

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 230

Introduced by Erdman, 47.

Read first time January 10, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 32-311.01,
2 32-321, 32-808, 32-914, 32-938, 32-941, 32-942, 32-943, 32-944,
3 39-1601, 39-1605, 39-1606, 60-484, and 71-612, Reissue Revised
4 Statutes of Nebraska, and sections 32-101, 32-103, 32-202, 32-221,
5 32-223, 32-230, 32-231, 32-559, 32-803, 32-908, 32-915, 32-939,
6 32-939.02, 32-947, 32-950.01, 32-1002, 32-1027, and 60-4,115,
7 Revised Statutes Cumulative Supplement, 2022; to require qualifying
8 photographic identification for voter registration and voting
9 purposes; to change provisions relating to elections; to eliminate
10 the fee for certain state identification cards and certified copies
11 of birth certificates; to eliminate certain identification
12 requirements and provisions regarding conducting elections by mail;
13 to harmonize provisions; to repeal the original sections; to
14 outright repeal sections 32-110.02, 32-953, 32-954, 32-957, 32-958,
15 32-959, and 32-1551, Reissue Revised Statutes of Nebraska, and
16 sections 32-110.03, 32-318.01, 32-939.03, 32-952, 32-956, and
17 32-960, Revised Statutes Cumulative Supplement, 2022; and to declare
18 an emergency.
19 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-101, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-101 Sections 32-101 to 32-1550 and sections 3 and 28 to 31 of
4 this act ~~32-1551~~ shall be known and may be cited as the Election Act.

5 Sec. 2. Section 32-103, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 32-103 For purposes of the Election Act, the definitions found in
8 sections 32-104 to 32-120 and section 3 of this act shall be used.

9 Sec. 3. Qualifying photographic identification means:

10 (1) A Nebraska driver's license or state identification card that is
11 not expired or has been expired less than sixty days;

12 (2) A valid Nebraska photographic voter identification that is not
13 expired or has been expired less than sixty days;

14 (3) A United States Passport that is not expired or has been expired
15 less than sixty days; or

16 (4) A valid tribal identification issued by a recognized Indian
17 tribe.

18 Sec. 4. Section 32-202, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 32-202 In addition to any other duties prescribed by law, the
21 Secretary of State shall:

22 (1) Supervise the conduct of primary and general elections in this
23 state;

24 (2) Provide training and support for election commissioners, county
25 clerks, and other election officials in providing for day-to-day
26 operations of the office, registration of voters, and the conduct of
27 elections;

28 (3) Enforce the Election Act;

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

31 (5) Provide periodic training for the agencies and their agents and

1 contractors in carrying out their duties under sections 32-308 to 32-310;

2 (6) Develop and print forms for use as required by sections 32-308,
3 32-310, 32-320, 32-329, and 32-947, ~~32-956, and 32-958~~;

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

6 (8) Require reporting to ensure compliance with sections 32-308 to
7 32-310;

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

10 (10) Develop and print a manual describing the requirements of the
11 initiative and referendum process and distribute the manual to election
12 commissioners and county clerks for distribution to the public upon
13 request;

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

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

18 (12) ~~(13)~~ Establish a free access system, such as a toll-free
19 telephone number or an Internet website, that any voter who casts a
20 provisional ballot may access to discover whether the vote of that voter
21 was counted and, if the vote was not counted, the reason that the vote
22 was not counted. The Secretary of State shall establish and maintain
23 reasonable procedures necessary to protect the security, confidentiality,
24 and integrity of personal information collected, stored, or otherwise
25 used by the free access system. Access to information about an individual
26 provisional ballot shall be restricted to the individual who cast the
27 ballot.

28 Sec. 5. Section 32-221, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 32-221 (1) The election commissioner shall appoint precinct and
31 district inspectors, judges of election, and clerks of election to assist

1 the election commissioner in conducting elections on election day. In
2 counties with a population of less than four hundred thousand inhabitants
3 as determined by the most recent federal decennial census, judges and
4 clerks of election and inspectors shall be appointed at least thirty days
5 prior to the statewide primary election, shall hold office for terms of
6 two years or until their successors are appointed and qualified for the
7 next statewide primary election, and shall serve at all elections in the
8 county during their terms of office. In counties with a population of
9 four hundred thousand or more inhabitants as determined by the most
10 recent federal decennial census, judges and clerks of election shall be
11 appointed at least thirty days prior to the first election for which
12 appointments are necessary and shall serve for at least four elections.

13 (2) Judges and clerks of election may be selected at random from a
14 cross section of the population of the county. All qualified citizens
15 shall have the opportunity to be considered for service. All qualified
16 citizens shall fulfill their obligation to serve as judges or clerks of
17 election as prescribed by the election commissioner. No citizen shall be
18 excluded from service as a result of discrimination based upon race,
19 color, religion, sex, national origin, or economic status. No citizen
20 shall be excluded from service unless excused by reason of ill health or
21 other good and sufficient reason.

22 (3) All persons appointed shall be of good repute and character, be
23 able to read and write the English language, and except as otherwise
24 provided in subsections (4) and ~~(5)~~, ~~and~~ ~~(6)~~ of section 32-223, be
25 registered voters in the county. No candidate at an election shall be
26 appointed as a judge or clerk of election or inspector for such election
27 other than a candidate for delegate to a county, state, or national
28 political party convention.

29 (4) If a vacancy occurs in the office of judge or clerk of election
30 or inspector, the election commissioner shall fill such vacancy in
31 accordance with section 32-223. If any judge or clerk of election or

1 inspector fails to appear at the hour appointed for the opening of the
2 polls, the remaining officers shall notify the election commissioner,
3 select a registered voter to serve in place of the absent officer if so
4 directed by the election commissioner, and proceed to conduct the
5 election. If the election commissioner finds that a judge or clerk of
6 election or inspector does not possess all the qualifications prescribed
7 in this section or if any judge or clerk of election or inspector is
8 guilty of neglecting the duties of the office or of any official
9 misconduct, the election commissioner shall remove the person and fill
10 the vacancy.

11 Sec. 6. Section 32-223, Revised Statutes Cumulative Supplement,
12 2022, is amended to read:

13 32-223 (1) Except as otherwise provided in the Election Act, the
14 election commissioner shall appoint a precinct inspector and a receiving
15 board to consist of at least two judges and two clerks of election for
16 each precinct. The election commissioner may appoint district inspectors
17 to aid the election commissioner in the performance of his or her duties
18 and supervise a group of precincts on election day.

19 (2) The election commissioner may allow persons serving on a
20 receiving board as judges and clerks of election and precinct inspectors
21 to serve for part of the time the polls are open and appoint other judges
22 and clerks of election and precinct inspectors to serve on the same
23 receiving board for the remainder of the time the polls are open.

24 (3) On each receiving board at any one time, one judge and one clerk
25 of election shall be registered voters of the political party casting the
26 highest number of votes in the county for Governor or for President of
27 the United States in the immediately preceding general election, and one
28 judge and one clerk of election shall be registered voters of the
29 political party casting the next highest number of votes in the county
30 for Governor or for President of the United States in the immediately
31 preceding general election, except that one judge or clerk of election

1 may be a registered voter who is not affiliated with either of such
2 parties. If a third judge is appointed, such judge shall be a registered
3 voter of the political party casting the highest number of votes in the
4 county for Governor or for President of the United States in the
5 immediately preceding general election. All precinct and district
6 inspectors shall be divided between all political parties as nearly as
7 practicable in proportion to the number of votes cast in such county at
8 the immediately preceding general election for Governor or for President
9 of the United States by the parties, respectively.

10 ~~(4) The election commissioner may appoint an elector residing~~
11 ~~outside the county as a precinct inspector, district inspector, judge of~~
12 ~~election, or clerk of election if the elector resides in a county which~~
13 ~~conducts all elections by mail pursuant to section 32-960.~~

14 (4) ~~(5)~~ If authorized by the Secretary of State and registered
15 voters of the county are unavailable, the election commissioner may
16 appoint an elector residing outside the county as a precinct inspector,
17 district inspector, judge of election, or clerk of election.

18 (5) ~~(6)~~ The election commissioner may appoint a person who is at
19 least sixteen years old but is not eligible to register to vote as a
20 clerk of election. Such clerk of election shall meet the requirements of
21 subsection (3) of section 32-221, except that such clerk shall not be
22 required to be a registered voter. No more than one clerk of election
23 appointed under this subsection shall serve at any precinct. A clerk of
24 election appointed under this subsection shall be considered a registered
25 voter who is not affiliated with a political party for purposes of this
26 section.

27 Sec. 7. Section 32-230, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 32-230 (1) As provided in subsection (4) of this section, the
30 precinct committeeman and committeewoman of each political party shall
31 appoint a receiving board consisting of three judges of election and two

1 clerks of election. The chairperson of the county central committee of
2 each political party shall send the names of the appointments to the
3 county clerk no later than February 1 prior to the primary election.

4 (2) If no names are submitted by the chairperson, the county clerk
5 shall appoint judges or clerks of election from the appropriate political
6 party. Judges and clerks of election may be selected at random from a
7 cross section of the population of the county. All qualified citizens
8 shall have the opportunity to be considered for service. All qualified
9 citizens shall fulfill their obligation to serve as judges or clerks of
10 election as prescribed by the county clerk. No citizen shall be excluded
11 from service as a result of discrimination based upon race, color,
12 religion, sex, national origin, or economic status. No citizen shall be
13 excluded from service unless excused by reason of ill health or other
14 good and sufficient reason.

15 (3) The county clerk may allow persons serving on a receiving board
16 to serve for part of the time the polls are open and appoint other
17 persons to serve on the same receiving board for the remainder of the
18 time the polls are open.

19 (4) In each precinct at any one time, one judge and one clerk of
20 election shall be appointed from the political party casting the highest
21 number of votes in the county for Governor or for President of the United
22 States in the immediately preceding general election, one judge and one
23 clerk shall be appointed from the political party casting the next
24 highest number of votes in the county for Governor or for President of
25 the United States in the immediately preceding general election, and one
26 judge shall be appointed from the political party casting the third
27 highest number of votes in the county for Governor or for President of
28 the United States in the immediately preceding general election. If the
29 political party casting the third highest number of votes cast less than
30 ten percent of the total vote cast in the county at the immediately
31 preceding general election, the political party casting the highest

1 number of votes at the immediately preceding general election shall be
2 entitled to two judges and one clerk.

3 (5) The county clerk may appoint registered voters to serve in case
4 of a vacancy among any of the judges or clerks of election or in addition
5 to the judges and clerks in any precinct when necessary to meet any
6 situation that requires additional judges and clerks. Such appointees may
7 include registered voters unaffiliated with any political party. Such
8 appointees shall serve at subsequent or special elections as determined
9 by the county clerk.

10 ~~(6) The county clerk may appoint an elector residing outside the~~
11 ~~county as a precinct inspector, district inspector, judge of election, or~~
12 ~~clerk of election if the elector resides in a county which conducts all~~
13 ~~elections by mail pursuant to section 32-960.~~

14 (6) ~~(7)~~ If authorized by the Secretary of State and registered
15 voters of the county are unavailable, the county clerk may appoint an
16 elector residing outside the county as a precinct inspector, district
17 inspector, judge of election, or clerk of election.

18 (7) ~~(8)~~ The county clerk may appoint a person who is at least
19 sixteen years old but is not eligible to register to vote as a clerk of
20 election. Such clerk of election shall meet the requirements of
21 subsection (1) of section 32-231, except that such clerk shall not be
22 required to be a registered voter. No more than one clerk of election
23 appointed under this subsection shall serve at any precinct. A clerk of
24 election appointed under this subsection shall be considered a registered
25 voter who is not affiliated with a political party for purposes of this
26 section.

27 Sec. 8. Section 32-231, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 32-231 (1) Each judge and clerk of election appointed pursuant to
30 section 32-230 shall (a) be of good repute and character and able to read
31 and write the English language, (b) reside in the precinct in which he or

1 she is to serve unless necessity demands that personnel be appointed from
2 another precinct, (c) be a registered voter except as otherwise provided
3 in subsections (6) and ~~7~~, ~~and~~ ~~(8)~~ of section 32-230, and (d) serve
4 for a term of two years or until judges and clerks of election are
5 appointed for the next primary election. No candidate at an election
6 shall be eligible to serve as a judge or clerk of election at the same
7 election other than a candidate for a delegate to a county, state, or
8 national political party convention.

9 (2) The county clerk may appoint district inspectors to aid the
10 county clerk in the performance of his or her duties and supervise a
11 group of precincts on election day. A district inspector shall meet the
12 requirements for judges and clerks of election as provided in subsection
13 (1) of this section, shall oversee the procedures of a group of polling
14 places, and shall act as the personal agent and deputy of the county
15 clerk. The district inspector shall ensure that the Election Act is
16 uniformly enforced at the polling places assigned to him or her and
17 perform tasks assigned by the county clerk. The district inspector may
18 perform all of the duties required of a judge or clerk of election.

19 Sec. 9. Section 32-311.01, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 32-311.01 (1) The Secretary of State shall prescribe and distribute
22 a registration application which may be used statewide to register to
23 vote and update voter registration records. An applicant may use the
24 application to register to vote or to update his or her voter
25 registration record with changes in his or her personal information or
26 other information related to his or her eligibility to vote. An applicant
27 may submit the application in person, through a personal messenger or
28 personal agent, or by mail. Every election commissioner or county clerk
29 shall accept such an application for registration and shall require the
30 voter to present, personally or by messenger or personal agent, a
31 qualifying photographic identification. If an applicant who is eligible

1 to register to vote submits the application in person at the office of
2 the election commissioner or county clerk, the information from the
3 application shall be entered into the voter registration register in the
4 presence of the applicant if possible.

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

7 (a) An applicant who is unable to sign his or her name may affix his
8 or her mark next to his or her name written on the signature line by some
9 other person;

10 (b) If the application is submitted by mail ~~and the applicant is~~
11 ~~registering in the state for the first time and has not previously voted~~
12 ~~within the state,~~ the applicant must submit with the application a color
13 copy of a qualifying photographic photo identification which is current
14 and valid or a copy of a utility bill, bank statement, government check,
15 paycheck, or other government document that is current and that shows the
16 name and address of the applicant as they appear on the application in
17 order to avoid additional identification requirements when voting for the
18 first time;

19 (c) An applicant may deliver the application to the office of the
20 election commissioner or county clerk in person, through a personal
21 messenger or personal agent, or by mail;

22 (d) To vote at the polling place on election day, the completed
23 application must be:

24 (i) Delivered by the applicant in person to the office of the
25 election commissioner or county clerk on or before the deadline
26 prescribed in section 32-302;

27 (ii) Delivered by the applicant's personal messenger or personal
28 agent to the office of the election commissioner or county clerk on or
29 before the third Friday before the election; or

30 (iii) Postmarked on or before the third Friday before the election
31 if the application is submitted by mail; and

1 (e) The election commissioner or county clerk will, upon receipt of
2 the application for registration, send an acknowledgment of registration
3 to the applicant indicating whether the application is proper or not.

4 Sec. 10. Section 32-321, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 32-321 (1) Any elector may request a voter registration application
7 from the office of the Secretary of State or the election commissioner or
8 county clerk. The Secretary of State and the election commissioner or
9 county clerk shall make registration applications prescribed by the
10 Secretary of State available and may place the applications in public
11 places. The Secretary of State and the election commissioner or county
12 clerk may require that all unused applications be returned to his or her
13 office and may place reasonable limits on the amount of applications
14 requested.

15 (2) If an elector returns the completed application to the office of
16 the Secretary of State or submits an application to the Secretary of
17 State pursuant to section 32-304, the office shall deliver the
18 application to the election commissioner or county clerk of the county in
19 which the elector resides not later than ten days after receipt by the
20 office, except that if the application is returned to the office or
21 submitted pursuant to section 32-304 within five days prior to the third
22 Friday preceding any election, it shall be delivered not later than five
23 days after the date it is returned. The deadline for returning a
24 completed application to the office of the Secretary of State or
25 submitting an application pursuant to section 32-304 is the close of
26 business on the third Friday preceding an election to be registered to
27 vote at such election. A registration application received after the
28 deadline shall not be processed by the election commissioner or county
29 clerk until after the election. The office of the Secretary of State
30 shall be a designated voter registration agency for purposes of section 7
31 of the National Voter Registration Act of 1993, 42 U.S.C. 1973gg-5, as

1 such section existed on March 11, 2008.

2 (3) If an elector mails the registration application to the election
3 commissioner or county clerk:

4 (a)(i) The application shall be postmarked on or before the third
5 Friday before the next election; or

6 (ii) The application shall be received not later than the second
7 Tuesday before the next election if the postmark is unreadable; and

8 (b) The application shall be processed by the election office as a
9 proper registration for the voter to be entitled to vote on the day of
10 the next election.

11 (4) If the registration application arrives after the registration
12 deadline, the application shall not be processed until after the
13 election. Written notice shall be given to any applicant whose
14 registration application failed to meet the registration deadline or was
15 found to be incorrect or incomplete and shall state the specific reason
16 for rejection. If the application is incomplete, the election
17 commissioner or county clerk shall notify the applicant of the failure to
18 provide the required information, including failure to provide qualifying
19 photographic identification ~~if required~~, and provide the applicant with
20 the opportunity to submit a qualifying photographic ~~an~~ identification
21 ~~document as described in section 32-318.01~~ prior to the deadline for
22 voter registration or to complete and submit a corrected registration
23 application in a timely manner to allow for the proper registration of
24 the applicant prior to the next election. All postage costs related to
25 returning registration applications to the election commissioner or
26 county clerk shall be paid by the registrant.

27 Sec. 11. Section 32-559, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 32-559 (1)(a) Except as provided in section 77-3444, any issue to be
30 submitted to the registered voters at a special election by a political
31 subdivision shall be certified by the clerk of the political subdivision

1 to the election commissioner or county clerk on or before the eighth
2 Friday prior to the election. ~~A special election may be held by mail as~~
3 ~~provided in sections 32-952 to 32-959.~~ Any other special election under
4 this section shall be subject to section 32-405.

5 (b) In lieu of submitting the issue at a special election, any
6 political subdivision may submit the issue at a statewide primary or
7 general election or at any scheduled county election, except that no such
8 issue shall be submitted at a statewide election or scheduled county
9 election unless the issue to be submitted has been certified by the clerk
10 of the political subdivision to the election commissioner or county clerk
11 by March 1 for the primary election and by September 1 for the general
12 election. After the election commissioner or county clerk has received
13 the certification of the issue to be submitted, he or she shall be
14 responsible for all matters relating to the submission of the issue to
15 the registered voters, except that the clerk of the political subdivision
16 shall be responsible for the publication or posting of any required
17 special notice of the submission of such issue other than the notice
18 required to be given of the statewide election issues. The election
19 commissioner or county clerk shall prepare the ballots and issue ballots
20 for early voting and shall also conduct the submission of the issue,
21 including the receiving and counting of the ballots on the issue. The
22 election returns shall be made to the election commissioner or county
23 clerk. The ballots shall be counted and canvassed at the same time and in
24 the same manner as the other ballots. Upon completion of the canvass of
25 the vote by the county canvassing board, the election commissioner or
26 county clerk shall certify the election results to the governing body of
27 the political subdivision. The canvass by the county canvassing board
28 shall have the same force and effect as if made by the governing body of
29 the political subdivision.

30 (2)(a) A political subdivision that has submitted an issue for a
31 special election under subdivision (1)(a) of this section may cancel the

1 special election if the Secretary of State, election commissioner, or
2 county clerk receives a resolution adopted by the political subdivision
3 canceling the special election on or before the fourth Thursday prior to
4 the election. No cancellation shall be effective after such date. If a
5 special election is canceled in such manner, the political subdivision
6 shall be responsible for the costs incurred that are related to the
7 canceled election. Such costs shall include all chargeable costs as
8 provided in section 32-1202 associated with preparing for and conducting
9 a special election.

10 (b) A political subdivision that has submitted an issue at a
11 statewide primary or general election or at any scheduled county election
12 under subdivision (1)(b) of this section may withdraw the issue from the
13 ballot if the Secretary of State, election commissioner, or county clerk
14 receives a resolution adopted by the political subdivision withdrawing
15 the issue from the ballot no later than March 1 prior to a statewide
16 primary election or September 1 prior to a statewide general election. No
17 withdrawal shall be effective after such date. Any issue withdrawn in
18 this manner shall not be printed on the ballot.

19 Sec. 12. Section 32-803, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 32-803 (1) A sample of the official ballot shall be printed in one
22 or more newspapers of general circulation in the county, city, or village
23 as designated by the election commissioner, county clerk, city council,
24 or village board. The sample shall be printed in English and in any other
25 language required pursuant to the Voting Rights Language Assistance Act
26 of 1992.

27 (2) ~~Such~~ Except for elections conducted in accordance with section
28 ~~32-960~~, such publication shall be made not more than fifteen nor less
29 than two days before the day of election, and the same shall appear in
30 only one regular issue of each paper. ~~For elections conducted in~~
31 ~~accordance with section 32-960~~, such publication shall be made not less

1 ~~than thirty days before the election.~~

2 (3) The form of the ballot so published shall conform in all
3 respects to the form prescribed for official ballots as set forth in
4 sections 32-806, 32-809, and 32-812, but larger or smaller type may be
5 used. When paper ballots are not being used, a reduced-size facsimile of
6 the official ballot shall be published as it appears on the voting
7 system. Such publication shall include suitable instructions to the
8 voters for casting their ballots using the voting system being used at
9 the election.

10 (4) The rate charged by the newspapers and paid by the county board
11 for the publication of such sample ballot shall not exceed the rate
12 regularly charged for display advertising in such newspaper in which the
13 publication is made.

14 Sec. 13. Section 32-808, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-808 (1) Except as otherwise provided in section 32-939.02,
17 ballots for early voting to be mailed pursuant to section 32-941 shall be
18 ready for delivery to registered voters at least thirty-five days prior
19 to each statewide primary or general election and at least fifteen days
20 prior to all other elections.

21 (2) The election commissioner or county clerk shall not mail or
22 issue any ballot for early voting if the election to which such ballot
23 pertains has already been held.

24 (3) The election commissioner or county clerk shall publish in a
25 newspaper of general circulation in the county an application form to be
26 used by registered voters in making an application for a ballot for early
27 voting after the ballots become available. ~~The publication of the~~
28 ~~application shall not be required if the election is held by mail~~
29 ~~pursuant to sections 32-952 to 32-959.~~

30 Sec. 14. Section 32-908, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 32-908 (1) At all elections in the area of this state lying within
2 the Mountain Standard or Mountain Daylight time zone, the polls shall
3 open at 7 a.m. and close at 7 p.m. of the same day, and in the area lying
4 within the Central Standard or Central Daylight time zone, the polls
5 shall open at 8 a.m. and close at 8 p.m. of the same day.

6 (2) ~~The Except for special elections conducted by mail as provided~~
7 ~~in sections 32-952 to 32-959, the deadline for the receipt of ballots is~~
8 7 p.m. on the day set for the election in the area lying within the
9 Mountain Standard or Mountain Daylight time zone and 8 p.m. on the day
10 set for the election in the area lying within the Central Standard or
11 Central Daylight time zone.

12 (3) If the judges and clerks of election are not present at the
13 polls at the required hour, the polls may be opened by those placed in
14 charge of the polling place at any time before the time required for
15 closing the polls on election day.

16 (4) If at the hour of closing there are any persons desiring to vote
17 who are in the polling place or in a line at the polling place and who
18 have not been able to vote since appearing at the polling place, the
19 polls shall be kept open reasonably long enough after the hour for
20 closing to allow those present at that hour to vote. No person arriving
21 after the hour when the polls have officially closed shall be entitled to
22 vote.

23 Sec. 15. Section 32-914, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 32-914 (1) Official ballots shall be used at all elections. No
26 person shall receive a ballot or be entitled to vote unless and until he
27 or she is registered as a voter except as provided in section 32-914.01,
28 32-914.02, 32-915, 32-915.01, or 32-936.

29 (2) Except as otherwise specifically provided, no ballot shall be
30 handed to any voter at any election until:

31 (a) The voter has presented a qualifying photographic identification

1 ~~and stated He or she announces his or her name and address, if it is not~~
2 ~~contained on the identification,~~ to the clerk of election;

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

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

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

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

26 Sec. 16. Section 32-915, Revised Statutes Cumulative Supplement,
27 2022, is amended to read:

28 32-915 (1) A person whose name does not appear on the precinct list
29 of registered voters at the polling place for the precinct in which he or
30 she resides, whose name appears on the precinct list of registered voters
31 at the polling place for the precinct in which he or she resides at a

1 different residence address as described in section 32-914.02, ~~or~~ whose
2 name appears with a notation that he or she received a ballot for early
3 voting, or who does not present qualifying photographic identification
4 may fill out ~~vote~~ a provisional ballot if he or she:

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

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

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

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

14 (e) Completes and signs a registration application before filling
15 out a ballot ~~voting~~.

16 (2) If the person's name does not appear on the precinct list of
17 registered voters for the polling place and the judge or clerk of
18 election determines that the person's residence address is located in
19 another precinct within the same county, the judge or clerk of election
20 shall direct the person to his or her correct polling place to vote A
21 ~~voter whose name appears on the precinct list of registered voters for~~
22 ~~the polling place with a notation that the voter is required to present~~
23 ~~identification pursuant to section 32-318.01 but fails to present~~
24 ~~identification may vote a provisional ballot if he or she completes and~~
25 ~~signs a registration application before voting.~~

26 (3) Each person filling out a ~~voting~~ by provisional ballot shall
27 enclose his or her ballot in an envelope marked Provisional Ballot and
28 shall, by signing the certification on the front of the envelope or a
29 separate form attached to the envelope, certify to the following facts:

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

31 (b) My name or address did not correctly appear on the precinct list

1 of registered voters without a notation or I did not present qualifying
2 photographic identification;

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

4 (d) I registered to vote

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

6 by mail,

7 by using the Secretary of State's website,

8 through the Department of Motor Vehicles,

9 on a form through another state agency,

10 in some other way;

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

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

15 (g) I am eligible to vote in this election and I have not voted and
16 will not vote in this election except by this ballot; ~~and~~ -

17 (h) If I did not present qualifying photographic identification
18 prior to filling out the ballot, I understand that I am required to
19 appear at the election office and present qualifying photographic
20 identification on or before the Tuesday after the election for this
21 ballot to be counted.

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

30 (5) A ballot filled out pursuant to this section shall not be deemed
31 to be cast until the election commissioner or county clerk, pursuant to

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

9 Sec. 17. Section 32-938, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 32-938 (1) A registered voter shall be permitted to vote early by
12 requesting a ballot for early voting pursuant to section 32-941 or 32-943
13 if the voter is handicapped with a qualifying condition, including, but
14 not limited to, XXX, or if the voter is a member of the armed forces of
15 the United States or the Nebraska National Guard.

16 (2) Any person excluded from voting under section 32-313 or 32-314
17 shall not be allowed to receive a ballot for early voting.

18 (3) Any person who fails to register to vote by the voter
19 registration deadline shall not be allowed to vote except as provided in
20 section 32-940 or 32-941.

21 Sec. 18. Section 32-939, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 32-939 (1) As provided in section 32-939.02, the persons listed in
24 this subsection who are residents of Nebraska and who reside outside of
25 Nebraska or the United States or are members of the Nebraska National
26 Guard ordered into the active service of the state or of the United
27 States shall be allowed to simultaneously register to vote and make
28 application for ballots for all elections in a calendar year through the
29 use of the Federal Post Card Application or a personal letter which
30 includes the same information as appears on the Federal Post Card
31 Application:

1 (a) Members of the armed forces of the United States or the United
2 States Merchant Marine, and their spouses and dependents residing with
3 them who are absent from the state;

4 (b) Members of the Nebraska National Guard ordered into the active
5 service of the state or of the United States;

6 (c) Citizens temporarily residing outside of the United States and
7 the District of Columbia; and

8 (d) Overseas citizens.

9 (2)(a) As provided in section 32-939.02, a person who is the age of
10 an elector and a citizen of the United States residing outside the United
11 States, who has never resided in the United States, who has not
12 registered to vote in any other state of the United States, and who has a
13 parent registered to vote within this state shall be eligible to register
14 to vote and vote in one county in which either one of his or her parents
15 is a registered voter.

16 (b) A person registering to vote or voting pursuant to this
17 subsection shall sign and enclose with the registration application and
18 with the ballot being voted a form provided by the election commissioner
19 or county clerk substantially as follows: I am the age of an elector and
20 a citizen of the United States residing outside the United States, I have
21 never resided in the United States, I have not registered to vote in any
22 other state of the United States, and I have a parent registered to vote
23 in County, Nebraska. I hereby declare, under penalty of
24 election falsification, a Class IV felony, that the statements above are
25 true to the best of my knowledge.

26 THE PENALTY FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO TWO
27 YEARS AND TWELVE MONTHS POST-RELEASE SUPERVISION OR A FINE NOT TO EXCEED
28 TEN THOUSAND DOLLARS, OR BOTH.

29 (Signature of Voter)

30 (3) The voter shall be informed that a color copy of the qualifying
31 photographic identification must be included with the ballot being

1 returned or must be presented to the election official at the time of
2 return of the ballot.

3 Sec. 19. Section 32-939.02, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 32-939.02 (1) Upon request for a ballot, a ballot for early voting
6 shall be forwarded to each voter meeting the criteria of section 32-939
7 at least forty-five days prior to any election.

8 (2) An omission of required information, except the political party
9 affiliation of the applicant, may prevent the processing of an
10 application for and mailing of ballots. The request for any ballots and a
11 registration application shall be sent to the election commissioner or
12 county clerk of the county of the applicant's residence. The request may
13 be sent at any time in the same calendar year as the election, except
14 that the request shall be received by the election commissioner or county
15 clerk not later than the third Friday preceding an election to vote in
16 that election. If an applicant fails to indicate his or her political
17 party affiliation on the application, the applicant shall be registered
18 as nonpartisan.

19 (3) A person described in section 32-939 may register to vote
20 through the use of the Federal Post Card Application or a personal letter
21 which includes the same information as appears on the Federal Post Card
22 Application and may simultaneously make application for ballots for all
23 elections in a calendar year. The person may indicate a preference for
24 ballots and other election materials to be delivered via facsimile
25 transmission or electronic mail by indicating such preference on the
26 Federal Post Card Application. If the person indicates such a preference,
27 the election commissioner or county clerk shall accommodate the voter's
28 preference.

29 (4) If the ballot for early voting has not been printed in
30 sufficient time to meet the request and special requirements of a voter
31 meeting the criteria of section 32-939, the election commissioner or

1 county clerk may issue a special ballot at least sixty days prior to an
2 election to such a voter upon a written request by such voter requesting
3 the special ballot. For purposes of this subsection, a special ballot
4 means a ballot prescribed by the Secretary of State which contains the
5 titles of all offices being contested at such election and permits the
6 voter to vote by writing in the names of the specific candidates or the
7 decision on any issue. The election commissioner or county clerk shall
8 include with the special ballot a complete list of the nominated
9 candidates and issues to be voted upon by the voter which are known at
10 the time of the voter's request.

11 (5) Any person meeting the criteria in section 32-939 may cast a
12 ballot by the use of the Federal Write-In Absentee Ballot. The Federal
13 Write-In Absentee Ballot may be used for all elections. If a person
14 casting a ballot using the Federal Write-In Absentee Ballot is not a
15 registered voter, the information submitted in the Federal Write-In
16 Absentee Ballot transmission envelope shall be treated as a voter
17 registration application.

18 (6)(a) Any person requesting a ballot under this section may receive
19 and return the ballot and the oath prescribed in subdivision (b) of this
20 subsection using any method of transmission authorized by the Secretary
21 of State.

22 (b) An oath shall be delivered with the ballot and shall be in a
23 form substantially as follows:

24 VOTER'S OATH

25 I, the undersigned voter, declare that the ballot or ballots
26 contained no voting marks of any kind when I received them, and I caused
27 the ballot or ballots to be marked.

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

30 (a) I,, am a registered voter
31 in County;

1 (b) I have voted the ballot and am returning it in compliance with
2 Nebraska law; and

3 (c) I have not voted and will not vote in this election except by
4 this ballot.

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

11 I also understand that failure to sign below will invalidate my
12 ballot.

13 Signature

14 (7) The Secretary of State shall develop a process for a person
15 casting a ballot under this section to check the status of his or her
16 ballot via the Internet or a toll-free telephone call.

17 (8) The voter shall be informed that a color copy of the qualifying
18 photographic identification must be included with the ballot being
19 returned or must be presented to the election official at the time of
20 return of the ballot.

21 Sec. 20. Section 32-941, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 32-941 (1) Any registered voter permitted to vote early pursuant to
24 section 32-938 may, not more than one hundred twenty days before any
25 election and not later than the close of business on the second Friday
26 preceding the election, request a ballot for the election to be mailed to
27 a specific address. A registered voter shall request a ballot in writing
28 to the election commissioner or county clerk in the county where the
29 registered voter has established his or her home and shall indicate his
30 or her residence address, the address to which the ballot is to be mailed
31 if different, and his or her telephone number if available. The

1 registered voter may use the form published by the election commissioner
2 or county clerk pursuant to section 32-808. The registered voter shall
3 sign the request. A registered voter may use a facsimile machine or
4 electronic mail for the submission of a request for a ballot.

5 (2) A handicapped voter shall submit a separate request for every
6 election. In addition to the requirements in subsection (1) of this
7 section, the request shall include the voter's party affiliation for a
8 ballot for a primary election, a color copy of a qualifying photographic
9 identification, and a sworn oath that the voter has a condition that
10 qualifies the voter to request a ballot for early voting as prescribed in
11 section 32-838. The signature on the request and on the envelope used to
12 return the ballot for early voting must match the signature in the voter
13 registration record or the ballot shall be rejected. The voter shall be
14 informed that a color copy of the qualifying photographic identification
15 must be included with the ballot being returned unless the qualifying
16 photographic identification is shown in person to an election worker by
17 the voter voting the ballot when the ballot is returned to the election
18 office.

19 (3) A voter who is a member of the armed forces of the United States
20 or the Nebraska National Guard shall submit a separate request for every
21 election, except that if the voter will be deployed for both a primary
22 and subsequent general election, the request for a ballot for early
23 voting may cover both elections. In addition to the requirements in
24 subsection (1) of this section, the request shall include the voter's
25 military address, the voter's party affiliation for a ballot for a
26 primary election, a color copy of a qualifying photographic
27 identification, and a sworn oath that the voter is a member of the armed
28 forces of the United States or the Nebraska National Guard and qualifies
29 to request a ballot for early voting. The signature on the request and on
30 the envelope used to return the ballot for early voting must match the
31 signature in the voter registration record or the ballot shall be

1 rejected. The voter shall be informed that a color copy of the qualifying
2 photographic identification must be included with the ballot being
3 returned.

4 (4) The election commissioner or county clerk shall include a
5 registration application with the ballots if the person is not
6 registered. Registration applications shall not be mailed after the third
7 Friday preceding the election. If the person is not registered to vote,
8 the registration application shall be returned not later than the closing
9 of the polls on the day of the election. No ballot issued under this
10 section shall be counted unless such registration application is properly
11 completed and processed.

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

14 32-942 (1) Except as otherwise provided in subsection (2) of this
15 section, a registered voter of this state who anticipates being absent
16 from the county of his or her residence on the day of any election may
17 appear in person before the election commissioner or county clerk not
18 more than thirty days prior to the day of election, present qualifying
19 photographic identification, and obtain his or her ballot. The registered
20 voter shall vote the ballot in the office of the election commissioner or
21 county clerk or shall return the ballot to the office not later than the
22 closing of the polls on the day of the election. A registered voter who
23 is present in the county on the day of the election and who chooses to
24 vote on the day of the election shall vote at the polling place assigned
25 to the precinct in which he or she resides unless he or she is returning
26 a ballot for early voting or voting pursuant to section 32-943.

27 (2) If a person registers to vote and requests a ballot at the same
28 time under this section, he or she shall (a)(i) present qualifying
29 photographic identification ~~one of the address confirmation documents as~~
30 ~~prescribed in subdivision (1)(a) of section 32-318.01,~~ (ii) present proof
31 that he or she is a member of the armed forces of the United States who

1 by reason of active duty has been absent from his or her place of
2 residence where the member is otherwise eligible to vote, is a member of
3 the United States Merchant Marine who by reason of service has been away
4 from his or her place of residence where the member is otherwise eligible
5 to vote, is a spouse or dependent of a member of the armed forces of the
6 United States or United States Merchant Marine who has been absent from
7 his or her place of residence due to the service of that member, or
8 resides outside the United States and but for such residence would be
9 qualified to vote in the state if the state was the last place in which
10 the person was domiciled before leaving the United States, or (iii) state
11 that he or she is elderly or handicapped and has requested to vote by
12 alternative means other than by casting a ballot at his or her polling
13 place on election day or (b) fill out ~~vote~~ a ballot which is placed in an
14 envelope with the voter's name and address and other necessary
15 identifying information and kept securely for counting as provided in
16 this subsection. This subsection does not extend the deadline for voter
17 registration specified in section 32-302. A ballot cast pursuant to
18 subdivision (b) of this subsection shall be rejected and shall not be
19 counted if the acknowledgment of registration sent to the registrant
20 pursuant to section 32-322 is returned as undeliverable for a reason
21 other than clerical error within ten days after it is mailed or if the
22 voter fails to present qualifying photographic identification at the
23 election office on or before the Tuesday after the election, otherwise
24 after such ten-day period, the ballot shall be counted.

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

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

30 32-943 (1) Any registered voter who is permitted to vote early
31 pursuant to section 32-938 may appoint an agent to submit a request for a

1 ballot for early voting on his or her behalf. The registered voter or his
2 or her agent may request that the ballot be sent to the registered voter
3 by mail or indicate on the request that the agent will personally pick up
4 the ballot for such registered voter from the office of the election
5 commissioner or county clerk. A registered voter or an agent acting on
6 behalf of a registered voter shall request a ballot in writing to the
7 election commissioner or county clerk in the county where the registered
8 voter has established his or her residence and shall indicate the voter's
9 residence address, the address to which the ballot is to be mailed if
10 different, and the voter's telephone number if available and precinct if
11 known. The registered voter or the voter's agent may use the form
12 published by the election commissioner or county clerk pursuant to
13 section 32-808. The registered voter or his or her agent shall sign the
14 request.

15 (2) A candidate for office at such election and any person serving
16 on a campaign committee for such a candidate shall not act as an agent
17 for any registered voter requesting a ballot pursuant to this section
18 unless such person is a member of the registered voter's family. No
19 person shall act as agent for more than two registered voters in any
20 election.

21 (3) The agent shall pick up the ballot not later than ~~before~~ one
22 hour prior to the closing of the polls on election day and deliver the
23 ballot to the registered voter. The ballot shall be returned not later
24 than the closing of the polls on the day of the election.

25 (4) The election commissioner or county clerk shall adopt procedures
26 for the distribution of ballots under this section. The agent or the
27 voter shall be required to provide qualifying photographic identification
28 for the voter under this section.

29 Sec. 23. Section 32-944, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 32-944 The election commissioner or county clerk may train

1 registered voters to act on behalf of the election commissioner or county
2 clerk in administering a ballot to residents of nursing homes or
3 hospitals who have requested ballots. Ballots shall be administered by
4 two registered voters who are not affiliated with the same political
5 party. The election commissioner or county clerk shall adopt procedures
6 to carry out this section, including a requirement to present qualifying
7 photographic identification.

8 Sec. 24. Section 32-947, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 32-947 (1) Upon receipt of an application or other request for a
11 ballot to vote early, the election commissioner or county clerk shall
12 determine whether the applicant is a registered voter and is entitled to
13 vote as requested. An applicant under this subsection shall provide
14 qualifying photographic identification with the request for the ballot.

15 If the election commissioner or county clerk determines that the
16 applicant is a registered voter entitled to vote early and the
17 application was received not later than the close of business on the
18 second Friday preceding the election, the election commissioner or county
19 clerk shall deliver a ballot to the applicant in person or by mail,
20 postage paid. The election commissioner or county clerk or any employee
21 of the election commissioner or county clerk shall write or cause to be
22 affixed his or her customary signature or initials on the ballot.

23 (2) An unsealed identification envelope shall be delivered with the
24 ballot, and upon the back of the envelope shall be printed a form
25 substantially as follows:

26 VOTER'S OATH

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

31 To the best of my knowledge and belief, I declare under penalty of

1 election falsification that:

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

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

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

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

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

15 I also understand that failure to sign below will invalidate my
16 ballot.

17 Signature

18 (3) If the ballot and identification envelope will be returned by
19 mail or by someone other than the voter, the election commissioner or
20 county clerk shall include with the ballot an identification envelope
21 upon the face of which shall be printed the official title and post
22 office address of the election commissioner or county clerk.

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

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

1 (ii) ~~(b)~~ A registration application and the oath pursuant to section
2 32-946, if the voter is without a residence address, with instructions
3 that the residence address of the voter shall be deemed that of the
4 office of the election commissioner or county clerk of the county of the
5 voter's prior residence and that failure to return the completed and
6 signed application and oath to the election commissioner or county clerk
7 by the close of the polls on election day will result in the ballot not
8 being counted; and ~~or~~

9 (b) ~~(c)~~ Written instructions directing the voter to submit a copy of
10 a qualifying photographic ~~an identification document pursuant to section~~
11 ~~32-318.01 if the voter is required to present identification under such~~
12 ~~section~~ and advising the voter that failure to submit such identification
13 to the election commissioner or county clerk by the close of the polls on
14 election day will result in the ballot not being counted.

15 (5) The election commissioner or county clerk may enclose with the
16 ballot materials a separate return envelope for the voter's use in
17 returning his or her identification envelope containing the voted ballot,
18 registration application, and other materials that may be required.

19 Sec. 25. Section 32-950.01, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 32-950.01 (1) If an election commissioner or county clerk maintains
22 a secure ballot drop-box for voters to deposit completed ballots, the
23 election commissioner or county clerk shall ensure that the secure ballot
24 drop-box:

25 (a) Is securely fastened to the ground or a concrete slab connected
26 to the ground;

27 (b) Is secured by a lock that can only be opened by the election
28 commissioner or county clerk or by an election official designated by the
29 election commissioner or county clerk; and

30 (c) Complies with the federal Americans with Disabilities Act of
31 1990 and is accessible as determined by the election commissioner or

1 county clerk.

2 (2) The election commissioner or county clerk shall inform the
3 Secretary of State of each secure ballot drop-box's location no later
4 than forty-two days prior to any statewide primary or general election.

5 (3) The election commissioner or county clerk or an election
6 official designated by the election commissioner or county clerk shall
7 open each secure ballot drop-box no later than the sixth Friday prior to
8 any statewide primary or general election and no later than the fourth
9 Friday prior to any special election. For any statewide primary or
10 general election, each secure ballot drop-box shall remain accessible to
11 voters until the deadline for the receipt of ballots as provided in
12 section 32-908. ~~For any special election, at least one secure ballot~~
13 ~~drop-box shall remain accessible to voters until the deadline for the~~
14 ~~receipt of ballots as provided in section 32-954.~~

15 (4) After a secure ballot drop-box is made available for depositing
16 ballots, the election commission or county clerk shall ensure that
17 ballots deposited in such secure ballot drop-box are collected and
18 returned to the office of the election commissioner or county clerk at
19 least once during each business day.

20 Sec. 26. Section 32-1002, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

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

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

30 (3) The election commissioner or county clerk shall also (a) verify
31 that such person has not voted anywhere else in the county or been issued

1 a ballot for early voting, (b) investigate whether any credible evidence
2 exists that the person was properly registered to vote in the county
3 before the deadline for registration for the election, (c) investigate
4 whether any information has been received pursuant to section 32-308,
5 32-309, 32-310, or 32-324 that the person has resided, registered, or
6 voted in any other county or state since registering to vote in the
7 county, ~~and~~ (d) upon determining that credible evidence exists that the
8 person was properly registered to vote in the county, make the
9 appropriate changes to the voter registration register by entering the
10 information contained in the registration application completed by the
11 voter at the time of voting a provisional ballot, and (e) for any voter
12 who cast a provisional ballot pursuant to section 32-915 due to the
13 failure to present qualifying photographic identification, review the
14 qualifying photographic identification presented by the voter as required
15 under section 28 of this act. If the voter was not properly registered in
16 the county and voted provisionally due to failure to present qualifying
17 photographic identification, the voter registration register shall not be
18 updated.

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

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

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

25 (c) The voter has not voted anywhere else in the county or has not
26 otherwise voted early using a ballot for early voting;

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

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

1 (ii) If the voter is voting in a primary election, the party
2 affiliation provided on the registration application completed prior to
3 voting the provisional ballot is the same party affiliation that appears
4 on the voter's voter registration record based on his or her previous
5 registration application;~~and~~

6 (e) The certification on the front of the envelope or form attached
7 to the envelope is in the proper form and signed by the voter; ~~and -~~

8 (f) On or before the Tuesday following the election, the voter
9 presents qualifying photographic identification to the election
10 commissioner or county clerk or such official's designee as required
11 under section 28 of this act.

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

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

16 (b) Information has been received pursuant to section 32-308,
17 32-309, 32-310, or 32-324 that the voter has resided, registered, or
18 voted in any other county or state since registering to vote in the
19 county in which he or she cast the provisional ballot;

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

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

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

29 (f) If the voter is voting in a primary election, the party
30 affiliation on the registration application completed prior to voting the
31 provisional ballot is different than the party affiliation that appears

1 on the voter's voter registration record based on his or her previous
2 registration application;~~or~~

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

6 (h) The voter failed to present qualifying photographic
7 identification as required by subdivision (4)(f) of this section.

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

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

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

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

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

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

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

28 Sec. 27. Section 32-1027, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 32-1027 (1) The election commissioner or county clerk shall appoint
31 two or more registered voters to the counting board for early voting. One

1 registered voter shall be appointed from the political party casting the
2 highest number of votes for Governor or for President of the United
3 States in the county in the immediately preceding general election, and
4 one registered voter shall be appointed from the political party casting
5 the next highest vote for such office. The election commissioner or
6 county clerk may appoint additional registered voters to serve on the
7 counting board and may appoint registered voters to serve in case of a
8 vacancy among any of the members of the counting board. Such appointees
9 shall be balanced between the political parties and may include
10 registered voters unaffiliated with any political party. The counting
11 board may begin carrying out its duties not earlier than the second
12 Friday before the election and shall meet as directed by the election
13 commissioner or county clerk.

14 (2) The counting board shall place all identification envelopes in
15 order and shall review each returned identification envelope pursuant to
16 verification procedures prescribed in subsections (3) and (4) of this
17 section.

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

19 (a) The voter has provided his or her name, residence address, and
20 signature on the voter identification envelope;

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

26 (c) A completed and signed registration application has been
27 received from the voter by the deadline in section 32-302, 32-321, or
28 32-325 or by the close of the polls pursuant to section 32-945;

29 (d) A copy of a qualifying photographic ~~An identification document~~
30 has been received from the voter not later than the close of the polls on
31 election day if required pursuant to section 32-947 ~~32-318.01~~; and

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

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

6 (a) A ballot received from a voter who was properly registered on or
7 prior to the deadline for registration pursuant to section 32-302 or
8 32-321 shall be accepted for counting without further review if:

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

12 (ii) The residence address provided on the identification envelope
13 is the same residence address at which the voter is registered or is in
14 the same precinct and subdivision of a precinct, if any; and

15 (iii) The identification envelope has been signed by the voter;

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

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

22 (ii) The name on the identification envelope appears to be that of
23 the person who requested the ballot;

24 (iii) The residence address provided on the identification envelope
25 and on the registration application is the same as the residence address
26 as provided on the voter's request for a ballot for early voting; and

27 (iv) The identification envelope has been signed by the voter; and

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

31 (i) The name on the identification envelope appears to be that of a

1 registered voter to whom a ballot has been sent;

2 (ii) A valid registration application completed and signed by the
3 voter, for whom the residence address is deemed to be the address of the
4 office of the election commissioner or county clerk pursuant to section
5 32-946, has been received by the election commissioner or county clerk
6 prior to the close of the polls on election day;

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

11 (iv) The identification envelope has been signed by the voter. ~~;~~ and

12 ~~(d) In the case of a ballot received from a registered voter~~
13 ~~required to present identification before voting pursuant to section~~
14 ~~32-318.01, the ballot shall be accepted for counting if:~~

15 ~~(i) The name on the identification envelope appears to be that of a~~
16 ~~registered voter to whom a ballot has been issued or sent;~~

17 ~~(ii) The residence address provided on the identification envelope~~
18 ~~is the same address at which the voter is registered or is in the same~~
19 ~~precinct and subdivision of a precinct, if any;~~

20 ~~(iii) A copy of an identification document authorized in section~~
21 ~~32-318.01 has been received by the election commissioner or county clerk~~
22 ~~prior to the close of the polls on election day; and~~

23 ~~(iv) The identification envelope has been signed by the voter.~~

24 (5) In opening the identification envelope or the return envelope to
25 determine if registration applications, oaths, or identification
26 documents have been enclosed by the voters from whom they are required,
27 the counting board shall make a good faith effort to ensure that the
28 ballot remains folded and that the secrecy of the vote is preserved.

29 (6) The counting board may, on the second Friday before the
30 election, open all identification envelopes which are approved, and if
31 the signature of the election commissioner or county clerk or his or her

1 employee is on the ballot, the ballot shall be unfolded, flattened for
2 purposes of using the optical scanner, and placed in a sealed container
3 for counting as directed by the election commissioner or county clerk. At
4 the discretion of the election commissioner or county clerk, the counting
5 board may begin counting early ballots no earlier than twenty-four hours
6 prior to the opening of the polls on the day of the election.

7 (7) If an identification envelope is rejected, the counting board
8 shall not open the identification envelope. The counting board shall
9 write Rejected on the identification envelope and the reason for the
10 rejection. If the ballot is rejected after opening the identification
11 envelope because of the absence of the official signature on the ballot,
12 the ballot shall be reinserted in the identification envelope which shall
13 be resealed and marked Rejected, no official signature. The counting
14 board shall place the rejected identification envelopes and ballots in a
15 container labeled Rejected Ballots and seal it.

16 (8) As soon as all ballots have been placed in the sealed container
17 and rejected identification envelopes or ballots have been sealed in the
18 Rejected Ballots container, the counting board shall count the ballots
19 the same as all other ballots and an unofficial count shall be reported
20 to the election commissioner or county clerk. No results shall be
21 released prior to the closing of the polls on election day.

22 Sec. 28. If a registered voter votes provisionally due to the
23 failure to present qualifying photographic identification to the
24 receiving board, the registered voter shall, prior to the Tuesday
25 following the election, present qualifying photographic identification to
26 the election commissioner or county clerk or such official's designee.

27 Sec. 29. An employee or volunteer of the election commissioner or
28 county clerk shall only conduct a visual inspection of a qualifying
29 photographic identification presented for registering to vote, for
30 requesting a ballot for early voting, or for voting. No employee or
31 volunteer of the election commissioner or county clerk shall scan a

1 qualifying photographic identification into an electronic system when the
2 identification is presented for registering to vote, for requesting a
3 ballot for early voting, or for voting. Any willful or knowing violation
4 of this section is a Class III felony.

5 Sec. 30. It shall be a Class IIA felony to utilize or create a
6 false form of identification for purposes of voting.

7 Sec. 31. Any election worker or election official who does not
8 require and verify the eligibility of each voter to register to vote and
9 vote utilizing a qualifying photographic identification is guilty of a
10 Class V misdemeanor for each offense.

11 Sec. 32. Section 39-1601, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 39-1601 (1) Whenever a petition, (a) containing a definite
14 description of the territory to be embraced, (b) designating the name of
15 the proposed district, and (c) signed by ten percent of the landowners
16 within the limits of a proposed road improvement district is presented
17 and filed with the county board of the county in which the greater
18 portion of the area of the proposed district is located, the county board
19 of any such county shall cause the question to be submitted to the legal
20 voters of such proposed road improvement district as provided in section
21 39-1605. If fifty-five percent of those voting on the question are in
22 favor of the proposition, the district shall be organized. No lands
23 included within any municipal corporation shall be included in any road
24 improvement district.

25 (2) Any road improvement district can be dissolved, if there are no
26 outstanding debts, by the board of trustees of any such district, on its
27 own motion or on the request in writing of ten electors, submitting at a
28 special election, after due notice by publication in the manner provided
29 for in subsection (1) of section 39-1604, the question of dissolution of
30 the road improvement district. ~~The special election shall be conducted by~~
31 ~~mail as provided in sections 32-953 to 32-959.~~ If fifty-one percent of

1 the votes cast on the question at such election are in favor of such
2 dissolution, the board of trustees shall cause a record of such election
3 and the vote thereon to be made in the office of the county clerk in the
4 county in which the election was held to create the district, and the
5 district shall thereupon stand dissolved. An election shall not be
6 required for the dissolution of the district if a petition requesting the
7 district be dissolved, signed by fifty percent of the owners of property
8 located within the district, is presented to the county board of the
9 county. The county board shall determine the sufficiency of the petition
10 and dissolve the district by an order of such board.

11 (3) In case a district is dissolved pursuant to this section, the
12 funds on hand or to be collected shall be held by the county treasurer in
13 a separate fund, and the trustees of the district shall petition the
14 district court of the county in which the election to form the district
15 was held, for an order approving the distribution of funds to the
16 landowners or easement owners as a dividend on the same basis as
17 collected.

18 Sec. 33. Section 39-1605, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 39-1605 After the determination by the county board, or a majority
21 thereof, as provided by subsection (2) of section 39-1604, it shall call
22 a special election and submit to the legal voters of the proposed road
23 improvement district the question of the organization of such district
24 and the election of a board of trustees who shall be resident taxpayers.
25 Notice of such election shall be given as provided in subsection (1) of
26 section 39-1604. At such election each legal voter resident within the
27 proposed road improvement district shall have a right to cast a ballot
28 with the words thereon, For road improvement district, or Against road
29 improvement district. ~~The special election shall be conducted by mail as~~
30 ~~provided in sections 32-953 to 32-959.~~ The result of such election shall
31 be entered of record. If fifty-five percent of the votes cast are in

1 favor of the proposed district, such proposed district shall be deemed an
2 organized road improvement district. At the same election there shall be
3 elected three members of a board of trustees. Such members so elected
4 shall be the first board of trustees of such district if the formation of
5 the district is so approved at such election. Such board of trustees
6 shall hold office until their successors are elected and qualified under
7 the provisions of section 39-1606. It shall elect a president and clerk
8 substantially as is provided for in sections 39-1606 and 39-1609.

9 Sec. 34. Section 39-1606, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 39-1606 (1) Any resident property owner desiring to file for the
12 office of trustee of a road improvement district may file for such office
13 with the county clerk or election commissioner of the county in which the
14 greater proportion in area of the district is located, not later than
15 forty-five days before the election, by paying a filing fee of five
16 dollars.

17 (2)(a) The term of office of every member of a board of trustees of
18 a road improvement district existing on January 1, 2008, shall be
19 extended to the first Monday in October following the expiration of the
20 original term. Their successors shall be elected for terms of six years
21 at elections held on the first Tuesday after the second Monday in
22 September of odd-numbered years. The term of office shall begin on the
23 first Monday in October after the election.

24 (b) The successors to the initial board of trustees of a road
25 improvement district shall be elected on the first Tuesday after the
26 second Monday in September of the first odd-numbered year which is at
27 least fifteen months after the organization of the district pursuant to
28 section 39-1605. One trustee shall be elected for a term of two years,
29 one trustee for a term of four years, and one trustee for a term of six
30 years, and thereafter their respective successors shall be elected for
31 terms of six years at succeeding elections held on the first Tuesday

1 after the second Monday in September of odd-numbered years. The term of
2 office shall begin on the first Monday in October after the election.

3 ~~(c) Elections under this subsection shall be conducted by mail as~~
4 ~~provided in sections 32-953 to 32-959.~~

5 (3) At the first meeting of the trustees of such district after the
6 election of one or more members, the board shall elect one of their
7 number president. Such district shall be a body corporate and politic by
8 name of Road Improvement District No. of County
9 or Counties, as the case may be, with power to sue, be sued,
10 contract, acquire and hold property, and adopt a common seal. Each
11 trustee shall receive as his or her salary the sum of five dollars for
12 each meeting.

13 Sec. 35. Section 60-484, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 60-484 (1) Except as otherwise provided in the Motor Vehicle
16 Operator's License Act, no resident of the State of Nebraska shall
17 operate a motor vehicle upon the alleys or highways of this state until
18 the person has obtained an operator's license for that purpose.

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

21 (3) The applicant shall provide his or her full legal name, date of
22 birth, mailing address, gender, race or ethnicity, and social security
23 number, two forms of proof of address of his or her principal residence
24 unless the applicant is a program participant under the Address
25 Confidentiality Act, evidence of identity as required by subsection (6)
26 of this section, and a brief physical description of himself or herself.
27 The applicant (a) may also complete the voter registration portion
28 pursuant to section 32-308, (b) shall be provided the advisement language
29 required by subsection (5) of section 60-6,197, (c) shall answer the
30 following:

31 (i) Have you within the last three months (e.g. due to diabetes,

1 epilepsy, mental illness, head injury, stroke, heart condition,
2 neurological disease, etc.):

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

4 (B) experienced vertigo or multiple episodes of dizziness or
5 fainting ... yes ... no

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

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

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

9 Please explain:

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

14 Please explain:

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

17 Please explain, including how the above affects your ability to
18 drive:, and (d) may answer the following:

19 (i) Do you wish to register to vote as part of this application
20 process?

21 (ii) Do you wish to have a veteran designation displayed on the
22 front of your operator's license or state identification card to show
23 that you served in the armed forces of the United States? (To be eligible
24 you must register with the Nebraska Department of Veterans' Affairs
25 registry.)

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

28 (iv) Do you wish to receive any additional specific information
29 regarding organ and tissue donation and the Donor Registry of Nebraska?

30 (v) Do you wish to donate \$1 to promote the Organ and Tissue Donor
31 Awareness and Education Fund?

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

5 (5) The social security number shall not be printed on the
6 operator's license or state identification card and shall be used only
7 (a) to furnish information to the United States Selective Service System
8 under section 60-483, (b) with the permission of the director in
9 connection with the verification of the status of an individual's driving
10 record in this state or any other state, (c) for purposes of child
11 support enforcement pursuant to section 42-358.08 or 43-512.06, (d) to
12 furnish information regarding an applicant for or holder of a commercial
13 driver's license with a hazardous materials endorsement to the
14 Transportation Security Administration of the United States Department of
15 Homeland Security or its agent, (e) to furnish information to the
16 Department of Revenue under section 77-362.02, or (f) to furnish
17 information to the Secretary of State for purposes of the Election Act.

18 (6)(a) Each individual applying for an operator's license or a state
19 identification card shall furnish proof of date of birth and identity
20 with documents containing a photograph or with nonphoto identity
21 documents which include his or her full legal name and date of birth.
22 Such documents shall be those provided in subsection (1) of section
23 60-484.04.

24 (b) Any individual under the age of eighteen years applying for an
25 operator's license or a state identification card shall provide a
26 certified copy of his or her birth certificate or, if such individual is
27 unable to provide a certified copy of his or her birth certificate, other
28 reliable proof of his or her identity and age, as required in subdivision
29 (6)(a) of this section, accompanied by a certification signed by a parent
30 or guardian explaining the inability to produce a copy of such birth
31 certificate. The applicant also may be required to furnish proof to

1 department personnel that the parent or guardian signing the
2 certification is in fact the parent or guardian of such applicant.

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

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

11 (8) No person shall be a holder of an operator's license and a state
12 identification card at the same time. A person who has a digital image
13 and digital signature on file with the department may apply
14 electronically to change his or her Class 0 operator's license to a state
15 identification card.

16 (9) An American Flag symbol shall be placed on the front of each
17 operator's license and state identification card issued to each
18 individual who has verified status as a citizen of the United States as
19 verified by the department using the standards in section 60-484.04.

20 Sec. 36. Section 60-4,115, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 60-4,115 (1) Fees for operators' licenses and state identification
23 cards shall be collected by department personnel or the county treasurer
24 and distributed according to the table in subsection (2) of this section,
25 except for the ignition interlock permit and associated fees as outlined
26 in subsection (4) of this section and the 24/7 sobriety program permit
27 and associated fees as outlined in subsection (5) of this section. County
28 officials shall remit the county portion of the fees collected to the
29 county treasurer for placement in the county general fund. All other fees
30 collected shall be remitted to the State Treasurer for credit to the
31 appropriate fund.

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

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

1	restriction:				
2	Valid for 1 year or less	5.00	0	5.00	0
3	Valid for more than 1 year				
4	but not more than 2 years	10.00	2.75	4.00	3.25
5	Replacement	11.00	2.75	6.00	2.25
6	Add, change, or remove class,				
7	endorsement, or restriction	5.00	0	5.00	0
8	Provisional operator's permit:				
9	Original	15.00	2.75	12.25	0
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	15.00	2.75	12.25	0
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	LPD-learner's permit:				
19	Original	8.00	.25	5.00	2.75
20	Replacement	11.00	2.75	6.00	2.25
21	Add, change, or remove class,				
22	endorsement, or restriction	5.00	0	5.00	0
23	LPE-learner's permit:				
24	Original	8.00	.25	5.00	2.75
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	School permit:				
29	Original	8.00	.25	5.00	2.75
30	Replacement	11.00	2.75	6.00	2.25

1	Add, change, or remove class,				
2	endorsement, or restriction	5.00	0	5.00	0
3	Farm permit:				
4	Original or renewal	5.00	.25	0	4.75
5	Replacement	5.00	.25	0	4.75
6	Add, change, or remove class,				
7	endorsement, or restriction	5.00	0	5.00	0
8	Driving permits:				
9	Employment	45.00	0	5.00	40.00
10	Medical hardship	45.00	0	5.00	40.00
11	Replacement	10.00	.25	5.00	4.75
12	Add, change, or remove class,				
13	endorsement, or restriction	5.00	0	5.00	0
14	Commercial driver's license:				
15	Valid for 1 year or less	11.00	1.75	5.00	4.25
16	Valid for more than 1 year				
17	but not more than 2 years	22.00	1.75	5.00	15.25
18	Valid for more than 2 years				
19	but not more than 3 years	33.00	1.75	5.00	26.25
20	Valid for more than 3 years				
21	but not more than 4 years	44.00	1.75	5.00	37.25
22	Valid for 5 years	55.00	1.75	5.00	48.25
23	Bioptic or telescopic lens				
24	restriction:				
25	Valid for one year or less	11.00	1.75	5.00	4.25
26	Valid for more than 1 year				
27	but not more than 2 years	22.00	1.75	5.00	15.25
28	Replacement	11.00	2.75	6.00	2.25
29	Add, change, or remove class,				
30	endorsement, or restriction	10.00	1.75	5.00	3.25

1	CLP-commercial learner's				
2	permit:				
3	Original or renewal	10.00	.25	5.00	4.75
4	Replacement	10.00	.25	5.00	4.75
5	Add, change, or remove class,				
6	endorsement, or restriction	10.00	.25	5.00	4.75
7	Seasonal permit:				
8	Original or renewal	10.00	.25	5.00	4.75
9	Replacement	10.00	.25	5.00	4.75
10	Add, change, or remove class,				
11	endorsement, or restriction	10.00	.25	5.00	4.75

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

16 (4)(a) The fee for an ignition interlock permit shall be forty-five
17 dollars. Five dollars of the fee shall be remitted to the State Treasurer
18 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
19 of the fee shall be remitted to the State Treasurer for credit to the
20 Department of Motor Vehicles Ignition Interlock Fund.

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

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

1 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
2 five dollars. Twenty-five dollars of the fee shall be remitted to the
3 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
4 Fifteen dollars of the fee shall be remitted to the State Treasurer for
5 credit to the General Fund. Five dollars of the fee shall be remitted to
6 the county treasurer for credit to the county general fund.

7 (b) The fee for a replacement 24/7 sobriety program permit shall be
8 eleven dollars. Two dollars and seventy-five cents of the fee shall be
9 remitted to the county treasurer for credit to the county general fund.
10 Six dollars of the fee shall be remitted to the State Treasurer for
11 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
12 twenty-five cents of the fee shall be remitted to the State Treasurer for
13 credit to the General Fund.

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

18 (6) The department and its agents may collect an identity security
19 surcharge to cover the cost of security and technology practices used to
20 protect the identity of applicants for and holders of operators' licenses
21 and state identification cards and to reduce identity theft, fraud, and
22 forgery and counterfeiting of such licenses and cards to the maximum
23 extent possible. The surcharge shall be in addition to all other required
24 fees for operators' licenses and state identification cards. The amount
25 of the surcharge shall be determined by the department. The surcharge
26 shall not exceed eight dollars. The surcharge shall be remitted to the
27 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

28 (7) No fee shall be charged for issuance of an original, renewal, or
29 duplicate state identification card to a resident of Nebraska who does
30 not have a valid Nebraska driver's license, who is requesting issuance of
31 such card for voting purposes, and who will be at least eighteen years of

1 age on or before the next election conducted under the Election Act.

2 Sec. 37. Section 71-612, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 71-612 (1) The department, as the State Registrar, shall preserve
5 permanently and index all certificates received. The department shall
6 supply to any applicant for any proper purpose, as defined by rules and
7 regulations of the department, a certified copy of the record of any
8 birth, death, marriage, annulment, or dissolution of marriage or an
9 abstract of marriage. The department shall supply a copy of a public
10 vital record for viewing purposes at its office upon an application
11 signed by the applicant and upon proof of the identity of the applicant.
12 The application may include the name, address, and telephone number of
13 the applicant, purpose for viewing each record, and other information as
14 may be prescribed by the department by rules and regulations to protect
15 the integrity of vital records and prevent their fraudulent use. Except
16 as provided in subsections (2), (3), (5), (6), ~~and (7)~~, and (9) of this
17 section, the department shall be entitled to charge and collect in
18 advance a fee of sixteen dollars to be paid by the applicant for each
19 certified copy or abstract of marriage supplied to the applicant or for
20 any search made at the applicant's request for access to or a certified
21 copy of any record or abstract of marriage, whether or not the record or
22 abstract is found on file with the department.

23 (2) The department shall, free of charge, search for and furnish a
24 certified copy of any record or abstract of marriage on file with the
25 department upon the request of (a) the United States Department of
26 Veterans Affairs or any lawful service organization empowered to
27 represent veterans if the copy of the record or abstract of marriage is
28 to be issued, for the welfare of any member or veteran of the armed
29 forces of the United States or in the interests of any member of his or
30 her family, in connection with a claim growing out of service in the
31 armed forces of the nation or (b) the Military Department.

1 (3) The department may, free of charge, search for and furnish a
2 certified copy of any record or abstract of marriage on file with the
3 department when in the opinion of the department it would be a hardship
4 for the claimant of old age, survivors, or disability benefits under the
5 federal Social Security Act to pay the fee provided in this section.

6 (4) A strict account shall be kept of all funds received by the
7 department. Funds received pursuant to subsections (1), (5), (6), and (8)
8 of this section shall be remitted to the State Treasurer for credit to
9 the Health and Human Services Cash Fund. Money credited to the fund
10 pursuant to this section shall be used for the purpose of administering
11 the laws relating to vital statistics and may be used to create a petty
12 cash fund administered by the department to facilitate the payment of
13 refunds to individuals who apply for copies or abstracts of records. The
14 petty cash fund shall be subject to section 81-104.01, except that the
15 amount in the petty cash fund shall not be less than twenty-five dollars
16 nor more than one thousand dollars.

17 (5) The department shall, upon request, conduct a search of death
18 certificates for stated individuals for the Nebraska Medical Association
19 or any of its allied medical societies or any inhospital staff committee
20 pursuant to sections 71-3401 to 71-3403. If such death certificate is
21 found, the department shall provide a noncertified copy. The department
22 shall charge a fee for each search or copy sufficient to cover its actual
23 direct costs, except that the fee shall not exceed three dollars per
24 individual search or copy requested.

25 (6) The department may permit use of data from vital records for
26 statistical or research purposes under section 71-602 or disclose data
27 from certificates or records to federal, state, county, or municipal
28 agencies of government for use in administration of their official duties
29 and charge and collect a fee that will recover the department's cost of
30 production of the data. The department may provide access to public vital
31 records for viewing purposes by electronic means, if available, under

1 security provisions which shall assure the integrity and security of the
2 records and database and shall charge and collect a fee that shall
3 recover the department's costs.

4 (7) In addition to the fees charged under subsection (1) of this
5 section, the department shall charge and collect an additional fee of one
6 dollar for any certified copy of the record of any birth or for any
7 search made at the applicant's request for access to or a certified copy
8 of any such record, whether or not the record is found on file with the
9 department. Any county containing a city of the metropolitan class which
10 has an established city-county or county health department pursuant to
11 sections 71-1626 to 71-1636 which has an established system of
12 registering births and deaths shall charge and collect in advance a fee
13 of one dollar for any certified copy of the record of any birth or for
14 any search made at the applicant's request for such record, whether or
15 not the record is found on file with the county. All fees collected under
16 this subsection shall be remitted to the State Treasurer for credit to
17 the Nebraska Child Abuse Prevention Fund.

18 (8) The department shall not charge other state agencies the fees
19 authorized under subsections (1) and (7) of this section for automated
20 review of any certificates or abstracts of marriage. The department shall
21 charge and collect a fee from other state agencies for such automated
22 review that will recover the department's cost.

23 (9) The department shall not charge any fee for a certified copy of
24 a birth record if the applicant does not have a current Nebraska driver's
25 license or state identification card and indicates in the application
26 that the applicant needs a certified copy of the birth record to apply
27 for a state identification card for voting purposes.

28 Sec. 38. Original sections 32-311.01, 32-321, 32-808, 32-914,
29 32-938, 32-941, 32-942, 32-943, 32-944, 39-1601, 39-1605, 39-1606,
30 60-484, and 71-612, Reissue Revised Statutes of Nebraska, and sections
31 32-101, 32-103, 32-202, 32-221, 32-223, 32-230, 32-231, 32-559, 32-803,

1 32-908, 32-915, 32-939, 32-939.02, 32-947, 32-950.01, 32-1002, 32-1027,
2 and 60-4,115, Revised Statutes Cumulative Supplement, 2022, are repealed.

3 Sec. 39. The following sections are outright repealed: Sections
4 32-110.02, 32-953, 32-954, 32-957, 32-958, 32-959, and 32-1551, Reissue
5 Revised Statutes of Nebraska, and sections 32-110.03, 32-318.01,
6 32-939.03, 32-952, 32-956, and 32-960, Revised Statutes Cumulative
7 Supplement, 2022.

8 Sec. 40. Since an emergency exists, this act takes effect when
9 passed and approved according to law.