

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 365**

Introduced by Hunt, 8.

Read first time January 12, 2023

Committee:

- 1 A BILL FOR AN ACT relating to elections; to amend section 32-960, Revised
- 2 Statutes Cumulative Supplement, 2022; to permit counties to conduct
- 3 elections by mail; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-960, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 32-960 (1) The election commissioner or ~~In any county with less than~~  
4 ~~ten thousand inhabitants,~~ the county clerk may apply to the Secretary of  
5 State to mail ballots for all elections held after approval of the  
6 application to registered voters of any or all of the precincts in the  
7 county. The application shall include a written plan for the conduct of  
8 the election which complies with this section, including a timetable for  
9 the conduct of the election and provisions for the notice of election to  
10 be published and for the application for ballots for early voting  
11 notwithstanding other statutory provisions regarding the content and  
12 publication of a notice of election or the application for ballots for  
13 early voting. If the Secretary of State approves such application for one  
14 or more precincts in the county, the election commissioner or county  
15 clerk shall follow the applicable procedures in sections 32-953 to 32-959  
16 for conducting elections by mail, except that the deadline for receipt of  
17 the ballots shall be the deadline specified in subsection (2) of section  
18 32-908.

19 (2) The election commissioner or county clerk of a county that has  
20 an approved application pursuant to subsection (1) of this section:

21 (a) Shall allow a voter to return the ballot by hand-delivering it  
22 to the office of the election commissioner or county clerk;

23 (b) Shall maintain at least one secure ballot drop-box available for  
24 voters to deposit completed ballots twenty-four hours per day, starting  
25 at least ten days before the election through the deadline provided in  
26 subsection (1) of this section for the receipt of ballots;

27 (c) Shall maintain at least one in-person voting location at the  
28 office of the election commissioner or county clerk at which a voter in a  
29 precinct subject to a plan under this section approved by the Secretary  
30 of State may receive and cast a ballot which shall be open on the day of  
31 the election from the time for opening the polls pursuant to section

1 32-908 through the deadline provided in subsection (1) of this section  
2 for the receipt of ballots;

3 (d) Shall maintain in-person early voting opportunities as described  
4 in section 32-942; and

5 (e) May provide additional secure ballot drop-boxes and in-person  
6 voting locations that need not be open according to the requirements of  
7 subdivisions (b) and (c) of this subsection.

8 Sec. 2. Original section 32-960, Revised Statutes Cumulative  
9 Supplement, 2022, is repealed.