

Voting Rights in Limbo

Answers for System-Impacted Nebraskans

ACLU
Nebraska



CURRENT STATE OF THE LAW

Earlier this year, a bipartisan majority of Nebraska senators voted to remove the two-year waiting period so that people with felony convictions can vote as soon as they finish all terms of their felony sentences, including probation and parole. LB 20 was passed into law, but on July 17, 2024, the Secretary of State announced that he will not comply with the law based on a new [Attorney General's opinion](#) asserting that only the Board of Pardons has the power to restore voting rights. The Secretary of State has directed county election officials to stop registering voters with past felony convictions no matter how long it's been since they finished their sentences. The conflict between the recently passed law and the actions of those responsible for enforcing it has caused confusion and frustration for Nebraskans who are system-impacted and leaves many individuals unsure whether they will have a voice in the upcoming election.

To be eligible in Nebraska to vote *right now*:

- You must be a U.S. Citizen.
- You must live in Nebraska. This includes self-supporting students who regard the location of their school as their home and military service members living on a military post who do not intend to return to their former places of residence.
- You must be 18 years old on or before November 5, 2024.
- If you have been convicted of a felony under Nebraska's laws, another state's laws, or federal government laws, please review the answers to questions below.
- If you have been convicted of treason under Nebraska law or federal law, you cannot vote unless your right to vote has been restored via the pardon process.
- You cannot be subject to a current court order of mental incompetency. An adult under a guardianship order can still vote unless there is a court order stating otherwise.
- You must present an acceptable form of photo ID, which must have your name and photo. The photo ID can be expired and still be used for the purposes of voting. You may complete a Reasonable Impediment Certification if you have a disability or illness that prevents you from obtaining valid photographic identification, an inability to obtain a birth certificate or other required documents without significant difficulty or expense, or a religious objection to being photographed.

COMMON QUESTIONS

1. What do I do if I am currently registered to vote and have a felony conviction?

If you were convicted of a felony and completed your sentence, including any probation or parole term, and have previously registered to vote, look up your voter registration to confirm that you are (*cont.*)

still registered. The Nebraska Voter Information Lookup, www.votercheck.necvr.ne.gov, allows you to see if you are registered by typing in your first and last name and the county where you are registered. Take a screenshot of your results from the search and save it somewhere you can access easily. If you have registered in the past and your name is no longer appearing when you search, please take a screenshot of that as well. If you do not have internet access, you can go to your county's local election office and ask whether you are registered to vote. Take notes of the conversation along with the name of the person you talked to and the date and time of your interaction. Save these notes somewhere you can access easily. Please contact the ACLU of Nebraska or Civic Nebraska using the contact information below and include any screenshots and notes you have. Keep the information you saved in case you have any questions about your ability to vote on November 5, 2024.

2. What do I do if I have a felony conviction and would like to register to vote?

If you have completed a felony sentence and are not registered to vote, but have questions about whether you are able to vote in the November election, please contact the ACLU of Nebraska or Civic Nebraska using the contact information below.

3. What do I do if I am a deputy registrar and would like to register people to vote?

Please contact the ACLU of Nebraska or Civic Nebraska using the contact information below.

4. What if I have been convicted of a misdemeanor?

If you otherwise meet all the eligibility requirements above, you can register to vote.

5. Can I register to vote and vote if I am currently on probation?

If you are currently on probation as a result of a felony conviction, you cannot register to vote at this time. Please contact the ACLU of Nebraska or Civic Nebraska using the contact information below. If you are currently on probation as a result of a misdemeanor conviction, and otherwise meet all the eligibility requirements above, you can register to vote.

6. Can I register and vote if I am on parole?

You cannot register to vote at this time. If you have completed parole, please contact the ACLU of Nebraska or Civic Nebraska using the contact information below.

7. Can I register to vote and vote if I received a pardon for my felony conviction?

Yes. If you have received a pardon for your felony conviction, and you otherwise meet all the eligibility requirements above, you can register to vote.

8. What if my felony conviction is from another state?

You cannot register to vote at this time. Please contact the ACLU of Nebraska or Civic Nebraska using the contact information below.

General Guidance: If you have been convicted of a felony, please do not attempt to register to vote without first consulting an attorney. To reach the ACLU of Nebraska, email gethelp@aclunebraska.org. To reach Civic Nebraska's Election Protection Hotline, call 866-687-8683. (DISCLAIMER: This resource is general voter education. This document does not entitle you to legal advice from the ACLU or Civic Nebraska and is not an offer by the ACLU or Civic Nebraska to represent you as your attorneys. Please contact your attorney, the ACLU of Nebraska or Civic Nebraska for more information.)