

SSB 6362 - H AMD 1165

By Representative Nixon

1 On page 4, beginning on line 8, strike all of subsection (c)
2 through "located" on line 22 and insert the following:

3 "(c) The challenged voter does not live at the residential
4 address provided, in which case the challenger must either:

5 (i) Provide the challenged voter's actual residence on the
6 challenge form; or

7 (ii) Submit evidence that he or she exercised due diligence to
8 verify that the challenged voter does not reside at the address
9 provided and to attempt to contact the challenged voter to learn
10 the challenged voter's actual residence, including that the
11 challenger personally:

12 (A) Sent a letter with return service requested to the
13 challenged voter's residential address provided, and to the
14 challenged voter's mailing address, if provided;

15 (B) Visited the residential address provided and contacted
16 persons at the address to determine whether the voter resides at
17 the address and, if not, obtained and submitted with the challenge
18 form a signed affidavit subject to the penalties of perjury from a
19 person who owns or manages property, resides, or is employed at the
20 address provided, that to his or her personal knowledge the
21 challenged voter does not reside at the address as provided on the
22 voter registration;

23 (C) Searched local telephone directories, including online
24 directories, to determine whether the voter maintains a telephone
25 listing at any address in the county;

26 (D) Searched county auditor property records to determine
27 whether the challenged voter owns any property in the county; and

28 (E) Searched the statewide voter registration database to
29 determine if the voter is registered at any other address in the
30 state"

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1 On page 4, line 36, after "challenge" insert ", including any
2 information required by subsection (1)(c) of this section,"

EFFECT: Provides that a voter challenging another based on an allegation that the challenged voter does not live at the address as provided on his or her registration form must either include the voter's actual address on the challenge form or exercise due diligence to contact the voter, including that the challenger personally obtained a signed affidavit from a person residing at, employed at, or owning the residential address provided, and that the challenger sent a letter with return service requested to the addresses listed. Eliminates the ability to file a challenge based on an allegation that the address provided does not constitute a residential address. Clarifies that the challenge affidavit must include information as required for residential challenges.