

POLLING LOCATION AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to election day voting centers.

Highlighted Provisions:

This bill:

► requires a county that conducts an election entirely by mail to provide at least one election day voting center for every 10,000 registered voters who are eligible to participate in the election.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-3-302, as last amended by Laws of Utah 2015, Chapter 173

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

Section 1. Section **20A-3-302** is amended to read:

20A-3-302. Conducting entire election by absentee ballot.

(1) Notwithstanding Section **17B-1-306**, an election officer may administer an election entirely by absentee ballot.



28 (2) If the election officer decides to administer an election entirely by absentee ballot,
29 the election officer shall mail to each registered voter within that voting precinct:

30 (a) an absentee ballot;

31 (b) for an election administered by a county clerk, information regarding the location
32 and hours of operation of any election day voting center at which the voter may vote;

33 (c) a courtesy reply mail envelope;

34 (d) instructions for returning the ballot that include an express notice about any
35 relevant deadlines that the voter must meet in order for the voter's vote to be counted; and

36 (e) for an election administered by an election officer other than a county clerk, if the
37 election officer does not operate a polling location or an election day voting center, a warning,
38 on a separate page of colored paper in bold face print, indicating that if the voter fails to follow
39 the instructions included with the absentee ballot, the voter will be unable to vote in that
40 election because there will be no polling place in the voting precinct on the day of the election.

41 (3) A voter who votes by absentee ballot under this section is not required to apply for
42 an absentee ballot as required by this part.

43 (4) An election officer who administers an election entirely by absentee ballot shall:

44 (a) (i) obtain, in person, the signatures of each voter within that voting precinct before
45 the election; or

46 (ii) obtain the signature of each voter within the voting precinct from the county clerk;
47 and

48 (b) maintain the signatures on file in the election officer's office.

49 (5) (a) Upon receiving the returned absentee ballots, the election officer shall compare
50 the signature on each absentee ballot with the voter's signature that is maintained on file and
51 verify that the signatures are the same.

52 (b) If the election officer questions the authenticity of the signature on the absentee
53 ballot, the election officer shall immediately contact the voter to verify the signature.

54 (c) If the election official determines that the signature on the absentee ballot does not
55 match the voter's signature that is maintained on file, the election officer shall:

56 (i) unless the absentee ballot application deadline described in Section [20A-3-304](#) has
57 passed, immediately send another absentee ballot and other voting materials as required by this
58 section to the voter; and

- 59 (ii) disqualify the initial absentee ballot.
- 60 (6) A county that administers an election entirely by absentee ballot:
- 61 (a) shall [~~provide at least one election day voting center~~], in accordance with Title 20A,
- 62 Chapter 3, Part 7, Election Day Voting Center, provide at least one election day voting center
- 63 for every 10,000 registered voters who are eligible to participate in the election, but not fewer
- 64 than one election day voting center;
- 65 (b) shall ensure that an election day voting center operated by the county has at least
- 66 one voting device that is accessible, in accordance with the Help America Vote Act of 2002,
- 67 Pub. L. No. 107-252, for individuals with disabilities; and
- 68 (c) is not required to pay return postage for an absentee ballot.

Legislative Review Note
Office of Legislative Research and General Counsel