

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 514**

Introduced by Brewer, 43.

Read first time January 19, 2021

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to political parties; to amend sections 32-716
- 2 and 32-717, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to new political parties; to change filing and
- 4 certification deadlines; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-716, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 32-716 (1) Any person, group, or association desiring to form a new  
4 political party shall present to the Secretary of State petitions  
5 containing signatures totaling not less than one percent of the total  
6 votes cast for Governor at the most recent general election for such  
7 office. The signatures of registered voters on such petitions shall be so  
8 distributed as to include registered voters totaling at least one percent  
9 of the votes cast for Governor in the most recent gubernatorial election  
10 in each of the three congressional districts in this state. Petition  
11 signers and petition circulators shall conform to the requirements of  
12 sections 32-629 and 32-630. The petitions shall be filed with the  
13 Secretary of State no later than January 15 ~~February 1~~ before any  
14 statewide primary election for the new political party to be entitled to  
15 have ballot position in the primary election of that year. If the new  
16 political party desires to be established and have ballot position for  
17 the general election and not in the primary election of that year, the  
18 petitions shall be filed with the Secretary of State on or before July 15  
19 ~~August 1~~ of that year. Prior to the circulation of petitions to form a  
20 new political party, a sample copy of the petitions shall be filed with  
21 the Secretary of State by the person, group, or association seeking to  
22 establish the new party. The sample petition shall be accompanied by the  
23 name and address of the person or the names and addresses of the members  
24 of the group or association sponsoring the petition to form a new  
25 political party. The sponsor or sponsors of the petition shall file, as  
26 one instrument, all petition papers comprising a new political party  
27 petition for signature verification with the Secretary of State. All  
28 signed petitions in circulation but not filed with the Secretary of State  
29 shall become invalid after July 15 in the year of the statewide general  
30 election.

31 (2) The petition shall conform to the requirements of section

1 32-628. The Secretary of State shall prescribe the form of the petition  
2 for the formation of a new political party. The petition shall be  
3 addressed to and filed with the Secretary of State and shall state its  
4 purpose and the name of the party to be formed. Such name shall not be or  
5 include the name of any political party then in existence or any word  
6 forming any part of the name of any political party then in existence,  
7 and in order to avoid confusion regarding party affiliation of a  
8 candidate or registered voter, the name of the party to be formed shall  
9 not include the word "independent" or "nonpartisan". The petition shall  
10 contain a statement substantially as follows:

11 We, the undersigned registered voters of the State of Nebraska and  
12 the county of ....., being severally qualified to sign this  
13 petition, respectfully request that the above-named new political party  
14 be formed in the State of Nebraska, and each for himself or herself says:  
15 I have personally signed this petition on the date opposite my name; I am  
16 a registered voter of the State of Nebraska and county of .....  
17 and am qualified to sign this petition; and my date of birth and city,  
18 village, or post office address and my street and number or voting  
19 precinct are correctly written after my name.

20 Sec. 2. Section 32-717, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 32-717 Within twenty business ~~ten~~ days after all the petitions to  
23 form a new political party which contain signatures are filed with the  
24 Secretary of State, he or she shall determine the validity and  
25 sufficiency of such petitions and signatures. Clerical and technical  
26 errors in a petition shall be disregarded if the forms prescribed by the  
27 Secretary of State are substantially followed. If the petitions are  
28 determined to be sufficient and valid, the Secretary of State shall issue  
29 a certification establishing the new political party. Copies of such  
30 certification shall be issued to the person, group, or association  
31 forming the new political party. Within twenty days after the

1 certification of establishment of the new political party by the  
2 Secretary of State, the person, group, or association forming the new  
3 political party or its new officers shall file with the Secretary of  
4 State the constitution and bylaws of such party along with a certified  
5 list of the names and addresses of the officers of the new political  
6 party.

7       Sec. 3.    Original sections 32-716 and 32-717, Reissue Revised  
8 Statutes of Nebraska, are repealed.