

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1297**

Introduced by Lippincott, 34; Aguilar, 35; Bosn, 25; DeKay, 40; Dorn, 30;  
Dover, 19; Hansen, 16; Hardin, 48; Holdcroft, 36; Meyer,  
41; Sanders, 45; von Gillern, 4.

Read first time January 16, 2024

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to elections; to amend section 32-1041,
- 2 Revised Statutes Cumulative Supplement, 2022; to provide for voting
- 3 procedure secrecy and transparency of the counting process as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-1041, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 32-1041 (1) The election commissioner or county clerk may use  
4 optical-scan ballots or voting systems approved by the Secretary of State  
5 to allow registered voters to cast their votes at any election. The  
6 election commissioner or county clerk may use vote counting devices and  
7 voting systems approved by the Secretary of State for tabulating the  
8 votes cast at any election. Vote counting devices shall include  
9 electronic counting devices such as optical scanners.

10 (2) No electronic voting system shall be used under the Election  
11 Act.

12 (3) Any ~~new~~ voting or counting system shall be approved by the  
13 Secretary of State prior to use by an election commissioner or county  
14 clerk. The Secretary of State may adopt and promulgate rules and  
15 regulations to establish different procedures and locations for voting  
16 and counting votes pursuant to the use of any ~~new~~ voting or counting  
17 system. The procedures shall be designed to preserve the secrecy, safety,  
18 and confidentiality of each vote cast and the ~~secrecy and security~~ and  
19 transparency of the counting process, to establish security provisions  
20 for the prevention of fraud, and to ensure that the election is conducted  
21 in a fair manner.

22 Sec. 2. Original section 32-1041, Revised Statutes Cumulative  
23 Supplement, 2022, is repealed.