

Senator Peter C. Knudson proposes the following substitute bill:

**ABSENTEE BALLOT AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Peter C. Knudson**

House Sponsor: Kraig Powell

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**LONG TITLE**

**General Description:**

This bill amends provisions in Title 20A, Election Code, regarding absentee ballots.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a person from filling out an absentee ballot application for another person, with exceptions;
- ▶ establishes a filing deadline for a person that collects a completed absentee ballot application from a registered voter; and
- ▶ makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-3-304**, as last amended by Laws of Utah 2011, Chapter 17

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



26 Section 1. Section 20A-3-304 is amended to read:

27 **20A-3-304. Application for absentee ballot -- Time for filing and voting.**

28 (1) (a) Any registered voter who wishes to vote an absentee ballot may either:

29 [~~(a)~~] (i) file an absentee ballot application:

30 [~~(i)~~] (A) on the electronic system maintained by the lieutenant governor under Section  
31 20A-2-206; or

32 [~~(ii)~~] (B) with the appropriate election officer for an official absentee ballot as provided  
33 in this section; or

34 [~~(b)~~] (ii) vote in person at the office of the appropriate election officer as provided in  
35 Section 20A-3-306.

36 (b) A person that collects a completed absentee ballot application from a registered  
37 voter shall file the completed absentee ballot application with the appropriate election official  
38 before the earlier of:

39 (i) 14 days after the day on which the registered voter signed the absentee ballot form;

40 or

41 (ii) the Friday before the next election.

42 (2) (a) Except as provided in Subsection (2)(b), the lieutenant governor or election  
43 officer shall prepare an application form for absentee ballot applications in substantially the  
44 following form:

45 "I, \_\_\_\_\_, a qualified elector, residing at \_\_\_\_\_ Street, \_\_\_\_\_ City, \_\_\_\_\_ County, Utah  
46 apply for an official absentee ballot to be voted by me at the election.

47 Date \_\_\_\_\_ (month\day\year) Signed \_\_\_\_\_  
48 Voter"

49 (b) The lieutenant governor or election officer shall prepare blank applications for  
50 absentee ballot applications for regular primary elections and for the Western States  
51 Presidential Primary in substantially the following form:

52 "I, \_\_\_\_\_, a qualified elector, residing at \_\_\_\_\_ Street, \_\_\_\_\_ City, \_\_\_\_\_ County, Utah  
53 apply for an official absentee ballot for the \_\_\_\_\_ political party to be voted by me  
54 at the primary election.

55 I understand that I must be affiliated with or authorized to vote the political party's  
56 ballot that I request.

57 Dated \_\_\_\_\_ (month\day\year) \_\_\_\_ Signed \_\_\_\_\_

58 Voter"

59 (c) If requested by the applicant, the election officer shall:

60 (i) mail or fax the application blank to the absentee voter; or

61 (ii) deliver the application blank to any voter who personally applies for it at the office  
62 of the election officer.

63 (d) (i) Except as provided in Subsection (2)(d)(ii), a voter who signs a form described  
64 in this Subsection (2) shall complete the form.

65 (ii) A person other than the voter who signs the form may complete the form if the  
66 voter:

67 (A) is a hospitalized voter, as defined in Section 20A-3-306.5;

68 (B) has a disability; or

69 (C) is unable to read or write.

70 (3) ~~[(a) Except as provided in Subsection (3)(b), a]~~ A voter who wishes to vote by  
71 absentee ballot shall file the application for an absentee ballot with the lieutenant governor or  
72 appropriate election officer no later than the Friday before election day.

73 ~~[(b) Overseas applicants shall file their applications with the appropriate election~~  
74 ~~officer no later than 20 days before election day.]~~

75 (4) (a) A county clerk may establish a permanent absentee voter list.

76 (b) The clerk shall place on the list the name of any person who:

77 (i) requests permanent absentee voter status; and

78 (ii) meets the requirements of this section.

79 (c) (i) Each year, the clerk shall mail a questionnaire to each person whose name is on  
80 the absentee voter list.

81 (ii) The questionnaire shall allow the absentee person to verify the voter's residence.

82 (iii) The clerk may remove the names of any voter from the absentee voter registration  
83 list if:

84 (A) the voter is no longer listed in the official register; or

85 (B) the voter fails to verify the voter's residence and absentee status.

86 (d) The clerk shall provide a copy of the permanent absentee voter list to election  
87 officers for use in elections.