

**ELECTION REVISIONS**

2016 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE****General Description:**

This bill amends provisions of the Election Code relating to reporting the results of counted absentee and provisional ballots.

**Highlighted Provisions:**

This bill:

- ▶ provides that, on a daily basis, the election officer shall publicly disclose the results of absentee ballots and provisional ballots counted during the period beginning on the day after the election date and ending on the day before the canvass date; and
- ▶ makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-3-309**, as last amended by Laws of Utah 2007, Chapter 97

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **20A-3-309** is amended to read:

**20A-3-309. Absentee ballots and provisional ballots in the custody of the election officer -- Disposition -- Counting -- Release of number of absentee ballots cast.**

(1) The election officer shall deliver all envelopes containing valid absentee ballots and valid provisional ballots that are in the election officer's custody to the place of the official canvass of the election by noon on the day of the official canvass following the election.

(2) (a) [~~Absentee~~] Valid absentee ballots and valid provisional ballots may be processed and counted:

(i) by the election officer before the date of the canvass; and

(ii) at the canvass, by the election officer or poll workers, acting under the supervision of the official canvassers of the election.

(b) When processing ballots, the election officer and poll workers shall comply with the procedures and requirements of Section 20A-3-308 in opening envelopes, verifying signatures, confirming eligibility of the ballots, and depositing them in a ballot box.

(3) (a) After all valid absentee ballots and valid provisional ballots have been deposited, the ~~[absentee]~~ ballots shall be counted in the usual manner.

(b) After the polls close on the date of the election, the election officer shall publicly release the results of those absentee ballots and provisional ballots that have been counted on or before the date of the election.

~~[(c) The election officer may not release any results from those absentee ballots that are counted after the date of the election through the date of the canvass.]~~

(c) On each day, beginning on the day after the date of the election and ending on the day before the date of the canvass, the election officer shall publicly release the results of all absentee ballots and provisional ballots counted on that day.

(d) On the date of the canvass, the election officer shall provide a tally of all absentee ballots and provisional ballots counted, and the resulting tally shall be added to the official canvass of the election.

(4) (a) On the day after the date of the election, the election officer shall determine the number of absentee ballots received by the election officer at that time and shall make that number available to the public.

(b) The election officer may elect to publicly release updated totals for the number of absentee ballots received by the election officer up through the date of the canvass.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**