

Effective 3/16/2021

20A-5-400.1 Contracting with an election officer to conduct elections -- Fees -- Contracts and interlocal agreements -- Private providers.

- (1)
 - (a) In accordance with this section, a local political subdivision may enter into a contract or interlocal agreement as provided in Title 11, Chapter 13, Interlocal Cooperation Act, with a provider election officer to conduct an election.
 - (b) If the boundaries of a local political subdivision holding the election extend beyond a single local political subdivision, the local political subdivision may have more than one provider election officer conduct an election.
 - (c) Upon approval by the lieutenant governor, a municipality may enter into a contract or agreement under Subsection (1)(a) with any local political subdivision in the state, regardless of whether the municipality is located in, next to, or near, the local political subdivision, to conduct an election during which the municipality is participating in the Municipal Alternate Voting Methods Pilot Project.
 - (d) If a municipality enters into a contract or agreement, under Subsection (1)(c), with a local political subdivision other than a county within which the municipality exists, the municipality, the local political subdivision, and the county within which the municipality exists shall enter into a cooperative agreement to ensure the proper functioning of the election.
- (2) A provider election officer shall conduct an election:
 - (a) under the direction of the contracting election officer; and
 - (b) in accordance with a contract or interlocal agreement.
- (3) A provider election officer shall establish fees for conducting an election for a contracting election officer that:
 - (a) are consistent with the contract or interlocal agreement; and
 - (b) do not exceed the actual costs incurred by the provider election officer.
- (4) The contract or interlocal agreement under this section may specify that a contracting election officer request, within a specified number of days before the election, that the provider election officer conduct the election to allow adequate preparations by the provider election officer.
- (5) An election officer conducting an election may appoint or employ an agent or professional service to assist in conducting the election.

Amended by Chapter 101, 2021 General Session