

Senator Kevin T. Van Tassell proposes the following substitute bill:

AMENDMENTS TO ELECTION LAWS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: Kevin T. Van Tassell

LONG TITLE

General Description:

This bill allows an individual who is 16 or 17 years of age to serve as a poll worker in an election and prohibits a candidate's family member from serving as a poll worker.

Highlighted Provisions:

This bill:

- ▶ amends the definition of "local election";
- ▶ allows an individual who is 16 or 17 years of age to serve as a receiving judge in a regular primary and a regular general election;
- ▶ prohibits a county legislative body from appointing a candidate's family member as a poll worker in a precinct where the candidate appears on the ballot;
- ▶ allows an individual who is 16 or 17 years of age to work as a poll worker in a local election;
- ▶ prohibits a municipal legislative body or local district board from appointing a candidate's family member as a poll worker in a precinct where the candidate appears on the ballot; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 This bill coordinates with S.B. 116, Poll Worker Amendments, by providing
28 substantive and technical amendments.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **20A-1-102**, as last amended by Laws of Utah 2013, Chapter 320

32 **20A-5-601**, as last amended by Laws of Utah 2007, Chapter 75

33 **20A-5-602**, as last amended by Laws of Utah 2007, Chapters 75, 256, and 329

34 **Utah Code Sections Affected by Coordination Clause:**

35 **20A-5-602**, as last amended by Laws of Utah 2007, Chapters 75, 256, and 329



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

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

39 **20A-1-102. Definitions.**

40 As used in this title:

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

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

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

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

49 ~~[(5)]~~ (4) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

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

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

53 ~~[(6)]~~ (5) "Ballot proposition" means a question, issue, or proposal that is submitted to
54 voters on the ballot for their approval or rejection including:

55 (a) an opinion question specifically authorized by the Legislature;

56 (b) a constitutional amendment;

- 57 (c) an initiative;
- 58 (d) a referendum;
- 59 (e) a bond proposition;
- 60 (f) a judicial retention question;
- 61 (g) an incorporation of a city or town; or
- 62 (h) any other ballot question specifically authorized by the Legislature.
- 63 [~~4~~] (6) "Ballot sheet":
- 64 (a) means a ballot that:
- 65 (i) consists of paper or a card where the voter's votes are marked or recorded; and
- 66 (ii) can be counted using automatic tabulating equipment; and
- 67 (b) includes punch card ballots and other ballots that are machine-countable.
- 68 (7) "Bind," "binding," or "bound" means securing more than one piece of paper
- 69 together with a staple or stitch in at least three places across the top of the paper in the blank
- 70 space reserved for securing the paper.
- 71 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
- 72 [20A-4-306](#) to canvass election returns.
- 73 (9) "Bond election" means an election held for the purpose of approving or rejecting
- 74 the proposed issuance of bonds by a government entity.
- 75 (10) "Book voter registration form" means voter registration forms contained in a
- 76 bound book that are used by election officers and registration agents to register persons to vote.
- 77 (11) "Business reply mail envelope" means an envelope that may be mailed free of
- 78 charge by the sender.
- 79 (12) "By-mail voter registration form" means a voter registration form designed to be
- 80 completed by the voter and mailed to the election officer.
- 81 (13) "Canvass" means the review of election returns and the official declaration of
- 82 election results by the board of canvassers.
- 83 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
- 84 the canvass.
- 85 (15) "Contracting election officer" means an election officer who enters into a contract
- 86 or interlocal agreement with a provider election officer.
- 87 (16) "Convention" means the political party convention at which party officers and

88 delegates are selected.

89 (17) "Counting center" means one or more locations selected by the election officer in
90 charge of the election for the automatic counting of ballots.

91 (18) "Counting judge" means a poll worker designated to count the ballots during
92 election day.

93 (19) "Counting poll watcher" means a person selected as provided in Section
94 20A-3-201 to witness the counting of ballots.

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

98 (21) "County officers" means those county officers that are required by law to be
99 elected.

100 (22) "Date of the election" or "election day" or "day of the election":

101 (a) means the day that is specified in the calendar year as the day that the election
102 occurs; and

103 (b) does not include:

104 (i) deadlines established for absentee voting; or

105 (ii) any early voting or early voting period as provided under Chapter 3, Part 6, Early
106 Voting.

107 (23) "Elected official" means:

108 (a) a person elected to an office under Section 20A-1-303;

109 (b) a person who is considered to be elected to a municipal office in accordance with
110 Subsection 20A-1-206(1)(c)(ii); or

111 (c) a person who is considered to be elected to a local district office in accordance with
112 Subsection 20A-1-206(3)(c)(ii).

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

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

118 (26) "Election cycle" means the period beginning on the first day persons are eligible to

- 119 file declarations of candidacy and ending when the canvass is completed.
- 120 (27) "Election judge" means a poll worker that is assigned to:
- 121 (a) preside over other poll workers at a polling place;
- 122 (b) act as the presiding election judge; or
- 123 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 124 (28) "Election officer" means:
- 125 (a) the lieutenant governor, for all statewide ballots and elections;
- 126 (b) the county clerk for:
- 127 (i) a county ballot and election; and
- 128 (ii) a ballot and election as a provider election officer as provided in Section
- 129 [20A-5-400.1](#) or [20A-5-400.5](#);
- 130 (c) the municipal clerk for:
- 131 (i) a municipal ballot and election; and
- 132 (ii) a ballot and election as a provider election officer as provided in Section
- 133 [20A-5-400.1](#) or [20A-5-400.5](#);
- 134 (d) the local district clerk or chief executive officer for:
- 135 (i) a local district ballot and election; and
- 136 (ii) a ballot and election as a provider election officer as provided in Section
- 137 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 138 (e) the business administrator or superintendent of a school district for:
- 139 (i) a school district ballot and election; and
- 140 (ii) a ballot and election as a provider election officer as provided in Section
- 141 [20A-5-400.1](#) or [20A-5-400.5](#).
- 142 (29) "Election official" means any election officer, election judge, or poll worker.
- 143 (30) "Election results" means:
- 144 (a) for an election other than a bond election, the count of votes cast in the election and
- 145 the election returns requested by the board of canvassers; or
- 146 (b) for bond elections, the count of those votes cast for and against the bond
- 147 proposition plus any or all of the election returns that the board of canvassers may request.
- 148 (31) "Election returns" includes the pollbook, the military and overseas absentee voter
- 149 registration and voting certificates, one of the tally sheets, any unprocessed absentee ballots, all

150 counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition
151 form, and the total votes cast form.

152 (32) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
153 device or other voting device that records and stores ballot information by electronic means.

154 (33) "Electronic signature" means an electronic sound, symbol, or process attached to
155 or logically associated with a record and executed or adopted by a person with the intent to sign
156 the record.

157 (34) (a) "Electronic voting device" means a voting device that uses electronic ballots.

158 (b) "Electronic voting device" includes a direct recording electronic voting device.

159 (35) "Inactive voter" means a registered voter who has:

160 (a) been sent the notice required by Section 20A-2-306; and

161 (b) failed to respond to that notice.

162 (36) "Inspecting poll watcher" means a person selected as provided in this title to
163 witness the receipt and safe deposit of voted and counted ballots.

164 (37) "Judicial office" means the office filled by any judicial officer.

165 (38) "Judicial officer" means any justice or judge of a court of record or any county
166 court judge.

167 (39) "Local district" means a local government entity under Title 17B, Limited Purpose
168 Local Government Entities - Local Districts, and includes a special service district under Title
169 17D, Chapter 1, Special Service District Act.

170 (40) "Local district officers" means those local district officers that are required by law
171 to be elected.

172 (41) "Local election" means a regular municipal election, a municipal primary election,
173 a local special election, a local district election, and a bond election.

174 (42) "Local political subdivision" means a county, a municipality, a local district, or a
175 local school district.

176 (43) "Local special election" means a special election called by the governing body of a
177 local political subdivision in which all registered voters of the local political subdivision may
178 vote.

179 (44) "Municipal executive" means:

180 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

181 or

182 (b) the mayor in the council-manager form of government defined in Subsection
183 [10-3b-103\(6\)](#).

184 (45) "Municipal general election" means the election held in municipalities and local
185 districts on the first Tuesday after the first Monday in November of each odd-numbered year
186 for the purposes established in Section [20A-1-202](#).

187 (46) "Municipal legislative body" means the council of the city or town in any form of
188 municipal government.

189 (47) "Municipal office" means an elective office in a municipality.

190 (48) "Municipal officers" means those municipal officers that are required by law to be
191 elected.

192 (49) "Municipal primary election" means an election held to nominate candidates for
193 municipal office.

194 (50) "Official ballot" means the ballots distributed by the election officer to the poll
195 workers to be given to voters to record their votes.

196 (51) "Official endorsement" means:

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

198 (i) the ballot as an official ballot;

199 (ii) the date of the election; and

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

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

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

203 (ii) the ballot number.

204 (52) "Official register" means the official record furnished to election officials by the
205 election officer that contains the information required by Section [20A-5-401](#).

206 (53) "Paper ballot" means a paper that contains:

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

209 (b) spaces for the voter to record the voter's vote for each office and for or against each
210 ballot proposition.

211 (54) "Political party" means an organization of registered voters that has qualified to

212 participate in an election by meeting the requirements of Chapter 8, Political Party Formation
213 and Procedures.

214 [~~(56)~~] (55) "Pollbook" means a record of the names of voters in the order that they
215 appear to cast votes.

216 [~~(57)~~] (56) "Polling place" means the building where voting is conducted.

217 [~~(55)~~] (57) (a) "Poll worker" means a person assigned by an election official to assist
218 with an election, voting, or counting votes.

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

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

221 (58) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
222 in which the voter marks the voter's choice.

223 (59) "Provider election officer" means an election officer who enters into a contract or
224 interlocal agreement with a contracting election officer to conduct an election for the
225 contracting election officer's local political subdivision in accordance with Section
226 [20A-5-400.1](#).

227 (60) "Provisional ballot" means a ballot voted provisionally by a person:

228 (a) whose name is not listed on the official register at the polling place;

229 (b) whose legal right to vote is challenged as provided in this title; or

230 (c) whose identity was not sufficiently established by a poll worker.

231 (61) "Provisional ballot envelope" means an envelope printed in the form required by
232 Section [20A-6-105](#) that is used to identify provisional ballots and to provide information to
233 verify a person's legal right to vote.

234 (62) "Primary convention" means the political party conventions at which nominees for
235 the regular primary election are selected.

236 (63) "Protective counter" means a separate counter, which cannot be reset, that:

237 (a) is built into a voting machine; and

238 (b) records the total number of movements of the operating lever.

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

241 (65) "Receiving judge" means the poll worker that checks the voter's name in the
242 official register, provides the voter with a ballot, and removes the ballot stub from the ballot

243 after the voter has voted.

244 (66) "Registration form" means a book voter registration form and a by-mail voter
245 registration form.

246 (67) "Regular ballot" means a ballot that is not a provisional ballot.

247 (68) "Regular general election" means the election held throughout the state on the first
248 Tuesday after the first Monday in November of each even-numbered year for the purposes
249 established in Section [20A-1-201](#).

250 (69) "Regular primary election" means the election on the fourth Tuesday of June of
251 each even-numbered year, to nominate candidates of political parties and nonpolitical groups to
252 advance to the regular general election.

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

254 (71) "Sample ballot" means a mock ballot similar in form to the official ballot printed
255 and distributed as provided in Section [20A-5-405](#).

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

258 (73) "Secrecy envelope" means the envelope given to a voter along with the ballot into
259 which the voter places the ballot after the voter has voted it in order to preserve the secrecy of
260 the voter's vote.

261 (74) "Special election" means an election held as authorized by Section [20A-1-203](#).

262 (75) "Spoiled ballot" means each ballot that:

263 (a) is spoiled by the voter;

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

265 (c) lacks the official endorsement.

266 (76) "Statewide special election" means a special election called by the governor or the
267 Legislature in which all registered voters in Utah may vote.

268 (77) "Stub" means the detachable part of each ballot.

269 (78) "Substitute ballots" means replacement ballots provided by an election officer to
270 the poll workers when the official ballots are lost or stolen.

271 (79) "Ticket" means each list of candidates for each political party or for each group of
272 petitioners.

273 (80) "Transfer case" means the sealed box used to transport voted ballots to the

274 counting center.

275 (81) "Vacancy" means the absence of a person to serve in any position created by
276 statute, whether that absence occurs because of death, disability, disqualification, resignation,
277 or other cause.

278 (82) "Valid voter identification" means:

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

281 (i) a currently valid Utah driver license;

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

283 (A) the state; or

284 (B) a branch, department, or agency of the United States;

285 (iii) a currently valid Utah permit to carry a concealed weapon;

286 (iv) a currently valid United States passport; or

287 (v) a currently valid United States military identification card;

288 (b) one of the following identification cards, whether or not the card includes a
289 photograph of the voter:

290 (i) a valid tribal identification card;

291 (ii) a Bureau of Indian Affairs card; or

292 (iii) a tribal treaty card; or

293 (c) two forms of identification not listed under Subsection (82)(a) or (b) but that bear
294 the name of the voter and provide evidence that the voter resides in the voting precinct, which
295 may include:

296 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
297 election;

298 (ii) a bank or other financial account statement, or a legible copy thereof;

299 (iii) a certified birth certificate;

300 (iv) a valid Social Security card;

301 (v) a check issued by the state or the federal government or a legible copy thereof;

302 (vi) a paycheck from the voter's employer, or a legible copy thereof;

303 (vii) a currently valid Utah hunting or fishing license;

304 (viii) certified naturalization documentation;

305 (ix) a currently valid license issued by an authorized agency of the United States;

306 (x) a certified copy of court records showing the voter's adoption or name change;

307 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

308 (xii) a currently valid identification card issued by:

309 (A) a local government within the state;

310 (B) an employer for an employee; or

311 (C) a college, university, technical school, or professional school located within the
312 state; or

313 (xiii) a current Utah vehicle registration.

314 (83) "Valid write-in candidate" means a candidate who has qualified as a write-in
315 candidate by following the procedures and requirements of this title.

316 (84) "Voter" means a person who:

317 (a) meets the requirements for voting in an election;

318 (b) meets the requirements of election registration;

319 (c) is registered to vote; and

320 (d) is listed in the official register book.

321 (85) "Voter registration deadline" means the registration deadline provided in Section
322 [20A-2-102.5](#).

323 (86) "Voting area" means the area within six feet of the voting booths, voting
324 machines, and ballot box.

325 (87) "Voting booth" means:

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

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

329 (88) "Voting device" means:

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

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

333 (c) an electronic voting device or other device used to make selections and cast a ballot
334 electronically, or any component thereof;

335 (d) an automated voting system under Section [20A-5-302](#); or

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

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

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

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

344 (92) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting
345 poll watcher, and a testing watcher.

346 (93) "Western States Presidential Primary" means the election established in Chapter 9,
347 Part 8, Western States Presidential Primary.

348 (94) "Write-in ballot" means a ballot containing any write-in votes.

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

351 Section 2. Section **20A-5-601** is amended to read:

352 **20A-5-601. Poll workers -- Appointment for regular general elections and**
353 **primary elections.**

354 (1) (a) By March 1 of each even-numbered year, each county clerk shall provide to the
355 county chair of each registered political party a list of the number of poll workers that the party
356 must nominate for each voting precinct.

357 (b) (i) By April 1 of each even-numbered year, the county chair and secretary of each
358 registered political party shall file a list with the county clerk containing, for each voting
359 precinct, the names of ~~[registered voters]~~ individuals in the county who are willing to ~~[be]~~
360 serve as poll workers, who are qualified to serve as poll workers in accordance with this
361 section, and who are competent and trustworthy.

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

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

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

369 (a) (i) three registered voters, or one individual who is 16 or 17 years of age and two
370 registered voters, one of whom is at least 21 years of age, from the list to serve as receiving
371 judges for each voting precinct when ballots will be counted after the polls close; or

372 (ii) three registered voters, or one individual who is 16 or 17 years of age and two
373 registered voters, one of whom is at least 21 years of age, from the list to serve as receiving
374 judges in each voting precinct and three registered voters from the list to serve as counting
375 judges in each voting precinct when ballots will be counted throughout election day; and

376 (b) three registered voters from the list for each 100 absentee ballots to be counted to
377 serve as canvassing judges.

378 ~~[(4) For regular primary elections and for the Western States Presidential Primary~~
379 ~~election, each county legislative body shall provide for the appointment of:]~~

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

384 ~~[(ii) two or three registered voters, or one or two registered voters and one person 17~~
385 ~~years old who will be 18 years old by the date of the next regular general election, from the list~~
386 ~~to serve as receiving judges in each voting precinct and two or three registered voters, or one or~~
387 ~~two registered voters and one person 17 years old who will be 18 years old by the date of the~~
388 ~~next regular general election, from the list to serve as counting judges in each voting precinct~~
389 ~~when ballots will be counted throughout election day; and]~~

390 (4) For each precinct in which ballots are counted after the polls close, in a regular
391 primary election and for the Western States Presidential Primary election, each county
392 legislative body shall provide for the appointment of two or three individuals from the list to
393 serve as receiving judges:

394 (a) each of whom is a registered voter; or

395 (b) (i) the first of whom is a registered voter and is at least 21 years of age;

396 (ii) the second of whom is 16 or 17 years of age; and

397 (iii) if three individuals are appointed, the third of whom is a registered voter.

398 (5) For each precinct in which ballots are counted throughout election day, in a regular
399 primary election and for the Western States Presidential Primary election, each county
400 legislative body shall provide for the appointment of:

401 (a) two or three individuals from the list to serve as receiving judges:

402 (i) each of whom is a registered voter; or

403 (ii) (A) the first of whom is a registered voter and is at least 21 years of age;

404 (B) the second of whom is 16 or 17 years of age; and

405 (C) if three individuals are appointed, the third of whom is a registered voter; and

406 (b) two or three individuals from the list to serve as counting judges:

407 (i) each of whom is a registered voter; or

408 (ii) (A) one of whom is 17 years of age and will be 18 years of age by the date of the
409 next regular general election; and

410 (B) each of the rest of whom is a registered voter; and

411 ~~[(b)]~~ (c) two or three registered voters, or one or two registered voters and one [person]
412 individual 17 years ~~[old]~~ of age who will be 18 years ~~[old]~~ of age by the date of the next regular
413 general election, from the list for each 100 absentee ballots to be counted to serve as
414 canvassing judges.

415 ~~[(5)]~~ (6) Each county legislative body may provide for the appointment of:

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

418 (b) two or three registered voters, or one or two registered voters and one [person]
419 individual 17 years ~~[old]~~ of age who will be 18 years ~~[old]~~ of age by the date of the next regular
420 general election, from the list to serve as inspecting judges at the regular primary election to
421 observe the clerk's receipt and deposit of the ballots for safekeeping.

422 ~~[(6)]~~ (7) (a) For each set of three counting or receiving judges to be appointed for each
423 voting precinct for the regular primary election, the regular general election, and the Western
424 States Presidential Primary election, the county legislative body shall ensure that:

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

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

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

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

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

444 [~~(7)~~] (8) When the voting precinct boundaries have been changed since the last regular
445 general election, the county legislative body shall ensure that:

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

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

457 [~~(8)~~] (9) The county legislative body shall provide for the appointment of any qualified
458 county voter as an election judge when:

459 (a) a political party fails to file the poll worker list by the filing deadline; or

460 (b) the list is incomplete.

461 ~~[(9)]~~ (10) A registered voter of the county may serve as a poll worker in any voting
462 precinct of the county.

463 (11) A county legislative body may not appoint a candidate's parent, sibling, spouse,
464 child, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or
465 son-in-law to serve as a poll worker in a precinct where the candidate appears on the ballot.

466 ~~[(10)]~~ (12) If ~~[a person]~~ an individual serves as a poll worker outside the voting
467 precinct where the ~~[person]~~ individual is registered, that ~~[person]~~ individual may vote an
468 absentee voter ballot.

469 ~~[(11)]~~ (13) The county clerk shall fill all poll worker vacancies.

470 ~~[(12)]~~ (14) If a conflict arises over the right to certify the poll worker lists for any
471 political party, the county legislative body may decide between conflicting lists, but may only
472 select names from a properly submitted list.

473 ~~[(13)]~~ (15) The county legislative body shall establish compensation for poll workers.

474 ~~[(14)]~~ (16) The county clerk may appoint additional poll workers to serve in the polling
475 place as needed.

476 Section 3. Section **20A-5-602** is amended to read:

477 **20A-5-602. Poll workers -- Appointment for local elections.**

478 ~~[(1) At least 15 days before the date scheduled for any local election, the municipal~~
479 ~~legislative body or local district board shall appoint or provide for the appointment of:]~~

480 ~~[(a) in jurisdictions using paper ballots:]~~

481 ~~[(i) three registered voters, or two registered voters and one person 17 years old who~~
482 ~~will be 18 years old by the date of the regular municipal election, who reside within the county~~
483 ~~to serve as poll workers for each voting precinct when the ballots will be counted after the polls~~
484 ~~close; or]~~

485 ~~[(ii) three registered voters, or two registered voters and one person 17 years old who~~
486 ~~will be 18 years old by the date of the regular municipal election, who reside within the county~~
487 ~~to serve as receiving judges in each voting precinct and three registered voters, or two~~
488 ~~registered voters and one person 17 years old who will be 18 years old by the date of the~~
489 ~~regular municipal election, who reside within the county to serve as counting judges in each~~
490 ~~voting precinct when ballots will be counted throughout election day;]~~

491 ~~[(b) in jurisdictions using automated tabulating equipment, three registered voters, or~~
492 ~~two registered voters and one person 17 years old who will be 18 years old by the date of the~~
493 ~~regular municipal election, who reside within the county to serve as poll workers for each~~
494 ~~voting precinct;]~~

495 ~~[(c) in jurisdictions using voting machines, four registered voters, or three registered~~
496 ~~voters and one person 17 years old who will be 18 years old by the date of the regular~~
497 ~~municipal election, who reside within the county to serve as poll workers for each voting~~
498 ~~precinct; and]~~

499 ~~[(d) in all jurisdictions:]~~

500 (1) A municipal legislative body or local district board appointing, or providing for the
501 appointment of, a poll worker for a local election under this section shall appoint the poll
502 worker at least 15 days before the date of the local election.

503 (2) For each precinct that uses a paper ballot, and where the ballots are counted after
504 the polls close, the municipal legislative body or the local district board shall appoint, or
505 provide for the appointment of, three individuals who reside within the county to serve as poll
506 workers:

507 (a) each of whom is a registered voter; or

508 (b) (i) the first of whom is a registered voter;

509 (ii) the second of whom is a registered voter and is at least 21 years of age; and

510 (iii) the third of whom is 16 or 17 years of age.

511 (3) For each precinct that uses a paper ballot, and where the ballots are counted
512 throughout the day, the municipal legislative body or local district board shall appoint, or
513 provide for the appointment of:

514 (a) three individuals who reside within the county to serve as receiving judges:

515 (i) each of whom is a registered voter; or

516 (ii) (A) the first of whom is a registered voter;

517 (B) the second of whom is a registered voter and is at least 21 years of age; and

518 (C) the third of whom is 16 or 17 years of age; and

519 (b) three individuals who reside within the county to serve as counting judges:

520 (i) each of whom is a registered voter; or

521 (ii) (A) one of whom is 17 years of age and will be 18 years of age by the date of the

522 next regular municipal election; and

523 (B) each of the rest of whom is a registered voter.

524 (4) For each precinct using automated tabulating equipment, the municipal legislative
525 body or the local district board shall appoint, or provide for the appointment of, three
526 individuals who reside within the county to serve as poll workers:

527 (a) each of whom is a registered voter; or

528 (b) (i) the first of whom is a registered voter;

529 (ii) the second of whom is a registered voter and is at least 21 years of age; and

530 (iii) the third of whom is 16 or 17 years of age.

531 (5) For each precinct using voting machines, the municipal legislative body or the local
532 district board shall appoint, or provide for the appointment of, four individuals who reside
533 within the county to serve as poll workers:

534 (a) each of whom is a registered voter; or

535 (b) (i) the first of whom is a registered voter and is at least 21 years of age;

536 (ii) the second of whom is 16 or 17 years of age; and

537 (iii) each of the rest of whom is a registered voter.

538 (6) In all jurisdictions, the municipal legislative body or the local district board shall
539 appoint, or provide for the appointment of:

540 [(†)] (a) at least one registered voter who resides within the county to serve as
541 canvassing judge, if necessary; and

542 [(†)] (b) as many alternate poll workers as needed to replace appointed poll workers
543 who are unable to serve.

544 [(2)] (7) The municipal legislative body and local district board may not appoint any
545 candidate's parent, sibling, spouse, child, or [in-law] mother-in-law, father-in-law,
546 sister-in-law, brother-in-law, daughter-in-law, or son-in-law to serve as a poll worker [in the
547 voting precinct where the candidate resides] in a precinct where the candidate appears on the
548 ballot.

549 [(3)] (8) The clerk shall:

550 (a) prepare and file a list containing the name, address, voting precinct, and telephone
551 number of each [person] individual appointed; and

552 (b) make the list available in the clerk's office for inspection, examination, and copying

553 during business hours.

554 ~~[(4)]~~ (9) (a) The municipal legislative body and local district board shall compensate
555 poll workers for their services.

556 (b) The municipal legislative body and local district board may not compensate their
557 poll workers at a rate higher than that paid by the county to its poll workers.

558 Section 4. **Coordinating H.B. 282 with S.B. 116 -- Substantive and technical**
559 **amendments.**

560 If this H.B. 282 and S.B. 116, Poll Worker Amendments, both pass and become law, it
561 is the intent of the Legislature that Section [20A-5-602](#) be amended to read:

562 **"20A-5-602. Poll workers -- Appointment for local elections.**

563 ~~[(1) At least 15 days before the date scheduled for any local election, the municipal~~
564 ~~legislative body or local district board shall appoint or provide for the appointment of:]~~

565 ~~[(a) in jurisdictions using paper ballots:]~~

566 ~~[(i) three registered voters, or two registered voters and one person 17 years old who~~
567 ~~will be 18 years old by the date of the regular municipal election, who reside within the county~~
568 ~~to serve as poll workers for each voting precinct when the ballots will be counted after the polls~~
569 ~~close; or]~~

570 ~~[(ii) three registered voters, or two registered voters and one person 17 years old who~~
571 ~~will be 18 years old by the date of the regular municipal election, who reside within the county~~
572 ~~to serve as receiving judges in each voting precinct and three registered voters, or two~~
573 ~~registered voters and one person 17 years old who will be 18 years old by the date of the~~
574 ~~regular municipal election, who reside within the county to serve as counting judges in each~~
575 ~~voting precinct when ballots will be counted throughout election day;]~~

576 ~~[(b) in jurisdictions using automated tabulating equipment, three registered voters, or~~
577 ~~two registered voters and one person 17 years old who will be 18 years old by the date of the~~
578 ~~regular municipal election, who reside within the county to serve as poll workers for each~~
579 ~~voting precinct;]~~

580 ~~[(c) in jurisdictions using voting machines, four registered voters, or three registered~~
581 ~~voters and one person 17 years old who will be 18 years old by the date of the regular~~
582 ~~municipal election, who reside within the county to serve as poll workers for each voting~~
583 ~~precinct; and]~~

584 ~~[(d) in all jurisdictions:]~~

585 (1) A county legislative body, a municipal legislative body, or a local district board
586 appointing, or providing for the appointment of, a poll worker for a local election under this
587 section shall appoint the poll worker at least 15 days before the date of the local election.

588 (2) For each precinct that uses a paper ballot, and where the ballots are counted after
589 the polls close, the county legislative body, the municipal legislative body, or the local district
590 board shall appoint, or provide for the appointment of, three individuals who reside within the
591 county to serve as poll workers:

592 (a) each of whom is a registered voter; or

593 (b) (i) the first of whom is a registered voter;

594 (ii) the second of whom is a registered voter and is at least 21 years of age; and

595 (iii) the third of whom is 16 or 17 years of age.

596 (3) For each precinct that uses a paper ballot, and where the ballots are counted
597 throughout the day, the county legislative body, the municipal legislative body, or the local
598 district board shall appoint, or provide for the appointment of:

599 (a) three individuals who reside within the county to serve as receiving judges:

600 (i) each of whom is a registered voter; or

601 (ii) (A) the first of whom is a registered voter;

602 (B) the second of whom is a registered voter and is at least 21 years of age; and

603 (C) the third of whom is 16 or 17 years of age; and

604 (b) three individuals who reside within the county to serve as counting judges:

605 (i) each of whom is a registered voter; or

606 (ii) (A) one of whom is 17 years of age and will be 18 years of age by the date of the
607 next local election; and

608 (B) each of the rest of whom is a registered voter.

609 (4) For each precinct using automated tabulating equipment, the county legislative
610 body, the municipal legislative body, or the local district board shall appoint, or provide for the
611 appointment of, three individuals who reside within the county to serve as poll workers:

612 (a) each of whom is a registered voter; or

613 (b) (i) the first of whom is a registered voter;

614 (ii) the second of whom is a registered voter and is at least 21 years of age; and

615 (iii) the third of whom is 16 or 17 years of age.

616 (5) For each precinct using voting machines, the county legislative body, the municipal
617 legislative body, or the local district board shall appoint, or provide for the appointment of,
618 four individuals who reside within the county to serve as poll workers:

619 (a) each of whom is a registered voter; or

620 (b) (i) the first of whom is a registered voter and is at least 21 years of age;

621 (ii) the second of whom is 16 or 17 years of age; and

622 (iii) each of the rest of whom is a registered voter.

623 (6) In all jurisdictions, the county legislative body, the municipal legislative body, or
624 the local district board shall appoint, or provide for the appointment of:

625 [(i)] (a) at least one registered voter who resides within the county to serve as
626 canvassing judge, if necessary; and

627 [(ii)] (b) as many alternate poll workers as needed to replace appointed poll workers
628 who are unable to serve.

629 [(2)] (7) The county legislative body, the municipal legislative body, and the local
630 district board may not appoint any candidate's parent, sibling, spouse, child, [or in-law]
631 mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law to
632 serve as a poll worker [in the voting precinct where the candidate resides] in a precinct where
633 the candidate appears on the ballot.

634 [(3)] (8) The clerk shall:

635 (a) prepare and file a list containing the name, address, voting precinct, and telephone
636 number of each [person] individual appointed; and

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

639 [(4)] (9) (a) The county legislative body, the municipal legislative body, and the local
640 district board shall compensate poll workers for their services.

641 (b) The municipal legislative body and local district board may not compensate their
642 poll workers at a rate higher than that paid by the county to its poll workers."