

Part 3 Elections: General Requirements

20A-1-302 Opening and closing of polls on election day.

- (1) Polls at all elections on the date of the election shall open at 7 a.m. and shall remain open until 8 p.m. of the same day.
- (2) The election judges shall allow every voter who arrives at the polls by 8 p.m. to vote.

Amended by Chapter 264, 2006 General Session

20A-1-303 Determining results.

- (1)
 - (a) When one person is to be elected or nominated, the person receiving the highest number of votes at any:
 - (i) election for any office to be filled at that election is elected to that office; and
 - (ii) primary for nomination for any office is nominated for that office.
 - (b) When more than one person is to be elected or nominated, the persons receiving the highest number of votes at any:
 - (i) election for any office to be filled at that election are elected to that office; and
 - (ii) primary for nomination for any office are nominated for that office.
- (2) Any ballot proposition submitted to voters for their approval or rejection:
 - (a) passes if the number of "yes" votes is greater than the number of "no" votes; and
 - (b) fails if:
 - (i) the number of "yes" votes equal the number of "no" votes; or
 - (ii) the number of "no" votes is greater than the number of "yes" votes.

Enacted by Chapter 1, 1993 General Session

20A-1-304 Tie votes.

- (1) Except as provided in Subsection (2), if two or more candidates for a position have an equal and the highest number of votes for any office, the election officer shall determine by lot which candidate is selected in a public meeting in the presence of each person subject to the tie within 30 days of the canvass or within 30 days of the recount if one is requested or held.
- (2) For any municipal primary election, if two or more candidates for a position have an equal and the highest number of votes for any office, the election officer shall determine by lot which candidate is selected in a public meeting in the presence of each person subject to the tie within five days of the canvass or within five days of the recount if one is requested or held.

Amended by Chapter 20, 2001 General Session

20A-1-305 Publication and distribution of election laws.

- (1) The lieutenant governor shall:
 - (a) publish a sufficient number of copies of Title 20A, Election Code, and any other provisions of law that govern elections; and
 - (b) transmit copies to each county clerk.
- (2) Each county clerk shall:
 - (a) inform the lieutenant governor of the number of copies needed; and

(b) furnish each election officer in the county with one copy.

Enacted by Chapter 1, 1993 General Session

20A-1-306 Electronic signatures prohibited.

Notwithstanding Title 46, Chapter 4, Uniform Electronic Transactions Act, and Subsections 68-3-12(1)(e) and 68-3-12.5(27) and (38), an electronic signature may not be used to sign a petition to:

- (1) qualify a ballot proposition for the ballot under Chapter 7, Issues Submitted to the Voters;
- (2) organize and register a political party under Chapter 8, Political Party Formation and Procedures; or
- (3) qualify a candidate for the ballot under Chapter 9, Candidate Qualifications and Nominating Procedures.

Amended by Chapter 348, 2016 General Session

20A-1-307 Residency requirements for person who verifies a signature on a petition.

Notwithstanding any other provision in this title that requires a person who signs the verification on a petition to be a resident, a person who is not a resident may sign the verification on a petition if:

- (1) the person signing the petition is a resident who is temporarily located outside the state at the time of signing; and
- (2) the person signing the verification meets all the requirements in the verification, except for the residency requirement.

Enacted by Chapter 72, 2012 General Session

20A-1-308 Elections during declared emergencies.

- (1) As used in this section, "declared emergency" means a state of emergency that:
 - (a) is declared by:
 - (i) the president of the United States;
 - (ii) the governor in an executive order under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; or
 - (iii) the chief executive officer of a political subdivision in a proclamation under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; and
 - (b) affects an election in the state, including:
 - (i) voting on election day;
 - (ii) early voting;
 - (iii) the transmittal or voting of an absentee ballot or military-overseas ballot;
 - (iv) the counting of an absentee ballot or military-overseas ballot; or
 - (v) the canvassing of election returns.
- (2) During a declared emergency, the lieutenant governor may designate a method, time, or location for, or relating to, an event described in Subsection (1)(b) that is different than the method, time, or location described in this title.
- (3) The lieutenant governor shall notify a voter or potential voter of a different method, time, or location designated under Subsection (2) by:
 - (a) posting a notice on the Statewide Electronic Voter Information Website established under Section 20A-7-801;

- (b) notifying each election officer affected by the designation; and
- (c) notifying a newspaper of general circulation within the state or a local media correspondent.

Enacted by Chapter 182, 2013 General Session

Amended by Chapter 182, 2013 General Session, (Coordination Clause)

Enacted by Chapter 219, 2013 General Session