

Representative John Knotwell proposes the following substitute bill:

BALLOT PUBLISHING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Knotwell

Senate Sponsor: Alvin B. Jackson

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



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

27 Section 1. Section **20A-3-504** is amended to read:

28 **20A-3-504. Violations -- Penalties.**

29 (1) Except as allowed by Subsection (3) or Section **20A-3-108**, [~~a person~~] an individual
30 is guilty of a class C misdemeanor if the individual:

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

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

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

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

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

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

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