

2022 Special Election Candidate Guide

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General Information

What is the purpose of this special election?

The purpose of this special election is to fill the vacancy for the office of Representative in Congress, District 1.

What are the qualifications for Representative in Congress?

Candidates for Representative in Congress must meet the following qualifications:

- Nebraska resident when elected
- United States citizen for 7 years
- At least 25 years of age

How does one become a candidate for this special election?

According to Neb. Rev. Stat. [§32-564](#), “Each political party who polled at least 5% of the entire vote in the district in which the vacancy occurs may select a candidate ...” Nominees are chosen by a majority vote of the proper committee of the political party (Neb. Rev. Stat. [§32-627](#)). In Congressional District 1, only the Republican and Democratic parties polled at least 5% of the entire vote in the district in the 2020 General Election. The political parties have until April 22, 2022 to submit a certificate and filing fee submission for their selected candidates.

Interested individuals may also petition onto the ballot or submit a write-in affidavit. Please see the appropriate sections below.

How much is the filing fee?

The filing fee for Representative in Congress is \$1,740.

Do you take debit or credit cards?

No — filing fees can only be paid with cash, money order, or check.

To whom do I make a check out to?

Checks should be made payable to the Secretary of State.

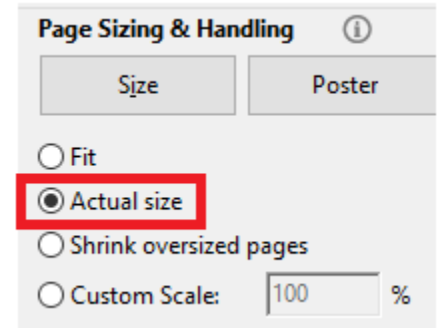
Petitioning onto the Ballot

Where do I get candidate petitions?

If you are interested in petitioning onto the ballot, you can contact our office to receive the correct petition forms. Our office requests samples of your candidate petition prior to circulation so we are aware that your petition is circulating.

How do I print my candidate petitions?

1. Fill out the first page of the candidate petition and print using a color printer.
2. Make sure to print “Actual Size” (not “fit”). The printed signature area should have at least 2.5 inches for a signature, 2 inches for a printed name, and a distance of 0.25 inches between row lines.
3. If your color printer does not print in duplex mode, you will need to print this page multiple times.
4. It is recommended that you print your petition front-to-back, but you can print the pages separately and attach the first and second page back-to-back.



What are the rules regarding petition circulation?

There are rules for the individuals who circulate the petition forms as well as those who sign the forms. **Rules for circulators of petition forms are as follows:**

1. **Circulators must be at least eighteen years of age.**
2. **Circulators may be paid or may be volunteers.** If the circulator is paid to circulate the petition, he or she must use a petition form that discloses to the signer that they are being paid. If the circulator is a volunteer, the form must contain the volunteer disclosure.
3. **Circulators must witness each signature added to the petition he or she is circulating.** A circulator may not leave the petition at a location and return later to collect a completed form, as circulators are required to read the object statement on the petition to each signer; they will have to sign an oath attesting to the fact that they did this.
4. **Circulators may not offer or give anything of value to a potential signer to get them to sign the petition.** It is a crime to do so, with a penalty of up to a year in jail and/or a \$1,000 fine.
5. **When the circulator is finished collecting signatures on the petition form, he or she must sign the oath on the form in the presence of a notary public.** The circulator should read the oath carefully, as there are criminal penalties for falsely swearing to the oath.

6. Once a petition form is completed, the circulator should return the petition form to the sponsor(s) of the petition.

Rules for signers of petition forms are as follows:

1. The signer must be a registered voter within the district at the time he or she signs the petition. By signing the petition, the signer is stating that he or she is a registered voter.
2. A signer may not sign any name other than his or her own to a petition.
3. A signer may not sign a petition more than once.
4. The signer may not accept anything of value for signing the petition.
5. If a signer makes a mistake as they sign the petition, it is permissible to cross out the incorrect signature line without affecting the other signatures on the petition.

How many signatures do I need to collect? (Neb. Rev. Stat. [§32-618](#)):

At least 2,000 signatures must be collected.

Where can I circulate my petition?

There are few specific restrictions on where a circulator may gather signatures. There may be time and place restrictions on public property so as not to disrupt activities at those locations. Circulation on private property is at the discretion of the property owner.

Neb. Rev. Stat. [§32-1524](#) restricts petitions from being circulated within 200 feet of a polling place or building that is set up for voters to cast ballots. This includes county election official's offices during early voting or polling places during the statewide primary election.

When is the deadline to file a completed petition?

The deadline to file a petition to place your name on the ballot is **April 22, 2022**. At the time of filing the petition, you must pay the \$1,740 filing fee.

What happens after filing the petition?

After you file a petition, our office will complete the signature verification process. If you submit a successful petition, our office will notify you within three days after the signatures are verified that you have received the nomination. You must file an acceptance of nomination with our office within five days of being notified. Once the acceptance is filed, your name will appear on the ballot (Neb. Rev. Stat. [§32-617](#)).

How will my name appear on the ballot?

Your name will be placed on the ballot as listed on your petition and the words "BY PETITION" will be printed after your name (Neb. Rev. Stat. [§32-617](#)).

Write-In Candidates

If I file as a write-in, will my name be placed on the ballot?

Your name will not be placed on the ballot. Every office for election is required to have a write-in line below the filed candidates on the ballot for that race. Individuals choosing to vote for you will need to write your name on the write-in line and shade in the corresponding oval (Neb. Rev. Stat. [§32-816](#)).

Will a write-in vote still count if my name is spelled wrong?

Write-in candidate names that are misspelled are still counted as long as it is a reasonably close spelling of the last name (Neb. Rev. Stat. [§32-1005](#)).

How are write-in votes counted?

Write-in votes are not counted individually if the number of write-in votes is less than five percent of the vote for such office in the county and the election commissioner or county clerk believes that such vote will not impact the outcome of the election. In that case, the number of write-in votes for that office may be counted and listed together as one total (Neb. Rev. Stat. [§32-1008](#)).

Where do I file a write-in affidavit?

Write-in affidavits for statewide offices must be filed with the Secretary of State. You can find the write-in affidavit on the Secretary of State's website at sos.nebraska.gov or at the Elections Division at 1221 N. St., Ste. 103 in Lincoln. You must file a write-in affidavit by **June 17, 2022**.

You must include the \$1,740 filing fee with the write-in affidavit.

Can I ask voters to use a sticker with my name on the write-in line?

Our office strongly advises against this, as stickers would jam tabulating equipment and could fall off or be tampered with.

Campaign Finance & Campaigning

Nebraska Accountability and Disclosure Commission (NADC)

Centre Terrace Bldg.
1225 L St., #400
P.O. Box 95086
Lincoln, NE 68509
Phone: (402) 471-2522

Do I need to file a C-1 Statement of Financial Interest with the NADC

No, candidates for Representative in Congress do not need to file a C-1 form. Candidates for this office should contact the Federal Election Commission (FEC) for campaign-related questions at [fec.gov](https://www.fec.gov).

Do I have a conflict of interest?

Questions regarding conflicts of interest should be directed to the NADC.

Is it too early to campaign or put out yard signs?

There is nothing in the Election Act that states when people can start campaigning. Double-check your local ordinances for any restrictions.

Contact the NADC if you have any questions.

Where can I put campaign materials?

Subject to any local ordinance, a person may display yard signs on private property within 200 feet of a polling place or building designated for voters to cast ballots if the property is not under common ownership with the property on which the polling place or building is located (Neb. Rev. Stat. [§32-1524](#)).

Can I use the state seal in my campaign?

No. The use of the state seal is prohibited for political or campaign purposes and is limited to state government and educational use. Anyone wishing to utilize the Great Seal must request written permission from the Secretary of State. Each request is evaluated to determine if it meets the guidelines.

Using the state seal is like having a stamp of state endorsement, which is a wholly inaccurate message if being conveyed by political campaigns or product marketing. As a recognized icon and honored symbol of the state, the Great Seal should be treated with integrity and respect.

What is electioneering?

Electioneering is defined in Neb. Rev. Stat. [§32-1524](#), which states:

(1) For purposes of this section:

- (a) Electioneering means the deliberate, visible display or audible or physical dissemination of information for the purpose of advocating for or against:
 - (i) Any candidate on the ballot for the election at which such display or dissemination is occurring;
 - (ii) Any elected officeholder of a state constitutional office or federal office at the time of the election at which such display or dissemination is occurring;
 - (iii) Any political party on the ballot for the election at which such display or dissemination is occurring; or
 - (iv) Any measure on the ballot for the election at which such display or dissemination is occurring; and
- (b) Information includes:
 - (i) Such a candidate's name, likeness, logo, or symbol;
 - (ii) Such a ballot measure's number, title, subject matter, logo, or symbol;
 - (iii) A button, hat, pencil, pen, shirt, sign, or sticker containing information prohibited by this section;
 - (iv) Audible information prohibited by this section; and
 - (v) Literature or any writing or drawing referring to a candidate, officeholder, or ballot measure described in subdivision (a) of this subsection.

Can I campaign at the polls?

No. Electioneering is prohibited within two hundred feet of a polling place. This include the county election official's office during the early voting period.

Where can I get a list of people who were sent an early voting ballot?

Campaigns can request a list of those who have voted early in statewide elections by contacting the Secretary of State's office at sos.elect@nebraska.gov. The early voting list is public record pursuant to Neb. Rev. Stat. [§84-712.01](#) and does not include any information that is considered confidential under Neb. Rev. Stat. [§84-712.05](#).

Attorney General Opinion [90035](#) (October 4, 1990) explicitly states that applications for absentee ballots are public records and are open to examination until, following the canvass of

votes cast, they are deposited in the office of the count clerk or election commissioner for safekeeping.

Where can I get a list of registered voters?

Campaigns may request a Nebraska Voter Registration file from our office after completing a Public Service Request Form. The cost of the file is \$500 and can be purchased with cash, money order, or check made payable to the Secretary of State.

The file shall contain no more than the registrant's name, residential and mailing address, phone number, registration status, voter ID number, date of birth, date of registration, precinct, polling place, party affiliation, district details, and voter history. The file shall be used solely for the purposes related to elections, political activities, voter registration, law enforcement, or jury selection. The file shall not be used for commercial purposes and may not be copied or posted, displayed, or made accessible online.

Campaigns may also contact the county clerk or election commissioner for a voter file if they do not need the whole Nebraska file. County election officials can charge up to three cents a name according to Neb. Rev. Stat. [§32-330](#).