

COMMON POLLING PLACES AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas C. Aagard

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Election Code to allow additional use of common polling places.

Highlighted Provisions:

This bill:

▶ increases from 1,000 to ~~H→~~ [2,000] 1,250 ~~←H~~ the maximum number of active voters allowed for a voting precinct;

▶ expands the use of common polling places for two or more voting precincts to any election and any county;

▶ repeals the restrictions that:

• the total population of the voters authorized to vote at the common polling place may not exceed 4,000 active voters;

• in primary elections, the county legislative body may combine voting precincts; and

• one set of election judges may be used for the combined precincts if the ballots for each of the combined precincts are identical; ~~H→~~ [and]

▶ requires each county to have at least two polling places in the county on the date of the election;

▶ requires each common polling place to have at least one voting device that is accessible for individuals with disabilities; and ~~←H~~

▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **20A-5-303**, as last amended by Chapter 169, Laws of Utah 200531

32 *Be it enacted by the Legislature of the state of Utah:*33 Section 1. Section **20A-5-303** is amended to read:34 **20A-5-303. Establishing, dividing, abolishing, and changing voting precincts --**
35 **Common polling places -- Combined voting precincts -- Counties.**36 (1) (a) After receiving recommendations from the county clerk, the county legislative
37 body may establish, divide, abolish, and change voting precincts.38 (b) Within 30 days after the establishment, division, abolition, or change of a voting
39 precinct under this section, the county legislative body shall file with the Automated
40 Geographic Reference Center, created under Section 63F-1-506, a notice describing the action
41 taken and specifying the resulting boundaries of each voting precinct affected by the action.42 (2) (a) The county legislative body shall alter or divide voting precincts so that each
43 voting precinct contains not more than [1,000] ~~1,000~~ **1,250** ~~1,000~~ active voters.

44 (b) The county legislative body shall:

45 (i) identify those precincts that may reach [1,000] ~~1,000~~ **2,000** ~~active voters or become~~ the
45a limit of active voters in a precinct under Subsection (2)(a) or that becomes ~~1,000~~ too
46 large to facilitate the election process; and

47 (ii) divide those precincts before February 1.

48 (3) The county legislative body may not:

49 (a) establish or abolish any voting precinct after February 1 of a regular general
50 election year; or51 (b) alter or change the boundaries of any voting precinct after February 1 of a regular
52 general election year.53 (4) (a) For the purpose of [~~balloting on regular primary or regular general election day~~]
54 voting in an election, the county legislative body may establish a common polling place for two
55 or more whole voting precincts [~~according to the following requirements~~].56 [~~(a) the total population of the voters authorized to vote at the common polling place~~
57 ~~may not exceed 4,000 active voters; and~~]58 (b) At least 90 days before the election, the county legislative body shall designate:

59 ~~[(b)]~~ (i) the voting precincts ~~[voting at,]~~ that will vote at the common polling place; and
 60 (ii) the location of[;] the common polling place ~~[shall be designated at least 90 days~~
 61 ~~before the election].~~

62 ~~[(5) (a) In addition to the requirements contained in Subsection (4), in regular primary~~
 63 ~~elections only, the county legislative body may combine voting precincts and use one set of~~
 64 ~~election judges for the combined precincts if the ballots for each of the combined precincts are~~
 65 ~~identical.]~~

66 ~~[(b) Notwithstanding Subsection (5)(a), the county legislative body in a fourth, fifth, or~~
 67 ~~sixth class county may, in any election, combine voting precincts and]~~

68 (c) A county may use one set of election judges for the ~~[combined precincts if the~~
 69 ~~ballots for each of the combined precincts are identical]~~ common polling place under this
 70 Subsection (4).

70a ~~Ĥ→~~ **(5) Each county shall have at least two polling places open for voting on the date of**
 70b **the election.**

70c **(6) Each common polling place shall have at least one voting device that is accessible**
 70d **for individuals with disabilities in accordance with Public Law 107-252, the Help America**
 70e **Vote Act of 2002.** ~~←Ĥ~~

Legislative Review Note

as of 10-19-05 12:35 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Interim Committee Note

as of 12-16-05 6:57 AM

The Government Operations Interim Committee recommended this bill.

Fiscal Note
Bill Number HB0013

Common Polling Places Amendments

16-Jan-06

8:08 AM

State Impact

No fiscal impact.

Individual and Business Impact

Counties will experience reduced elections costs as a result of provision of this bill.

Office of the Legislative Fiscal Analyst