

20A-16-407 Duty of election judges.

- (1)
 - (a) Voting precinct election judges shall open envelopes containing military-overseas ballots that are in the judges' custody on election day at the polling places during the time the polls are open as provided in this subsection.
 - (b) The election judges shall:
 - (i) first, open the outer envelope only; and
 - (ii) compare the signature of the covered voter on the application with the signature on the registration and voting certificate.
- (2)
 - (a) The judges shall register the covered voter to vote if the voter is not already registered if the judges find that:
 - (i) the registration and voting certificate appears to be executed in proper form and contains information qualifying the covered voter to be registered as a voter; and
 - (ii) the signatures on the certificate and the application correspond, where a comparison is required.
 - (b) If the election judges determine that the registration and voting certificate is insufficient or that the signatures do not correspond, they shall:
 - (i) disallow the registration; and
 - (ii) without opening the ballot envelope, mark across the face of the envelope "Rejected as defective because of _____ ." with the reason for the rejection placed in the blank.
 - (c) When a covered voter's name is entered upon the registration books, the voter is considered to be registered and the registration and voting certificate, signed and sworn to by the covered voter on the back of the ballot envelope, together with the covered voter's name upon the registration books, constitute the covered voter's registration record.
 - (d) Nothing in this title may abridge the right of the covered voter to be registered as provided in this section.
- (3)
 - (a) After registering the voter, the judges shall carefully open the ballot envelope so as not to destroy the information printed on it if they find that:
 - (i) the registration and voting certificate is sufficient; and
 - (ii) the signatures on the certificate and the application correspond, where a comparison is required.
 - (b) The election judges shall:
 - (i) remove the ballot from the envelope without unfolding it or permitting it to be opened or examined;
 - (ii) initial the stub in the same manner as for other ballots;
 - (iii) deposit the ballot in the proper ballot box; and
 - (iv) mark the official register and pollbook to show that the voter has voted.
 - (c) If the election judges determine that the registration and voting certificate is insufficient or that the signatures do not correspond, they shall:
 - (i) disallow the vote; and
 - (ii) without opening the ballot envelope, mark across the face of the envelope "Rejected as defective because of _____ ." with the reason for the rejection placed in the blank.
- (4) The election judges shall deposit the envelope, when the ballot is voted, and the envelope with its contents unopened, when the absent vote is rejected, in the ballot box containing the ballots.
- (5) The county clerk shall retain and preserve the envelopes in the manner provided by law for the retention and preservation of official ballots voted at that election.

Renumbered and Amended by Chapter 327, 2011 General Session
Amended by Chapter 366, 2011 General Session