



# House of Representatives *State of Utah*

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January 20, 2004

Mr. Speaker:

The Government Operations Committee reports a favorable recommendation on **H.B. 9**, ABSENTEE BALLOT AMENDMENTS, by Representative D. Aagard, with the following amendments:

- Page 1, Line 12: After line 12 insert:  
"► establishes requirements for making absentee ballot information available to the public;"
- Page 1, Line 24: After line 25 insert:  
"ENACTS:  
**20A-3-304.1**, Utah Code Annotated 1953"
- Page 5, Line 133: After line 133 insert:  
"Section 4. Section **20A-3-304.1** is enacted to read:  
**20A-3-304.1. County clerk to provide absentee ballot information and status.**  
(1) As used in this section:  
(a) "Absentee ballot record" means the information about the existence and status of absentee ballot requests required by this section.  
(b) "Qualified absentee ballot application" means an absentee ballot application filed under Section 20A-3-304 from a voter who the county clerk determines is eligible to receive an absentee ballot.  
(2) (a) Each county clerk shall maintain an absentee ballot record in the county clerk's office.  
(b) The absentee ballot record is a public record under Title 63, Chapter 2, Government Records Access and Management Act.  
(3) The county clerk shall ensure that the absentee ballot record contains, for each voting precinct:  
(a) the name and address of each person who has filed a qualified absentee ballot application;  
(b) the date that the application was received;  
(c) the current status of each qualified absentee ballot application including specifically:  
(i) whether or not the absentee ballot has been mailed to the voter; and  
(ii) whether or not the voted absentee ballot has been received by the county clerk.  
(4) (a) Notwithstanding the time limits for response to a request for records under Section 63-2-204 or the time limits for a request for records

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established in any county ordinance, the county clerk shall ensure that the information required by this section is recorded and made available no later than twenty-four hours after its receipt.  
(b) Notwithstanding the fee requirements of Section 63-2-203 or the fee requirements established in any county ordinance, the clerk shall make copies of the absentee ballot record available to the public for the actual cost of production or copying."

**Renumber remaining sections accordingly.**

Respectfully,

James A. Ferrin  
Committee Chair

Voting: 9-0-2

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