

HB0027S01 compared with HB0027

~~{Omitted text}~~ shows text that was in HB0027 but was omitted in HB0027S01

inserted text shows text that was not in HB0027 but was inserted into HB0027S01

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Voting Precinct Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses voting precincts.

Highlighted Provisions:

This bill:

- authorizes a county legislative body to establish a voting precinct consisting of two or more noncontiguous geographic areas in certain circumstances;

- ~~{increases, to 3,000,}~~ requires the ~~{maximum allowable number of active voters in}~~ name of a voting precinct to be distinguishable from any other voting precinct;

- ~~{subject to an exception,}~~ authorizes the county clerk to adjust the boundaries of a voting precinct in order to:

- match the current boundaries of a local political subdivision; or
- match the resulting boundaries of a local subdivision that expands, divides, alters, or changes the local political subdivision's boundaries;

- requires a county clerk who adjusts the boundaries of a voting precinct to:

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file a notice with the Utah Geospatial Resource Center at least 65 days before the date of an election; and

- provide a copy of the notice to the county legislative body;and
- {~~prohibits a county clerk from adjusting a voting precinct's boundaries if the number of active voters in the resulting precinct is more than 3,000; and~~}
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

None

AMENDS:

20A-5-303 , as last amended by Laws of Utah 2021, Chapters 162, 345 , as last amended by Laws of Utah 2021, Chapters 162, 345

ENACTS:

20A-5-303.5 , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

Section 1. Section **20A-5-303** is amended to read:

20A-5-303. Establishing, dividing, abolishing, and changing voting precincts -- Common polling places -- Combined voting precincts.

(1)

~~[(a)]~~ After receiving recommendations from the county clerk, the county legislative body may establish, divide, abolish, ~~[and change voting precincts]~~ or change the boundaries of a voting precinct.

(2)

(a) Subject to Subsection (2)(b), a county legislative body may establish a voting precinct that consists of two or more noncontiguous geographic areas if:

(i) each noncontiguous area is located entirely within the same municipality; or

(ii) the noncontiguous areas are located within a municipality and immediately adjacent to a municipality.

(b) A voting precinct described in Subsection (2)(a) must consist of the same elective offices.

~~[(b)]~~ (3) Within 30 days after the establishment, division, abolition, or change of a voting precinct under this section, the county legislative body shall file with the Utah Geospatial Resource Center,

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created under Section 63A-16-505, a notice describing the action taken and specifying the resulting boundaries of each voting precinct affected by the action.

46 ~~[(2)]~~ (4)

. (a) The county legislative body shall alter or divide voting precincts so that each voting precinct contains not more than ~~{[1,250]}~~ 3,000 active voters at the time of the redistricting described in Subsection (5).

48 (b) The county legislative body ~~[shall]~~ may identify a voting precinct that:

49 (i) ~~[identify those precincts that { } identify each voting precinct that:]~~

50 ~~{(A)} may reach the limit of active voters in a precinct under Subsection (2)(a){:} or~~

51 ~~{(B)} { } that becomes] is too large to facilitate the election process; and~~

52 (ii) except as provided by Subsection ~~[(3)]~~ (5), divide ~~[those precincts]~~ the precinct on or before January 1 of a general election year.

54 ~~[(3)]~~ (5) A county legislative body shall divide a ~~{voting-}~~ precinct identified under Subsection ~~[(2)(b)]~~ (4)(b)(i) on or before January 31 of a regular general election year that immediately follows the calendar year in which the Legislature divides the state into districts in accordance with Utah Constitution, Article IX, Section 1.

58 ~~[(4)]~~ (6) Notwithstanding Subsection ~~[(2)(a)]~~ (4)(a), and except as provided by Subsection ~~[(5)]~~ (7), the county legislative body may not:

60 (a) establish or abolish ~~[any]~~ a voting precinct after January 1 of a regular general election year;

62 (b) alter or change the boundaries of ~~[any]~~ a voting precinct after January 1 of a regular general election year; or

64 (c) establish, divide, abolish, alter, or change a voting precinct between January 1 of a year immediately preceding the year in which an enumeration is required by the United States Constitution, and the day on which the Legislature divides the state into districts in accordance with Utah Constitution, Article IX, Section 1.

68 ~~[(5)]~~ (7) A county legislative body may establish, divide, abolish, alter, or change a voting precinct on or before January 31 of a regular general election year that immediately follows the calendar year in which the Legislature divides the state into districts in accordance with Utah Constitution, Article IX, Section 1.

72 ~~[(6)]~~ (8)

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(a) For the purpose of voting in an election, the county legislative body may establish a common polling place for two or more whole voting precincts.

(b) At least 90 days before the date of the election, the county legislative body shall designate:

(i) ~~[the voting precincts]~~ each voting precinct that will vote at the common polling place; and

(ii) the location of the common polling place.

(c) A county may use one set of election judges for the common polling place under this Subsection ~~[(6)]~~ (8).

(9) Each voting precinct established under this section shall have a name that is distinguishable from the name of any other voting precinct in the state.

~~[(7)]~~ (10) Each county shall have at least two polling places open for voting on the date of the election.

~~[(8)]~~ (11) Each common polling place shall have at least one voting device that is accessible for individuals with disabilities in accordance with Public Law 107-252, the Help America Vote Act of 2002.

Section 2. Section 2 is enacted to read:

20A-5-303.5. Voting precinct boundaries -- Adjustment by county clerk.

(1) Notwithstanding Section 20A-5-303, { ~~and except as provided in Subsection (3),~~ } the county clerk may adjust the boundaries of a voting precinct in order to:

(a) match the current boundaries of a local political subdivision; or

(b) match the resulting boundaries of a local political subdivision that expands, divides, alters, or changes the local political subdivision's boundaries.

(2)

(a) A county clerk who adjusts the boundaries of a voting precinct under Subsection (1) shall, no later than 65 days before the date of an election, file with the Utah Geospatial Resource Center, created in Section 63A-16-505, a notice that:

(i) describes the reason for the voting precinct boundary adjustment; and

(ii) specifies the resulting boundaries of the voting precinct affected by the adjustment.

(b) The county clerk shall provide a copy of the notice described in Subsection (2)(a) to the county legislative body.

(3) A county clerk may not adjust the boundaries of a voting precinct { ~~if the number of active voters in the resulting voting precinct is more than the limit of active voters~~ } except as provided in { ~~a voting precinct under~~ } Subsection { ~~20A-5-303(2)(a)~~ } (1).

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104 (4) A county clerk's adjustment of a voting precinct's boundaries under this section is not effective until
112 the county clerk files the notice described in Subsection (2)(a).

112 Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

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