

Effective 5/13/2014

Superseded 5/12/2015

20A-2-104 Voter registration form -- Registered voter lists -- Fees for copies.

(1) Every person applying to be registered shall complete a registration form printed in substantially the following form:

UTAH ELECTION REGISTRATION FORM

Are you a citizen of the United States of America? Yes No

Will you be 18 years old on or before election day? Yes No

If you checked "no" to either of the above two questions, do not complete this form.

Name of Voter _____

First Middle Last

Utah Driver License or Utah Identification Card Number _____

Date of Birth _____

Street Address of Principal Place of Residence _____

City County State Zip Code

Telephone Number (optional) _____

Last four digits of Social Security Number _____

Last former address at which I was registered to vote (if known) _____

City County State Zip Code

Political Party _____

(a listing of each registered political party, as defined in Section 20A-8-101 and maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)

Unaffiliated (no political party preference) Other (Please specify) _____

I do swear (or affirm), subject to penalty of law for false statements, that the information contained in this form is true, and that I am a citizen of the United States and a resident of the state of Utah, residing at the above address. I will be at least 18 years old and will have resided in Utah for 30 days immediately before the next election. I am not a convicted felon currently incarcerated for commission of a felony.

Signed and sworn

Voter's Signature

_____ (month/day/year).

"The portion of a voter registration form that lists a person's driver license or identification card number, social security number, and email address is a private record. The portion of a voter registration form that lists a person's date of birth is a private record, the use of which is restricted to government officials, government employees, political parties, or certain other persons.

If you believe that disclosure of any information contained in this voter registration form to a person other than a government official or government employee is likely to put you or a member of your household's life or safety at risk, or to put you or a member of your household

at risk of being stalked or harassed, you may apply to the lieutenant governor or your county clerk to have your entire voter registration record classified as private."

CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a citizen and that to the best of my knowledge and belief the information above is true and correct.

Signature of Applicant

In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or allowing yourself to be registered to vote if you know you are not entitled to register to vote is up to one year in jail and a fine of up to \$2,500.

NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND PHOTOGRAPH; OR TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND CURRENT ADDRESS.

FOR OFFICIAL USE ONLY

Type of I.D. _____

Voting Precinct _____

Voting I.D. Number _____

(2)

- (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy of each voter registration form in a permanent countywide alphabetical file, which may be electronic or some other recognized system.
- (b) The county clerk may transfer a superceded voter registration form to the Division of Archives and Records Service created under Section 63A-12-101.

(3)

- (a) Each county clerk shall retain lists of currently registered voters.
- (b) The lieutenant governor shall maintain a list of registered voters in electronic form.
- (c) If there are any discrepancies between the two lists, the county clerk's list is the official list.
- (d) The lieutenant governor and the county clerks may charge the fees established under the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy of the list of registered voters.

(4)

- (a) As used in this Subsection (4), "qualified person" means:
 - (i) a government official or government employee acting in the government official's or government employee's capacity as a government official or a government employee;
 - (ii) a health care provider, as defined in Section 26-33a-102, or an agent, employee, or independent contractor of a health care provider;
 - (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or independent contractor of an insurance company;

- (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or independent contractor of a financial institution;
- (v) a political party, or an agent, employee, or independent contractor of a political party; or
- (vi) a person, or an agent, employee, or independent contractor of the person, who:
 - (A) provides the date of birth of a registered voter that is obtained from the list of registered voters only to a person who is a qualified person;
 - (B) verifies that a person, described in Subsection (4)(a)(vi)(A), to whom a date of birth that is obtained from the list of registered voters is provided, is a qualified person;
 - (C) ensures, using industry standard security measures, that the date of birth of a registered voter that is obtained from the list of registered voters may not be accessed by a person other than a qualified person;
 - (D) verifies that each qualified person, other than a qualified person described in Subsection (4)(a)(i) or (v), to whom the person provides the date of birth of a registered voter that is obtained from the list of registered voters, will only use the date of birth to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;
 - (E) verifies that each qualified person described in Subsection (4)(a)(i), to whom the person provides the date of birth of a registered voter that is obtained from the list of registered voters, will only use the date of birth in the qualified person's capacity as a government official or government employee; and
 - (F) verifies that each qualified person described in Subsection (4)(a)(v), to whom the person provides the date of birth of a registered voter that is obtained from the list of registered voters, will only use the date of birth for a political purpose.
- (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in Subsection 63G-2-302(1)(k), the lieutenant governor or a county clerk shall, when providing the list of registered voters to a qualified person under this section, include, with the list, the dates of birth of the registered voters, if:
 - (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a qualified person; and
 - (ii) the qualified person signs a document that includes the following:
 - (A) the name, address, and telephone number of the person requesting the list of registered voters;
 - (B) an indication of the type of qualified person that the person requesting the list claims to be;
 - (C) a statement regarding the purpose for which the person desires to obtain the dates of birth;
 - (D) a list of the purposes for which the date of birth of a registered voter that is obtained from the list of registered voters may be used;
 - (E) a statement that the date of birth of a registered voter that is obtained from the list of registered voters may not be provided or used for a purpose other than a purpose described under Subsection (4)(b)(ii)(D);
 - (F) a statement that if the person obtains the date of birth of a registered voter from the list of registered voters under false pretenses, or provides or uses the date of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law, is guilty of a class A misdemeanor and is subject to a civil fine;
 - (G) an assertion from the person that the person will not provide or use the date of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law; and

- (H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.
- (c) The lieutenant governor or a county clerk may not disclose the date of birth of a registered voter to a person that the lieutenant governor or county clerk reasonably believes:
- (i) is not a qualified person or a person described in Subsection (4)(k); or
 - (ii) will provide or use the date of birth in a manner prohibited by law.
- (d) The lieutenant governor or a county clerk may not disclose the voter registration form of a person, or information included in the person's voter registration form, whose voter registration form is classified as private under Subsection (4)(f) to a person other than a government official or government employee acting in the government official's or government employee's capacity as a government official or government employee.
- (e) A person is guilty of a class A misdemeanor if the person:
- (i) obtains the date of birth of a registered voter from the list of registered voters under false pretenses; or
 - (ii) uses or provides the date of birth of a registered voter that is obtained from the list of registered voters, in a manner that is not permitted by law.
- (f) The lieutenant governor or a county clerk shall classify the voter registration record of a voter as a private record if the voter submits:
- (i) a written application, created by the lieutenant governor, requesting that the voter's voter registration record be classified as private; and
 - (ii) provides evidence to the lieutenant governor or a county clerk establishing that release of the information on the voter's voter registration record is likely to put the voter or a member of the voter's household's life or safety at risk, or to put the voter or a member of the voter's household at risk of being stalked or harassed.
- (g) The evidence described in Subsection (4)(f) may include:
- (i) a protective order;
 - (ii) a police report; or
 - (iii) other evidence designated by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, by the director of elections within the Office of the Lieutenant Governor.
- (h) In addition to any criminal penalty that may be imposed under this section, the lieutenant governor may impose a civil fine against a person who obtains the date of birth of a registered voter from the list of registered voters under false pretenses, or provides or uses a date of birth of a registered voter that is obtained from the list of registered voters in a manner that is not permitted by law, in an amount equal to the greater of:
- (i) the product of 30 and the square root of the total number of dates of birth obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or
 - (ii) \$200.
- (i) A qualified person may not obtain, provide, or use the date of birth of a registered voter, if the date of birth is obtained from the list of registered voters or from a voter registration record, unless the person:
- (i) is a government official or government employee who obtains, provides, or uses the date of birth in the government official's or government employee's capacity as a government official or government employee;
 - (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or uses the date of birth only to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;

- (iii) is a qualified person described in Subsection (4)(a)(v) and obtains, provides, or uses the date of birth for a political purpose; or
- (iv) is a qualified person described in Subsection (4)(a)(vi) and obtains, provides, or uses the date of birth to provide the date of birth to another qualified person to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse.
- (j) A person who is not a qualified person may not obtain, provide, or use the date of birth of a registered voter, if the date of birth is obtained from the list of registered voters or from a voter registration record, unless the person:
 - (i) is a candidate for public office and uses the date of birth only for a political purpose; or
 - (ii) obtains the date of birth from a political party or a candidate for public office and uses the date of birth only for the purpose of assisting the political party or candidate for public office to fulfill a political purpose.
- (k) The lieutenant governor or a county clerk may provide a date of birth to a member of the media, in relation to an individual designated by the member of the media, in order for the member of the media to verify the identity of the individual.
- (5) When political parties not listed on the voter registration form qualify as registered political parties under Title 20A, Chapter 8, Political Party Formation and Procedures, the lieutenant governor shall inform the county clerks about the name of the new political party and direct the county clerks to ensure that the voter registration form is modified to include that political party.
- (6) Upon receipt of a voter registration form from an applicant, the county clerk or the clerk's designee shall:
 - (a) review each voter registration form for completeness and accuracy; and
 - (b) if the county clerk believes, based upon a review of the form, that a person may be seeking to register to vote who is not legally entitled to register to vote, refer the form to the county attorney for investigation and possible prosecution.