

AMENDMENTS TO LB861

Introduced by Government, Military and Veterans Affairs.

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

3           Section 1. Section 32-632, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           32-632 Any person may remove his or her name from a petition by  
6 signing and delivering a written letter to the Secretary of State, an  
7 affidavit signed and sworn to by such person before the election  
8 commissioner, or the county clerk, or a notary public. The letter  
9 affidavit shall be delivered presented to and received by the Secretary  
10 of State, election commissioner, or county clerk prior to or on the day  
11 the petition is filed for verification with the election commissioner or  
12 county clerk. The Secretary of State, election commissioner, or county  
13 clerk shall verify the signature in the letter with the signature  
14 appearing in the voter registration records.

15           Sec. 2. Section 32-1305, Revised Statutes Cumulative Supplement,  
16 2022, is amended to read:

17           32-1305 (1) The principal circulator or circulators shall file, as  
18 one instrument, all petition papers comprising a recall petition for  
19 signature verification with the filing clerk within thirty days after the  
20 filing clerk issues the initial petition papers to the principal  
21 circulator or circulators as provided in section 32-1303.

22           (2) If the filing clerk is the subject of a recall petition, the  
23 signature verification process shall be conducted by two election  
24 commissioners or county clerks appointed by the Secretary of State.  
25 Mileage and expenses incurred by officials appointed pursuant to this  
26 subsection shall be reimbursed by the political subdivision involved in  
27 the recall.

1           (3) Within fifteen business days after the filing of the petition,  
2 the filing clerk shall ascertain whether or not the petition is signed by  
3 the requisite number of registered voters. No new signatures may be added  
4 after the initial filing of the petition papers. Any person may remove  
5 his or her name from a petition as provided in section 32-632. No  
6 signatures may be removed unless the filing clerk receives an affidavit  
7 signed by the person requesting his or her signature be removed before  
8 the petitions are filed with the filing clerk for signature verification.  
9 If the petition is found to be sufficient, the filing clerk shall attach  
10 to the petition a certificate showing the result of such examination. If  
11 the requisite number of signatures has not been gathered, the filing  
12 clerk shall file the petition in his or her office without prejudice to  
13 the filing of a new petition for the same purpose.

14           Sec. 3. Section 32-1546, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16           32-1546 (1) Any person who is not, at the time of signing a  
17 petition, a registered voter and qualified to sign the petition except as  
18 provided for initiative and referendum petitions in section 32-1404 or  
19 who signs any name other than his or her own to any petition shall be  
20 guilty of a Class I misdemeanor.

21           (2) Any person who falsely swears to a circulator's affidavit on a  
22 petition, who accepts money or other things of value for signing a  
23 petition, or who offers money or other things of value in exchange for a  
24 signature upon any petition shall be guilty of a Class IV felony.

25           (3) Any person who falsifies a letter submitted pursuant to section  
26 32-632 or subsection (3) of section 32-1305 or who signs any name other  
27 than his or her own to such letter shall be guilty of a Class I  
28 misdemeanor.

29           Sec. 4. Original sections 32-632 and 32-1546, Reissue Revised  
30 Statutes of Nebraska, and section 32-1305, Revised Statutes Cumulative  
31 Supplement, 2022, are repealed.