

NEBRASKA 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE

This pocket reference guide contains key provisions found within Chapter 32 of the Nebraska Revised Statutes and other relevant sections.

- Disturbing an election in a noisy or tumultuous manner or abusing an election official is a misdemeanor.
- Using force, interference, or breach of duty to obstruct or impair government functions is a misdemeanor.
- Carrying a concealed handgun at a polling place is a misdemeanor, except by qualified law enforcement officers.

VOTING HOURS

Election Day

8 a.m. to 8 p.m. CST
7 a.m. to 7 p.m. MST

2024 ELECTION DATES

Primary Election: May 14

General Election: November 5

For more election dates:

sos.nebraska.gov/elections/2024-elections

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:

sos.nebraska.gov/elections/election-officials-contact-information

NE Secretary of State:

(402) 471-2555 | sos.elect@nebraska.gov

For more information:

designegov.nebraska.gov/featured/elections-voting



Polls; disturbing elections prohibited; arrest.

Neb. Rev. Stat. § 32-925

If any person conducts himself or herself in a noisy, riotous, or tumultuous manner at or about the polls so as to disturb the election or insults or abuses the precinct or district inspectors or judges or clerks of election and persists in such conduct after being warned to desist, any election commissioner, county clerk, inspector, judge of election, police officer, or sheriff shall arrest him or her without warrant and bring him or her before the county court. Such person shall be permitted to vote if he or she is a registered voter.

Obstructing government operations; penalty.

Neb. Rev. Stat. § 28-901

(1) A person commits the offense of obstructing government operations if he intentionally obstructs, impairs, or perverts the administration of law or other governmental functions by force, violence, physical interference or obstacle, breach of official duty, or any other unlawful act, except that this section does not apply to flight by a person charged with crime, refusal to submit to arrest, failure to perform a legal duty other than an official duty, or any other means of avoiding compliance with law without affirmative interference with governmental functions.

(2) Obstructing government operations is a Class I misdemeanor.

Carrying concealed handgun; restrictions; penalty.

Neb. Rev. Stat. § 28-1202.01

(3) Except as provided in subsection (10) of this section, a person shall not carry a concealed handgun into or onto any: ... polling place during a bona fide election; meeting of the governing body of a county, public school district, municipality, or other political subdivision;... place where the possession or carrying of a firearm is prohibited by state or federal law; or any other place or premises where handguns are prohibited by state law.

(8) A violation of this section is a Class III misdemeanor for a first offense and a Class I misdemeanor for any second or subsequent offense.

(10) Subsections (2) and (3) of this section do not apply to a qualified law enforcement officer or qualified retired law enforcement officer carrying a concealed handgun pursuant to 18 U.S.C. 926B or 926C, respectively, as such sections existed on January 1, 2023.

Obstruction of polling place or building; penalty.

Neb. Rev. Stat. § 32-1523

Any person who obstructs the doors or entries or prevents free ingress to and egress from a polling place or building shall be guilty of a Class V misdemeanor.

Polling places; obstructions prohibited; restrictions on access.

Neb. Rev. Stat. § 32-910

Any judge or clerk of election, precinct or district inspector, sheriff, or other peace officer shall clear the passageways and prevent obstruction of the doors or entries and provide free ingress to and egress from the polling place or building and shall arrest any person obstructing such passageways. Other than a registered voter engaged in receiving, preparing, or marking a ballot or depositing a ballot in a ballot box or a precinct-based optical scanner at the polling place, an election commissioner, a county clerk, a precinct inspector, a district inspector, a judge of election, a clerk of election, a member of a counting board, or a poll watcher as provided in section 32-1525, no person shall be permitted to be within eight feet of the ballot boxes or within eight feet of any ballots being counted by a counting board.

Unlawful destruction or possession of ballot or ballot box; penalty.

Neb. Rev. Stat. § 32-1543

Any person who unlawfully attempts to destroy a ballot or who unlawfully, by force, violence, fraud, or other improper means, obtains or attempts to obtain possession of a ballot box or a ballot which was deposited in a ballot box while the voting at the election is going on or before the ballots have been duly taken out of the ballot box by a judge of election shall be guilty of a Class IV felony.

Unlawful destruction of election material; prohibited acts; penalty.

Neb. Rev. Stat. § 32-1544

Any person who, from the time any ballots are cast or voted until the time has expired for using the same as evidence in any contest of an election, unlawfully destroys or attempts to destroy or incites or requests another to destroy any ballot box, list of registered voters, sign-in register, or record of early voters used at any election, unlawfully destroys, falsifies, marks, or writes on any ballot cast or voted, or changes, alters, erases, or tampers with any name contained on any ballot cast or voted shall be guilty of a Class IV felony.

Electioneering; circulation of petitions; prohibited acts; penalty.

Neb. Rev. Stat. § 32-1524

- (1) No judge or clerk of election or precinct or district inspector shall do any electioneering or disseminate information or materials advertising or advocating for or against any ballot measure while acting as an election official.
- (2) No person shall do any electioneering, disseminate information or materials advertising or advocating for or against any ballot measure, or circulate petitions within any polling place or any building designated for voters to cast ballots by the election commissioner or county clerk pursuant to the Election Act while the polling place or building is set up for voters to cast ballots or within two hundred feet of the entrances to any such polling place or building except as otherwise provided in subsection (4) of this section.

(3) No person shall do any electioneering or disseminate information or materials advertising or advocating for or against any ballot measure within two hundred feet of any secure ballot drop-box.

(4) Subject to any local ordinance, a person may display yard signs on private real property within two hundred feet of a polling place or building designated for voters to cast ballots or a secure ballot drop-box if the property is not under common ownership with the property on which the polling place, building, or secure ballot drop-box is located.

(5) Any person violating this section shall be guilty of a Class V misdemeanor.

Registered voters; privileges on election day.

Neb. Rev. Stat. § 32-923

Registered voters shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during the attendance at elections and while going to and returning from the same. No registered voter shall be obliged to do military duty on election day except in time of war and public danger.

Election officials; other violations of Election Act; penalty; political subdivision; member of governing body; failure or refusal to perform duty; penalty.

Neb. Rev. Stat. § 32-1518

- (1) Any judge or clerk of election, any precinct or district inspector, or any other person upon whom any duty is imposed by the Election Act relating to elections who willfully does or performs anything prohibited by the act for which no other penalty is provided or neglects or omits to perform any such duty shall be guilty of a Class I misdemeanor and shall forfeit his or her office.
- (2) Any member of a governing body of a political subdivision upon whom a duty is imposed under subsection (2) of section 32-1306 who fails or refuses to perform such duty is guilty of a Class I misdemeanor.



Committee for

**SAFE AND SECURE
ELECTIONS**

