

20A-4-303 Duties of the board of canvassers -- Canvassing the returns.

- (1)
 - (a) The board of canvassers shall canvass the election returns by publicly opening the returns and determining from them the votes of each voting precinct for:
 - (i) each person voted for; and
 - (ii) for and against each ballot proposition voted upon at the election.
 - (b) The board of canvassers shall, once having begun the canvass, continue until it is completed.
- (2) In canvassing returns, the board of canvassers may not:
 - (a) reject any election returns if the board can determine the number of votes cast for each person from it;
 - (b) reject any election returns if the election returns:
 - (i) do not show who administered the oath to the judges of election;
 - (ii) show that the election judges failed to fill out all the certificates in the pollbooks; or
 - (iii) show that the election judges failed to do or perform any other act in preparing the returns that is not essential to determine for whom the votes were cast; or
 - (c) reject any returns from any voting precinct that do not conform with the requirements for making, certifying, and returning the returns if those returns are sufficiently explicit to enable the board of canvassers to determine the number of votes cast for each person and for and against each ballot proposition.
- (3)
 - (a) If it clearly appears to the election officer and board of canvassers that certain matters are omitted or that clerical mistakes exist in election returns received, they shall transmit the election returns to the election judges for correction.
 - (b) Upon receipt of the election returns for correction from the board of canvassers, the election judges shall correct the election returns as required by the facts.
 - (c) The clerk and the board of canvassers may adjourn from day to day to await receipt of corrected election material.
- (4) If a recount is conducted as authorized by Section 20A-4-401, the board of canvassers shall canvass the results of that recount as provided in this section and Section 20A-4-401.

Amended by Chapter 133, 2002 General Session