

SB0116S01 compared with SB0116

~~{deleted text}~~ shows text that was in SB0116 but was deleted in SB0116S01.

Inserted text shows text that was not in SB0116 but was inserted into SB0116S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: _____

LONG TITLE

General Description:

This bill ~~{amends provisions relating to election day voting centers}~~ addresses lines at a polling location.

Highlighted Provisions:

This bill:

- ▶ requires a county ~~{that conducts an election entirely by mail to provide at least one election day voting center for every 10,000 registered voters who are eligible to participate in the election}~~ clerk to submit a plan to the lieutenant governor to reduce the amount of time an individual waits in line before the individual can vote at a polling location.

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

~~{20A-3-302}~~20A-5-403, as last amended by Laws of Utah ~~{2015}~~2011, Chapter ~~{173}~~297

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

Section 1. Section ~~{20A-3-302}~~20A-5-403 is amended to read:

~~{20A-3-302}~~20A-5-403. ~~{Conducting entire election by absentee ballot.~~

~~———— (1) Notwithstanding Section 17B-1-306, an}~~Polling places -- Booths -- Ballot boxes -- Inspections -- Arrangements.

~~(1) Each~~ election officer ~~{may administer an election entirely by absentee ballot.~~

~~———— (2) If the election officer decides to administer an election entirely by absentee ballot}~~shall:

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

(b) obtain the approval of the county or municipal legislative body or local district governing board for those polling places.

(2) (a) For each polling place, the election officer shall ~~{mail to each registered voter within that voting precinct:~~

~~———— (a) an absentee ballot;~~

~~———— (b) for an election administered by a county clerk, information regarding the location and hours of operation of any election day voting center at which}~~provide:

(i) an American flag;

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

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

(iv) the constitutional amendment cards required by Part 1, Election Notices and

Instructions;

(v) voter information pamphlets required by Chapter 7, Part 7, Voter Information

Pamphlet;

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

(vii) a sign, to be prominently displayed in the polling place, indicating that valid voter identification is required for every voter before the voter may vote;

~~—— (c) a courtesy reply mail envelope;~~

~~—— (d) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted; and~~

~~—— (e) for an election administered by an election officer other than a county clerk, if the election officer does not operate a polling location or an election day voting center, a warning, on a separate page of colored paper in bold face print, indicating that if the voter fails to follow the instructions included with the absentee ballot, the voter will be unable to vote in that election because there will be no polling place in the voting precinct on the day of the election.~~

~~—— (3) A voter who votes by absentee ballot under this section is not required to apply for an absentee ballot as required by this part.~~

~~—— (4) An election officer who administers an election entirely by absentee ballot shall:~~

~~—— (a) (i) obtain, in person, the signatures of each voter within that voting precinct before the election; or~~

~~—— (ii) obtain the signature of each voter within the voting precinct from the county clerk; and~~

~~—— (b) maintain the signatures on file in the election officer's office.~~

~~—— (5) (a) Upon receiving the returned absentee ballots, the} and listing the forms of identification that constitute valid voter identification.~~

(b) Each election officer shall ~~{compare the signature on each absentee ballot with the voter's signature that is maintained on file and verify that the signatures are the same:~~

~~—— (b) If the election officer questions the authenticity of the signature on the absentee ballot, the election officer shall immediately contact the voter to verify the signature:~~

~~—— (c) If the election official determines that the signature on the absentee ballot does not match the voter's signature that is maintained on file, the election officer shall:~~

~~—— (i) unless the absentee ballot application deadline described in Section 20A-3-304 has passed, immediately send another absentee ballot and other voting materials as required by this section to the voter; and~~

~~—— (ii) disqualify the initial absentee ballot.~~

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- ~~—— (6) A county that administers an election entirely by absentee ballot:~~
- ~~—— (a) shall [provide at least one election day voting center], in accordance with Title 20A, Chapter 3, Part 7, Election Day Voting Center, provide at least one election day voting center for every 10,000 registered voters who are eligible to participate in the election, but not fewer than one election day voting center;~~
- ~~—— (b) shall ensure that an election day voting center operated by the county has at least one;~~ ensure that:
- (i) each voting booth is at a convenient height for writing, and is arranged so that the voter can prepare the voter's ballot screened from observation;
 - (ii) there are a sufficient number of voting booths or voting devices to accommodate the voters at that polling place; and
 - (iii) there is at least one voting booth or voting device that is {accessible, in accordance with the Help America Vote Act of 2002, Pub. L. No. 107-252, for individuals} configured to accommodate persons with disabilities {; and
- ~~—— (c) is not required to pay return postage for an absentee ballot.~~

Legislative Review Note

Office of Legislative Research and General Counsel;

- (c) Each county clerk shall provide a ballot box for each polling place that is large enough to properly receive and hold the ballots to be cast.
- (3) (a) All polling places shall be physically inspected by each county clerk to ensure access by a person with a disability.
- (b) Any issues concerning inaccessibility to polling places by a person with a disability discovered during the inspections referred to in Subsection (3)(a) or reported to the county clerk shall be:
- (i) forwarded to the Office of the Lieutenant Governor; and
 - (ii) within six months of the time of the complaint, the issue of inaccessibility shall be either:

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

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

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

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

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

(ii) The actual costs shall include:

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

(B) reasonable and necessary administrative costs.

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

(6) (a) Each county clerk shall create a line management plan to ensure that the amount of time that an individual waits in line before the individual can vote at a polling location in the county does not exceed 30 minutes.

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

(c) The lieutenant governor shall review each plan submitted under Subsection (6)(b) and consult with the county clerk submitting the plan to improve the plan's effectiveness and ensure the plan is implemented successfully.