

20A-16-403 Transmission of unvoted ballots.

- (1) For an election for which the state has not received a waiver pursuant to the Military and Overseas Voter Empowerment Act, Sec. 579, 42 U.S.C. 1973ff-1(g)(2), not later than 45 days before the election or, notwithstanding Section 20A-1-401, if the 45th day before the election is a weekend or holiday, not later than the business day preceding the 45th day, the election official in each jurisdiction charged with distributing a ballot and balloting materials shall transmit a ballot and balloting materials to all covered voters who by that date submit a valid military-overseas ballot application.
- (2)
 - (a) A covered voter who requests that a ballot and balloting materials be sent to the voter by electronic transmission may choose:
 - (i) facsimile transmission;
 - (ii) email delivery; or
 - (iii) if offered by the voter's jurisdiction, Internet delivery.
 - (b) The election official in each jurisdiction charged with distributing a ballot and balloting materials shall transmit the ballot and balloting materials to the voter using the means of transmission chosen by the voter.
- (3) If a ballot application from a covered voter arrives after the jurisdiction begins transmitting ballots and balloting materials to voters, the official charged with distributing a ballot and balloting materials shall transmit them to the voter not later than two business days after the application arrives.

Enacted by Chapter 327, 2011 General Session