

SB0024S02 compared with SB0024S01

~~{deleted text}~~ shows text that was in SB0024S01 but was deleted in SB0024S02.

inserted text shows text that was not in SB0024S01 but was inserted into SB0024S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Senator Peter C. Knudson}~~Representative Kraig Powell proposes the following substitute bill:

ABSENTEE BALLOT AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: Kraig Powell

LONG TITLE

General Description:

This bill amends provisions in Title 20A, Election Code, regarding absentee ballots.

Highlighted Provisions:

This bill:

- ▶ ~~{prohibits}~~requires the lieutenant governor to approve a ~~{person from filling out an}~~separate absentee ballot application ~~{for another person, with exceptions}~~form for a circumstance where the application will be filled out for, and finished and signed by, a voter;
- ▶ establishes a filing deadline for a person that collects a completed absentee ballot application from a registered voter; and
- ▶ makes technical and conforming amendments.

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Money Appropriated in this Bill:

None

Other Special Clauses:

~~{ None }~~ This bill coordinates with H.B. 204, Election Amendments, by providing substantive amendments.

Utah Code Sections Affected:

AMENDS:

20A-3-304, as last amended by Laws of Utah 2011, Chapter 17

Utah Code Sections Affected by Coordination Clause:

20A-3-304, as last amended by Laws of Utah 2011, Chapter 17

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

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

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

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

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

~~[(+)]~~ (A) on the electronic system maintained by the lieutenant governor under Section 20A-2-206; or

~~[(+)]~~ (B) with the appropriate election officer for an official absentee ballot as provided in this section; or

~~[(b)]~~ (ii) vote in person at the office of the appropriate election officer as provided in Section 20A-3-306.

(b) A person that collects a completed absentee ballot application from a registered voter shall file the completed absentee ballot application with the appropriate election official before the earlier of:

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

or

(ii) the Friday before the next election.

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

~~[(2)]~~ (a) ~~[Except]~~ except as provided in Subsection (2)(b), the lieutenant governor or election officer shall ~~[prepare]~~ approve an application form for absentee ballot applications in

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substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot to be voted by me at the election.

Date _____ (month\day\year) Signed _____

Voter"; and

(b) ~~["The"]~~ the lieutenant governor or election officer shall ~~["prepare blank applications for absentee ballot applications"]~~ approve an application form for regular primary elections and for the Western States Presidential Primary in substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot for the _____ political party to be voted by me at the primary election.

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

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

Voter"

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

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

(ii) deliver the application ~~["blank"]~~ form to any voter who personally applies for it at the office of the election officer.

~~["(d) 3"]~~ ~~["(i) a"]~~ Except as provided in Subsection ~~(2)(d)(ii)~~, a voter who signs a form described in this Subsection (2) shall complete the form:

~~["(ii) A person other than the voter who signs the form may complete the form if the voter:~~

~~["(A) is a hospitalized voter, as defined in Section 20A-3-306.5;~~

~~["(B) has a disability; or~~

~~["(C) is unable to read or write.~~

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

(3) As it relates to an absentee ballot application to be filled out for, and finished and signed by, a voter:

(a) except as provided in Subsection (3)(b), the lieutenant governor or election officer shall approve an application form for absentee ballot applications in substantially the following

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form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot to be voted by me at the election.

I understand that a person that collects this absentee ballot application is required to file it with the appropriate election official before the earlier of fourteen days after the day on which I sign the application or the Friday before the next election.

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

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

I understand that I will receive a ballot at the following address: (insert address and an adjacent check box):

OR

I request that the ballot be mailed to the following address: (insert blank space for an address and an adjacent check box).

Date _____ (month\day\year) Signed _____

Voter"; and

(b) the lieutenant governor or election officer shall approve an application form for regular primary elections and for the Western States Presidential Primary in substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot for the _____ political party to be voted by me at the primary election.

I understand that I must be affiliated with or authorized to vote the political party's ballot that I request. I understand that a person that collects this absentee ballot application is required to file it with the appropriate election official before the earlier of fourteen days after the day on which I sign the application or the Friday before the next primary election.

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

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

I understand that I will receive a ballot at the following address: (insert address and an adjacent check box):

OR

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

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address and an adjacent check box).

Dated _____ (month\day\year) Signed _____
Voter"

(4) The forms described in Subsections (2) and (3) shall contain instructions on how a voter may cancel an absentee ballot application.

(5) A voter who wishes to vote by absentee ballot shall file the application for an absentee ballot with the lieutenant governor or appropriate election officer no later than the Friday before election day.

~~[(b) Overseas applicants shall file their applications with the appropriate election officer no later than 20 days before election day.]~~

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

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

- (i) requests permanent absentee voter status; and
- (ii) meets the requirements of this section.

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

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

(iii) The clerk may remove the names of any voter from the absentee voter registration list if:

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

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

(d) The clerk shall provide a copy of the permanent absentee voter list to election officers for use in elections.

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

If this S.B. 24 and H.B. 204, Election Amendments, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, modify Subsections 20A-3-304(1)(b)(ii) and (3) by deleting the word "Friday" and replacing it with the word "Thursday".