification envelope to the
15 election commissioner or county clerk or an employee of the election
16 commissioner or county clerk who shall deposit the ballot into a ballot
17 box and place the early voting ballot identification envelope in a secure
18 container.

19 (2) If the voter is mailing or otherwise delivering the ballot to
20 the election commissioner or county clerk, the voter shall:

21 (a) Place the marked ballot in the early voting ballot
22 ~~identification~~ envelope ~~received for that purpose~~ in such a manner that
23 the signature of the issuing officer on the ballot is visible;

24 (b) Complete and sign the voter's oath on the outside of the early
25 voting ballot identification envelope under the penalty of election
26 falsification and in the presence of a witness;

27 (c) Enclose, in the early voting ballot identification envelope or
28 separately in the return envelope if one has been provided, his or her
29 completed registration application if one was provided pursuant to
30 section 32-945 or 32-946, a copy of his or her identification document if
31 such identification has been requested, and the oath completed and signed

1 by a voter without a residence address if required pursuant to section
2 32-946;

3 (d) Ensure that the early voting ballot identification envelope or
4 return envelope is sealed; and

5 (e) Mail, deliver, or cause to be delivered the envelope containing
6 the ballots and any required materials to the election commissioner or
7 county clerk from whom it was received.

8 (3) In order to verify the identity of the voter and sign the early
9 voting ballot envelope as a witness, an individual shall be registered to
10 vote in the State of Nebraska or be a notary public under the law of any
11 state or territory of the United States, a Consular Officer of any United
12 States embassy, or a person authorized to perform notarial acts pursuant
13 to 10 U.S.C. 1044a, as such section existed on January 1, 2023. The
14 witness shall sign an oath on the envelope under the penalty of election
15 falsification. If the witness is a notary public or a person authorized
16 to perform notarial acts, the witness shall notarize the document
17 according to the law under which the notary public or person is
18 authorized to perform notarial acts.

19 (4) ~~(3)~~ All postage costs related to returning such ballots and
20 required materials, if any, to the election commissioner or county clerk
21 shall be paid by the applicant.

22 Sec. 27. Section 32-949.01, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 32-949.01 (1) If a ballot for early voting is destroyed, spoiled,
25 lost, or not received by the registered voter, the voter may fill out
26 ~~cast~~ a provisional ballot pursuant to section 32-915 at the voter's
27 polling place on election day or may obtain a replacement ballot from the
28 election commissioner or county clerk by signing a statement on a form
29 prescribed by the Secretary of State that the original ballot for early
30 voting was destroyed, spoiled, lost, or not received and delivering the
31 statement to the election commissioner or county clerk.

1 (2) If the voter mails the statement or uses electronic mail or a
2 facsimile machine for the submission of the statement, the election
3 commissioner or county clerk shall not mail a replacement ballot to the
4 voter unless the statement is received by 6 p.m. on the second Friday
5 preceding the election. To receive a replacement ballot in person, the
6 voter shall return the statement to the office of the election
7 commissioner or county clerk by the deadline for the receipt of ballots
8 specified in subsection (2) of section 32-908.

9 (3) The election commissioner or county clerk shall verify the
10 signature on the statement with the signature appearing on the voter
11 registration records.

12 (4) If the election commissioner or county clerk receives a
13 statement meeting the requirements of this section, the election
14 commissioner or county clerk shall deliver a replacement ballot to the
15 voter if the voter is present in the office or shall mail a replacement
16 ballot to the voter at the address shown on the statement. The election
17 commissioner or county clerk shall keep a record of all replacement
18 ballots issued under this section.

19 Sec. 28. Section 32-953, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 32-953 (1) Except as otherwise provided in subsection (2) of this
22 section, the election commissioner or county clerk shall mail the
23 official ballot to all registered voters of the political subdivision or
24 the district or ward of the political subdivision at the addresses
25 appearing on the voter registration register on the same day. The ballots
26 shall be mailed by nonforwardable first-class mail not sooner than the
27 twenty-second day before the date set for the election and not later than
28 the tenth day before the date set for the election. The election
29 commissioner or county clerk shall include with the ballot an unsealed
30 Signature Photo ID Ballot Envelope or early voting ballot identification
31 envelope meeting the requirements of subsection (2) or (3) of section

1 32-947 and instructions sufficient to describe the voting process.

2 (2) The election commissioner or county clerk may choose not to mail
3 a ballot to all registered voters who have been sent a notice pursuant to
4 section 32-329 and failed to respond to the notice. If the election
5 commissioner or county clerk chooses not to mail a ballot to such voters,
6 he or she shall mail a notice to all such registered voters explaining
7 how to obtain a ballot and stating the applicable deadlines.

8 Sec. 29. Section 32-954, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 32-954 Upon receipt of the official ballot, the registered voter
11 shall mark it, seal the ballot in the ballot identification envelope
12 supplied with the ballot as provided in section 32-953, sign the ballot
13 identification envelope, and comply with the instructions provided with
14 the ballot. The voter may return the ballot to the election commissioner
15 or county clerk by mailing it or by personally delivering it to the
16 office of the election commissioner or county clerk. The deadline for
17 receipt of the ballot is 5 p.m. on the date set for the election. The
18 official ballot must be returned in the ballot identification envelope.
19 The registered voter shall, by signing the ballot envelope, certify to
20 the facts contained on the envelope. The election commissioner or county
21 clerk shall keep the ballot identification envelopes received from
22 registered voters unopened in a fireproof safe or other suitable location
23 which is locked until delivered to the counting board.

24 Sec. 30. Section 32-957, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 32-957 An official ballot under section 32-953 shall be counted only
27 if it is returned in the ballot identification envelope supplied with the
28 ballot, the ballot envelope is signed by the voter to whom it was issued,
29 and the signature is verified by the election commissioner or county
30 clerk. The election commissioner or county clerk shall verify the
31 signature on each ballot identification envelope received in his or her

1 office with the signature appearing on the voter registration records. If
2 the election commissioner or county clerk is unable to verify a
3 signature, the election commissioner or county clerk shall contact the
4 voter within two days after determining that he or she is unable to
5 verify the signature to ascertain whether the voter filled out and
6 returned ~~cast~~ a ballot. The election commissioner or county clerk may
7 request that the registered voter sign and submit a current signature
8 card pursuant to section 32-318. The election commissioner or county
9 clerk may begin verifying the signatures as the ballot envelopes are
10 received in his or her office. If the election commissioner or county
11 clerk determines that a voter has filled out and returned ~~voted~~ more than
12 one ballot ~~once~~, no ballot filled out and returned ~~cast~~ by that voter in
13 that election shall be counted. The election commissioner or county clerk
14 shall make public any record or list of registered voters who have
15 returned their ballots.

16 Sec. 31. Section 32-1002, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 32-1002 (1) As the ballots are removed from the ballot box pursuant
19 to sections 32-1012 to 32-1018, the receiving board shall separate the
20 provisional ballot envelopes containing the provisional ballots from the
21 rest of the ballots and deliver them to the election commissioner or
22 county clerk.

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

28 (3) The election commissioner or county clerk shall also (a) verify
29 that such person has not voted anywhere else in the county or been issued
30 a ballot for early voting, (b) investigate whether any credible evidence
31 exists that the person was properly registered to vote in the county

1 before the deadline for registration for the election, (c) investigate
2 whether any information has been received pursuant to section 32-308,
3 32-309, 32-310, or 32-324 that the person has resided, registered, or
4 voted in any other county or state since registering to vote in the
5 county, and (d) upon determining that credible evidence exists that the
6 person was properly registered to vote in the county, make the
7 appropriate changes to the voter registration register by entering the
8 information contained in the registration application completed by the
9 voter at the time the voter filled out the ~~of voting~~ a provisional
10 ballot.

11 (4) A provisional ballot filled out ~~cast~~ by a voter pursuant to
12 section 32-915 shall be counted if:

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

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

17 (c) The voter has not voted anywhere else in the county or has not
18 otherwise filled out and returned ~~voted early using~~ a ballot for early
19 voting;

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

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

25 (ii) If the voter is voting in a primary election, the party
26 affiliation provided on the registration application completed as
27 prescribed in subsection (6) of this section ~~prior to voting the~~
28 ~~provisional ballot~~ is the same party affiliation that appears on the
29 voter's voter registration record based on his or her previous
30 registration application; and

31 (e) The certification on the front of the envelope or form attached

1 to the envelope is in the proper form and signed by the voter.

2 (5) A provisional ballot filled out ~~east~~ by a voter pursuant to
3 section 32-915 shall not be counted if any of the following apply:

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

6 (b) Information has been received pursuant to section 32-308,
7 32-309, 32-310, or 32-324 that the voter has resided, registered, or
8 voted in any other county or state since registering to vote in the
9 county in which he or she filled out ~~east~~ the provisional ballot;

10 (c) Credible evidence exists that the voter has voted elsewhere or
11 has otherwise submitted a ballot for early voting ~~voted early~~;

12 (d) The voter failed to complete and sign a registration application
13 pursuant to subsection (6) of this section and subdivision (1)(f) ~~(1)(e)~~
14 of section 32-915;

15 (e) The residence address provided on the registration application
16 completed pursuant to subdivision (1)(f) ~~(1)(e)~~ of section 32-915 is in a
17 different county or in a different precinct than the county or precinct
18 in which the voter voted;

19 (f) If the voter is voting in a primary election, the party
20 affiliation on the registration application completed as prescribed in
21 subsection (6) of this section ~~prior to voting the provisional ballot~~ is
22 different than the party affiliation that appears on the voter's voter
23 registration record based on his or her previous registration
24 application; ~~or~~

25 (g) The voter failed to complete and sign the certification on the
26 envelope or form attached to the envelope pursuant to subsection (4) ~~(3)~~
27 of section 32-915; ~~or~~

28 (h) The voter failed to present valid photographic identification;
29 or

30 (i) If the voter is on the Signature Photo ID List, the Signature
31 Photo ID Ballot Envelope is incomplete.

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

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

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

8 (b) Both the registration application and the certification are
9 signed by the voter.

10 (7) Upon determining that the voter's provisional ballot is eligible
11 to be counted, the election commissioner or county clerk shall remove the
12 ballot from the envelope without exposing the marks on the ballot and
13 shall place the ballot with the ballots to be counted by the county
14 canvassing board.

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

19 (9) The verification and investigation shall be completed within
20 eight seven business days after the election.

21 Sec. 32. (1) As the ballots are removed from the ballot box
22 pursuant to sections 32-1012 to 32-1018, the receiving board shall
23 separate the provisional voter identification verification envelopes and
24 Signature Photo ID Ballot Envelopes from the rest of the ballots and
25 deliver them to the election commissioner or county clerk.

26 (2) Upon receipt of a provisional voter identification verification
27 envelope or Signature Photo ID Ballot Envelope, the election commissioner
28 or county clerk shall verify that the certificate on the front of the
29 envelope is in proper form and that the certification has been signed by
30 the voter.

31 (3) The election commissioner or county clerk shall also verify that

1 such person has not voted anywhere else in the county.

2 (4) A ballot filled out by a voter and placed in a provisional voter
3 identification verification envelope pursuant to section 23 of this act
4 shall be counted only if:

5 (a) The voter presents valid photographic identification to the
6 election commissioner or county clerk or his or her designee on or before
7 the Tuesday after the election; and

8 (b) The voter completed and signed the certification on the
9 provisional voter identification verification envelope.

10 (5) A ballot filled out by a voter and placed in a Signature Photo
11 ID Ballot Envelope pursuant to section 24 of this act shall be counted
12 only if:

13 (a) The voter is on the Signature Photo ID List;

14 (b) The election commissioner or county clerk verifies that the
15 signature on the envelope conforms to the signature on the individual's
16 voter registration record; and

17 (c) The envelope meets one of the following criteria:

18 (i) The envelope was filled out and signed by a voter whose record
19 indicates that the voter has a sincerely held religious belief against
20 being photographed;

21 (ii) The envelope was filled out and signed by a voter whose record
22 does not indicate that the voter has a sincerely held religious belief
23 against being photographed and the envelope was signed by a witness
24 declaring that the witness verified the voter's identity with a
25 certificate issued by the Secretary of State pursuant to section 10 of
26 this act; or

27 (iii) The envelope was filled out and signed by a voter whose record
28 does not indicate that the voter has a sincerely held religious belief
29 against being photographed, the envelope was not signed by a witness
30 declaring that the witness verified the voter's identity, and the voter
31 presented a certificate issued by the Secretary of State pursuant to

1 section 10 of this act verifying the voter's identity to the election
2 commissioner or county clerk or his or her designee on or before the
3 Tuesday after the election.

4 (6) Upon determining that the voter has complied with subsection (4)
5 or (5) of this section, the election commissioner or county clerk shall
6 remove the ballot or provisional ballot envelope from the provisional
7 voter identification verification envelope or Signature Photo ID Ballot
8 Envelope without exposing the marks on the ballot. If only a ballot is
9 removed, the election commissioner or county clerk shall place the ballot
10 with the ballots to be counted by the county canvassing board. If a
11 provisional ballot envelope is removed, the provisional ballot envelope
12 shall remain sealed until the election commissioner or county clerk
13 determines that the provisional ballot envelope complies with section
14 32-1002. The provisional ballot envelope shall only be opened and the
15 ballot removed pursuant to section 32-1002.

16 (7) The election commissioner or county clerk shall notify the
17 system administrator of the free access system created pursuant to
18 section 32-202 as to whether the ballot was counted and, if not, the
19 reason the ballot was not counted.

20 Sec. 33. Section 32-1027, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 32-1027 (1) The election commissioner or county clerk shall appoint
23 two or more registered voters to the counting board for early voting. One
24 registered voter shall be appointed from the political party casting the
25 highest number of votes for Governor or for President of the United
26 States in the county in the immediately preceding general election, and
27 one registered voter shall be appointed from the political party casting
28 the next highest vote for such office. The election commissioner or
29 county clerk may appoint additional registered voters to serve on the
30 counting board and may appoint registered voters to serve in case of a
31 vacancy among any of the members of the counting board. Such appointees

1 shall be balanced between the political parties and may include
2 registered voters unaffiliated with any political party. The counting
3 board may begin carrying out its duties not earlier than the second
4 Friday before the election and shall meet as directed by the election
5 commissioner or county clerk.

6 (2) The counting board shall place all early voting ballot
7 ~~identification~~ envelopes in order and shall review each returned early
8 voting ballot identification envelope pursuant to verification procedures
9 prescribed in subsections (3) and (4) of this section.

10 (3) In its review, the counting board shall determine if:

11 (a) The voter has provided his or her name, residence address, and
12 signature on the early voting ballot ~~voter identification~~ envelope;

13 (b) The ballot has been received from the voter who requested it and
14 the residence address is the same address provided on the voter's request
15 for a ballot for early voting, by comparing the information provided on
16 the early voting ballot identification envelope with information recorded
17 in the record of early voters or the voter's request;

18 (c) A completed and signed registration application has been
19 received from the voter by the deadline in section 32-302, 32-321, or
20 32-325 or by the close of the polls pursuant to section 32-945;

21 (d) An identification document has been received from the voter not
22 later than the close of the polls on election day if required pursuant to
23 section 32-318.01; ~~and~~

24 (e) The signature of the registered voter conforms to the signature
25 in the voter registration records;

26 (f) The signature of the witness, the printed name of the witness,
27 and any other required information for the applicable category of witness
28 appear under the WITNESS OATH; and

29 (g) ~~(e)~~ A completed and signed registration application and oath has
30 been received from the voter by the close of the polls on election day if
31 required pursuant to section 32-946.

1 (4) On the basis of its review, the counting board shall determine
2 whether the ballot shall be counted or rejected as follows:

3 (a) A ballot received from a voter who was properly registered on or
4 prior to the deadline for registration pursuant to section 32-302 or
5 32-321 shall be accepted for counting without further review if:

6 (i) The name on the early voting ballot identification envelope
7 appears to be that of a registered voter to whom a ballot for early
8 voting has been issued or sent;

9 (ii) The residence address provided on the early voting ballot
10 identification envelope is the same residence address at which the voter
11 is registered or is in the same precinct and subdivision of a precinct,
12 if any;~~and~~

13 (iii) The early voting ballot identification envelope has been
14 signed by the voter and the signature of the voter conforms to the
15 signature in the voter registration records; and ÷

16 (iv) The signature of the witness, the printed name of the witness,
17 and any other required information for the applicable category of witness
18 appear under the WITNESS OATH or the valid photographic identification
19 has been verified according to subsection (5) of this section;

20 (b) In the case of a ballot received from a voter who was not
21 properly registered prior to the deadline for registration pursuant to
22 section 32-302 or 32-321, the ballot shall be accepted for counting if:

23 (i) A valid registration application completed and signed by the
24 voter has been received by the election commissioner or county clerk
25 prior to the close of the polls on election day;

26 (ii) The name on the early voting ballot identification envelope
27 appears to be that of the person who requested the ballot;

28 (iii) The residence address provided on the early voting ballot
29 identification envelope and on the registration application is the same
30 as the residence address as provided on the voter's request for a ballot
31 for early voting;~~and~~

1 (iv) The early voting ballot identification envelope has been signed
2 by the voter and the signature of the voter conforms to the signature in
3 the voter registration records; and ÷

4 (v) The signature of the witness, the printed name of the witness,
5 and any other required information for the applicable category of witness
6 appear under the WITNESS OATH or the valid photographic identification
7 has been verified according to subsection (5) of this section;

8 (c) In the case of a ballot received from a voter without a
9 residence address who requested a ballot pursuant to section 32-946, the
10 ballot shall be accepted for counting if:

11 (i) The name on the early voting ballot identification envelope
12 appears to be that of a registered voter to whom a ballot has been sent;

13 (ii) A valid registration application completed and signed by the
14 voter, for whom the residence address is deemed to be the address of the
15 office of the election commissioner or county clerk pursuant to section
16 32-946, has been received by the election commissioner or county clerk
17 prior to the close of the polls on election day;

18 (iii) The oath required pursuant to section 32-946 has been
19 completed and signed by the voter and received by the election
20 commissioner or county clerk by the close of the polls on election day;
21 and

22 (iv) The early voting ballot identification envelope has been signed
23 by the voter and the signature of the voter conforms to the signature in
24 the voter registration records; and

25 (v) The signature of the witness, the printed name of the witness,
26 and any other required information for the applicable category of witness
27 appear under the WITNESS OATH or the valid photographic identification
28 has been verified according to subsection (5) of this section; and

29 (d) In the case of a ballot received from a registered voter
30 required to present identification before voting pursuant to section
31 32-318.01, the ballot shall be accepted for counting if:

1 (i) The name on the early voting ballot identification envelope
2 appears to be that of a registered voter to whom a ballot has been issued
3 or sent;

4 (ii) The residence address provided on the early voting ballot
5 identification envelope is the same address at which the voter is
6 registered or is in the same precinct and subdivision of a precinct, if
7 any;

8 (iii) A copy of an identification document authorized in section
9 32-318.01 has been received by the election commissioner or county clerk
10 prior to the close of the polls on election day;~~and~~

11 (iv) The early voting ballot identification envelope has been signed
12 by the voter and the signature of the voter conforms to the signature in
13 the voter registration records; and -

14 (v) The signature of the witness, the printed name of the witness,
15 and any other required information for the applicable category of witness
16 appear under the WITNESS OATH or the valid photographic identification
17 has been verified according to subsection (5) of this section.

18 (5)(a) In the case of a ballot received from a voter whose early
19 voting ballot envelope does not include the signature of the witness, the
20 printed name of the witness, or any other required information for the
21 applicable category of witness under the WITNESS OATH, the ballot shall
22 be accepted for counting if the voter presents valid photographic
23 identification to the election commissioner or county clerk or his or her
24 designee on or before the Tuesday after the election. Upon determining
25 that an early voting ballot envelope does not include the signature of
26 the witness, the printed name of the witness, or any other required
27 information for the applicable category of witness under the WITNESS
28 OATH, the counting board shall affix to the early voting ballot envelope
29 the reason for its rejection and place the envelope with the provisional
30 voter identification verification envelopes. If the voter fails to
31 present qualifying identification on or before the Tuesday after the

1 election, the ballot shall be placed with the other rejected ballots for
2 early voting.

3 (b) The election commissioner or county clerk shall notify the
4 system administrator of the free access system created pursuant to
5 section 32-202 as to whether a ballot was counted and, if not, the reason
6 the ballot was not counted.

7 (6) ~~(5)~~ In opening the early voting ballot identification envelope
8 or the separate return envelope to determine if registration
9 applications, oaths, or identification documents have been enclosed by
10 the voters from whom they are required, the counting board shall make a
11 good faith effort to ensure that the ballot remains folded and that the
12 secrecy of the vote is preserved.

13 (7) ~~(6)~~ The counting board may, on the second Friday before the
14 election, open all early voting ballot identification envelopes which are
15 approved, and if the signature of the election commissioner or county
16 clerk or his or her employee is on the ballot, the ballot shall be
17 unfolded, flattened for purposes of using the optical scanner, and placed
18 in a sealed container for counting as directed by the election
19 commissioner or county clerk. At the discretion of the election
20 commissioner or county clerk, the counting board may begin counting early
21 ballots no earlier than twenty-four hours prior to the opening of the
22 polls on the day of the election.

23 (8) ~~(7)~~ If an early voting ballot identification envelope is
24 rejected, the counting board shall not open the early voting ballot
25 identification envelope. The counting board shall write Rejected on the
26 early voting ballot identification envelope and the reason for the
27 rejection. If the ballot is rejected after opening the early voting
28 ballot identification envelope because of the absence of the official
29 signature on the ballot, the ballot shall be reinserted in the early
30 voting ballot identification envelope which shall be resealed and marked
31 Rejected, no official signature. The counting board shall place the

1 rejected early voting ballot identification envelopes and ballots in a
2 container labeled Rejected Ballots and seal it.

3 (9) ~~(8)~~ As soon as all ballots have been placed in the sealed
4 container and rejected early voting ballot identification envelopes or
5 ballots have been sealed in the Rejected Ballots container, the counting
6 board shall count the ballots the same as all other ballots and an
7 unofficial count shall be reported to the election commissioner or county
8 clerk. No results shall be released prior to the closing of the polls on
9 election day.

10 Sec. 34. Section 32-1032, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 32-1032 Upon the completion of the canvass by the county canvassing
13 board, all books shall again be sealed, and the election commissioner or
14 county clerk shall keep all election materials, including the ballots-
15 cast containers from each precinct, the sealed envelopes containing the
16 precinct list of registered voters, the precinct sign-in register, the
17 official summary or summaries of votes cast, and the container for early
18 voting materials, for not less than twenty-two months when statewide
19 primary, general, or special elections involve federal offices,
20 candidates, and issues and not less than fifty days for local elections
21 not held in conjunction with a statewide primary, general, or special
22 election. The election commissioner or county clerk shall keep on file
23 one copy of each ballot face used in each precinct of the official
24 partisan, nonpartisan, constitutional amendment, and initiative and
25 referendum ballots, as used for voting, and all election notices used at
26 each primary and general election for twenty-two months. The precinct
27 sign-in register, the record of early voters, and the official summary of
28 votes cast shall be subject to the inspection of any person who may wish
29 to examine the same after the primary, general, or special election. The
30 election commissioner or county clerk shall not allow any other election
31 materials to be inspected, including ballots and provisional ballot

1 envelopes, except when an election is contested, an audit is conducted
2 pursuant to section 35 of this act, or the materials become necessary to
3 be used in evidence in the courts. The election commissioner or county
4 clerk shall direct the destruction of such materials after such time,
5 except that the election commissioner or county clerk may retain
6 materials for the purposes of establishing voter histories.

7 Sec. 35. (1) For each election conducted pursuant to the Election
8 Act, based on the number of voters that voted using an early voting
9 ballot envelope or a Signature Photo ID Ballot Envelope, the Attorney
10 General shall conduct an audit of witness signatures of a meaningful
11 sample of those envelopes for the purpose of identifying violations of
12 the Election Act. The audit shall be conducted by comparing the witness
13 signature on the ballot envelope to the signature in the voter
14 registration records or, for envelopes signed by a witness who is not a
15 registered voter, making reasonable efforts to confirm the credentials of
16 the witness.

17 (2) For any election that requires certification by the state
18 canvassing board, the audit shall be completed before the meeting of the
19 state canvassing board. The Attorney General shall report the findings of
20 the audit to the state canvassing board at or prior to the meeting of the
21 board.

22 (3) For each required audit, the Attorney General shall generate a
23 list of voters who voted using an early voting ballot envelope or a
24 Signature Photo ID Ballot Envelope and shall use that list to generate a
25 random list of envelopes to be audited. The Attorney General shall inform
26 the relevant election commissioners or county clerks as to which
27 envelopes are to be audited. The election commissioners or county clerks
28 shall transmit the envelopes to be audited to the Attorney General in the
29 manner prescribed by the Attorney General.

30 (4) The Attorney General may, at any time, examine any early voting
31 ballot envelope or Signature Photo ID Ballot Envelope for compliance with

1 the Election Act. Such examination shall take place in a manner
2 prescribed by the Attorney General.

3 (5) The Secretary of State shall facilitate access by the Attorney
4 General to the voter registration list for purposes of carrying out this
5 section.

6 (6) The Attorney General may adopt and promulgate rules and
7 regulations to carry out this section, including the maintenance of
8 voting envelopes by election commissioners and county clerks.

9 (7) The Attorney General may prosecute any violation of the Election
10 Act discovered pursuant to this section.

11 Sec. 36. Section 32-1201, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-1201 (1) The county board shall draw warrants in payment of all
14 bills submitted by the election commissioner or county clerk related to
15 the cost of any election conducted by the office of the election
16 commissioner or county clerk. Except as otherwise provided in subsection
17 (4) of section 32-1203, the initial payment for bills submitted to the
18 election commissioner or county clerk for the cost of preparing for and
19 conducting elections shall be a county expense.

20 (2) The compensation of the election commissioner or county clerk,
21 the deputy election commissioner or deputy county clerk for elections,
22 and all permanent employees of the election commissioner or county clerk,
23 the expenditures for the rental, furnishing, and equipping of the office
24 of the election commissioner or county clerk, the expenditures for
25 necessary office supplies, books, documents, and appurtenances relating
26 to or used in performing the duties of the election commissioner or
27 county clerk in relation to elections, and the cost of elections for
28 county, state, and federal governments shall be an apportioned county
29 expense and shall not be chargeable to other political subdivisions.

30 (3) It is the intent of the Legislature to appropriate sufficient
31 funds to the Secretary of State to reimburse all costs incurred by

1 political subdivisions in implementing and carrying out the changes made
2 by this legislative bill.

3 Sec. 37. Section 60-484.02, Reissue Revised Statutes of Nebraska, is
4 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, 32-308, or 32-309 upon the
13 verification of the identity of the person requesting the release of the
14 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 the
17 Attorney General for purposes of section 35 of this act or a federal,
18 state, or local law enforcement agency, a certified law enforcement
19 officer employed in an investigative position by a state or federal
20 agency, or a driver licensing agency of another state for the purpose of
21 carrying out the functions of the agency or assisting another agency in
22 carrying out its functions upon the verification of the identity of the
23 person requesting the release of the information and the verification of
24 the purpose of the requester in requesting the release. Any officer,
25 employee, agent, or contractor of the department, law enforcement
26 officer, or employee or official in the office of the Secretary of State
27 that knowingly discloses or knowingly permits disclosure of a digital
28 signature in violation of this section shall be guilty of a Class I
29 misdemeanor.

30 Sec. 38. Section 60-4,115, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 60-4,115 (1) Fees for operators' licenses and state identification
 2 cards shall be collected by department personnel or the county treasurer
 3 and distributed according to the table in subsection (2) of this section,
 4 except for the ignition interlock permit and associated fees as outlined
 5 in subsection (4) of this section and the 24/7 sobriety program permit
 6 and associated fees as outlined in subsection (5) of this section. County
 7 officials shall remit the county portion of the fees collected to the
 8 county treasurer for placement in the county general fund. All other fees
 9 collected shall be remitted to the State Treasurer for credit to the
 10 appropriate fund.

11 (2) Except as otherwise provided in subsection (7) of this section,
 12 the ~~The~~ fees provided in this subsection in the following dollar amounts
 13 apply for operators' licenses and state identification cards.

Document	Total Fee	Department		
		County General Fund	of Motor Vehicles Cash Fund	State General Fund
18 State identification card:				
19 Valid for 1 year or less	5.00	2.75	1.25	1.00
20 Valid for more than 1 year				
21 but not more than 2 years	10.00	2.75	4.00	3.25
22 Valid for more than 2 years				
23 but not more than 3 years	14.00	2.75	5.25	6.00
24 Valid for more than 3 years				
25 but not more than 4 years	19.00	2.75	8.00	8.25
26 Valid for more than 4 years				
27 for person under 21	24.00	2.75	10.25	11.00
28 Valid for 5 years	24.00	3.50	13.25	7.25
29 Replacement	11.00	2.75	6.00	2.25
30 Class 0 or M operator's				

1	license:				
2	Valid for 1 year or less	5.00	2.75	1.25	1.00
3	Valid for more than 1 year				
4	but not more than 2 years	10.00	2.75	4.00	3.25
5	Valid for more than 2 years				
6	but not more than 3 years	14.00	2.75	5.25	6.00
7	Valid for more than 3 years				
8	but not more than 4 years	19.00	2.75	8.00	8.25
9	Valid for 5 years	24.00	3.50	13.25	7.25
10	Bioptic or telescopic lens				
11	restriction:				
12	Valid for 1 year or less	5.00	0	5.00	0
13	Valid for more than 1 year				
14	but not more than 2 years	10.00	2.75	4.00	3.25
15	Replacement	11.00	2.75	6.00	2.25
16	Add, change, or remove class,				
17	endorsement, or restriction	5.00	0	5.00	0
18	Provisional operator's permit:				
19	Original	15.00	2.75	12.25	0
20	Bioptic or telescopic lens				
21	restriction:				
22	Valid for 1 year or less	5.00	0	5.00	0
23	Valid for more than 1 year				
24	but not more than 2 years	15.00	2.75	12.25	0
25	Replacement	11.00	2.75	6.00	2.25
26	Add, change, or remove class,				
27	endorsement, or restriction	5.00	0	5.00	0
28	LPD-learner's permit:				
29	Original	8.00	.25	5.00	2.75

1	Replacement	11.00	2.75	6.00	2.25
2	Add, change, or remove class,				
3	endorsement, or restriction	5.00	0	5.00	0
4	LPE-learner's permit:				
5	Original	8.00	.25	5.00	2.75
6	Replacement	11.00	2.75	6.00	2.25
7	Add, change, or remove class,				
8	endorsement, or restriction	5.00	0	5.00	0
9	School permit:				
10	Original	8.00	.25	5.00	2.75
11	Replacement	11.00	2.75	6.00	2.25
12	Add, change, or remove class,				
13	endorsement, or restriction	5.00	0	5.00	0
14	Farm permit:				
15	Original or renewal	5.00	.25	0	4.75
16	Replacement	5.00	.25	0	4.75
17	Add, change, or remove class,				
18	endorsement, or restriction	5.00	0	5.00	0
19	Driving permits:				
20	Employment	45.00	0	5.00	40.00
21	Medical hardship	45.00	0	5.00	40.00
22	Replacement	10.00	.25	5.00	4.75
23	Add, change, or remove class,				
24	endorsement, or restriction	5.00	0	5.00	0
25	Commercial driver's license:				
26	Valid for 1 year or less	11.00	1.75	5.00	4.25
27	Valid for more than 1 year				
28	but not more than 2 years	22.00	1.75	5.00	15.25
29	Valid for more than 2 years				

1	but not more than 3 years	33.00	1.75	5.00	26.25
2	Valid for more than 3 years				
3	but not more than 4 years	44.00	1.75	5.00	37.25
4	Valid for 5 years	55.00	1.75	5.00	48.25
5	Bioptic or telescopic lens				
6	restriction:				
7	Valid for one year or less	11.00	1.75	5.00	4.25
8	Valid for more than 1 year				
9	but not more than 2 years	22.00	1.75	5.00	15.25
10	Replacement	11.00	2.75	6.00	2.25
11	Add, change, or remove class,				
12	endorsement, or restriction	10.00	1.75	5.00	3.25
13	CLP-commercial learner's				
14	permit:				
15	Original or renewal	10.00	.25	5.00	4.75
16	Replacement	10.00	.25	5.00	4.75
17	Add, change, or remove class,				
18	endorsement, or restriction	10.00	.25	5.00	4.75
19	Seasonal permit:				
20	Original or renewal	10.00	.25	5.00	4.75
21	Replacement	10.00	.25	5.00	4.75
22	Add, change, or remove class,				
23	endorsement, or restriction	10.00	.25	5.00	4.75

24 (3) If the department issues an operator's license or a state
25 identification card and collects the fees, the department shall remit the
26 county portion of the fees to the State Treasurer for credit to the
27 Department of Motor Vehicles Cash Fund.

28 (4)(a) The fee for an ignition interlock permit shall be forty-five
29 dollars. Five dollars of the fee shall be remitted to the State Treasurer
30 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars

1 of the fee shall be remitted to the State Treasurer for credit to the
2 Department of Motor Vehicles Ignition Interlock Fund.

3 (b) The fee for a replacement ignition interlock permit shall be
4 eleven dollars. Two dollars and seventy-five cents of the fee shall be
5 remitted to the county treasurer for credit to the county general fund.
6 Six dollars of the fee shall be remitted to the State Treasurer for
7 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
8 twenty-five cents of the fee shall be remitted to the State Treasurer for
9 credit to the General Fund.

10 (c) The fee for adding, changing, or removing a class, endorsement,
11 or restriction on an ignition interlock permit shall be five dollars. The
12 fee shall be remitted to the State Treasurer for credit to the Department
13 of Motor Vehicles Cash Fund.

14 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
15 five dollars. Twenty-five dollars of the fee shall be remitted to the
16 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
17 Fifteen dollars of the fee shall be remitted to the State Treasurer for
18 credit to the General Fund. Five dollars of the fee shall be remitted to
19 the county treasurer for credit to the county general fund.

20 (b) The fee for a replacement 24/7 sobriety program permit shall be
21 eleven dollars. Two dollars and seventy-five cents of the fee shall be
22 remitted to the county treasurer for credit to the county general fund.
23 Six dollars of the fee shall be remitted to the State Treasurer for
24 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
25 twenty-five cents of the fee shall be remitted to the State Treasurer for
26 credit to the General Fund.

27 (c) The fee for adding, changing, or removing a class, endorsement,
28 or restriction on a 24/7 sobriety program permit shall be five dollars.
29 The fee shall be remitted to the State Treasurer for credit to the
30 Department of Motor Vehicles Cash Fund.

31 (6) The department and its agents may collect an identity security

1 surcharge to cover the cost of security and technology practices used to
2 protect the identity of applicants for and holders of operators' licenses
3 and state identification cards and to reduce identity theft, fraud, and
4 forgery and counterfeiting of such licenses and cards to the maximum
5 extent possible. The surcharge shall be in addition to all other required
6 fees for operators' licenses and state identification cards. The amount
7 of the surcharge shall be determined by the department. The surcharge
8 shall not exceed eight dollars. The surcharge shall be remitted to the
9 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

10 (7) No fee shall be charged for issuance of an original or duplicate
11 state identification card to a resident of Nebraska who (a) does not have
12 a Nebraska operator's license, (b) is requesting issuance of such state
13 identification card for voting purposes, and (c) is at least eighteen
14 years of age or is seventeen years of age and will attain the age of
15 eighteen years on or before the first Tuesday after the first Monday in
16 November of the then-current calendar year.

17 Sec. 39. Section 60-4,119, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 60-4,119 (1) All state identification cards and operators' licenses,
20 except farm permits, shall include a digital image and a digital
21 signature of the cardholder or licensee as provided in section 60-484.02.
22 Receipts for state identification cards and operators' licenses shall
23 include a digital image of the cardholder or licensee and shall be issued
24 by the county treasurer or the Department of Motor Vehicles. The director
25 shall negotiate and enter into a contract to provide the necessary
26 equipment, supplies, and forms for the issuance of the licenses and
27 cards. All costs incurred by the Department of Motor Vehicles under this
28 section shall be paid by the state out of appropriations made to the
29 department. All costs of capturing the digital images and digital
30 signatures shall be paid by the issuer from the fees provided to the
31 issuer pursuant to section 60-4,115.

1 (2) A person who is out of the state at the time of renewal of his
2 or her operator's license may apply for a license upon payment of a fee
3 as provided in section 60-4,115. The license may be issued at any time
4 within one year after the expiration of the original license. Such
5 application shall be made to the department, and the department shall
6 issue the license.

7 (3) Any operator's license and any state identification card issued
8 to a minor as defined in section 53-103.23, as such definition may be
9 amended from time to time by the Legislature, shall be of a distinct
10 designation, of a type prescribed by the director, from the operator's
11 license or state identification card of a person who is not a minor.

12 Sec. 40. Section 60-4,120, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-4,120 (1) Any person duly licensed or holding a valid state
15 identification card issued under the Motor Vehicle Operator's License Act
16 who loses his or her operator's license or card may make application to
17 the department for a replacement license or card.

18 (2) If any person changes his or her name because of marriage or
19 divorce or by court order or a common-law name change, he or she shall
20 apply to the department for a replacement operator's license or state
21 identification card and furnish proof of identification in accordance
22 with section 60-484. If any person changes his or her address, the person
23 shall apply to the department for a replacement operator's license or
24 state identification card and furnish satisfactory evidence of such
25 change. The application shall be made within sixty days after the change
26 of name or address.

27 (3) In the event a mutilated or unreadable operator's license is
28 held by any person duly licensed under the act or a mutilated or
29 unreadable state identification card which was issued under the act is
30 held by a person, such person may obtain a replacement license or card.
31 Upon report of the mutilated or unreadable license or card and

1 application for a replacement license or card, a replacement license or
2 card may be issued if the department is satisfied that the original
3 license or card is mutilated or unreadable.

4 (4) If any person duly licensed under the act loses his or her
5 operator's license or if any holder of a state identification card loses
6 his or her card while temporarily out of the state, he or she may make
7 application to the department for a replacement operator's license or
8 card by applying to the department and reporting such loss. Upon receipt
9 of a correctly completed application, the department shall cause to be
10 issued a replacement operator's license or card.

11 (5) Any person who holds a valid operator's license or state
12 identification card without a digital image shall surrender such license
13 or card to the department within thirty days after resuming residency in
14 this state. After the thirty-day period, such license or card shall be
15 considered invalid and no license or card shall be issued until the
16 individual has made application for replacement or renewal.

17 (6) Application for a replacement operator's license or state
18 identification card shall include the information required under sections
19 60-484 and 60-484.04.

20 (7) An applicant may obtain a replacement operator's license or
21 state identification card pursuant to subsection (1) or (3) of this
22 section by electronic means in a manner prescribed by the department. No
23 replacement license or card shall be issued unless the applicant has a
24 digital image and digital signature preserved in the digital system.

25 (8) Each replacement operator's license or state identification card
26 shall be issued with the same expiration date as the license or card for
27 which the replacement is issued. The replacement license or card shall
28 also state the new issuance date. Upon issuance of any replacement
29 license or card, the license or card for which the replacement is issued
30 shall be void.

31 (9) A replacement operator's license or state identification card

1 issued under this section shall be delivered to the applicant as provided
2 in section 60-4,113 after the county treasurer or department collects the
3 fee and surcharge prescribed in section 60-4,115 and issues the applicant
4 a receipt with driving privileges which is valid for up to thirty days.
5 The receipt shall contain the digital image of the applicant.

6 Sec. 41. Section 84-712.05, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 84-712.05 The following records, unless publicly disclosed in an
9 open court, open administrative proceeding, or open meeting or disclosed
10 by a public entity pursuant to its duties, may be withheld from the
11 public by the lawful custodian of the records:

12 (1) Personal information in records regarding a student, prospective
13 student, or former student of any educational institution or exempt
14 school that has effectuated an election not to meet state approval or
15 accreditation requirements pursuant to section 79-1601 when such records
16 are maintained by and in the possession of a public entity, other than
17 routine directory information specified and made public consistent with
18 20 U.S.C. 1232g, as such section existed on February 1, 2013, and
19 regulations adopted thereunder;

20 (2) Medical records, other than records of births and deaths and
21 except as provided in subdivision (5) of this section, in any form
22 concerning any person; records of elections filed under section 44-2821;
23 and patient safety work product under the Patient Safety Improvement Act;

24 (3) Trade secrets, academic and scientific research work which is in
25 progress and unpublished, and other proprietary or commercial information
26 which if released would give advantage to business competitors and serve
27 no public purpose;

28 (4) Records which represent the work product of an attorney and the
29 public body involved which are related to preparation for litigation,
30 labor negotiations, or claims made by or against the public body or which
31 are confidential communications as defined in section 27-503;

1 (5) Records developed or received by law enforcement agencies and
2 other public bodies charged with duties of investigation or examination
3 of persons, institutions, or businesses, when the records constitute a
4 part of the examination, investigation, intelligence information, citizen
5 complaints or inquiries, informant identification, or strategic or
6 tactical information used in law enforcement training, except that this
7 subdivision shall not apply to records so developed or received:

8 (a) Relating to the presence of and amount or concentration of
9 alcohol or drugs in any body fluid of any person; or

10 (b) Relating to the cause of or circumstances surrounding the death
11 of an employee arising from or related to his or her employment if, after
12 an investigation is concluded, a family member of the deceased employee
13 makes a request for access to or copies of such records. This subdivision
14 does not require access to or copies of informant identification, the
15 names or identifying information of citizens making complaints or
16 inquiries, other information which would compromise an ongoing criminal
17 investigation, or information which may be withheld from the public under
18 another provision of law. For purposes of this subdivision, family member
19 means a spouse, child, parent, sibling, grandchild, or grandparent by
20 blood, marriage, or adoption;

21 (6) The identity and personal identifying information of an alleged
22 victim of sexual assault or sex trafficking as provided in section
23 29-4316;

24 (7) Appraisals or appraisal information and negotiation records
25 concerning the purchase or sale, by a public body, of any interest in
26 real or personal property, prior to completion of the purchase or sale;

27 (8) Personal information in records regarding personnel of public
28 bodies other than salaries and routine directory information;

29 (9) Information solely pertaining to protection of the security of
30 public property and persons on or within public property, such as
31 specific, unique vulnerability assessments or specific, unique response

1 plans, either of which is intended to prevent or mitigate criminal acts
2 the public disclosure of which would create a substantial likelihood of
3 endangering public safety or property; computer or communications network
4 schema, passwords, and user identification names; guard schedules; lock
5 combinations; or public utility infrastructure specifications or design
6 drawings the public disclosure of which would create a substantial
7 likelihood of endangering public safety or property, unless otherwise
8 provided by state or federal law;

9 (10) Information that relates details of physical and cyber assets
10 of critical energy infrastructure or critical electric infrastructure,
11 including (a) specific engineering, vulnerability, or detailed design
12 information about proposed or existing critical energy infrastructure or
13 critical electric infrastructure that (i) relates details about the
14 production, generation, transportation, transmission, or distribution of
15 energy, (ii) could be useful to a person in planning an attack on such
16 critical infrastructure, and (iii) does not simply give the general
17 location of the critical infrastructure and (b) the identity of personnel
18 whose primary job function makes such personnel responsible for (i)
19 providing or granting individuals access to physical or cyber assets or
20 (ii) operating and maintaining physical or cyber assets, if a reasonable
21 person, knowledgeable of the electric utility or energy industry, would
22 conclude that the public disclosure of such identity could create a
23 substantial likelihood of risk to such physical or cyber assets.
24 Subdivision (10)(b) of this section shall not apply to the identity of a
25 chief executive officer, general manager, vice president, or board member
26 of a public entity that manages critical energy infrastructure or
27 critical electric infrastructure. The lawful custodian of the records
28 must provide a detailed job description for any personnel whose identity
29 is withheld pursuant to subdivision (10)(b) of this section. For purposes
30 of subdivision (10) of this section, critical energy infrastructure and
31 critical electric infrastructure mean existing and proposed systems and

1 assets, including a system or asset of the bulk-power system, whether
2 physical or virtual, the incapacity or destruction of which would
3 negatively affect security, economic security, public health or safety,
4 or any combination of such matters;

5 (11) The security standards, procedures, policies, plans,
6 specifications, diagrams, access lists, and other security-related
7 records of the Lottery Division of the Department of Revenue and those
8 persons or entities with which the division has entered into contractual
9 relationships. Nothing in this subdivision shall allow the division to
10 withhold from the public any information relating to amounts paid persons
11 or entities with which the division has entered into contractual
12 relationships, amounts of prizes paid, the name of the prize winner, and
13 the city, village, or county where the prize winner resides;

14 (12) With respect to public utilities and except as provided in
15 sections 43-512.06 and 70-101, personally identified private citizen
16 account payment and customer use information, credit information on
17 others supplied in confidence, and customer lists;

18 (13) Records or portions of records kept by a publicly funded
19 library which, when examined with or without other records, reveal the
20 identity of any library patron using the library's materials or services;

21 (14) Correspondence, memoranda, and records of telephone calls
22 related to the performance of duties by a member of the Legislature in
23 whatever form. The lawful custodian of the correspondence, memoranda, and
24 records of telephone calls, upon approval of the Executive Board of the
25 Legislative Council, shall release the correspondence, memoranda, and
26 records of telephone calls which are not designated as sensitive or
27 confidential in nature to any person performing an audit of the
28 Legislature. A member's correspondence, memoranda, and records of
29 confidential telephone calls related to the performance of his or her
30 legislative duties shall only be released to any other person with the
31 explicit approval of the member;

1 (15) Records or portions of records kept by public bodies which
2 would reveal the location, character, or ownership of any known
3 archaeological, historical, or paleontological site in Nebraska when
4 necessary to protect the site from a reasonably held fear of theft,
5 vandalism, or trespass. This section shall not apply to the release of
6 information for the purpose of scholarly research, examination by other
7 public bodies for the protection of the resource or by recognized tribes,
8 the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or
9 the federal Native American Graves Protection and Repatriation Act;

10 (16) Records or portions of records kept by public bodies which
11 maintain collections of archaeological, historical, or paleontological
12 significance which reveal the names and addresses of donors of such
13 articles of archaeological, historical, or paleontological significance
14 unless the donor approves disclosure, except as the records or portions
15 thereof may be needed to carry out the purposes of the Unmarked Human
16 Burial Sites and Skeletal Remains Protection Act or the federal Native
17 American Graves Protection and Repatriation Act;

18 (17) Library, archive, and museum materials acquired from
19 nongovernmental entities and preserved solely for reference, research, or
20 exhibition purposes, for the duration specified in subdivision (17)(b) of
21 this section, if:

22 (a) Such materials are received by the public custodian as a gift,
23 purchase, bequest, or transfer; and

24 (b) The donor, seller, testator, or transferor conditions such gift,
25 purchase, bequest, or transfer on the materials being kept confidential
26 for a specified period of time;

27 (18) Job application materials submitted by applicants, other than
28 finalists or a priority candidate for a position described in section
29 85-106.06 selected using the enhanced public scrutiny process in section
30 85-106.06, who have applied for employment by any public body as defined
31 in section 84-1409. For purposes of this subdivision, (a) job application

1 materials means employment applications, resumes, reference letters, and
2 school transcripts and (b) finalist means any applicant who is not an
3 applicant for a position described in section 85-106.06 and (i) who
4 reaches the final pool of applicants, numbering four or more, from which
5 the successful applicant is to be selected, (ii) who is an original
6 applicant when the final pool of applicants numbers less than four, or
7 (iii) who is an original applicant and there are four or fewer original
8 applicants;

9 (19)(a) Records obtained by the Public Employees Retirement Board
10 pursuant to section 84-1512 and (b) records maintained by the board of
11 education of a Class V school district and obtained by the board of
12 trustees or the Public Employees Retirement Board for the administration
13 of a retirement system provided for under the Class V School Employees
14 Retirement Act pursuant to section 79-989;

15 (20) Social security numbers; credit card, charge card, or debit
16 card numbers and expiration dates; and financial account numbers supplied
17 to state and local governments by citizens;

18 (21) Information exchanged between a jurisdictional utility and city
19 pursuant to section 66-1867;

20 (22) Draft records obtained by the Nebraska Retirement Systems
21 Committee of the Legislature and the Governor from Nebraska Public
22 Employees Retirement Systems pursuant to subsection (4) of section
23 84-1503;

24 (23) All prescription drug information submitted pursuant to section
25 71-2454, all data contained in the prescription drug monitoring system,
26 and any report obtained from data contained in the prescription drug
27 monitoring system;

28 (24) Information obtained by any government entity, whether federal,
29 state, county, or local, regarding firearm registration, possession,
30 sale, or use that is obtained for purposes of an application permitted or
31 required by law or contained in a permit or license issued by such

1 entity. Such information shall be available upon request to any federal,
2 state, county, or local law enforcement agency;~~and~~

3 (25) The security standards, procedures, policies, plans,
4 specifications, diagrams, and access lists and other security-related
5 records of the State Racing and Gaming Commission, those persons or
6 entities with which the commission has entered into contractual
7 relationships, and the names of any individuals placed on the list of
8 self-excluded persons with the commission as provided in section 9-1118.
9 Nothing in this subdivision shall allow the commission to withhold from
10 the public any information relating to the amount paid any person or
11 entity with which the commission has entered into a contractual
12 relationship, the amount of any prize paid, the name of the prize winner,
13 and the city, village, or county where the prize winner resides; ~~and -~~

14 (26) Lawful status information shared with or collected by the
15 Secretary of State pursuant to the Election Act. The Secretary of State
16 shall not withhold information pursuant to this subdivision if the
17 information was collected by the Secretary of State prior to the
18 operative date of this section and would not have been withheld prior to
19 such date.

20 Sec. 42. Section 85-609, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 85-609 (1) Beginning with the 2022-23 academic year, each public
23 postsecondary institution authorized to operate in this state shall
24 require that the telephone number for a national suicide prevention
25 hotline, a local suicide prevention hotline, or a crisis text line is
26 printed on each new student identification card issued to a student
27 enrolled in such public postsecondary institution.

28 (2) Each public postsecondary institution authorized to operate in
29 this state shall create a process by which an individual to whom the
30 institution issues an identification card can opt to have the card comply
31 with subdivision (3) of section 3 of this act if the individual is

1 eighteen years of age or older. The process shall require the individual
2 to whom the card is issued to expressly consent in writing to have all
3 information required to be collected to comply with subdivision (3) of
4 section 3 of this act shared with the Secretary of State. Each
5 institution shall share all information collected pursuant to this
6 section with the Secretary of State.

7 (3) Nothing in this section shall be construed to require the
8 issuance of student identification cards to students in any postsecondary
9 institution.

10 Sec. 43. In order to facilitate the law enforcement duties of the
11 Secretary of State as the chief election officer of the state, the
12 Department of Health and Human Services shall share with the Secretary of
13 State the documents provided to the department by recipients of benefits
14 under the medicare and medicaid programs for the purposes of establishing
15 citizenship or legal status. The Secretary of State shall only use this
16 information for the purposes of section 6 of this act. The department and
17 the Secretary of State may adopt and promulgate rules and regulations to
18 ensure the security and privacy of the information shared pursuant to
19 this section.

20 Sec. 44. Sections 6, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22,
21 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 46 of this act
22 become operative on January 1, 2024. The other sections of this act
23 become operative on their effective date.

24 Sec. 45. If any section in this act or any part of any section is
25 declared invalid or unconstitutional, the declaration shall not affect
26 the validity or constitutionality of the remaining portions.

27 Sec. 46. Original sections 32-902, 32-914, 32-915.01, 32-929,
28 32-942, 32-943, 32-949, 32-953, 32-954, 32-957, and 32-1032, Reissue
29 Revised Statutes of Nebraska, and sections 32-301, 32-304, 32-318.01,
30 32-915, 32-916, 32-947, 32-949.01, 32-1002, and 32-1027, Revised Statutes
31 Cumulative Supplement, 2022, are repealed.

1 Sec. 47. Original sections 32-308, 32-1201, 60-484.02, 60-4,119,
2 and 60-4,120, Reissue Revised Statutes of Nebraska, and sections 32-101,
3 32-103, 32-202, 60-4,115, and 84-712.05, Revised Statutes Cumulative
4 Supplement, 2022, are repealed.