HOUSE RESEARCH

Bill Summary

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Overview

This bill expands the types of information an election judge must review when registering a voter in a polling place on election day, or when a ballot board is reviewing the absentee ballot of a voter who is registering simultaneously.

The bill also establishes a new procedure for same-day registrants to cast a ballot under a "challenged" registration status if their eligibility cannot be verified in the polling place using information provided by the secretary of state.

Section

1   **Registration by election judges; procedures.** Requires election judges to verify whether a person is eligible to vote, based on a list of ineligible persons provided to the polling place by the secretary of state. The list of ineligible persons would be compiled using information the secretary of state receives from other government entities, including data on guardianships, felony convictions and sentences, and citizenship.

 If a voter disagrees with information indicating that they are ineligible to vote, the voter may cast a ballot under a "challenged" registration status, using the procedure described in section 5.

2   **Record of attempted registrations.** Requires election judges to maintain a record of all individuals registering with a "challenged" status. The county auditor is required to forward a list of all individuals registering under a challenged status to the canvassing board for review, as provided in section 5.

Section

3   **Public information lists.** Requires the public information list of registered voters to include
           the names of registered voters with an "inactive" status. The list must also include data on
           status changes to a voter's registration record.

           Additional data on individuals removed from the statewide voter registration system, and the
           reason for removal, is also public—either as part of the existing public information list, or in
           a separate list format.

           This section also clarifies the automatic right of individuals participating in the "Safe at
           Home" address confidentiality program to have their name withheld from a public voter
           registration list.

4   **Duties of ballot board; absentee ballots.** Requires an absentee ballot board to review a
           voter's eligibility using the list of ineligible individuals prepared by the secretary of state.

5   **Procedure for challenged voters.** Establishes a new procedure for voters who register in a
           polling place on election day under a "challenged" registration status. This process only
           applies to those voters challenged based on an election judge's use of the list of ineligible
           voters provided by the secretary of state.

           A voter voting with a challenged status is permitted to cast a ballot and deposit it into the
           ballot box. However, prior to casting the ballot, an election judge must mark the ballot as
           challenged, and write sufficient information on the ballot to locate the voter's registration
           record at a later date.

           During the final canvass of the election results, the canvassing board must review the
           registration record of voters with a challenged status and make a determination about
           whether the voter is eligible to vote.

           If the voter is eligible, the ballot must be counted. If the voter is not eligible, the voter's
           ballot must be removed from the final certified election results and the voter's information
           must be forwarded to a county attorney for review. Any voter whose votes were not counted
           due to their ineligibility would be notified in writing by the county auditor.

6   **Effective date.** Provides a January 1, 2018 effective date for the bill, and clarifies that the
           new requirements related to the public information list apply only to status changes made on
           or after that date.