LONG TITLE

General Description:
This bill amends provisions of the Election Code relating to taking a photograph of a ballot.

Highlighted Provisions:
This bill:
• makes it a class C misdemeanor to take a photograph of a ballot, other than the voter's own ballot, at a polling place;
  • allows an individual to take, share, or publish a photograph of the individual's ballot; and
  • makes technical changes.

Money Appropriated in this Bill:
None

Other Special Clauses:
None

Utah Code Sections Affected:
AMENDS:
20A-3-504, as last amended by Laws of Utah 1993, Chapter 38

Be it enacted by the Legislature of the state of Utah:
Section 1. Section 20A-3-504 is amended to read:
20A-3-504. Violations -- Penalties.
(1) Except as allowed by Subsection (3) or Section 20A-3-108, [a person] an individual
is guilty of a class C misdemeanor if the individual:

(a) [he] allows [his] the individual's ballot to be seen by [any other person] another with [an] the intent to reveal how [he] the individual is about to vote;

(b) [he] states falsely that [he] the individual is unable to mark [his] the individual's ballot;

(c) [he] interferes or attempts to interfere with any [person] individual who is inside the voting booth or who is marking a ballot; [or]

(d) [he] induces or attempts to induce any voter who is inside a voting booth or who is marking a ballot to vote to show how [he] the voter marked [his] the voter's ballot[;]; or

(e) takes a photograph of a ballot, other than the individual's own ballot, at a polling place.

(2) The election judges and clerks shall report any [person violating] individual who violates this section to the county attorney or district attorney having state criminal jurisdiction for prosecution.

(3) Subsection (1) does not prohibit an individual from transferring a photograph of the individual's own ballot in a manner that allows the photograph to be viewed by the individual or another.