

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 362**

Introduced by Halloran, 33; Aguilar, 35; Albrecht, 17; Clements, 2;  
Erdman, 47; Gragert, 40; Linehan, 39; Lowe, 37; Murman, 38.

Read first time January 13, 2021

Committee:

- 1 A BILL FOR AN ACT relating to elections; to amend section 32-943, Reissue
- 2 Revised Statutes of Nebraska; to provide for return of a marked
- 3 ballot for early voting by a voter-appointed agent; to change an
- 4 agent restriction; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-943, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 32-943 (1) Any registered voter who is permitted to vote early  
4 pursuant to section 32-938 may appoint an agent to (a) submit a request  
5 for a ballot for early voting on his or her behalf of such voter or (b)  
6 return a marked ballot to the election commissioner or county clerk on  
7 behalf of such voter. The registered voter or his or her agent may  
8 request that the ballot be sent to the registered voter by mail or  
9 indicate on the request that the agent will personally pick up the ballot  
10 for such registered voter from the office of the election commissioner or  
11 county clerk. A registered voter or an agent acting on behalf of a  
12 registered voter shall request a ballot in writing to the election  
13 commissioner or county clerk in the county where the registered voter has  
14 established his or her residence and shall indicate the voter's residence  
15 address, the address to which the ballot is to be mailed if different,  
16 and the voter's telephone number if available and precinct if known. The  
17 registered voter or the voter's agent may use the form published by the  
18 election commissioner or county clerk pursuant to section 32-808. The  
19 registered voter or his or her agent shall sign the request.

20 (2) A candidate for office at such election and any person serving  
21 on a campaign committee for such a candidate shall not act as an agent  
22 for any registered voter requesting a ballot or returning a marked ballot  
23 pursuant to this section unless such person is a member of the registered  
24 voter's family. No person shall act as an agent as described in either  
25 subdivision (1)(a) or (b) of this section for more than two registered  
26 voters in any election.

27 (3) The agent shall pick up the ballot before one hour prior to the  
28 closing of the polls on election day and deliver the ballot to the  
29 registered voter. The ballot shall be returned not later than the closing  
30 of the polls on the day of the election.

31 (4) The election commissioner or county clerk shall adopt procedures

1 for the distribution of ballots under this section.

2       Sec. 2.   Original section 32-943, Reissue Revised Statutes of  
3 Nebraska, is repealed.