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**ELECTION LAW REVISIONS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Douglas C. Aagard**

Senate Sponsor: Peter C. Knudson

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the Election Code.

**Highlighted Provisions:**

This bill:

- ▶ modifies definitions related to poll workers and election judges;
- ▶ clarifies that criminal penalties in the Election Code apply to all poll workers rather than only to poll workers appointed as election judges;
- ▶ removes the requirement for voters to provide their voting precinct number on the voter registration form;
- ▶ requires the voter registration form to list the name of all registered political parties;
- ▶ adjusts the date to challenge names listed on the official register to accommodate early voting;
- ▶ provides quorum requirements for local and state boards of canvassers;
- ▶ modifies a date for the provision of ballots to be consistent with similar date requirements;
- ▶ modifies language relating to municipal ballot formatting to be more consistent with electronic ballot requirements;
- ▶ requires the lieutenant governor to maintain a current list of registered political parties; and
- ▶ makes technical changes.



28 **Monies Appropriated in this Bill:**

29       None

30 **Other Special Clauses:**

31       None

32 **Utah Code Sections Affected:**

33 **AMENDS:**

34       **20A-1-102**, as last amended by Chapters 16, 264 and 326, Laws of Utah 2006

35       **20A-1-602**, as enacted by Chapter 1, Laws of Utah 1993

36       **20A-2-104**, as last amended by Chapter 264, Laws of Utah 2006

37       **20A-2-107.5**, as enacted by Chapter 159, Laws of Utah 2003

38       **20A-2-306**, as last amended by Chapter 264, Laws of Utah 2006

39       **20A-3-105**, as last amended by Chapter 326, Laws of Utah 2006

40       **20A-3-105.5**, as last amended by Chapters 15 and 264, Laws of Utah 2006

41       **20A-3-107**, as enacted by Chapter 1, Laws of Utah 1993

42       **20A-3-108**, as enacted by Chapter 1, Laws of Utah 1993

43       **20A-3-109**, as enacted by Chapter 1, Laws of Utah 1993

44       **20A-3-202**, as last amended by Chapters 15 and 326, Laws of Utah 2006

45       **20A-3-308**, as last amended by Chapter 264, Laws of Utah 2006

46       **20A-3-501**, as last amended by Chapter 127, Laws of Utah 2003

47       **20A-4-101**, as last amended by Chapter 177, Laws of Utah 2002

48       **20A-4-107**, as last amended by Chapter 264, Laws of Utah 2006

49       **20A-4-202**, as last amended by Chapter 105, Laws of Utah 2005

50       **20A-4-301**, as last amended by Chapter 355, Laws of Utah 2006

51       **20A-4-306**, as last amended by Chapter 355, Laws of Utah 2006

52       **20A-4-505**, as enacted by Chapter 1, Laws of Utah 1993

53       **20A-5-201**, as last amended by Chapter 3, Laws of Utah 1996, Second Special Session

54       **20A-5-405**, as last amended by Chapter 326, Laws of Utah 2006

55       **20A-5-601**, as last amended by Chapter 1, Laws of Utah 2003, Second Special Session

56       **20A-5-602**, as last amended by Chapter 40, Laws of Utah 1998

57       **20A-5-603**, as last amended by Chapter 21, Laws of Utah 1994

58       **20A-5-604**, as last amended by Chapter 3, Laws of Utah 1996, Second Special Session

59           **20A-5-605**, as last amended by Chapters 264 and 326, Laws of Utah 2006  
60           **20A-5-701**, as last amended by Chapter 12, Laws of Utah 1994  
61           **20A-5-703**, as last amended by Chapter 21, Laws of Utah 1994  
62           **20A-6-402**, as last amended by Chapter 326, Laws of Utah 2006  
63           **67-1a-2**, as last amended by Chapter 5, Laws of Utah 2005, First Special Session

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64  
65 *Be it enacted by the Legislature of the state of Utah:*

66           Section 1. Section **20A-1-102** is amended to read:

67           **20A-1-102. Definitions.**

68           As used in this title:

69           (1) "Active voter" means a registered voter who has not been classified as an inactive  
70 voter by the county clerk.

71           (2) "Automatic tabulating equipment" means apparatus that automatically examines  
72 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

73           (3) "Ballot" means the storage medium, whether paper, mechanical, or electronic, upon  
74 which a voter records his votes and includes ballot sheets, paper ballots, electronic ballots, and  
75 secrecy envelopes.

76           (4) "Ballot sheet":

77           (a) means a ballot that:

78           (i) consists of paper or a card where the voter's votes are marked or recorded; and

79           (ii) can be counted using automatic tabulating equipment; and

80           (b) includes punch card ballots, and other ballots that are machine-countable.

81           (5) "Ballot label" means the cards, papers, booklet, pages, or other materials that  
82 contain the names of offices and candidates and statements of ballot propositions to be voted  
83 on and which are used in conjunction with ballot sheets that do not display that information.

84           (6) "Ballot proposition" means opinion questions specifically authorized by the  
85 Legislature, constitutional amendments, initiatives, referenda, and judicial retention questions  
86 that are submitted to the voters for their approval or rejection.

87           (7) "Board of canvassers" means the entities established by Sections 20A-4-301 and  
88 20A-4-306 to canvass election returns.

89           (8) "Bond election" means an election held for the purpose of approving or rejecting

90 the proposed issuance of bonds by a government entity.

91 (9) "Book voter registration form" means voter registration forms contained in a bound  
92 book that are used by election officers and registration agents to register persons to vote.

93 (10) "By-mail voter registration form" means a voter registration form designed to be  
94 completed by the voter and mailed to the election officer.

95 (11) "Canvass" means the review of election returns and the official declaration of  
96 election results by the board of canvassers.

97 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at  
98 the canvass.

99 (13) "Convention" means the political party convention at which party officers and  
100 delegates are selected.

101 (14) "Counting center" means one or more locations selected by the election officer in  
102 charge of the election for the automatic counting of ballots.

103 (15) "Counting judge" means a poll worker designated to count the ballots during  
104 election day.

105 (16) "Counting poll watcher" means a person selected as provided in Section  
106 20A-3-201 to witness the counting of ballots.

107 (17) "Counting room" means a suitable and convenient private place or room,  
108 immediately adjoining the place where the election is being held, for use by the poll workers  
109 and counting judges to count ballots during election day.

110 (18) "County executive" has the meaning as provided in Subsection 68-3-12(2).

111 (19) "County legislative body" has the meaning as provided in Subsection 68-3-12(2).

112 (20) "County officers" means those county officers that are required by law to be  
113 elected.

114 (21) "Election" means a regular general election, a municipal general election, a  
115 statewide special election, a local special election, a regular primary election, a municipal  
116 primary election, and a special district election.

117 (22) "Election Assistance Commission" means the commission established by Public  
118 Law 107-252, the Help America Vote Act of 2002.

119 (23) "Election cycle" means the period beginning on the first day persons are eligible to  
120 file declarations of candidacy and ending when the canvass is completed.

- 121 (24) "Election judge" means [~~each~~] a poll worker that is assigned to:  
122 (a) preside over other poll workers at a polling place;  
123 (b) act as the presiding election judge; or  
124 (c) serve as a canvassing judge, counting judge, [~~and~~] or receiving judge.
- 125 (25) "Election officer" means:  
126 (a) the lieutenant governor, for all statewide ballots;  
127 (b) the county clerk or clerks for all county ballots and for certain ballots and elections  
128 as provided in Section 20A-5-400.5;  
129 (c) the municipal clerk for all municipal ballots and for certain ballots and elections as  
130 provided in Section 20A-5-400.5;  
131 (d) the special district clerk or chief executive officer for certain ballots and elections  
132 as provided in Section 20A-5-400.5; and  
133 (e) the business administrator or superintendent of a school district for certain ballots  
134 or elections as provided in Section 20A-5-400.5.
- 135 (26) "Election official" means any election officer, election judge, poll worker, or  
136 satellite registrar.
- 137 (27) "Election results" means, for bond elections, the count of those votes cast for and  
138 against the bond proposition plus any or all of the election returns that the board of canvassers  
139 may request.
- 140 (28) "Election returns" includes the pollbook, all affidavits of registration, the military  
141 and overseas absentee voter registration and voting certificates, one of the tally sheets, any  
142 unprocessed absentee ballots, all counted ballots, all excess ballots, all unused ballots, all  
143 spoiled ballots, the ballot disposition form, and the total votes cast form.
- 144 (29) "Electronic ballot" means a ballot that is recorded using a direct electronic voting  
145 device or other voting device that records and stores ballot information by electronic means.
- 146 (30) "Electronic voting system" means a system in which a voting device is used in  
147 conjunction with ballots so that votes recorded by the voter are counted and tabulated by  
148 automatic tabulating equipment.
- 149 (31) "Inactive voter" means a registered voter who has been sent the notice required by  
150 Section 20A-2-306 and who has failed to respond to that notice.
- 151 (32) "Inspecting poll watcher" means a person selected as provided in this title to

152 witness the receipt and safe deposit of voted and counted ballots.

153 (33) "Judicial office" means the office filled by any judicial officer.

154 (34) "Judicial officer" means any justice or judge of a court of record or any county  
155 court judge.

156 (35) "Local election" means a regular municipal election, a local special election, a  
157 special district election, and a bond election.

158 (36) "Local political subdivision" means a county, a municipality, a special district, or  
159 a local school district.

160 (37) "Local special election" means a special election called by the governing body of a  
161 local political subdivision in which all registered voters of the local political subdivision may  
162 vote.

163 (38) "Municipal executive" means:

164 (a) the city council or town council in the traditional management arrangement  
165 established by Title 10, Chapter 3, Part 1, Governing Body;

166 (b) the mayor in the council-mayor optional form of government defined in Section  
167 10-3-101; and

168 (c) the manager in the council-manager optional form of government defined in  
169 Section 10-3-101.

170 (39) "Municipal general election" means the election held in municipalities and special  
171 districts on the first Tuesday after the first Monday in November of each odd-numbered year  
172 for the purposes established in Section 20A-1-202.

173 (40) "Municipal legislative body" means:

174 (a) the city council or town council in the traditional management arrangement  
175 established by Title 10, Chapter 3, Part 1, Governing Body;

176 (b) the municipal council in the council-mayor optional form of government defined in  
177 Section 10-3-101; and

178 (c) the municipal council in the council-manager optional form of government defined  
179 in Section 10-3-101.

180 (41) "Municipal officers" means those municipal officers that are required by law to be  
181 elected.

182 (42) "Municipal primary election" means an election held to nominate candidates for

183 municipal office.

184 (43) "Official ballot" means the ballots distributed by the election officer to the poll  
185 workers to be given to voters to record their votes.

186 (44) "Official endorsement" means:

187 (a) the information on the ballot that identifies:

188 (i) the ballot as an official ballot;

189 (ii) the date of the election; and

190 (iii) the facsimile signature of the election officer; and

191 (b) the information on the ballot stub that identifies:

192 (i) the poll worker's initials; and

193 (ii) the ballot number.

194 (45) "Official register" means the official record furnished to election officials by the  
195 election officer that contains the information required by Section 20A-5-401.

196 (46) "Paper ballot" means a paper that contains:

197 (a) the names of offices and candidates and statements of ballot propositions to be  
198 voted on; and

199 (b) spaces for the voter to record his vote for each office and for or against each ballot  
200 proposition.

201 (47) "Political party" means an organization of registered voters that has qualified to  
202 participate in an election by meeting the requirements of Title 20A, Chapter 8, Political Party  
203 Formation and Procedures.

204 (48) (a) "Poll worker" means a person assigned by an election official to assist with an  
205 election, voting, or counting votes.

206 (b) "Poll worker" includes election judges.

207 (c) "Poll worker" does not include a watcher.

208 (49) "Pollbook" means a record of the names of voters in the order that they appear to  
209 cast votes.

210 (50) "Polling place" means the building where voting is conducted.

211 (51) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
212 in which the voter marks his choice.

213 (52) "Provisional ballot" means a ballot voted provisionally by a person:

- 214 (a) whose name is not listed on the official register at the polling place;
- 215 (b) whose legal right to vote is challenged as provided in this title; or
- 216 (c) whose identity was not sufficiently established by [~~an election judge~~] a poll worker.

217 (53) "Provisional ballot envelope" means an envelope printed in the form required by  
218 Section 20A-6-105 that is used to identify provisional ballots and to provide information to  
219 verify a person's legal right to vote.

220 (54) "Primary convention" means the political party conventions at which nominees for  
221 the regular primary election are selected.

222 (55) "Protective counter" means a separate counter, which cannot be reset, that is built  
223 into a voting machine and records the total number of movements of the operating lever.

224 (56) "Qualify" or "qualified" means to take the oath of office and begin performing the  
225 duties of the position for which the person was elected.

226 (57) "Receiving judge" means the poll worker that checks the voter's name in the  
227 official register, provides the voter with a ballot, and removes the ballot stub from the ballot  
228 after the voter has voted.

229 (58) "Registration days" means the days designated in Section 20A-2-203 when a voter  
230 may register to vote with a satellite registrar.

231 (59) "Registration form" means a book voter registration form and a by-mail voter  
232 registration form.

233 (60) "Regular ballot" means a ballot that is not a provisional ballot.

234 (61) "Regular general election" means the election held throughout the state on the first  
235 Tuesday after the first Monday in November of each even-numbered year for the purposes  
236 established in Section 20A-1-201.

237 (62) "Regular primary election" means the election on the fourth Tuesday of June of  
238 each even-numbered year, at which candidates of political parties and nonpolitical groups are  
239 voted for nomination.

240 (63) "Resident" means a person who resides within a specific voting precinct in Utah.

241 (64) "Sample ballot" means a mock ballot similar in form to the official ballot printed  
242 and distributed as provided in Section 20A-5-405.

243 (65) "Satellite registrar" means a person appointed under Section 20A-5-201 to register  
244 voters and perform other duties.



245 (66) "Scratch vote" means to mark or punch the straight party ticket and then mark or  
246 punch the ballot for one or more candidates who are members of different political parties.

247 (67) "Secrecy envelope" means the envelope given to a voter along with the ballot into  
248 which the voter places the ballot after he has voted it in order to preserve the secrecy of the  
249 voter's vote.

250 (68) "Special district" means those local government entities created under the  
251 authority of Title 17A, Special Districts.

252 (69) "Special district officers" means those special district officers that are required by  
253 law to be elected.

254 (70) "Special election" means an election held as authorized by Section 20A-1-204.

255 (71) "Spoiled ballot" means each ballot that:

256 (a) is spoiled by the voter;

257 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

258 (c) lacks the official endorsement.

259 (72) "Statewide special election" means a special election called by the governor or the  
260 Legislature in which all registered voters in Utah may vote.

261 (73) "Stub" means the detachable part of each ballot.

262 (74) "Substitute ballots" means replacement ballots provided by an election officer to  
263 the poll workers when the official ballots are lost or stolen.

264 (75) "Ticket" means each list of candidates for each political party or for each group of  
265 petitioners.

266 (76) "Transfer case" means the sealed box used to transport voted ballots to the  
267 counting center.

268 (77) "Vacancy" means the absence of a person to serve in any position created by  
269 statute, whether that absence occurs because of death, disability, disqualification, resignation,  
270 or other cause.

271 (78) "Valid voter identification" means:

272 (a) a form of identification that bears the name and photograph of the voter which may  
273 include:

274 (i) a currently valid Utah driver license;

275 (ii) a currently valid identification card that is issued by:

- 276 (A) the state;
- 277 (B) a local government within the state; or
- 278 (C) a branch, department, or agency of the United States;
- 279 (iii) an identification card that is issued by an employer for an employee;
- 280 (iv) a currently valid identification card that is issued by a college, university, technical
- 281 school, or professional school that is located within the state;
- 282 (v) a currently valid Utah permit to carry a concealed weapon;
- 283 (vi) a currently valid United States passport; or
- 284 (vii) a valid tribal identification card; or
- 285 (b) two forms of identification that bear the name of the voter and provide evidence
- 286 that the voter resides in the voting precinct, which may include:
  - 287 (i) a voter identification card;
  - 288 (ii) a current utility bill or a legible copy thereof;
  - 289 (iii) a bank or other financial account statement, or a legible copy thereof;
  - 290 (iv) a certified birth certificate;
  - 291 (v) a valid Social Security card;
  - 292 (vi) a check issued by the state or the federal government or a legible copy thereof;
  - 293 (vii) a paycheck from the voter's employer, or a legible copy thereof;
  - 294 (viii) a currently valid Utah hunting or fishing license;
  - 295 (ix) a currently valid United States military identification card;
  - 296 (x) certified naturalization documentation;
  - 297 (xi) a currently valid license issued by an authorized agency of the United States;
  - 298 (xii) a certified copy of court records showing the voter's adoption or name change;
  - 299 (xiii) a Bureau of Indian Affairs card;
  - 300 (xiv) a tribal treaty card;
  - 301 (xv) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card; or
  - 302 (xvi) a form of identification listed in Subsection [~~(76)~~] (78)(a) that does not contain a
  - 303 photograph, but establishes the name of the voter and provides evidence that the voter resides
  - 304 in the voting precinct.
- 305 (79) "Valid write-in candidate" means a candidate who has qualified as a write-in
- 306 candidate by following the procedures and requirements of this title.

307 (80) "Voter" means a person who meets the requirements for voting in an election,  
308 meets the requirements of election registration, is registered to vote, and is listed in the official  
309 register book.

310 (81) "Voter registration deadline" means the registration deadline provided in Section  
311 20A-2-102.5.

312 (82) "Voting area" means the area within six feet of the voting booths, voting  
313 machines, and ballot box.

314 (83) "Voting booth" means:

315 (a) the space or compartment within a polling place that is provided for the preparation  
316 of ballots, including the voting machine enclosure or curtain; or

317 (b) a voting device that is free standing.

318 (84) "Voting device" means:

319 (a) an apparatus in which ballot sheets are used in connection with a punch device for  
320 piercing the ballots by the voter;

321 (b) a device for marking the ballots with ink or another substance;

322 (c) a device used to make selections and cast a ballot electronically, or any component  
323 thereof;

324 (d) an automated voting system under Section 20A-5-302; or

325 (e) any other method for recording votes on ballots so that the ballot may be tabulated  
326 by means of automatic tabulating equipment.

327 (85) "Voting machine" means a machine designed for the sole purpose of recording  
328 and tabulating votes cast by voters at an election.

329 (86) "Voting poll watcher" means a person appointed as provided in this title to  
330 witness the distribution of ballots and the voting process.

331 (87) "Voting precinct" means the smallest voting unit established as provided by law  
332 within which qualified voters vote at one polling place.

333 (88) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting  
334 poll watcher, and a testing watcher.

335 (89) "Western States Presidential Primary" means the election established in Title 20A,  
336 Chapter 9, Part 8.

337 (90) "Write-in ballot" means a ballot containing any write-in votes.

338 (91) "Write-in vote" means a vote cast for a person whose name is not printed on the  
339 ballot according to the procedures established in this title.

340 Section 2. Section **20A-1-602** is amended to read:

341 **20A-1-602. Receiving bribe.**

342 (1) It is unlawful for any person, for himself or for any other person, directly or  
343 indirectly, by himself or through any person, before, during or after any election to:

344 (a) receive, agree to receive, or contract for any money, gift, loan, or other valuable  
345 consideration, office, place, or employment for:

346 (i) voting or agreeing to vote~~[, or for]~~;

347 (ii) going or agreeing to go to the polls~~[, or for]~~;

348 (iii) remaining or agreeing to remain away from the polls~~[, or for]~~; or

349 (iv) refraining or agreeing to refrain from voting, or for voting or agreeing to vote, or  
350 refraining or agreeing to refrain from voting, for any particular person or measure at any  
351 election provided by law; or

352 (b) receive any money or other valuable thing because the person induced any other  
353 person to:

354 (i) vote or refrain from voting; or ~~[to]~~

355 (ii) vote or refrain from voting for any particular person or measure at ~~[an]~~ any election  
356 provided by law.

357 (2) In addition to the penalties established in Section 20A-1-609, any person convicted  
358 of any of the offenses established by this section shall be punished by:

359 (a) a fine of not more than \$1,000~~[, or by]~~;

360 (b) imprisonment in the state prison for not more than five years~~[, or by]~~; or

361 (c) both a fine and imprisonment as provided by this section.

362 Section 3. Section **20A-2-104** is amended to read:

363 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

364 (1) Every person applying to be registered shall complete a registration form printed in  
365 substantially the following form:

366 -----

367 UTAH ELECTION REGISTRATION FORM

368 Are you a citizen of the United States of America? Yes No

369 Will you be 18 years old on or before election day? Yes No

370 If you checked "no" to either of the above two questions, do not complete this form.

371 Name of Voter

372 \_\_\_\_\_

373 First Middle Last

374 Driver License or Identification Card Number \_\_\_\_\_

375 State of issuance of Driver License or Identification Card

376 Date of Birth \_\_\_\_\_

377 Street Address of Principal Place of Residence

378 \_\_\_\_\_

379 City County State Zip Code

380 Telephone Number (optional) \_\_\_\_\_

381 Last four digits of Social Security Number \_\_\_\_\_

382 Last former address at which I was registered to vote (if

383 known) \_\_\_\_\_

384 \_\_\_\_\_

385 City County State Zip Code

386 [~~Voting Precinct~~ (if]

387 [~~known~~ \_\_\_\_\_]

388 Political Party

389 [~~☐American ☐Democrat ☐Green ☐Independent American ☐Libertarian ☐Natural Law~~  
390 ~~☐Reform ☐Populist ☐Republican ☐Socialist Workers~~]

391 (a listing of each registered political party, as defined in Section 20A-8-101 and maintained by  
392 the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)

393 ☐Unaffiliated (no political party preference) ☐Other (Please specify) \_\_\_\_\_

394 I do swear (or affirm), subject to penalty of law for false statements, that the  
395 information contained in this form is true, and that I am a citizen of the United States and a  
396 resident of the state of Utah, residing at the above address. I will be at least 18 years old and  
397 will have resided in Utah for 30 days immediately before the next election. I am not a  
398 convicted felon currently incarcerated for commission of a felony.

399 Signed and sworn

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Voter's Signature

\_\_\_\_\_(month/day/year).

CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a citizen and that to the best of my knowledge and belief the information above is true and correct.

\_\_\_\_\_

Signature of Applicant

In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or allowing yourself to be registered to vote if you know you are not entitled to register to vote is up to one year in jail and a fine of up to \$2,500.

NOTICE: IN ORDER TO BE ALLOWED TO VOTE [~~FOR THE FIRST TIME~~] IN A VOTING PRECINCT FOR THE FIRST TIME OR TO VOTE DURING THE EARLY VOTING PERIOD BEFORE THE DATE OF THE ELECTION, YOU MUST PRESENT VALID VOTER IDENTIFICATION TO THE [~~ELECTION JUDGE~~] POLL WORKER BEFORE VOTING AS FOLLOWS:

(1) A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME, PHOTOGRAPH, AND CURRENT ADDRESS; OR

(2) TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND CURRENT ADDRESS.

FOR OFFICIAL USE ONLY

Type of I.D. \_\_\_\_\_

Voting Precinct \_\_\_\_\_

Voting I.D. Number \_\_\_\_\_

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431 (2) The county clerk shall retain a copy in a permanent countywide alphabetical file,  
432 which may be electronic or some other recognized system.

433 (3) (a) Each county clerk shall retain lists of currently registered voters.

434 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.

435 (c) If there are any discrepancies between the two lists, the county clerk's list is the  
436 official list.

437 (d) The lieutenant governor and the county clerks may charge the fees established  
438 under the authority of Subsection 63-2-203(10) to individuals who wish to obtain a copy of the  
439 list of registered voters.

440 (4) When political parties not listed on the voter registration form qualify as registered  
441 political parties under Title 20A, Chapter 8, Political Party Formation and Procedures, the  
442 lieutenant governor shall inform the county clerks about the name of the new political party  
443 and direct the county clerks to ensure that the voter registration form is modified to include that  
444 political party.

445 (5) Upon receipt of a voter registration form from an applicant, the county clerk or the  
446 clerk's designee shall:

447 (a) review each voter registration form for completeness and accuracy; and

448 (b) if the county clerk believes, based upon a review of the form, that a person may be  
449 seeking to register to vote who is not legally entitled to register to vote, refer the form to the  
450 county attorney for investigation and possible prosecution.

451 Section 4. Section **20A-2-107.5** is amended to read:

452 **20A-2-107.5. Designating or changing party affiliation -- Regular primary**  
453 **election.**

454 (1) At any regular primary election:

455 (a) each county clerk shall provide change of party affiliation forms to the [~~election~~  
456 ~~judges~~] poll workers for each voting precinct within the county; and

457 (b) any registered voter who is classified as "unaffiliated" may affiliate with a political  
458 party by completing the form and giving it to the [~~election judge~~] poll worker.

459 (2) An unaffiliated voter who affiliates with a political party as provided in Subsection  
460 (1)(b) may vote in that party's primary election.

461 Section 5. Section **20A-2-306** is amended to read:

462 **20A-2-306. Removing names from the official register -- Determining and**  
463 **confirming change of residence.**

464 (1) A county clerk may not remove a voter's name from the official register on the  
465 grounds that the voter has changed residence unless the voter:

466 (a) confirms in writing that the voter has changed residence to a place outside the  
467 county; or

468 (b) (i) has not voted in an election during the period beginning on the date of the notice  
469 required by Subsection (3), and ending on the day after the date of the second regular general  
470 election occurring after the date of the notice; and

471 (ii) has failed to respond to the notice required by Subsection (3).

472 (2) (a) When a county clerk obtains information that a voter's address has changed and  
473 it appears that the voter still resides within the same county, the county clerk shall:

474 (i) change the official register to show the voter's new address; and

475 (ii) send to the voter, by forwardable mail, the notice required by Subsection (3)  
476 printed on a postage prepaid, preaddressed return form.

477 (b) When a county clerk obtains information that a voter's address has changed and it  
478 appears that the voter now resides in a different county, the county clerk shall verify the  
479 changed residence by sending to the voter, by forwardable mail, the notice required by  
480 Subsection (3) printed on a postage prepaid, preaddressed return form.

481 (3) Each county clerk shall use substantially the following form to notify voters whose  
482 addresses have changed:

483 "VOTER REGISTRATION NOTICE

484 We have been notified that your residence has changed. Please read, complete, and  
485 return this form so that we can update our voter registration records. What is your current  
486 street address?

487 \_\_\_\_\_  
488 Street City County State Zip

489 If you have not changed your residence or have moved but stayed within the same  
490 county, you must complete and return this form to the county clerk so that it is received by the  
491 county clerk no later than 30 days before the date of the election. If you fail to return this form  
492 within that time:



493 - you may be required to show evidence of your address to the ~~[election judge]~~ poll  
494 worker before being allowed to vote in either of the next two regular general elections; or  
495 - if you fail to vote at least once from the date this notice was mailed until the passing  
496 of two regular general elections, you will no longer be registered to vote. If you have changed  
497 your residence and have moved to a different county in Utah, you may register to vote by  
498 contacting the county clerk in your county.

499 \_\_\_\_\_  
500 Signature of Voter"

501 (4) (a) Except as provided in Subsection (4)(b), the county clerk may not remove the  
502 names of any voters from the official register during the 90 days before a regular primary  
503 election and the 90 days before a regular general election.

504 (b) The county clerk may remove the names of voters from the official register during  
505 the 90 days before a regular primary election and the 90 days before a regular general election  
506 if:

507 (i) the voter requests, in writing, that his name be removed; or

508 (ii) the voter has died.

509 (c) (i) After a county clerk mails a notice as required in this section, the clerk may list  
510 that voter as inactive.

511 (ii) An inactive voter must be allowed to vote, sign petitions, and have all other  
512 privileges of a registered voter.

513 (iii) A county is not required to send routine mailings to inactive voters and is not  
514 required to count inactive voters when dividing precincts and preparing supplies.

515 Section 6. Section **20A-3-105** is amended to read:

516 **20A-3-105. Marking and depositing ballots.**

517 (1) (a) If a paper ballot is used, the voter, upon receipt of the ballot, shall go to a voting  
518 booth and prepare the voter's ballot by marking the appropriate position with a mark opposite  
519 the name of each candidate of the voter's choice for each office to be filled.

520 (b) A mark is not required opposite the name of a write-in candidate.

521 (c) If a ballot proposition is submitted to a vote of the people, the voter shall mark in  
522 the appropriate square with a mark opposite the answer the voter intends to make.

523 (d) Before leaving the booth, the voter shall:

524 (i) fold the ballot so that its contents are concealed and the stub can be removed; and  
525 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot  
526 envelope and complete the information printed on the envelope.

527 (2) (a) (i) If a punch card ballot is used, the voter shall insert the ballot sheet into the  
528 voting device and mark the ballot sheet according to the instructions provided on the device.

529 (ii) If the voter is issued a ballot sheet with a long stub without a secrecy envelope, the  
530 voter shall record any write-in votes on the long stub.

531 (iii) If the voter is issued a ballot sheet with a secrecy envelope, the voter shall record  
532 any write-in votes on the secrecy envelope.

533 (b) After the voter has marked the ballot sheet, the voter shall either:

534 (i) place the ballot sheet inside the secrecy envelope, if one is provided; or

535 (ii) fold the long stub over the face of the ballot sheet to maintain the secrecy of the  
536 vote if the voter is issued a ballot sheet with a long stub without a secrecy envelope.

537 (c) If the ballot is a provisional ballot, the voter shall place the ballot sheet in the  
538 provisional ballot envelope and complete the information printed on the envelope.

539 (3) (a) If a ballot sheet other than a punch card is used, the voter shall mark the ballot  
540 sheet according to the instructions provided on the voting device or ballot sheet.

541 (b) The voter shall record a write-in vote by:

542 (i) marking the position opposite the area for entering a write-in candidate; and

543 (ii) entering the name of the valid write-in candidate for whom the voter wishes to vote  
544 for by means of:

545 (A) writing;

546 (B) a label; or

547 (C) entering the name using the voting device.

548 (c) If the ballot is a provisional ballot, the voter shall place the ballot sheet in the  
549 provisional ballot envelope and complete the information printed on the envelope.

550 (4) (a) If an electronic ballot is used, the voter shall:

551 (i) insert the ballot access card into the voting device; and

552 (ii) make the selections according to the instructions provided on the device.

553 (b) The voter shall record a write-in vote by:

554 (i) marking the appropriate position opposite the area for entering a write-in candidate;

555 and

556 (ii) using the voting device to enter the name of the valid write-in candidate for whom  
557 the voter wishes to vote.

558 (5) After preparation of the ballot:

559 (a) if a paper ballot or punch card ballot is used:

560 (i) the voter shall:

561 (A) leave the voting booth; and

562 (B) announce his name to the poll worker in charge of the ballot box;

563 (ii) the poll worker in charge of the ballot box shall:

564 (A) clearly and audibly announce the name of the voter and the number on the stub of  
565 the voter's ballot;

566 (B) if the stub number on the ballot corresponds with the number previously recorded  
567 in the official register, and bears the initials of the poll worker, remove the stub from the ballot;  
568 and

569 (C) return the ballot to the voter; ~~and~~

570 (iii) the voter shall, in full view of the poll workers, cast his vote by depositing the  
571 ballot in the ballot box~~[-]; and~~

572 (iv) if the stub has been detached from the ballot:

573 ~~[(iv)]~~ (A) ~~[A]~~ the poll worker may not accept [a] the ballot ~~[from which the stub has~~  
574 ~~been detached.]; and~~

575 (B) ~~[A]~~ the poll worker shall:

576 (I) ~~treat [a ballot from which the stub has been detached]~~ the ballot as a spoiled ballot  
577 ~~[and shall];~~

578 (II) provide the voter with a new ballot; and

579 (III) dispose of the spoiled ballot as provided in Section 20A-3-107;

580 (b) if a ballot sheet other than a punch card is used:

581 (i) the voter shall:

582 (A) leave the voting booth; and

583 (B) announce his name to the poll worker in charge of the ballot box;

584 (ii) the poll worker in charge of the ballot box shall:

585 (A) clearly and audibly announce the name of the voter and the number on the stub of

586 the voter's ballot; and

587 (B) if the stub number on the ballot corresponds with the number previously recorded  
588 in the official register, and bears the initials of the poll worker, return the ballot to the voter;  
589 and

590 (iii) the voter shall, in full view of the poll workers, cast his vote by depositing the  
591 ballot in the ballot box; and

592 (c) if an electronic ballot is used, the voter shall:

593 (i) cast the voter's ballot;

594 (ii) remove the ballot access card from the voting device; and

595 (iii) return the ballot access card to a designated poll worker.

596 (6) A voter voting a paper ballot in a regular primary election shall, after marking the  
597 ballot:

598 (a) (i) if the ballot is designed so that the names of all candidates for all political parties  
599 are on the same ballot, detach the part of the paper ballot containing the names of the  
600 candidates of the party he has voted from the remainder of the paper ballot;

601 (ii) fold that portion of the paper ballot so that its face is concealed; and

602 (iii) deposit it in the ballot box; and

603 (b) (i) fold the remainder of the paper ballot, containing the names of the candidates of  
604 the parties that the elector did not vote; and

605 (ii) deposit it in a separate ballot box that is marked and designated as a blank ballot  
606 box.

607 (7) (a) Each voter shall mark and cast or deposit the ballot without delay and shall  
608 leave the voting area after voting.

609 (b) A voter may not:

610 (i) occupy a voting booth occupied by another, except as provided in Section  
611 20A-3-108;

612 (ii) remain within the voting area more than ten minutes; or

613 (iii) occupy a voting booth for more than five minutes if all booths are in use and other  
614 voters are waiting to occupy them.

615 (8) If the official register shows any voter as having voted, that voter may not reenter  
616 the voting area during that election unless that voter is an election official or watcher.

617 (9) The poll workers may not allow more than four voters more than the number of  
618 voting booths into the voting area at one time unless those excess voters are:

- 619 (a) election officials;  
620 (b) watchers; or  
621 (c) assisting voters with a disability.

622 Section 7. Section **20A-3-105.5** is amended to read:

623 **20A-3-105.5. Manner of voting -- Provisional ballot.**

624 (1) The [~~election judges~~] poll workers shall follow the procedures and requirements of  
625 this section when:

- 626 (a) the person's right to vote is challenged as provided in Section 20A-3-202;  
627 (b) the person's name is not found on the official register; or  
628 (c) the poll worker is not satisfied that the voter has provided valid voter identification.

629 (2) When faced with one of the circumstances outlined in Subsection (1)(a) or (1)(b),  
630 the [~~election judge~~] poll worker shall:

- 631 (a) request that the person provide valid voter identification; and  
632 (b) review the identification provided by the person.

633 (3) If the [~~election judge~~] poll worker is satisfied that the person has provided valid  
634 voter identification that establishes the person's identity and residence in the voting precinct:

- 635 (a) the [~~election judge~~] poll worker in charge of the official register shall:  
636 (i) record in the official register the type of identification that established the person's  
637 identity and place of residence;  
638 (ii) write the provisional ballot envelope number opposite the name of the voter in the  
639 official register; and

640 (iii) direct the voter to sign his name in the election column in the official register;

641 (b) another [~~judge~~] poll worker shall list the ballot number and voter's name in the  
642 pollbook; and

643 (c) the [~~election judge~~] poll worker having charge of the ballots shall:

- 644 (i) endorse his initials on the stub;  
645 (ii) check the name of the voter on the pollbook list with the number of the stub;  
646 (iii) give the voter a ballot and a provisional ballot envelope; and  
647 (iv) allow the voter to enter the voting booth.

648 (4) If the ~~[election judge]~~ poll worker is not satisfied that the voter has provided valid  
649 voter identification that establishes the person's identity and residence in the voting precinct:

650 (a) the ~~[election judge]~~ poll worker in charge of the official register shall:

651 (i) record in the official register that the voter did not provide valid voter identification;

652 (ii) record in the official register the type of identification that was provided by the  
653 voter, if any;

654 (iii) write the provisional ballot envelope number opposite the name of the voter in the  
655 official register; and

656 (iv) direct the voter to sign his name in the election column in the official register;

657 (b) another ~~[judge]~~ poll worker shall list the ballot number and voter's name in the  
658 pollbook; and

659 (c) the ~~[election judge]~~ poll worker having charge of the ballots shall:

660 (i) endorse his initials on the stub;

661 (ii) check the name of the voter on the pollbook list with the number of the stub;

662 (iii) give the voter a ballot and a provisional ballot envelope; and

663 (iv) allow the voter to enter the voting booth.

664 (5) Whenever the election officer is required to furnish more than one kind of official  
665 ballot to a voting precinct, the ~~[election judges]~~ poll workers of that voting precinct shall give  
666 the registered voter the kind of ballot that the voter is qualified to vote.

667 Section 8. Section **20A-3-107** is amended to read:

668 **20A-3-107. No ballots may be taken away -- Spoiled ballots.**

669 (1) A person may not take or remove any ballot from the polling place before the close  
670 of the polls.

671 (2) If any voter spoils a ballot, he may successively obtain others, one at a time, not  
672 exceeding three in all, upon returning each spoiled one.

673 (3) If any ballot is spoiled by the printer or ~~[an election judge]~~ a poll worker, the  
674 ~~[election judge]~~ poll worker shall give the voter a new ballot.

675 (4) The ~~[election judge]~~ poll worker shall:

676 (a) immediately write the word "spoiled" across the face of the ballot; and

677 (b) place the ballot in the envelope for spoiled ballots.

678 Section 9. Section **20A-3-108** is amended to read:

679           **20A-3-108. Assisting disabled, illiterate, or blind voters.**

680           (1) Any voter who is blind, disabled, unable to read or write, unable to read or write the  
681 English language, or is physically unable to enter a polling place, may be given assistance by a  
682 person of the voter's choice.

683           (2) The person providing assistance may not be:

684           (a) the voter's employer;

685           (b) an agent of the employer;

686           (c) an officer or agent of the voter's union; or

687           (d) a candidate.

688           (3) The person providing assistance may not request, persuade, or otherwise induce the  
689 voter to vote for or vote against any particular candidate or issue or release any information  
690 regarding the voter's selection.

691           (4) Each time a voter is assisted, the [~~election judge~~] poll worker shall note that fact in  
692 the official register and the pollbook.

693           Section 10. Section **20A-3-109** is amended to read:

694           **20A-3-109. Instructions to voters.**

695           (1) If any voter, after entering the voting booth, asks for further instructions concerning  
696 the manner of voting, two [~~election judges~~] poll workers, each from a different political party,  
697 shall instruct the voter.

698           (2) After instructing the voter, and before the voter has cast his vote, the [~~election~~  
699 ~~judges~~] poll worker shall leave the voting booth so that the voter may vote in secret.

700           (3) [~~An election judge~~] A poll worker instructing a voter about the voting process may  
701 not request, suggest, or seek to persuade or induce the voter to vote for or against any particular  
702 ticket, any particular candidate, or for or against any ballot proposition.

703           Section 11. Section **20A-3-202** is amended to read:

704           **20A-3-202. Challenges -- Recorded in official register and in pollbook.**

705           (1) (a) When any person applies for a ballot or when a person offers a ballot for deposit  
706 in the ballot box, the person's right to vote in that voting precinct and in that election may be  
707 orally challenged by a poll worker or any challenger orally stating the challenged voter's name  
708 and the basis for the challenge.

709           (b) A person may challenge another person's right to vote by alleging that:

710 (i) the voter is not the person whose name appears in the official register and under  
711 which name the right to vote is claimed;

712 (ii) the voter is not a resident of Utah;

713 (iii) the voter is not a citizen of the United States;

714 (iv) the voter has not or will not have resided in Utah for 30 days immediately before  
715 the date of the election;

716 (v) the voter does not live in the voting precinct;

717 (vi) the voter does not live within the geographic boundaries of the entity holding the  
718 election;

719 (vii) the voter's principal place of residence is not in the voting precinct;

720 (viii) the voter's principal place of residence is not in the geographic boundaries of the  
721 election area;

722 (ix) the voter has voted before in the election;

723 (x) the voter is not at least 18 years old;

724 (xi) the voter is involuntarily confined or incarcerated in jail or prison and was not a  
725 resident of the entity holding the election before the voter was confined or incarcerated;

726 (xii) the voter is a convicted felon and is incarcerated for the commission of a felony;  
727 or

728 (xiii) in a regular primary election, the voter does not meet the political party affiliation  
729 criteria established by the political party whose ballot the voter seeks to vote.

730 (2) (a) Any person may challenge the right to vote of any person whose name appears  
731 on the official register by filing a written signed statement identifying the challenged voter's  
732 name and the basis for the challenge with the county clerk [~~on the Friday before the election~~]  
733 during regular business hours and not later than the date that falls two business days before the  
734 date voting commences.

735 (b) The person challenging a person's right to vote shall allege one or more of the  
736 grounds established in Subsection (1)(b) as the basis for the challenge.

737 (c) The county clerk shall:

738 (i) carefully preserve the written challenges;

739 (ii) write in the appropriate official register opposite the name of any person for whom  
740 the county clerk received a written challenge, the words "To be challenged"; and



741 (iii) transmit the written challenges to poll workers of that voting precinct.

742 (d) The poll workers shall raise the written challenge with the voter when the voter  
743 requests a ballot.

744 (3) The poll workers shall record all challenges in the official register and on the  
745 challenge sheets in the pollbook.

746 (4) If a person's right to vote is challenged under this section, the poll worker shall  
747 follow the procedures and requirements of Section 20A-3-105.5.

748 Section 12. Section **20A-3-308** is amended to read:

749 **20A-3-308. Absentee ballots in the custody of poll workers -- Disposition.**

750 (1) (a) Voting precinct [~~election judges~~] poll workers shall open envelopes containing  
751 absentee ballots that are in their custody on election day at the polling places during the time  
752 the polls are open as provided in this Subsection (1).

753 (b) The [~~election judges~~] poll workers shall:

754 (i) first, open the outer envelope only; and

755 (ii) compare the signature of the voter on the application with the signature on the  
756 affidavit.

757 (2) (a) The [~~judges~~] poll workers shall carefully open and remove the absentee voter  
758 envelope so as not to destroy the affidavit on the envelope if they find that:

759 (i) the affidavit is sufficient;

760 (ii) the signatures correspond; and

761 (iii) the applicant is registered to vote in that voting precinct and has not voted in that  
762 election.

763 (b) If, after opening the absentee voter envelope, the [~~judge~~] poll worker finds that a  
764 provisional ballot envelope is enclosed [~~and the voter has included identification~~], the [~~election~~  
765 ~~judge~~] poll worker shall:

766 (i) record, in the official register [~~that~~], whether or not the voter included valid voter  
767 identification;

768 (ii) if any type of identification was included, record the type of identification provided  
769 by the voter in the appropriate space in the official register;

770 (iii) record the provisional ballot [~~envelope~~] number on the official register; and

771 (iv) place the provisional ballot envelope with the other provisional ballot envelopes to

772 be transmitted to the county clerk.

773 ~~[(c) If, after opening the absentee voter envelope, the judge finds that a provisional~~  
774 ~~ballot envelope is enclosed, and that the voter has not included valid voter identification, the~~  
775 ~~election judge shall:]~~

776 ~~[(i) record in the official register that the voter did not include valid voter~~  
777 ~~identification;]~~

778 ~~[(ii) record the provisional ballot number in the official register; and]~~

779 ~~[(iii) place the provisional ballot envelope with the other provisional ballot envelopes~~  
780 ~~to be transmitted to the county clerk.]~~

781 ~~[(d)]~~ (c) If the absentee ballot is not a provisional ballot, the ~~[election judges]~~ poll  
782 workers shall:

783 (i) remove the absentee ballot from the envelope without unfolding it or permitting it to  
784 be opened or examined;

785 (ii) initial the stub in the same manner as for other ballots;

786 (iii) remove the stub from the ballot;

787 (iv) deposit the ballot in the ballot box; and

788 (v) mark the official register and pollbook to show that the voter has voted.

789 (3) If the ~~[election judges]~~ poll workers determine that the affidavit is insufficient, or  
790 that the signatures do not correspond, or that the applicant is not a registered voter in the voting  
791 precinct, they shall:

792 (a) disallow the vote; and

793 (b) without opening the absentee voter envelope, mark across the face of the envelope:

794 (i) "Rejected as defective"; or

795 (ii) "Rejected as not a registered voter."

796 (4) The ~~[election judges]~~ poll workers shall deposit the absentee voter envelope, when  
797 the absentee ballot is voted, and the absentee voter envelope with its contents unopened when  
798 the absent vote is rejected, in the ballot box containing the ballots.

799 (5) The election officer shall retain and preserve the absentee voter envelopes in the  
800 manner provided by law for the retention and preservation of official ballots voted at that  
801 election.

802 Section 13. Section **20A-3-501** is amended to read:

803 **20A-3-501. Polling place -- Prohibited activities.**

804 (1) As used in this section:

805 (a) "electioneering" includes any oral, printed, or written attempt to persuade persons to  
806 refrain from voting or to vote for or vote against any candidate or issue; and807 (b) "polling place" means the physical place where ballots and absentee ballots are cast  
808 and includes the county clerk's office or city hall during the period in which absentee ballots  
809 may be cast there.810 (2) (a) A person may not, within a polling place or in any public area within 150 feet of  
811 the building where a polling place is located:

812 (i) do any electioneering;

813 (ii) circulate cards or handbills of any kind;

814 (iii) solicit signatures to any kind of petition; or

815 (iv) engage in any practice that interferes with the freedom of voters to vote or disrupts  
816 the administration of the polling place.817 (b) A county, municipality, school district, or special district may not prohibit  
818 electioneering that occurs more than 150 feet from the building where a polling place is  
819 located, but may regulate the place and manner of that electioneering to protect the public  
820 safety.821 (3) (a) A person may not obstruct the doors or entries to a building in which a polling  
822 place is located or prevent free access to and from any polling place.823 (b) A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the  
824 obstruction of the entrance to a polling place and may arrest any person creating an obstruction.

825 (4) A person may not:

826 (a) remove any ballot from the polling place before the closing of the polls, except as  
827 provided in Section 20A-4-101; or

828 (b) solicit any voter to show his ballot.

829 (5) A person may not receive a voted ballot from any voter or deliver an unused ballot  
830 to a voter unless that person is [~~an election judge~~] a poll worker.831 (6) Any person who violates any provision of this section is guilty of a class A  
832 misdemeanor.

833 (7) A political subdivision may not prohibit political signs that are located more than

834 150 feet away from a polling place, but may regulate their placement to protect public safety.

835 Section 14. Section **20A-4-101** is amended to read:

836 **20A-4-101. Counting paper ballots during election day.**

837 (1) Each county legislative body or municipal legislative body that has voting precincts  
838 that use paper ballots and each [~~election judge~~] poll worker in those voting precincts shall  
839 comply with the requirements of this section.

840 (2) (a) Each county legislative body or municipal legislative body shall provide:

841 (i) two sets of ballot boxes for all voting precincts where both receiving and counting  
842 judges have been appointed; and

843 (ii) a counting room for the use of the [~~election judges~~] poll workers counting the  
844 ballots during the day.

845 (b) At any election in any voting precinct in which both receiving and counting judges  
846 have been appointed, when at least 20 votes have been cast, the receiving judges shall:

847 (i) close the first ballot box and deliver it to the counting judges; and

848 (ii) prepare and use another ballot box to receive voted ballots.

849 (c) Upon receipt of the ballot box, the counting judges shall:

850 (i) take the ballot box to the counting room;

851 (ii) count the votes on the regular ballots in the ballot box;

852 (iii) place the provisional ballot envelopes in the envelope or container provided for  
853 them for return to the election officer; and

854 (iv) when they have finished counting the votes in the ballot box, return the emptied  
855 box to the receiving judges.

856 (d) (i) During the course of election day, whenever there are at least 20 ballots  
857 contained in a ballot box, the receiving judges shall deliver that ballot box to the counting  
858 judges for counting; and

859 (ii) the counting judges shall immediately count the regular ballots and segregate the  
860 provisional ballots contained in that box.

861 (e) The counting judges shall continue to exchange the ballot boxes and count ballots  
862 until the polls close.

863 (3) Counting poll watchers appointed as provided in Section 20A-3-201 may observe  
864 the count.

865 (4) The counting judges shall apply the standards and requirements of Section  
866 20A-4-104 to resolve any questions that arise as they count the ballots.

867 Section 15. Section **20A-4-107** is amended to read:

868 **20A-4-107. Review and disposition of provisional ballot envelopes.**

869 (1) As used in this section, a voter is "legally entitled to vote" if:

870 (a) the voter:

871 (i) is registered to vote in the county;

872 (ii) resides within the voting precinct where the voter seeks to vote; and

873 (iii) provided valid voter identification to the [~~election judge~~] poll worker as indicated  
874 by a notation in the official register;

875 (b) the voter:

876 (i) is registered to vote in the county; and

877 (ii) did not vote in the voter's precinct of residence, but the ballot that the voter voted is  
878 identical to the ballot voted in the voter's precinct of residence; or

879 (c) the voter:

880 (i) is registered to vote in the county;

881 (ii) the [~~judge~~] poll worker recorded in the official register that the voter either failed to  
882 provide valid voter identification or the documents provided as valid voter identification were  
883 inadequate; and

884 (iii) the county clerk verifies the voter's identity and residence through some other  
885 means.

886 (2) (a) Upon receipt of provisional ballot envelopes, the election officer shall review  
887 the affirmation on the face of each provisional ballot envelope and determine if the person  
888 signing the affirmation is a registered voter and legally entitled to vote the ballot that the voter  
889 voted.

890 (b) If the election officer determines that the person is not a registered voter or is not  
891 legally entitled to vote the ballot that the voter voted, the election officer shall retain the ballot  
892 envelope, unopened, for the period specified in Section 20A-4-202 unless ordered by a court to  
893 produce or count it.

894 (c) If the election officer determines that the person is a registered voter and is legally  
895 entitled to vote the ballot that the voter voted, the election officer shall remove the ballot from

896 the provisional ballot envelope and place the ballot with the absentee ballots to be counted with  
897 those ballots at the canvass.

898 (d) The election officer may not count, or allow to be counted a provisional ballot  
899 unless the voter's identity and residence is established by a preponderance of the evidence.

900 (3) If the election officer determines that the person is a registered voter, the election  
901 officer shall ensure that the voter registration records are updated to reflect the information  
902 provided on the provisional ballot envelope.

903 (4) If the election officer determines that the person is not a registered voter and the  
904 information on the provisional ballot envelope is complete, the election officer shall:

905 (a) consider the provisional ballot envelope a voter registration form; and

906 (b) register the voter.

907 Section 16. Section **20A-4-202** is amended to read:

908 **20A-4-202. Election officers -- Disposition of ballots.**

909 (1) (a) Upon receipt of the election returns from [~~an election judge~~] a poll worker, the  
910 election officer shall:

911 (i) ensure that the [~~election judge~~] poll worker has provided all of the ballots and  
912 election returns;

913 (ii) inspect the ballots and election returns to ensure that they are sealed;

914 (iii) (A) for paper ballots, deposit and lock the ballots and election returns in a safe and  
915 secure place; or

916 (B) for punch card ballots:

917 (I) count the ballots; and

918 (II) deposit and lock the ballots and election returns in a safe and secure place; and

919 (iv) for bond elections, provide a copy of the election results to the board of canvassers  
920 of the local political subdivision that called the bond election.

921 (b) Inspecting poll watchers appointed as provided in Section 20A-3-201 may be  
922 present and observe the election officer's receipt, inspection, and deposit of the ballots and  
923 election returns.

924 (2) Each election officer shall:

925 (a) preserve ballots for 22 months after the election or until the time has expired during  
926 which the ballots could be used in an election contest;

- 927 (b) package and seal a true copy of the ballot label used in each voting precinct;
- 928 (c) preserve all other official election returns for at least 22 months after an election;
- 929 and
- 930 (d) after that time, destroy them without opening or examining them.
- 931 (3) (a) The election officer shall package and retain all tabulating cards and other
- 932 materials used in the programming of the automatic tabulating equipment.
- 933 (b) The election officer:
- 934 (i) may access these tabulating cards and other materials;
- 935 (ii) may make copies of these materials and make changes to the copies;
- 936 (iii) may not alter or make changes to the materials themselves; and
- 937 (iv) within 22 months after the election in which they were used, may dispose of those
- 938 materials or retain them.
- 939 (4) (a) If an election contest is begun within 12 months, the election officer shall:
- 940 (i) keep the ballots and election returns unopened and unaltered until the contest is
- 941 complete; or
- 942 (ii) surrender the ballots and election returns to the custody of the court having
- 943 jurisdiction of the contest when ordered or subpoenaed to do so by that court.
- 944 (b) When all election contests arising from an election are complete, the election
- 945 officer shall either:
- 946 (i) retain the ballots and election returns until the time for preserving them under this
- 947 section has run; or
- 948 (ii) destroy the ballots and election returns remaining in his custody without opening or
- 949 examining them if the time for preserving them under this section has run.
- 950 Section 17. Section **20A-4-301** is amended to read:
- 951 **20A-4-301. Board of canvassers.**
- 952 (1) (a) Each county legislative body is the board of county canvassers for:
- 953 (i) the county; and
- 954 (ii) each special district whose election is conducted by the county.
- 955 (b) (i) Except as provided in Subsection (1)(b)(ii), the board of county canvassers shall
- 956 meet to canvass the returns at the usual place of meeting of the county legislative body, at a
- 957 date and time determined by the county clerk that is no sooner than seven days after the

958 election and no later than 14 days after the election.

959 (ii) When canvassing returns for the Western States Presidential Primary, the board of  
960 county canvassers shall meet to canvass the returns at the usual place of meeting of the county  
961 legislative body, at noon on the Tuesday after the election.

962 (c) If one or more of the county legislative body fails to attend the meeting of the board  
963 of county canvassers, the remaining members shall replace the absent member by appointing in  
964 the order named:

965 (i) the county treasurer;

966 (ii) the county assessor; or

967 (iii) the county sheriff.

968 (d) [~~The board of county canvassers shall always consist of three acting members.~~]

969 Attendance of the number of persons equal to a simple majority of the county legislative body,  
970 but not less than three persons, shall constitute a quorum for conducting the canvass.

971 (e) The county clerk is the clerk of the board of county canvassers.

972 (2) (a) The mayor and the municipal legislative body are the board of municipal  
973 canvassers for the municipality.

974 (b) The board of municipal canvassers shall meet to canvass the returns at the usual  
975 place of meeting of the municipal legislative body:

976 (i) for canvassing of returns from a municipal general election, no sooner than seven  
977 days after the election and no later than 14 days after the election; or

978 (ii) for canvassing of returns from a municipal primary election, no sooner than three  
979 days after the election and no later than seven days after the election.

980 (c) Attendance of a simple majority of the municipal legislative body shall constitute a  
981 quorum for conducting the canvass.

982 (3) (a) The legislative body of the entity authorizing a bond election is the board of  
983 canvassers for each bond election.

984 (b) The board of canvassers for the bond election shall comply with the canvassing  
985 procedures and requirements of Section 11-14-207.

986 (c) Attendance of a simple majority of the legislative body of the entity authorizing a  
987 bond election ~~↔~~ [ ,but not less than three acting members, ] ~~↔~~ shall constitute  
987a a quorum for conducting  
988 the canvass.



989 Section 18. Section **20A-4-306** is amended to read:

990 **20A-4-306. Statewide canvass.**

991 (1) (a) The state board of canvassers shall convene:

992 (i) on the fourth Monday of November, at noon; or

993 (ii) at noon on the day following the receipt by the lieutenant governor of the last of the  
994 returns of a statewide special election.

995 (b) The state auditor, the state treasurer, and the attorney general are the state board of  
996 canvassers.

997 (c) Attendance of all members of the state board of canvassers shall be required to  
998 constitute a quorum for conducting the canvass.

999 (2) (a) The state board of canvassers shall:

1000 (i) meet in the lieutenant governor's office; and

1001 (ii) compute and determine the vote for officers and for and against any ballot  
1002 propositions voted upon by the voters of the entire state or of two or more counties.

1003 (b) The lieutenant governor, as secretary of the board shall file a report in his office  
1004 that details:

1005 (i) for each statewide officer and ballot proposition:

1006 (A) the name of the statewide office or ballot proposition that appeared on the ballot;

1007 (B) the candidates for each statewide office whose names appeared on the ballot, plus  
1008 any recorded write-in candidates;

1009 (C) the number of votes from each county cast for each candidate and for and against  
1010 each ballot proposition;

1011 (D) the total number of votes cast statewide for each candidate and for and against each  
1012 ballot proposition; and

1013 (E) the total number of votes cast statewide; and

1014 (ii) for each officer or ballot proposition voted on in two or more counties:

1015 (A) the name of each of those offices and ballot propositions that appeared on the  
1016 ballot;

1017 (B) the candidates for those offices, plus any recorded write-in candidates;

1018 (C) the number of votes from each county cast for each candidate and for and against  
1019 each ballot proposition; and

1020 (D) the total number of votes cast for each candidate and for and against each ballot  
1021 proposition.

1022 (c) The lieutenant governor shall:

1023 (i) prepare certificates of election for:

1024 (A) each successful candidate; and

1025 (B) each of the presidential electors of the candidate for president who received a  
1026 majority of the votes;

1027 (ii) authenticate each certificate with his seal; and

1028 (iii) deliver a certificate of election to:

1029 (A) each candidate who had the highest number of votes for each office; and

1030 (B) each of the presidential electors of the candidate for president who received a  
1031 majority of the votes.

1032 (3) If the lieutenant governor has not received election returns from all counties on the  
1033 fifth day before the day designated for the meeting of the state board of canvassers, the  
1034 lieutenant governor shall:

1035 (a) send a messenger to the clerk of the board of county canvassers of the delinquent  
1036 county;

1037 (b) instruct the messenger to demand a certified copy of the board of canvasser's report  
1038 required by Section 20A-4-304 from the clerk; and

1039 (c) pay the messenger the per diem provided by law as compensation.

1040 (4) The state board of canvassers may not withhold the declaration of the result or any  
1041 certificate of election because of any defect or informality in the returns of any election if the  
1042 board can determine from the returns, with reasonable certainty, what office is intended and  
1043 who is elected to it.

1044 (5) (a) At noon on the fourth Monday after the regular primary election, the lieutenant  
1045 governor shall:

1046 (i) canvass the returns for all multicounty candidates required to file with the office of  
1047 the lieutenant governor; and

1048 (ii) publish and file the results of the canvass in the lieutenant governor's office.

1049 (b) The lieutenant governor shall certify the results of the primary canvass to the  
1050 county clerks not later than the August 1 after the primary election.

1051 (6) (a) At noon on the Tuesday that falls two weeks after the Western States  
1052 Presidential Primary election, the lieutenant governor shall:  
1053 (i) canvass the returns; and  
1054 (ii) publish and file the results of the canvass in the lieutenant governor's office.  
1055 (b) The lieutenant governor shall certify the results of the Western States Presidential  
1056 Primary canvass to each registered political party that participated in the primary not later than  
1057 the April 15 after the primary election, or the following business day if April 15 falls on a  
1058 Saturday, Sunday, or a holiday.

1059 Section 19. Section **20A-4-505** is amended to read:

1060 **20A-4-505. Communicating about the count.**

1061 (1) It is unlawful for any [~~election judge~~] poll worker to communicate in any manner,  
1062 directly or indirectly, by word or sign, the progress of the count, the result so far, or any other  
1063 information about the count.

1064 (2) Any person who violates this section is guilty of a third degree felony.

1065 Section 20. Section **20A-5-201** is amended to read:

1066 **20A-5-201. Satellite registrars -- Appointment.**

1067 (1) Each county legislative body shall appoint one or more persons to act as satellite  
1068 registrars for each satellite location.

1069 (2) (a) The county legislative body shall appoint satellite registrars every two years at  
1070 the regular meeting of the county legislative body held nearest to the first day of the May  
1071 before the regular general election.

1072 (b) The county legislative body shall appoint satellite registrars to serve two-year  
1073 terms, but may remove them at any time for cause.

1074 (c) The county legislative body may not appoint a person who is a candidate for, or  
1075 who holds, an elective state, county, municipal, school district, special district, or other public  
1076 office to be a satellite registrar.

1077 (d) A person who is a candidate for, or who holds, an elective state, county, municipal,  
1078 school district, special district, or other public office may not act as a satellite registrar.

1079 (e) A satellite registrar may also serve as [~~an election judge~~] a poll worker.

1080 (f) The county clerk shall provide each satellite registrar with written notice of his  
1081 appointment.

1082 (3) (a) Each county legislative body shall provide each satellite registrar with all books,  
1083 stationery, and other supplies necessary to carry out the provisions of this chapter.

1084 (b) The satellite registrar shall return all remaining materials to the county clerk, or to a  
1085 person designated by the county clerk, when his appointment ends.

1086 (4) A satellite registrar who resigns shall:

1087 (a) notify the county clerk of that fact; and

1088 (b) deliver to the county clerk, or to another person designated by the county clerk, the  
1089 books, forms, maps, and materials in the agent's possession that pertain to the office.

1090 (5) (a) (i) The county clerk, upon receipt of notice of the death, disqualification, or  
1091 resignation of any satellite registrar after the opening and before the closing of the registration  
1092 books, shall immediately, without giving notice, appoint some competent person to fill the  
1093 vacancy.

1094 (ii) The person appointed shall qualify within two days after receiving notice of the  
1095 appointment.

1096 (b) (i) If a satellite registrar is sick or otherwise unable to serve on a designated  
1097 registration day, the satellite registrar shall select a responsible adult to perform the agent's  
1098 duties on that day.

1099 (ii) The county clerk shall approve the substituted adult.

1100 (iii) The substitute shall use the original designated satellite location.

1101 (6) (a) Before entering upon the duties prescribed in this chapter, each satellite registrar  
1102 shall:

1103 (i) take and subscribe the oath of office required by Article IV, Sec. 10, Utah  
1104 Constitution, before any person authorized to administer an oath; and

1105 (ii) file the oath with the county clerk.

1106 (b) Each county legislative body shall establish a per diem as compensation for all  
1107 services provided by satellite registrars.

1108 (7) The county clerk shall make detailed entries of all proceedings had under this  
1109 chapter and notify in writing the satellite registrars of their appointment.

1110 Section 21. Section **20A-5-405** is amended to read:

1111 **20A-5-405. Election officer to provide ballots.**

1112 (1) In jurisdictions using paper ballots, each election officer shall:

1113 (a) provide printed official paper ballots and absentee ballots for every election of  
1114 public officers in which the voters, or any of the voters, within the election officer's jurisdiction  
1115 participate;

1116 (b) cause the name of every candidate whose nomination has been certified to or filed  
1117 with the election officer in the manner provided by law to be printed on each official paper  
1118 ballot and absentee ballot;

1119 (c) cause any ballot proposition that has qualified for the ballot as provided by law to  
1120 be printed on each official paper ballot and absentee ballot;

1121 (d) ensure that the official paper ballots are printed and in the possession of the election  
1122 officer before commencement of voting;

1123 (e) ensure that the absentee ballots are printed and in the possession of the election  
1124 officer with sufficient time before commencement of voting;

1125 (f) cause any ballot proposition that has qualified for the ballot as provided by law to  
1126 be printed on each official paper ballot and absentee ballot;

1127 (g) allow candidates and their agents and the sponsors of ballot propositions that have  
1128 qualified for the official ballot to inspect the official paper ballots and absentee ballots;

1129 (h) cause sample ballots to be printed that are in the same form as official paper ballots  
1130 and that contain the same information as official paper ballots but that are printed on different  
1131 colored paper than official paper ballots;

1132 (i) ensure that the sample ballots are printed and in the possession of the election  
1133 officer at least seven days before commencement of voting;

1134 (j) make the sample ballots available for public inspection by:

1135 (i) posting a copy of the sample ballot in his office at least seven days before  
1136 commencement of voting;

1137 (ii) mailing a copy of the sample ballot to:

1138 (A) each candidate listed on the ballot; and

1139 (B) the lieutenant governor; and

1140 (iii) publishing a copy of the sample ballot immediately before the election in at least  
1141 one newspaper of general circulation in the jurisdiction holding the election;

1142 (k) deliver at least five copies of the sample ballot to poll workers for each polling  
1143 place and direct them to post the sample ballots as required by Section 20A-5-102; and

1144 (1) print and deliver, at the expense of the jurisdiction conducting the election, enough  
1145 official paper ballots, absentee ballots, sample ballots, and instruction cards to meet the voting  
1146 demands of the qualified voters in each voting precinct.

1147 (2) In jurisdictions using a punch card ballot, each election officer shall:

1148 (a) provide official ballot sheets, absentee ballot sheets, and printed official ballot  
1149 labels for every election of public officers in which the voters, or any of the voters, within the  
1150 election officer's jurisdiction participate;

1151 (b) cause the name of every candidate who filed with the election officer in the manner  
1152 provided by law or whose nomination has been certified to the election officer to be printed on  
1153 each official ballot label;

1154 (c) cause each ballot proposition that has qualified for the ballot as provided by law to  
1155 be printed on each official ballot label;

1156 (d) ensure that the official ballot labels are printed and in the possession of the election  
1157 officer before the commencement of voting;

1158 (e) ensure that the absentee ballots are printed and in the possession of the election  
1159 officer with sufficient time before commencement of voting;

1160 (f) cause any ballot proposition that has qualified for the ballot as provided by law to  
1161 be printed on each official ballot label and absentee ballot;

1162 (g) allow candidates and their agents and the sponsors of ballot propositions that have  
1163 qualified for the official sample ballot to inspect the official sample ballot;

1164 (h) cause sample ballots to be printed that contain the same information as official  
1165 ballot labels but that are distinguishable from official ballot labels;

1166 (i) ensure that the sample ballots are printed and in the possession of the election  
1167 officer at least seven days before commencement of voting;

1168 (j) make the sample ballots available for public inspection by:

1169 (i) posting a copy of the sample ballot in his office at least seven days before  
1170 commencement of voting;

1171 (ii) mailing a copy of the sample ballot to:

1172 (A) each candidate listed on the ballot; and

1173 (B) the lieutenant governor; and

1174 (iii) publishing a copy of the sample ballot immediately before the election in at least

- 1175 one newspaper of general circulation in the jurisdiction holding the election;
- 1176 (k) deliver at least five copies of the sample ballot to poll workers for each polling  
1177 place and direct them to post the sample ballots as required by Section 20A-5-102; and
- 1178 (l) print and deliver official ballot sheets, official ballot labels, sample ballots, and  
1179 instruction cards at the expense of the jurisdiction conducting the election.
- 1180 (3) In jurisdictions using a ballot sheet other than a punch card, each election officer  
1181 shall:
- 1182 (a) provide official ballot sheets and absentee ballot sheets for every election of public  
1183 officers in which the voters, or any of the voters, within the election officer's jurisdiction  
1184 participate;
- 1185 (b) cause the name of every candidate who filed with the election officer in the manner  
1186 provided by law or whose nomination has been certified to or filed with the election officer to  
1187 be printed on each official ballot and absentee ballot;
- 1188 (c) cause each ballot proposition that has qualified for the ballot as provided by law to  
1189 be printed on each official ballot and absentee ballot;
- 1190 (d) ensure that the official ballots are printed and in the possession of the election  
1191 officer before commencement of voting;
- 1192 (e) ensure that the absentee ballots are printed and in the possession of the election  
1193 officer with sufficient time before commencement of voting;
- 1194 (f) cause any ballot proposition that has qualified for the ballot as provided by law to  
1195 be printed on each official ballot and absentee ballot;
- 1196 (g) allow candidates and their agents and the sponsors of ballot propositions that have  
1197 qualified for the official sample ballot to inspect the official sample ballot;
- 1198 (h) cause sample ballots to be printed that contain the same information as official  
1199 ballots but that are distinguishable from the official ballots;
- 1200 (i) ensure that the sample ballots are printed and in the possession of the election  
1201 officer at least seven days before commencement of voting;
- 1202 (j) make the sample ballots available for public inspection by:
- 1203 (i) posting a copy of the sample ballot in the election officer's office at least seven days  
1204 before commencement of voting;
- 1205 (ii) mailing a copy of the sample ballot to:

- 1206 (A) each candidate listed on the ballot; and
- 1207 (B) the lieutenant governor; and
- 1208 (iii) publishing a copy of the sample ballot immediately before the election in at least
- 1209 one newspaper of general circulation in the jurisdiction holding the election;
- 1210 (k) deliver at least five copies of the sample ballot to poll workers for each polling
- 1211 place and direct them to post the sample ballots as required by Section 20A-5-102; and
- 1212 (l) print and deliver, at the expense of the jurisdiction conducting the election, enough
- 1213 official ballots, absentee ballots, sample ballots, and instruction cards to meet the voting
- 1214 demands of the qualified voters in each voting precinct.
- 1215 (4) In jurisdictions using electronic ballots, each election officer shall:
- 1216 (a) provide official ballots for every election of public officers in which the voters, or
- 1217 any of the voters, within the election officer's jurisdiction participate;
- 1218 (b) cause the name of every candidate who filed with the election officer in the manner
- 1219 provided by law or whose nomination has been certified to the election officer to be displayed
- 1220 on each official ballot;
- 1221 (c) cause each ballot proposition that has qualified for the ballot as provided by law to
- 1222 be displayed on each official ballot;
- 1223 (d) ensure that the official ballots are prepared and in the possession of the election
- 1224 officer before commencement of voting;
- 1225 (e) ensure that the absentee ballots are prepared and in the possession of the election
- 1226 officer [~~at least 15 days~~] with sufficient time before commencement of voting;
- 1227 (f) cause any ballot proposition that has qualified for the ballot as provided by law to
- 1228 be printed on each official ballot and absentee ballot;
- 1229 (g) allow candidates and their agents and the sponsors of ballot propositions that have
- 1230 qualified for the official sample ballot to inspect the official sample ballot;
- 1231 (h) cause sample ballots to be printed that contain the same information as official
- 1232 ballots but that are distinguishable from official ballots;
- 1233 (i) ensure that the sample ballots are printed and in the possession of the election
- 1234 officer at least seven days before commencement of voting;
- 1235 (j) make the sample ballots available for public inspection by:
- 1236 (i) posting a copy of the sample ballot in the election officer's office at least seven days



1237 before commencement of voting;

1238 (ii) mailing a copy of the sample ballot to:

1239 (A) each candidate listed on the ballot; and

1240 (B) the lieutenant governor; and

1241 (iii) publishing a copy of the sample ballot immediately before the election in at least

1242 one newspaper of general circulation in the jurisdiction holding the election;

1243 (k) deliver at least five copies of the sample ballot to poll workers for each polling

1244 place and direct them to post the sample ballots as required by Section 20A-5-102; and

1245 (l) prepare and deliver official ballots, sample ballots, and instruction cards at the

1246 expense of the jurisdiction conducting the election.

1247 (5) (a) Each election officer shall, without delay, correct any error discovered in any

1248 official paper ballot, ballot label, ballot sheet, electronic ballot, or sample ballot, if the

1249 correction can be made without interfering with the timely distribution of the paper ballots,

1250 ballot labels, ballot sheets, or electronic ballots.

1251 (b) (i) If the election officer discovers an error or omission in a paper ballot, ballot

1252 label, or ballot sheet, and it is not possible to correct the error or omission by reprinting the

1253 paper ballots, ballot labels, or ballot sheets, the election officer shall direct the poll workers to

1254 make the necessary corrections on the official paper ballots, ballot labels, or ballot sheets

1255 before they are distributed at the polls.

1256 (ii) If the election officer discovers an error or omission in an electronic ballot and it is

1257 not possible to correct the error or omission by revising the electronic ballot, the election

1258 officer shall direct the poll workers to post notice of each error or omission with instructions on

1259 how to correct each error or omission in a prominent position at each polling booth.

1260 (c) (i) If the election officer refuses or fails to correct an error or omission in the paper

1261 ballots, ballot labels, ballot sheets, or electronic ballots, a candidate or a candidate's agent may

1262 file a verified petition with the district court asserting that:

1263 (A) an error or omission has occurred in:

1264 (I) the publication of the name or description of a candidate;

1265 (II) the preparation or display of an electronic ballot; or

1266 (III) in the printing of sample or official paper ballots, ballot labels, or ballot sheets;

1267 and

1268 (B) the election officer has failed to correct or provide for the correction of the error or  
1269 omission.

1270 (ii) The district court shall issue an order requiring correction of any error in a paper  
1271 ballot, ballot label, ballot sheet, or electronic ballot or an order to show cause why the error  
1272 should not be corrected if it appears to the court that the error or omission has occurred and the  
1273 election officer has failed to correct it or failed to provide for its correction.

1274 (iii) A party aggrieved by the district court's decision may appeal the matter to the Utah  
1275 Supreme Court within five days after the decision of the district court.

1276 Section 22. Section **20A-5-601** is amended to read:

1277 **20A-5-601. Poll workers -- Appointment for regular general elections and**  
1278 **primary elections.**

1279 (1) (a) By March 1 of each even-numbered year, each county clerk shall provide to the  
1280 county chair of each registered political party a list of the number of [~~election judges~~] poll  
1281 workers that the party must nominate for each voting precinct.

1282 (b) (i) By April 1 of each even-numbered year, the county chair and secretary of each  
1283 registered political party shall file a list with the county clerk containing, for each voting  
1284 precinct, the names of registered voters in the county who are willing to be [~~election judges~~]  
1285 poll workers and who are competent and trustworthy.

1286 (ii) The county chair and secretary shall submit, for each voting precinct, names equal  
1287 in number to the number required by the county clerk plus one.

1288 (2) Each county legislative body shall provide for the appointment of persons to serve  
1289 as [~~election judges~~] poll workers at the regular primary election, the regular general election,  
1290 and the Western States Presidential Primary.

1291 (3) For regular general elections, each county legislative body shall provide for the  
1292 appointment of:

1293 (a) (i) three registered voters from the list to serve as receiving judges for each voting  
1294 precinct when ballots will be counted after the polls close; or

1295 (ii) three registered voters from the list to serve as receiving judges in each voting  
1296 precinct and three registered voters from the list to serve as counting judges in each voting  
1297 precinct when ballots will be counted throughout election day; and

1298 (b) three registered voters from the list for each 100 absentee ballots to be counted to

1299 serve as canvassing judges.

1300 (4) For regular primary elections and for the Western States Presidential Primary  
1301 election, each county legislative body shall provide for the appointment of:

1302 (a) (i) two or three registered voters, or one or two registered voters and one person 17  
1303 years old who will be 18 years old by the date of the next regular general election, from the list  
1304 to serve as receiving judges for each voting precinct when ballots will be counted after the  
1305 polls close; or

1306 (ii) two or three registered voters, or one or two registered voters and one person 17  
1307 years old who will be 18 years old by the date of the next regular general election, from the list  
1308 to serve as receiving judges in each voting precinct and two or three registered voters, or one or  
1309 two registered voters and one person 17 years old who will be 18 years old by the date of the  
1310 next regular general election, from the list to serve as counting judges in each voting precinct  
1311 when ballots will be counted throughout election day; and

1312 (b) two or three registered voters, or one or two registered voters and one person 17  
1313 years old who will be 18 years old by the date of the next regular general election, from the list  
1314 for each 100 absentee ballots to be counted to serve as canvassing judges.

1315 (5) Each county legislative body may provide for the appointment of:

1316 (a) three registered voters from the list to serve as inspecting judges at the regular  
1317 general election to observe the clerk's receipt and deposit of the ballots for safekeeping; and

1318 (b) two or three registered voters, or one or two registered voters and one person 17  
1319 years old who will be 18 years old by the date of the next regular general election, from the list  
1320 to serve as inspecting judges at the regular primary election to observe the clerk's receipt and  
1321 deposit of the ballots for safekeeping.

1322 (6) (a) For each set of three counting or receiving judges to be appointed for each  
1323 voting precinct for the regular primary election, the regular general election, and the Western  
1324 States Presidential Primary election, the county legislative body shall ensure that:

1325 (i) two judges are appointed from the political party that cast the highest number of  
1326 votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,  
1327 excluding votes for unopposed candidates, in the voting precinct at the last regular general  
1328 election before the appointment of the election judges; and

1329 (ii) one judge is appointed from the political party that cast the second highest number

1330 of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,  
1331 excluding votes for unopposed candidates, in the voting precinct at the last regular general  
1332 election before the appointment of the election judges.

1333 (b) For each set of two counting or receiving judges to be appointed for each voting  
1334 precinct for the regular primary election and Western States Presidential Primary election, the  
1335 county legislative body shall ensure that:

1336 (i) one judge is appointed from the political party that cast the highest number of votes  
1337 for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding  
1338 votes for unopposed candidates, in the voting precinct at the last regular general election before  
1339 the appointment of the election judges; and

1340 (ii) one judge is appointed from the political party that cast the second highest number  
1341 of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,  
1342 excluding votes for unopposed candidates, in the voting precinct at the last regular general  
1343 election before the appointment of the election judges.

1344 (7) When the voting precinct boundaries have been changed since the last regular  
1345 general election, the county legislative body shall ensure that:

1346 (a) for the regular primary election and the Western States Presidential Primary  
1347 election, when the county legislative body is using three receiving, counting, and canvassing  
1348 judges, and regular general election, not more than two of the judges are selected from the  
1349 political party that cast the highest number of votes for the offices of governor, lieutenant  
1350 governor, attorney general, state auditor, and state treasurer in the territory that formed the  
1351 voting precinct at the time of appointment; and

1352 (b) for the regular primary election and the Western States Presidential Primary  
1353 election, when the county legislative body is using two receiving, counting, and canvassing  
1354 judges, not more than one of the judges is selected from the political party that cast the highest  
1355 number of votes for the offices of governor, lieutenant governor, attorney general, state auditor,  
1356 and state treasurer in the territory that formed the voting precinct at the time of appointment.

1357 (8) The county legislative body shall provide for the appointment of any qualified  
1358 county voter as an election judge when:

1359 (a) a political party fails to file the ~~[election judge]~~ poll worker list by the filing  
1360 deadline; or

1361 (b) the list is incomplete.

1362 (9) A registered voter of the county may serve as ~~[an election judge]~~ a poll worker in  
1363 any voting precinct of the county.

1364 (10) If a person serves as ~~[an election judge]~~ a poll worker outside the voting precinct  
1365 where the person is registered, that person may vote an absentee voter ballot.

1366 (11) The county clerk shall fill all poll worker vacancies ~~[in the office of election~~  
1367 judge].

1368 (12) If a conflict arises over the right to certify the ~~[election judge]~~ poll worker lists for  
1369 any political party, the county legislative body may decide between conflicting lists, but may  
1370 only select names from a properly submitted list.

1371 (13) The county legislative body shall establish compensation for ~~[election judges]~~ poll  
1372 workers.

1373 (14) The county clerk may appoint additional ~~[judges]~~ poll workers to serve in the  
1374 polling place as needed.

1375 Section 23. Section **20A-5-602** is amended to read:

1376 **20A-5-602. Poll workers -- Appointment for local elections.**

1377 (1) At least 15 days before the date scheduled for any local election, the municipal  
1378 legislative body or special district board shall appoint or provide for the appointment of:

1379 (a) in jurisdictions using paper ballots:

1380 (i) three registered voters, or two registered voters and one person 17 years old who  
1381 will be 18 years old by the date of the regular municipal election, from their jurisdiction to  
1382 serve as ~~[election judges]~~ poll workers for each voting precinct when the ballots will be  
1383 counted after the polls close; or

1384 (ii) three registered voters, or two registered voters and one person 17 years old who  
1385 will be 18 years old by the date of the regular municipal election, from their jurisdiction to  
1386 serve as receiving judges in each voting precinct and three registered voters, or two registered  
1387 voters and one person 17 years old who will be 18 years old by the date of the regular  
1388 municipal election, from their jurisdiction to serve as counting judges in each voting precinct  
1389 when ballots will be counted throughout election day;

1390 (b) in jurisdictions using automated tabulating equipment, three registered voters, or  
1391 two registered voters and one person 17 years old who will be 18 years old by the date of the

1392 regular municipal election, from their jurisdiction to serve as [~~election judges~~] poll workers for  
1393 each voting precinct;

1394 (c) in jurisdictions using voting machines, four registered voters, or three registered  
1395 voters and one person 17 years old who will be 18 years old by the date of the regular  
1396 municipal election, from their jurisdiction to serve as [~~election judges~~] poll workers for each  
1397 voting precinct; and

1398 (d) in all jurisdictions:

1399 (i) at least one registered voter from their jurisdiction to serve as canvassing judge, if  
1400 necessary; and

1401 (ii) as many alternate [~~judges~~] poll workers as needed to replace appointed [~~judges~~]  
1402 poll workers who are unable to serve.

1403 (2) The municipal legislative body and special district board may not appoint any  
1404 candidate's parent, sibling, spouse, child, or in-law to serve as [~~an election judge~~] a poll worker  
1405 in the voting precinct where the candidate resides.

1406 (3) The clerk shall:

1407 (a) prepare and file a list containing the name, address, voting precinct, and telephone  
1408 number of each person appointed; and

1409 (b) make the list available in the clerk's office for inspection, examination, and copying  
1410 during business hours.

1411 (4) (a) The municipal legislative body and special district board shall compensate  
1412 [~~election judges~~] poll workers for their services.

1413 (b) The municipal legislative body and special district board may not compensate their  
1414 [~~election judges~~] poll workers at a rate higher than that paid by the county to its [~~election~~  
1415 ~~judges~~] poll workers.

1416 Section 24. Section **20A-5-603** is amended to read:

1417 **20A-5-603. Vacancies -- Removal of poll workers.**

1418 (1) (a) If a [~~judge~~] poll worker or alternate is unable to serve, that [~~judge~~] poll worker  
1419 or alternate shall immediately notify the election officer, who shall fill the vacancy as provided  
1420 in this section.

1421 (b) The election officer may fill a vacancy occurring under this section by appointing  
1422 the alternate to serve or, if that is impossible, by appointing some other qualified person to fill

1423 the vacancy.

1424 (2) The election officer shall summarily remove any [~~election judge~~] poll worker who:

1425 (a) neglects his duty;

1426 (b) commits or encourages fraud in connection with any election;

1427 (c) violates any election law;

1428 (d) knowingly permits any person to violate any election law;

1429 (e) has been convicted of a felony;

1430 (f) commits any act that interferes or tends to interfere with a fair and honest election;

1431 or

1432 (g) is incapable of performing the duties of [~~an election judge~~] a poll worker.

1433 Section 25. Section **20A-5-604** is amended to read:

1434 **20A-5-604. Receipt of ballots, official register, and posting book by poll workers.**

1435 (1) The [~~election judge~~] poll worker who receives official or substitute ballots from the  
1436 election officer shall:

1437 (a) sign a receipt for them and file it with the election officer; and

1438 (b) produce the packages in the proper polling place with the seals unbroken.

1439 (2) If the [~~election judge~~] poll worker receives packages of substitute ballots

1440 accompanied by a written and sworn statement of the election officer that the ballots are

1441 substitute ballots because the original ballots were not received, were destroyed, or were stolen,

1442 the [~~election judge~~] poll worker shall produce the packages of substitute ballots in the proper

1443 polling place with the seals unbroken.

1444 Section 26. Section **20A-5-605** is amended to read:

1445 **20A-5-605. Duties of poll workers.**

1446 (1) Poll workers shall:

1447 (a) arrive at the polling place at a time determined by the election officer; and

1448 (b) remain until the official election returns are prepared for delivery.

1449 (2) The election officer may designate:

1450 (a) certain poll workers to act as election judges;

1451 (b) an election judge to act as the presiding election judge; and

1452 (c) certain poll workers to act as clerks.

1453 (3) Upon their arrival to open the polls, [~~each set of~~] the poll workers shall:

- 1454 (a) if the election officer has not designated which poll workers at a polling place  
1455 ~~shall~~ are assigned to act as election judges, as presiding election judge, or as clerks:
- 1456 (i) designate two poll workers to act as election judges as necessary;
  - 1457 (ii) determine which election judge shall preside as necessary; and
  - 1458 (iii) determine which poll workers shall act as clerks as necessary;
- 1459 (b) select one or more of their number to deliver the election returns to the election  
1460 officer or to the place that the election officer designates;
- 1461 (c) display the United States flag;
- 1462 (d) examine the voting devices to see that they are in proper working order and that  
1463 security devices have not been tampered with;
- 1464 (e) place the voting devices, voting booths, and the ballot box in plain view of those  
1465 poll workers and watchers that are present;
- 1466 (f) for paper ballots and ballot sheets, open the ballot packages in the presence of all  
1467 the poll workers;
- 1468 (g) check the ballots, supplies, records, and forms;
- 1469 (h) if directed to do so by the election officer:
- 1470 (i) make any necessary corrections to the official ballots before they are distributed at  
1471 the polls; and
  - 1472 (ii) post any necessary notice of errors in electronic ballots before voting commences;
- 1473 (i) post the sample ballots, instructions to voters, and constitutional amendments, if  
1474 any; and
- 1475 (j) open the ballot box in the presence of those assembled, turn it upside down to empty  
1476 it of anything, and then, immediately before polls open, lock it, or if locks and keys are not  
1477 available, tape it securely.
- 1478 (4) (a) If any poll worker fails to appear on the morning of the election, or fails or  
1479 refuses to act:
- 1480 (i) at least six qualified electors from the voting precinct who are present at the polling  
1481 place at the hour designated by law for the opening of the polls shall fill the vacancy by  
1482 appointing another qualified person from the voting precinct who is a member of the same  
1483 political party as the poll worker who is being replaced to act as a poll worker; or
  - 1484 (ii) the election officer shall appoint a qualified person to act as a poll worker.



1485 (b) If a majority of the poll workers are present, they shall open the polls, even though  
1486 a poll worker has not arrived.

1487 (5) (a) If it is impossible or inconvenient to hold an election at the polling place  
1488 designated, the poll workers, after having assembled at or as near as practicable to the  
1489 designated place, and before receiving any vote, may move to the nearest convenient place for  
1490 holding the election.

1491 (b) If the poll workers move to a new polling place, they shall display a proclamation  
1492 of the change and station a peace officer or some other proper person at the original polling  
1493 place to notify voters of the location of the new polling place.

1494 (6) If the poll worker who received delivery of the ballots produces packages of  
1495 substitute ballots accompanied by a written and sworn statement of the election officer that the  
1496 ballots are substitute ballots because the original ballots were not received, were destroyed, or  
1497 were stolen, the poll workers shall use those substitute ballots as the official election ballots.

1498 (7) If, for any reason, none of the official or substitute ballots are ready for distribution  
1499 at a polling place or, if the supply of ballots is exhausted before the polls are closed, the poll  
1500 workers may use unofficial ballots, made as nearly as possible in the form of the official ballot,  
1501 until substitutes prepared by the election officer are printed and delivered.

1502 (8) When it is time to open the polls, one of the poll workers shall announce that the  
1503 polls are open as required by Section 20A-1-302, or in the case of early voting, Section  
1504 20A-3-602.

1505 (9) (a) The poll workers shall comply with the voting procedures and requirements of  
1506 Title 20A, Chapter 3, Voting, in allowing people to vote.

1507 (b) The poll workers may not allow any person, other than election officials and those  
1508 admitted to vote, within six feet of voting devices, voting booths, and the ballot box.

1509 (c) Besides the poll workers and watchers, the poll workers may not allow more than  
1510 four voters in excess of the number of voting booths provided within six feet of voting devices,  
1511 voting booths, and the ballot box.

1512 (d) If necessary, the poll workers shall instruct each voter about how to operate the  
1513 voting device before the voter enters the voting booth.

1514 (e) (i) If the voter requests additional instructions after entering the voting booth, two  
1515 poll workers may, if necessary, enter the booth and give the voter additional instructions.

1516 (ii) In regular general elections and regular primary elections, the two poll workers who  
1517 enter the voting booth to assist the voter shall be of different political parties.

1518 Section 27. Section **20A-5-701** is amended to read:

1519 **20A-5-701. Willful neglect of duty or corrupt conduct -- Penalty.**

1520 (1) It is unlawful for any [~~election judge~~] poll worker to willfully neglect his duty or to  
1521 willfully act corruptly in discharging his duty.

1522 (2) Any [~~election judge~~] poll worker who violates this section is guilty of a felony and,  
1523 upon conviction, shall be punished by a fine of \$500 or by confinement in the state prison for  
1524 not less than one year or both.

1525 Section 28. Section **20A-5-703** is amended to read:

1526 **20A-5-703. Neglect or refusal to deliver ballots or returns.**

1527 (1) It is unlawful for any person or officer who has undertaken to deliver official  
1528 ballots or election returns to any voting precinct or to any [~~election judge~~] poll worker or  
1529 election officer to neglect, refuse, or fail to do so.

1530 (2) Any person who violates this subsection is guilty of a class A misdemeanor and  
1531 shall be imprisoned for not less than six months, and fined not less than \$250.

1532 Section 29. Section **20A-6-402** is amended to read:

1533 **20A-6-402. Ballots for municipal general elections.**

1534 (1) When using a paper ballot at municipal general elections, each election officer shall  
1535 ensure that:

1536 (a) the names of the two candidates who received the highest number of votes for  
1537 mayor in the municipal primary are placed upon the ballot;

1538 (b) if no municipal primary election was held, the names of the candidates who filed  
1539 declarations of candidacy for municipal offices are placed upon the ballot;

1540 (c) for other offices:

1541 (i) twice the number of candidates as there are positions to be filled are certified as  
1542 eligible for election in the municipal general election from those candidates who received the  
1543 greater number of votes in the primary election; and

1544 (ii) the names of those candidates are placed upon the municipal general election  
1545 ballot;

1546 (d) a write-in area is placed upon the ballot that contains, for each office:

- 1547 (i) a blank, horizontal line to enable the entry of a valid write-in candidate; and  
1548 (ii) a square or other conforming area that is adjacent to or opposite the blank  
1549 horizontal line to enable the voter to indicate the voter's vote;
- 1550 (e) propositions submitted to the voters by the municipality are listed on the ballot  
1551 under the heading "City (or Town) Proposition Number \_\_\_" with the number of the proposition  
1552 as assigned by the municipal legislative body placed in the blank;
- 1553 (f) municipal initiatives that have qualified for the ballot are listed on the ballot under  
1554 the heading "Citizen's City (or Town) Initiative Number \_\_\_" with the number of the municipal  
1555 initiative as assigned by Section 20A-7-508 placed in the blank;
- 1556 (g) municipal referenda that have qualified for the ballot are listed on the ballot under  
1557 the heading "Citizen's City (or Town) Referendum Number \_\_\_" with the number of the  
1558 municipal referendum as assigned by Section 20A-7-608 placed in the blank; and
- 1559 (h) bond propositions that have qualified for the ballot are listed on the ballot under the  
1560 title assigned to each bond proposition under Section 11-14-206.
- 1561 (2) When using a punch card ballot at municipal general elections, each election officer  
1562 shall ensure that:
- 1563 (a) (i) the ballot contains a perforated ballot stub at least one inch wide, placed across  
1564 the top of the ballot;
- 1565 (ii) the ballot number and the words "Poll Worker's Initial \_\_\_\_" are printed on the  
1566 stub; and
- 1567 (iii) ballot stubs are numbered consecutively;
- 1568 (b) immediately below the perforated ballot stub, the following endorsements are  
1569 printed in 18-point bold type:
- 1570 (i) "Official Ballot for \_\_\_\_ (City or Town), Utah";  
1571 (ii) the date of the election; and  
1572 (iii) a facsimile of the signature of the election officer and the election officer's title in  
1573 eight-point type;
- 1574 (c) immediately below the election officer's title, two one-point parallel horizontal  
1575 rules separate endorsements from the rest of the ballot;
- 1576 (d) immediately below the horizontal rules, an "Instructions to Voters" section is  
1577 printed in ten-point bold type that states: "To vote for a candidate, place a cross (X) in the

1578 square following the name(s) of the person(s) you favor as the candidate(s) for each respective  
1579 office." followed by two one-point parallel rules;

1580 (e) after the rules, the designation of the office for which the candidates seek election is  
1581 printed flush with the left-hand margin and the words: "Vote for one" or "Vote for two or  
1582 more" are printed to extend to the extreme right of the column in ten-point bold type, followed  
1583 by a hair-line rule;

1584 (f) after the hair-line rule, the names of the candidates are printed in heavy face type  
1585 between lines or rules 3/8 inch apart, alphabetically according to surnames with surnames last  
1586 and grouped according to the office that they seek;

1587 (g) a square with sides not less than 1/4 inch long is printed to the right of the names of  
1588 the candidates;

1589 (h) following the name of the last candidate for each office, the ballot contains:

1590 (i) a write-in space for each elective office where the voter may enter the name of a  
1591 valid write-in candidate; and

1592 (ii) a square printed to the right of the write-in space or line where the voter may vote  
1593 for the valid write-in candidate; and

1594 (i) the candidate groups are separated from each other by one light and one heavy line  
1595 or rule.

1596 (3) When using a ballot sheet other than a punch card ballot at municipal general  
1597 elections, each election officer shall ensure that:

1598 (a) (i) the ballot contains a perforated ballot stub placed across the top of the ballot;

1599 (ii) the ballot number and the words "Poll Worker's Initial \_\_\_\_" are printed on the  
1600 stub; and

1601 (iii) ballot stubs are numbered consecutively;

1602 (b) immediately below the perforated ballot stub, the following endorsements are  
1603 printed:

1604 (i) "Official Ballot for \_\_\_\_ (City or Town), Utah";

1605 (ii) the date of the election; and

1606 (iii) a facsimile of the signature of the election officer and the election officer's title;

1607 (c) immediately below the election officer's title, a distinct border or line separates  
1608 endorsements from the rest of the ballot;

1609 (d) immediately below the border or line, an "Instructions to Voters" section is printed  
1610 that states: "To vote for a candidate, select the name(s) of the person(s) you favor as the  
1611 candidate(s) for each respective office." followed by another border or line;

1612 (e) after the border or line, the designation of the office for which the candidates seek  
1613 election is printed and the words: "Vote for one" or "Vote for two or more" are printed,  
1614 followed by a line or border;

1615 (f) after the line or border, the names of the candidates are printed alphabetically  
1616 according to surnames with surnames last and grouped according to the office that they seek;

1617 (g) an oval is printed adjacent to the names of the candidates;

1618 (h) following the name of the last candidate for each office, the ballot contains:

1619 (i) a write-in space or blank line for each elective office where the voter may enter the  
1620 name of a valid write-in candidate; and

1621 (ii) an oval is printed adjacent to the write-in space or line where the voter may vote for  
1622 the valid write-in candidate; and

1623 (i) the candidate groups are separated from each other by a line or border.

1624 (4) When using an electronic ballot at municipal general elections, each election officer  
1625 shall ensure that:

1626 (a) the following endorsements are displayed on the first screen of the ballot:

1627 (i) "Official Ballot for \_\_\_\_ (City or Town), Utah";

1628 (ii) the date of the election; and

1629 (iii) a facsimile of the signature of the election officer and the election officer's title;

1630 (b) immediately below the election officer's title, a distinct border or line separates the  
1631 endorsements from the rest of the ballot;

1632 (c) immediately below the border or line, an "Instructions to Voters" section is  
1633 displayed that states: "To vote for a candidate, select the name(s) of the person(s) you favor as  
1634 the candidate(s) for each respective office." followed by another border or line;

1635 (d) after the border or line, the designation of the office for which the candidates seek  
1636 election is displayed, and the words: "Vote for one" or "Vote for two or more" are displayed,  
1637 followed by a line or border;

1638 (e) after the line or border, the names of the candidates are displayed alphabetically  
1639 according to surnames with surnames last and grouped according to the office that they seek;

1640 (f) a ~~[square is printed]~~ voting square or position is located adjacent to the ~~[names]~~  
1641 name of [the candidates] each candidate;

1642 (g) following the name of the last candidate for each office, the ballot contains a  
1643 write-in space where the voter may enter the name of and vote for a valid write-in candidate for  
1644 the office; and

1645 (h) the candidate groups are separated from each other by a line or border.

1646 (5) When a municipality has chosen to nominate candidates by convention or  
1647 committee, the election officer shall ensure that the party name is included with the candidate's  
1648 name on the ballot.

1649 Section 30. Section **67-1a-2** is amended to read:

1650 **67-1a-2. Duties enumerated.**

1651 (1) The lieutenant governor shall:

1652 (a) perform duties delegated by the governor, including assignments to serve in any of  
1653 the following capacities:

1654 (i) as the head of any one department, if so qualified, with the consent of the Senate,  
1655 and, upon appointment at the pleasure of the governor and without additional compensation;

1656 (ii) as the chairperson of any cabinet group organized by the governor or authorized by  
1657 law for the purpose of advising the governor or coordinating intergovernmental or  
1658 interdepartmental policies or programs;

1659 (iii) as liaison between the governor and the state Legislature to coordinate and  
1660 facilitate the governor's programs and budget requests;

1661 (iv) as liaison between the governor and other officials of local, state, federal, and  
1662 international governments or any other political entities to coordinate, facilitate, and protect the  
1663 interests of the state;

1664 (v) as personal advisor to the governor, including advice on policies, programs,  
1665 administrative and personnel matters, and fiscal or budgetary matters; and

1666 (vi) as chairperson or member of any temporary or permanent boards, councils,  
1667 commissions, committees, task forces, or other group appointed by the governor;

1668 (b) serve on all boards and commissions in lieu of the governor, whenever so  
1669 designated by the governor;

1670 (c) serve as the chief election officer of the state as required by Subsection (2);

- 1671 (d) keep custody of the Great Seal of Utah;
- 1672 (e) keep a register of, and attest, the official acts of the governor;
- 1673 (f) affix the Great Seal, with an attestation, to all official documents and instruments to  
1674 which the official signature of the governor is required; and
- 1675 (g) furnish a certified copy of all or any part of any law, record, or other instrument  
1676 filed, deposited, or recorded in the office of the lieutenant governor to any person who requests  
1677 it and pays the fee.
- 1678 (2) (a) As the chief election officer, the lieutenant governor shall:
- 1679 (i) exercise general supervisory authority over all elections;
- 1680 (ii) exercise direct authority over the conduct of elections for federal, state, and  
1681 multicounty officers and statewide or multicounty ballot propositions and any recounts  
1682 involving those races;
- 1683 (iii) assist county clerks in unifying the election ballot;
- 1684 (iv) prepare election information for the public and make that information available to  
1685 the news media;
- 1686 (v) receive and answer election questions and maintain an election file on opinions  
1687 received from the attorney general;
- 1688 (vi) maintain a current list of registered political parties as defined in Section  
1689 20A-8-101;
- 1690 [~~(vi)~~] (vii) maintain election returns and statistics;
- 1691 [~~(vii)~~] (viii) certify to the governor the names of those persons who have received the  
1692 highest number of votes for any office;
- 1693 [~~(viii)~~] (ix) ensure that all voting equipment purchased by the state complies with the  
1694 requirements of Subsection 20A-5-302(2) and Sections 20A-5-402.5 and 20A-5-402.7; and
- 1695 [~~(ix)~~] (x) perform other election duties as provided in Title 20A, Election Code.
- 1696 (b) As chief election officer, the lieutenant governor may not assume the  
1697 responsibilities assigned to the county clerks, city recorders, town clerks, or other local election  
1698 officials by Title 20A, Election Code.

**Legislative Review Note**  
as of 11-27-06 1:56 PM

**Office of Legislative Research and General Counsel**

**Interim Committee Note**  
as of 12-12-06 10:29 AM

The Government Operations Interim Committee recommended this bill.



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**H.B. 14 - Election Law Revisions**

**Fiscal Note**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*1/2/2007, 1:36:17 PM, Lead Analyst: Ricks, G.*

**Office of the Legislative Fiscal Analyst**