

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1286

(Reference to Senate engrossed bill)

1 Page 1, strike lines 23 through 44

2 Strike pages 2 through 4

3 Page 5, strike lines 1 through 18, insert:

4 "A. The board of supervisors of each county, on or before October 1
5 of each year preceding the year of a general election, by an order, shall
6 establish a convenient number of election precincts in the county and
7 define the boundaries of the precincts as follows:

8 1. The election precinct boundaries shall be established so as to be
9 included within election districts prescribed by law for elected officers
10 of the state and its political subdivisions, including community college
11 district precincts, except those elected officers provided for in titles 30
12 and 48. THE BOARD OF SUPERVISORS AND ANY OFFICER IN CHARGE OF ELECTIONS
13 MAY AUTHORIZE, ESTABLISH AND USE A VOTING CENTER AT WHICH A VOTER WHO IS A
14 REGISTERED VOTER AND RESIDENT ANYWHERE IN THAT COUNTY IS ALLOWED TO RECEIVE
15 THE APPROPRIATE BALLOT FOR THAT SPECIFIC VOTER AND MAY ALSO USE POLLING
16 PLACES LOCATED IN ELECTION DISTRICTS.

17 2. If after October 1 of the year preceding the year of a general
18 election the board of supervisors must further adjust precinct boundaries
19 due to the redistricting of election districts as prescribed by law and to
20 comply with this subsection, the board of supervisors shall adjust these
21 precinct boundaries as soon as is practicable.

1 B. At least twenty days before a general or primary election, and at
2 least ten days before a special election, the board shall designate one
3 polling place within each precinct where the election shall be held, except
4 that:

5 1. On a specific finding of the board, included in the order or
6 resolution designating polling places pursuant to this subsection, that no
7 suitable polling place is available within a precinct, a polling place for
8 that precinct may be designated within an adjacent precinct.

9 2. Adjacent precincts may be combined if boundaries so established
10 are included in election districts prescribed by law for state elected
11 officials and political subdivisions including community college districts
12 but not including elected officials prescribed by titles 30 and 48. The
13 officer in charge of elections may also split a precinct for administrative
14 purposes. The polling places shall be listed in separate sections of the
15 order or resolution.

16 3. On a specific finding of the board that the number of persons who
17 are listed as early voters pursuant to section 16-544 and who are not
18 expected to have their ballots tabulated at the polling place as prescribed
19 in section 16-579.02 is likely to substantially reduce the number of voters
20 appearing at one or more specific polling places at that election, adjacent
21 precincts may be consolidated by combining polling places and precinct
22 boards for that election. The board of supervisors shall ensure that a
23 reasonable and adequate number of polling places will be designated for
24 that election. Any consolidated polling places shall be listed in separate
25 sections of the order or resolution of the board.

26 4. On a specific resolution of the board, the board may authorize
27 the use of voting centers ~~in place of or~~ in addition to specifically
28 designated polling places. A voting center shall allow any voter in that
29 county to receive the appropriate ballot for that voter on election day
30 after presenting identification as prescribed in section 16-579 and to
31 lawfully cast the ballot. **IN ADDITION TO SPECIFICALLY DESIGNATED POLLING**
32 **PLACES,** voting centers may be established in coordination and consultation

1 with the county recorder, at other county offices or at other locations in
2 the county deemed appropriate.

3 5. On a specific resolution of the board of supervisors that is
4 limited to a specific election date and that is voted on by a recorded
5 vote, the board may authorize the county recorder or other officer in
6 charge of elections to use emergency voting centers as follows:

7 (a) The board shall specify in the resolution the location and the
8 hours of operation of the emergency voting centers.

9 (b) A qualified elector voting at an emergency voting center shall
10 provide identification as prescribed in section 16-579, except that
11 notwithstanding section 16-579, subsection A, paragraph 2, for any voting
12 at an emergency voting center, the county recorder or other officer in
13 charge of elections may allow a qualified elector to update the elector's
14 voter registration information as provided for in the secretary of state's
15 instructions and procedures manual adopted pursuant to section 16-452.

16 (c) If an emergency voting center established pursuant to this
17 section becomes unavailable and there is not sufficient time for the board
18 of supervisors to convene to approve an alternate location for that
19 emergency voting center, the county recorder or other officer in charge of
20 elections may make changes to the approved emergency voting center location
21 and shall notify the public and the board of supervisors regarding that
22 change as soon as practicable. The alternate emergency voting center shall
23 be as close in proximity to the approved emergency voting center location
24 as possible.

25 C. If the board fails to designate the place for holding the
26 election, or if it cannot be held at or about the place designated, the
27 justice of the peace in the precinct, two days before the election, by an
28 order, copies of which the justice of the peace shall immediately post in
29 three public places in the precinct, shall designate the place within the
30 precinct for holding the election. If there is no justice of the peace in
31 the precinct, or if the justice of the peace fails to do so, the election
32 board of the precinct shall designate and give notice of the place within

1 the precinct of holding the election. For any election in which there are
2 no candidates for elected office appearing on the ballot, the board may
3 consolidate polling places and precinct boards and may consolidate the
4 tabulation of results for that election if all of the following apply:

5 1. All affected voters are notified by mail of the change at least
6 thirty-three days before the election.

7 2. Notice of the change in polling places includes notice of the new
8 voting location, notice of the hours for voting on election day and notice
9 of the telephone number to call for voter assistance.

10 3. All affected voters receive information on early voting that
11 includes the application used to request an early voting ballot.

12 D. The board is not required to designate a polling place for
13 special district mail ballot elections held pursuant to article 8.1 of this
14 chapter, but the board may designate one or more sites for voters to
15 deposit marked ballots until 7:00 p.m. on the day of the election.

16 E. A STATE, COUNTY, CITY, TOWN OR SCHOOL DISTRICT OFFICE SHALL
17 PROVIDE SUFFICIENT SPACE FOR USE AS A POLLING PLACE FOR ANY STATE, COUNTY,
18 CITY OR TOWN ELECTION WHEN REQUESTED BY THE OFFICER IN CHARGE OF ELECTIONS.

19 ~~E. F. Except as provided in subsection F of this section,~~ A public
20 school WITH A GYMNASIUM THAT IS OPERATED BY A SCHOOL DISTRICT shall provide
21 sufficient space for use as a polling place for any city, county or state
22 election when requested by the officer in charge of elections. IF
23 REQUESTED FOR USE AS A POLLING PLACE, THE PUBLIC SCHOOL IS EXEMPT FROM ANY
24 STATE, LOCAL OR SCHOOL DISTRICT REQUIREMENTS THAT WOULD PREVENT OR
25 OTHERWISE LIMIT THE USE OF THE PUBLIC SCHOOL AND ITS GYMNASIUM AS A POLLING
26 PLACE. FOR THE PURPOSES OF THIS SUBSECTION, "GYMNASIUM":

27 1. MEANS AN INDOOR ROOM OR FACILITY SUITABLE FOR SPORTING EVENTS,
28 INCLUDING BASKETBALL OR VOLLEYBALL.

29 2. DOES NOT INCLUDE A CAFETERIA OR AN AUDITORIUM.

30 ~~F. The principal of the school may deny a request to provide space~~
31 ~~for use as a polling place for any city, county or state election if,~~
32 ~~within two weeks after a request has been made, the principal provides a~~

1 ~~written statement indicating a reason the election cannot be held in the~~
2 ~~school, including any of the following:~~

3 ~~1. Space is not available at the school.~~

4 ~~2. The safety or welfare of the children would be jeopardized.~~

5 G. Beginning in 2026, the department of administration shall
6 coordinate with state agencies and counties to provide available and
7 appropriate state-owned facilities for use as a voting location for any
8 city, county or state election when requested by the officer in charge of
9 elections.

10 H. The board shall make available to the public as a public record a
11 list of the polling places for all precincts in which the election is to be
12 held.

13 I. Except in the case of an emergency, any facility that is used as
14 a polling place on election day or that is used as an early voting site
15 during the period of early voting shall allow persons to electioneer and
16 engage in other political activity outside of the seventy-five foot limit
17 prescribed by section 16-515 in public areas and parking lots used by
18 voters. This subsection does not allow the temporary or permanent
19 construction of structures in public areas and parking lots or the blocking
20 or other impairment of access to parking spaces for voters. The county
21 recorder or other officer in charge of elections shall post on its website
22 at least two weeks before election day a list of those polling places in
23 which emergency conditions prevent electioneering and shall specify the
24 reason the emergency designation was granted and the number of attempts
25 that were made to find a polling place before granting an emergency
26 designation. If the polling place is not on the website list of polling
27 places with emergency designations, electioneering and other political
28 activity shall be allowed outside of the seventy-five foot limit. If an
29 emergency arises after the county recorder or other officer in charge of
30 elections' initial website posting, the county recorder or other officer in
31 charge of elections shall update the website as soon as is practicable to
32 include any new polling places, shall highlight the polling place location

1 on the website and shall specify the reason the emergency designation was
2 granted and the number of attempts that were made to find a polling place
3 before granting an emergency designation.

4 J. For the purposes of this section, a county recorder or other
5 officer in charge of elections shall designate a polling place as an
6 emergency polling place and thus prohibit persons from electioneering and
7 engaging in other political activity outside of the seventy-five foot limit
8 prescribed by section 16-515 but inside the property of the facility that
9 is hosting the polling place if any of the following occurs:

10 1. An act of God renders a previously set polling place as unusable.

11 2. A county recorder or other officer in charge of elections has
12 exhausted all options and there are no suitable facilities in a precinct
13 that are willing to be a polling place unless a facility can be given an
14 emergency designation.

15 K. The secretary of state shall provide through the instructions and
16 procedures manual adopted pursuant to section 16-452 the maximum allowable
17 wait time for any election that is subject to section 16-204 and provide
18 for a method to reduce voter wait time at the polls in the primary and
19 general elections. The method shall consider at least all of the following
20 for primary and general elections in each precinct:

21 1. The number of ballots voted in the prior primary and general
22 elections.

23 2. The number of registered voters who voted early in the prior
24 primary and general elections.

25 3. The number of registered voters and the number of registered
26 voters who cast an early ballot for the current primary or general
27 election.

28 4. The number of registered voters whose early ballots were
29 tabulated on-site as prescribed in section 16-579.02 in the prior primary
30 and general elections.

- 1 5. The number of election board members and clerks and the number of
- 2 rosters that will reduce voter wait time at the polls."
- 3 Amend title to conform

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