

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 193

Introduced by Halloran, 33.

Read first time January 09, 2023

Committee:

- 1 A BILL FOR AN ACT relating to elections; to amend section 32-1041,
- 2 Revised Statutes Cumulative Supplement, 2022; to provide
- 3 requirements for voting systems; to repeal the original section; and
- 4 to declare an emergency.
- 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 safety and
18 confidentiality of each vote cast and the secrecy and security of the
19 counting process, to establish security provisions for the prevention of
20 fraud, and to ensure that the election is conducted in a fair manner.

21 (4) No voting system or component or subcomponent of a voting
22 system, including firmware, software, or hardware, assemblies and
23 subassemblies, with integrated circuits or upon which any firmware or
24 software operates, may be used or purchased for use in elections unless
25 all such components have been designed, manufactured, integrated, and
26 assembled in the United States from trusted suppliers, using trusted
27 processes, accredited by the Defense Microelectronics Activity of the
28 United States Department of Defense as described in Department of Defense
29 Instruction 5200.44.

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31 Supplement, 2022, is repealed.

1 Sec. 3. Since an emergency exists, this act takes effect when
2 passed and approved according to law.