

Effective 5/13/2014

20A-5-601 Poll workers -- Appointment for regular general elections, primary elections, and special elections.

- (1)
 - (a) By March 1 of each even-numbered year, each county clerk shall provide to the county chair of each registered political party a list of the number of poll workers that the party must nominate for each voting precinct.
 - (b)
 - (i) By April 1 of each even-numbered year, the county chair and secretary of each registered political party shall file a list with the county clerk containing, for each voting precinct, the names of individuals in the county who are willing to serve as poll workers, who are qualified to serve as poll workers in accordance with this section, and who are competent and trustworthy.
 - (ii) The county chair and secretary shall submit, for each voting precinct, names equal in number to the number required by the county clerk plus one.
- (2) Each county legislative body shall provide for the appointment of individuals to serve as poll workers at the regular primary election, the regular general election, the Western States Presidential Primary, and a statewide or countywide special election.
- (3) For regular general elections and statewide or countywide special elections, each county legislative body shall provide for the appointment of:
 - (a)
 - (i) three registered voters, or one individual who is 16 or 17 years of age and two registered voters, one of whom is at least 21 years of age, from the list to serve as receiving judges for each voting precinct when ballots will be counted after the polls close; or
 - (ii) three registered voters, or one individual who is 16 or 17 years of age and two registered voters, one of whom is at least 21 years of age, from the list to serve as receiving judges in each voting precinct and three registered voters from the list to serve as counting judges in each voting precinct when ballots will be counted throughout election day; and
 - (b) three registered voters from the list for each 100 absentee ballots to be counted to serve as canvassing judges.
- (4) For each precinct in which ballots are counted after the polls close, in a regular primary election and for the Western States Presidential Primary election, each county legislative body shall provide for the appointment of two or three individuals from the list to serve as receiving judges:
 - (a) each of whom is a registered voter; or
 - (b)
 - (i) the first of whom is a registered voter and is at least 21 years of age;
 - (ii) the second of whom is 16 or 17 years of age; and
 - (iii) if three individuals are appointed, the third of whom is a registered voter.
- (5) For each precinct in which ballots are counted throughout election day, in a regular primary election and for the Western States Presidential Primary election, each county legislative body shall provide for the appointment of:
 - (a) two or three individuals from the list to serve as receiving judges:
 - (i) each of whom is a registered voter; or
 - (ii)
 - (A) the first of whom is a registered voter and is at least 21 years of age;
 - (B) the second of whom is 16 or 17 years of age; and
 - (C) if three individuals are appointed, the third of whom is a registered voter; and
 - (b) two or three individuals from the list to serve as counting judges:

- (i) each of whom is a registered voter; or
 - (ii)
 - (A) one of whom is 17 years of age and will be 18 years of age by the date of the next regular general election; and
 - (B) each of the rest of whom is a registered voter; and
 - (c) two or three registered voters, or one or two registered voters and one individual 17 years of age who will be 18 years of age by the date of the next regular general election, from the list for each 100 absentee ballots to be counted to serve as canvassing judges.
- (6) Each county legislative body may provide for the appointment of:
- (a) three registered voters from the list to serve as inspecting judges at the regular general election, or a statewide or countywide special election, to observe the clerk's receipt and deposit of the ballots for safekeeping; and
 - (b) two or three registered voters, or one or two registered voters and one individual 17 years of age who will be 18 years of age by the date of the next regular general election, from the list to serve as inspecting judges at the regular primary election to observe the clerk's receipt and deposit of the ballots for safekeeping.
- (7)
- (a) For each set of three counting or receiving judges to be appointed for each voting precinct for the regular primary election, the regular general election, the Western States Presidential Primary election, or a statewide or countywide special election, the county legislative body shall ensure that:
 - (i) two judges are appointed from the political party that cast the highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the voting precinct at the last regular general election before the appointment of the election judges; and
 - (ii) one judge is appointed from the political party that cast the second highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the voting precinct at the last regular general election before the appointment of the election judges.
 - (b) For each set of two counting or receiving judges to be appointed for each voting precinct for the regular primary election and Western States Presidential Primary election, the county legislative body shall ensure that:
 - (i) one judge is appointed from the political party that cast the highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the voting precinct at the last regular general election before the appointment of the election judges; and
 - (ii) one judge is appointed from the political party that cast the second highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the voting precinct at the last regular general election before the appointment of the election judges.
- (8) When the voting precinct boundaries have been changed since the last regular general election, the county legislative body shall ensure that:
- (a) for the regular primary election and the Western States Presidential Primary election, when the county legislative body is using three receiving, counting, and canvassing judges, and regular general election, not more than two of the judges are selected from the political party that cast the highest number of votes for the offices of governor, lieutenant governor, attorney general, state auditor, and state treasurer in the territory that formed the voting precinct at the time of appointment; and

- (b) for the regular primary election and the Western States Presidential Primary election, when the county legislative body is using two receiving, counting, and canvassing judges, not more than one of the judges is selected from the political party that cast the highest number of votes for the offices of governor, lieutenant governor, attorney general, state auditor, and state treasurer in the territory that formed the voting precinct at the time of appointment.
- (9) The county legislative body shall provide for the appointment of any qualified county voter as an election judge when:
 - (a) a political party fails to file the poll worker list by the filing deadline; or
 - (b) the list is incomplete.
- (10) A registered voter of the county may serve as a poll worker in any voting precinct of the county.
- (11) A county legislative body may not appoint a candidate's parent, sibling, spouse, child, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law to serve as a poll worker in a precinct where the candidate appears on the ballot.
- (12) If an individual serves as a poll worker outside the voting precinct where the individual is registered, that individual may vote an absentee voter ballot.
- (13) The county clerk shall fill all poll worker vacancies.
- (14) If a conflict arises over the right to certify the poll worker lists for any political party, the county legislative body may decide between conflicting lists, but may only select names from a properly submitted list.
- (15) The county legislative body shall establish compensation for poll workers.
- (16) The county clerk may appoint additional poll workers to serve in the polling place as needed.

Amended by Chapter 31, 2014 General Session
Amended by Chapter 391, 2014 General Session