

1 **ONLINE VOTER REGISTRATION**

2 2009 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Peter C. Knudson**

5 House Sponsor: Douglas C. Aagard

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7 **LONG TITLE**

8 **Committee Note:**

9 The Government Operations Interim Committee recommended this bill.

10 **General Description:**

11 This bill allows the lieutenant governor to create an online system for voter registration.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ allows the lieutenant governor to create an electronic system for voter registration;
- 15 ▶ addresses the information and authorization required from an applicant for voter  
16 registration who uses the electronic system;
- 17 ▶ authorizes the use of an applicant's signature obtained from driver license or  
18 identification card records for voter registration purposes;
- 19 ▶ authorizes the lieutenant governor to implement additional security measures in  
20 connection with the electronic voter registration system;
- 21 ▶ requires the lieutenant governor to forward an applicant's materials to the  
22 appropriate county clerk for processing;
- 23 ▶ requires the Driver License Division to provide a digital copy of an applicant's  
24 driver license or identification card record to the lieutenant governor or county  
25 clerk; and
- 26 ▶ makes technical changes.

27 **Monies Appropriated in this Bill:**



28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **53-3-104**, as last amended by Laws of Utah 2008, Chapter 382

34 ENACTS:

35 **20A-2-206**, Utah Code Annotated 1953



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

38 Section 1. Section **20A-2-206** is enacted to read:

39 **20A-2-206. Electronic registration.**

40 (1) The lieutenant governor may create and maintain an electronic system for voter  
41 registration that is publicly available on the Internet.

42 (2) An electronic system for voter registration shall require:

43 (a) that an applicant have a valid driver license or identification card, issued under Title  
44 53, Chapter 3, Uniform Driver License Act, that reflects the person's current principal place of  
45 residence;

46 (b) that the applicant provide the information required by Section 20A-2-104, except  
47 that the applicant's signature may be obtained in the manner described in Subsections (2)(d)  
48 and (4);

49 (c) that the applicant attest to the truth of the information provided; and

50 (d) that the applicant authorize the lieutenant governor's and county clerk's use of the  
51 applicant's driver license or identification card signature, obtained under Title 53, Chapter 3,  
52 Uniform Driver License Act, for voter registration purposes.

53 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system for  
54 voter registration created under this section is not required to complete a printed registration  
55 form.

55a **§→ (4) A system created and maintained under this section shall provide the notices**  
55b **concerning a voter's presentation of identification contained in Subsection 20A-2-104(1). ←§**

56 **§→ [(4)] (5) ←§** The lieutenant governor shall obtain a digital copy of the applicant's driver  
56a license  
57 or identification card **§→ signature ←§** from the Driver License Division.

58 **§→ [(5)] (6) ←§** Upon receiving all information from an applicant and the Driver  
58a License Division.

59 the lieutenant governor shall send the information to the county clerk for the county in which  
 60 the applicant's ~~H~~→ [principle] principal ←H place of residence is found for further action S→ as  
 60a required by Section

60a 20A-2-304 ←S .

61 S→ [(6)] (7) ←S The lieutenant governor may use additional security measures to ensure the  
 62 accuracy and integrity of an electronically submitted voter registration.

63 Section 2. Section **53-3-104** is amended to read:

64 **53-3-104. Division duties.**

65 The division shall:

66 (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 67 make rules:

68 (a) for examining applicants for a license, as necessary for the safety and welfare of the  
 69 traveling public;

70 (b) for acceptable documentation of an applicant's identity, Utah resident status, Utah  
 71 residence address, proof of legal presence, proof of citizenship of a country other than the  
 72 United States, and other proof or documentation required under this chapter;

73 (c) regarding the restrictions to be imposed on a person driving a motor vehicle with a  
 74 temporary learner permit or learner permit; and

75 (d) for exemptions from licensing requirements as authorized in this chapter;

76 (2) examine each applicant according to the class of license applied for;

77 (3) license motor vehicle drivers;

78 (4) file every application for a license received by it and shall maintain indices  
 79 containing:

80 (a) all applications denied and the reason each was denied;

81 (b) all applications granted; and

82 (c) the name of every licensee whose license has been suspended, disqualified, or  
 83 revoked by the division and the reasons for the action;

84 (5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with  
 85 this chapter;

86 (6) file all accident reports and abstracts of court records of convictions received by it  
 87 under state law;

88 (7) maintain a record of each licensee showing the licensee's convictions and the traffic  
 89 accidents in which the licensee has been involved where a conviction has resulted;

90 (8) consider the record of a licensee upon an application for renewal of a license and at  
91 other appropriate times;

92 (9) search the license files, compile, and furnish a report on the driving record of any  
93 person licensed in the state in accordance with Section 53-3-109;

94 (10) develop and implement a record system as required by Section 41-6a-604;

95 (11) in accordance with Section 53A-13-208, establish:

96 (a) procedures and standards to certify teachers of driver education classes to  
97 administer knowledge and skills tests;

98 (b) minimal standards for the tests; and

99 (c) procedures to enable school districts to administer or process any tests for students  
100 to receive a class D operator's license;

101 (12) in accordance with Section 53-3-510, establish:

102 (a) procedures and standards to certify licensed instructors of commercial driver  
103 training school courses to administer the skills test;

104 (b) minimal standards for the test; and

105 (c) procedures to enable licensed commercial driver training schools to administer or  
106 process skills tests for students to receive a class D operator's license; ~~and~~

107 (13) provide administrative support to the Driver License Medical Advisory Board  
108 created in Section 53-3-303[-]; and

109 (14) upon request by the lieutenant governor, provide the lieutenant governor with a  
110 digital copy of the driver license or identification card ~~§~~→ [record] signature ←~~§~~ of a person who  
110a is an applicant

111 for voter registration under Section 20A-2-206.

**Legislative Review Note**  
**as of 11-20-08 11:49 AM**

**Office of Legislative Research and General Counsel**

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**S.B. 25 - Online Voter Registration**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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