

CERTIFICATION OF VOTING EQUIPMENT

MODIFICATIONS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas C. Aagard

Senate Sponsor: Jerry W. Stevenson

LONG TITLE

General Description:

This bill amends a provision relating to the certification of voting equipment.

Highlighted Provisions:

This bill:

- requires voting equipment to be certified by the Election Assistance Commission;

and

- makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

AMENDS:

20A-5-402.5, as enacted by Laws of Utah 2002, Chapter 113

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **20A-5-402.5** is amended to read:

20A-5-402.5. Certification of voting equipment.

(1) As used in this section, "voting equipment" means automatic tabulating equipment, electronic voting systems, voting devices, and voting machines.

(2) Each election officer shall ensure that:

30 ~~[(a) the voting equipment meets the Federal Voting Systems Standards established by~~
31 ~~the Federal Election Commission;]~~

32 ~~[(b)]~~ (a) the voting equipment used by the election officer is certified ~~[to meet those~~
33 ~~Federal Voting Systems Standards by an Independent Testing Authority approved by the~~
34 ~~National Association of State Election Directors]~~ by the Election Assistance Commission; and

35 ~~[(c)]~~ (b) the voting equipment is certified by the lieutenant governor ~~[of Utah]~~ as
36 having met the requirements of this section.

37 (3) The lieutenant governor~~[, as chief election officer,]~~ shall ensure that all voting
38 equipment used ~~[in Utah]~~ complies with the requirements of this section.

39 Section 2. **Effective date.**

40 If approved by two-thirds of all the members elected to each house, this bill takes effect
41 upon approval by the governor, or the day following the constitutional time limit of Utah
42 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
43 the date of veto override.