



From the Office of Secretary of State

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New law impacts presidential write in & petition candidates

LINCOLN – LB349 will be a significant change for anyone wishing to petition or be a write in candidate for the office of U.S. President. Governor Dave Heineman has given final approval to that bill.

The new law moves the filing deadline from September 1 to August 1 for those petitioning to be on the presidential ballot. "Changing this date makes ballot certification in Nebraska less of a crisis and easier to achieve in a timely manner," said Secretary of State John Gale.

As a trade-off for the tighter filing deadline, LB349 eliminates the existing restriction that anyone who voted in the primary election for president not be allowed to sign the petition.

In the 2012 general election, 28 notarized affidavits were received by the Secretary of State's office for write in presidential candidates. Only two of these candidates tried to secure enough petitions to be included on the ballot. In both cases, the number of signatures fell short even with the prior September 1 filing date.

"Allowing more citizens to sign the petition is a reasonable compromise with the tighter deadline," Gale commented.

The second part of LB349 requires more information from those pursuing a write in candidacy for president. In addition to identifying a vice presidential candidate, write in candidates must also include in their affidavit the names of their five electors.

"Our goal here was to remove one of the roadblocks to timely certification of our statewide election ballots, but have a neutral impact on the ability of petitioners to reach their signature goal by the new deadline and require that write in candidates provide data similar to party nominated candidates. I think we accomplished our intent with LB349," Sec. Gale added.

The law goes into effect 90 days from the date it was signed.

LB349 was sponsored by Senator John Murante on behalf of the Secretary of State's office.

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