ABSENTEE BALLOT AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

LONG TITLE

General Description:

This bill amends provisions in Title 20A, Election Code, regarding absentee ballots.

Highlighted Provisions:

This bill:

- prohibits a person from filling out an absentee ballot application for another person, with exceptions;
- prohibits a person from filing an absentee ballot application with an election officer for another person, with exceptions; and
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-3-304, as last amended by Laws of Utah 2011, Chapter 17

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

Section 1. Section **20A-3-304** is amended to read:

20A-3-304. Application for absentee ballot -- Time for filing and voting.

(1) (a) Any registered voter who wishes to vote an absentee ballot may either:

[~~(a)~~] (i) file an absentee ballot application:

[~~(i)~~] (A) on the electronic system maintained by the lieutenant governor under Section 20A-2-206; or

[~~(ii)~~] (B) with the appropriate election officer for an official absentee ballot as provided in this section; or

[~~(b)~~] (ii) vote in person at the office of the appropriate election officer as provided in

33 Section 20A-3-306.
34 (b) (i) Except as provided in Subsection (1)(b)(ii), a person may not file an absentee
35 ballot application on behalf of another registered voter.
36 (ii) A person may file an absentee ballot application for another registered voter if the
37 registered voter:
38 (A) is a hospitalized voter, as defined in Subsection 20A-3-306.5;
39 (B) has a disability; or
40 (C) is the person's spouse, parent, or child.
41 (2) (a) Except as provided in Subsection (2)(b), the lieutenant governor or election
42 officer shall prepare an application form for absentee ballot applications in substantially the
43 following form:
44 "I, ____, a qualified elector, residing at ____ Street, ____ City, ____ County, Utah
45 apply for an official absentee ballot to be voted by me at the election.
46 Date _____ (month\day\year) Signed _____
47 Voter"
48 (b) The lieutenant governor or election officer shall prepare blank applications for
49 absentee ballot applications for regular primary elections and for the Western States
50 Presidential Primary in substantially the following form:
51 "I, ____, a qualified elector, residing at ____ Street, ____ City, ____ County, Utah
52 apply for an official absentee ballot for the _____ political party to be voted by me
53 at the primary election.
54 I understand that I must be affiliated with or authorized to vote the political party's
55 ballot that I request.
56 Dated _____ (month\day\year) ____ Signed _____
57 Voter"
58 (c) If requested by the applicant, the election officer shall:
59 (i) mail or fax the application blank to the absentee voter; or
60 (ii) deliver the application blank to any voter who personally applies for it at the office
61 of the election officer.
62 (d) (i) Except as provided in Subsection (2)(d)(ii), a voter who signs a form described
63 in this Subsection (2) shall complete the form.

64 (ii) A person other than the voter who signs the form may complete the form if the
65 voter:
66 (A) is a hospitalized voter, as defined in Subsection 20A-3-306.5;
67 (B) has a disability; or
68 (C) is unable to read or write.
69 (3) [~~(a) Except as provided in Subsection (3)(b), a~~] A voter who wishes to vote by
70 absentee ballot shall file the application for an absentee ballot with the lieutenant governor or
71 appropriate election officer no later than the Friday before election day.
72 [~~(b) Overseas applicants shall file their applications with the appropriate election~~
73 ~~officer no later than 20 days before election day.~~]
74 (4) (a) A county clerk may establish a permanent absentee voter list.
75 (b) The clerk shall place on the list the name of any person who:
76 (i) requests permanent absentee voter status; and
77 (ii) meets the requirements of this section.
78 (c) (i) Each year, the clerk shall mail a questionnaire to each person whose name is on
79 the absentee voter list.
80 (ii) The questionnaire shall allow the absentee person to verify the voter's residence.
81 (iii) The clerk may remove the names of any voter from the absentee voter registration
82 list if:
83 (A) the voter is no longer listed in the official register; or
84 (B) the voter fails to verify the voter's residence and absentee status.
85 (d) The clerk shall provide a copy of the permanent absentee voter list to election
86 officers for use in elections.