

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 844**

Introduced by McCollister, 20.

Read first time January 06, 2022

Committee:

- 1 A BILL FOR AN ACT relating to the Legislature; to amend section 32-566,
- 2 Revised Statutes Cumulative Supplement, 2020; to provide
- 3 requirements for filling vacancies in the Legislature; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-566, Revised Statutes Cumulative Supplement,  
2 2020, is amended to read:

3 32-566 (1)(a) ~~(1)~~ When a vacancy occurs in the Legislature, the  
4 office shall be filled by the Governor. The Governor shall appoint a  
5 suitable person possessing the qualifications necessary for a member of  
6 the Legislature from a list of applicants as provided in this subsection.

7 (b) When a vacancy occurs in the Legislature, a person shall file an  
8 application with the office of the Governor within thirty days after the  
9 vacancy occurs to be eligible to be considered for appointment to fill  
10 the vacancy. The office of the Governor shall make a list of the names of  
11 such applicants publicly available within forty days after the vacancy  
12 occurs. No appointment shall be made for ten days after the first date  
13 the list is publicly available.

14 (2) If the vacancy occurs at any time on or after May 1 of the  
15 second year of the term of office, the appointee shall serve for the  
16 remainder of the unexpired term. If the vacancy occurs at any time prior  
17 to May 1 of the second year of the term of office, the appointee shall  
18 serve until the first Tuesday following the first Monday in January  
19 following the next regular general election and at the regular general  
20 election a member of the Legislature shall be elected to serve the  
21 unexpired term as provided in subsection (3) of this section.

22 (3)(a) If the vacancy occurs on or after February 1 and prior to May  
23 1 during the second year of the term of office, the vacancy shall be  
24 filled at the regular election in November of that year. Candidates shall  
25 file petitions to appear on the ballot for such election as provided in  
26 section 32-617.

27 (b) If the vacancy occurs at any time prior to February 1 of the  
28 second year of the term of office, the procedure for filling the vacated  
29 office shall be the same as the procedure for filling the office at the  
30 expiration of the term and candidates shall be nominated and elected at  
31 the statewide primary and general elections during the second year of the

1 term.

2           Sec. 2.   Original section 32-566, Revised Statutes Cumulative  
3 Supplement, 2020, is repealed.