

## Part 5 Miscellaneous

### **20A-16-501 Use of voter's email address.**

- (1) An election officer shall request an email address from each covered voter who registers to vote after January 1, 2012.
- (2) An email address provided by a covered voter:
  - (a) is a private record under Section 63G-2-302; and
  - (b) may be used only for official communication with the covered voter about the voting process, including transmitting military-overseas ballots and election materials if the voter has requested electronic transmission, and verifying the voter's mailing address and physical location.
- (3) The request for an email address shall:
  - (a) describe the purposes for which the email address may be used; and
  - (b) include a statement that any other use or disclosure of the email address is prohibited.
- (4)
  - (a) A covered voter who provides an email address may request that the covered voter's application for a military-overseas ballot be considered a standing request for electronic delivery of a ballot for all elections held through December 31 of the year following the calendar year of the date of the application or another shorter period the covered voter specifies.
  - (b) An election official shall provide a military-overseas ballot to a covered voter who makes a standing request for each election to which the request is applicable.
  - (c) A covered voter who is entitled to receive a military-overseas ballot for a primary election under this Subsection (4) is entitled to receive a military-overseas ballot for the general election.

Enacted by Chapter 327, 2011 General Session

### **20A-16-502 Publication of election notice.**

- (1) At least 100 days before an election, other than a statewide special election or local special election, and as soon as practicable before a statewide special election or local special election, the election officer shall prepare an election notice for the election officer's jurisdiction, to be used in conjunction with a federal write-in absentee ballot.
- (2) The election notice must contain:
  - (a) a list of all of the ballot propositions and federal, state, and local offices that as of that date the election officer expects to be on the ballot on the date of the election; and
  - (b) specific instructions for how a covered voter is to indicate on the federal write-in absentee ballot the covered voter's choice for each office to be filled and for each ballot proposition to be contested.
- (3)
  - (a) A covered voter may request a copy of an election notice.
  - (b) The election officer shall send the notice to the covered voter by facsimile, email, or regular mail, as the covered voter requests.
- (4) As soon as the ballot is certified, and not later than the date ballots are required to be transmitted to voters under Chapter 3, Part 3, Absentee Voting, the election officer charged with preparing the election notice under Subsection (1) shall update the notice with the certified

candidates for each office and ballot propositions and make the updated notice publicly available.

- (5) A political subdivision that maintains a website shall make the election notice prepared under this section and updated versions of the election notice regularly available on the website.

Amended by Chapter 369, 2012 General Session

**20A-16-503 Prohibition of nonsubstantive requirements.**

- (1)
  - (a) If a covered voter's mistake or omission in the completion of a document under this chapter does not prevent determining whether a covered voter is eligible to vote, the mistake or omission does not invalidate the document.
  - (b) Failure to satisfy a nonsubstantive requirement, such as using paper or envelopes of a specified size or weight, does not invalidate a document submitted under this chapter.
  - (c) In a write-in ballot authorized by this chapter or in a vote for a write-in candidate on a regular ballot, if the intention of the covered voter is discernable under this state's uniform definition of what constitutes a vote, an abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party is a valid vote.
- (2)
  - (a) Notarization is not required for the execution of a document under this chapter.
  - (b)
    - (i) An authentication, other than the declaration specified in Section 20A-16-409 or the declaration on the federal postcard application and federal write-in absentee ballot, is not required for execution of a document under this chapter.
    - (ii) The declaration and any information in the declaration may be compared with information on file to ascertain the validity of the document.

Enacted by Chapter 327, 2011 General Session

**20A-16-504 Equitable relief.**

A court may issue an injunction or grant other equitable relief appropriate to ensure substantial compliance with, or enforce, this chapter on application by:

- (1) a covered voter alleging a grievance under this chapter; or
- (2) an election officer.

Enacted by Chapter 327, 2011 General Session

**20A-16-505 Uniformity of application and construction.**

In applying and construing this uniform act, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Enacted by Chapter 327, 2011 General Session

**20A-16-506 Relation to Electronic Signatures in Global and National Commerce Act.**

This chapter modifies, limits, and supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

Enacted by Chapter 327, 2011 General Session