

Part 1 Election Notices and Instructions

20A-5-101 Notice of election.

- (1) On or before November 15 in the year before each regular general election year, the lieutenant governor shall prepare and transmit a written notice to each county clerk that:
 - (a) designates the offices to be filled at the next year's regular general election;
 - (b) identifies the dates for filing a declaration of candidacy, and for submitting and certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407, and 20A-9-408 for those offices;
 - (c) includes the master ballot position list for the next year and the year following as established under Section 20A-6-305; and
 - (d) contains a description of any ballot propositions to be decided by the voters that have qualified for the ballot as of that date.
- (2)
 - (a) No later than seven business days after the day on which the lieutenant governor transmits the written notice described in Subsection (1), each county clerk shall:
 - (i) publish a notice:
 - (A) once in a newspaper published in that county; and
 - (B) as required in Section 45-1-101; or
 - (ii)
 - (A) cause a copy of the notice to be posted in a conspicuous place most likely to give notice of the election to the voters in each voting precinct within the county; and
 - (B) prepare an affidavit of that posting, showing a copy of the notice and the places where the notice was posted.
 - (b) The notice required by Subsection (2)(a) shall:
 - (i) designate the offices to be voted on in that election; and
 - (ii) identify the dates for filing a declaration of candidacy for those offices.
- (3) Before each election, the election officer shall give printed notice of the following information, or printed notice of a website where the following information can be obtained:
 - (a) the date and place of election;
 - (b) the hours during which the polls will be open;
 - (c) the polling places for each voting precinct;
 - (d) an election day voting center designated under Section 20A-3-703; and
 - (e) the qualifications for persons to vote in the election.
- (4) To provide the printed notice described in Subsection (3), the election officer shall:
 - (a) publish the notice at least two days before election day:
 - (i) in a newspaper of general circulation common to the area to which the election pertains; and
 - (ii) as required in Section 45-1-101; or
 - (b) mail the notice to each registered voter who resides in the area to which the election pertains at least five days before election day.

Amended by Chapter 23, 2016 General Session

20A-5-102 Voting instructions.

- (1) Each election officer shall:
 - (a) print instruction cards for voters;

- (b) ensure that the cards are printed in English in large clear type; and
 - (c) ensure that the cards instruct voters:
 - (i) about how to obtain ballots for voting;
 - (ii) about special political party affiliation requirements for voting in the Western States Presidential Primary or in a regular primary election;
 - (iii) about how to prepare ballots for deposit in the ballot box;
 - (iv) about how to record write-in votes;
 - (v) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
 - (vi) about how to obtain assistance in marking ballots;
 - (vii) about obtaining a new ballot if the voter's ballot is defaced;
 - (viii) that identification marks or the spoiling or defacing of a ballot will make it invalid;
 - (ix) about how to obtain and vote a provisional ballot;
 - (x) about whom to contact to report election fraud;
 - (xi) about applicable federal and state laws regarding:
 - (A) voting rights and the appropriate official to contact if the voter alleges his rights have been violated; and
 - (B) prohibitions on acts of fraud and misrepresentation;
 - (xii) about procedures governing mail-in registrants and first-time voters; and
 - (xiii) about the date of the election and the hours that the polls are open on election day.
- (2) Each election officer shall:
- (a) provide the election judges of each voting precinct with sufficient instruction cards to instruct voters in the preparation of their ballots;
 - (b) direct the election judges to post:
 - (i) general voting instructions in each voting booth; and
 - (ii) at least three instruction cards and at least one sample ballot elsewhere in and about the polling place.

Amended by Chapter 116, 2003 General Session

20A-5-103 Constitutional amendments -- Posting.

- (1) Whenever a constitutional amendment is submitted to a vote of the people for their approval or rejection, the county clerk shall:
 - (a) cause the original section of the constitution to be printed on cards in large clear type with the changes to it indicated by bracketing and interlining any language proposed to be repealed and underlining any new language proposed to be inserted; and
 - (b) place the question as it appears upon the official ballot after the original section.
- (2) If there is more than one amendment submitted, the clerk shall ensure that the proposed amendments are placed upon the cards in columns in the same order as they will appear upon the official ballot.
- (3) Each county clerk shall:
 - (a) provide the election judges for each voting precinct with two constitutional amendment cards; and
 - (b) direct the election judges to post the two constitutional amendment cards in and about the polling place.

Amended by Chapter 183, 1997 General Session