

PREFERENTIAL VOTING FOR PRIMARY ELECTIONS

2015 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends provisions of the Election Code to provide for preferential voting in primary races for certain offices where more than two candidates are seeking the nomination of the same political party for the same office.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides for preferential voting in primary races for certain offices where more than two candidates are seeking the nomination of the same political party for the same office;
- ▶ requires an individual who casts a preferential vote to indicate the individual's first and subsequent preferences for nomination;
- ▶ provides that a candidate in a race that is subject to preferential voting must receive more than 50% of the valid votes cast, in accordance with the preferential voting process described in this bill, to receive the nomination;
- ▶ describes the ballot for preferential voting and provides instructions for voting the ballot;
- ▶ describes the procedures to be used in canvassing and evaluating ballots in a primary race conducted by preferential ballot, including procedures for excluding a candidate in each phase of a preferential vote canvass;
- ▶ describes requirements for forms and records; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

33 AMENDS:

34 **20A-1-102**, as last amended by Laws of Utah 2014, Chapters 17, 31, 231, 362, and 391

35 **20A-1-303**, as enacted by Laws of Utah 1993, Chapter 1

36 **20A-1-304**, as last amended by Laws of Utah 2001, Chapter 20

37 **20A-3-105**, as last amended by Laws of Utah 2007, Chapter 75

38 **20A-4-101**, as last amended by Laws of Utah 2008, Chapter 225

39 **20A-4-102**, as last amended by Laws of Utah 2002, Chapter 177

40 **20A-4-105**, as last amended by Laws of Utah 2013, Chapter 390

41 **20A-4-106**, as last amended by Laws of Utah 2012, Chapter 251

42 **20A-4-304**, as last amended by Laws of Utah 2012, Chapter 309

43 **20A-4-401**, as last amended by Laws of Utah 2013, Chapter 92

44 **20A-5-404**, as last amended by Laws of Utah 2001, Chapter 9

45 **20A-9-403**, as last amended by Laws of Utah 2014, Chapter 17

46 **20A-9-409**, as enacted by Laws of Utah 2014, Chapter 17

47 **63I-1-220**, as last amended by Laws of Utah 2014, Chapter 231

48 ENACTS:

49 **20A-4-303.5**, Utah Code Annotated 1953

50 **20A-6-203.5**, Utah Code Annotated 1953

51

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

53 Section 1. Section **20A-1-102** is amended to read:

54 **20A-1-102. Definitions.**

55 As used in this title:

56 (1) "Active voter" means a registered voter who has not been classified as an inactive
57 voter by the county clerk.

58 (2) "Automatic tabulating equipment" means apparatus that automatically examines
59 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

60 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,
61 upon which a voter records the voter's votes.

62 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy
63 envelopes.

- 64 (4) "Ballot label" means the cards, papers, booklet, pages, or other materials that:
65 (a) contain the names of offices and candidates and statements of ballot propositions to
66 be voted on; and
67 (b) are used in conjunction with ballot sheets that do not display that information.
- 68 (5) "Ballot proposition" means a question, issue, or proposal that is submitted to voters
69 on the ballot for their approval or rejection including:
70 (a) an opinion question specifically authorized by the Legislature;
71 (b) a constitutional amendment;
72 (c) an initiative;
73 (d) a referendum;
74 (e) a bond proposition;
75 (f) a judicial retention question;
76 (g) an incorporation of a city or town; or
77 (h) any other ballot question specifically authorized by the Legislature.
- 78 (6) "Ballot sheet":
79 (a) means a ballot that:
80 (i) consists of paper or a card where the voter's votes are marked or recorded; and
81 (ii) can be counted using automatic tabulating equipment; and
82 (b) includes punch card ballots and other ballots that are machine-countable.
- 83 (7) "Bind," "binding," or "bound" means securing more than one piece of paper
84 together with a staple or stitch in at least three places across the top of the paper in the blank
85 space reserved for securing the paper.
- 86 (8) "Board of canvassers" means the entities established by Sections 20A-4-301 and
87 20A-4-306 to canvass election returns.
- 88 (9) "Bond election" means an election held for the purpose of approving or rejecting
89 the proposed issuance of bonds by a government entity.
- 90 (10) "Book voter registration form" means voter registration forms contained in a
91 bound book that are used by election officers and registration agents to register persons to vote.
- 92 (11) "Business reply mail envelope" means an envelope that may be mailed free of
93 charge by the sender.
- 94 (12) "By-mail voter registration form" means a voter registration form designed to be

95 completed by the voter and mailed to the election officer.

96 (13) "Canvass" means the review of election returns and the official declaration of
97 election results by the board of canvassers.

98 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
99 the canvass.

100 (15) "Contracting election officer" means an election officer who enters into a contract
101 or interlocal agreement with a provider election officer.

102 (16) "Convention" means the political party convention at which party officers and
103 delegates are selected.

104 (17) "Counting center" means one or more locations selected by the election officer in
105 charge of the election for the automatic counting of ballots.

106 (18) "Counting judge" means a poll worker designated to count the ballots during
107 election day.

108 (19) "Counting poll watcher" means a person selected as provided in Section
109 20A-3-201 to witness the counting of ballots.

110 (20) "Counting room" means a suitable and convenient private place or room,
111 immediately adjoining the place where the election is being held, for use by the poll workers
112 and counting judges to count ballots during election day.

113 (21) "County officers" means those county officers that are required by law to be
114 elected.

115 (22) "Date of the election" or "election day" or "day of the election":

116 (a) means the day that is specified in the calendar year as the day that the election
117 occurs; and

118 (b) does not include:

119 (i) deadlines established for absentee voting; or

120 (ii) any early voting or early voting period as provided under Chapter 3, Part 6, Early
121 Voting.

122 (23) "Elected official" means:

123 (a) a person elected to an office under Section 20A-1-303 or Section 20A-4-303.5;

124 (b) a person who is considered to be elected to a municipal office in accordance with
125 Subsection 20A-1-206(1)(c)(ii); or

126 (c) a person who is considered to be elected to a local district office in accordance with
127 Subsection 20A-1-206(3)(c)(ii).

128 (24) "Election" means a regular general election, a municipal general election, a
129 statewide special election, a local special election, a regular primary election, a municipal
130 primary election, and a local district election.

131 (25) "Election Assistance Commission" means the commission established by Public
132 Law 107-252, the Help America Vote Act of 2002.

133 (26) "Election cycle" means the period beginning on the first day persons are eligible to
134 file declarations of candidacy and ending when the canvass is completed.

135 (27) "Election judge" means a poll worker that is assigned to:

136 (a) preside over other poll workers at a polling place;

137 (b) act as the presiding election judge; or

138 (c) serve as a canvassing judge, counting judge, or receiving judge.

139 (28) "Election officer" means:

140 (a) the lieutenant governor, for all statewide ballots and elections;

141 (b) the county clerk for:

142 (i) a county ballot and election; and

143 (ii) a ballot and election as a provider election officer as provided in Section
144 20A-5-400.1 or 20A-5-400.5;

145 (c) the municipal clerk for:

146 (i) a municipal ballot and election; and

147 (ii) a ballot and election as a provider election officer as provided in Section
148 20A-5-400.1 or 20A-5-400.5;

149 (d) the local district clerk or chief executive officer for:

150 (i) a local district ballot and election; and

151 (ii) a ballot and election as a provider election officer as provided in Section
152 20A-5-400.1 or 20A-5-400.5; or

153 (e) the business administrator or superintendent of a school district for:

154 (i) a school district ballot and election; and

155 (ii) a ballot and election as a provider election officer as provided in Section
156 20A-5-400.1 or 20A-5-400.5.

157 (29) "Election official" means any election officer, election judge, or poll worker.

158 (30) "Election results" means:

159 (a) for an election other than a bond election, the count of votes cast in the election and
160 the election returns requested by the board of canvassers; or

161 (b) for bond elections, the count of those votes cast for and against the bond
162 proposition plus any or all of the election returns that the board of canvassers may request.

163 (31) "Election returns" includes the pollbook, the military and overseas absentee voter
164 registration and voting certificates, one of the tally sheets, any unprocessed absentee ballots, all
165 counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition
166 form, and the total votes cast form.

167 (32) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
168 device or other voting device that records and stores ballot information by electronic means.

169 (33) "Electronic signature" means an electronic sound, symbol, or process attached to
170 or logically associated with a record and executed or adopted by a person with the intent to sign
171 the record.

172 (34) (a) "Electronic voting device" means a voting device that uses electronic ballots.

173 (b) "Electronic voting device" includes a direct recording electronic voting device.

174 (35) "Inactive voter" means a registered voter who has:

175 (a) been sent the notice required by Section 20A-2-306; and

176 (b) failed to respond to that notice.

177 (36) "Inspecting poll watcher" means a person selected as provided in this title to
178 witness the receipt and safe deposit of voted and counted ballots.

179 (37) "Judicial office" means the office filled by any judicial officer.

180 (38) "Judicial officer" means any justice or judge of a court of record or any county
181 court judge.

182 (39) "Local district" means a local government entity under Title 17B, Limited Purpose
183 Local Government Entities - Local Districts, and includes a special service district under Title
184 17D, Chapter 1, Special Service District Act.

185 (40) "Local district officers" means those local district board members that are required
186 by law to be elected.

187 (41) "Local election" means a regular county election, a regular municipal election, a

188 municipal primary election, a local special election, a local district election, and a bond
189 election.

190 (42) "Local political subdivision" means a county, a municipality, a local district, or a
191 local school district.

192 (43) "Local special election" means a special election called by the governing body of a
193 local political subdivision in which all registered voters of the local political subdivision may
194 vote.

195 (44) "Multi-candidate primary race" means a primary race in which more than two
196 candidates qualify for placement on the primary election ballot for the same political party and
197 for the same office, if the office is one of the following:

198 (a) a United States congressional office;

199 (b) a state legislative office;

200 (c) governor;

201 (d) attorney general;

202 (e) state treasurer;

203 (f) state auditor; or

204 (g) a partisan, elected county office.

205 [~~(44)~~] (45) "Municipal executive" means:

206 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

207 or

208 (b) the mayor in the council-manager form of government defined in Subsection
209 10-3b-103(6).

210 [~~(45)~~] (46) "Municipal general election" means the election held in municipalities and,
211 as applicable, local districts on the first Tuesday after the first Monday in November of each
212 odd-numbered year for the purposes established in Section 20A-1-202.

213 [~~(46)~~] (47) "Municipal legislative body" means the council of the city or town in any
214 form of municipal government.

215 [~~(47)~~] (48) "Municipal office" means an elective office in a municipality.

216 [~~(48)~~] (49) "Municipal officers" means those municipal officers that are required by
217 law to be elected.

218 [~~(49)~~] (50) "Municipal primary election" means an election held to nominate

219 candidates for municipal office.

220 ~~[(50)]~~ (51) "Official ballot" means the ballots distributed by the election officer to the
221 poll workers to be given to voters to record their votes.

222 ~~[(51)]~~ (52) "Official endorsement" means:

223 (a) the information on the ballot that identifies:

224 (i) the ballot as an official ballot;

225 (ii) the date of the election; and

226 (iii) the facsimile signature of the election officer; and

227 (b) the information on the ballot stub that identifies:

228 (i) the poll worker's initials; and

229 (ii) the ballot number.

230 ~~[(52)]~~ (53) "Official register" means the official record furnished to election officials
231 by the election officer that contains the information required by Section 20A-5-401.

232 ~~[(53)]~~ (54) "Paper ballot" means a paper that contains:

233 (a) the names of offices and candidates and statements of ballot propositions to be
234 voted on; and

235 (b) spaces for the voter to record the voter's vote for each office and for or against each
236 ballot proposition.

237 ~~[(54)]~~ (55) "Pilot project" means the election day voter registration pilot project created
238 in Section 20A-4-108.

239 ~~[(55)]~~ (56) "Political party" means an organization of registered voters that has
240 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
241 Formation and Procedures.

242 ~~[(56)]~~ (57) "Pollbook" means a record of the names of voters in the order that they
243 appear to cast votes.

244 ~~[(57)]~~ (58) "Polling place" means the building where voting is conducted.

245 ~~[(58)]~~ (59) (a) "Poll worker" means a person assigned by an election official to assist
246 with an election, voting, or counting votes.

247 (b) "Poll worker" includes election judges.

248 (c) "Poll worker" does not include a watcher.

249 ~~[(59)]~~ (60) "Position" means a square, circle, rectangle, or other geometric shape on a

250 ballot in which the voter marks the voter's choice.

251 ~~[(60)]~~ (61) "Primary convention" means the political party conventions held during the
252 year of the regular general election.

253 ~~[(61)]~~ (62) "Protective counter" means a separate counter, which cannot be reset, that:

254 (a) is built into a voting machine; and

255 (b) records the total number of movements of the operating lever.

256 ~~[(62)]~~ (63) "Provider election officer" means an election officer who enters into a
257 contract or interlocal agreement with a contracting election officer to conduct an election for
258 the contracting election officer's local political subdivision in accordance with Section
259 20A-5-400.1.

260 ~~[(63)]~~ (64) "Provisional ballot" means a ballot voted provisionally by a person:

261 (a) whose name is not listed on the official register at the polling place;

262 (b) whose legal right to vote is challenged as provided in this title; or

263 (c) whose identity was not sufficiently established by a poll worker.

264 ~~[(64)]~~ (65) "Provisional ballot envelope" means an envelope printed in the form
265 required by Section 20A-6-105 that is used to identify provisional ballots and to provide
266 information to verify a person's legal right to vote.

267 ~~[(65)]~~ (66) "Qualify" or "qualified" means to take the oath of office and begin
268 performing the duties of the position for which the person was elected.

269 ~~[(66)]~~ (67) "Receiving judge" means the poll worker that checks the voter's name in the
270 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
271 after the voter has voted.

272 ~~[(67)]~~ (68) "Registration form" means a book voter registration form and a by-mail
273 voter registration form.

274 ~~[(68)]~~ (69) "Regular ballot" means a ballot that is not a provisional ballot.

275 ~~[(69)]~~ (70) "Regular general election" means the election held throughout the state on
276 the first Tuesday after the first Monday in November of each even-numbered year for the
277 purposes established in Section 20A-1-201.

278 ~~[(70)]~~ (71) "Regular primary election" means the election on the fourth Tuesday of
279 June of each even-numbered year, to nominate candidates of political parties and candidates for
280 nonpartisan local school board positions to advance to the regular general election.

281 ~~[(71)]~~ (72) "Resident" means a person who resides within a specific voting precinct in
282 Utah.

283 ~~[(72)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot
284 printed and distributed as provided in Section 20A-5-405.

285 ~~[(73)]~~ (74) "Scratch vote" means to mark or punch the straight party ticket and then
286 mark or punch the ballot for one or more candidates who are members of different political
287 parties.

288 ~~[(74)]~~ (75) "Secrecy envelope" means the envelope given to a voter along with the
289 ballot into which the voter places the ballot after the voter has voted it in order to preserve the
290 secrecy of the voter's vote.

291 ~~[(75)]~~ (76) "Special election" means an election held as authorized by Section
292 20A-1-203.

293 ~~[(76)]~~ (77) "Spoiled ballot" means each ballot that:

294 (a) is spoiled by the voter;

295 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

296 (c) lacks the official endorsement.

297 ~~[(77)]~~ (78) "Statewide special election" means a special election called by the governor
298 or the Legislature in which all registered voters in Utah may vote.

299 ~~[(78)]~~ (79) "Stub" means the detachable part of each ballot.

300 ~~[(79)]~~ (80) "Substitute ballots" means replacement ballots provided by an election
301 officer to the poll workers when the official ballots are lost or stolen.

302 ~~[(80)]~~ (81) "Ticket" means each list of candidates for each political party or for each
303 group of petitioners.

304 ~~[(81)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the
305 counting center.

306 ~~[(82)]~~ (83) "Vacancy" means the absence of a person to serve in any position created
307 by statute, whether that absence occurs because of death, disability, disqualification,
308 resignation, or other cause.

309 (84) "Valid," as it relates to a preferential vote cast in a multi-candidate primary race,
310 means that the ballot is marked in a manner that permits the vote to be counted during the
311 applicable canvassing phase, in accordance with Subsection 20A-4-303.5(4) or (5), as

312 applicable.

313 [~~(83)~~] (85) "Valid voter identification" means:

314 (a) a form of identification that bears the name and photograph of the voter which may
315 include:

316 (i) a currently valid Utah driver license;

317 (ii) a currently valid identification card that is issued by:

318 (A) the state; or

319 (B) a branch, department, or agency of the United States;

320 (iii) a currently valid Utah permit to carry a concealed weapon;

321 (iv) a currently valid United States passport; or

322 (v) a currently valid United States military identification card;

323 (b) one of the following identification cards, whether or not the card includes a
324 photograph of the voter:

325 (i) a valid tribal identification card;

326 (ii) a Bureau of Indian Affairs card; or

327 (iii) a tribal treaty card; or

328 (c) two forms of identification not listed under Subsection [~~(83)~~] (85)(a) or (b) but that
329 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
330 which may include:

331 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
332 election;

333 (ii) a bank or other financial account statement, or a legible copy thereof;

334 (iii) a certified birth certificate;

335 (iv) a valid Social Security card;

336 (v) a check issued by the state or the federal government or a legible copy thereof;

337 (vi) a paycheck from the voter's employer, or a legible copy thereof;

338 (vii) a currently valid Utah hunting or fishing license;

339 (viii) certified naturalization documentation;

340 (ix) a currently valid license issued by an authorized agency of the United States;

341 (x) a certified copy of court records showing the voter's adoption or name change;

342 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

343 (xii) a currently valid identification card issued by:

344 (A) a local government within the state;

345 (B) an employer for an employee; or

346 (C) a college, university, technical school, or professional school located within the

347 state; or

348 (xiii) a current Utah vehicle registration.

349 [~~(84)~~] (86) "Valid write-in candidate" means a candidate who has qualified as a
350 write-in candidate by following the procedures and requirements of this title.

351 [~~(85)~~] (87) "Voter" means a person who:

352 (a) meets the requirements for voting in an election;

353 (b) meets the requirements of election registration;

354 (c) is registered to vote; and

355 (d) is listed in the official register book.

356 [~~(86)~~] (88) "Voter registration deadline" means the registration deadline provided in
357 Section 20A-2-102.5.

358 [~~(87)~~] (89) "Voting area" means the area within six feet of the voting booths, voting
359 machines, and ballot box.

360 [~~(88)~~] (90) "Voting booth" means:

361 (a) the space or compartment within a polling place that is provided for the preparation
362 of ballots, including the voting machine enclosure or curtain; or

363 (b) a voting device that is free standing.

364 [~~(89)~~] (91) "Voting device" means:

365 (a) an apparatus in which ballot sheets are used in connection with a punch device for
366 piercing the ballots by the voter;

367 (b) a device for marking the ballots with ink or another substance;

368 (c) an electronic voting device or other device used to make selections and cast a ballot
369 electronically, or any component thereof;

370 (d) an automated voting system under Section 20A-5-302; or

371 (e) any other method for recording votes on ballots so that the ballot may be tabulated
372 by means of automatic tabulating equipment.

373 [~~(90)~~] (92) "Voting machine" means a machine designed for the sole purpose of

374 recording and tabulating votes cast by voters at an election.

375 ~~[(91)]~~ (93) "Voting poll watcher" means a person appointed as provided in this title to
376 witness the distribution of ballots and the voting process.

377 ~~[(92)]~~ (94) "Voting precinct" means the smallest voting unit established as provided by
378 law within which qualified voters vote at one polling place.

379 ~~[(93)]~~ (95) "Watcher" means a voting poll watcher, a counting poll watcher, an
380 inspecting poll watcher, and a testing watcher.

381 ~~[(94)]~~ (96) "Western States Presidential Primary" means the election established in
382 Chapter 9, Part 8, Western States Presidential Primary.

383 ~~[(95)]~~ (97) "Write-in ballot" means a ballot containing any write-in votes.

384 ~~[(96)]~~ (98) "Write-in vote" means a vote cast for a person whose name is not printed on
385 the ballot according to the procedures established in this title.

386 Section 2. Section **20A-1-303** is amended to read:

387 **20A-1-303. Determining results.**

388 (1) (a) ~~[When]~~ Except as provided in Section 20A-4-303.5, when one person is to be
389 elected or nominated, the person receiving the highest number of votes at any:

390 (i) election for any office to be filled at that election is elected to that office; and

391 (ii) primary for nomination for any office is nominated for that office.

392 (b) When more than one person is to be elected or nominated, the persons receiving the
393 highest number of votes at any:

394 (i) election for any office to filled at that election are elected to that office; and

395 (ii) primary for nomination for any office are nominated for that office.

396 (2) Any ballot proposition submitted to voters for their approval or rejection:

397 (a) passes if the number of "yes" votes is greater than the number of "no" votes; and

398 (b) fails if:

399 (i) the number of "yes" votes equal the number of "no" votes; or

400 (ii) the number of "no" votes is greater than the number of "yes" votes.

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

402 **20A-1-304. Tie votes.**

403 ~~[(1) Except as provided in Subsection (2), if two or more candidates for a position have~~
404 ~~an equal and the highest number of votes for any office, the election officer shall determine by~~

405 ~~lot which candidate is selected in a public meeting in the presence of each person subject to the~~
406 ~~tie within 30 days of the canvass or within 30 days of the recount if one is requested or held.]~~

407 (1) Except for a multi-candidate primary race, and except as provided in Subsection
408 (2), if two or more candidates for a position have an equal and the highest number of votes for
409 any office, the election officer shall, in a public meeting held within 30 days after the day on
410 which the canvass is completed, determine the candidate selected, by lot, in the presence of
411 each candidate subject to the tie.

412 (2) For any municipal primary election, if two or more candidates for a position have
413 an equal and the highest number of votes for any office, the election officer shall determine by
414 lot which candidate is selected in a public meeting in the presence of each person subject to the
415 tie within five days of the canvass or within five days of the recount if one is requested or held.

416 Section 4. Section **20A-3-105** is amended to read:

417 **20A-3-105. Marking and depositing ballots.**

418 (1) (a) [H] Except as provided in Subsection (5)(a), if a paper ballot is used, the voter,
419 upon receipt of the ballot, shall go to a voting booth and prepare the voter's ballot by marking
420 the appropriate position with a mark opposite the name of each candidate of the voter's choice
421 for each office to be filled.

422 (b) A mark is not required opposite the name of a write-in candidate.

423 (c) If a ballot proposition is submitted to a vote of the people, the voter shall mark in
424 the appropriate square with a mark opposite the answer the voter intends to make.

425 (d) Before leaving the booth, the voter shall:

426 (i) fold the ballot so that its contents are concealed and the stub can be removed; and

427 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot
428 envelope and complete the information printed on the envelope.

429 (2) (a) (i) [H] Subject to Subsection (5)(b), if a punch card ballot is used, the voter shall
430 insert the ballot sheet into the voting device and mark the ballot sheet according to the
431 instructions provided on the device.

432 (ii) If the voter is issued a ballot sheet with a long stub without a secrecy envelope, the
433 voter shall record any write-in votes on the long stub.

434 (iii) If the voter is issued a ballot sheet with a secrecy envelope, the voter shall record
435 any write-in votes on the secrecy envelope.

- 436 (b) After the voter has marked the ballot sheet, the voter shall either:
- 437 (i) place the ballot sheet inside the secrecy envelope, if one is provided; or
- 438 (ii) fold the long stub over the face of the ballot sheet to maintain the secrecy of the
- 439 vote if the voter is issued a ballot sheet with a long stub without a secrecy envelope.
- 440 (c) If the ballot is a provisional ballot, the voter shall place the ballot sheet in the
- 441 provisional ballot envelope and complete the information printed on the envelope.
- 442 (3) (a) [Hf] Subject to Subsection (5)(b), if a ballot sheet other than a punch card is
- 443 used, the voter shall mark the ballot sheet according to the instructions provided on the voting
- 444 device or ballot sheet.
- 445 (b) The voter shall record a write-in vote by:
- 446 (i) marking the position opposite the area for entering a write-in candidate; and
- 447 (ii) entering the name of the valid write-in candidate for whom the voter wishes to vote
- 448 for by means of:
- 449 (A) writing;
- 450 (B) a label; or
- 451 (C) entering the name using the voting device.
- 452 (c) If the ballot is a provisional ballot, the voter shall place the ballot sheet in the
- 453 provisional ballot envelope and complete the information printed on the envelope.
- 454 (4) (a) [Hf] Subject to Subsection (5)(b), if an electronic ballot is used, the voter shall:
- 455 (i) insert the ballot access card into the voting device; and
- 456 (ii) make the selections according to the instructions provided on the device.
- 457 (b) The voter shall record a write-in vote by:
- 458 (i) marking the appropriate position opposite the area for entering a write-in candidate;
- 459 and
- 460 (ii) using the voting device to enter the name of the valid write-in candidate for whom
- 461 the voter wishes to vote.
- 462 (5) (a) When a paper ballot is used, a voter shall vote in a multi-candidate primary race
- 463 by:
- 464 (i) placing the number 1 in the space opposite the name of the candidate who is the
- 465 voter's first preference as the party's nominee for the office; and
- 466 (ii) placing consecutively increasing whole numbers in the spaces opposite all of the

467 other candidates' names to indicate the voter's order of preference for the remaining candidates
468 to be selected as the party's nominee for the office, in the event that the voter's first preference
469 is not selected as the nominee.

470 (b) When a ballot other than a paper ballot is used, a voter shall vote in a
471 multi-candidate primary race by, in accordance with the instructions on the ballot:

472 (i) indicating the candidate who is the voter's first preference as the party's nominee for
473 the office; and

474 (ii) indicating the voter's order of preference for the remaining candidates to be the
475 party's nominee for the office, in the event that the voter's first preference is not selected as the
476 nominee.

477 ~~[(5)]~~ (6) After preparation of the ballot:

478 (a) if a paper ballot or punch card ballot is used:

479 (i) the voter shall:

480 (A) leave the voting booth; and

481 (B) announce ~~[his]~~ the voter's name to the poll worker in charge of the ballot box;

482 (ii) the poll worker in charge of the ballot box shall:

483 (A) clearly and audibly announce the name of the voter and the number on the stub of
484 the voter's ballot;

485 (B) if the stub number on the ballot corresponds with the number previously recorded
486 in the official register, and bears the initials of the poll worker, remove the stub from the ballot;
487 and

488 (C) return the ballot to the voter;

489 (iii) the voter shall, in full view of the poll workers, cast ~~[his]~~ the voter's vote by
490 depositing the ballot in the ballot box; and

491 (iv) if the stub has been detached from the ballot:

492 (A) the poll worker may not accept the ballot; and

493 (B) the poll worker shall:

494 (I) treat the ballot as a spoiled ballot;

495 (II) provide the voter with a new ballot; and

496 (III) dispose of the spoiled ballot as provided in Section 20A-3-107;

497 (b) if a ballot sheet other than a punch card is used:

- 498 (i) the voter shall:
- 499 (A) leave the voting booth; and
- 500 (B) announce [~~his~~] the voter's name to the poll worker in charge of the ballot box;
- 501 (ii) the poll worker in charge of the ballot box shall:
- 502 (A) clearly and audibly announce the name of the voter and the number on the stub of
- 503 the voter's ballot; and
- 504 (B) if the stub number on the ballot corresponds with the number previously recorded
- 505 in the official register, and bears the initials of the poll worker, return the ballot to the voter;
- 506 and
- 507 (iii) the voter shall, in full view of the poll workers, cast [~~his~~] the voter's vote by
- 508 depositing the ballot in the ballot box; and
- 509 (c) if an electronic ballot is used, the voter shall:
- 510 (i) cast the voter's ballot;
- 511 (ii) remove the ballot access card from the voting device; and
- 512 (iii) return the ballot access card to a designated poll worker.
- 513 [~~(6)~~] (7) A voter voting a paper ballot in a regular primary election shall, after marking
- 514 the ballot:
- 515 (a) (i) if the ballot is designed so that the names of all candidates for all political parties
- 516 are on the same ballot, detach the part of the paper ballot containing the names of the
- 517 candidates of the party [~~he~~] the voter has voted from the remainder of the paper ballot;
- 518 (ii) fold that portion of the paper ballot so that its face is concealed; and
- 519 (iii) deposit it in the ballot box; and
- 520 (b) (i) fold the remainder of the paper ballot, containing the names of the candidates of
- 521 the parties that the elector did not vote; and
- 522 (ii) deposit it in a separate ballot box that is marked and designated as a blank ballot
- 523 box.
- 524 [~~(7)~~] (8) (a) Each voter shall mark and cast or deposit the ballot without delay and shall
- 525 leave the voting area after voting.
- 526 (b) A voter may not:
- 527 (i) occupy a voting booth occupied by another, except as provided in Section
- 528 20A-3-108;

529 (ii) remain within the voting area more than 10 minutes; or
530 (iii) occupy a voting booth for more than five minutes if all booths are in use and other
531 voters are waiting to occupy them.

532 ~~[(8)]~~ (9) If the official register shows any voter as having voted, that voter may not
533 reenter the voting area during that election unless that voter is an election official or watcher.

534 ~~[(9)]~~ (10) The poll workers may not allow more than four voters more than the number
535 of voting booths into the voting area at one time unless those excess voters are:

- 536 (a) election officials;
- 537 (b) watchers; or
- 538 (c) assisting voters with a disability.

539 Section 5. Section **20A-4-101** is amended to read:

540 **20A-4-101. Counting paper ballots during election day.**

541 (1) Each county legislative body or municipal legislative body that has voting precincts
542 that use paper ballots and each poll worker in those voting precincts shall comply with the
543 requirements of this section.

544 (2) (a) Each county legislative body or municipal legislative body shall provide:

- 545 (i) two sets of ballot boxes for all voting precincts where both receiving and counting
546 judges have been appointed; and
- 547 (ii) a counting room for the use of the poll workers counting the ballots during the day.
- 548 (b) At any election in any voting precinct in which both receiving and counting judges
549 have been appointed, when at least 20 votes have been cast, the receiving judges shall:

- 550 (i) close the first ballot box and deliver it to the counting judges; and
- 551 (ii) prepare and use another ballot box to receive voted ballots.
- 552 (c) ~~Upon~~ Except as provided in Subsection (2)(f), upon receipt of the ballot box, the
553 counting judges shall:

- 554 (i) take the ballot box to the counting room;
- 555 (ii) count the votes on the regular ballots in the ballot box;
- 556 (iii) place the provisional ballot envelopes in the envelope or container provided for
557 them for return to the election officer; and

558 (iv) when they have finished counting the votes in the ballot box, return the emptied
559 box to the receiving judges.

560 (d) (i) During the course of election day, whenever there are at least 20 ballots
561 contained in a ballot box, the receiving judges shall deliver that ballot box to the counting
562 judges for counting; and

563 (ii) the counting judges shall immediately count the regular ballots and segregate the
564 provisional ballots contained in that box.

565 (e) The counting judges shall continue to exchange the ballot boxes and count ballots
566 until the polls close.

567 (f) (i) The director of elections, within the Office of the Lieutenant Governor, shall
568 make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
569 describing the procedures that a counting judge is required to follow for counting ballots in a
570 multi-candidate primary race.

571 (ii) When counting ballots in a multi-candidate primary race, a counting judge shall
572 comply with the procedures established under Subsection (2)(f)(i).

573 (3) Counting poll watchers appointed as provided in Section 20A-3-201 may observe
574 the count.

575 ~~[(4) The counting judges shall apply the standards and requirements of Section~~
576 ~~20A-4-105 to resolve any questions that arise as they count the ballots.]~~

577 (4) To resolve questions that arise during the counting of ballots, a counting judge shall
578 apply the standards and requirements of:

579 (a) Section 20A-4-105; and

580 (b) for a multi-candidate primary race, Subsection 20A-4-303.5(4) or (5), as applicable.

581 Section 6. Section **20A-4-102** is amended to read:

582 **20A-4-102. Counting paper ballots after the polls close.**

583 (1) (a) Except as provided in Subsection (2), as soon as the polls have been closed and
584 the last qualified voter has voted, the election judges shall count the ballots by performing the
585 tasks specified in this section in the order that they are specified.

586 ~~[(b) The election judges shall apply the standards and requirements of Section~~
587 ~~20A-4-105 to resolve any questions that arise as they count the ballots.]~~

588 (b) To resolve questions that arise during the counting of ballots, an election judge
589 shall apply the standards and requirements of:

590 (i) Section 20A-4-105; and

- 591 (ii) for a multi-candidate primary race, Subsection 20A-4-303.5(4) or (5), as applicable.
- 592 (2) (a) First, the election judges shall count the number of ballots in the ballot box.
- 593 (b) (i) If there are more ballots in the ballot box than there are names entered in the
- 594 pollbook, the judges shall examine the official endorsements on the ballots.
- 595 (ii) If, in the unanimous opinion of the judges, any of the ballots do not bear the proper
- 596 official endorsement, the judges shall put those ballots in an excess ballot file and not count
- 597 them.
- 598 (c) (i) If, after examining the official endorsements, there are still more ballots in the
- 599 ballot box than there are names entered in the pollbook, the judges shall place the remaining
- 600 ballots back in the ballot box.
- 601 (ii) One of the judges, without looking, shall draw a number of ballots equal to the
- 602 excess from the ballot box.
- 603 (iii) The judges shall put those excess ballots into the excess ballot envelope and not
- 604 count them.
- 605 (d) When the ballots in the ballot box equal the number of names entered in the
- 606 pollbook, the judges shall count the votes.
- 607 (3) The judges shall:
- 608 (a) place all unused ballots in the envelope or container provided for return to the
- 609 county clerk or city recorder; and
- 610 (b) seal that envelope or container.
- 611 (4) The judges shall:
- 612 (a) place all of the provisional ballot envelopes in the envelope provided for them for
- 613 return to the election officer; and
- 614 (b) seal that envelope or container.
- 615 (5) (a) In counting the votes, the election judges shall read and count each ballot
- 616 separately.
- 617 (b) In regular primary elections the judges shall:
- 618 (i) count the number of ballots cast for each party;
- 619 (ii) place the ballots cast for each party in separate piles; and
- 620 (iii) count all the ballots for one party before beginning to count the ballots cast for
- 621 other parties.

622 (6) (a) In all elections, the counting judges shall, except as provided in Section
623 20A-4-303.5:

624 (i) count one vote for each candidate designated by the marks in the squares next to the
625 candidate's name;

626 (ii) count one vote for each candidate on the ticket beneath a marked circle, excluding
627 any candidate for an office for which a vote has been cast for a candidate for the same office
628 upon another ticket by the placing of a mark in the square opposite the name of that candidate
629 on the other ticket;

630 (iii) count each vote for each write-in candidate who has qualified by filing a
631 declaration of candidacy under Section 20A-9-601;

632 (iv) read every name marked on the ballot and mark every name upon the tally sheets
633 before another ballot is counted;

634 (v) evaluate each ballot and each vote based on the standards and requirements of
635 Section 20A-4-105;

636 (vi) write the word "spoiled" on the back of each ballot that lacks the official
637 endorsement and deposit it in the spoiled ballot envelope; and

638 (vii) read, count, and record upon the tally sheets the votes that each candidate and
639 ballot proposition received from all ballots, except excess or spoiled ballots.

640 (b) Election judges need not tally write-in votes for fictitious persons, nonpersons, or
641 persons clearly not eligible to qualify for office.

642 (c) The judges shall certify to the accuracy and completeness of the tally list in the
643 space provided on the tally list.

644 (d) When the judges have counted all of the voted ballots, they shall record the results
645 on the total votes cast form.

646 (7) Only election judges and counting poll watchers may be present at the place where
647 counting is conducted until the count is completed.

648 Section 7. Section **20A-4-105** is amended to read:

649 **20A-4-105. Standards and requirements for evaluating voter's ballot choices.**

650 (1) [~~Each~~] Except as otherwise provided in Subsection 20A-4-303.5(4) or (5) for a
651 multi-candidate primary race, each person counting ballots shall apply the standards and
652 requirements of this section to resolve any questions that arise as ballots are counted.

653 (2) Except as provided in Subsection (11), Subsection 20a-3-105(5), or Section
654 20A-4-303.5, if a voter marks more names than there are persons to be elected to an office, or
655 if for any reason it is impossible to determine the choice of any voter for any office to be filled,
656 the counter may not count that voter's ballot for that office.

657 (3) [~~The~~] Except as otherwise provided in Section 20A-4-303.5, a counter shall count a
658 defective or incomplete mark on any paper ballot if:

659 (a) it is in the proper place; and

660 (b) there is no other mark or cross on the paper ballot indicating the voter's intent to
661 vote other than as indicated by the defective mark.

662 (4) (a) When the voter has marked the ballot so that it appears that the voter has voted
663 more than one straight ticket, the election judges may not count any votes for party candidates.

664 (b) The election judges shall count the remainder of the ballot if it is voted correctly.

665 (5) [~~A~~] Except as provided in Section 20A-4-303.5, a counter may not reject a ballot
666 marked by the voter because of marks on the ballot other than those marks allowed by this
667 section unless the extraneous marks on a ballot or group of ballots show an intent by a person
668 or group to mark their ballots so that their ballots can be identified.

669 (6) (a) In counting the ballots, the counters shall give full consideration to the intent of
670 the voter.

671 (b) The counters may not invalidate a ballot because of mechanical and technical
672 defects in voting or failure on the part of the voter to follow strictly the rules for balloting
673 required by Chapter 3, Voting.

674 (7) The counters may not reject a ballot because of any error in:

675 (a) stamping or writing any official endorsement; or

676 (b) delivering the wrong ballots to any polling place.

677 (8) The counter may not count any paper ballot that does not have the official
678 endorsement by an election officer.

679 (9) The counter may not count any ballot proposition vote or candidate vote for which
680 the voter is not "legally entitled to vote" as used in Section 20A-4-107.

681 (10) If the counter discovers that the name of a candidate voted for is misspelled or that
682 the initial letters of a candidate's given name are transposed or omitted in part or altogether, the
683 counter shall count the voter's vote for that candidate if it is apparent that the voter intended to

684 vote for that candidate.

685 (11) The counter shall count a vote for the president and the vice president of any
686 political party as a vote for the presidential electors selected by the political party.

687 (12) In counting the valid write-in votes, if, by casting a valid write-in vote, a voter has
688 cast more votes for an office than that voter is entitled to vote for that office, the judges shall
689 count the valid write-in vote as being the obvious intent of the voter.

690 Section 8. Section **20A-4-106** is amended to read:

691 **20A-4-106. Paper ballots -- Sealing.**

692 (1) (a) (i) At all elections using paper ballots, as soon as the counting judges have read
693 and tallied the ballots, they shall string the counted, excess, and spoiled ballots on separate
694 strings.

695 (ii) After the ballots are strung, they may not be examined by anyone, except when
696 examined during a recount conducted under the authority of Section 20A-4-303.5 or
697 20A-4-401.

698 (b) The judges shall carefully seal all of the strung ballots in a strong envelope.

699 (2) (a) For regular primary elections, after all the ballots have been counted, certified
700 to, and strung by the judges, they shall seal the ballots cast for each of the parties in separate
701 envelopes.

702 (b) The judges shall:

703 (i) seal each of the envelopes containing the votes of each of the political parties in one
704 large envelope; and

705 (ii) return that envelope to the county clerk.

706 (c) The judges shall:

707 (i) destroy the ballots in the blank ballot box; or

708 (ii) if directed to do so by the election officer, return them to the election officer for
709 destruction.

710 (3) As soon as the judges have counted all the votes and sealed the ballots they shall
711 sign and certify the pollbooks.

712 (4) (a) The judges, before they adjourn, shall:

713 (i) enclose and seal the official register, the posting book, the pollbook, the ballot
714 disposition form, the military and overseas absentee voter registration and voting certificates,

715 one of the tally sheets, and any unprocessed absentee ballots in a strong envelope or pouch;

716 (ii) ensure that all counted ballots, all excess ballots, and all spoiled ballots have been
717 strung and placed in a separate envelope or pouch as required by Subsection (1);

718 (iii) place all unused ballots, all spoiled ballots, one tally list, and a copy of the ballot
719 disposition form in a separate envelope or pouch;

720 (iv) place all provisional ballots in a separate envelope or pouch; and

721 (v) place the total votes cast form and the judges' vouchers requesting compensation
722 for services rendered in a separate pouch.

723 (b) Before enclosing the official register in the envelope or pouch, the election judges
724 shall certify it substantially as follows:

725 "We, the undersigned, judges of election for precinct _____, (jurisdiction) _____,
726 Utah, certify that the required entries have been made for the election held
727 _____(month\day\year), including:

728 a list of the ballot numbers for each voter;

729 the voters' signatures, except where a judge has signed for the absentee voters;

730 a list of information surrounding a voter who is challenged,

731 including any affidavits; and

732 a notation for each time a voter was assisted with a ballot."

733 (5) Each judge shall:

734 (a) write his name across the seal of each envelope or pouch;

735 (b) mark on the exterior of the envelope or pouch:

736 (i) the word "ballots" or "returns" or "unused ballots," or "provisional ballots" or other
737 words plainly indicating the contents of the packages; and

738 (ii) the number of the voting precinct.

739 Section 9. Section **20A-4-303.5** is enacted to read:

740 **20A-4-303.5. Counting ballots and evaluating votes for multi-candidate primary**

741 **race.**

742 (1) As used in this section:

743 (a) "Candidate base" means the product of:

744 (i) .09; and

745 (ii) 2.718 raised to the candidate base power.

- 746 (b) "Candidate base power" means the product of
747 (i) -0.0000625; and
748 (ii) the number of valid votes counted for all candidates in a canvassing phase of a
749 multi-candidate primary race.
- 750 (c) "Recount threshold" means the lesser of:
751 (i) the product of the voter base and the candidate base; or
752 (ii) 0.25.
- 753 (d) "Voter base" means the product of:
754 (i) 0.0028; and
755 (ii) 2.718 raised to the voter base power.
- 756 (e) "Voter base power" means the product of:
757 (i) 0.025; and
758 (ii) the number of candidates in the multi-candidate primary race.
- 759 (2) In a multi-candidate primary race, the board of canvassers shall:
760 (a) (i) conduct the first phase of the canvass by counting the valid first preference votes
761 for each candidate; and
762 (ii) if, after complying with Subsection (6), one of the candidates receives more than
763 50% of the valid first preference votes counted, declare that candidate nominated;
- 764 (b) if, after counting the valid first preference votes for each candidate and complying
765 with Subsection (6), no candidate receives more than 50% of the valid first preference votes
766 counted, conduct the second phase of the canvass by:
- 767 (i) after complying with Subsection (7), excluding from the multi-candidate primary
768 race:
- 769 (A) the candidate who received the fewest valid first preference votes counted; or
770 (B) in the event of a tie for the fewest valid first preference votes counted, one of the
771 candidates who tied for receiving the fewest valid first preference votes, determined by the
772 election officer by lot, in accordance with Subsection (8);
- 773 (ii) adding, to the valid first preference votes counted for the remaining candidates, the
774 valid second preference votes cast for the remaining candidates by the voters who cast a valid
775 first preference vote for the excluded candidate; and
- 776 (iii) if, after adding the votes in accordance with Subsection (2)(b)(ii), and complying

777 with Subsection (6), one candidate receives more than 50% of the valid votes counted,
778 declaring that candidate nominated; or

779 (c) if, after adding the valid second preference votes in accordance with Subsection
780 (2)(b)(ii), and complying with Subsection (6), no candidate receives more than 50% of the
781 valid votes counted, conduct subsequent phases of the canvass by continuing the process
782 described in Subsection (2)(b), until a candidate receives more than 50% of the valid votes
783 counted, as follows:

784 (i) after complying with Subsection (7), excluding from consideration the candidate
785 who has the fewest valid votes counted from consideration or, in the event of a tie for the
786 fewest valid votes counted, excluding one of the candidates who received the fewest valid
787 votes counted, by lot, in accordance with Subsection (8); and

788 (ii) adding the next valid preferential vote cast by each voter whose vote was counted
789 for the last excluded candidate to one of the remaining candidates, in the order of the next
790 preference indicated by the voter, until, after complying with Subsection (6), one of the
791 candidates receives more than 50% of the valid votes counted.

792 (3) The board of canvassers shall declare the first candidate who receives more than
793 50% of the valid votes counted under the process described in Subsection (2) to be the
794 nominee.

795 (4) When a paper ballot is used:

796 (a) a valid preferential vote is cast for all phases of a multi-candidate primary race if
797 the voter:

798 (i) indicates the voter's first preference by marking a candidate with the number one
799 and by marking the remaining candidates with consecutive increasing whole numbers;

800 (ii) places any mark, other than a number, in the square opposite one candidate, places
801 the number two in the square opposite the name of another candidate, and marks the remaining
802 candidates with consecutive increasing whole numbers, in which case the mark that is not a
803 number will be counted as the voter's first preference; or

804 (iii) indicates the voter's first preference in the manner described in Subsection (4)(a)(i)
805 or (ii), places the number two in the square opposite the name of another candidate, marks the
806 remaining candidates with consecutive increasing whole numbers, and leaves the square
807 opposite one candidate blank, in which case the candidate with the blank square will be

808 counted as the voter's last preference;

809 (b) a valid preferential vote is cast for a particular phase of a multi-candidate primary
810 race if, using the criteria described in Subsection (4)(a), the voter indicates the voter's
811 preference for that phase and all previous phases; and

812 (c) notwithstanding Subsection (4)(a) or (b), a preferential vote is not valid to be
813 counted in a multi-candidate primary race for a phase for which more than one square opposite
814 a candidate's name in the race contains the same number, or for any subsequent phase.

815 (5) The director of elections, within the Office of the Lieutenant Governor, shall make
816 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
817 describing the procedures to determine whether a valid preferential vote is cast, using a ballot
818 other than a paper ballot, for a multi-candidate primary race.

819 (6) The board of canvassers shall order that a recount be conducted of the valid votes
820 counted in the applicable phase of the canvass if the difference between the number of votes
821 counted for the candidate who received the most valid votes for the applicable phase of the
822 canvass and any other candidate in the race is equal to or less than the product of the following,
823 rounded up to the nearest whole number:

824 (a) the total number of valid votes counted for all candidates in the applicable phase of
825 the canvass for the race; and

826 (b) the recount threshold.

827 (7) Before excluding a candidate from a multi-candidate primary race under Subsection
828 (2), the board of canvassers shall order that a recount be conducted of the valid votes counted
829 in the applicable canvassing phase if the difference between the number of votes counted for
830 the candidate who received the fewest valid votes in the applicable canvassing phase of the
831 race and any other candidate in the race is equal to or less than the product of the following,
832 rounded up to the nearest whole number:

833 (a) the total number of valid votes counted for all candidates in that canvassing phase;
834 and

835 (b) the recount threshold.

836 (8) For each phase of a canvass after the first phase, if, after a recount is completed
837 under Subsection (7), two or more candidates tie as having the fewest valid votes counted at
838 that point in the canvass, the election official shall eliminate one of those candidates from

839 consideration by lot in the following manner:

840 (a) publicly announce:

841 (i) the names of the candidates who received the fewest valid votes for that phase of the
842 canvass;

843 (ii) the office for which the candidates described in Subsection (8)(a)(i) are running;

844 and

845 (iii) the manner that will be used to eliminate one of the candidates by lot;

846 (b) cast the lot in the presence of at least two election officials and any counting poll
847 watchers who are present and desire to witness the casting of the lot; and

848 (c) sign a public document that certifies the result of the lot and includes the signature
849 of each individual who witnessed the casting of the lot.

850 (9) For a multi-candidate primary race, if, after eliminating all but two of the
851 candidates in the race and after a recount is completed under Subsection (6), the two remaining
852 candidates have an equal number of valid votes counted in the latest canvassing phase, the
853 election officer shall, in a public meeting held within 30 days after the day on which the
854 canvass is completed, determine the nominee by lot in the presence of each person subject to
855 the tie.

856 Section 10. Section **20A-4-304** is amended to read:

857 **20A-4-304. Declaration of results -- Canvassers' report.**

858 (1) Each board of canvassers shall:

859 (a) except as provided in Section 20A-4-303.5, declare "elected" or "nominated" those
860 persons who:

861 (i) had the highest number of votes; and

862 (ii) sought election or nomination to an office completely within the board's

863 jurisdiction;

864 (b) declare:

865 (i) "approved" those ballot propositions that:

866 (A) had more "yes" votes than "no" votes; and

867 (B) were submitted only to the voters within the board's jurisdiction;

868 (ii) "rejected" those ballot propositions that:

869 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"

870 votes; and

871 (B) were submitted only to the voters within the board's jurisdiction;

872 (c) certify the vote totals for persons and for and against ballot propositions that were
873 submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to
874 the lieutenant governor; and

875 (d) if applicable, certify the results of each local district election to the local district
876 clerk.

877 (2) (a) As soon as the result is declared, the election officer shall prepare a report of the
878 result, which shall contain:

879 (i) the total number of votes cast in the board's jurisdiction;

880 (ii) the names of each candidate whose name appeared on the ballot;

881 (iii) the title of each ballot proposition that appeared on the ballot;

882 (iv) each office that appeared on the ballot;

883 (v) from each voting precinct:

884 (A) the number of votes for each candidate; [~~and~~]

885 (B) for each multi-candidate primary race, the number of valid preferential votes cast
886 for each candidate for each potential canvassing phase and the candidates excluded in each
887 canvassing phase; and

888 [~~(B)~~] (C) the number of votes for and against each ballot proposition;

889 (vi) the total number of votes given in the board's jurisdiction to each candidate, and
890 for and against each ballot proposition;

891 (vii) the number of ballots that were rejected; and

892 (viii) a statement certifying that the information contained in the report is accurate.

893 (b) The election officer and the board of canvassers shall:

894 (i) review the report to ensure that it is correct; and

895 (ii) sign the report.

896 (c) The election officer shall:

897 (i) record or file the certified report in a book kept for that purpose;

898 (ii) prepare and transmit a certificate of nomination or election under the officer's seal
899 to each nominated or elected candidate;

900 (iii) publish a copy of the certified report:

- 901 (A) in one or more conspicuous places within the jurisdiction;
- 902 (B) in a conspicuous place on the county's website; and
- 903 (C) in a newspaper with general circulation in the board's jurisdiction; and
- 904 (iv) file a copy of the certified report with the lieutenant governor.
- 905 (3) When there has been a regular general or a statewide special election for statewide
- 906 officers, for officers that appear on the ballot in more than one county, or for a statewide or two
- 907 or more county ballot proposition, each board of canvassers shall:
- 908 (a) prepare a separate report detailing the number of votes for each candidate and the
- 909 number of votes for and against each ballot proposition; and
- 910 (b) transmit it by registered mail to the lieutenant governor.
- 911 (4) In each county election, municipal election, school election, local district election,
- 912 and local special election, the election officer shall transmit the reports to the lieutenant
- 913 governor within 14 days after the date of the election.
- 914 (5) In regular primary elections and in the Western States Presidential Primary, the
- 915 board shall transmit to the lieutenant governor:
- 916 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant
- 917 governor:
- 918 (i) not later than the second Tuesday after the primary election for the regular primary
- 919 election; and
- 920 (ii) not later than the Tuesday following the election for the Western States Presidential
- 921 Primary; and
- 922 (b) a complete tabulation showing voting totals for all primary races, precinct by
- 923 precinct, to be mailed to the lieutenant governor on or before the third Friday following the
- 924 primary election.

925 Section 11. Section **20A-4-401** is amended to read:

926 **20A-4-401. Recounts -- Procedure.**

927 (1) (a) This section does not apply to a multi-candidate primary race.

928 ~~(a)~~ (b) Except as provided in Subsection (1)~~(b)~~(c), for a race between candidates, if

929 the difference between the number of votes cast for a winning candidate in the race and a

930 losing candidate in the race is equal to or less than .25% of the total number of votes cast for all

931 candidates in the race, that losing candidate may file a request for a recount in accordance with

932 Subsection (1)~~(c)~~(d).

933 ~~(b)~~ (c) For a race between candidates where the total of all votes cast in the race is
934 400 or less, if the difference between the number of votes cast for a winning candidate in the
935 race and a losing candidate in the race is one vote, that losing candidate may file a request for a
936 recount in accordance with Subsection (1)~~(c)~~(d).

937 ~~(c)~~ (d) A candidate who files a request for a recount under Subsection (1)~~(a) or~~(b)
938 or (c) shall file the request:

939 (i) for a municipal primary election, with the municipal clerk, within three days after
940 the canvass; or

941 (ii) for all other elections, within seven days after the canvass with:

942 (A) the municipal clerk, if the election is a municipal general election;

943 (B) the local district clerk, if the election is a local district election;

944 (C) the county clerk, for races voted on entirely within a single county; or

945 (D) the lieutenant governor, for statewide races and multicounty races.

946 ~~(d)~~ (e) The election officer shall:

947 (i) supervise the recount;

948 (ii) recount all ballots cast for that race;

949 (iii) reexamine all unopened absentee ballots to ensure compliance with Chapter 3, Part
950 3, Absentee Voting;

951 (iv) for a race where only one candidate may win, declare elected the candidate who
952 receives the highest number of votes on the recount; and

953 (v) for a race where multiple candidates may win, declare elected the applicable
954 number of candidates who receive the highest number of votes on the recount.

955 (2) (a) Except as provided in Subsection (2)(b), for a ballot proposition or a bond
956 proposition, if the proposition passes or fails by a margin that is equal to or less than .25% of
957 the total votes cast for or against the proposition, any 10 voters who voted in the election where
958 the proposition was on the ballot may file a request for a recount within seven days of the
959 canvass with the person described in Subsection (2)(c).

960 (b) For a ballot proposition or a bond proposition where the total of all votes cast for or
961 against the proposition is 400 or less, if the difference between the number of votes cast for the
962 proposition and the number of votes cast against the proposition is one vote, any 10 voters who

963 voted in the election where the proposition was on the ballot may file a request for a recount
964 within seven days of the canvass with the person described in Subsection (2)(c).

965 (c) The 10 voters who file a request for a recount under Subsection (2)(a) or (b) shall
966 file the request with:

967 (i) the municipal clerk, if the election is a municipal election;

968 (ii) the local district clerk, if the election is a local district election;

969 (iii) the county clerk, for propositions voted on entirely within a single county; or

970 (iv) the lieutenant governor, for statewide propositions and multicounty propositions.

971 (d) The election officer shall:

972 (i) supervise the recount;

973 (ii) recount all ballots cast for that ballot proposition or bond proposition;

974 (iii) reexamine all unopened absentee ballots to ensure compliance with Chapter 3, Part
975 3, Absentee Voting; and

976 (iv) declare the ballot proposition or bond proposition to have "passed" or "failed"
977 based upon the results of the recount.

978 (e) Proponents and opponents of the ballot proposition or bond proposition may
979 designate representatives to witness the recount.

980 (f) The voters requesting the recount shall pay the costs of the recount.

981 (3) Costs incurred by recount under Subsection (1) may not be assessed against the
982 person requesting the recount.

983 (4) (a) Upon completion of the recount, the election officer shall immediately convene
984 the board of canvassers.

985 (b) The board of canvassers shall:

986 (i) canvass the election returns for the race or proposition that was the subject of the
987 recount; and

988 (ii) with the assistance of the election officer, prepare and sign the report required by
989 Section 20A-4-304 or Section 20A-4-306.

990 (c) If the recount is for a statewide or multicounty race or for a statewide proposition,
991 the board of county canvassers shall prepare and transmit a separate report to the lieutenant
992 governor as required by Subsection 20A-4-304(3).

993 (d) The canvassers' report prepared as provided in this Subsection (4) is the official

994 result of the race or proposition that is the subject of the recount.

995 Section 12. Section **20A-5-404** is amended to read:

996 **20A-5-404. Election forms -- Preparation and contents.**

997 (1) (a) For each election, the election officer shall prepare, for each voting precinct, a:

998 (i) ballot disposition form;

999 (ii) total votes cast form;

1000 (iii) tally sheet form; and

1001 (iv) pollbook.

1002 (b) For each election, the election officer shall:

1003 (i) provide a copy of each form to each of those precincts using paper ballots; and

1004 (ii) provide a copy of the ballot disposition form and a pollbook to each of those voting
1005 precincts using an automated voting system.

1006 (2) The election officer shall ensure that the ballot disposition form contains a space
1007 for the judges to identify:

1008 (a) the number of ballots voted;

1009 (b) the number of substitute ballots voted, if any;

1010 (c) the number of ballots delivered to the voters;

1011 (d) the number of spoiled ballots;

1012 (e) the number of registered voters listed in the official register;

1013 (f) the total number of voters voting according to the pollbook; and

1014 (g) the number of unused ballots.

1015 (3) The election officer shall ensure that the total votes cast form contains:

1016 (a) the name of each candidate appearing on the ballot, the office for which the
1017 candidate is running, and a blank space for the election judges to record the number of votes
1018 that the candidate received;

1019 (b) for a multi-candidate primary race, the name of each candidate appearing on the
1020 ballot, the office for which the candidate is running, and blank spaces for the election judges to
1021 record the number of preferential votes counted for each candidate for each potential phase of
1022 the canvass;

1023 ~~(b)~~ (c) for each office, blank spaces for the election judges to record the names of
1024 write-in candidates, if any, and a blank space for the election judges to record the number of

1025 votes that the write-in candidate received;

1026 ~~[(c)]~~ (d) a heading identifying each ballot proposition and blank spaces for the election
1027 judges to record the number of votes for and against each proposition; and

1028 ~~[(d)]~~ (e) a certification, in substantially the following form, to be signed by the judges
1029 when they have completed the total votes cast form:

1030 "TOTAL VOTES CAST

1031 At an election held at ____ in ____ voting precinct in _____ (name of entity
1032 holding the election) and State of Utah, on _____ (month\day\year), the following named
1033 persons received the number of votes annexed to their respective names for the following
1034 described offices: Total number of votes cast were as follows:

1035 Certified by us ____, ____, ____, Judges of Election."

1036 (4) The election officer shall ensure that the tally sheet form contains:

1037 (a) for each office, the names of the candidates for that office, and blank spaces to tally
1038 the votes that each candidate receives;

1039 (b) for a multi-candidate primary race, the name of each candidate for each office and
1040 blank spaces to tally the number of preferential votes counted for each candidate for each
1041 potential phase of the canvass;

1042 ~~[(b)]~~ (c) for each office, blank spaces for the election judges to record the names of
1043 write-in candidates, if any, and a blank space for the election judges to tally the votes for each
1044 write-in candidate;

1045 ~~[(c)]~~ (d) for each ballot proposition, a heading identifying the ballot proposition and the
1046 words "Yes" and "No" or "For" and "Against" on separate lines with blank spaces after each of
1047 them for the election judges to tally the ballot proposition votes; and

1048 ~~[(d)]~~ (e) a certification, in substantially the following form, to be signed by the judges
1049 when they have completed the tally sheet form:

1050 "Tally Sheet

1051 We the undersigned election judges for voting precinct # _____,
1052 _____ (entity holding the election) certify that this is a true and correct list of all
1053 persons voted for and ballot propositions voted on at the election held in that voting precinct on
1054 _____ (date of election) and is a tally of the votes cast for each of those
1055 persons. Certified by us ____, ____, ____, Judges of Election."

- 1056 (5) The election officer shall ensure that the pollbook:
- 1057 (a) identifies the voting precinct number on its face; and
- 1058 (b) contains:
- 1059 (i) a section to record persons voting on election day, with columns entitled "Ballot
- 1060 Number" and "Voter's Name";
- 1061 (ii) another section in which to record absentee ballots;
- 1062 (iii) a section in which to record voters who are challenged; and
- 1063 (iv) a certification, in substantially the following form:

1064 "We, the undersigned, judges of an election held at _____ voting precinct, in _____
 1065 County, state of Utah, on _____(month\day\year), having first been sworn according to
 1066 law, certify that the information listed in this book is a true statement of the number and names
 1067 of the persons voting in the voting precinct at the election, and that the total number of persons
 1068 voting at the election was ____."

1069 _____
 1070 _____
 1071 _____

Judges of Election

1072 Section 13. Section **20A-6-203.5** is enacted to read:

1073 **20A-6-203.5. Multi-candidate primary race ballot.**

1074 If, in a primary election, at least one of the races is a multi-candidate primary race, the
 1075 portion of the ballot relating to that race shall:

1076 (1) list each candidate who qualifies to be placed on the primary election ballot for that
 1077 race; and

1078 (2) opposite each candidate's name, include a place where a voter can indicate the
 1079 voter's vote, in order of preference, for each candidate, as described in Subsection
 1080 20A-3-105(5).

1081 Section 14. Section **20A-9-403** is amended to read:

1082 **20A-9-403. Regular primary elections.**

1083 (1) (a) Candidates for elective office that are to be filled at the next regular general
 1084 election shall be nominated in a regular primary election by direct vote of the people in the
 1085 manner prescribed in this section and, for a multi-candidate primary race, Subsection
 1086

1087 20A-3-105(5) and Section 20A-4-303.5. The fourth Tuesday of June of each even-numbered
1088 year is designated as regular primary election day. Nothing in this section shall affect a
1089 candidate's ability to qualify for a regular general election's ballot as an unaffiliated candidate
1090 under Section 20A-9-501 or to participate in a regular general election as a write-in candidate
1091 under Section 20A-9-601.

1092 (b) Each registered political party that chooses to have the names of its candidates for
1093 elective office featured with party affiliation on the ballot at a regular general election shall
1094 comply with the requirements of this section and shall nominate its candidates for elective
1095 office in the manner prescribed in this section.

1096 (c) A filing officer may not permit an official ballot at a regular general election to be
1097 produced or used if the ballot denotes affiliation between a registered political party or any
1098 other political group and a candidate for elective office who was not nominated in the manner
1099 prescribed in this section or in Subsection 20A-9-202(4).

1100 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
1101 even-numbered year in which a regular general election will be held.

1102 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,
1103 shall:

1104 (i) either declare their intent to participate in the next regular primary election or
1105 declare that the registered political party chooses not to have the names of its candidates for
1106 elective office featured on the ballot at the next regular general election;

1107 (ii) if the registered political party participates in the upcoming regular primary
1108 election, identify one or more registered political parties whose members may vote for the
1109 registered political party's candidates and whether [~~or not persons~~] an individual identified as
1110 unaffiliated with a political party may vote for the registered political party's candidates; and

1111 (iii) if the registered political party participates in the upcoming regular primary
1112 election, indicate whether [~~it~~] the party chooses to nominate unopposed candidates without
1113 their name appearing on the ballot, as described under Subsection (5)(c).

1114 (b) A registered political party that is a continuing political party must file the
1115 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
1116 November 15 of each odd-numbered year. An organization that is seeking to become a
1117 registered political party under Section 20A-8-103 must file the statement described in

1118 Subsection (2)(b) no later than 5 p.m. on February 15.

1119 (3) (a) Except as provided in Subsection (3)(e), a person who [~~has submitted~~] submits a
1120 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective
1121 office on the regular primary ballot of the registered political party listed on the declaration of
1122 candidacy only if the person is certified by the appropriate filing officer as having submitted a
1123 set of nomination petitions that was:

1124 (i) circulated and completed in accordance with Section 20A-9-405; and

1125 (ii) signed by at least two percent of the registered political party's members who reside
1126 in the political division of the office that the person seeks.

1127 (b) A candidate for elective office shall submit nomination petitions to the appropriate
1128 filing officer for verification and certification no later than 5 p.m. on the final day in March.

1129 Candidates may supplement their submissions at any time on or before the filing deadline.

1130 (c) The lieutenant governor shall determine for each elective office the total number of
1131 signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate number
1132 of persons residing in each elective office's political division who have designated a particular
1133 registered political party on their voter registration forms as of November 1 of each
1134 odd-numbered year. The lieutenant governor shall publish this determination for each elective
1135 office no later than November 15 of each odd-numbered year.

1136 (d) The filing officer shall:

1137 (i) verify signatures on nomination petitions in a transparent and orderly manner;

1138 (ii) for all qualifying candidates for elective office who submitted nomination petitions
1139 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on
1140 the first Monday after the third Saturday in April;

1141 (iii) consider active and inactive voters eligible to sign nomination petitions;

1142 (iv) consider a person who signs a nomination petition a member of a registered
1143 political party for purposes of Subsection (3)(a)(ii) if the person has designated that registered
1144 political party as their preferred party affiliation on their voter registration form prior to 5 p.m.
1145 on the final day in March; and

1146 (v) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination
1147 petition signatures, or use statistical sampling procedures to verify submitted nomination
1148 petition signatures pursuant to rules issued by the lieutenant governor under Subsection (3)(f).

1149 (e) Notwithstanding any other provision in Subsection (3), a candidate for lieutenant
1150 governor may appear on the regular primary ballot of a registered political party without
1151 submitting nomination petitions if the candidate files a declaration of candidacy and complies
1152 with Subsection 20A-9-202(3).

1153 (f) The lieutenant governor shall issue rules that provide for the use of statistical
1154 sampling procedures for filing officers to verify signatures under Subsection (3)(d). The
1155 statistical sampling procedures shall reflect a bona fide effort to determine the validity of a
1156 candidate's entire submission, using widely recognized statistical sampling techniques. The
1157 lieutenant governor may also issue supplemental rules and guidance that provide for the
1158 transparent, orderly, and timely submission, verification, and certification of nomination
1159 petition signatures.

1160 (g) The county clerk shall:

1161 (i) review the declarations of candidacy filed by candidates for local boards of
1162 education to determine if more than two candidates have filed for the same seat;

1163 (ii) place the names of all candidates who have filed a declaration of candidacy for a
1164 local board of education seat on the nonpartisan section of the ballot if more than two
1165 candidates have filed for the same seat; and

1166 (iii) determine the order of the local board of education candidates' names on the ballot
1167 in accordance with Section 20A-6-305.

1168 (4) (a) By 5 p.m. on the first Wednesday after the third Saturday in April, the lieutenant
1169 governor shall provide to the county clerks:

1170 (i) a list of the names of all candidates for federal, constitutional, multi-county, and
1171 county offices who have received certifications under Subsection (3), along with instructions
1172 on how those names shall appear on the primary-election ballot in accordance with Section
1173 20A-6-305; and

1174 (ii) a list of unopposed candidates for elective office who have been nominated by a
1175 registered political party under Subsection (5)(c) and instruct the county clerks to exclude such
1176 candidates from the primary-election ballot.

1177 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1178 joint-ticket running mates shall appear jointly on the primary-election ballot.

1179 (c) After the county clerk receives the certified list from the lieutenant governor under

1180 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1181 substantially the following form:

1182 "Notice is given that a primary election will be held Tuesday, June ____,
1183 ____ (year), to nominate party candidates for the parties and candidates for nonpartisan
1184 local school board positions listed on the primary ballot. The polling place for voting precinct
1185 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
1186 Attest: county clerk."

1187 (5) (a) [~~Candidates~~] (i) Except as provided in Subsection (5)(a)(ii), candidates, other
1188 than presidential candidates, receiving the highest number of votes cast for each office at the
1189 regular primary election are nominated by their registered political party for that office or are
1190 nominated as a candidate for a nonpartisan local school board position.

1191 (ii) A candidate in a multi-candidate primary race who is declared nominated in
1192 accordance with Section 20A-4-303.5 is nominated by that candidate's registered political party
1193 for the office to which the race relates.

1194 (b) If two or more candidates, other than presidential candidates, are to be elected to
1195 the office at the regular general election, those party candidates equal in number to positions to
1196 be filled who receive the highest number of votes at the regular primary election are the
1197 nominees of their party for those positions.

1198 (c) A candidate who is unopposed for an elective office in the regular primary election
1199 of a registered political party is nominated by the party for that office without appearing on the
1200 primary ballot, provided that the party has chosen to nominate unopposed candidates under
1201 Subsection (2)(a)(iii). A candidate is "unopposed" if no person other than the candidate has
1202 received a certification under Subsection (3) for the regular primary election ballot of the
1203 candidate's registered political party for a particular elective office.

1204 (6) (a) [~~When~~] Except as otherwise provided in Section 20A-4-303.5, if a tie vote
1205 occurs in any primary election for any national, state, or other office that represents more than
1206 one county, the governor, lieutenant governor, and attorney general shall, at a public meeting
1207 called by the governor and in the presence of the candidates involved, select the nominee by lot
1208 cast in whatever manner the governor determines.

1209 (b) [~~When~~] Except as otherwise provided in Section 20A-4-303.5, if a tie vote occurs
1210 in any primary election for any county office, the district court judges of the district in which

1211 the county is located shall, at a public meeting called by the judges and in the presence of the
1212 candidates involved, select the nominee by lot cast in whatever manner the judges determine.

1213 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
1214 primary election provided for by this section, and all expenses necessarily incurred in the
1215 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1216 county or state, in the same manner as for the regular general elections.

1217 Section 15. Section **20A-9-409** is amended to read:

1218 **20A-9-409. Primary election provisions relating to qualified political party.**

1219 (1) The fourth Tuesday of June of each even-numbered year is designated as a regular
1220 primary election day.

1221 (2) A qualified political party that nominates one or more candidates for an elective
1222 office under Section 20A-9-407 and does not have a candidate qualify as a candidate for that
1223 office under Section 20A-9-408, may, but is not required to, participate in the primary election
1224 for that office.

1225 (3) A qualified political party that has only one candidate qualify as a candidate for an
1226 elective office under Section 20A-9-408 and does not nominate a candidate for that office
1227 under Section 20A-9-407, may, but is not required to, participate in the primary election for
1228 that office.

1229 (4) A qualified political party that nominates one or more candidates for an elective
1230 office under Section 20A-9-407 and has one or more candidates qualify as a candidate for that
1231 office under Section 20A-9-408 shall participate in the primary election for that office.

1232 (5) A qualified political party that has two or more candidates qualify as candidates for
1233 an elective office under Section 20A-9-408 and does not nominate a candidate for that office
1234 under Section 20A-9-407 shall participate in the primary election for that office.

1235 (6) For a multi-candidate primary race, the nominee for a qualified political party that
1236 voluntarily participates in a primary election for that race under Subsection (2), or is required to
1237 participate in a primary election under Subsection (4) or (5), shall be determined in accordance
1238 with Section 20A-4-303.5.

1239 Section 16. Section **63I-1-220** is amended to read:

1240 **63I-1-220. Repeal dates, Title 20A.**

1241 On January 1, 2017:

- 1242 (1) Subsection 20A-1-102[(54)](55) is repealed.
- 1243 (2) Subsection 20A-2-102.5(1) the language that states "20A-4-108, or" is repealed.
- 1244 (3) Subsection 20A-2-201(3) the language that states "Except as provided in
1245 Subsection 20A-4-108(5)," is repealed.
- 1246 (4) Subsection 20A-2-202(3)(a) the language that states "Except as provided in
1247 Subsection 20A-4-108(6)," is repealed.
- 1248 (5) Subsection 20A-2-204(5)(a) the language that states "Except as provided in
1249 Subsection 20A-4-108(7)," is repealed.
- 1250 (6) Subsection 20A-2-205(7)(a) the language that states "Except as provided in
1251 Subsection 20A-4-108(8)," is repealed.
- 1252 (7) Subsection 20A-2-206(8)(b) the language that states "Except as provided in
1253 Subsection 20A-4-108(9)," is repealed.
- 1254 (8) Subsection 20A-2-307(2)(a) is repealed.
- 1255 (9) Subsection 20A-4-107(2)(b) the language that states "Except as provided in
1256 Subsection 20A-4-108(10)," is repealed.
- 1257 (10) Subsection 20A-4-107(3) the language that states "or if the voter is, in accordance
1258 with the pilot project, registered to vote under Subsection 20A-4-108(10)," is repealed.
- 1259 (11) Subsection 20A-4-107(4) the language that states "Except as provided in
1260 Subsection 20A-4-108(12)," is repealed.
- 1261 (12) Section 20A-4-108 is repealed.

Legislative Review Note
as of 1-21-15 8:49 AM

Office of Legislative Research and General Counsel