LEGISLATIVE BILL 1038

Approved by the Governor April 17, 2018

Introduced by Thibodeau, 6.

A BILL FOR AN ACT relating to registration of voters; to amend section 32-206,
Reissue Revised Statutes of Nebraska, and section 32-304, Revised Statutes
Supplement, 2017; to provide a deadline for electronic voter registration;
to harmonize provisions; to repeal the original sections; and to declare
an emergency.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

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

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

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

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

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

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

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