# Nebraska Administrative Code

# Title 432

## Nebraska Mail Only Precinct Act

## Chapter 1 - Mail Only Precinct Rules and Regulations

### 001. Application

001.01 Mail Only Precincts shall mean those precincts that have been designated by the county clerk with the approval of the Secretary of State to receive ballots for statewide elections via the U.S. mail.

001.02. The Secretary of State's Office will receive applications from county clerks, in counties with less than ~~7,000~~ 10,000 population based on U.S. census data, for consideration to establish Mail Only Precincts no later than 70 days prior to a statewide election.

001.03. Application forms shall be developed and provided by the Secretary of State and shall include, but not be limited to, the location of the current polling site, the number of registered voters served by the current polling site, whether the current site meets ADA standards and other relevant information.

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

001.05 Once approved by the Secretary of State, the precinct shall remain a mail only precinct for all subsequent elections until the county clerk notifies the Secretary of State in writing.

### 002. Administrative Requirements

002.01. All procedures shall comply with Neb. Rev. Stat. sections 32-953 to 32-959 (Reissue ~~2004 and 2006 Cum. Supp.~~ 2008 and 2009 Supp.) of the Election Act, except that the deadline for the receipt of ballots by the county clerk shall be the statutory close of polls on the day of the election.

002.02. Ballots shall be mailed by first class, non-forwardable mail to eligible voters 20 days prior to the election. Ballot return envelopes shall contain sufficient first-class postage for the ballot to be returned.

002.03. The county clerk shall provide notice by mail to each household within a precinct within 10 days after receiving approval for the designation by the Secretary of State indicating that the precinct has been approved as a Mail Only Precinct and that a polling site will not be available for the election.

## 003. Security Requirements

003.01. The county clerk shall develop a written plan to ensure accountability and security for the transmission and receipt of all ballots.

## 004. Eligible Voters

004.01. All persons registered to vote in the Mail Only Precinct(s) 20 days prior to the election shall receive a ballot by mail, unless they have already received an early voting ballot for the designated election.

004.02. Persons registering after 20 days prior to the election shall be mailed a ballot, pursuant to Regulation 2.02, within two days of receipt by the county clerk of a completed voter registration application. If the person registers in the county clerk's office, a ballot may be provided at that time.