

1 **TECHNICAL AMENDMENT - POLLING PLACE**

2 **SUPPLIES**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Karen W. Morgan**

7 **LONG TITLE**

8 **General Description:**

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

10 **Highlighted Provisions:**

11 This bill:

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

14 **Monies Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

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

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

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

24 **20A-5-403. Polling places -- Booths -- Ballot boxes -- Inspections -- Provisions --**

25 **Arrangements.**

26 (1) Each election officer shall:

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



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

30 (2) (a) For each polling place, the election officer shall provide:

31 (i) an American flag;

32 (ii) a sufficient number of voting booths or compartments;

33 (iii) the voting devices, voting booths, ballots, ballot boxes, ballot labels, ballot cards,
34 write-in ballots, and any other records and supplies necessary to enable a voter to vote; ~~[and]~~

35 (iv) the constitutional amendment cards ~~[and voter information pamphlets]~~ required by
36 Part 1, Election Notices and Instructions; ~~[and]~~

37 (v) voter information pamphlets required by Title 20A, Chapter 7, Part 7, Voter
38 Information Pamphlet; and

39 ~~[(v)]~~ (vi) the instruction cards required by Section 20A-5-102.

40 (b) Each election officer shall ensure that:

41 (i) each voting booth is at a convenient height for writing, and is arranged so that the
42 voter can prepare his ballot screened from observation;

43 (ii) there are a sufficient number of voting booths to accommodate the voters at that
44 polling place; and

45 (iii) there is at least one voting booth that is configured to accommodate persons with
46 disabilities.

47 (c) Each county clerk shall provide a ballot box for each polling place that is large
48 enough to properly receive and hold the ballots to be cast.

49 (3) (a) As of May 15, 2003, all polling places shall be physically inspected by each
50 county clerk to ensure access by a person with a disability.

51 (b) Any issues concerning inaccessibility to polling places by a person with a disability
52 discovered during the inspections referred to in Subsection (3)(a) or reported to the county
53 clerk on or after May 15, 2002 shall be:

54 (i) forwarded to the Office of the Lieutenant Governor; and

55 (ii) within six months of the time of the complaint, the issue of inaccessibility shall be
56 either:

57 (A) remedied at the particular location by the county clerk;

58 (B) the county clerk shall designate an alternative accessible location for the particular

59 precinct; or

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

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

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

Legislative Review Note
as of 6-18-03 12:04 PM

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

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-09-03 8:39 AM

The Government Operations Interim Committee recommended this bill.