

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 844

Introduced by McCollister, 20.

Read first time January 06, 2022

Committee: Executive Board

- 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.