

SUBJECT: Requiring counties, cities, and ISDs to post certain election information

COMMITTEE: Elections — favorable, without amendment

VOTE: 7 ayes — Cain, J. González, Bucy, Clardy, Jetton, Schofield, Swanson

2 nays — Beckley, Fierro

SENATE VOTE: On final passage, April 13 — 31-0

WITNESSES: No public hearing.

DIGEST: SB 1116 would require a county that held or provided election services for an election and maintained an internet website or a city or independent school district that held an election and maintained an internet website to post, as applicable:

- the results of each election;
- the total number of votes cast; and
- the total number of votes cast for each candidate or for or against each measure.

This information would have to be posted as soon as practicable after the election and be accessible without having to make more than two selections or view more than two network locations after accessing the county, city, or district website home page, as applicable.

The bill would take effect September 1, 2021.

SUPPORTERS SAY: SB 1116 would increase transparency and public trust in the electoral process by requiring counties, cities, and independent school districts to post election results on their websites as soon as practicable after an election. The bill would ensure that these results were easily accessible to the public by requiring such information to be available within two clicks from the website home page.

The bill would not place a burden on small jurisdictions because elections are held relatively infrequently and the results for each election would have to be posted only one time as soon as practicable. SB 1116 does not prescribe the manner in which this information would have to be posted, beyond the provision relating to the number of clicks from the home page, which would give jurisdictions flexibility in complying with the requirements of the bill. Further, the bill does not require entities without a public internet website to post election results.

The secretary of state already posts certain election information, but the bill would require election results also to be posted by the entity that conducted or provided services for the election. This would give the public more chances to see the results of elections and stay informed.

CRITICS
SAY:

SB 1116 could place an undue burden on small jurisdictions with limited staff to post election results on their websites. Instead of mandating counties, cities, and independent school districts post election results on their individual websites, the bill should require these entities to send election results to the secretary of state to be posted and accessible to the public in a single, centralized location.

NOTES:

The House companion bill, HB 2860 by Bucy, was considered by the House Elections Committee in a public hearing on April 29, reported favorably, and placed on the General State Calendar for May 13.