

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1187

(Reference to Senate engrossed bill)

1 Page 1, strike lines 6 through 44

2 Strike pages 2 through 4, insert:

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

7 1. The election precinct boundaries shall be established so as to be
8 included within election districts prescribed by law for elected officers
9 of the state and its political subdivisions, including community college
10 district precincts, except those elected officers provided for in titles 30
11 and 48.

12 2. If after October 1 of the year preceding the year of a general
13 election the board of supervisors must further adjust precinct boundaries
14 due to the redistricting of election districts as prescribed by law and to
15 comply with this subsection, the board of supervisors shall adjust these
16 precinct boundaries as soon as is practicable.

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

21 1. On a specific finding of the board, included in the order or
22 resolution designating polling places pursuant to this subsection, that no

1 suitable polling place is available within a precinct, a polling place for
2 that precinct may be designated within an adjacent precinct.

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

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

20 4. On a specific resolution of the board, the board may authorize
21 the use of voting centers in place of or in addition to specifically
22 designated polling places. A voting center shall allow any voter in that
23 county to receive the appropriate ballot for that voter on election day
24 after presenting identification as prescribed in section 16-579 and to
25 lawfully cast the ballot. Voting centers may be established in
26 coordination and consultation with the county recorder, at other county
27 offices or at other locations in the county deemed appropriate.

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

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

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

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

19 C. If the board fails to designate the place for holding the
20 election, or if it cannot be held at or about the place designated, the
21 justice of the peace in the precinct, two days before the election, by an
22 order, copies of which the justice of the peace shall immediately post in
23 three public places in the precinct, shall designate the place within the
24 precinct for holding the election. If there is no justice of the peace in
25 the precinct, or if the justice of the peace fails to do so, the election
26 board of the precinct shall designate and give notice of the place within
27 the precinct of holding the election. For any election in which there are
28 no candidates for elected office appearing on the ballot, the board may
29 consolidate polling places and precinct boards and may consolidate the
30 tabulation of results for that election if all of the following apply:

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

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

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

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

10 E. Except as provided in subsection F of this section, a public
11 school shall provide sufficient space for use as a polling place for any
12 city, county or state election when requested by the officer in charge of
13 elections **UNLESS A SCHOOL DISTRICT HAS A BOND ELECTION OR OVERRIDE ELECTION**
14 **ON THE BALLOT, IN WHICH CASE A PUBLIC SCHOOL IN THAT SCHOOL DISTRICT MAY BE**
15 **USED AS A POLLING PLACE ONLY IF OTHER NEARBY APPROPRIATE GOVERNMENT**
16 **BUILDINGS ARE UNAVAILABLE.**

17 F. The principal of the school may deny a request to provide space
18 for use as a polling place for any city, county or state election if,
19 within two weeks after a request has been made, the principal provides a
20 written statement indicating a reason the election cannot be held in the
21 school, including any of the following:

- 22 1. Space is not available at the school.
- 23 2. The safety or welfare of the children would be jeopardized.

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

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

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

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

- 30 1. An act of God renders a previously set polling place as unusable.
- 31 2. A county recorder or other officer in charge of elections has
- 32 exhausted all options and there are no suitable facilities in a precinct

1 that are willing to be a polling place unless a facility can be given an
2 emergency designation.

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

9 1. The number of ballots voted in the prior primary and general
10 elections.

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

13 3. The number of registered voters and the number of registered
14 voters who cast an early ballot for the current primary or general
15 election.

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

19 5. The number of election board members and clerks and the number of
20 rosters that will reduce voter wait time at the polls."

21 Amend title to conform

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