

**TECHNICAL AMENDMENT - POLLING PLACE**

**SUPPLIES**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Karen W. Morgan**

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**LONG TITLE**

**General Description:**

This bill corrects an erroneous cross-reference in the Election Code.

**Highlighted Provisions:**

This bill:

▶ ensures that the cross-reference to voter information pamphlets is correct in the Election Code section governing polling place supplies.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-5-403**, as last amended by Chapter 116, Laws of Utah 2003

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

Section 1. Section **20A-5-403** is amended to read:

**20A-5-403. Polling places -- Booths -- Ballot boxes -- Inspections -- Provisions --**

**Arrangements.**

(1) Each election officer shall:

(a) designate polling places for each voting precinct in the jurisdiction; and

(b) obtain the approval of the county or municipal legislative body or special district governing board for those polling places.

- (2) (a) For each polling place, the election officer shall provide:
- (i) an American flag;
  - (ii) a sufficient number of voting booths or compartments;
  - (iii) the voting devices, voting booths, ballots, ballot boxes, ballot labels, ballot cards, write-in ballots, and any other records and supplies necessary to enable a voter to vote; ~~and~~
  - (iv) the constitutional amendment cards ~~[and voter information pamphlets]~~ required by Part 1, Election Notices and Instructions; ~~and~~
  - (v) voter information pamphlets required by Title 20A, Chapter 7, Part 7, Voter Information Pamphlet; and
  - ~~[(v)]~~ (vi) the instruction cards required by Section 20A-5-102.
- (b) Each election officer shall ensure that:
- (i) each voting booth is at a convenient height for writing, and is arranged so that the voter can prepare his ballot screened from observation;
  - (ii) there are a sufficient number of voting booths to accommodate the voters at that polling place; and
  - (iii) there is at least one voting booth that is configured to accommodate persons with disabilities.
- (c) Each county clerk shall provide a ballot box for each polling place that is large enough to properly receive and hold the ballots to be cast.
- (3) (a) As of May 15, 2003, all polling places shall be physically inspected by each county clerk to ensure access by a person with a disability.
- (b) Any issues concerning inaccessibility to polling places by a person with a disability discovered during the inspections referred to in Subsection (3)(a) or reported to the county clerk on or after May 15, 2002 shall be:
- (i) forwarded to the Office of the Lieutenant Governor; and
  - (ii) within six months of the time of the complaint, the issue of inaccessibility shall be either:
    - (A) remedied at the particular location by the county clerk;

(B) the county clerk shall designate an alternative accessible location for the particular precinct; or

(C) if no practical solution can be identified, file with the Office of the Lieutenant Governor a written explanation identifying the reasons compliance cannot reasonably be met.

(4) The municipality in which the election is held shall pay the cost of conducting each municipal election, including the cost of printing and supplies.

(5) The county clerk shall make detailed entries of all proceedings had under this chapter.