1   # ABSENTEE BALLOT AMENDMENTS
2   2013 GENERAL SESSION
3   STATE OF UTAH
4   **Chief Sponsor: Peter C. Knudson**
5   House Sponsor: Kraig Powell

6
7   **LONG TITLE**
8   **General Description:**
9   This bill amends provisions in Title 20A, Election Code, regarding absentee ballots.
10   **Highlighted Provisions:**
11   This bill:
12   ‣   requires the lieutenant governor to approve a separate absentee ballot application
13   form for a circumstance where the application will be filled out for, and finished
14   and signed by, a voter;
15   ‣   establishes a filing deadline for a person that collects a completed absentee ballot
16   application from a registered voter; and
17   ‣   makes technical and conforming amendments.
18   **Money Appropriated in this Bill:**
19   None
20   **Other Special Clauses:**
21   This bill coordinates with H.B. 204, Election Amendments, by providing substantive
22   amendments.
23   **Utah Code Sections Affected:**
24   AMENDS:
25   **20A-3-304**, as last amended by Laws of Utah 2011, Chapter 17
26   **Utah Code Sections Affected by Coordination Clause:**
27   **20A-3-304**, as last amended by Laws of Utah 2011, Chapter 17

28
29   *Be it enacted by the Legislature of the state of Utah:*

30   Section 1. Section **20A-3-304** is amended to read:

31   **20A-3-304.   Application for absentee ballot -- Time for filing and voting.**

32   (1) (a) Any registered voter who wishes to vote an absentee ballot may either:

33   [(a)] (i) file an absentee ballot application:

34   [(i)] (A) on the electronic system maintained by the lieutenant governor under Section

35   20A-2-206; or

36   [(ii)] (B) with the appropriate election officer for an official absentee ballot as provided

37   in this section; or

38   [(b)] (ii) vote in person at the office of the appropriate election officer as provided in

39   Section 20A-3-306.

40   (b) A person that collects a completed absentee ballot application from a registered

41   voter shall file the completed absentee ballot application with the appropriate election official

42   before the earlier of:

43   (i) 14 days after the day on which the registered voter signed the absentee ballot form;

44   or

45   (ii) the Friday before the next election.

46   (2) As it relates to an absentee ballot application to be filled out entirely by the voter:

47   [(2)] (a) [Except] except as provided in Subsection (2)(b), the lieutenant governor or

48   election officer shall [prepare] approve an application form for absentee ballot applications in

49   substantially the following form:

50   "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah

51   apply for an official absentee ballot to be voted by me at the election.

52   Date _____ (month\day\year) Signed _____

53   Voter"; and

54   (b) [The] the lieutenant governor or election officer shall [prepare blank applications

55   for absentee ballot applications] approve an application form for regular primary elections and

56   for the Western States Presidential Primary in substantially the following form:

57   "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah

58 apply for an official absentee ballot for the _____ political party to be voted by me

59 at the primary election.

60   I understand that I must be affiliated with or authorized to vote the political party's

61 ballot that I request.

62   Dated _____ (month\day\year) ____ Signed _____

63   Voter"

64   (c) If requested by the applicant, the election officer shall:

65   (i) mail or fax the application [blank] form to the absentee voter; or

66   (ii) deliver the application [blank] form to any voter who personally applies for it at the

67 office of the election officer.

68   [(3) (a) Except as provided in Subsection (3)(b), a]

69   (3) As it relates to an absentee ballot application to be filled out for, and finished and

70 signed by, a voter:

71   (a) except as provided in Subsection (3)(b), the lieutenant governor or election officer

72 shall approve an application form for absentee ballot applications in substantially the following

73 form:

74   "I, ____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah

75 apply for an official absentee ballot to be voted by me at the election.

76   I understand that a person that collects this absentee ballot application is required to file

77 it with the appropriate election official before the earlier of fourteen days after the day on

78 which I sign the application or the Friday before the next election.

79   This form is provided by (insert name of person or organization).

80   I have verified that the information on this application is correct.

81   I understand that I will receive a ballot at the following address: (insert address and an

82 adjacent check box);

83   OR

84   I request that the ballot be mailed to the following address: (insert blank space for an

85 address and an adjacent check box).

86   Date _____ (month\day\year) Signed _____

87   Voter"; and

88   (b) the lieutenant governor or election officer shall approve an application form for

89   regular primary elections and for the Western States Presidential Primary in substantially the

90   following form:

91   "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah

92   apply for an official absentee ballot for the _____ political party to be voted by me

93   at the primary election.

94   I understand that I must be affiliated with or authorized to vote the political party's

95   ballot that I request. I understand that a person that collects this absentee ballot application is

96   required to file it with the appropriate election official before the earlier of fourteen days after

97   the day on which I sign the application or the Friday before the next primary election.

98   This form is provided by (insert name of person or organization).

99   I have verified that the information on this application is correct.

100   I understand that I will receive a ballot at the following address: (insert address and an

101   adjacent check box);

102   OR

103   I request that the ballot be mailed to the following address: (insert blank space for an

104   address and an adjacent check box).

105   Dated _____ (month\day\year) _____ Signed _____

106   Voter"

107   (4) The forms described in Subsections (2) and (3) shall contain instructions on how a

108   voter may cancel an absentee ballot application.

109   (5) A voter who wishes to vote by absentee ballot shall file the application for an

110   absentee ballot with the lieutenant governor or appropriate election officer no later than the

111   Friday before election day.

112   [(b) Overseas applicants shall file their applications with the appropriate election

113   officer no later than 20 days before election day.]

114 [(4)] (6) (a) A county clerk may establish a permanent absentee voter list.

115 (b) The clerk shall place on the list the name of any person who:

116 (i) requests permanent absentee voter status; and

117 (ii) meets the requirements of this section.

118 (c) (i) Each year, the clerk shall mail a questionnaire to each person whose name is on

119 the absentee voter list.

120 (ii) The questionnaire shall allow the absentee person to verify the voter's residence.

121 (iii) The clerk may remove the names of any voter from the absentee voter registration

122 list if:

123 (A) the voter is no longer listed in the official register; or

124 (B) the voter fails to verify the voter's residence and absentee status.

125 (d) The clerk shall provide a copy of the permanent absentee voter list to election

126 officers for use in elections.

127 Section 2. **Coordinating S.B. 24 with H.B. 204 -- Substantive amendments.**

128 If this S.B. 24 and H.B. 204, Election Amendments, both pass and become law, it is the

129 intent of the Legislature that the Office of Legislative Research and General Counsel, in

130 preparing the Utah Code database for publication, modify Subsections 20A-3-304(1)(b)(ii) and

131 (3) by deleting the word "Friday" and replacing it with the word "Thursday".