



# STATE OF NEBRASKA

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SECRETARY OF STATE

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## **Secretary Evnen following new opinion from Nebraska Attorney General's Office**

Today, Nebraska Attorney General Mike Hilgers published an [opinion](#) concluding that [LB20](#), passed by the Nebraska Legislature this year, and the law that preceded it, [LB53](#), are unconstitutional. In accordance with the opinion, Secretary Evnen is directing county election offices to stop registering individuals convicted of felonies who have not been pardoned by the Nebraska Board of Pardons.

LB20 would have restored voting rights to an individual convicted of a felony immediately after they completed their sentence. LB53, which was enacted by the Nebraska Legislature in 2005, implemented a two-year waiting period for felony voting rights restoration.

The Attorney General concluded that LB20 and LB53 violate the Separation of Powers Clause set forth in the Nebraska Constitution. The opinion concluded that only the Board of Pardons could restore voting rights to an individual convicted of a felony.

At the August 20<sup>th</sup> Pardon's Board meeting, Secretary Evnen intends to request the restoration of voting rights for currently registered voters with felony convictions who were properly registered under LB 53 – the law that implemented a two-year waiting period. Prior to the meeting of the Nebraska Board of Pardons, Secretary Evnen does not intend to remove voters with felony convictions from the voter registration system.