

Representative Raymond W. Short proposes to substitute the following bill:

WESTERN STATES PRESIDENTIAL PRIMARY

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Raymond W. Short

AN ACT RELATING TO ELECTIONS; ESTABLISHING A WESTERN STATES
PRESIDENTIAL PRIMARY FOR UTAH; DEFINING PARTICIPATION REQUIREMENTS
AND FILING FEES; ESTABLISHING PROCESSES FOR IDENTIFYING, DECLARING,
RECORDING, AND CHANGING PARTY AFFILIATION; PROVIDING DIRECTION ABOUT
BALLOT FORM AND ADMINISTRATION OF THE ELECTION; AND MAKING
TECHNICAL AND CONFORMING CHANGES.

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

20A-1-204, as enacted by Chapter 325, Laws of Utah 1996

20A-5-401 (Effective 01/01/00), as last amended by Chapter 362, Laws of Utah 1998

20A-5-401 (Superseded 01/01/00), as last amended by Chapter 362, Laws of Utah 1998

20A-9-201, as last amended by Chapters 27 and 40, Laws of Utah 1998

ENACTS:

20A-9-202.5, Utah Code Annotated 1953

20A-9-801, Utah Code Annotated 1953

20A-9-802, Utah Code Annotated 1953

20A-9-803, Utah Code Annotated 1953

20A-9-804, Utah Code Annotated 1953

20A-9-805, Utah Code Annotated 1953

20A-9-806, Utah Code Annotated 1953

26 20A-9-807, Utah Code Annotated 1953

27 20A-9-808, Utah Code Annotated 1953

28 20A-9-809, Utah Code Annotated 1953

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

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

31 **11-14-4. Election procedure -- Time for election -- Equipment -- Election officials --**

32 **Combining precincts.**

33 (1) (a) The governing body shall:

34 (i) designate the voting places to be used;

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

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

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

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

44 (2) (a) (i) A bond election may be held and the proposition for the issuance of bonds may
45 be submitted at any general, primary, or other election held in the municipality or other entity
46 calling the bond election, or at a special election called for the purpose.

47 (ii) A bond election may not be held, nor a proposition for issuance of bonds be submitted,
48 at the Western States Presidential Primary election established in Title 20A, Chapter 9, Part 8,
49 Western States Presidential Primary.

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

51 (c) Where a bond election is being held on the same day as any other election held in the
52 municipality or entity calling the bond election or in some part of that municipality or entity, the
53 election officials serving for the other election may also serve as election officials for the bond
54 election.

55 (3) (a) Voting precincts may be combined for purposes of bond elections.

56 (b) The governing body may designate whatever voting places that it considers best suited,

57 so long as no voter is required to vote outside the county in which he resides.

58 Section 2. Section **20A-1-204** is amended to read:

59 **20A-1-204. Date of special election -- Legal effect.**

60 (1) (a) The governor, Legislature, or the legislative body of a local political subdivision
61 calling a statewide special election or local special election under Section 20A-1-203 shall
62 schedule the special election to be held on:

63 (i) the first Tuesday after the first Monday in February;

64 (ii) the first Tuesday after the first Monday in May;

65 (iii) the fourth Tuesday in June in even-numbered years;

66 (iv) the first Tuesday after the first Monday in August; or

67 (v) the first Tuesday after the first Monday in November.

68 (b) Except as provided in Subsection (1)(c), the governor, Legislature, or the legislative
69 body of a local political subdivision calling a statewide special election or local special election
70 under Section 20A-1-203 may not schedule a special election to be held on any other date.

71 (c) (i) Notwithstanding the requirements of Subsection (1)(b), the legislative body of a
72 local political subdivision may call a local special election on a date other than those specified in
73 this section if the legislative body:

74 [(i)] (A) determines and declares that there is an emergency requiring that a special
75 election be held on a date other than the ones authorized in statute;

76 [(ii)] (B) identifies specifically the nature of the emergency and the reasons for holding the
77 special election on that other date; and

78 [(iii)] (C) votes unanimously to hold the special election on that other date.

79 (ii) The legislative body of a local political subdivision may not call a local special election
80 for the date established in Title 20A, Chapter 9, Part 8, Western States Presidential Primary, for
81 Utah's Western States Presidential Primary.

82 (d) Nothing in this section prohibits:

83 (i) the governor or Legislature from submitting a matter to the voters at the regular general
84 election if authorized by law; or

85 (ii) a local government from submitting a matter to the voters at the regular municipal
86 election if authorized by law.

87 (2) If two or more entities hold a special election within a county on the same day, those

88 entities shall, to the extent practicable, coordinate:

- 89 (a) polling places;
- 90 (b) ballots;
- 91 (c) election officials; and
- 92 (d) other administrative and procedural matters connected with the election.

93 Section 3. Section **20A-5-401 (Effective 01/01/00)** is amended to read:

94 **20A-5-401 (Effective 01/01/00). Official register and posting book -- Preparation --**
95 **Contents.**

96 (1) (a) Before the registration days for each regular general [σ], municipal general, regular
97 primary, municipal primary, or Western States Presidential primary election, each county clerk
98 shall prepare an official register and posting list of voters for each voting precinct that will
99 participate in the election.

100 (b) The county clerk shall ensure that the official register and posting list are bound or
101 loose leaf books prepared for the alphabetical entry of names and ruled in columns of suitable
102 dimensions to provide for the following entries:

- 103 (i) registered voter's name;
- 104 (ii) party affiliation;
- 105 (iii) grounds for challenge;
- 106 (iv) name of person challenging a voter;
- 107 (v) ballot numbers, primary, November, special;
- 108 (vi) date of birth;
- 109 (vii) place of birth;
- 110 (viii) place of current residence;
- 111 (ix) street address;
- 112 (x) zip code; and
- 113 (xi) space for the voter to sign his name for each election.

114 (c) When preparing the official register and posting list for the Western States Presidential
115 primary, the county clerk shall include:

- 116 (i) a column to record the name of the political party whose ballot the voter voted; and
- 117 (ii) a column for the election judge to record changes in the voter's party affiliation.

118 (2) (a) (i) For regular and municipal elections, primary elections, regular municipal

119 elections, special district elections, and bond elections, the county clerk shall make an official
120 register and posting list only for voting precincts affected by the primary, municipal, special
121 district, or bond election.

122 (ii) Each county clerk, with the assistance of the clerk of each affected special district, shall
123 provide a detailed map or an indication on the registration list or other means to enable an election
124 judge to determine the voters entitled to vote at an election of special district officers.

125 (b) Municipalities shall pay the costs of making the official register and posting list for
126 municipal elections.

127 Section 4. Section **20A-5-401 (Superseded 01/01/00)** is amended to read:

128 **20A-5-401 (Superseded 01/01/00). Official register and posting book -- Preparation**
129 **-- Contents.**

130 (1) (a) Before the registration days for each regular general [or], municipal general, regular
131 primary, municipal primary, or Western States Presidential primary election, each county clerk
132 shall prepare an official register and posting list of voters for each voting precinct that will
133 participate in the election.

134 (b) The county clerk shall ensure that the official register and posting list are bound or
135 loose leaf books prepared for the alphabetical entry of names and ruled in columns of suitable
136 dimensions to provide for the following entries:

- 137 (i) registered voter's name;
138 (ii) party affiliation;
139 (iii) grounds for challenge;
140 (iv) name of person challenging a voter;
141 (v) ballot numbers, primary, November, special;
142 (vi) date of birth;
143 (vii) place of birth;
144 (viii) place of current residence;
145 (ix) street address;
146 (x) zip code; and
147 (xi) space for the voter to sign his name for each election.

148 (c) When preparing the official register and posting list for the Western States Presidential
149 primary, the county clerk shall include:

150 (i) a column to record the name of the political party whose ballot the voter voted; and

151 (ii) a column for the election judge to record changes in the voter's party affiliation.

152 (2) (a) For regular and municipal elections, primary elections, regular municipal elections,
153 special district elections, and bond elections, the county clerk shall make an official register and
154 posting list only for voting precincts affected by the primary, municipal, special district, or bond
155 election.

156 (b) Municipalities shall pay the costs of making the official register and posting list for
157 municipal elections.

158 Section 5. Section **20A-9-201** is amended to read:

159 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
160 **more than one political party prohibited -- General filing and form requirements.**

161 (1) Before filing a declaration of candidacy for election to any office, a person shall:

162 (a) be a United States citizen; and

163 (b) meet the legal requirements of that office.

164 (2) A person may not:

165 (a) file a declaration of candidacy for, or be a candidate for, more than one office in Utah
166 during any election year; or

167 (b) appear on the ballot as the candidate of more than one political party.

168 (3) If the final date established for filing a declaration of candidacy is a Saturday or
169 Sunday, the filing time shall be extended until 5 p.m. on the following Monday.

170 (4) (a) (i) [~~Before~~] Except for presidential candidates, before the filing officer may accept
171 any declaration of candidacy, the filing officer shall:

172 (A) read to the prospective candidate the constitutional and statutory qualification
173 requirements for the office that the candidate is seeking; and

174 (B) require the candidate to state whether or not the candidate meets those requirements.

175 (ii) Before accepting a declaration of candidacy for the office of county attorney, the
176 county clerk shall ensure that the person filing that declaration of candidacy is:

177 (A) a United States citizen;

178 (B) an attorney licensed to practice law in Utah who is an active member in good standing
179 of the Utah State Bar;

180 (C) a registered voter in the county in which he is seeking office; and

181 (D) a current resident of the county in which he is seeking office and either has been a
182 resident of that county for at least one year or was appointed and is currently serving as county
183 attorney and became a resident of the county within 30 days after appointment to the office.

184 (iii) Before accepting a declaration of candidacy for the office of district attorney, the
185 county clerk shall ensure that, as of the date of the election, the person filing that declaration of
186 candidacy is:

187 (A) a United States citizen;

188 (B) an attorney licensed to practice law in Utah who is an active member in good standing
189 of the Utah State Bar;

190 (C) a registered voter in the prosecution district in which he is seeking office; and

191 (D) a current resident of the prosecution district in which he is seeking office and either
192 will have been a resident of that prosecution district for at least one year as of the date of the
193 election or was appointed and is currently serving as district attorney and became a resident of the
194 prosecution district within 30 days after receiving appointment to the office.

195 (b) If the prospective candidate states that he does not meet the qualification requirements
196 for the office, the filing officer may not accept the prospective candidate's declaration of candidacy.

197 (c) If the candidate states that he meets the requirements of candidacy, the filing officer
198 shall:

199 (i) accept the candidate's declaration of candidacy; and

200 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
201 declaration of candidacy to the chair of the county or state political party of which the candidate
202 is a member.

203 (5) [The] Except for presidential candidates, the form of the declaration of candidacy shall
204 be substantially as follows:

205 "State of Utah, County of ____

206 I, _____, declare my intention of becoming a candidate for the office of ____
207 as a candidate for the ____ party. I do solemnly swear that: I can qualify to hold that office, both
208 legally and constitutionally, if selected; I reside at _____ in the City or Town of _____,
209 Utah, Zip Code ____ Phone No. ____; I will not knowingly violate any law governing campaigns
210 and elections; and I will qualify for the office if elected to it. The mailing address that I designate
211 for receiving official election notices is _____.

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Subscribed and sworn before me this ____ day of ____, 19__.

Notary Public (or other officer qualified to administer oath.)"

(6) (a) [~~The~~] Except for presidential candidates, the fee for filing a declaration of candidacy is:

- (i) \$25 for candidates for the local school district board; and
- (ii) 1/8 of 1% of the total salary for the full term of office legally paid to the person holding the office, but not less than \$5, for all other federal, state, and county offices.

(b) [~~The~~] Except for presidential candidates, the filing officer shall refund the filing fee to any candidate:

- (i) who is disqualified; or
- (ii) who the filing officer determines has filed improperly.

(c) (i) The county clerk shall immediately pay to the county treasurer all fees received from candidates.

- (ii) The lieutenant governor shall:
 - (A) apportion to and pay to the county treasurers of the various counties all fees received for filing of nomination certificates or acceptances; and
 - (B) ensure that each county receives that proportion of the total amount paid to the lieutenant governor from the congressional district that the total vote of that county for all candidates for representative in Congress bears to the total vote of all counties within the congressional district for all candidates for representative in Congress.

(d) (i) Each person who is unable to pay the filing fee may file a declaration of candidacy without payment upon a prima facie showing of impecuniosity as evidenced by an affidavit of impecuniosity filed with the filing officer.

- (ii) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially the following form:

"Affidavit of Impecuniosity

Individual Name _____ Address _____

Phone Number _____

I, _____ (name), do solemnly [swear] [affirm] that, owing to my poverty, I am unable to pay the filing fee required by law.

243 Date _____ Signature_____

244 Affiant

245 Subscribed and sworn to before me on _____(date)

246 _____
247 (signature)

248 Name and Title of Officer Authorized to Administer Oath:"

249 (7) Any person who fails to file a declaration of candidacy or certificate of nomination
250 within the time provided in this chapter is ineligible for nomination to office.

251 Section 6. Section **20A-9-202.5** is enacted to read:

252 **20A-9-202.5. Declaration of candidacy -- Western States Presidential Primary.**

253 (1) As used in this section:

254 (a) "Presidential candidate" means a person seeking nomination for President of the United
255 States from a Utah registered political party.

256 (b) "Utah registered political party" means a political party that has complied with the
257 requirements of Title 20A, Chapter 8, Political Party Formation and Procedures, to become a
258 political party officially recognized by the state.

259 (2) Each presidential candidate, or the candidate's designated agent, shall file a declaration
260 of candidacy with the lieutenant governor as provided in Section 20A-9-803.

261 Section 7. Section **20A-9-801** is enacted to read:

262 **Part 8. Western States Presidential Primary**

263 **20A-9-801. Definitions.**

264 As used in this part, "registered political party" means a political party that has complied
265 with the requirements of Title 20A, Chapter 8, Political Party Formation and Procedures, to
266 become a political party officially recognized by the state.

267 Section 8. Section **20A-9-802** is enacted to read:

268 **20A-9-802. Western States Presidential Primary established -- Participating political**
269 **parties bound by results -- Other ballot issues prohibited.**

270 (1) (a) There is established a Western States Presidential Primary election to be held the
271 first Friday after the first Monday in March in the year in which a presidential election will be held.

272 (b) Except as otherwise specifically provided in this chapter, county clerks shall administer
273 the Western States Presidential Primary according to the provisions of Title 20A, Election Code,

274 including:

275 (i) Title 20A, Chapter 1, General Provisions;

276 (ii) Title 20A, Chapter 2, Voter Registration;

277 (iii) Title 20A, Chapter 3, Voting;

278 (iv) Title 20A, Chapter 4, Election Returns and Election Contests;

279 (v) Title 20A, Chapter 5, Election Administration; and

280 (vi) Title 20A, Chapter 6, Ballot Form.

281 (c) (i) The county clerks shall ensure that the ballot voted by the voters at the Western

282 States Presidential Primary contains only the names of candidates for President of the United

283 States who have qualified as provided in this part.

284 (ii) The county clerks may not present any other items to the voters to be voted upon at this
285 election.

286 (2) Registered political parties, and candidates for President of the United States who are
287 affiliated with a registered political party, may participate in the Western States Presidential
288 Primary established by this part.

289 (3) As a condition for using the state's election system, each registered political party
290 wishing to participate in Utah's Western States Presidential Primary shall:

291 (a) declare their intent to participate in the Western States Presidential Primary;

292 (b) identify one or more registered political parties whose members may vote for the
293 registered political party's candidates and whether or not persons identified as unaffiliated with a
294 political party may vote for the registered political party's candidates; and

295 (c) certify that information to the lieutenant governor no later than 5:00 p.m. on the June
296 30 of the year before the year in which the presidential primary will be held.

297 Section 9. Section **20A-9-803** is enacted to read:

298 **20A-9-803. Declaration of candidacy -- Filing fee -- Form.**

299 (1) (a) Candidates for President of the United States who are affiliated with a registered
300 political party in Utah that has elected to participate in Utah's Western States Presidential Primary
301 and who wish to participate in the primary shall:

302 (i) except as provided in Subsection (1)(b), file a declaration of candidacy, in person or
303 via a designated agent, with the lieutenant governor between July 1 of the year before the primary
304 election will be held and 5 p.m. on January 15 of the year in which the primary election will be

305 held;

306 (ii) identify the registered political party whose nomination the candidate is seeking;

307 (iii) provide a letter from the registered political party certifying that the candidate may
308 participate as a candidate for that party in that party's presidential primary election; and

309 (iv) pay the filing fee of \$500.

310 (b) If January 15 is a Saturday or Sunday, the filing time shall be extended until 5 p.m.
311 on the following Monday.

312 (2) The lieutenant governor shall develop a declaration of candidacy form for presidential
313 candidates participating in the primary.

314 Section 10. Section **20A-9-804** is enacted to read:

315 **20A-9-804. Satellite registration provisions not applicable -- registration with county**
316 **clerk.**

317 (1) Section 20A-2-203 does not apply to the Western States Presidential primary.

318 (2) (a) For the Western States Presidential primary election, each county clerk shall register
319 to vote all persons who present themselves for registration at the county clerk's office during
320 designated office hours through the Friday before the Friday of the Western States Presidential
321 primary if those persons, on voting day, will be legally qualified and entitled to vote in a voting
322 precinct in the county..

323 (b) The county clerk shall record the names of person registering to vote during that period
324 in the official register and direct the election judges to allow those persons to vote in the Western
325 States Presidential primary election if they present themselves at the voting precinct on election
326 day.

327 Section 11. Section **20A-9-805** is enacted to read:

328 **20A-9-805. Closed primary -- Determining party affiliation -- Changing party**
329 **affiliation.**

330 (1) If a registered political party has restricted voting for its presidential candidates as
331 authorized by Subsection 20A-9-802(3)(b), the lieutenant governor shall direct the county clerks
332 and other election officials to allow only those voters meeting the registered political party's
333 criteria to vote for that party's presidential candidates.

334 (2) (a) For each person who registers to vote on or after May 3, 1999, the county clerk
335 shall:

336 (i) record the party affiliation designated by the voter on the voter registration form as the
337 voter's party affiliation; or

338 (ii) if no political party affiliation is designated by the voter on the voter registration form,
339 record the voter's party affiliation as "unaffiliated."

340 (b) (i) Any registered voter may designate or change the voter's political party affiliation
341 by complying with the procedures and requirements of Section 20A-2-107.

342 Section 12. Section **20A-9-806** is enacted to read:

343 **20A-9-806. Ballots.**

344 (1) The lieutenant governor, together with county clerks, suppliers of election materials,
345 and representatives of registered political parties, shall:

346 (a) develop paper ballots, ballot labels, and ballot cards to be used in Utah's Western States
347 Presidential Primary;

348 (b) ensure that the paper ballots, ballot labels, and ballot cards comply generally with the
349 requirements of Title 20A, Chapter 6, Part 1, General Requirements for All Ballots; and

350 (c) provide voting booths, election records and supplies, and ballot boxes for each voting
351 precinct as required by Section 20A-5-403.

352 (2) (a) Notwithstanding the requirements of Subsections (1)(b) and (c), Title 20A, Chapter
353 6, Part 1, General Requirements for All Ballots, and Section 20A-5-403, the lieutenant governor,
354 together with county clerks, suppliers of election materials, and representatives of registered
355 political parties shall ensure that the paper ballots, ballot labels, ballot cards, and voting booths,
356 election records and supplies, and ballot boxes:

357 (i) facilitate the distribution, voting, and tallying of ballots in a closed primary;

358 (ii) simplify the task of election judges, particularly in determining a voter's party
359 affiliation;

360 (iii) minimize the possibility of spoiled ballots due to voter confusion; and

361 (iv) protect against fraud.

362 (b) To accomplish the requirements of this Subsection (2), the lieutenant governor, county
363 clerks, suppliers of election materials, and representatives of registered political parties shall:

364 (i) mark, prepunch, or otherwise identify ballot cards as being for a particular registered
365 political party; and

366 (ii) instruct persons counting the ballots to count only those votes for candidates from the

367 registered political party whose ballot the voter received.

368 (c) To accomplish the requirements of this Subsection (2), the lieutenant governor, county
369 clerks, suppliers of election materials, and representatives of registered political parties may:

370 (i) use different colored ballot cards for each registered political party;

371 (ii) place ballot labels for each registered political party in different voting booths and
372 direct voters to the particular voting booth for the political party whose ballot they are voting; or

373 (iii) consider other means of accomplishing the objectives outlined in Subsection (2)(a).

374 Section 13. Section **20A-9-807** is enacted to read:

375 **20A-9-807. Combining voting precincts.**

376 (1) The county legislative body may combine voting precincts for Utah's Western States
377 Presidential Primary by following the procedures and requirements of Section 20A-5-303.

378 (2) The county legislative body may not combine voting precincts if the voting precincts
379 are in different congressional districts as established by Section 20A-13-102.

380 Section 14. Section **20A-9-808** is enacted to read:

381 **20A-9-808. Voting.**

382 (1) (a) Any registered voter desiring to vote at the Western States Presidential Primary
383 shall give his name, the name of the registered political party whose ballot the voter wishes to vote,
384 and, if requested, his residence, to one of the election judges.

385 (b) If an election judge does not know the person requesting a ballot and has reason to
386 doubt that person's identity, the judge shall request identification or have the voter identified by
387 a known registered voter of the district.

388 (c) If the voter is challenged as provided in Section 20A-3-202, the judge shall provide a
389 ballot to the voter if the voter takes an oath that the grounds of the challenge are false.

390 (2) (a) (i) When the voter is properly identified, the election judge in charge of the official
391 register shall check the official register to determine:

392 (A) whether or not the person is registered to vote; and

393 (B) whether or not the person's party affiliation designation in the official register allows
394 the voter to vote the ballot that the voter requested.

395 (ii) If the official register does not affirmatively identify the voter as being affiliated with
396 a registered political party or if the official register identifies the voter as being "unaffiliated," the
397 voter shall be considered to be "unaffiliated."

398 (b) (i) If the voter's name is not found on the official register and, if it is not unduly
399 disruptive of the election process, the election judge shall attempt to contact the county clerk's
400 office to request oral verification of the voter's registration.

401 (ii) If oral verification is received from the county clerk's office, the judge shall record the
402 verification on the official register, determine the voter's party affiliation and the ballot that the
403 voter is qualified to vote, and perform the other administrative steps required by Subsection (3).

404 (c) (i) Except as provided in Subsection (c)(ii), if the voter's political party affiliation listed
405 in the official register does not allow the voter to vote the ballot that the voter requested, the
406 election judge shall inform the voter of that fact and inform the voter of the ballot or ballots that
407 the voter's party affiliation does allow the voter to vote.

408 (ii) (A) If the voter is listed in the official register as "unaffiliated," or if the official register
409 does not affirmatively identify the voter as either "unaffiliated" or affiliated with a registered
410 political party, and the voter, as an "unaffiliated" voter, is not authorized to vote the ballot that the
411 voter requests, the election judge shall ask the voter if the voter wishes to affiliate with the
412 registered political party whose ballot the voter requested, vote another registered political party
413 ballot that the voter, as "unaffiliated" is authorized to vote, or remain "unaffiliated."

414 (B) If the voter wishes to affiliate with the registered political party whose ballot the voter
415 requested, the election judge shall enter in the official register the voter's new party affiliation and
416 proceed as required by Subsection (3).

417 (C) If the voter wishes to vote another registered political party ballot that the unaffiliated
418 voter is authorized to vote, the election judge shall proceed as required by Subsection (3).

419 (D) If the voter wishes to remain unaffiliated and does not wish to vote another ballot that
420 unaffiliated voters are authorized to vote, the election judge shall instruct the voter that the voter
421 may not vote.

422 (3) If the election judge determines that the voter is registered and eligible, under
423 Subsection (2), to vote the ballot that the voter requested:

424 (a) the election judge in charge of the official register shall:

425 (i) write the ballot number and the name of the registered political party whose ballot the
426 voter voted opposite the name of the voter in the official register; and

427 (ii) direct the voter to sign his name in the election column in the official register;

428 (b) another judge shall list the ballot number and voter's name in the pollbook; and

- 429 (c) the election judge having charge of the ballots shall:
430 (i) endorse his initials on the stub;
431 (ii) check the name of the voter on the pollbook list with the number of the stub;
432 (iii) hand the voter the ballot for the registered political party that the voter requested and
433 for which the voter is authorized to vote; and
434 (iv) allow the voter to enter the voting booth.

435 (4) Whenever the election officer is required to furnish more than one kind of official
436 ballot to the voting precinct, the election judges of that voting precinct shall give the registered
437 voter the kind of ballot that the voter is qualified to vote.

438 Section 15. Section **20A-9-809** is enacted to read:

439 **20A-9-809. Counting votes -- Canvass -- Certification of results.**

440 (1) Votes shall be counted, results tabulated, returns transmitted, ballots reviewed and
441 retained, returns canvassed, and recounts and election contests conducted as provided in Title 20A,
442 Chapter 4, Election Returns and Election Contests.

443 (2) After the canvass is complete and the report prepared, the lieutenant governor shall
444 transmit a copy of the report to each registered political party that participated in Utah's Western
445 States Presidential Primary.