

SB 83 - Sponsor Statement

This bill would provide additional tools for the division of elections to further the people's trust in elections and the voting process. The integrity of our elections is of utmost importance—we cannot have a functioning democracy without it. This bill would not create an overhaul of our existing elections system but rather bolster what already works.

First, the division of elections is currently hamstrung when it comes to conducting audits on the tabulation machines used to count votes. The statute only permits a hand count verification to be done on one randomly drawn precinct in each district, and only if the hand count comes back with a significant deviation in the voting results can further hand counts occur. This bill would provide flexibility to the director of the division of elections to conduct further hand counts. Being able to audit more precincts to ensure confidence in the results would improve election integrity.

Second, current law does not clearly outline what a voter must include on an absentee ballot envelope to ensure the voter's ballot is counted. This bill would clarify that both a voter signature and voter identifier are required as well as clarify that two voter identifiers are required in order to apply for an absentee ballot. This is how the Division interpreted the law and applied it in the 2020 elections, so this bill codifies the current practice.

Third, the bill would allow the director to set the amount of a deposit required for a recount by regulation. The amounts in statute do not cover the actual costs because they are outdated.

Fourth, the bill would allow any election in a community with a population of less than 750 to be conducted by mail, instead of in-person. There were communities during the pandemic that, for legitimate health and safety reasons, shut down and were not willing to have a polling place operating in the community. Although these were extenuating circumstances, other issues have arisen in the past with some of the smaller communities where finding and staffing a polling place has been difficult. This bill would provide the opportunity for the division of elections to work with communities to determine the best way to ensure every voter can exercise their right to vote.