

VOTE BY MAIL REVISIONS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John R. Westwood

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill amends the requirements for an election administered entirely by absentee ballot.

Highlighted Provisions:

This bill:

- ▶ requires a county that administers an election entirely by absentee ballot to provide at least one election day voting center;
- ▶ changes notification requirements; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-3-302, as last amended by Laws of Utah 2013, Chapter 320

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

Section 1. Section **20A-3-302** is amended to read:

20A-3-302. Conducting entire election by absentee ballot.

(1) Notwithstanding Section **17B-1-306**, an election officer may administer an election entirely by absentee ballot.

30 (2) If the election officer decides to administer an election entirely by absentee ballot,
31 the election officer shall mail to each registered voter within that voting precinct:

32 (a) an absentee ballot;

33 [~~(b) a statement that there will be no polling place in the voting precinct for the~~
34 ~~election;~~]

35 (b) for an election administered by a county clerk, information regarding the location
36 and hours of operation of any election day voting center at which the voter may vote;

37 (c) a [~~business~~] courtesy reply mail envelope;

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

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

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

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

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

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

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

53 (5) (a) Upon receiving the returned absentee ballots, the election officer shall compare
54 the signature on each absentee ballot with the voter's signature that is maintained on file and
55 verify that the signatures are the same.

56 (b) If the election officer questions the authenticity of the signature on the absentee
57 ballot, the election officer shall immediately contact the voter to verify the signature.

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

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

63 (ii) disqualify the initial absentee ballot.

64 (6) A county that administers an election entirely by absentee ballot:

65 (a) shall provide at least one election day voting center in accordance with Title 20A,
66 Chapter 3, Part 7, Election Day Voting Center;

67 (b) shall ensure that an election day voting center operated by the county has at least
68 one voting device that is accessible, in accordance with the Help America Vote Act of 2002,
69 Pub. L. No. 107-252, for individuals with disabilities; and

70 (c) is not required to pay return postage for an absentee ballot.