

S.F. No. 1434 – Early Voting (as amended by the A-3 author’s amendment)

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Section 1 [Establishment] requires the statewide voter registration system (SVRS) to provide reports for early voting.

Section 2 [Election law applicability] specifies that election laws apply to early voting unless otherwise specified.

Section 3 [Early voting] defines early voting as voting in person before election day as specified in the bill.

Section 4 [Violation] adds references to early voting in the section prohibiting certain election-related activities.

Section 5 [Generally] allows a city clerk of a city located in more than one county to administer early voting under specified circumstances.

Section 6 [Town election] prohibits an eligible voter voting by absentee ballot during the early voting period for a town election in March.

Section 7 [County auditor’s and municipal clerk’s offices to remain open during certain hours preceding election] specifies that the hours for absentee voting apply only in elections where early voting is not offered.

Section 8 [Establishment; applicable laws] requires counties or cities that administer early voting to establish a ballot board.

Section 9 [Record of voting] requires the county auditor or municipal clerk to immediately record when a voter casts a ballot during the early voting period. A voter who votes during the early voting period cannot cast another ballot.

Section 10 [Opening of envelopes] allows ballot boards to begin opening absentee ballot envelopes after the close of business on the day before early voting starts.

Section 11 [Early voting; applicability] establishes early in-person voting for federal, state, and county elections. A city may authorize the use of early voting for city-only elections in certain circumstances.

Section 14 [Early voting; time period; hours] early voting must be available from 18 days prior to an election. Voting hours for polling places are specified, including weekend hours.

Section 15 [Locations for early voting; notice] requires early voting polling places to be in county auditor and municipal clerk's offices and at other county or city-owned buildings. The county auditor or municipal clerk may designate additional polling places that may be open for a portion of the early voting period. The county auditor must prepare a notice of all days, times, and locations of early voting polling places. The notice must be posted secretary of state's website and the relevant county, city, and town websites.

Section 14 [Procedures for early voting] specifies aspects of early voting unique to this process. When a voter appears at the polling place, the voter must provide their name, address, and, if requested, the voter's date of birth. The early voting official must confirm the voter's registration is current and the voter's status is not challenged. If the voter's registration is not current, the voter must submit a new voter registration application. If the voter's status is challenged, the voter may resolve the challenge in the same manner as in a polling place on election day. A voter who has already cast a ballot must not be given a ballot. The voter signs the voter certification and is given a ballot. The voter marks the ballot and deposits it into the ballot box. At the end of each day, early voting officials must remove and secure the ballots. The absentee board must count the ballots after the polls have closed on election day.

Section 15 [Election supplies; duties of county auditors and clerks] requires the county auditor to prepare and provide early voting election materials to city clerks.

Section 16 [Program] requires the computer program for elections and a backup to be delivered to the election jurisdiction at least 36 days before the election.

Section 17 [Testing of voting systems] requires the election official to conduct the public accuracy testing of voting equipment at least 3 days before the equipment is used.

Section 18 [Appropriation] appropriates money from the general fund to the secretary of state to implement this act.

Section 19 [Repealer] repeals the law that allows in-person absentee voters to deposit ballots directly into a ballot box in certain circumstances.

Section 20 [Certification; effective date] requires the secretary of state to certify to the revisor of statutes that the statewide voter registration system has been tested and is working properly. This act is effective for elections on or after January 1, 2024, or the 85th day after certification, whichever is later.