|            | ABSENTEE BALLOT AMENDMENTS   |
|------------|--|
|            | 2015 GENERAL SESSION   |
|            | STATE OF UTAH  |
|            | Chief Sponsor: Fred C. Cox   |
|            | Senate Sponsor:  |
| LONG T     | ITLE   |
| General I  | Description:   |
| Th         | is bill establishes that a voter's absentee status does not expire.        |
| Highlight  | ed Provisions:   |
| Th         | is bill:   |
| •          | establishes that a voter's absentee status does not expire; and            |
| •          | makes technical changes.   |
| Money A    | ppropriated in this Bill:  |
| No         | one  |
| Other Sp   | ecial Clauses:   |
| No         | one  |
| Utah Cod   | e Sections Affected:   |
| AMENDS     | S:   |
| 20         | A-3-304, as last amended by Laws of Utah 2013, Chapters 198, 218 and last  |
| amended 1  | by Coordination Clause, Laws of Utah 2013, Chapter 198                     |
| Be it enac | ted by the Legislature of the state of Utah:                               |
| Se         | ction 1. Section <b>20A-3-304</b> is amended to read:                      |
| 20         | A-3-304. Application for absentee ballot Time for filing and voting.       |
| (1)        | (a) Any registered voter who wishes to vote an absentee ballot may either: |



(i) file an absentee ballot application:

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| 28 | (A) on the electronic system maintained by the lieutenant governor under Section                  |
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| 29 | 20A-2-206; or   |
| 30 | (B) with the appropriate election officer for an official absentee ballot as provided in          |
| 31 | this section; or  |
| 32 | (ii) vote in person at the office of the appropriate election officer as provided in Section      |
| 33 | 20A-3-306.  |
| 34 | (b) A person that collects a completed absentee ballot application from a registered              |
| 35 | voter shall file the completed absentee ballot application with the appropriate election official |
| 36 | before the earlier of:  |
| 37 | (i) 14 days after the day on which the registered voter signed the absentee ballot form;          |
| 38 | or  |
| 39 | (ii) the Thursday before the next election.   |
| 40 | (2) As it relates to an absentee ballot application to be filled out entirely by the voter:       |
| 41 | (a) except as provided in Subsection (2)(b), the lieutenant governor or election officer          |
| 42 | shall approve an application form for absentee ballot applications in substantially the following |
| 43 | form:   |
| 44 | "I,, a qualified elector, residing at Street, City, County, Utah                                  |
| 45 | apply for an official absentee ballot to be voted by me at the election.                          |
| 46 | Date (month\day\year) Signed  |
| 47 | Voter"; and   |
| 48 | (b) the lieutenant governor or election officer shall approve an application form for             |
| 49 | regular primary elections and for the Western States Presidential Primary in substantially the    |
| 50 | following form:   |
| 51 | "I,, a qualified elector, residing at Street, City, County, Utah                                  |
| 52 | apply for an official absentee ballot for the political party to be voted by me                   |
| 53 | at the primary election.  |
| 54 | I understand that I must be affiliated with or authorized to vote the political party's           |
| 55 | ballot that I request.  |
| 56 | Dated (month\day\year) Signed   |
| 57 | Voter"  |
| 58 | (c) If requested by the applicant, the election officer shall:                                    |

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| 59 | (i) mail or fax the application form to the absentee voter; or                                       |
|----|--|
| 60 | (ii) deliver the application form to any voter who personally applies for it at the office           |
| 61 | of the election officer.   |
| 62 | (3) As it relates to an absentee ballot application to be filled out for, and finished and           |
| 63 | signed by, a voter:  |
| 64 | (a) except as provided in Subsection (3)(b), the lieutenant governor or election officer             |
| 65 | shall approve an application form for absentee ballot applications in substantially the following    |
| 66 | form:  |
| 67 | "I,, a qualified elector, residing at Street, City, County, Utah                                     |
| 68 | apply for an official absentee ballot to be voted by me at the election.                             |
| 69 | I understand that a person that collects this absentee ballot application is required to file        |
| 70 | it with the appropriate election official before the earlier of fourteen days after the day on       |
| 71 | which I sign the application or the Thursday before the next election.                               |
| 72 | This form is provided by (insert name of person or organization).                                    |
| 73 | I have verified that the information on this application is correct.                                 |
| 74 | I understand that I will receive a ballot at the following address: (insert address and an           |
| 75 | adjacent check box);   |
| 76 | OR   |
| 77 | I request that the ballot be mailed to the following address: (insert blank space for an             |
| 78 | address and an adjacent check box).  |
| 79 | Date (month\day\year) Signed   |
| 80 | Voter"; and  |
| 81 | (b) the lieutenant governor or election officer shall approve an application form for                |
| 82 | regular primary elections and for the Western States Presidential Primary in substantially the       |
| 83 | following form:  |
| 84 | "I,, a qualified elector, residing at Street, City, County, Utah                                     |
| 85 | apply for an official absentee ballot for the political party to be voted by me                      |
| 86 | at the primary election.   |
| 87 | I understand that I must be affiliated with or authorized to vote the political party's              |
| 88 | ballot that I request. I understand that a person that collects this absentee ballot application is  |
| 89 | required to file it with the appropriate election official before the earlier of fourteen days after |

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| 90  | the day on which I sign the application or the Thursday before the next primary election.         |
|-----|---|
| 91  | This form is provided by (insert name of person or organization).                                 |
| 92  | I have verified that the information on this application is correct.                              |
| 93  | I understand that I will receive a ballot at the following address: (insert address and an        |
| 94  | adjacent check box);  |
| 95  | OR  |
| 96  | I request that the ballot be mailed to the following address: (insert blank space for an          |
| 97  | address and an adjacent check box).   |
| 98  | Dated (month\day\year) Signed   |
| 99  | Voter"  |
| 100 | (4) The forms described in Subsections (2) and (3) shall contain instructions on how a            |
| 101 | voter may cancel an absentee ballot application.  |
| 102 | (5) Except as provided in Subsection 20A-3-306(2)(a), a voter who wishes to vote by               |
| 103 | absentee ballot shall file the application for an absentee ballot with the lieutenant governor or |
| 104 | appropriate election officer no later than the Thursday before election day.                      |
| 105 | (6) (a) A county clerk [may] shall establish [a permanent] an absentee voter list[. (b)           |
| 106 | The clerk shall place on the list] containing the name of [any person] each voter who:            |
| 107 | (i) requests [permanent] absentee voter status; and   |
| 108 | (ii) meets the requirements of this section.  |
| 109 | (b) A county clerk may not remove a voter's name from the list described in Subsection            |
| 110 | (6)(a) unless:  |
| 111 | (i) the voter is no longer listed in the official register; or                                    |
| 112 | (ii) the voter cancels the voter's absentee status.   |
| 113 | (c) (i) Each year, the clerk shall mail a questionnaire to each [person] voter whose              |
| 114 | name is on the absentee voter list.   |
| 115 | (ii) The questionnaire shall allow the [absentee person to] voter to:                             |
| 116 | (A) verify the voter's residence[-]; or   |
| 117 | (B) cancel the voter's absentee status.   |
| 118 | [(iii) The clerk may remove the names of any voter from the absentee voter registration           |
| 119 | <del>list if:</del> ]   |
| 120 | [(A) the voter is no longer listed in the official register; or]                                  |

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| 121 | [(B) the voter fails to verify the voter's residence and absentee status.]            |
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| 122 | (d) The clerk shall provide a copy of the [permanent] absentee voter list to election |
| 123 | officers for use in elections.  |

Legislative Review Note as of 1-26-15 12:52 PM

Office of Legislative Research and General Counsel