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MUNICIPALITY VOTING AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Joel K. Briscoe

Senate Sponsor: _____

LONG TITLE

General Description:

This bill concerns the ability of a municipality to require voting in a general municipal election.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a municipality may enact an ordinance that requires all eligible voters to vote in a general municipal election; and
- ▶ establishes requirements and procedures for an ordinance that requires all eligible voters to vote in a general municipal election.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-2a-104.5, Utah Code Annotated 1953

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

Section 1. Section **10-2a-104.5** is enacted to read:



28 **10-2a-104.5. Ordinance to require voting in general municipal elections.**

29 (1) As used in this section:

30 (a) "Vote" means to cast a ballot, including a blank ballot, in a general municipal
31 election, either in person or by mail or any other legal method.

32 (b) "Vote" does not mean that a voter is required to fill in or complete a ballot.

33 (2) A municipality may enact an ordinance that requires all eligible voters to vote in a
34 general municipal election.

35 (3) An ordinance described under Subsection (2) shall include:

36 (a) a requirement that a resident of the municipality register to vote if the resident is
37 eligible to vote under state law;

38 (b) a requirement that a registered voter in the municipality shall vote in a regularly
39 scheduled general municipal election;

40 (c) permissible reasons for a registered voter to not vote;

41 (d) a process for sending a letter or other form of notification that:

42 (i) is sent or otherwise provided to an eligible voter who did not vote in a general
43 municipal election;

44 (ii) asks the eligible voter if the eligible voter had a valid reason as to why the eligible
45 voter did not vote; and

46 (iii) informs the eligible voter that failure to return the notification, even if the
47 notification is left blank, could result in a fine, community service, or other penalty; and

48 (e) a provision establishing processes and penalties for an eligible voter's failure to
49 return the notification described in Subsection (3)(d), including:

50 (i) a fine no greater than \$25 per municipal general election;

51 (ii) an option for community service in lieu of a fine; and

52 (iii) an appeal process for an eligible voter to appeal a penalty based on a failure to
53 return the notification described in Subsection (3)(d).

54 (4) No later than 30 days after the day on which the municipality's legislative body
55 enacts the ordinance described in Subsection (2), the municipality shall provide notice by
56 mailing a copy of the ordinance and a summary of the ordinance to each:

57 (a) owner of real property located within the municipality; and

58 (b) residence within the municipality.