# Nebraska Administrative Code

# Title 432

## Early Voting Location Act

## Chapter 2 –Early Voting Locations

### 001 Administrative Early Voting Location Rules and Regulations

001.01. Early Voting Location shall mean a voting site for Early Voting in addition to the county election office site, established by the local election official with the approval of the Secretary of State

001.02 The Secretary of State's Office will receive applications from election commissioners or county clerks for consideration to establish Early Voting Locations no later than 75 days prior to a statewide election.

001.03. Application forms shall be developed and provided by the Secretary of State.

001.04. Submission of the application shall indicate the election commissioner or county clerk's intent to establish other voting locations in advance of a statewide election in addition to the early voting established pursuant to Neb. Rev. Stat. Section 32-808 (2005 Supp.) at their office.

001.05. The application shall contain, but not be limited to, the address of each proposed site, proposed hours of operation, a statement that each site meets ADA standards, an organizational and operation plan for each site, and a statement of reasonable purpose for each site.

001.06. The Secretary of State shall approve or reject the application in writing within 10 days of receipt in the Secretary of State's office and may suggest modifications prior to approval.

### 002 Location Requirements

002.01. All locations shall meet accessibility standards established by the 1990 Americans with Disability Act.

002.02. All locations shall have sufficient parking and signage to meet the needs of voters using the location.

002.03. All locations, excluding the election commissioners or county clerk's main office, shall have uniform hours of operation; however, hours of operation for the locations may vary from day to day as provided in the application to allow the county clerk or election commission to determine voter use patterns.

002.04. All locations shall have adequate electrical power to operate necessary equipment.

002.05. Telephone access, either wireless or landline shall be available at each location.

002.06. A written agreement with the owner or proprietor shall be in place for each location. The agreement shall contain, but not be limited to, a clear description of the space to be used, the days and hours needed, permission to post signs, including advance notice of the use of the location as an Early Voting Location, description of janitorial services, including making pathways accessible in case of inclement weather, and a clear statement of cost, if any.

## 003 Administrative Requirements

003.01. Dates set for Early Voting Locations shall comply with Neb. Rev. Stat. Section 32-904 (2005 Supp.) (20 days preceding the Election).

003.02. The election commissioner or county clerk shall have at least three poll workers present at each location at all times and shall be of different political party affiliation as provided in the Election Act, Neb. Rev. Stat. Section 32-230 (Reissue 2004).

003.03. Each poll worker shall receive a minimum of 4 hours training prior to service at an Early Voting Location.

003.04. The election commissioner or county clerk shall include Early Voting Location organizational and operational plans as provided in the applications pursuant to Rule 1.04.

## 004 Security Requirements

004.01. The election commissioners or county clerk shall develop a plan to ensure accountability and security of records, ballots, and equipment.

004.02. Voted ballots shall be returned to the election commissioner's or county clerk's office by a judge of election after the closing of the Early Voting Location each day.

004.03. A report form shall be returned to the election commissioner's or county clerk's office by a judge of elections after the closing of the polls each day indicating the number of persons voting, ballots issued, ballots spoiled, and ballots unused. The report shall be signed by all members of the Receiving Board present at the closing of the Early Voting Location each day.

004.04. Voting equipment and election materials, other than ballot booths and ordinary office supplies, shall be secured in a locked room at each location after the closing of the satellite location each day.

004.05 Access to the locked storage room should be limited to the Early Voting Location workers, the county clerk or election commissioner.

004.06 Access to the locked storage room by the owner or proprietor shall be limited to times when the election commissioner, county clerk or their assistants are present.

## 005 Eligible Voters

005.01. All persons currently registered to vote in the county are eligible to vote at an Early Voting Location.

005.02. Notice on the location and hours of operation shall be provided by publication of a display type ad in a newspaper of general circulation in the county at least once during the week prior to commencement of early voting at the location and at least once each week during the operation of the location.

005.03. Registered voters of the county who are qualified to vote only by provisional ballot shall be eligible to meet the prescribed requirements in Neb. Rev. Stat. section 32-915 (2005 Supp.) and cast a provisional ballot at an Early Voting Location.

005.04. Regarding closing time, only registered voters who are in line to vote at the time prescribed for the closing of the Early Voting Location will be allowed to vote.

## 006 Election Act

006.01. All provisions of the Election Act as to the casting and counting of ballots shall be followed at Early Voting Locations.