

**20A-5-400.1 Contracting with an election officer to conduct elections -- Fees -- Contracts and interlocal agreements -- Private providers.**

- (1)
  - (a) In accordance with this section, a local political subdivision may enter into a contract or interlocal agreement as provided in Title 11, Chapter 13, Interlocal Cooperation Act, with a provider election officer to conduct an election.
  - (b) If the boundaries of a local political subdivision holding the election extend beyond a single local political subdivision, the local political subdivision may have more than one provider election officer conduct an election.
- (2) A provider election officer shall conduct an election:
  - (a) under the direction of the contracting election officer; and
  - (b) in accordance with a contract or interlocal agreement.
- (3) A provider election officer shall establish fees for conducting an election for a contracting election officer that:
  - (a) are consistent with the contract or interlocal agreement; and
  - (b) do not exceed the actual costs incurred by the provider election officer.
- (4) The contract or interlocal agreement under this section may specify that a contracting election officer request, within a specified number of days before the election, that the provider election officer conduct the election to allow adequate preparations by the provider election officer.
- (5) An election officer conducting an election may appoint or employ an agent or professional service to assist in conducting the election.

Enacted by Chapter 310, 2011 General Session