

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 477

Introduced by Bostar, 29; Walz, 15; Wishart, 27.

Read first time January 15, 2021

Committee:

- 1 A BILL FOR AN ACT relating to initiative and referendum; to amend section
- 2 32-1405, Revised Statutes Cumulative Supplement, 2020; to require
- 3 the Secretary of State to provide an advisory opinion on the object
- 4 statement and text of a proposed measure as prescribed; to harmonize
- 5 provisions; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-1405, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 32-1405 (1) Prior to obtaining any signatures on an initiative or
4 referendum petition, a statement of the object of the petition and the
5 text of the measure shall be filed with the Secretary of State together
6 with a sworn statement containing the names and street addresses of every
7 person, corporation, or association sponsoring the petition.

8 (2) Upon receipt of the filing, the Secretary of State shall
9 transmit the text of the proposed measure to the Revisor of Statutes. The
10 Revisor of Statutes shall review the proposed measure and suggest changes
11 as to form and draftsmanship. The revisor shall complete the review
12 within ten business days after receipt from the Secretary of State. The
13 Secretary of State shall provide the results of the review and suggested
14 changes to the sponsor but shall otherwise keep the proposed measure and
15 the review confidential for five days after receipt of the review by the
16 sponsor. The Secretary of State shall then maintain the proposed measure
17 and the opinion as public information and as a part of the official
18 record of the initiative. The suggested changes may be accepted or
19 rejected by the sponsor.

20 (3) Upon receipt of the filing, the Secretary of State shall also
21 review the statement of the object of the petition and the text of the
22 proposed measure and provide an advisory opinion as to the legality of
23 the object statement and proposed measure to the sponsor. The Secretary
24 of State shall complete the review within fourteen business days after
25 receipt of the filing. The opinion shall not be legally binding. The
26 Secretary of State shall maintain the advisory opinion as public
27 information and as a part of the official record of the initiative.

28 (4) ~~(3)~~ The Secretary of State shall prepare five camera-ready
29 copies of the petition from the information filed by the sponsor and any
30 changes accepted by the sponsor and shall provide the copies to the
31 sponsor within five business days after receipt of the advisory opinion

1 ~~review~~ required in subsection (3) ~~(2)~~ of this section. The sponsor shall
2 print the petitions to be circulated from the forms provided. Prior to
3 circulation, the sponsor shall file a final blank copy of the petition to
4 be circulated with the Secretary of State.

5 Sec. 2. Original section 32-1405, Revised Statutes Cumulative
6 Supplement, 2020, is repealed.