

20A-3-105.5 Manner of voting -- Provisional ballot.

- (1) The poll workers shall follow the procedures and requirements of this section when:
 - (a) the person's right to vote is challenged as provided in Section 20A-3-202 or 20A-3-202.5;
 - (b) the person's name is not found on the official register; or
 - (c) the poll worker is not satisfied that the voter has provided valid voter identification.
- (2) When faced with one of the circumstances outlined in Subsection (1)(a) or (b), the poll worker shall:
 - (a) request that the person provide valid voter identification; and
 - (b) review the identification provided by the person.
- (3) If the poll worker is satisfied that the person has provided valid voter identification that establishes the person's identity and residence in the voting precinct or within the county:
 - (a) the poll worker in charge of the official register shall:
 - (i) record in the official register the type of identification that established the person's identity and place of residence;
 - (ii) write the provisional ballot envelope number opposite the name of the voter in the official register; and
 - (iii) direct the voter to sign his name in the election column in the official register;
 - (b) another poll worker shall list the ballot number and voter's name in the pollbook; and
 - (c) the poll worker having charge of the ballots shall:
 - (i) endorse his initials on the stub;
 - (ii) check the name of the voter on the pollbook list with the number of the stub;
 - (iii) give the voter a ballot and a provisional ballot envelope; and
 - (iv) allow the voter to enter the voting booth.
- (4) If the poll worker is not satisfied that the voter has provided valid voter identification that establishes the person's identity and residence in the voting precinct or within the county:
 - (a) the poll worker in charge of the official register shall:
 - (i) record in the official register that the voter did not provide valid voter identification;
 - (ii) record in the official register the type of identification that was provided by the voter, if any;
 - (iii) write the provisional ballot envelope number opposite the name of the voter in the official register; and
 - (iv) direct the voter to sign his name in the election column in the official register;
 - (b) another poll worker shall list the ballot number and voter's name in the pollbook; and
 - (c) the poll worker having charge of the ballots shall:
 - (i) endorse his initials on the stub;
 - (ii) check the name of the voter on the pollbook list with the number of the stub;
 - (iii) give the voter a ballot and a provisional ballot envelope; and
 - (iv) allow the voter to enter the voting booth.
- (5) Whenever the election officer is required to furnish more than one kind of official ballot to a voting precinct, the poll workers of that voting precinct shall give the registered voter the kind of ballot that the voter is qualified to vote.

Amended by Chapter 390, 2013 General Session