

Senator Daniel W. Thatcher proposes the following substitute bill:

POLLING LOCATION AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: Michael E. Noel

LONG TITLE

General Description:

This bill addresses lines at a polling location.

Highlighted Provisions:

This bill:

↳ **requires a county clerk, to the extent possible, to ensure that the waiting time in line at a polling location does not exceed 30 minutes; and** ←

↳ ~~requires a~~ **permits the lieutenant governor to require a** ← county clerk to submit a **line management** ← plan ~~to the lieutenant governor to reduce the amount of time~~ **at the next election if** ← an individual waits in line **more than 30 minutes** ← before the individual can vote at a polling location.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-5-403, as last amended by Laws of Utah 2011, Chapter 297

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

Section 1. Section **20A-5-403** is amended to read:

20A-5-403. Polling places -- Booths -- Ballot boxes -- Inspections --



26 **Arrangements.**

27 (1) Each election officer shall:

28 (a) designate polling places for each voting precinct in the jurisdiction; and

29 (b) obtain the approval of the county or municipal legislative body or local district

30 governing board for those polling places.

31 (2) (a) For each polling place, the election officer shall provide:

32 (i) an American flag;

33 (ii) a sufficient number of voting booths or compartments;

34 (iii) the voting devices, voting booths, ballots, ballot boxes, ballot labels, ballot sheets,
35 write-in ballots, and any other records and supplies necessary to enable a voter to vote;

36 (iv) the constitutional amendment cards required by Part 1, Election Notices and
37 Instructions;

38 (v) voter information pamphlets required by Chapter 7, Part 7, Voter Information
39 Pamphlet;

40 (vi) the instruction cards required by Section [20A-5-102](#); and

41 (vii) a sign, to be prominently displayed in the polling place, indicating that valid voter
42 identification is required for every voter before the voter may vote and listing the forms of
43 identification that constitute valid voter identification.

44 (b) Each election officer shall ensure that:

45 (i) each voting booth is at a convenient height for writing, and is arranged so that the
46 voter can prepare the voter's ballot screened from observation;

47 (ii) there are a sufficient number of voting booths or voting devices to accommodate
48 the voters at that polling place; and

49 (iii) there is at least one voting booth or voting device that is configured to
50 accommodate persons with disabilities.

51 (c) Each county clerk shall provide a ballot box for each polling place that is large
52 enough to properly receive and hold the ballots to be cast.

53 (3) (a) All polling places shall be physically inspected by each county clerk to ensure
54 access by a person with a disability.

55 (b) Any issues concerning inaccessibility to polling places by a person with a disability
56 discovered during the inspections referred to in Subsection (3)(a) or reported to the county

57 clerk shall be:

58 (i) forwarded to the Office of the Lieutenant Governor; and

59 (ii) within six months of the time of the complaint, the issue of inaccessibility shall be
60 either:

61 (A) remedied at the particular location by the county clerk;

62 (B) the county clerk shall designate an alternative accessible location for the particular
63 precinct; or

64 (C) if no practical solution can be identified, file with the Office of the Lieutenant
65 Governor a written explanation identifying the reasons compliance cannot reasonably be met.

66 (4) (a) The municipality in which the election is held shall pay the cost of conducting
67 each municipal election, including the cost of printing and supplies.

68 (b) (i) Costs assessed by a county clerk to a municipality under this section may not
69 exceed the actual costs incurred by the county clerk.

70 (ii) The actual costs shall include:

71 (A) costs of or rental fees associated with the use of election equipment and supplies;

72 and

73 (B) reasonable and necessary administrative costs.

74 (5) The county clerk shall make detailed entries of all proceedings had under this
75 chapter.

76 (6) (a) Each county clerk shall ~~Ŝ→ [create a line management plan to]~~, **to the extent**
76a **possible, ←Ŝ ensure that the amount**

77 **of time that an individual waits in line before the individual can vote at a polling location in the**
78 **county does not exceed 30 minutes.**

79 ~~Ŝ→ [(b) On or before January 1 of each even-numbered year, each county clerk shall submit~~
80 ~~**a new or updated plan described in Subsection (6)(a) to the lieutenant governor.]**~~

80a **(b) The lieutenant governor may require a county clerk to submit a line management**
80b **plan before the next election if an individual waits in line at a polling location in the county**
80c **longer than 30 minutes before the individual can vote.**

80d **(c) The lieutenant governor may consider extenuating circumstances in deciding**
80e **whether to require the county clerk to submit a plan described in Subsection (6)(b).** ←Ŝ

81 ~~Ŝ→ [(e)] (d) ←Ŝ~~ **The lieutenant governor shall review each plan submitted under Subsection**
81a **(6)(b)**

82 **and consult with the county clerk submitting the plan to** ~~Ŝ→ [improve the plan's effectiveness and~~
83 ~~**ensure the plan is implemented successfully.] ensure, to the extent possible, that the amount of**~~

83a **time an individual waits in line before the individual can vote at a polling location in the**

83b **county does not exceed 30 minutes.** ←Ŝ