Fall 2016 Election Updates

Justin Lee
Lieutenant Governor's Office
Election Results

- Election results are now disclosed any day ballots are counted.
- This requires the release of the results of absentee ballots and provisional ballots counted during the period beginning on the day after the election date and ending on the day before the canvass date.
## UT House 53

**Republican for State House 53 (Multi County)**

<table>
<thead>
<tr>
<th>Candidate</th>
<th>% Popular Vote</th>
<th>Popular Vote</th>
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</thead>
<tbody>
<tr>
<td>LOGAN WILDE</td>
<td>50.09%</td>
<td>2,492</td>
</tr>
<tr>
<td>MELVIN R. BROWN</td>
<td>49.91%</td>
<td>2,483</td>
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</tbody>
</table>
All by mail voting

- By mail and absentee ballots must be mailed to voters no later than **21 days** before the election.

- Returning absentee ballots
  - Must be postmarked or otherwise clearly marked by the post office as received before election day.
Ballot Proposition Numbers

- **Bonds** - No Proposition Number
  - Name of local political subdivision and the word "bond"
  - Example - Placeville City Bond
    - (11-14-2016)

- **Everything Else** - LG assigns Proposition Number
  - The lieutenant governor assigns a unique number to each ballot proposition in the order the requests are received
  - Example - Proposition #8
    - (20A-6-107)
Initiatives and Referenda

Deadline to Submit Initiative Packets to the County Clerk

- 316 days after the application was filed, or
- April 15 immediately before the next municipal general election
Initiatives and Referenda

- Within 5 days after receiving an application for a referendum the local clerk shall provide the sponsors with referendum petitions.

- The sponsors have 45 days after the day they receive referendum material from the local clerk to deliver signed packets to the county clerk.
Initiatives and Referenda

- Definition of local law now includes:
  - other legislative action of a local legislative body

- Allows the sponsors to provide a description of the local law for a referendum

- Removes a criminal penalty relating to the statement on an initiative or referendum petition that a person signing the petition has read and understands the law to which the initiative or referendum relates
Voter Information

Voter Information Pamphlet

“The... municipality that is the subject of an initiative, referendum or other ballot proposition shall prepare a local voter information pamphlet”

20A-7-402

Transparency of Ballot Propositions Act

“Ballot proposition” means a question concerning a tax increase or a bond submitted to voters

59-1 Part 16
To prepare an argument for or against a ballot proposition an eligible voter shall file a request at least 65 days before the election.
Voter Information

Voter Information Pamphlet

- If more than one eligible voter requests to prepare an argument for or against the election officer shall make the final designation
  - Sponsors have priority
  - Local legislative body members have priority

Transparency of Ballot Propositions Act

- If two or more eligible voters wish to submit an argument for or against the election officer shall designate one of the eligible voters to submit the argument
Voter Information

Voter Information Pamphlet

- Arguments may not exceed 500 words
- Arguments shall be filed 60 days before election

Transparency of Ballot Propositions Act

- Arguments may not exceed 500 words
- Arguments shall be filed 60 days before election
Voter Information

Voter Information Pamphlet
- Rebuttal arguments
  - Due not later than 45 days before the election
  - Do not exceed 250 words in length

Transparency of Ballot Propositions Act
- Rebuttal arguments
  - Due not later than 45 days before the election
  - Do not exceed 250 words in length
Voter Information

Voter Information Pamphlet

- The pamphlet is distributed not more than 45 days before and not less than 15 days before the election

Transparency of Ballot Propositions Act

- Arguments shall be posted on the vote.utah.gov for 30 days before the election
- Arguments shall be posted on the municipalities website for 30 days before the election
- If municipality publishes a newsletter post all arguments in newsletter before the election
Voter Information

Voter Information Pamphlet

- No public meeting required

No Meeting Today

Transparency of Ballot Propositions Act

- A public meeting shall be held no more than 45 days but at least 4 days before the election
Political Activities of Public Entities

- Unless specifically required by law, a public entity may not make an expenditure from public funds for political purposes or to influence a ballot proposition.
Political Activities of Public Entities

- Public officials can exercise First Amendment rights
  - Speaking, campaigning, contributing personal money

- Public entities can:
  - Provide factual information about ballot propositions
  - Analyze pros and cons of a ballot proposition
  - Provide neutral encouragement to vote
Public Email for Political Purposes

- A person may not send an email using the email of a public entity
  - For a political purpose
  - To advocate for or against a ballot proposition
Should counties run all elections in the state?

<table>
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<tr>
<th>PROS</th>
<th>CONS</th>
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Questions?

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