

**ABSENTEE BALLOT AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jim Bird**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill repeals provisions allowing elections to be conducted entirely by absentee ballot.

**Highlighted Provisions:**

This bill:

- ▶ repeals provisions that allow elections to be conducted entirely by absentee ballot;
- and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-3-306**, as last amended by Laws of Utah 2013, Chapters 198, 219, 320 and last amended by Coordination Clause, Laws of Utah 2013, Chapter 198

**20A-3-605**, as last amended by Laws of Utah 2013, Chapter 320

REPEALS:

**20A-3-302**, as last amended by Laws of Utah 2013, Chapter 320

---

---



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

29 Section 1. Section **20A-3-306** is amended to read:

30 **20A-3-306. Voting ballot -- Returning ballot.**

31 (1) (a) Except as provided by Section **20A-1-308**, to vote a mail-in absentee ballot, the  
32 absentee voter shall:

33 (i) complete and sign the affidavit on the envelope;

34 (ii) mark the votes on the absentee ballot;

35 (iii) place the voted absentee ballot in the envelope;

36 (iv) securely seal the envelope; and

37 (v) attach postage~~[, unless voting in accordance with Section **20A-3-302**;~~] and deposit  
38 the envelope in the mail or deliver it in person to the election officer from whom the ballot was  
39 obtained.

40 (b) Except as provided by Section **20A-1-308**, to vote an absentee ballot in person at the  
41 office of the election officer, the absent voter shall:

42 (i) complete and sign the affidavit on the envelope;

43 (ii) mark the votes on the absent-voter ballot;

44 (iii) place the voted absent-voter ballot in the envelope;

45 (iv) securely seal the envelope; and

46 (v) give the ballot and envelope to the election officer.

47 (2) Except as provided by Section **20A-1-308**, an absentee ballot is not valid unless:

48 (a) in the case of an absentee ballot that is voted in person, the ballot is:

49 (i) applied for and cast in person at the office of the appropriate election officer no later  
50 than the Thursday before election day; or

51 (ii) submitted on election day at a polling location in the political subdivision where  
52 the absentee voter resides;

53 (b) in the case of an absentee ballot that is submitted by mail, the ballot is:

54 (i) clearly postmarked before election day; and

55 (ii) received in the office of the election officer before noon on the day of the official  
56 canvass following the election; or

57 (c) in the case of a military-overseas ballot, the ballot is submitted in accordance with  
58 Section **20A-16-404**.

59 (3) An absentee voter may submit a completed absentee ballot at a polling location in a  
60 political subdivision holding the election, if the absentee voter resides in the political  
61 subdivision.

62 (4) An absentee voter may submit an incomplete absentee ballot at a polling location  
63 for the voting precinct where the voter resides, request that the ballot be declared spoiled, and  
64 vote in person.

65 Section 2. Section 20A-3-605 is amended to read:

66 **20A-3-605. Exemptions from early voting.**

67 (1) (a) This part does not apply to an election of a board member of a local district.

68 (b) Notwithstanding Subsection (1)(a), a local district may, at its discretion, provide  
69 early voting in accordance with this part for an election of a board member.

70 (2) Notwithstanding the requirements of Section 20A-3-601, a municipality of the fifth  
71 class or a town as described in Section 10-2-301 may provide early voting as provided under  
72 this part for:

73 (a) a municipal primary election; or

74 (b) a municipal general election.

75 [~~(3) A municipality or county that administers an election entirely by absentee ballot, in  
76 accordance with Section 20A-3-302, is not required to conduct early voting for the election.]~~

77 **Section 3. Repealer.**

78 This bill repeals:

79 Section 20A-3-302, **Conducting entire election by absentee ballot.**

---

---

**Legislative Review Note**  
as of 12-5-13 3:42 PM

**Office of Legislative Research and General Counsel**