Constitution and Elections

See full summary documents for additional detail

H18 - Allow Absentee Ballots/Fire District Election. (SL 2019-136)

S.L. 2019-136 allows absentee voting in fire district elections.

This act became effective July 19, 2019.

H646 - ID Approval/Flex Muni One-Stop. (SL 2019-22)

Effective June 3, 2019, S.L. 2019-22 made the following changes to the elections law:

- Allows a tribal enrollment card to be used for voting identification purposes, regardless of whether the card contains an expiration date.
- Clarifies the approval process for student and employee identification cards being used for voting identification.
- Establishes a time period during which any student or employee identification card denied approval for use in the 2020 elections may be resubmitted for approval.
- Authorizes a county board of elections to set hours and days for early one-stop voting in odd-numbered years at less than 12 hours per day for 13 workdays.
- Authorizes a county that is bounded by the largest sound on the East Coast and where the county seat is located at the intersection of two rivers that divide the county to open up to two early one-stop sites with days and hours that vary from the county board of elections, or its alternate, and other additional one-stop sites in that county.

H1014 - 2020 Census VTD Verification Program. (SL 2019-16)

Effective May 29, 2019, S.L. 2019-16 requires the Legislative Services Officer to be responsible for submissions in the Phase 2, Voting District Project, portion of the 2020 federal decennial census.

S214 - Ensure Orderly 2019 Elections. (SL 2019-4)

S.L. 2019-4 allows any registered voter voting in person in 2019 to vote an official ballot whether or not photographic identification is presented, and requires the State Board of Elections and all county boards of elections to continue all implementation and education efforts during this same time period.

This act became effective March 14, 2019.

S220 - Removal of Political Signs by Citizens. (SL 2019-119)

S.L. 2019-119 does all of the following:

- Deems abandoned any political sign remaining in the public right-of-way more than 40 days after the primary or election day, and authorizes a citizen to remove and dispose of the abandoned sign without penalty. This section became effective December 1, 2019.
- Requires county boards of elections to provide at least 36 hours prior to the opening of polls for political advertising to be placed and at least 36 hours after the close of polls for political advertising to be removed at publicly owned polling places. This section became effective December 1, 2019.
- Authorizes the Executive Director of the State Board of Elections to reduce the canvass period in the 2019 municipal elections, to resolve any conflicts in the election schedule. This section became effective July 11, 2019, and expired November 7, 2019.

S250 - Remove Foreign Citizens from Voting Rolls. (Ratified)

Senate Bill 250 would do the following:

- Codify the case law requirement that jurors be United States citizens.
- Allow a chief district court judge to delegate hearing jury excuses to the clerk of court.
- Require applications for excusals from jury duty be made on a form developed by the Administrative Office of the Courts.
- Require clerks to maintain records of persons asking to be excused from jury duty due to disqualification, and share those records with the State Board of Elections (State Board) if the disqualification is due to citizenship for use in voter list maintenance efforts.
- Create a process for voter list maintenance removal of non-citizens reported as disqualified from jury duty.

Senate Bill 250 was ratified by the General Assembly on October 31, 2019, and vetoed by the Governor on November 6, 2019.

S682 - Implement Crime Victim Rights Amendment. (SL 2019-216)

S.L. 2019-216 implements the constitutional amendment to provide better protections and safeguards to victims of crime and acts of delinquency. The act expands a victim's right to be present and heard at court proceedings; provides an enforcement procedure for failure to comply with the constitutionally guaranteed rights of victims; creates a new Article in the Juvenile Code that models the Crime Victims' Rights Act; and directs the Conference of District Attorneys and the Administrative Office of the Courts to develop procedures and forms required for implementation of this act.

The expanded protections for victims became effective August 31, 2019, and apply to offenses and acts of delinquency committed on or after that date. The portion of the act directing development of procedures and forms became effective September 4, 2019.

S683 - Combat Absentee Ballot Fraud. (SL 2019-239)

S.L. 2019-239 does all of the following:

- Requires that a request for mail-in absentee ballots be completed entirely by the requestor, indicate the date of the election for the request, and be returned to the county board of elections by the

requestor. Voters may receive assistance from a multipartisan team or some other person in certain instances. This section became effective January 1, 2020, and applies to elections conducted on or after that date.

- Requires a voter voting mail-in absentee to submit photo identification, or an affidavit for the lack thereof, with the returned application and voted ballot. This section became effective January 1, 2020, and applies to elections conducted on or after that date.
- Provides that the list of voters requesting a mail-in absentee ballot is confidential until the opening of the polls on election day. This section became effective January 1, 2020, and applies to elections conducted on or after that date.
- Enhances the penalties for certain violations of the law regarding absentee ballots, and creates new crimes for selling completed request forms or voted ballots, receiving payment based on a number of returned requests, intentionally failing to deliver requests or ballots, or copying or retaining identifying information from a request or application. This section became effective December 1, 2019, and applies to offenses committed on or after that date.
- Restores the last Saturday of early voting, and modifies times for early voting. This section became effective January 1, 2020, and applies to elections conducted on or after that date
- Allows the State Board of Elections to authorize a county to continue to use DRE voting systems in the 2020 elections under certain conditions. This section became effective November 6, 2019 and expires August 1, 2020.
- Allows a county board of elections to test proposed voting systems during a simulated election prior to approval by the board of county commissioners. This section became effective November 6, 2019
- Makes appropriations for the budget of the State Board of Elections for the fiscal biennium ending June 30, 2021
- Requires the State Board of Elections to report on post-election audits. This section became effective November 6, 2019.