

MUNICIPAL ELECTIONS

Derek Brenchley
Deputy Director of Elections
Office of the Lieutenant Governor

“GO-TO” RESOURCES

- **County Clerk**
 - Voter registration lists and the “nuts and bolts” of election administration;
 - First contact for all election administration issues or questions for contracting municipalities.
- **Lt. Governor’s Office**
 - General supervisory authority over municipal elections;
 - Assistance with general election issues and questions (but it is not a legal resource);
 - **Email:** elections@utah.gov
 - **Phone:** 801-538-1041
 - Provides regular updates with election deadlines and reminders. Preferences on types of communication?

“GO-TO” RESOURCES

- **Utah Code & Constitution**
 - le.utah.gov -- Title 20A (Election Code)
- **Municipal Clerks Association & Utah League of Cities and Towns**
- **City Attorney**
 - Provides assistance for legal matters.

AGENDA

Election
Legislation Updates



General Overview:
Municipal Elections



Brief Discussion:
Ranked-Choice Voting



Legislative Updates*

*Subject to change



MODIFICATIONS TO ELECTION LAW

HB218 (2018)

PRIVATE VOTER REGISTRATIONS

- Any voter may request to make their voter registration information private.
- Private voter information cannot be shared with any third parties.
- See also SB74 (2018):
Voter Privacy Amendments

DRIVER LICENSE UPDATES

- Driver License Division requires applicants to indicate whether they would like to register to vote.
- All Driver License Forms are now transmitted electronically rather than paper.

“DO NOT MAIL” LIST

- Voters can opt-out of receiving a mail ballot by notifying county clerk or indicating it on a registration form.

SAME-DAY REGISTRATION

- All eligible voters who are not registered to vote may vote provisionally.
- Provisional ballots are counted if they are not registered to vote.
- Provisional process is the same.

CANDIDATE DECLARATIONS

HB113 (2018): Candidate
Filing Amendments

- If a candidate is outside of Utah during the entire filing period...

...the candidate may file with a designated agent.
- The filing officer and candidate must use an electronic device that allows them to hear and see each other (e.g., Skype).

Candidate Declarations

HB146 (2016): Disclosure of Local Candidates

Post candidate's name, office, &
campaign contact on your website
within

3 DAYS

VOTER ELIGIBILITY AMENDMENTS HB281 (2018)

- 17 year olds who will turn 18 by the general election can vote in the primary election.
- These voter records are classified as private.



POLL WATCHERS & CHALLENGES TO VOTERS

SB94 (2018)

- **Poll watcher** provisions were modernized;
- Clarifies what poll watchers can observe;
- Gives election officials authority to remove watchers under certain circumstances;
- Refer to 20A-3-201 for more information.
- **Voter registration challenges procedures** were updated;
- Challenges must be received 45 days before election;
- If a voter registers to vote after this 45 day deadline, the voter can be challenged on or before Election Day and before the individual's mail ballot has been opened.

EARLY VOTING

HBI41 (2018) & HBI05 (2017)

Reducing Early Voting

- Early voting can be reduced to at least four days (but must include the last day of early voting);
- Notice must be provided of the reduced voting period;
- Vote by mail municipalities, towns, and fifth class cities are exempt from early voting.
- See 20A Chapter 3 Part 6

Extending Early Voting

- Early voting can be extended through the weekend and Monday before the election.

IF YOU REJECT A MAIL/ABSENTEE BALLOT...

HB12 (2017)

Before Election Day

Contact the voter via text or email within 1 day of rejection.

-OR-

Contact the voter via phone or mail within 2 days of rejection.

On Election Day

Contact the voter within 7 days.

After Election Day

Contact the voter within 7 days after the canvass.

SIGNATURE ISSUE ON A BALLOT?

HB230 (2017)

- 1 Contact the voter.
- 2 Voter can correct the issue by submitting an affidavit. (See 20A-3-302[5]).
- 3 Count the ballot if affidavit is received before canvass.

LOCAL GOVERNMENT &
LIMITED PURPOSE ENTITY
REGISTRY
SB28 (2018)

- Lt. Governor's Office will host an online registry for local governments (including special service districts).
- Registration requires:
 - Payment of fees
 - Resolution or other formal document creating the entity (or conclusive proof of its lawful creation)
 - Map or plat of geographic boundaries
 - Sources of revenue
 - Contact information – including the names of the officers of the entity
 - See 67-1a-15(3) for more info.
- Entities must register on or before July 1, 2019 and every year thereafter.
- Failure to comply will result in State auditor withholding state funds or disbursement of property taxes for the entity.

Overview: 2019 Municipal Elections

On your mobile phone, go to [Kahoot.it](https://kahoot.it) and enter the code shown on the projection screen.
Enter your name to join.

2019 Municipal Elections & Election Security

- Security becoming an increasing concern
 - Voting equipment & databases
 - Cybersecurity & spear-phishing
 - Misinformation
- Be aware of the narrative and the changed landscape.
- Be responsive and transparent. Don't dismiss things that seem "off."
- Pre-election logic tests and post-election audits are strongly recommended.

RANKED CHOICE / INSTANT RUNOFF VOTING

HB35 (2018): Municipal
Alternative Methods Pilot Project

- Simplified overview of ranked choice voting:

<https://www.youtube.com/watch?v=oHRPMJmzBBw>

- Pilot project is held between January 1, 2019 and January 1, 2026 for municipal elections.
- If it wants to participate, the municipality must provide written notice to Lt. Governor's Office before January 1st of the odd-year.
- Election officer must sign the notice, stating that the municipality has the resources and capability to participate in the pilot

SOME CONSIDERATIONS

- The pilot project eliminates the need for a primary election.
- Consult the county clerk if you plan to contract with the county.
- Additional costs may apply for voting equipment and longer ballots.