

**ELECTION BALLOT AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill modifies provisions in Title 20A, Election Code, related to election ballots.

**Highlighted Provisions:**

This bill:

- ▶ provides a definition;
- ▶ requires an election officer to include a business reply mail envelope with an absentee ballot in certain circumstances;
- ▶ changes the date on which an election officer mails an absentee ballot;
- ▶ requires the election officer to notify a voter if the voter's absentee ballot is rejected and the reason the absentee ballot was rejected;
- ▶ requires the election officer to report all absentee ballots that were rejected;
- ▶ requires an elections officer to ensure that an absentee or provisional ballot is not accessible until the ballot is counted; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

⚡→ [None] This bill provides a coordination clause. ←⚡

**Utah Code Sections Affected:**

AMENDS:



- 28           **20A-1-102**, as last amended by Laws of Utah 2011, Chapters 17, 40, 310, and 335
- 29           **20A-3-302**, as last amended by Laws of Utah 2005, Chapter 71
- 30           **20A-3-302.5**, as enacted by Laws of Utah 2009, Chapter 24
- 31           **20A-3-305**, as last amended by Laws of Utah 2010, Chapter 197
- 32           **20A-3-306**, as last amended by Laws of Utah 2009, Chapter 191
- 33           **20A-3-307**, as last amended by Laws of Utah 2010, Chapter 324
- 34           **20A-3-308**, as last amended by Laws of Utah 2011, Chapter 327
- 35           **20A-4-304**, as last amended by Laws of Utah 2008, Chapter 82

**§→ Utah Code Sections Affected by Coordination Clause:**

**20A-1-102, as last amended by Laws of Utah 2011, Chapters 17, 40, 310, and 335 ←§**

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

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

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

As used in this title:

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

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

(3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic, upon which a voter records the voter's votes.

(b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy envelopes.

(4) "Ballot sheet":

(a) means a ballot that:

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

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

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

(5) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

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

(b) are used in conjunction with ballot sheets that do not display that information.

(6) "Ballot proposition" means a question, issue, or proposal that is submitted to voters

617 and local special election, the election officer shall transmit the reports to the lieutenant  
618 governor within 14 days after the date of the election.

619 (5) In regular primary elections and in the Western States Presidential Primary, the  
620 board shall transmit to the lieutenant governor:

621 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant  
622 governor:

623 (i) not later than the second Tuesday after the primary election for the regular primary  
624 election; and

625 (ii) not later than the Tuesday following the election for the Western States Presidential  
626 Primary; and

627 (b) a complete tabulation showing voting totals for all primary races, precinct by  
628 precinct, to be mailed to the lieutenant governor on or before the third Friday following the  
629 primary election.

629a **§→ Section 9. Coordinating H.B. 339 with H.B. 20, H.B. 331, H.B. 499, H.B. 502, S.B.**  
629b **16, and S.B. 283 -- Superseding technical amendments.**

629c **If this H.B. 339 and H.B. 20, Election Law Amendments, H.B. 331, School Board**  
629d **Election Provisions, H.B. 499, Ballot Amendments, H.B. 502, Incorporation Amendments, S.B.**  
629e **16, Ballot Proposition Amendments, and S.B. 283, Municipal Election Modifications all pass**  
629f **and become law or any combination of the bills pass and become law, the Legislature intends**  
629g **that the Office of Legislative Research and General Counsel fix an obvious technical error so**  
629h **that Subsection 20A-1-102(27) reads:**

629i **"(27) "Election official" means any election officer, election judge, or poll worker." ←§**

Legislative Review Note  
as of 2-17-12 10:14 AM

Office of Legislative Research and General Counsel