

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

Guide to Voter Eligibility in Nebraska

How old do I have to be to become a registered voter in Nebraska?

You must be 18 years of age or older on General Election Day, which is the first Tuesday after the first Monday in November. This means you can register to vote before you actually reach the age of 18, but only if you will be at least 18 years old by General Election Day.

Do I have to be a U.S. citizen?

Yes. In order to register to vote in the state of Nebraska, you must be a citizen of the United States.

Do I have to be a resident of Nebraska?

Yes. If you want to vote in Nebraska, you must be a resident of the state of Nebraska. This means that you must actually have your primary home in the state of Nebraska. If a person is homeless, he or she will be considered to be a resident of the county in which he or she is living. However, persons who are stationed in Nebraska because of the armed forces will not be considered Nebraska residents.¹

Do I have to provide identification to register or to vote?

First-time voters who register by mail and did not put a Nebraska driver's license or social security number on the registration form may need to provide identification on or before Election Day. Identification includes: a copy of current and valid photo identification, a copy of a utility bill, bank statement, government check, paycheck, or other government document that is dated within 60 days of presentation, and that shows the name and address of the voter. Identification may be submitted with your registration as a photo copy, delivered in person or by fax to the Election Office, or presented at the time of voting.²

¹ Neb. Rev. Stat. §32-116 (2004).

² Neb. Rev. Stat. §32-318.01(1) (2005).

If I do not have identification and am a first-time voter who registered by mail, may I still vote?

You may be allowed to cast a **provisional ballot** on Election Day. A provisional ballot is given to voters who registered by mail and are voting for the first time in Nebraska, but who have not presented identification.³ There may be other situations that warrant providing a voter with a provisional ballot. If you receive a provisional ballot, you will be allowed to vote but the eligibility of your ballot—that is, whether or not it will actually be counted—will be determined later by election officials. You will receive written instructions on where to call to find out whether your ballot was accepted and if not, why it was rejected. Usually provisional ballots are counted as long as there is some evidence to show that you were properly *registered* to vote.⁴

Can I vote if I have been convicted of a felony?

It depends. If you are convicted of a felony, you must wait until two years after you have completed your sentence and parole term before you will be allowed to register to vote or to vote. The Board of Pardons will issue a warrant of discharge stating that your sentence has been satisfied. Included in the warrant will be a listing of your civil rights that have been restored in completion of your sentence. Therefore, if the right to vote is one of the civil rights that appears on the list of restored rights, you are entitled to vote, provided you meet the other requirements to be a qualified voter.⁵

Can I vote if I have been civilly committed?

Yes. You can still vote even if you have been civilly committed in the past or if you are currently under a civil commitment. A commitment does not affect your right to vote.

What if I am challenged on my eligibility to vote?

If an election official challenges you as to your eligibility to vote, you will be given the opportunity to sign an oath and to cast a **provisional ballot**.⁶ If you sign the oath you will be swearing that you are a registered voter and that you are eligible to vote in that election. This means that you meet the residency and age requirements and that you have not been found to be mentally incompetent. Once you sign the oath you may cast a provisional ballot that may be counted if you are in fact found to be a registered voter who is eligible to vote. As described above, you will be able to call a toll-free number to determine whether your vote was counted.

³ Neb. Rev. Stat. §32-915(2) (2005).

⁴ In the course of deciding if a provisional ballot is valid, election officials are to take a broad look to see if there is "...any credible evidence...that the person was properly registered to vote." Neb. Rev. Stat. §32-1002 (2005 Supp.).

⁵ Neb. Rev. Stat. §§ 29-112.01, 32-313 (Cum. Supp. 2004 and Supp. 2005).

⁶ Neb. Rev. Stat. § 32-926. (1994); Neb. Rev. Stat. § 32-927 (1994); Neb. Rev. Stat. § 32-932 (1994).