

Effective 5/12/2015

20A-3-304 Application for absentee ballot -- Time for filing and voting.

- (1)
- (a) Any registered voter who wishes to vote an absentee ballot may either:
 - (i) file an absentee ballot application:
 - (A) on the electronic system maintained by the lieutenant governor under Section 20A-2-206; or
 - (B) with the appropriate election officer for an official absentee ballot as provided in this section; or
 - (ii) vote in person at the office of the appropriate election officer as provided in Section 20A-3-306.
 - (b) A person that collects a completed absentee ballot application from a registered voter shall file the completed absentee ballot application with the appropriate election official before the earlier of:
 - (i) 14 days after the day on which the registered voter signed the absentee ballot form; or
 - (ii) the Thursday before the next election.
- (2) As it relates to an absentee ballot application to be filled out entirely by the voter:
- (a) except as provided in Subsection (2)(b), the lieutenant governor or election officer shall approve an application form for absentee ballot applications:
 - (i) in substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot to be voted by me at the election.
Date _____ (month\day\year) Signed _____
Voter"; and
 - (ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter status:
 - (A) until the voter requests otherwise at a future date; or
 - (B) until a date specified by the voter in the application form; and
 - (b) the lieutenant governor or election officer shall approve an application form for regular primary elections and for the Western States Presidential Primary:
 - (i) in substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot for the _____ political party to be voted by me at the primary election.
I understand that I must be affiliated with or authorized to vote the political party's ballot that I request.
Dated _____ (month\day\year) _____ Signed _____
Voter"; and
 - (ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter status:
 - (A) until the voter requests otherwise at a future date; or
 - (B) until a date specified by the voter in the application form.
- (3) If requested by the applicant, the election officer shall:
- (a) mail or fax the application form to the absentee voter; or
 - (b) deliver the application form to any voter who personally applies for it at the office of the election officer.
- (4) As it relates to an absentee ballot application to be filled out for, and finished and signed by, a voter:
- (a) except as provided in Subsection (4)(b), the lieutenant governor or election officer shall approve an application form for absentee ballot applications:

(i) in substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot to be voted by me at the election.

I understand that a person that collects this absentee ballot application is required to file it with the appropriate election official before the earlier of fourteen days after the day on which I sign the application or the Thursday before the next election.

This form is provided by (insert name of person or organization).

I have verified that the information on this application is correct.

I understand that I will receive a ballot at the following address: (insert address and an adjacent check box);

OR

I request that the ballot be mailed to the following address: (insert blank space for an address and an adjacent check box).

Date _____ (month\day\year) Signed _____

Voter"; and

(ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter status:

(A) until the voter requests otherwise at a future date; or

(B) until a date specified by the voter in the application form; and

(b) the lieutenant governor or election officer shall approve an application form for regular primary elections and for the Western States Presidential Primary:

(i) in substantially the following form:

"I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah apply for an official absentee ballot for the _____ political party to be voted by me at the primary election.

I understand that I must be affiliated with or authorized to vote the political party's ballot that I request. I understand that a person that collects this absentee ballot application is required to file it with the appropriate election official before the earlier of fourteen days after the day on which I sign the application or the Thursday before the next primary election.

This form is provided by (insert name of person or organization).

I have verified that the information on this application is correct.

I understand that I will receive a ballot at the following address: (insert address and an adjacent check box);

OR

I request that the ballot be mailed to the following address: (insert blank space for an address and an adjacent check box).

Dated _____ (month\day\year) _____ Signed _____

Voter"; and

(ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter status:

(A) until the voter requests otherwise at a future date; or

(B) until a date specified by the voter in the application form.

(5) The forms described in Subsections (2) and (4) shall contain instructions on how a voter may cancel an absentee ballot application.

(6) Except as provided in Subsection 20A-3-306(2)(a), a voter who wishes to vote by absentee ballot shall file the application for an absentee ballot with the lieutenant governor or appropriate election officer no later than the Thursday before election day.

(7)

(a) A county clerk shall establish an absentee voter list containing the name of each voter who:

- (i) requests absentee voter status; and
 - (ii) meets the requirements of this section.
- (b) A county clerk may not remove a voter's name from the list described in Subsection (7)(a) unless:
- (i) the voter is no longer listed in the official register;
 - (ii) the voter cancels the voter's absentee status; or
 - (iii) the voter's name is removed on the date specified by the voter on the absentee ballot application form.
- (c)
- (i) Each year, the clerk shall mail a questionnaire to each voter whose name is on the absentee voter list.
 - (ii) The questionnaire shall allow the voter to:
 - (A) verify the voter's residence; or
 - (B) cancel the voter's absentee status.
- (d) The clerk shall provide a copy of the absentee voter list to election officers for use in elections.

Amended by Chapter 394, 2015 General Session