

HJR 46: Study of Election Laws

Explanation of LC 60 – Mail Ballot Pilot Project

June 16, 2008

The June 16 draft of LC 60 includes most of the elements in the draft presented to the State Administration and Veterans' Affairs Interim Committee in April. Changes from that draft are noted in the table below, along with items remaining for committee action.

Section/Topic	Initial Draft	Current Draft	Action Items
Section 1. Purpose - Legislative Intent	<ul style="list-style-type: none"> ▶ Incorporated ideas expressed at HJR 46 Work Group and SAVA meetings 	<ul style="list-style-type: none"> ▶ Unchanged 	<ul style="list-style-type: none"> ▶ Edit as needed to reflect SAVA sentiments
Section 2. Participating Counties	<ul style="list-style-type: none"> ▶ Drafted to include up to 12 counties 	<ul style="list-style-type: none"> ▶ Changed at SAVA direction to include all 17 counties that indicated continued interest 	
Section 3. Elections Affected	<ul style="list-style-type: none"> ▶ Included 2009 and 2010 	<ul style="list-style-type: none"> ▶ Unchanged 	
Section 4. Places of Deposit	<ul style="list-style-type: none"> ▶ Included (for discussion) a formula for basing the number of places of deposit on the number of registered voters, for federal, state, and county elections only ▶ Limited use of accessible voting machines (AutoMARKs) to federal, state, or county elections ▶ Repeated some provisions put into LC 35 on places of deposit, in case that bill does not pass – accessible place of deposit and staffing by two election officials 	<ul style="list-style-type: none"> ▶ Unchanged ▶ Language changed at SAVA direction to "any county election held in conjunction with a state or federal election" ▶ Unchanged 	<ul style="list-style-type: none"> ▶ Decide whether to use a population-based formula or a minimum number (4) for all counties regardless of population
Section 5. Information collection and reporting	<ul style="list-style-type: none"> ▶ Based on suggestions by HJR 46 Work Group members ▶ Required annual reporting to Secretary of State's Office and one report to SAVA 	<ul style="list-style-type: none"> ▶ Unchanged ▶ Unchanged 	<ul style="list-style-type: none"> ▶ Decide whether to eliminate or add any reporting requirements ▶ Decide whether to collect similar information from a similar number of nonparticipating counties

Section 6: Amending 13-19-104	<ul style="list-style-type: none"> ▶ Provided an exception to current law to allow mail ballot elections for federal, state, and county elections in the pilot project counties 	<ul style="list-style-type: none"> ▶ Unchanged 	
Section 7. Amending 13-19-303	<ul style="list-style-type: none"> ▶ Amended current law to allow mail ballots to be mailed early to absent military and overseas voters 	<ul style="list-style-type: none"> ▶ Unchanged 	
Section 8. Amending 13-19-307	<ul style="list-style-type: none"> ▶ Provided an exception to the required number of places of deposit to allow different requirements for pilot project counties 	<ul style="list-style-type: none"> ▶ Subsection (2) changed to reflect proposed clarification on times and hours of additional places of deposit 	<ul style="list-style-type: none"> ▶ Decide whether to include subsection (2) amendment
Section 9. Appropriation - Disbursement	<ul style="list-style-type: none"> ▶ Included an undetermined amount for appropriation, to be determined after counties were selected. Amount would have been split equally among the counties, because they are all required to collect the same information, regardless of size 	<ul style="list-style-type: none"> ▶ Removed appropriation because most counties felt costs would be minimal 	<ul style="list-style-type: none"> ▶ Decide whether to include an appropriation
Section 10. Effective Date	<ul style="list-style-type: none"> ▶ Provided an immediate effective date, which gives counties time to plan but also requires them to hold any spring elections by mail 	<ul style="list-style-type: none"> ▶ Unchanged 	<ul style="list-style-type: none"> ▶ Decide between an immediate effective date, which could affect spring elections, or a July 1 effective date, which would ensure that all municipal elections are conducted by mail in the fall
Section 11. Termination Date	<ul style="list-style-type: none"> ▶ Terminated the pilot project on Jan. 31, 2011, including the exceptions that were amended into existing law 	<ul style="list-style-type: none"> ▶ Unchanged 	