

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1152

Introduced by Brewer, 43.

Read first time January 11, 2024

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 32-233,
2 32-569, 32-713, 32-1308, 60-483, 60-484.02, and 85-1514, Reissue
3 Revised Statutes of Nebraska, sections 32-304, 32-330, 32-570,
4 32-1303, and 32-1306, Revised Statutes Cumulative Supplement, 2022,
5 and sections 32-101, 32-202.01, 32-308, 32-912.01, 32-912.02,
6 32-915.03, 32-941, 32-942, 32-1002.01, 32-1027, and 60-4,115,
7 Revised Statutes Supplement, 2023; to change provisions of the
8 Election Act relating to election workers, verification of
9 citizenship, the use and confidentiality of digital images and
10 signatures, voter registration lists, special elections, the
11 designated meeting location and date for the convening of
12 presidential electors, the state's certificate of ascertainment
13 submitted by the Governor, notations on precinct lists and
14 certification forms relating to a religious objection to being
15 photographed, obtaining and presenting valid photographic
16 identification, in-person early voting, procedures of voter
17 identification, and notice regarding recalls; to change amounts
18 credited to certain funds as prescribed; to provide duties; to
19 change provisions relating to issuance of a state identification
20 card; to provide for nondisclosure of certain records; to harmonize
21 provisions; to provide operative dates; to repeal the original
22 sections; and to declare an emergency.

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

1 Section 1. Section 32-101, Revised Statutes Supplement, 2023, is
2 amended to read:

3 32-101 Sections 32-101 to 32-1551 and section 9 of this act shall be
4 known and may be cited as the Election Act.

5 Sec. 2. Section 32-202.01, Revised Statutes Supplement, 2023, is
6 amended to read:

7 32-202.01 The Secretary of State shall develop a process to use the
8 information in possession of or available to his or her office to match
9 and verify the citizenship of the corresponding registered voter. The
10 process developed shall ensure that no registered voter is removed from
11 the voter registration register in violation of state or federal law. The
12 Attorney General and the Department of Motor Vehicles shall cooperate
13 with the Secretary of State for such purpose. The Secretary of State may
14 adopt and promulgate rules and regulations to carry out this section.

15 Sec. 3. Section 32-233, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-233 (1) Except as otherwise provided in subsection (2) of this
18 section, judges ~~Judges~~ and clerks of election, district inspectors,
19 messengers, and other temporary election workers shall receive wages at
20 no less than the minimum rate set in section 48-1203 for each hour of
21 service rendered. The county clerk shall determine the rate of pay and
22 may vary the rate based on the duties of each position. Each such
23 election worker shall sign an affidavit stating the number of hours he or
24 she has worked.

25 (2) Any judge or clerk of election, district inspector, messenger,
26 or other temporary election worker may choose either:

27 (a) Not to be paid for the hours he or she works. An election worker
28 that chooses not to be paid shall sign a waiver agreeing not to be paid
29 for each election for which he or she chooses not to be paid; or

30 (b) To have his or her election pay used by the county clerk to
31 contract with an organization authorized by the county clerk to recruit

1 election workers if the county clerk contracts with such an organization.
2 To be eligible to enter into such a contract, the organization shall be
3 exempt for federal tax purposes under section 501(c)(3) of the Internal
4 Revenue Code, as defined in section 49-801.01.

5 Sec. 4. Section 32-304, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 32-304 (1) The Secretary of State in conjunction with the Department
8 of Motor Vehicles shall implement a registration application process
9 which may be used statewide to register to vote and update voter
10 registration records electronically using the Secretary of State's
11 website. An applicant who has a valid Nebraska motor vehicle operator's
12 license or state identification card may use the application process to
13 register to vote or to update his or her voter registration record with
14 changes in his or her personal information or other information related
15 to his or her eligibility to vote. For each electronic application, the
16 Secretary of State shall obtain a copy of the electronic representation
17 of the applicant's digital image and signature from the Department of
18 Motor Vehicles' records of his or her motor vehicle operator's license or
19 state identification card for purposes of voter registration, and
20 electronic poll books, and voting.

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

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

30 (b) An applicant who submits this application electronically is
31 agreeing to the use of his or her digital image and signature from the

1 Department of Motor Vehicles' records of his or her motor vehicle
2 operator's license or state identification card for purposes of voter
3 registration;

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

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

10 Sec. 5. Section 32-308, Revised Statutes Supplement, 2023, is
11 amended to read:

12 32-308 (1) The Secretary of State and the Director of Motor Vehicles
13 shall enter into an agreement to match information in the computerized
14 statewide voter registration list with information in the database of the
15 Department of Motor Vehicles to the extent required to enable each such
16 official to verify the accuracy of the information, including
17 citizenship, provided on applications for voter registration. The
18 Director of Motor Vehicles shall enter into an agreement with the
19 Commissioner of Social Security under section 205(r)(8) of the federal
20 Social Security Act, 42 U.S.C. 405(r)(8), as such section existed on
21 April 17, 2003, for purposes of the Election Act.

22 (2) The Department of Motor Vehicles, with the assistance of the
23 Secretary of State, shall prescribe a voter registration application
24 which may be used to register to vote or change his or her address for
25 voting purposes at the same time an elector applies for an original or
26 renewal motor vehicle operator's license, an original or renewal state
27 identification card, or a replacement thereof. The voter registration
28 application shall contain the information required pursuant to section
29 32-312 and shall be designed so that it does not require the duplication
30 of information in the application for the motor vehicle operator's
31 license or state identification card, except that it may require a second

1 signature of the applicant. The department and the Secretary of State
2 shall make the voter registration application available to any person
3 applying for an operator's license or state identification card. The
4 application shall be completed at the office of the department by the
5 close of business on the third Friday preceding any election to be
6 registered to vote at such election. A registration application received
7 after the deadline shall not be processed by the election commissioner or
8 county clerk until after the election.

9 (3) The Department of Motor Vehicles, in conjunction with the
10 Secretary of State, shall develop a process to electronically transmit
11 voter registration application information received under subsection (2)
12 of this section to the election commissioner or county clerk of the
13 county in which the applicant resides within the time limits prescribed
14 in subsection (4) of this section. The Director of Motor Vehicles shall
15 designate an implementation date for the process which shall be on or
16 before January 1, 2016.

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

26 (5) For each voter registration application for which information is
27 transmitted electronically pursuant to this section, the Secretary of
28 State shall obtain a copy of the electronic representation of the
29 applicant's digital image and signature from the Department of Motor
30 Vehicles' records of his or her motor vehicle operator's license or state
31 identification card for purposes of voter registration and voting. Each

1 voter registration application electronically transmitted under this
2 section shall include information provided by the applicant that includes
3 whether the applicant is a citizen of the United States, whether the
4 applicant is of sufficient age to register to vote, the applicant's
5 residence address, the applicant's postal address if different from the
6 residence address, the date of birth of the applicant, the party
7 affiliation of the applicant or an indication that the applicant is not
8 affiliated with any political party, the applicant's motor vehicle
9 operator's license number, the applicant's previous registration location
10 by city, county, or state, if applicable, and the applicant's signature.

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

15 Sec. 6. Section 32-330, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 32-330 (1) Except as otherwise provided in subsection (3) of section
18 32-301, the voter registration register shall be a public record. Any
19 person may examine the register at the office of the election
20 commissioner or county clerk, but no person other than the Secretary of
21 State, the election commissioner, the county clerk, or law enforcement
22 shall be allowed to make copies of the register. Copies of the register
23 shall only be used for list maintenance as provided in section 32-329 or
24 law enforcement purposes. The electronic records of the original voter
25 registrations created pursuant to section 32-301 may constitute the voter
26 registration register. The Secretary of State, election commissioner, or
27 county clerk shall withhold information in the register designated as
28 confidential under section 32-331. No portion of the register made
29 available to the public and no list distributed pursuant to this section
30 shall include the digital signature of any voter.

31 (2) The Secretary of State, election commissioner, or county clerk

1 shall make available a list of registered voters that contains no more
2 than the information authorized in subsections (3) and (7) of this
3 section and, if requested, a list that only contains such information for
4 registered voters who have voted in an election held more than thirty
5 days prior to the request for the list. The Secretary of State, election
6 commissioner, or county clerk shall establish the price of the lists at a
7 rate that fairly covers the actual production cost of the lists, not to
8 exceed three cents per name. Lists shall be used solely for purposes
9 related to elections, political activities, voter registration, law
10 enforcement, or jury selection. Lists shall not be posted, displayed, or
11 used for commercial purposes or made accessible on the Internet.

12 (3)(a) The Secretary of State, election commissioner, or county
13 clerk shall withhold from any list of registered voters distributed
14 pursuant to subsection (2) of this section any information in the voter
15 registration records which is designated as confidential under section
16 32-331 or marked private on the voter registration application or voter
17 registration record.

18 (b) Except as otherwise provided in subdivision (a) of this
19 subsection, a list of registered voters distributed pursuant to
20 subsection (2) of this section shall contain no more than the following
21 information:

- 22 (i) The registrant's name;
- 23 (ii) The registrant's residential address;
- 24 (iii) The registrant's mailing address;
- 25 (iv) The registrant's telephone number;
- 26 (v) The registrant's voter registration status;
- 27 (vi) The registrant's voter identification number;
- 28 (vii) The registrant's birth year;
- 29 (viii) The registrant's date of voter registration;
- 30 (ix) The registrant's voting precinct;
- 31 (x) The registrant's polling site;

- 1 (xi) The registrant's political party affiliation;
- 2 (xii) The political subdivisions in which the registrant resides;
- 3 and
- 4 (xiii) The registrant's voter history.

5 (4) Any person who acquires a list of registered voters under
 6 subsection (2) of this section shall provide his or her name, address,
 7 telephone number, email address, and campaign committee name or
 8 organization name, if applicable, the state of organization, if
 9 applicable, and the reason for requesting the list, and shall take and
 10 subscribe to an oath in substantially the following form:

11 I hereby swear that I will use the list of registered voters
 12 of County, Nebraska, (or the State of Nebraska) only for the
 13 purposes prescribed in section 32-330 and for no other purpose, that I
 14 will not permit the use or copying of such list for unauthorized
 15 purposes, and that I will not post, display, or make such list accessible
 16 on the Internet.

17 I hereby declare under the penalty of election falsification that
 18 the statements above are true to the best of my knowledge.

19 The penalty for election falsification is a Class IV felony.

20 (Signature of person acquiring list)

21 Subscribed and sworn to before me this day of 20.. .

22 (Signature of officer)

23 (Name and official title of officer)

24 (5) The Secretary of State, election commissioner, or county clerk
 25 shall provide, upon request and free of charge, a complete and current
 26 listing of all registered voters and their addresses to the Clerk of the
 27 United States District Court for the District of Nebraska. Such list
 28 shall be provided no later than December 31 of each even-numbered year.

29 (6)(a) ~~(6)~~ The Secretary of State, election commissioner, or county
 30 clerk shall provide, upon request and free of charge, a complete and
 31 current listing of all registered voters containing only the information

1 authorized under subsection (3) of this section to the state party
2 headquarters of each political party and to the county chairperson of
3 each political party.

4 (b) The Secretary of State, election commissioner, or county clerk
5 shall not be required to provide more than one list of registered voters
6 free of charge to the state party headquarters of each political party or
7 the county chairperson of each political party per calendar month.

8 (7) The Secretary of State shall make available to each jury
9 commissioner a list of registered voters that contains the information
10 authorized in this section and the registrant's motor vehicle operator's
11 license number or state identification card number.

12 (8) Nothing in this section shall prevent a political party or
13 candidate from using the list of registered voters for campaign
14 activities.

15 (9) Any person who acquires a list of registered voters under
16 subsection (2) of this section shall, following discovery or notification
17 of a breach in the security of the storage of the information, disclose
18 the breach in security to the Secretary of State, election commissioner,
19 or county clerk without delay.

20 Sec. 7. Section 32-569, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 32-569 (1)(a) Except as otherwise provided in subsection (2) or (3)
23 of this section or section 32-568, vacancies in city and village elected
24 offices shall be filled by the mayor and council or board of trustees for
25 the balance of the unexpired term. Notice of a vacancy, except a vacancy
26 resulting from the death of the incumbent, shall be in writing and
27 presented to the council or board of trustees at a regular or special
28 meeting and shall appear as a part of the minutes of such meeting. The
29 council or board of trustees shall at once give public notice of the
30 vacancy by causing to be published in a newspaper of general circulation
31 within the city or village or by posting in three public places in the

1 city or village the office vacated and the length of the unexpired term.

2 (b) The mayor or chairperson of the board shall call a special
3 meeting of the council or board of trustees or place the issue of filling
4 such vacancy on the agenda at the next regular meeting at which time the
5 mayor or chairperson shall submit the name of a qualified registered
6 voter to fill the vacancy for the balance of the unexpired term. The
7 regular or special meeting shall occur upon the death of the incumbent or
8 within four weeks after the meeting at which such notice of vacancy has
9 been presented. The council or board of trustees shall vote upon such
10 nominee, and if a majority votes in favor of such nominee, the vacancy
11 shall be declared filled. If the nominee fails to receive a majority of
12 the votes, the nomination shall be rejected and the mayor or chairperson
13 shall at the next regular or special meeting submit the name of another
14 qualified registered voter to fill the vacancy. If the subsequent nominee
15 fails to receive a majority of the votes, the mayor or chairperson shall
16 continue at such meeting to submit the names of qualified registered
17 voters in nomination and the council or board of trustees shall continue
18 to vote upon such nominations at such meeting until the vacancy is
19 filled. The mayor shall cast his or her vote for or against the nominee
20 in the case of a tie vote of the council. All council members and
21 trustees present shall cast a ballot for or against the nominee. Any
22 member of the city council or board of trustees who has been appointed to
23 fill a vacancy on the council or board shall have the same rights,
24 including voting, as if such person were elected.

25 (2) The mayor and council or chairperson and board of trustees may,
26 in lieu of filling a vacancy in a city or village elected office as
27 provided in subsection (1) of this section or subsection (3) of section
28 32-568, call a special city election to fill such vacancy.

29 (3) If vacancies exist in the offices of one-half or more of the
30 members of a city council or village board, the Secretary of State shall
31 conduct a special city election to fill such vacancies. Candidates for

1 such special election shall file a candidate filing form pursuant to
2 section 9 of this act.

3 Sec. 8. Section 32-570, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 32-570 (1) A vacancy in the membership of a school board shall occur
6 as set forth in section 32-560 or in the case of absences, unless excused
7 by a majority of the remaining members of the board, when a member is
8 absent from the district for a continuous period of sixty days at one
9 time or from more than two consecutive regular meetings of the board. The
10 resignation of a member or any other reason for a vacancy shall be made a
11 part of the minutes of the school board. The school board shall give
12 notice of the date the vacancy occurred, the office vacated, and the
13 length of the unexpired term (a) in writing to the election commissioner
14 or county clerk and (b) by a notice published in a newspaper of general
15 circulation in the school district.

16 (2) Except as provided in subsection (3) of this section, a vacancy
17 in the membership of a school board resulting from any cause other than
18 the expiration of a term shall be filled by appointment of a qualified
19 registered voter by the remaining members of the board for the remainder
20 of the unexpired term. A registered voter appointed pursuant to this
21 subsection shall meet the same requirements as the member whose office is
22 vacant.

23 (3) Any vacancy in the membership of a school board of a school
24 district described in section 79-549 which does not nominate candidates
25 at a primary election and elect members at the following general election
26 shall be filled by appointment of a qualified registered voter by the
27 remaining members of the board for the remainder of the unexpired term.

28 (4) If any school board fails to fill a vacancy on the board, the
29 vacancy may be filled by election at a special election or school
30 district meeting called for that purpose. Such election or meeting shall
31 be called in the same manner and subject to the same procedures as other

1 special elections or school district meetings.

2 (5) If there are vacancies in the offices of one-half or more of the
3 members of a school board, the Secretary of State shall conduct a special
4 school district election to fill such vacancies. Candidates for such
5 special election shall file a candidate filing form pursuant to section 9
6 of this act.

7 Sec. 9. (1) Except as provided in section 32-564, any candidate in
8 a special election to fill a vacancy for an office of a political
9 subdivision may have his or her name placed on the special election
10 ballot by filing a candidate filing form prescribed by the Secretary of
11 State as provided in section 32-607 and this section. The filing period
12 for filing the candidate filing form shall be:

13 (a) March 1 for a special election held in conjunction with the
14 statewide primary election;

15 (b) August 1 for a special election held in conjunction with the
16 statewide general election; and

17 (c) Between the eighth Friday prior to the election and the fifth
18 Friday prior to the election for all other elections.

19 (2) Candidate filing forms for the special election shall meet the
20 requirements of section 32-607, except that the form shall contain the
21 following statement: "I hereby swear that I will abide by the laws of the
22 State of Nebraska regarding the results of the special election, that I
23 am a registered voter and qualified to be elected, and that I will serve
24 if elected."

25 (3) Candidate filing forms for the special election shall be filed
26 with the filing officer specified in subsection (2) of section 32-607.

27 Sec. 10. Section 32-713, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 32-713 (1) The certificates of appointment for presidential electors
30 shall be served by the Governor on each person appointed. The Governor
31 shall notify the presidential electors to be at the meeting location

1 ~~designated by the Governor State Capitol~~ at noon on the first Tuesday
2 ~~Monday~~ after the second Wednesday in December after appointment and
3 report to the Governor at the designated meeting location ~~his or her~~
4 ~~office in the capitol~~ as being in attendance. The Governor shall serve
5 the certificates of appointment by registered or certified mail. In
6 submitting this state's certificate of ascertainment as required by 3
7 U.S.C. 5 ~~6~~, the Governor shall certify this state's presidential
8 electors, include a security feature for purposes of verifying the
9 authenticity of the certificate, and state in the certificate that:

10 (a) The presidential electors will serve as presidential electors
11 unless a vacancy occurs in the office of presidential elector before the
12 end of the meeting at which the presidential electors cast their votes,
13 in which case a substitute presidential elector will fill the vacancy;
14 and

15 (b) If a substitute presidential elector is appointed to fill a
16 vacancy, the Governor will submit an amended certificate of ascertainment
17 stating the names on the final list of this state's presidential
18 electors.

19 (2) The presidential electors shall convene at 2 p.m. of such
20 Tuesday ~~Monday~~ at the meeting location designated by the Governor
21 ~~Governor's office in the capitol~~. Each presidential elector shall execute
22 the following pledge: As a presidential elector duly selected (or
23 appointed) for this position, I agree to serve and to mark my ballots for
24 President and Vice President for the presidential and vice-presidential
25 candidates who received the highest number of votes in the state if I am
26 an at-large presidential elector or the highest number of votes in my
27 congressional district if I am a congressional district presidential
28 elector.

29 Sec. 11. Section 32-912.01, Revised Statutes Supplement, 2023, is
30 amended to read:

31 32-912.01 (1) A voter with a religious objection to being

1 photographed may inform the election commissioner or county clerk of the
2 county in which the voter resides of such objection in writing prior to
3 an election. If the election commissioner or county clerk receives
4 written notice not later than 6 p.m. on the second Friday preceding the
5 election, the election commissioner or county clerk shall place a
6 notation on the precinct list of registered voters for the polling place
7 that the voter has a religious objection to being photographed.

8 (2) For all subsequent elections, the election commissioner or
9 county clerk shall place a notation on the precinct list of registered
10 voters for the polling place that the voter has a religious objection to
11 being photographed if such voter:

12 (a) Completes a reasonable impediment certification pursuant to
13 section 32-912.02;

14 (b) Has a ballot accepted pursuant to section 32-1002.01; and

15 (c) Is otherwise eligible to vote.

16 (3) The election commissioner or county clerk shall remove a
17 notation if the election commissioner or county clerk receives written
18 notice from the voter that the voter no longer has a religious objection
19 to being photographed.

20 Sec. 12. Section 32-912.02, Revised Statutes Supplement, 2023, is
21 amended to read:

22 32-912.02 (1) The Secretary of State shall provide a standard
23 certification for a voter with a reasonable impediment preventing the
24 voter from obtaining ~~presenting~~ valid photographic identification. A
25 voter with a reasonable impediment shall check to identify the applicable
26 reasonable impediment box on the certification, which shall be limited to
27 only the following reasons ~~The certification shall include the following~~
28 ~~as separate boxes that a voter may check to identify the applicable~~
29 ~~reasonable impediment:~~

30 (a) Inability to obtain valid photographic identification due to:

31 (i) Disability or illness that prevents the voter from obtaining

1 valid photographic identification; or

2 (ii) Lack of a birth certificate or other required documents and an
3 inability to obtain a birth certificate or other required documents
4 without significant difficulty or expense; or

5 (b) Religious objection to being photographed.

6 (2) The Secretary of State shall provide the form of the
7 certification to the election commissioners and county clerks. A voter
8 who has a reasonable impediment shall execute the certification under
9 penalty of election falsification. The election commissioner or county
10 clerk shall verify:

11 (a) The ~~the~~ signature on the certification with the signature
12 appearing on the voter registration record; and -

13 (b) That the voter does not have a current, unexpired driver's
14 license or state identification card issued by the State of Nebraska.

15 (3) A voter who casts a ballot by mail shall include the
16 certification with the application, except that a voter who casts a
17 ballot pursuant to section 32-953 shall include the certification within
18 the ballot envelope.

19 Sec. 13. Section 32-915.03, Revised Statutes Supplement, 2023, is
20 amended to read:

21 32-915.03 (1) A registered voter shall fill out a provisional voter
22 identification verification envelope if:

23 (a)(i) The voter fails to produce valid photographic identification
24 at the polling place; and

25 (ii) The voter's name appears on the precinct list of registered
26 voters for the polling place or the voter has voted a provisional ballot
27 as provided in section 32-915;

28 (b) The voter fails to produce valid photographic identification at
29 the time of voting early in person at the office of the election
30 commissioner or county clerk; or

31 (c) The voter has a reasonable impediment preventing the voter from

1 ~~obtaining~~ ~~presenting~~ valid photographic identification or the voter's
2 name appears on the precinct list of registered voters for the polling
3 place with a notation that the voter has a religious objection to being
4 photographed.

5 (2) Each voter casting a ballot using a provisional voter
6 identification verification envelope shall enclose the ballot in an
7 envelope marked provisional voter identification verification and shall,
8 by signing the certification on the front of the envelope or a separate
9 form attached to the envelope, certify to the following facts:

10 (a) My name is

11 (b) I am registered to vote at

12 (c) I did not ~~present~~ ~~provide~~ valid photographic identification as
13 required by law or I have a reasonable impediment preventing me from
14 ~~obtaining~~ ~~presenting~~ valid photographic identification;

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

17 (e) I acknowledge that my ballot will not be counted if:

18 (i) I do not ~~present~~ ~~provide~~ valid photographic identification to my
19 county election office on or before the Tuesday after the election; or

20 (ii) I have a reasonable impediment that prevents me from ~~obtaining~~
21 ~~presenting~~ valid photographic identification and:

22 (A) I do not complete a reasonable impediment certification; or

23 (B) My county election official cannot verify the signature on my
24 reasonable impediment certification.

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

1 supervision, a fine of up to ten thousand dollars, or both.

2 Sec. 14. Section 32-941, Revised Statutes Supplement, 2023, is
3 amended to read:

4 32-941 (1) Any registered voter permitted to vote early pursuant to
5 section 32-938 may, not more than one hundred twenty days before any
6 election and not later than the close of business on the second Friday
7 preceding the election, request a ballot for the election to be mailed to
8 a specific address. A registered voter shall request a ballot in writing
9 to the election commissioner or county clerk in the county where the
10 registered voter has established his or her home, shall indicate his or
11 her residence address, the address to which the ballot is to be mailed if
12 different, and his or her telephone number if available, and shall
13 include:

14 (a) The identification number of the voter's driver's license or
15 state identification card issued by the State of Nebraska;

16 (b) A photocopy of any other valid photographic identification
17 issued to or related to the voter; or

18 (c) The voter's reasonable impediment certification.

19 (2) If the identification number of the voter's driver's license or
20 state identification card issued by the State of Nebraska is provided,
21 the election commissioner or county clerk shall verify the driver's
22 license or state identification card data with the information provided
23 by the Department of Motor Vehicles pursuant to section 32-308.

24 (3) ~~(2)~~ If such identification or certification is not provided or
25 cannot be verified, the election commissioner or county clerk shall
26 contact the voter and inform the voter that the ballot will not be issued
27 until the voter provides the identification or certification required
28 under this section.

29 (4) ~~(3)~~ The registered voter may use the form published by the
30 election commissioner or county clerk pursuant to section 32-808. The
31 registered voter shall sign the request. A registered voter may use a

1 facsimile machine or electronic mail for the submission of a request for
2 a ballot.

3 (5) ~~(4)~~ The election commissioner or county clerk shall include a
4 registration application with the ballots if the person is not
5 registered. Registration applications shall not be mailed after the third
6 Friday preceding the election. If the person is not registered to vote,
7 the registration application shall be returned not later than the closing
8 of the polls on the day of the election. No ballot issued under this
9 section shall be counted unless such registration application is properly
10 completed and processed.

11 (6) ~~(5)~~ Subdivisions (1)(a) through (c) of this section do not apply
12 to any voter who casts a ballot pursuant to section 32-939.02 or
13 32-939.03.

14 Sec. 15. Section 32-942, Revised Statutes Supplement, 2023, is
15 amended to read:

16 32-942 (1)(a) A registered voter of this state who anticipates being
17 absent from the county of his or her residence on the day of any election
18 may appear in person before the election commissioner or county clerk not
19 more than thirty days prior to the day of election for a statewide
20 primary or general election, and not more than fifteen days prior to the
21 election for all other elections, present valid photographic
22 identification, and obtain his or her ballot unless otherwise entitled to
23 vote in the office under section 32-915.03. The registered voter shall
24 vote the ballot in the office of the election commissioner or county
25 clerk or shall return the ballot to the office not later than the closing
26 of the polls on the day of the election.

27 (b) A registered voter who is present in the county on the day of
28 the election and who chooses to vote on the day of the election shall
29 vote at the polling place assigned to the precinct in which he or she
30 resides unless he or she is returning a ballot for early voting or voting
31 pursuant to section 32-943.

1 (2) If a person registers to vote and requests a ballot at the same
2 time under this section, he or she shall, in addition to the requirements
3 of subsection (1) of this section, (a)(i) present one of the address
4 confirmation documents as prescribed in subdivision (1)(a) of section
5 32-318.01, (ii) present proof that he or she is a member of the armed
6 forces of the United States who by reason of active duty has been absent
7 from his or her place of residence where the member is otherwise eligible
8 to vote, is a member of the United States Merchant Marine who by reason
9 of service has been away from his or her place of residence where the
10 member is otherwise eligible to vote, is a spouse or dependent of a
11 member of the armed forces of the United States or United States Merchant
12 Marine who has been absent from his or her place of residence due to the
13 service of that member, or resides outside the United States and but for
14 such residence would be qualified to vote in the state if the state was
15 the last place in which the person was domiciled before leaving the
16 United States, or (iii) state that he or she is elderly or handicapped
17 and has requested to vote by alternative means other than by casting a
18 ballot at his or her polling place on election day or (b) vote a ballot
19 which is placed in an envelope with the voter's name and address and
20 other necessary identifying information and kept securely for counting as
21 provided in this subsection. This subsection does not extend the deadline
22 for voter registration specified in section 32-302. A ballot cast
23 pursuant to subdivision (b) of this subsection shall be rejected and
24 shall not be counted if the acknowledgment of registration sent to the
25 registrant pursuant to section 32-322 is returned as undeliverable for a
26 reason other than clerical error within ten days after it is mailed,
27 otherwise after such ten-day period, the ballot shall be counted.

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

31 Sec. 16. Section 32-1002.01, Revised Statutes Supplement, 2023, is

1 amended to read:

2 32-1002.01 (1) As the ballots are removed from the ballot box
3 pursuant to sections 32-1012 to 32-1018, the receiving board shall
4 separate the provisional voter identification verification envelopes from
5 the rest of the ballots and deliver them to the election commissioner or
6 county clerk.

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

12 (3) The election commissioner or county clerk shall also verify that
13 such person has not voted anywhere else in the county or been issued a
14 ballot for early voting.

15 (4) A ballot cast by a voter pursuant to section 32-915.03 shall be
16 counted if the voter completed and signed the certification on the
17 provisional voter identification verification envelope and the voter:

18 (a) Presented valid photographic identification to the election
19 commissioner or county clerk on or before the Tuesday after the election;
20 or

21 (b) Has a reasonable impediment preventing the voter from obtaining
22 ~~presenting~~ valid photographic identification, the voter completes a
23 reasonable impediment certification, and the election commissioner or
24 county clerk verifies:

25 (i) The ~~the~~ signature on the reasonable impediment certification
26 with the signature appearing on the voter registration record; and -

27 (ii) That the voter does not have a current, unexpired driver's
28 license or state identification card issued by the State of Nebraska.

29 (5) A ballot cast by a voter pursuant to section 32-915.03 shall not
30 be counted if:

31 (a) The voter failed to complete and sign the certification on the

1 provisional voter identification verification envelope pursuant to
2 subsection (2) of section 32-915.03;

3 (b) The voter failed to present valid photographic identification to
4 the election commissioner or county clerk on or before the Tuesday after
5 the election; or

6 (c) The voter has a reasonable impediment preventing the voter from
7 obtaining ~~presenting~~ valid photographic identification and:

8 (i) The voter did not complete a reasonable impediment
9 certification; or

10 (ii) The election commissioner or county clerk was not able to
11 verify the signature on the reasonable impediment certification with the
12 signature appearing on the voter registration record.

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

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

22 (8) The verification shall be completed within seven business days
23 after the election.

24 Sec. 17. Section 32-1027, Revised Statutes Supplement, 2023, is
25 amended to read:

26 32-1027 (1) The election commissioner or county clerk shall appoint
27 two or more registered voters to the counting board for early voting. One
28 registered voter shall be appointed from the political party casting the
29 highest number of votes for Governor or for President of the United
30 States in the county in the immediately preceding general election, and
31 one registered voter shall be appointed from the political party casting

1 the next highest vote for such office. The election commissioner or
2 county clerk may appoint additional registered voters to serve on the
3 counting board and may appoint registered voters to serve in case of a
4 vacancy among any of the members of the counting board. Such appointees
5 shall be balanced between the political parties and may include
6 registered voters unaffiliated with any political party. The counting
7 board may begin carrying out its duties not earlier than the second
8 Friday before the election and shall meet as directed by the election
9 commissioner or county clerk.

10 (2) The counting board shall place all identification envelopes in
11 order and shall review each returned identification envelope pursuant to
12 verification procedures prescribed in subsections (3) and (4) of this
13 section.

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

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

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

22 (c) A completed and signed registration application has been
23 received from the voter by the deadline in section 32-302, 32-321, or
24 32-325 or by the close of the polls pursuant to section 32-945;

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

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

31 (4) On the basis of its review, the counting board shall determine

1 whether the ballot shall be counted or rejected as follows:

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

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

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

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

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

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

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

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

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

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

27 (i) The name on the identification envelope appears to be that of a
28 registered voter to whom a ballot has been sent;

29 (ii) A valid registration application completed and signed by the
30 voter, for whom the residence address is deemed to be the address of the
31 office of the election commissioner or county clerk pursuant to section

1 32-946, has been received by the election commissioner or county clerk
2 prior to the close of the polls on election day;

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

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

8 (d) In the case of a ballot received from a registered voter
9 required to present identification before voting pursuant to section
10 32-318.01, the ballot shall be accepted for counting if:

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

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

16 (iii) A copy of an identification document authorized in section
17 32-318.01 has been received by the election commissioner or county clerk
18 prior to the close of the polls on election day; and

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

20 (e) In the case of a ballot received from a registered voter who
21 filled out a reasonable impediment certification pursuant to section
22 32-912.02, the ballot shall be accepted for counting if:

23 (i) The signature on the certification matches the signature on file
24 with the election commissioner or county clerk;

25 (ii) The election commissioner or county clerk verifies that the
26 voter does not have a current, unexpired driver's license or state
27 identification card issued by the State of Nebraska;

28 (iii) (ii) The name on the identification envelope appears to be
29 that of a registered voter to whom a ballot has been issued or sent;

30 (iv) (iii) The residence address provided on the identification
31 envelope is the same address at which the voter is registered or is in

1 the same precinct and subdivision of a precinct, if any; and

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

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

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

17 (7) If an identification envelope is rejected, the counting board
18 shall not open the identification envelope. The counting board shall
19 write Rejected on the identification envelope and the reason for the
20 rejection. If the ballot is rejected after opening the identification
21 envelope because of the absence of the official signature on the ballot,
22 the ballot shall be reinserted in the identification envelope which shall
23 be resealed and marked Rejected, no official signature. The counting
24 board shall place the rejected identification envelopes and ballots in a
25 container labeled Rejected Ballots and seal it.

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

1 Sec. 18. Section 32-1303, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-1303 (1) A petition demanding that the question of removing an
4 elected official or member of a governing body listed in section 32-1302
5 be submitted to the registered voters shall be signed by registered
6 voters equal in number to at least thirty-five percent of the total vote
7 cast for that office in the last general election, except that (a) for an
8 office for which more than one candidate is chosen, the petition shall be
9 signed by registered voters equal in number to at least thirty-five
10 percent of the number of votes cast for the person receiving the most
11 votes for such office in the last general election and (b) for a member
12 of a governing body of a village, the petition shall be signed by
13 registered voters of the village equal in number to at least forty-five
14 percent of the total vote cast for the person receiving the most votes
15 for that office in the last general election. The signatures shall be
16 affixed to petition papers and shall be considered part of the petition.

17 (2) Petition circulators shall conform to the requirements of
18 sections 32-629 and 32-630.

19 (3) The petition papers shall be procured from the filing clerk.
20 Prior to the issuance of such petition papers, a recall petition filing
21 form shall be signed and filed with the filing clerk by at least one
22 registered voter. Such voter or voters shall be deemed to be the
23 principal circulator or circulators of the recall petition. The filing
24 form shall state the name and office of the official sought to be
25 removed, shall include in concise language of sixty words or less the
26 reason or reasons for which recall is sought, and shall request that the
27 filing clerk issue initial petition papers to the principal circulator
28 for circulation.

29 (4) After receiving the filing form, the ~~The~~ filing clerk shall
30 notify the official whose removal is sought ~~to be removed~~ by any method
31 specified in section 25-505.01 or, if notification cannot be made with

1 reasonable diligence by any of the methods specified in section
2 25-505.01, by leaving a copy of the filing form at the official's usual
3 place of residence and mailing a copy by first-class mail to the
4 official's last-known address. If the official chooses, he or she may
5 submit a defense statement in concise language of sixty words or less for
6 inclusion on the petition. Any such defense statement shall be submitted
7 to the filing clerk within twenty days after the official receives the
8 copy of the filing form. The filing clerk shall prepare the petition
9 papers within five business days after receipt of the defense statement.
10 The principal circulator or circulators shall gather the petition papers
11 within twenty days after being notified by the filing clerk that the
12 petition papers are available. The filing clerk shall notify the
13 principal circulator or circulators that the necessary signatures must be
14 gathered within thirty days from the date of issuing the petitions.

15 (5) ~~(4)~~ The filing clerk, upon issuing the initial petition papers
16 or any subsequent petition papers, shall enter in a record, to be kept in
17 his or her office, the name of the principal circulator or circulators to
18 whom the papers were issued, the date of issuance, and the number of
19 papers issued. The filing clerk shall certify on the papers the name of
20 the principal circulator or circulators to whom the papers were issued
21 and the date they were issued. No petition paper shall be accepted as
22 part of the petition unless it bears such certificate. The principal
23 circulator or circulators who check out petitions from the filing clerk
24 may distribute such petitions to persons who may act as circulators of
25 such petitions.

26 (6) ~~(5)~~ Petition signers shall conform to the requirements of
27 sections 32-629 and 32-630. Each signer of a recall petition shall be a
28 registered voter and qualified by his or her place of residence to vote
29 for the office in question.

30 Sec. 19. Section 32-1306, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 32-1306 (1) If the recall petition is found to be sufficient, the
2 filing clerk shall notify the official whose removal is sought and the
3 governing body of the affected political subdivision that sufficient
4 signatures have been gathered. Notification of the official sought to be
5 removed shall ~~may~~ be by any method specified in section 25-505.01 or, if
6 notification cannot be made with reasonable diligence by any of the
7 methods specified in section 25-505.01, by leaving such notice at the
8 official's usual place of residence and mailing a copy by first-class
9 mail to the official's last-known address.

10 (2) The governing body of the political subdivision shall, within
11 twenty-one days after receipt of the notification from the filing clerk
12 pursuant to subsection (1) of this section, order an election. The date
13 of the election shall be the first available date that complies with
14 section 32-405 and that can be certified to the election commissioner or
15 county clerk at least fifty days prior to the election, except that if
16 any other election is to be held in that political subdivision within
17 ninety days after such notification, the governing body of the political
18 subdivision shall provide for the holding of the recall election on the
19 same day.

20 (3) All resignations shall be tendered as provided in section
21 32-562. If the official whose removal is sought resigns before the recall
22 election is held, the governing body may cancel the recall election if
23 the governing body notifies the election commissioner or county clerk of
24 the cancellation on or before the fourth Thursday prior to the election,
25 otherwise the recall election shall be held as scheduled.

26 (4) If a filing clerk is subject to a recall election, the Secretary
27 of State shall conduct the recall election.

28 Sec. 20. Section 32-1308, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-1308 (1) If a majority of the votes cast at a recall election are
31 against the removal of the official named on the ballot or the election

1 results in a tie, the official shall continue in office for the remainder
2 of his or her term but may be subject to further recall attempts as
3 provided in section 32-1309.

4 (2) If a majority of the votes cast at a recall election are for the
5 removal of the official named on the ballot, he or she shall, regardless
6 of any technical defects in the recall petition, be deemed removed from
7 office unless a recount is ordered. If the official is deemed removed,
8 the removal shall result in a vacancy in the office which shall be filled
9 as provided in this section and sections 32-567 to 32-570 and 32-574 and
10 section 9 of this act.

11 (3) If the election results show a margin of votes equal to one
12 percent or less between the removal or retention of the official in
13 question, the Secretary of State, election commissioner, or county clerk
14 shall order a recount of the votes cast unless the official named on the
15 ballot files a written statement with the filing clerk that he or she
16 does not want a recount.

17 (4) If there are vacancies in the offices of one-half or more of the
18 members of any governing body at one time due to the recall of such
19 members, a special election to fill such vacancies shall be conducted as
20 expeditiously as possible by the Secretary of State, election
21 commissioner, or county clerk. Candidates for the special election shall
22 file a candidate filing form pursuant to section 9 of this act.

23 (5) No official who is removed at a recall election or who resigns
24 after the initiation of the recall process shall be appointed to fill the
25 vacancy resulting from his or her removal or the removal of any other
26 member of the same governing body during the remainder of his or her term
27 of office.

28 Sec. 21. Section 60-483, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-483 (1) The director shall assign a distinguishing number to each
31 operator's license issued and shall keep a record of the same which shall

1 be open to public inspection by any person requesting inspection of such
2 record who qualifies under section 60-2906 or 60-2907. Any person
3 requesting such driver record information shall furnish to the Department
4 of Motor Vehicles (a) verification of identity and purpose that the
5 requester is entitled under section 60-2906 or 60-2907 to disclosure of
6 the personal information in the record, (b) the name of the person whose
7 record is being requested, and (c) when the name alone is insufficient to
8 identify the correct record, the department may request additional
9 identifying information. The department shall, upon request of any
10 requester, furnish a certified abstract of the operating record of any
11 person, in either hard copy or electronically, and shall charge the
12 requester a fee of three dollars per abstract.

13 (2) The department shall remit any revenue generated under
14 subsections (1) through (5) of this section to the State Treasurer, and
15 the State Treasurer shall credit forty-one and two-thirds ~~eight and one-~~
16 ~~third~~ percent to the Department of Motor Vehicles Cash Fund, twenty-five
17 ~~fifty-eight and one-third~~ percent to the General Fund, and thirty-three
18 and one-third percent to the Records Management Cash Fund.

19 (3) The director shall, upon receiving a request and an agreement
20 from the United States Selective Service System to comply with
21 requirements of this section, furnish driver record information to the
22 United States Selective Service System to include the name, post office
23 address, date of birth, sex, and social security number of licensees. The
24 United States Selective Service System shall pay all costs incurred by
25 the department in providing the information but shall not be required to
26 pay any other fee required by law for information. No driver record
27 information shall be furnished to the United States Selective Service
28 System regarding any female, nor regarding any male other than those
29 between the ages of seventeen years and twenty-six years. The information
30 shall only be used in the fulfillment of the required duties of the
31 United States Selective Service System and shall not be furnished to any

1 other person.

2 (4) The director shall keep a record of all applications for
3 operators' licenses that are disapproved with a brief statement of the
4 reason for disapproval of the application.

5 (5) The director may establish a monitoring service which provides
6 information on operating records that have changed due to any adjudicated
7 traffic citation or administrative action. The director shall charge a
8 fee of six cents per operating record searched pursuant to this section
9 and the fee provided in subsection (1) of this section for each abstract
10 returned as a result of the search.

11 (6) Driver record header information, including name, license
12 number, date of birth, address, and physical description, from every
13 driver record maintained by the department may be made available so long
14 as the Uniform Motor Vehicle Records Disclosure Act is not violated.
15 Monthly updates, including all new records, may also be made available.
16 There shall be a fee of eighteen dollars per thousand records. All fees
17 collected pursuant to this subsection shall be remitted to the State
18 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

19 (7) The department may enter into a reciprocity agreement with a
20 foreign country to provide for the mutual recognition and reciprocal
21 exchange of a valid operator's license issued by this state or the
22 foreign country if the department determines that the licensing standards
23 of the foreign country are comparable to those of this state. Any such
24 agreement entered into by the department shall not include the mutual
25 recognition and reciprocal exchange of a commercial driver's license.

26 (8) Beginning July 1, 2021, for any record provided pursuant to
27 subsection (1) of this section, the requester shall be required to pay,
28 in addition to the fee prescribed in such subsection, a fee of four
29 dollars and fifty cents per record. Fifty cents shall be credited to the
30 Department of Motor Vehicles Cash Fund and four dollars shall be credited
31 to the Operator's License Services System Replacement and Maintenance

1 Fund.

2 Sec. 22. Section 60-484.02, Reissue Revised Statutes of Nebraska, is
3 amended to read:

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

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

19 (3) No officer, employee, agent, or contractor of the department or
20 law enforcement officer shall release a digital image except (a) to a
21 federal, state, or local law enforcement agency, a certified law
22 enforcement officer employed in an investigative position by a federal,
23 state, or local agency, or a driver licensing agency of another state for
24 the purpose of carrying out the functions of the agency or assisting
25 another agency in carrying out its functions upon the verification of the
26 identity of the person requesting the release of the information and the
27 verification of the purpose of the requester in requesting the release
28 (b) to the office of the Secretary of State for the purpose of voter
29 registration and voter identification as prescribed in the Election Act
30 upon the verification of the identity of the person requesting the
31 release of the information and the verification of the purpose of the

1 requester in requesting the release. No employee or official in the
2 office of the Secretary of State shall release a digital image except to
3 a federal, state, or local law enforcement agency, a certified law
4 enforcement officer employed in an investigative position by a federal,
5 state, or local agency, or a driver licensing agency of another state for
6 the purpose of carrying out the functions of the agency or assisting
7 another agency in carrying out its functions upon the verification of the
8 identity of the person requesting the release of the information and the
9 verification of the purpose of the requester in requesting the release.

10 Any officer, employee, agent, or contractor of the department, ~~or~~ law
11 enforcement officer, or employee or official in the office of the
12 Secretary of State that knowingly discloses or knowingly permits
13 disclosure of a digital image ~~or digital signature~~ in violation of this
14 section shall be guilty of a Class I misdemeanor.

15 (4) No officer, employee, agent, or contractor of the department or
16 law enforcement officer shall release a digital signature except (a) to a
17 federal, state, or local law enforcement agency, a certified law
18 enforcement officer employed in an investigative position by a ~~state or~~
19 federal, state, or local agency, or a driver licensing agency of another
20 state for the purpose of carrying out the functions of the agency or
21 assisting another agency in carrying out its functions upon the
22 verification of the identity of the person requesting the release of the
23 information and the verification of the purpose of the requester in
24 requesting the release or (b) to the office of the Secretary of State for
25 the purpose of voter registration and voter identification as prescribed
26 in the Election Act ~~as described in section 32-304, 32-308, or 32-309~~
27 upon the verification of the identity of the person requesting the
28 release of the information and the verification of the purpose of the
29 requester in requesting the release. No employee or official in the
30 office of the Secretary of State shall release a digital signature except
31 to a federal, state, or local law enforcement agency, a certified law

1 enforcement officer employed in an investigative position by a ~~state or~~
2 federal, state, or local agency, or a driver licensing agency of another
3 state for the purpose of carrying out the functions of the agency or
4 assisting another agency in carrying out its functions upon the
5 verification of the identity of the person requesting the release of the
6 information and the verification of the purpose of the requester in
7 requesting the release. Any officer, employee, agent, or contractor of
8 the department, law enforcement officer, or employee or official in the
9 office of the Secretary of State that knowingly discloses or knowingly
10 permits disclosure of a digital signature in violation of this section
11 shall be guilty of a Class I misdemeanor.

12 (5) The department shall develop a process for the release of
13 digital images to the Secretary of State for the purpose of voter
14 identification as prescribed by the Election Act. The process shall
15 include proper measures for access, security, storage, and retention of
16 the digital image and verification of the release of the digital image to
17 any officer, agent, or contractor of the Secretary of State. The
18 Secretary of State and the department shall enter into an agreement for
19 the release, use, protection, storage, and retention of digital images as
20 prescribed under this section and the Uniform Motor Vehicle Records
21 Disclosure Act. The department may adopt and promulgate rules and
22 regulations to carry out this subsection.

23 Sec. 23. Section 60-4,115, Revised Statutes Supplement, 2023, is
24 amended to read:

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

1 county treasurer for placement in the county general fund. All other fees
2 collected shall be remitted to the State Treasurer for credit to the
3 appropriate fund.

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

7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
		Document	Total Fee		County General Fund	Department of Motor Vehicles Cash Fund																	
		State identification card:																					
		Valid for 1 year or less	5.00		2.75	2.25																	
		Valid for more than 1 year but not more than 2 years	10.00		2.75	7.25																	
		Valid for more than 2 years but not more than 3 years	14.00		2.75	11.25																	
		Valid for more than 3 years but not more than 4 years	19.00		2.75	16.25																	
		Valid for more than 4 years for a person under 21	24.00		2.75	21.25																	
		Valid for 5 years	24.00		3.50	20.50																	
		Replacement	11.00		2.75	8.25																	
		Class 0 or M operator's license:																					
		Valid for 1 year or less	5.00		2.75	2.25																	
		Valid for more than 1 year but not more than 2 years	10.00		2.75	7.25																	
		Valid for more than 2 years but not more than 3 years	14.00		2.75	11.25																	
		Valid for more than 3 years but not more than 4 years	19.00		2.75	16.25																	

1	Valid for 5 years	24.00	3.50	20.50
2	Bioptic or telescopic lens			
3	restriction:			
4	Valid for 1 year or less	5.00	0	5.00
5	Valid for more than 1 year			
6	but not more than 2 years	10.00	2.75	7.25
7	Replacement	11.00	2.75	8.25
8	Add, change, or remove class,			
9	endorsement, or restriction	5.00	0	5.00
10	Provisional operator's permit:			
11	Original	15.00	2.75	12.25
12	Bioptic or telescopic lens			
13	restriction:			
14	Valid for 1 year or less	5.00	0	5.00
15	Valid for more than 1 year			
16	but not more than 2 years	15.00	2.75	12.25
17	Replacement	11.00	2.75	8.25
18	Add, change, or remove class,			
19	endorsement, or restriction	5.00	0	5.00
20	LPD-learner's permit:			
21	Original	8.00	.25	7.75
22	Replacement	11.00	2.75	8.25
23	Add, change, or remove class,			
24	endorsement, or restriction	5.00	0	5.00
25	LPE-learner's permit:			
26	Original	8.00	.25	7.75
27	Replacement	11.00	2.75	8.25
28	Add, change, or remove class,			
29	endorsement, or restriction	5.00	0	5.00
30	School permit:			

1	Original	8.00	.25	7.75
2	Replacement	11.00	2.75	8.25
3	Add, change, or remove class,			
4	endorsement, or restriction	5.00	0	5.00
5	Farm permit:			
6	Original or renewal	5.00	.25	4.75
7	Replacement	5.00	.25	4.75
8	Add, change, or remove class,			
9	endorsement, or restriction	5.00	0	5.00
10	Driving permits:			
11	Employment	45.00	0	45.00
12	Medical hardship	45.00	0	45.00
13	Replacement	10.00	.25	9.75
14	Add, change, or remove class,			
15	endorsement, or restriction	5.00	0	5.00
16	Commercial driver's license:			
17	Valid for 1 year or less	11.00	1.75	9.25
18	Valid for more than 1 year			
19	but not more than 2 years	22.00	1.75	20.25
20	Valid for more than 2 years			
21	but not more than 3 years	33.00	1.75	31.25
22	Valid for more than 3 years			
23	but not more than 4 years	44.00	1.75	42.25
24	Valid for 5 years	55.00	1.75	53.25
25	Bioptic or telescopic lens			
26	restriction:			
27	Valid for one year or less	11.00	1.75	9.25
28	Valid for more than 1 year			
29	but not more than 2 years	22.00	1.75	20.25
30	Replacement	11.00	2.75	8.25

1	Add, change, or remove class,			
2	endorsement, or restriction	10.00	1.75	8.25
3	CLP-commercial learner's permit:			
4	Original or renewal	10.00	.25	9.75
5	Replacement	10.00	.25	9.75
6	Add, change, or remove class,			
7	endorsement, or restriction	10.00	.25	9.75
8	Seasonal permit:			
9	Original or renewal	10.00	.25	9.75
10	Replacement	10.00	.25	9.75
11	Add, change, or remove class,			
12	endorsement, or restriction	10.00	.25	9.75

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

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

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

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

31 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-

1 five dollars. Forty dollars of the fee shall be remitted to the State
2 Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five
3 dollars of the fee shall be remitted to the county treasurer for credit
4 to the county general fund.

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

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

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

24 (7) No fee shall be charged for issuance of an original, renewal, or
25 replacement ~~duplicate~~ state identification card to a resident of Nebraska
26 who is also a United States citizen and who ~~(a) does not have a valid~~
27 ~~Nebraska driver's license, (b) is requesting issuance of such card for~~
28 ~~voting purposes, and (c) is at least eighteen years of age or is~~
29 ~~seventeen years of age and will attain the age of eighteen years on or~~
30 ~~before the first Tuesday after the first Monday in November of the then-~~
31 ~~current calendar year.~~

1 Sec. 24. Section 85-1514, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 85-1514 (1) In addition to the events listed in section 32-560, a
4 vacancy on any board shall exist in the event of the removal of a board
5 member from the community college area for board members elected at large
6 or community college district for board members elected by district.
7 After notice and hearing, a vacancy shall also exist when any board
8 member is absent from more than three consecutive regular meetings of the
9 board unless such absences are excused by a majority of the remaining
10 board members. In the event of a vacancy from any of such causes or
11 otherwise, such vacancy shall be filled by the remaining board members
12 for the balance of the unexpired term. Any person so named to fill a
13 vacancy shall have the same qualifications as his or her immediate
14 predecessor. Such appointment shall be made in writing and certified to
15 the office of the Secretary of State.

16 (2) If after a primary election there is a vacancy upon the ballot,
17 such vacancy shall be filled by a petition candidate pursuant to section
18 32-625.

19 (3) An incumbent shall not be permitted to hold over the term, but
20 such office shall automatically become vacant and an appointment shall be
21 made within one calendar month to fill such vacancy for the ensuing term.
22 If there are vacancies in the offices of a majority of the members of the
23 board, the Secretary of State shall conduct a special election to fill
24 such vacancies. Candidates for such special election shall file a
25 candidate filing form pursuant to section 9 of this act.

26 Sec. 25. Sections 1, 7, 8, 9, 20, 24, and 26 of this act become
27 operative on July 1, 2024. Sections 15, 18, 19, and 27 of this act become
28 operative on January 1, 2025. The other sections of this act become
29 operative on their effective date.

30 Sec. 26. Original sections 32-569, 32-1308, and 85-1514, Reissue
31 Revised Statutes of Nebraska, section 32-570, Revised Statutes Cumulative

1 Supplement, 2022, and section 32-101, Revised Statutes Supplement, 2023,
2 are repealed.

3 Sec. 27. Original sections 32-1303 and 32-1306, Revised Statutes
4 Cumulative Supplement, 2022, and section 32-942, Revised Statutes
5 Supplement, 2023, are repealed.

6 Sec. 28. Original sections 32-233, 32-713, 60-483, and 60-484.02,
7 Reissue Revised Statutes of Nebraska, sections 32-304 and 32-330, Revised
8 Statutes Cumulative Supplement, 2022, and sections 32-202.01, 32-308,
9 32-912.01, 32-912.02, 32-915.03, 32-941, 32-1002.01, 32-1027, and
10 60-4,115, Revised Statutes Supplement, 2023, are repealed.

11 Sec. 29. Since an emergency exists, this act takes effect when
12 passed and approved according to law.