

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 590

Introduced by Groene, 42.

Read first time January 20, 2021

Committee:

1 A BILL FOR AN ACT relating to elections; to amend sections 32-808 and
2 32-942, Reissue Revised Statutes of Nebraska; to change provisions
3 relating to when ballots shall be ready for delivery for early
4 voting; to change provisions relating to when a registered voter may
5 appear in person to obtain a ballot prior to the day of election;
6 and to repeal the original sections.

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

1 Section 1. Section 32-808, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-808 (1) Except as otherwise provided in section 32-939.02,
4 ballots for early voting to be mailed pursuant to section 32-941 shall be
5 ready for delivery to registered voters at least twenty ~~thirty-five~~ days
6 prior to each statewide primary or general election and at least fifteen
7 days prior to all other elections.

8 (2) The election commissioner or county clerk shall not mail or
9 issue any ballot for early voting if the election to which such ballot
10 pertains has already been held.

11 (3) The election commissioner or county clerk shall publish in a
12 newspaper of general circulation in the county an application form to be
13 used by registered voters in making an application for a ballot for early
14 voting after the ballots become available. The publication of the
15 application shall not be required if the election is held by mail
16 pursuant to sections 32-952 to 32-959.

17 Sec. 2. Section 32-942, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 32-942 (1) Except as otherwise provided in subsection (2) of this
20 section, a registered voter of this state who anticipates being absent
21 from the county of his or her residence on the day of any election may
22 appear in person before the election commissioner or county clerk not
23 more than fifteen ~~thirty~~ days prior to the day of election and obtain his
24 or her ballot. The registered voter shall vote the ballot in the office
25 of the election commissioner or county clerk or shall return the ballot
26 to the office not later than the closing of the polls on the day of the
27 election. 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 (a)(i) present one of the
3 address confirmation documents as prescribed in subdivision (1)(a) of
4 section 32-318.01, (ii) present proof that he or she is a member of the
5 armed forces of the United States who by reason of active duty has been
6 absent from his or her place of residence where the member is otherwise
7 eligible to vote, is a member of the United States Merchant Marine who by
8 reason of service has been away from his or her place of residence where
9 the member is otherwise eligible to vote, is a spouse or dependent of a
10 member of the armed forces of the United States or United States Merchant
11 Marine who has been absent from his or her place of residence due to the
12 service of that member, or resides outside the United States and but for
13 such residence would be qualified to vote in the state if the state was
14 the last place in which the person was domiciled before leaving the
15 United States, or (iii) state that he or she is elderly or handicapped
16 and has requested to vote by alternative means other than by casting a
17 ballot at his or her polling place on election day or (b) vote a ballot
18 which is placed in an envelope with the voter's name and address and
19 other necessary identifying information and kept securely for counting as
20 provided in this subsection. This subsection does not extend the deadline
21 for voter registration specified in section 32-302. A ballot cast
22 pursuant to subdivision (b) of this subsection shall be rejected and
23 shall not be counted if the acknowledgment of registration sent to the
24 registrant pursuant to section 32-322 is returned as undeliverable for a
25 reason other than clerical error within ten days after it is mailed,
26 otherwise after such ten-day period, the ballot shall be counted.

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

30 Sec. 3. Original sections 32-808 and 32-942, Reissue Revised
31 Statutes of Nebraska, are repealed.