

11-14-207 Counting and canvassing -- Official finding.

- (1)
 - (a) Following the election officer's inspection and count of the ballots in accordance with the procedures of Title 20A, Chapter 4, Part 1, Counting Ballots and Tabulating Results, and Part 2, Transmittal and Disposition of Ballots and Election Returns, the governing body shall meet and canvass the election results.
 - (b)
 - (i) The governing body of the local political subdivision is the board of canvassers for the bond proposition.
 - (ii) The board of canvassers shall always consist of a quorum of the governing body.
 - (c) The canvass of the election results shall be made in public no sooner than seven days after the election and no later than 14 days after the election.
 - (d) The canvass of election results shall be conducted according to the procedures and requirements of Subsection 20A-4-301(3) and Sections 20A-4-302 and 20A-4-303.
 - (e) If a bond proposition is submitted to a vote on the same day as any other election held in the local political subdivision calling the bond election, the governing body shall coordinate the date of its canvass with any other board of canvassers appointed under Section 20A-4-301.
- (2)
 - (a) After the canvass of election returns, the governing body shall record in its minutes:
 - (i) an official finding as to the total number of votes cast, the number of affirmative votes, the number of negative votes, the number of challenged voters, the number of challenged voters that were issued a provisional ballot, and the number of provisional ballots that were counted; and
 - (ii) an official finding that the bond proposition was approved or rejected.
 - (b) The governing body need not file with the county clerk or with any other official:
 - (i) any statement or certificate of the election results;
 - (ii) any affidavit with respect to the facts pertaining to the election; or
 - (iii) any affidavit pertaining to the indebtedness and valuation of the municipality.
- (3) The official finding that the majority of the qualified voters of the local political subdivision voting on the bond proposition approved the issuance of the bonds is conclusive in any action or proceeding involving the validity of the election or involving the determination or declaration of the result of the election if the action is filed after the expiration of the period provided in Subsection 20A-4-403(3).

Amended by Chapter 83, 2006 General Session