

Representative Neil A. Hansen proposes the following substitute bill:

ELECTION DAY VOTER REGISTRATION

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Neil A. Hansen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Election Code to permit election day voter registration and extends provisional voting to all elections.

Highlighted Provisions:

This bill:

- ▶ modifies definitions;
- ▶ allows individuals to register to vote at their voting precinct's polling place on the date of the election;
- ▶ extends provisional voting to municipal elections, municipal primary elections, state special elections, local special elections, and bond elections;
- ▶ requires persons who register on election day to vote via provisional ballot;
- ▶ allows voters to change their party affiliation at their voting precinct's polling place on the date of the election, with certain exceptions for primary elections;
- ▶ requires county clerks to provide election day registration information to any individual that seeks to register in person at the county clerk's office after the voter registration deadline has passed and satellite registration has ended;
- ▶ requires county clerks to provide registration information to any individual that submits an untimely or incomplete voter registration form by mail, with a driver



26 license form, or through a voter registration agency, and requires the clerk to notify the
27 individual that the individual is not registered; and

28 ▶ makes technical changes.

29 **Monies Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 **AMENDS:**

35 **20A-1-102**, as last amended by Chapters 16, 264 and 326, Laws of Utah 2006

36 **20A-2-102**, as last amended by Chapter 34, Laws of Utah 2003

37 **20A-2-107**, as last amended by Chapter 264, Laws of Utah 2006

38 **20A-2-201**, as last amended by Chapter 264, Laws of Utah 2006

39 **20A-2-202**, as last amended by Chapters 264 and 326, Laws of Utah 2006

40 **20A-2-204**, as last amended by Chapters 264 and 326, Laws of Utah 2006

41 **20A-2-205**, as last amended by Chapters 264 and 326, Laws of Utah 2006

42 **20A-2-304**, as last amended by Chapter 264, Laws of Utah 2006

43 **20A-2-307**, as last amended by Chapter 34, Laws of Utah 2003

44 **20A-3-104**, as last amended by Chapters 264 and 326, Laws of Utah 2006

45 **20A-3-104.5**, as last amended by Chapters 15, 264 and 326, Laws of Utah 2006

46 **20A-3-105.5**, as last amended by Chapters 15 and 264, Laws of Utah 2006

47 **20A-9-808**, as last amended by Chapters 264 and 326, Laws of Utah 2006

48 **ENACTS:**

49 **20A-2-201.5**, Utah Code Annotated 1953



51 *Be it enacted by the Legislature of the state of Utah:*

52 Section 1. Section **20A-1-102** is amended to read:

53 **20A-1-102. Definitions.**

54 As used in this title:

55 (1) "Active voter" means a registered voter who has not been classified as an inactive
56 voter by the county clerk.

57 (2) "Automatic tabulating equipment" means apparatus that automatically examines
58 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

59 (3) "Ballot" means the storage medium, whether paper, mechanical, or electronic, upon
60 which a voter records his votes and includes ballot sheets, paper ballots, electronic ballots, and
61 secrecy envelopes.

62 (4) "Ballot sheet":

63 (a) means a ballot that:

64 (i) consists of paper or a card where the voter's votes are marked or recorded; and

65 (ii) can be counted using automatic tabulating equipment; and

66 (b) includes punch card ballots, and other ballots that are machine-countable.

67 (5) "Ballot label" means the cards, papers, booklet, pages, or other materials that
68 contain the names of offices and candidates and statements of ballot propositions to be voted
69 on and which are used in conjunction with ballot sheets that do not display that information.

70 (6) "Ballot proposition" means opinion questions specifically authorized by the
71 Legislature, constitutional amendments, initiatives, referenda, and judicial retention questions
72 that are submitted to the voters for their approval or rejection.

73 (7) "Board of canvassers" means the entities established by Sections 20A-4-301 and
74 20A-4-306 to canvass election returns.

75 (8) "Bond election" means an election held for the purpose of approving or rejecting
76 the proposed issuance of bonds by a government entity.

77 (9) "Book voter registration form" means voter registration forms contained in a bound
78 book that are used by election officers and registration agents to register persons to vote.

79 (10) "By-mail voter registration form" means a voter registration form designed to be
80 completed by the voter and mailed to the election officer.

81 (11) "Canvass" means the review of election returns and the official declaration of
82 election results by the board of canvassers.

83 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at
84 the canvass.

85 (13) "Convention" means the political party convention at which party officers and
86 delegates are selected.

87 (14) "Counting center" means one or more locations selected by the election officer in

88 charge of the election for the automatic counting of ballots.

89 (15) "Counting judge" means a poll worker designated to count the ballots during
90 election day.

91 (16) "Counting poll watcher" means a person selected as provided in Section
92 20A-3-201 to witness the counting of ballots.

93 (17) "Counting room" means a suitable and convenient private place or room,
94 immediately adjoining the place where the election is being held, for use by the counting
95 judges to count ballots during election day.

96 (18) "County executive" has the meaning as provided in Subsection 68-3-12(2).

97 (19) "County legislative body" has the meaning as provided in Subsection 68-3-12(2).

98 (20) "County officers" means those county officers that are required by law to be
99 elected.

100 (21) "Election" means a regular general election, a municipal general election, a
101 statewide special election, a local special election, a regular primary election, a municipal
102 primary election, and a special district election.

103 (22) "Election Assistance Commission" means the commission established by Public
104 Law 107-252, the Help America Vote Act of 2002.

105 (23) "Election cycle" means the period beginning on the first day persons are eligible to
106 file declarations of candidacy and ending when the canvass is completed.

107 (24) "Election judge" means each canvassing judge, counting judge, and receiving
108 judge.

109 (25) "Election officer" means:

110 (a) the lieutenant governor, for all statewide ballots;

111 (b) the county clerk or clerks for all county ballots and for certain ballots and elections
112 as provided in Section 20A-5-400.5;

113 (c) the municipal clerk for all municipal ballots and for certain ballots and elections as
114 provided in Section 20A-5-400.5;

115 (d) the special district clerk or chief executive officer for certain ballots and elections
116 as provided in Section 20A-5-400.5; and

117 (e) the business administrator or superintendent of a school district for certain ballots
118 or elections as provided in Section 20A-5-400.5.

119 (26) "Election official" means any election officer, election judge, poll worker, or
120 satellite registrar.

121 (27) "Election results" means, for bond elections, the count of those votes cast for and
122 against the bond proposition plus any or all of the election returns that the board of canvassers
123 may request.

124 (28) "Election returns" includes the pollbook, all affidavits of registration, the military
125 and overseas absentee voter registration and voting certificates, one of the tally sheets, any
126 unprocessed absentee ballots, all counted ballots, all excess ballots, all unused ballots, all
127 spoiled ballots, the ballot disposition form, and the total votes cast form.

128 (29) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
129 device or other voting device that records and stores ballot information by electronic means.

130 (30) "Electronic voting system" means a system in which a voting device is used in
131 conjunction with ballots so that votes recorded by the voter are counted and tabulated by
132 automatic tabulating equipment.

133 (31) "Inactive voter" means a registered voter who has been sent the notice required by
134 Section 20A-2-306 and who has failed to respond to that notice.

135 (32) "Inspecting poll watcher" means a person selected as provided in this title to
136 witness the receipt and safe deposit of voted and counted ballots.

137 (33) "Judicial office" means the office filled by any judicial officer.

138 (34) "Judicial officer" means any justice or judge of a court of record or any county
139 court judge.

140 (35) "Local election" means a regular municipal election, a local special election, a
141 special district election, and a bond election.

142 (36) "Local political subdivision" means a county, a municipality, a special district, or
143 a local school district.

144 (37) "Local special election" means a special election called by the governing body of a
145 local political subdivision in which all registered voters of the local political subdivision may
146 vote.

147 (38) "Municipal executive" means:

148 (a) the city council or town council in the traditional management arrangement
149 established by Title 10, Chapter 3, Part 1, Governing Body;

150 (b) the mayor in the council-mayor optional form of government defined in Section
151 10-3-101; and

152 (c) the manager in the council-manager optional form of government defined in
153 Section 10-3-101.

154 (39) "Municipal general election" means the election held in municipalities and special
155 districts on the first Tuesday after the first Monday in November of each odd-numbered year
156 for the purposes established in Section 20A-1-202.

157 (40) "Municipal legislative body" means:

158 (a) the city council or town council in the traditional management arrangement
159 established by Title 10, Chapter 3, Part 1, Governing Body;

160 (b) the municipal council in the council-mayor optional form of government defined in
161 Section 10-3-101; and

162 (c) the municipal council in the council-manager optional form of government defined
163 in Section 10-3-101.

164 (41) "Municipal officers" means those municipal officers that are required by law to be
165 elected.

166 (42) "Municipal primary election" means an election held to nominate candidates for
167 municipal office.

168 (43) "Official ballot" means the ballots distributed by the election officer to the poll
169 workers to be given to voters to record their votes.

170 (44) "Official endorsement" means:

171 (a) the information on the ballot that identifies:

172 (i) the ballot as an official ballot;

173 (ii) the date of the election; and

174 (iii) the facsimile signature of the election officer; and

175 (b) the information on the ballot stub that identifies:

176 (i) the poll worker's initials; and

177 (ii) the ballot number.

178 (45) "Official register" means the official record furnished to election officials by the
179 election officer that contains the information required by Section 20A-5-401.

180 (46) "Paper ballot" means a paper that contains:

181 (a) the names of offices and candidates and statements of ballot propositions to be
182 voted on; and

183 (b) spaces for the voter to record his vote for each office and for or against each ballot
184 proposition.

185 (47) "Political party" means an organization of registered voters that has qualified to
186 participate in an election by meeting the requirements of Title 20A, Chapter 8, Political Party
187 Formation and Procedures.

188 (48) (a) "Poll worker" means a person assigned by an election official to assist with an
189 election, voting, or counting votes.

190 (b) "Poll worker" includes election judges.

191 (c) "Poll worker" does not include a watcher.

192 (49) "Pollbook" means a record of the names of voters in the order that they appear to
193 cast votes.

194 (50) "Polling place" means the building where voting is conducted.

195 (51) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
196 in which the voter marks his choice.

197 (52) "Provisional ballot" means a ballot voted provisionally by a person:

198 (a) whose name is not listed on the official register at the polling place;

199 (b) whose legal right to vote is challenged as provided in this title; ~~[or]~~

200 (c) whose identity was not sufficiently established by ~~[an election judge.]~~ a poll
201 worker; or

202 (d) who is registering to vote on election day under Section 20A-2-201.5.

203 (53) "Provisional ballot envelope" means an envelope printed in the form required by
204 Section 20A-6-105 that is used to identify provisional ballots and to provide information to
205 verify a person's legal right to vote.

206 (54) "Primary convention" means the political party conventions at which nominees for
207 the regular primary election are selected.

208 (55) "Protective counter" means a separate counter, which cannot be reset, that is built
209 into a voting machine and records the total number of movements of the operating lever.

210 (56) "Qualify" or "qualified" means to take the oath of office and begin performing the
211 duties of the position for which the person was elected.

212 (57) "Receiving judge" means the poll worker that checks the voter's name in the
213 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
214 after the voter has voted.

215 (58) "Registration days" means the days designated in Section 20A-2-203 when a voter
216 may register to vote with a satellite registrar.

217 (59) "Registration form" means a book voter registration form and a by-mail voter
218 registration form.

219 (60) "Regular ballot" means a ballot that is not a provisional ballot.

220 (61) "Regular general election" means the election held throughout the state on the first
221 Tuesday after the first Monday in November of each even-numbered year for the purposes
222 established in Section 20A-1-201.

223 (62) "Regular primary election" means the election on the fourth Tuesday of June of
224 each even-numbered year, at which candidates of political parties and nonpolitical groups are
225 voted for nomination.

226 (63) "Resident" means a person who resides within a specific voting precinct in Utah.

227 (64) "Sample ballot" means a mock ballot similar in form to the official ballot printed
228 and distributed as provided in Section 20A-5-405.

229 (65) "Satellite registrar" means a person appointed under Section 20A-5-201 to register
230 voters and perform other duties.

231 (66) "Scratch vote" means to mark or punch the straight party ticket and then mark or
232 punch the ballot for one or more candidates who are members of different political parties.

233 (67) "Secrecy envelope" means the envelope given to a voter along with the ballot into
234 which the voter places the ballot after he has voted it in order to preserve the secrecy of the
235 voter's vote.

236 (68) "Special district" means those local government entities created under the
237 authority of Title 17A.

238 (69) "Special district officers" means those special district officers that are required by
239 law to be elected.

240 (70) "Special election" means an election held as authorized by Section 20A-1-204.

241 (71) "Spoiled ballot" means each ballot that:

242 (a) is spoiled by the voter;

243 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

244 (c) lacks the official endorsement.

245 (72) "Statewide special election" means a special election called by the governor or the
246 Legislature in which all registered voters in Utah may vote.

247 (73) "Stub" means the detachable part of each ballot.

248 (74) "Substitute ballots" means replacement ballots provided by an election officer to
249 the poll workers when the official ballots are lost or stolen.

250 (75) "Ticket" means each list of candidates for each political party or for each group of
251 petitioners.

252 (76) "Transfer case" means the sealed box used to transport voted ballots to the
253 counting center.

254 (77) "Vacancy" means the absence of a person to serve in any position created by
255 statute, whether that absence occurs because of death, disability, disqualification, resignation,
256 or other cause.

257 (78) "Valid voter identification" means:

258 (a) a form of identification that bears the name and photograph of the voter which may
259 include:

260 (i) a currently valid Utah driver license;

261 (ii) a currently valid identification card that is issued by:

262 (A) the state;

263 (B) a local government within the state; or

264 (C) a branch, department, or agency of the United States;

265 (iii) an identification card that is issued by an employer for an employee;

266 (iv) a currently valid identification card that is issued by a college, university, technical
267 school, or professional school that is located within the state;

268 (v) a currently valid Utah permit to carry a concealed weapon;

269 (vi) a currently valid United States passport; or

270 (vii) a valid tribal identification card; or

271 (b) two forms of identification that bear the name of the voter and provide evidence
272 that the voter resides in the voting precinct, which may include:

273 (i) a voter identification card;

- 274 (ii) a current utility bill or a legible copy thereof;
- 275 (iii) a bank or other financial account statement, or a legible copy thereof;
- 276 (iv) a certified birth certificate;
- 277 (v) a valid Social Security card;
- 278 (vi) a check issued by the state or the federal government or a legible copy thereof;
- 279 (vii) a paycheck from the voter's employer, or a legible copy thereof;
- 280 (viii) a currently valid Utah hunting or fishing license;
- 281 (ix) a currently valid United States military identification card;
- 282 (x) certified naturalization documentation;
- 283 (xi) a currently valid license issued by an authorized agency of the United States;
- 284 (xii) a certified copy of court records showing the voter's adoption or name change;
- 285 (xiii) a Bureau of Indian Affairs card;
- 286 (xiv) a tribal treaty card;
- 287 (xv) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card; or
- 288 (xvi) a form of identification listed in Subsection (76)(a) that does not contain a
- 289 photograph, but establishes the name of the voter and provides evidence that the voter resides
- 290 in the voting precinct.

291 (79) "Valid write-in candidate" means a candidate who has qualified as a write-in
292 candidate by following the procedures and requirements of this title.

293 (80) "Voter" means a person who meets the requirements for voting in an election,
294 meets the requirements of election registration, is registered to vote, and is listed in the official
295 register book.

296 (81) "Voter registration deadline" means the registration deadline provided in Section
297 20A-2-102.5.

298 (82) "Voting area" means the area within six feet of the voting booths, voting
299 machines, and ballot box.

300 (83) "Voting booth" means:

301 (a) the space or compartment within a polling place that is provided for the preparation
302 of ballots, including the voting machine enclosure or curtain; or

303 (b) a voting device that is free standing.

304 (84) "Voting device" means:

305 (a) an apparatus in which ballot sheets are used in connection with a punch device for
306 piercing the ballots by the voter;

307 (b) a device for marking the ballots with ink or another substance;

308 (c) a device used to make selections and cast a ballot electronically, or any component
309 thereof;

310 (d) an automated voting system under Section 20A-5-302; or

311 (e) any other method for recording votes on ballots so that the ballot may be tabulated
312 by means of automatic tabulating equipment.

313 (85) "Voting machine" means a machine designed for the sole purpose of recording
314 and tabulating votes cast by voters at an election.

315 (86) "Voting poll watcher" means a person appointed as provided in this title to
316 witness the distribution of ballots and the voting process.

317 (87) "Voting precinct" means the smallest voting unit established as provided by law
318 within which qualified voters vote at one polling place.

319 (88) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting
320 poll watcher, and a testing watcher.

321 (89) "Western States Presidential Primary" means the election established in Title 20A,
322 Chapter 9, Part 8.

323 (90) "Write-in ballot" means a ballot containing any write-in votes.

324 (91) "Write-in vote" means a vote cast for a person whose name is not printed on the
325 ballot according to the procedures established in this title.

326 Section 2. Section **20A-2-102** is amended to read:

327 **20A-2-102. Registration a prerequisite to voting.**

328 (1) Except as provided in Subsection (2) and Section 20A-2-201.5, a person may not
329 vote at any election unless that person is registered to vote as required by this chapter.

330 (2) A person may vote a provisional ballot, as provided in Section 20A-2-307, for[~~a~~] a
331 bond election, or an election as defined in Section 20A-1-102.

332 [~~(a) a regular general election;~~]

333 [~~(b) a regular primary election; or~~]

334 [~~(c) an election for federal office.~~]

335 Section 3. Section **20A-2-107** is amended to read:

336 **20A-2-107. Designating or changing party affiliation.**

337 (1) The county clerk shall:

338 (a) record the party affiliation designated by the voter on the voter registration form as
339 the voter's party affiliation; or

340 (b) if no political party affiliation is designated by the voter on the voter registration
341 form, record the voter's party affiliation as "unaffiliated."

342 (2) ~~[(a) Any]~~ Subject to the provisions of Subsection (3), any registered voter may
343 designate or change the voter's political party affiliation by [complying with the procedures and
344 requirements of this Subsection (2). (b) Except for the period beginning on the day after the
345 voter registration deadline and continuing through the date of the regular primary election, any
346 registered voter may designate or change the voter's political party affiliation by] filing a signed
347 form ~~[with the county clerk]~~ that identifies the registered political party with which the voter
348 chooses to affiliate[-] with the:

349 (a) county clerk; or

350 (b) poll worker at the polling place for the voter's voting precinct on the date of a
351 regular general election, regular primary election, municipal general election, municipal
352 primary election, bond election, or special election.

353 (3) A registered voter may designate, but may not change, the voter's political party
354 affiliation during the period that commences 20 days before a regular primary election and
355 continues through the date of the regular primary election.

356 Section 4. Section **20A-2-201** is amended to read:

357 **20A-2-201. Registering to vote at office of county clerk.**

358 (1) Except as provided in Subsection (2), the county clerk shall register to vote all
359 persons who present themselves for registration at the county clerk's office during designated
360 office hours if those persons, on voting day, will be legally qualified ~~[and entitled]~~ to vote in a
361 voting precinct in the county.

362 (2) Except as provided in Subsection (3), if a registration form is submitted to the
363 county clerk after the last day of satellite registration as provided in Section 20A-2-203, the
364 county clerk shall:

365 (a) ~~[accept registration forms from]~~ notify all persons who present themselves for
366 registration at the clerk's office during designated office hours ~~[if those persons, on voting day,~~

367 ~~will be legally qualified and entitled to vote in a voting precinct in the county] that if they wish~~
368 ~~to register for the pending election, they will be required to register to vote at their assigned~~
369 ~~voting precinct and vote via provisional ballot on election day; and~~

370 (b) inform them that if they would like to register on the current date, they will be
371 registered to vote in later elections, but may not vote in the pending election [~~because they~~
372 ~~registered too late~~].

373 (3) If a registration form is submitted in person at the office of the county clerk during
374 the period beginning on the date after the voter registration deadline and ending on the last day
375 of satellite registration as provided in Section 20A-2-203, the county clerk shall:

376 (a) accept registration forms from all persons who present themselves for registration at
377 the clerk's office during designated office hours if those persons, on voting day, will be legally
378 qualified and entitled to vote in a voting precinct in the county; and

379 (b) inform them that:

380 (i) they will be registered to vote in the pending election; and

381 (ii) for the pending election, they must vote on election day and will not be eligible to
382 vote using early voting under Chapter 3, Part 6, Early Voting, because they registered too late.

383 Section 5. Section **20A-2-201.5** is enacted to read:

384 **20A-2-201.5. Registration on election day.**

385 (1) The poll workers for each voting precinct shall register to vote all persons who
386 present themselves for registration during the hours that the polls are open if:

387 (a) the person is legally qualified to vote as of the election date;

388 (b) the person appears, in person and during the hours that the polls are open, at the
389 polling place for the voting precinct in which the person has his principal place of residence;
390 and

391 (c) the person completes a voter registration form according to the procedures and
392 requirements of Section 20A-2-104.

393 (2) A person may register to vote on election day as provided in this section on the date
394 of any regular general election, municipal general election, regular primary election, municipal
395 primary election, special election, bond election, or the Western States Presidential Primary.

396 (3) Persons registering to vote on election day shall cast their vote using a provisional
397 ballot according to the procedures and requirements of Section 20A-3-105.5.

398 Section 6. Section 20A-2-202 is amended to read:

399 **20A-2-202. Registration by mail.**

400 (1) (a) A citizen who will be qualified to vote at the next election may register by mail.

401 (b) To register by mail, a citizen shall complete and sign the by-mail registration form
402 and mail or deliver it to the county clerk of the county in which the citizen resides.

403 (c) (i) In order to register to vote in a particular election, the citizen shall:

404 (A) address the by-mail voter registration form to the county clerk; and

405 (B) ensure that it is postmarked on or before the voter registration deadline.

406 (ii) If the voter is registering for the first time in the county, the citizen shall either:

407 (A) submit a copy of the voter's valid voter identification with the by-mail voter
408 registration form; or

409 (B) submit valid voter identification to the poll worker at the time the citizen votes.

410 (d) The citizen has effectively registered to vote under this section only when the
411 county clerk's office has received a correctly completed by-mail voter registration form.

412 (2) Upon receipt of a correctly completed by-mail voter registration form, the county
413 clerk shall:

414 (a) enter the applicant's name on the list of registered voters for the voting precinct in
415 which the applicant resides; and

416 (b) mail confirmation of registration to the newly registered voter after entering the
417 applicant's voting precinct number on that copy.

418 (3) (a) If the county clerk receives a correctly completed by-mail voter registration
419 form that is postmarked after the voter registration deadline~~[- the county clerk shall: (i) register~~
420 ~~the applicant after the next election; and (ii) if possible, promptly phone or mail a notice to the~~
421 ~~applicant before the election, informing the applicant that his registration will not be effective~~
422 ~~until after the election.]~~ or that is received during the six calendar days before an election, the
423 county clerk shall promptly mail a notice to the applicant and, if possible, promptly phone the
424 applicant, to provide the applicant with:

425 (i) notice that the registration form was either not timely mailed or not timely received;

426 (ii) notice that the person may register to vote on the day of the election by appearing,
427 in person and during the hours that the polls are open, at the polling place for the voting
428 precinct in which the person has his principal place of residence;

429 (iii) the number of the person's local voting precinct and the voting location for that
430 precinct; and

431 (iv) notice that the person will be required to meet the requirements of Section
432 20A-2-201.5 in order to register to vote on election day.

433 (b) When the county clerk receives a correctly completed by-mail voter registration
434 form at least seven days before an election that is postmarked on or before the date of the voter
435 registration deadline, the county clerk shall:

436 (i) process the by-mail voter registration form; and

437 (ii) record the new voter in the official register.

438 (4) If the county clerk determines that a registration form received by mail or otherwise
439 is incorrect because of an error or because it is incomplete, the county clerk shall mail notice to
440 the person attempting to register[~~-, informing him that he~~] to provide the person with:

441 (a) notice that the person has not been registered because of an error or because the
442 form is incomplete[~~-~~];

443 (b) notice that the person may register to vote:

444 (i) on the day of the election by appearing, in person and during the hours that the polls
445 are open, at the polling place for the voting precinct in which the person has his principal place
446 of residence; or

447 (ii) if the associated deadlines have not passed, by mail, at a voter registration agency,
448 or at the office of the county clerk;

449 (c) the number of the person's local voting precinct and the voting location for that
450 precinct, if the voting precinct may be determined from the information provided on the
451 registration form; and

452 (d) notice that the person will be required to meet the requirements of Section
453 20A-2-201.5 in order to register to vote.

454 Section 7. Section **20A-2-204** is amended to read:

455 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

456 (1) As used in this section, "voter registration form" means the driver license
457 application/voter registration form and the driver license renewal/voter registration form
458 required by Section 20A-2-108.

459 (2) Any citizen who is qualified to vote may register to vote by completing the voter

460 registration form.

461 (3) The Driver License Division shall:

462 (a) assist applicants in completing the voter registration form unless the applicant
463 refuses assistance;

464 (b) accept completed forms for transmittal to the appropriate election official;

465 (c) transmit a copy of each voter registration form to the appropriate election official
466 within five days after it is received by the division;

467 (d) transmit each address change within five days after it is received by the division;

468 and

469 (e) transmit electronically to the lieutenant governor's office the name, address, birth
470 date, and driver license number of each person who answers "yes" to the question on the driver
471 license form about registering to vote.

472 (4) Upon receipt of a correctly completed voter registration form, the county clerk
473 shall:

474 (a) enter the applicant's name on the list of registered voters for the voting precinct in
475 which the applicant resides; and

476 (b) notify the applicant of registration.

477 (5) (a) If the county clerk receives a correctly completed voter registration form from
478 the Driver License Division that is dated after the voter registration deadline~~[- the county clerk~~
479 ~~shall: (i) register the applicant after the next election; and (ii) if possible, promptly phone or~~
480 ~~mail a notice to the applicant before the election, informing the applicant that his registration~~
481 ~~will not be effective until after the election.]~~ or that is received in the six calendar days before
482 an election, the county clerk shall promptly mail a notice to the applicant and, if possible,
483 promptly phone the applicant to provide the applicant with:

484 (i) notice that the registration form was either not timely mailed or not timely received;

485 (ii) notice that the person may register to vote on the day of the election by appearing,
486 in person and during the hours that the polls are open, at the polling place for the voting
487 precinct in which the person has his principal place of residence;

488 (iii) the number of the person's local voting precinct and the voting location for that
489 precinct; and

490 (iv) notice that the person will be required to meet the requirements of Section

491 20A-2-201.5 in order to register to vote on election day.

492 (b) When the county clerk receives a correctly completed voter registration form at
493 least seven days before an election that is dated on or before the voter registration deadline, the
494 county clerk shall:

495 (i) process the voter registration form; and

496 (ii) record the new voter in the official register.

497 (6) If the county clerk determines that a voter registration form received from the
498 Driver License Division is incorrect because of an error or because it is incomplete, the county
499 clerk shall mail notice to the person attempting to register~~[-, informing him]~~ to provide the
500 person with:

501 (a) notice that he has not been registered because of an error or because the form is
502 incomplete[-];

503 (b) notice that the person may register to vote:

504 (i) on the day of the election by appearing, in person and during the hours that the polls
505 are open, at the polling place for the voting precinct in which the person has his principal place
506 of residence; or

507 (ii) if the associated deadlines have not passed, by mail, at a voter registration agency,
508 or at the office of the county clerk;

509 (c) the number of the person's local voting precinct and the voting location for that
510 precinct, if the voting precinct may be determined from the information provided on the
511 registration form; and

512 (d) notice that the person will be required to meet the requirements of Section
513 20A-2-201.5 in order to register to vote.

514 Section 8. Section **20A-2-205** is amended to read:

515 **20A-2-205. Registration at voter registration agencies.**

516 (1) As used in this section:

517 (a) "Discretionary voter registration agency" means each office designated by the
518 county clerk under Part 3, County Clerk's Voter Registration Responsibilities, to provide
519 by-mail voter registration forms to the public.

520 (b) "Public assistance agency" means each office in Utah that provides:

521 (i) public assistance; or

522 (ii) state funded programs primarily engaged in providing services to people with
523 disabilities.

524 (2) Any person may obtain and complete a by-mail registration form at a public
525 assistance agency or discretionary voter registration agency.

526 (3) Each public assistance agency and discretionary voter registration agency shall
527 provide, either as part of existing forms or on a separate form, the following information in
528 substantially the following form:

529 "REGISTERING TO VOTE

530 If you are not registered to vote where you live now, would you like to apply to register
531 to vote here today? (Applying to register to vote or declining to register to vote will not affect
532 the amount of assistance that you will be provided by this agency.) Yes____ No____ IF YOU
533 DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED
534 NOT TO REGISTER TO VOTE AT THIS TIME. If you would like help in filling out the
535 voter registration application form, we will help you. The decision about whether or not to
536 seek or accept help is yours. You may fill out the application form in private. If you believe
537 that someone has interfered with your right to register or to decline to register to vote, your
538 right to privacy in deciding whether or not to register, or in applying to register to vote, or your
539 right to choose your own political party or other political preference, you may file a complaint
540 with the Office of the Lieutenant Governor, State Capitol Building, Salt Lake City, Utah
541 84114. (801) 538-1040."

542 (4) Unless a person applying for service or assistance from a public assistance agency
543 or discretionary voter registration agency declines, in writing, to register to vote, each public
544 assistance agency and discretionary voter registration agency shall:

545 (a) distribute a by-mail voter registration form with each application for service or
546 assistance provided by the agency or office;

547 (b) assist applicants in completing the voter registration form unless the applicant
548 refuses assistance;

549 (c) accept completed forms for transmittal to the appropriate election official; and

550 (d) transmit a copy of each voter registration form to the appropriate election official
551 within five days after it is received by the division.

552 (5) A person in a public assistance agency or a discretionary voter registration agency

553 that helps a person complete the voter registration form may not:

554 (a) seek to influence an applicant's political preference or party registration;

555 (b) display any political preference or party allegiance;

556 (c) make any statement to an applicant or take any action that has the purpose or effect

557 of discouraging the applicant from registering to vote; or

558 (d) make any statement to an applicant or take any action that has the purpose or effect

559 of leading the applicant to believe that a decision to register or not to register has any bearing

560 upon the availability of services or benefits.

561 (6) Upon receipt of a correctly completed voter registration form, the county clerk

562 shall:

563 (a) enter the applicant's name on the list of registered voters for the voting precinct in

564 which the applicant resides; and

565 (b) notify the applicant of registration.

566 (7) (a) If the county clerk receives a correctly completed voter registration form from a

567 public assistance agency or discretionary voter registration agency that is dated after the voter

568 registration deadline~~], the county clerk shall: (i) register the applicant after the next election;~~

569 ~~and (ii) if possible, promptly phone or mail a notice to the applicant before the election,~~

570 ~~informing the applicant that his registration will not be effective until after the election.] or that~~

571 is received in the six calendar days before an election, the county clerk shall promptly mail a

572 notice to the applicant and, if possible, promptly phone the applicant to provide the applicant

573 with:

574 (i) notice that the registration form was either not timely mailed or not timely received;

575 (ii) notice that the person may register to vote on the day of the election by appearing,

576 in person and during the hours that the polls are open, at the polling place for the voting

577 precinct in which the person has his principal place of residence;

578 (iii) the number of the person's local voting precinct and the voting location for that

579 precinct; and

580 (iv) notice that the person will be required to meet the requirements of Section

581 20A-2-201.5 in order to register to vote on election day.

582 (b) When the county clerk receives a correctly completed voter registration form at

583 least seven days before an election that is dated on or before the voter registration deadline, the

584 county clerk shall:

585 (i) process the voter registration form; and

586 (ii) record the new voter in the official register.

587 (8) If the county clerk determines that a voter registration form received from a public
588 assistance agency or discretionary voter registration agency is incorrect because of an error or
589 because it is incomplete, the county clerk shall mail notice to the person attempting to register[;
590 informing him] to provide the person with:

591 (a) notice that [he] the person has not been registered because of an error or because
592 the form is incomplete[-];

593 (b) notice that the person may register to vote:

594 (i) on the day of the election by appearing, in person and during the hours that the polls
595 are open, at the polling place for the voting precinct in which the person has his principal place
596 of residence; or

597 (ii) if the associated deadlines have not passed, by mail, at a voter registration agency,
598 or at the office of the county clerk;

599 (c) the number of the person's local voting precinct and the voting location for that
600 precinct, if the voting precinct may be determined from the information provided on the
601 registration form; and

602 (d) notice that the person will be required to meet the requirements of Section
603 20A-2-201.5 in order to register to vote.

604 Section 9. Section **20A-2-304** is amended to read:

605 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**

606 Each county clerk shall:

607 (1) register to vote each applicant for registration who meets the requirements for
608 registration and who:

609 (a) submits a completed voter registration form to the county clerk on or before the
610 voter registration deadline;

611 (b) submits a completed voter registration form to the Driver License Division, a
612 public assistance agency, or a discretionary voter registration agency on or before the voter
613 registration deadline; [~~or~~]

614 (c) mails a completed by-mail voter registration form to the county clerk on or before

615 the voter registration deadline; ~~and~~ or

616 (d) submits a completed voter registration form to a poll worker on election day

617 according to the requirements of Section 20A-2-201.5; and

618 (2) send a notice to the voter informing the voter that:

619 (a) the voter's application for voter registration has been accepted and that the voter is
620 registered to vote;

621 (b) the voter's application for voter registration has been rejected and the reason for the
622 rejection; or

623 (c) the application for voter registration is being returned to the voter for further action
624 because the application is incomplete and giving instructions to the voter about how to properly
625 complete the application.

626 Section 10. Section **20A-2-307** is amended to read:

627 **20A-2-307. County clerks' instructions to election judges.**

628 (1) Each county clerk shall instruct ~~[election judges]~~ poll workers to allow a voter to
629 vote a regular ballot if:

630 (a) the voter has moved from one address within a voting precinct to another address
631 within the same voting precinct; and

632 (b) the voter affirms the change of address orally or in writing before the election
633 judges.

634 (2) Each county clerk shall instruct ~~[election judges]~~ poll workers to allow a person to
635 vote a provisional ballot if:

636 (a) the voter's name does not appear on the official register; ~~[or]~~

637 (b) the voter is challenged as provided in Section 20A-3-202[-];

638 (c) the voter's identity cannot be sufficiently established by a poll worker; or

639 (d) the person is registering to vote on election day under Section 20A-2-201.5.

640 Section 11. Section **20A-3-104** is amended to read:

641 **20A-3-104. Manner of voting.**

642 (1) (a) Any registered voter desiring to vote shall give his name, and, if requested, his
643 residence, to one of the poll workers.

644 (b) The voter shall present valid voter identification to one of the poll workers if the
645 voter is:

646 (i) required to present valid voter identification as indicated by a notation in the official
647 register;

648 (ii) voting in person by absentee ballot; or

649 (iii) voting during the early voting period.

650 (c) If a voter is not required to present valid voter identification under Subsection
651 (1)(b), and the poll worker does not know the voter requesting a ballot and has reason to doubt
652 that voter's identity, the poll worker shall:

653 (i) request that the voter present valid voter identification; or

654 (ii) have the voter identified by a known registered voter of the district.

655 (d) If the poll worker is satisfied that the voter has been properly identified, the poll
656 worker shall:

657 (i) record the type of identification provided by the voter in the appropriate space in the
658 official register; and

659 (ii) follow the procedures of Subsection (2).

660 (e) If the poll worker is not satisfied that the voter has been properly identified, the poll
661 worker shall:

662 (i) indicate on the official register that the voter was not properly identified;

663 (ii) issue the voter a provisional ballot; and

664 (iii) follow the procedures and requirements of Section 20A-3-105.5.

665 (f) If the person's right to vote is challenged as provided in Section 20A-3-202, the poll
666 worker shall follow the procedures and requirements of Section 20A-3-105.5.

667 (2) (a) The poll worker in charge of the official register shall check the official register
668 to determine whether or not the voter is registered to vote.

669 (b) If the voter's name is not found on the official register or if the voter has registered
670 on election day, the poll worker shall follow the procedures and requirements of Section
671 20A-3-105.5.

672 (3) If the poll worker determines that the voter is registered and:

673 (a) if the ballot is a paper ballot or a ballot sheet:

674 (i) the poll worker in charge of the official register shall:

675 (A) write the ballot number opposite the name of the voter in the official register; and

676 (B) direct the voter to sign his name in the election column in the official register;

677 (ii) another poll worker shall list the ballot number and voter's name in the pollbook;
678 and

679 (iii) the poll worker having charge of the ballots shall:

680 (A) endorse his initials on the stub;

681 (B) check the name of the voter on the pollbook list with the number of the stub;

682 (C) hand the voter a ballot; and

683 (D) allow the voter to enter the voting booth; or

684 (b) if the ballot is an electronic ballot:

685 (i) the poll worker in charge of the official register shall direct the voter to sign the
686 voter's name in the official register;

687 (ii) another poll worker shall list the voter's name in the pollbook; and

688 (iii) the poll worker having charge of the ballots shall:

689 (A) provide the voter access to the electronic ballot; and

690 (B) allow the voter to vote the electronic ballot.

691 (4) Whenever the election officer is required to furnish more than one kind of official
692 ballot to the voting precinct, the poll workers of that voting precinct shall give the registered
693 voter the kind of ballot that the voter is qualified to vote.

694 Section 12. Section **20A-3-104.5** is amended to read:

695 **20A-3-104.5. Voting -- Regular primary election.**

696 (1) (a) Any registered voter desiring to vote at the regular primary election shall give
697 his name, the name of the registered political party whose ballot the voter wishes to vote, and,
698 if requested, his residence, to one of the poll workers.

699 (b) The voter shall present valid voter identification to one of the poll workers if the
700 voter is:

701 (i) required to present valid voter identification as indicated by a notation in the official
702 register;

703 (ii) voting in person by absentee ballot; or

704 (iii) voting during the early voting period.

705 (c) If a voter is not required to present valid voter identification under Subsection
706 (1)(b), and the poll worker does not know the voter requesting a ballot and has reason to doubt
707 that voter's identity, the poll worker shall:

708 (i) request that the voter present valid voter identification; or
709 (ii) have the voter identified by a known registered voter of the district.
710 (d) The poll worker shall follow the procedures and requirements of Section
711 20A-3-105.5 if:
712 (i) the poll worker is not satisfied that the voter has been properly identified; or
713 (ii) the voter's right to vote is challenged under Section 20A-3-202.
714 (2) (a) (i) If the voter is properly identified, the poll worker in charge of the official
715 register shall ~~[check the official register to]~~ determine:
716 (A) whether or not the voter is registered to vote by checking the official register or
717 confirming that the person has registered on election day; and
718 (B) whether or not the voter's party affiliation designation ~~[in the official register]~~
719 allows the voter to vote the ballot that the voter requested by checking the official register or, if
720 the voter has registered on election day, the voter's registration form.
721 (ii) If the official register or registration form does not affirmatively identify the voter
722 as being affiliated with a registered political party, or if the official register or registration form
723 identifies the voter as being "unaffiliated," the voter shall be considered to be "unaffiliated."
724 (b) ~~[(i) Except as provided in Subsection (2)(b)(ii), if]~~ If the voter's name is not found
725 on the official register or if the voter has registered on election day, the poll worker shall follow
726 the procedures and requirements of Section 20A-3-105.5.
727 ~~[(ii) (A) If it is not unduly disruptive of the election process, the poll worker shall~~
728 ~~attempt to contact the county clerk's office to request oral verification of the voter's~~
729 ~~registration.]~~
730 ~~[(B) If oral verification is received from the county clerk's office, the poll worker~~
731 ~~shall:]~~
732 ~~[(F) record the verification on the official register;]~~
733 ~~[(H) determine the voter's party affiliation and the ballot that the voter is qualified to~~
734 ~~vote; and]~~
735 ~~[(H) perform the other administrative steps required by Subsection (3).]~~
736 (c) (i) Except as provided in Subsection (2)(c)(ii), if the voter's political party
737 affiliation listed in the official register or on the election day voter registration form does not
738 allow the voter to vote the ballot that the voter requested, the poll worker shall inform the voter

739 of that fact and inform the voter of the ballot or ballots that the voter's party affiliation does
740 allow the voter to vote.

741 (ii) (A) If the voter is listed in the official register or on the election day voter
742 registration form as "unaffiliated," or if the official register or voter registration form does not
743 affirmatively identify the voter as either "unaffiliated" or affiliated with a registered political
744 party, and the voter, as an "unaffiliated" voter, is not authorized to vote the ballot that the voter
745 requests, the poll worker shall ask the voter if the voter wishes to:

746 (I) vote another registered political party ballot that the voter, as "unaffiliated," is
747 authorized to vote[;]; or

748 (II) remain "unaffiliated."

749 (B) If the voter wishes to vote another registered political party ballot that the
750 unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection
751 (3).

752 (C) If the voter wishes to remain unaffiliated and does not wish to vote another ballot
753 that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the
754 voter may not vote.

755 (iii) For the primary elections held in [~~2004,~~] 2006[;] and 2008 only:

756 (A) If the voter is listed in the official register or on the election day voter registration
757 form as "unaffiliated," or if the official register or voter registration form does not affirmatively
758 identify the voter as either "unaffiliated" or "affiliated" with a registered political party, the poll
759 worker shall ask the voter if the voter wishes to:

760 (I) affiliate with a registered political party[;]; or

761 (II) remain "unaffiliated."

762 (B) If the voter wishes to affiliate with the registered political party whose ballot the
763 voter requested, the poll worker shall direct the voter to complete the change of party affiliation
764 form and proceed as required by Subsection (3).

765 (C) If the voter wishes to remain unaffiliated and wishes to vote another registered
766 political party ballot that the unaffiliated voter is authorized to vote, the poll worker shall
767 proceed as required by Subsection (3).

768 (D) If the voter wishes to remain unaffiliated and does not wish to vote another ballot
769 that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the

770 voter may not vote.

771 (3) If the poll worker determines that the voter is registered and eligible, under
772 Subsection (2), to vote the ballot that the voter requested and:

773 (a) if the ballot is a paper ballot or a ballot sheet:

774 (i) the poll worker in charge of the official register shall:

775 (A) write the ballot number and the name of the registered political party whose ballot
776 the voter voted opposite the name of the voter in the official register; and

777 (B) direct the voter to sign his name in the election column in the official register;

778 (ii) another poll worker shall list the ballot number and voter's name in the pollbook;

779 and

780 (iii) the poll worker having charge of the ballots shall:

781 (A) endorse his initials on the stub;

782 (B) check the name of the voter on the pollbook list with the number of the stub;

783 (C) hand the voter the ballot for the registered political party that the voter requested
784 and for which the voter is authorized to vote; and

785 (D) allow the voter to enter the voting booth; or

786 (b) if the ballot is an electronic ballot:

787 (i) the poll worker in charge of the official register shall direct the voter to sign his
788 name in the official register;

789 (ii) another poll worker shall list the voter's name in the pollbook; and

790 (iii) the poll worker having charge of the ballots shall:

791 (A) provide the voter access to the electronic ballot for the registered political party
792 that the voter requested and for which the voter is authorized to vote; and

793 (B) allow the voter to vote the electronic ballot.

794 (4) Whenever the election officer is required to furnish more than one kind of official
795 ballot to the voting precinct, the poll workers of that voting precinct shall give the registered
796 voter the kind of ballot that the voter is qualified to vote.

797 Section 13. Section **20A-3-105.5** is amended to read:

798 **20A-3-105.5. Manner of voting -- Provisional ballot.**

799 (1) The [~~election judges~~] poll workers shall follow the procedures and requirements of
800 this section when:

- 801 (a) the person's right to vote is challenged as provided in Section 20A-3-202;
- 802 (b) the person's name is not found on the official register; [or]
- 803 (c) the poll worker is not satisfied that the voter has provided valid voter
804 identification[-]; or
- 805 (d) the person is registering to vote on election day under Section 20A-2-201.5.
- 806 (2) When faced with one of the circumstances outlined in Subsection (1)(a) [or], (1)(b),
807 or (1)(c), the [~~election judge~~] poll worker shall:
- 808 (a) request that the person provide valid voter identification; and
- 809 (b) review the identification provided by the person.
- 810 (3) If the [~~election judge~~] poll worker is satisfied that the person has provided valid
811 voter identification that establishes the person's identity and residence in the voting precinct:
- 812 (a) the [~~election judge~~] poll worker in charge of the official register shall:
- 813 (i) record in the official register the type of identification that established the person's
814 identity and place of residence;
- 815 (ii) write the provisional ballot envelope number opposite the name of the voter in the
816 official register; and
- 817 (iii) direct the voter to sign his name in the election column in the official register;
- 818 (b) another [~~judge~~] poll worker shall list the ballot number and voter's name in the
819 pollbook; and
- 820 (c) the [~~election judge~~] poll worker having charge of the ballots shall:
- 821 (i) endorse his initials on the stub;
- 822 (ii) check the name of the voter on the pollbook list with the number of the stub;
- 823 (iii) give the voter a ballot and a provisional ballot envelope; and
- 824 (iv) allow the voter to enter the voting booth.
- 825 (4) If the [~~election judge~~] poll worker is not satisfied that the voter has provided valid
826 voter identification that establishes the person's identity and residence in the voting precinct:
- 827 (a) the [~~election judge~~] poll worker in charge of the official register shall:
- 828 (i) record in the official register that the voter did not provide valid voter identification;
- 829 (ii) record in the official register the type of identification that was provided by the
830 voter, if any;
- 831 (iii) write the provisional ballot envelope number opposite the name of the voter in the

832 official register; and

833 (iv) direct the voter to sign his name in the election column in the official register;

834 (b) another [~~judge~~] poll worker shall list the ballot number and voter's name in the
835 pollbook; and

836 (c) the [~~election-judge~~] poll worker having charge of the ballots shall:

837 (i) endorse his initials on the stub;

838 (ii) check the name of the voter on the pollbook list with the number of the stub;

839 (iii) give the voter a ballot and a provisional ballot envelope; and

840 (iv) allow the voter to enter the voting booth.

841 (5) Whenever the election officer is required to furnish more than one kind of official
842 ballot to a voting precinct, the [~~election-judges~~] poll workers of that voting precinct shall give
843 the registered voter the kind of ballot that the voter is qualified to vote.

844 Section 14. Section **20A-9-808** is amended to read:

845 **20A-9-808. Voting.**

846 (1) (a) Any registered voter desiring to vote at the Western States Presidential Primary
847 shall give his name, the name of the registered political party whose ballot the voter wishes to
848 vote, and, if requested, his residence, to one of the poll workers.

849 (b) The voter shall present valid voter identification to one of the poll workers if the
850 voter is:

851 (i) required to present valid voter identification as indicated by a notation in the official
852 register;

853 (ii) voting in person by absentee ballot; or

854 (iii) voting during the early voting period prior to the date of the election.

855 (c) If a voter is not required to present valid voter identification under Subsection

856 (1)(b), and the poll worker does not know the voter requesting a ballot and has reason to doubt
857 that voter's identity, the poll worker shall:

858 (i) request that the voter present valid voter identification; or

859 (ii) have the voter identified by a known registered voter of the district.

860 (d) The poll worker shall follow the procedures and requirements of Section
861 20A-3-105.5 if:

862 (i) the voter's right to vote is challenged under Section 20A-3-202; or

863 (ii) the poll worker is not satisfied that the voter has been properly identified.

864 (2) (a) (i) When the voter is properly identified, the poll worker in charge of the official
865 register shall [~~check the official register to~~] determine:

866 (A) whether or not the voter is registered to vote by checking the official register or, if
867 the voter has registered on election day, the voter's registration form; and

868 (B) whether or not the voter's party affiliation designation [~~in the official register~~]
869 allows the voter to vote the ballot that the voter requested by checking the official register or, if
870 the voter has registered on election day, the voter's registration form.

871 (ii) If the official register registration form does not affirmatively identify the voter as
872 being affiliated with a registered political party or if the official register or registration form
873 identifies the voter as being "unaffiliated," the voter shall be considered to be "unaffiliated."

874 (b) If the voter's name is not found on the official register or if the voter has registered
875 on election day, the poll worker shall follow the procedures and requirements of Section
876 20A-3-105.5.

877 (c) (i) Except as provided in Subsection (2)(c)(ii), if the voter's political party
878 affiliation listed in the official register or on the election day voter registration form does not
879 allow the voter to vote the ballot that the voter requested, the poll worker shall inform the voter
880 of that fact and inform the voter of the ballot or ballots that the voter's party affiliation does
881 allow the voter to vote.

882 (ii) (A) If the voter is listed in the official register or on the election day voter
883 registration form as "unaffiliated," or if the official register or registration form does not
884 affirmatively identify the voter as either "unaffiliated" or affiliated with a registered political
885 party, and the voter, as an "unaffiliated" voter, is not authorized to vote the ballot that the voter
886 requests, the poll worker shall ask the voter if the voter wishes to:

887 (I) affiliate with the registered political party whose ballot the voter requested[;];

888 (II) vote another registered political party ballot that the voter, as "unaffiliated," is
889 authorized to vote[;]; or

890 (III) remain "unaffiliated."

891 (B) If the voter wishes to affiliate with the registered political party whose ballot the
892 voter requested, the poll worker shall enter in the official register the voter's new party
893 affiliation and proceed as required by Subsection (3).

894 (C) If the voter wishes to vote another registered political party ballot that the
895 unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection
896 (3).

897 (D) If the voter wishes to remain unaffiliated and does not wish to vote another ballot
898 that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the
899 voter may not vote.

900 (3) If the poll worker determines that the voter is registered and eligible, under
901 Subsection (2), to vote the ballot that the voter requested and:

902 (a) if the ballot is a paper ballot or a ballot sheet:

903 (i) the poll worker in charge of the official register shall:

904 (A) write the ballot number and the name of the registered political party whose ballot
905 the voter voted opposite the name of the voter in the official register; and

906 (B) direct the voter to sign his name in the election column in the official register;

907 (ii) another poll worker shall list the ballot number and voter's name in the pollbook;

908 and

909 (iii) the poll worker having charge of the ballots shall:

910 (A) endorse his initials on the stub;

911 (B) check the name of the voter on the pollbook list with the number of the stub;

912 (C) hand the voter the ballot for the registered political party that the voter requested
913 and for which the voter is authorized to vote; and

914 (D) allow the voter to enter the voting booth; or

915 (b) if the ballot is an electronic ballot:

916 (i) the poll worker in charge of the official register shall direct the voter to sign the
917 voter's name in the official register;

918 (ii) another poll worker shall list the voter's name in the pollbook; and

919 (iii) the poll worker having charge of the ballots shall:

920 (A) provide the voter access to the electronic ballot for the registered political party
921 that the voter requested and for which the voter is authorized to vote; and

922 (B) allow the voter to vote the electronic ballot.

923 (4) Whenever the election officer is required to furnish more than one kind of official
924 ballot to the voting precinct, the poll workers of that voting precinct shall give the registered

925 voter the kind of ballot that the voter is qualified to vote.

H.B. 287 1st Sub. (Buff) - Election Day Voter Registration

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses; however, some county governments without adequate election process infrastructure could be significantly impacted to comply with the provisions of the bill.
