

DATES FOR BOND ELECTIONS

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Glenn Way

AN ACT RELATING TO BONDING; REQUIRING ALL BOND ELECTIONS TO BE HELD
IN CONJUNCTION WITH CERTAIN REGULARLY SCHEDULED ELECTIONS; MAKING
TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

11-14-4, as last amended by Chapter 261, Laws of Utah 1996

11-14-7, as last amended by Chapter 3, Laws of Utah 1996, Second Special Session

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **11-14-4** is amended to read:

11-14-4. Election procedure -- Dates for bond elections.

~~[(1) (a) The governing body shall:]~~

~~[(i) designate the voting places to be used;]~~

~~[(ii) fix the hours during which the polls are to be open, which, if the election is a special election, shall be those provided by law for the conduct of regular general elections;]~~

~~[(iii) cause to be provided the necessary ballot boxes, ballots, paraphernalia, equipment, and supplies needed for the election as determined by the governing body; and]~~

~~[(iv) unless the election officials to serve at each voting place are otherwise appointed under the provisions of general law, appoint three election officials, who shall be qualified electors of the municipality or other entity calling the election, to serve at each voting place.]~~

~~[(b) The governing body may appoint one or more alternate election officials to so serve in case of the absence for any cause of the designated election officials.]~~

(1) As used in this section:

(a) "Municipal general election" means the election held in municipalities and special

1 districts on the first Tuesday after the first Monday in November of each odd-numbered year.

2 (b) "Municipal primary election" means the election held on the first Tuesday following
 3 the first Monday in October of each odd-numbered year, at which candidates for municipal office
 4 are nominated.

5 (c) "Regular general election" means the election held throughout the state on the first
 6 Tuesday after the first Monday in November of each even-numbered year.

7 (d) "Regular primary election" means the election on the fourth Tuesday of June of each
 8 even-numbered year, at which candidates of political parties and nonpolitical groups are voted for
 9 nomination.

10 (2) (a) A bond election may be held and the proposition for the issuance of bonds may be
 11 submitted at any [~~general, primary, or other election held in the municipality or other entity calling~~
 12 ~~the bond election, or at a special election called for the purpose]~~ regular general election, regular
 13 primary election, municipal general election, or municipal primary election.

14 [~~(b) A special election may, but need not, be held on the same day as any other election.]~~

15 [~~(c) Where a bond election is being held on the same day as any other election held in the~~
 16 ~~municipality or entity calling the bond election or in some part of that municipality or entity, the]~~

17 (b) The election officials serving for the other election [may also] shall serve as election
 18 officials for the bond election.

19 [~~(3) (a) Voting precincts may be combined for purposes of bond elections.]~~

20 [~~(b) The governing body may designate whatever voting places that it considers best~~
 21 ~~suited, so long as no voter is required to vote outside the county in which he resides.]~~

22 Section 2. Section **11-14-7** is amended to read:

23 **11-14-7. Election -- Registration of voters -- Special registration not required --**
 24 **Registration lists supplied by clerk.**

25 (1) [~~There shall be no special registration of voters for a bond election and the official~~
 26 ~~register last made or revised shall constitute the register for such bond election except that: (a) if~~
 27 ~~the bond election is held on the same day as a general, special, primary, or other election held in~~
 28 ~~the municipality or other bond-issuing entity or in part of the municipality or entity, all] All
 29 persons registered to vote in [such other] the election being held in conjunction with the bond
 30 election shall be considered registered to vote in the bond election[; and].~~

31 [~~(b) if the bond election is not to be held on the same day as any other election, the county~~

1 clerk of each county in which the municipality or entity is wholly or partly located shall register
 2 at his office during regular office hours except Saturdays, Sundays, and holidays, and except
 3 during the 20-day period immediately preceding the bond election, any person who on the day of
 4 the bond election will be a qualified elector, such person to be registered in the same manner as
 5 provided by law for registration by satellite registrars.]

6 (2) The county clerk of each county in which a municipality or entity holding the bond
 7 election is located shall make registration lists or copies of [such] those lists available at each
 8 polling place for use by registered [electors] voters entitled to use [such voting] the polling place.

9 (3) (a) If the registration lists furnished include [electors] voters who do not reside within
 10 the municipality or entity whose bonds are being voted upon, the county clerk or the municipality
 11 or other entity shall cause to be indicated on the registration lists the names of the registered
 12 electors who do not reside in [such] that municipality or entity[, but the failure to so indicate or
 13 any inaccuracy in such indication shall not be considered].

14 (b) The failure to identify names of nonresidents, or any inaccuracy in the identification
 15 is not an irregularity or ground for invalidating the bond election.

16 Section 3. **Effective date.**

17 If approved by two-thirds of all the members elected to each house, this act takes effect
 18 upon approval by the governor, or the day following the constitutional time limit of Utah
 19 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
 20 date of veto override.

Legislative Review Note
as of 1-7-98 11:26 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel