

**Effective 5/13/2014**

**20A-4-301 Board of canvassers.**

- (1)
  - (a) Each county legislative body is the board of county canvassers for:
    - (i) the county; and
    - (ii) each local district whose election is conducted by the county if:
      - (A) the election relates to the creation of the local district;
      - (B) the county legislative body serves as the governing body of the local district; or
      - (C) there is no duly constituted governing body of the local district.
  - (b) The board of county canvassers shall meet to canvass the returns at the usual place of meeting of the county legislative body, at a date and time determined by the county clerk that is no sooner than seven days after the election and no later than 14 days after the election.
  - (c) If one or more of the county legislative body fails to attend the meeting of the board of county canvassers, the remaining members shall replace the absent member by appointing in the order named:
    - (i) the county treasurer;
    - (ii) the county assessor; or
    - (iii) the county sheriff.
  - (d) Attendance of the number of persons equal to a simple majority of the county legislative body, but not less than three persons, shall constitute a quorum for conducting the canvass.
  - (e) The county clerk is the clerk of the board of county canvassers.
- (2)
  - (a) The mayor and the municipal legislative body are the board of municipal canvassers for the municipality.
  - (b) The board of municipal canvassers shall meet to canvass the returns at the usual place of meeting of the municipal legislative body:
    - (i) for canvassing of returns from a municipal general election, no sooner than seven days after the election and no later than 14 days after the election; or
    - (ii) for canvassing of returns from a municipal primary election, no sooner than seven days after the election and no later than 14 days after the election.
  - (c) Attendance of a simple majority of the municipal legislative body shall constitute a quorum for conducting the canvass.
- (3)
  - (a) The legislative body of the entity authorizing a bond election is the board of canvassers for each bond election.
  - (b) The board of canvassers for the bond election shall comply with the canvassing procedures and requirements of Section 11-14-207.
  - (c) Attendance of a simple majority of the legislative body of the entity authorizing a bond election shall constitute a quorum for conducting the canvass.

Amended by Chapter 377, 2014 General Session