

COMMITTEE ON MUNICIPAL OVERSIGHT & ELECTIONS
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1060
(Reference to Senate engrossed bill)

1 Page 1, strike lines 5 through 45

2 Strike page 2

3 Page 3, strike lines 1 through 8, insert:

4 "A. In a jurisdiction that uses optical scan ballots, the officer in
5 charge of elections may use the procedure prescribed by this section or may
6 request approval from the secretary of state for a different method for
7 processing early ballots. The request shall be made in writing at least
8 ninety days before the election for which the procedure is intended to be
9 used. After the election official has confirmed with the secretary of
10 state that all election equipment passes the logic and accuracy test, the
11 election official may begin to count early ballots. No early ballot
12 results may be released except as prescribed by section 16-551.

13 B. The early election board shall check the voter's mail ballot
14 affidavit on the envelope containing the early ballot. If it is found to
15 be sufficient, the vote shall be allowed. If the mail ballot affidavit is
16 insufficient, the vote shall not be allowed. Beginning in 2026, for an
17 early ballot that is received and verified as prescribed by section 16-579,
18 subsection A, paragraph 4, additional signature verification is not
19 required.

20 C. The county chairman of each political party represented on the
21 ballot, by written appointment addressed to the early election board, may
22 designate party representatives and alternates to act as early ballot
23 challengers for the party. ~~no~~ A party may NOT have more than the number of
24 such representatives or alternates that were mutually agreed on by each
25 political party to be present at one time. If such agreement cannot be

1 reached, the number of representatives shall be limited to one for each
2 political party AT ANY ONE TIME. A REPRESENTATIVE MAY NOT APPROACH AN
3 ELECTION OFFICIAL'S TABLE OR EQUIPMENT ANY CLOSER THAN IS REASONABLY
4 NECESSARY TO PROPERLY PERFORM THE REPRESENTATIVE'S FUNCTIONS. EACH
5 REPRESENTATIVE SHALL BE ALLOWED TO OBSERVE THE CONDUCT OF ELECTION
6 OFFICIALS. REPRESENTATIVES SHALL PROVIDE THEIR OWN MATERIALS AND
7 NECESSITIES AND MAY NOT OBSTRUCT THE ADMINISTRATION OF ANY ELECTION OR
8 EARLY ELECTION BOARD PROCEDURES OR BALLOT PROCESSING. REPRESENTATIVES
9 SHALL POSE ANY QUESTIONS REGARDING PROCEDURES DIRECTLY TO THE SUPERVISOR OF
10 THE EARLY ELECTION BOARD FOR RESOLUTION. EACH REPRESENTATIVE SHALL BE A
11 REGISTERED VOTER IN THIS STATE. A CANDIDATE WHO APPEARS ON THE BALLOT MAY
12 NOT BE DESIGNATED OR ACT AS A REPRESENTATIVE.

13 D. An early ballot may be challenged on any grounds set forth in
14 section 16-591. All challenges shall be made in writing with a brief
15 statement of the grounds before the early ballot is placed in the ballot
16 box. A record of all challenges and resulting proceedings shall be kept in
17 substantially the same manner as provided in section 16-594. If an early
18 ballot is challenged, it shall be set aside and retained in the possession
19 of the early election board or other officer in charge of early ballot
20 processing until a time that the early election board sets for
21 determination of the challenge, subject to the procedure in subsection E of
22 this section, at which time the early election board shall hear the
23 grounds for the challenge and shall decide what disposition shall be made
24 of the early ballot by majority vote. If the early ballot is not allowed,
25 it shall be handled pursuant to subsection G of this section.

26 E. Within twenty-four hours ~~of receipt of~~ AFTER RECEIVING a
27 challenge, the early election board or other officer in charge of early
28 ballot processing shall mail, by first class mail, a notice of the
29 challenge including a copy of the written challenge, and also including the
30 time and place at which the voter may appear to defend the challenge, to
31 the voter at the mailing address shown on the request for an early ballot
32 or, if none was provided, to the mailing address shown on the registration

1 rolls. Notice shall also be mailed to the challenger at the address listed
2 on the written challenge and provided to the county chairman of each
3 political party represented on the ballot. The board shall meet to
4 determine the challenge at the time specified by the notice but, in any
5 event, not earlier than ninety-six hours after the notice is mailed, or
6 forty-eight hours if the notifying party chooses to deliver the notice by
7 overnight or hand delivery, and not later than 5:00 p.m. on the Monday
8 following the election. The board shall provide the voter with an informal
9 opportunity to make, or to submit, brief statements regarding the
10 challenge. The board may decline to ~~permit~~ ALLOW comments, either in
11 person or in writing, by anyone other than the voter, the challenger and
12 the party representatives. The burden of proof is on the challenger to
13 show why the voter should not be ~~permitted~~ ALLOWED to vote. The fact that
14 the voter fails to appear shall not be deemed to be an admission of the
15 validity of the challenge. The early election board or other officer in
16 charge of early ballot processing is not required to provide the notices
17 described in this subsection if the written challenge fails to set forth at
18 least one of the grounds listed in section 16-591 as a basis for the
19 challenge. In that event, the challenge will be summarily rejected at the
20 meeting of the board. Except for election contests pursuant to section
21 16-672, the board's decision is final and may not be appealed.

22 F. If the vote is allowed, the board shall open the envelope
23 containing the ballot in such a manner that the mail ballot affidavit
24 ~~thereon~~ ON THE ENVELOPE is not destroyed, take out the ballot without
25 unfolding it or ~~permitting~~ ALLOWING it to be opened or examined and show by
26 the records of the election that the elector has voted.

27 G. If the vote is not allowed, the mail ballot affidavit envelope
28 containing the early ballot shall not be opened and the board shall mark
29 across the face of such envelope the grounds for rejection. The mail
30 ballot affidavit envelope and its contents shall then be deposited with the
31 opened mail ballot affidavit envelopes and shall be preserved with official
32 returns. If the voter does not enter an appearance, the board shall send

1 the voter a notice stating whether the early ballot was disallowed and, if
2 disallowed, providing the grounds for the determination. The notice shall
3 be mailed by first class mail to the voter's mailing address as shown on
4 the registration rolls within three days after the board's determination.

5 H. Party representatives and alternates may be appointed as provided
6 in subsection C of this section to be present and to challenge the
7 verification of questioned ballots pursuant to section 16-584 on any
8 grounds allowed by this section. Questioned ballots that are challenged
9 shall be presented to the early election board for decision under the
10 provisions of this section."

11 Page 5, line 38, strike "~~chairman~~ CHAIRPERSON" insert "chairman"

12 Line 39, strike "~~chairman's~~"

13 Line 40, strike "CHAIRPERSON'S" insert "chairman's"

14 Line 42, strike "~~chairman~~ CHAIRPERSON" insert "chairman"

15 Page 6, line 1, strike "~~chairmen~~ CHAIRPERSONS" insert "chairmen"

16 Line 13, strike "~~chairman~~ CHAIRPERSON" insert "chairman"

17 Line 14, strike "~~chairman's~~"

18 Line 15, strike "CHAIRPERSON'S" insert "chairman's"

19 Amend title to conform

And, as so amended, it do pass

JACQUELINE PARKER
CHAIRMAN

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03/13/2024
03:03 PM
C: MR