

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

This is basic information and does not constitute legal advice.

Nebraska Voters' Bill of Rights

1. You may register to vote either in person, by mail or on-line. You can register to vote on-line at <https://www.nebraska.gov/apps-sos-voter-registration/>.
2. If you register in person, voter registration forms must be to your county clerk/election commissioner's office by 6 p.m. on the second Friday preceding the election.
3. If you register by mail, your registration must be postmarked on or before the third Friday before an election. You will receive notification in 10 days that your registration has been accepted.
4. You do not need to designate a party affiliation for general elections. You must do so if you wish to vote in primary elections.
5. You have the right to register to vote if:
 - You will be 18 years of age or older on General Election Day.
 - You are a citizen of the United States.
 - You are a resident of Nebraska.¹
 - You have not been convicted of a felony, or, if convicted, it has been at least two (2) years since you completed your sentence, including parole.²
 - You have not been declared by a court to be mentally incompetent.
6. You will need to re-register to vote if you change your name, your address, or your political party affiliation. You do not need to re-register simply because you did not vote in a previous election.

¹ Neb. Rev. Stat. § 32-116 (2004) (“residence is where you have established your home, are habitually present, and to which, when you depart, you intend to return”).

² Neb. Rev. Stat. §§ 29-112.01, 32-313 (Cum. Supp. 2004 and Supp. 2005).

7. You must vote at your assigned polling place. To find out where your polling place is located, contact your county clerk/election commissioner, or check your voting card, or visit the following website- www.votercheck.necvr.ne.gov/.
8. If your name does not appear on the official list of eligible voters, or if the election official at your polling place believes that you are ineligible to vote, you will be allowed to cast a provisional ballot. To cast a provisional ballot, you will be required to affirm in writing that you are a registered voter and complete and sign a registration application before voting.³ You will be given the opportunity to access a toll-free number or website which will tell you if your vote was counted.
9. If you are not going to be able to vote at your designated polling place on Election Day, you will be permitted to vote by an Early Voting ballot. To apply for Early Voting, pick up a registration form from the Election Office or print it from the Secretary of State Website (http://www.sos.ne.gov/elec/pdf/earlyvote_app.pdf). Complete it and mail or fax it to the Election Office. You may apply for an Early Voting ballot up to 120 days before a statewide Primary or General election. You must request an Early Voting ballot by the close of business the 2nd Friday before Election Day.

You will not receive and be able to vote the ballot until 35 days before a statewide election or 15 days before a city election. If you cast your Early Voting ballot in person at the Election Office, the last day to vote is the Monday before Election Day. If you cast your ballot by mail, all Early Voting ballots must be received in the Election Office by 8:00 P.M. on Election Day.⁴
10. All polling places must be accessible to registered voters and must be in compliance with the Americans with Disabilities Act.⁵ All polling places must allow for unobstructed access by people with physical disabilities. At least one voting booth must be able to accommodate a wheelchair and must be accessible to other persons with physical disabilities. If you have difficulty getting into the polling place, you can ask that your ballot be brought to your car.
11. If you do not understand the language spoken at the polling place or on the ballot provided, you may use an interpreter.
12. If a registered voter makes an error on his or her ballot, he or she may receive a new ballot. The voter must write, "invalid" or "void" on the ballot and return the ballot before receiving a new one. No voter will be given more than four ballots.
13. If a registered voter states to an election official at the polling place that he or she needs assistance with marking his or her ballot, the voter may be assisted by a relative or friend of the voter's choice, or one judge of election and one clerk of election of different political parties. A registered voter may also state to the election official that he or she needs

³ Neb. Rev. Stat. §§ 32-915(1) (2005), 32-927 (1994).

⁴ Neb Rev. Stats. § § 32-808 (2013), 32-938 (2005), 32-941 (2011).

⁵ Neb. Rev. Stat. § 32-907 (1994).

assistance with operating the voting device. If assistance is provided by the judge and clerk, the voter will tell the judge and clerk the name of the candidates and measures for which he or she would like to cast a vote and the judge or clerk will cast the vote as such. Anyone assisting another person with his/her vote must sign an oath before a judge of election.⁶

14. A person who is registered to vote may take any printed or written material into the polling place that he or she desires in preparing or marking his or her ballot.⁷

15. Nebraska polling places must remain open from 8:00 A.M. to 8:00 P.M. (Central Daylight Time) or 7:00 A.M. to 7:00 P.M. (Mountain Daylight Time). If there are registered voters at the polling place waiting to vote at the time the polls are to close, the polls will be kept open a reasonable time to allow for those present to vote. If a registered person arrives after the polls have closed, that person will not be allowed to vote.⁸

16. No one may campaign or hand out political literature within 200 feet of a polling place. No one may wear political badges or insignia into the polling place on Election Day.

17. The Help America Vote Act (HAVA) requires that each polling place must have at least one electronic voting device that will allow private and independent vote verification and error correction. The voting system used must also have alternative language accessibility. You have the right to request the machine be moved so that you may cast your ballot in secret.

⁶ Neb. Rev. Stat § 32-918 (2003).

⁷ Neb. Rev. Stat. § 32-920 (1994).

⁸ Neb. Rev. Stat. 32-908 (2005).