

**SB 5359** - H COMM AMD TO

By Committee on State Government & Tribal Affairs

ADOPTED 3/30/2009

1 On page 1, beginning on line 17, strike all of subsection (2) and  
2 insert the following:

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4 "(2) An election official may not issue any ballot with a unique  
5 identifying mark, except as specifically authorized by this  
6 subsection. Identifying marks placed on a ballot prior to the  
7 issuance of the ballot may not vary within an individual precinct. An  
8 election official may place a nonsequential, anonymously assigned  
9 unique identifying mark on a ballot after the ballot has been returned  
10 by a voter, and, if applicable, separated from its security envelope,  
11 solely for auditing and vote reconciliation purposes, or to determine  
12 if a particular ballot has been previously counted, as long as it is  
13 not associated with an individual voter, a voter's address, or a  
14 voter's registration number."

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16 On page 2, after line 15, insert the following:

17 "(4) An elections official may not enter into or extend any  
18 contract with a vendor that includes any use of identifying marks on  
19 ballots, if such contract may allow the vendor to acquire an ownership  
20 interest in or knowledge of any data pertaining to any voter, any  
21 voter's address, registration number, or history, or any ballot."

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**EFFECT:** Specifies that identifying marks placed on the ballot prior to issuance of the ballot may not vary within an individual precinct and that unique identifying marks for purposes of auditing and reconciliation may not be placed on the ballot until

the ballot has been returned by the voter. Prohibits election officials from entering into a contract with a vendor that includes the use of identifying marks on the ballot if the contract allows the vendor to acquire an ownership interest in or knowledge of any data pertaining to a voter, the voter's address, registration number, or history, or any ballot.

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