

Representative Karianne Lisonbee proposes the following substitute bill:

AMENDMENTS TO VOTER REGISTRATION

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to voter registration.

Highlighted Provisions:

This bill:

- ▶ requires the driver license division to submit certain information to the lieutenant governor for entry in to the statewide voter registration database;
- ▶ requires a county clerk to review and take certain action in relation to the information entered; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-2-108, as last amended by Laws of Utah 2015, Chapter 130

20A-2-204, as last amended by Laws of Utah 2015, Chapter 130



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

27 Section 1. Section **20A-2-108** is amended to read:

28 **20A-2-108. Driver license or state identification card registration form --**

29 **Transmittal of information.**

30 (1) The lieutenant governor and the Driver License Division shall design the driver
31 license application and renewal forms to include the following questions:

32 (a) "If you are not registered to vote where you live now, would you like to register to
33 vote today?"; and

34 (b) "If you are 16 or 17 years of age, and will not be 18 years of age before the date of
35 the next election, would you like to preregister to vote today?"

36 (2) (a) The lieutenant governor and the Driver License Division shall design a motor
37 voter registration form to be used in conjunction with driver license application and renewal
38 forms.

39 (b) Each driver license application and renewal form shall contain:

40 (i) a place for the applicant to decline to register or preregister to vote;

41 (ii) an eligibility statement in substantially the following form:

42 "I do swear (or affirm), subject to penalty of law for false statements, that the
43 information contained in this form is true, and that I am a citizen of the United States and a
44 resident of the state of Utah, residing at the above address. Unless I have indicated above that I
45 am preregistering to vote in a later election, I will be at least 18 years of age and will have
46 resided in Utah for 30 days immediately before the next election.

47 Signed and sworn

48 _____

49 Voter's Signature

50 _____(month\day\year)";

51 (iii) a citizenship affidavit in substantially the following form:

52 "CITIZENSHIP AFFIDAVIT

53 Name:

54 Name at birth, if different:

55 Place of birth:

56 Date of birth:

57 Date and place of naturalization (if applicable):

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

61 _____

62 Signature of Applicant

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

66 (iv) a statement that if an applicant declines to register or preregister to vote, the fact
67 that the applicant has declined to register or preregister will remain confidential and will be
68 used only for voter registration purposes;

69 (v) a statement that if an applicant does register or preregister to vote, the office at
70 which the applicant submits a voter registration application will remain confidential and will be
71 used only for voter registration purposes; and

72 (vi) the following statement:

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

78 If you believe that disclosure of any information contained in this voter registration
79 form to a person other than a government official or government employee is likely to put you
80 or a member of your household's life or safety at risk, or to put you or a member of your
81 household at risk of being stalked or harassed, you may apply to the lieutenant governor or your
82 county clerk to have your entire voter registration record classified as private."

83 (3) ~~[Upon receipt of a voter registration form from an applicant, the]~~ The county clerk
84 of an individual whose information is entered into the statewide voter registration database
85 under Subsection 20A-2-204(4), or the clerk's designee, shall:

86 (a) review the ~~[voter registration form]~~ information for completeness and accuracy; and

87 (b) if the county clerk believes, based upon a review of the ~~[form]~~ information, that a

88 person may be seeking to register or preregister to vote who is not legally entitled to register or
89 preregister to vote, refer the form to the county attorney for investigation and possible
90 prosecution.

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

92 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

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

96 (2) Any citizen who is qualified to vote may register to vote, and any citizen who is
97 qualified to preregister to vote may preregister to vote, by completing the voter registration
98 form.

99 (3) The Driver License Division shall:

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

102 ~~[(b) accept a completed voter registration form and transmit the form to the county~~
103 ~~clerk of the county in which the applicant resides within five days after the day on which the~~
104 ~~division receives the form;]~~

105 ~~[(c)]~~ (b) electronically transmit each address change to the lieutenant governor within
106 five days after the day on which the division receives the address change; and

107 ~~[(d) transmit electronically to the lieutenant governor's office the name, address, birth~~
108 ~~date, and driver license number of each individual who answers "yes" to a question described~~
109 ~~in Subsection **20A-2-108**(1), and indicate whether the individual is registering or preregistering~~
110 ~~to vote.]~~

111 ~~[(4) (a) Upon receipt of a correctly completed voter registration form from an~~
112 ~~individual who is registering to vote, the county clerk shall:]~~

113 ~~[(i) enter the applicant's name on the list of registered voters for the voting precinct in~~
114 ~~which the applicant resides; and]~~

115 ~~[(ii) notify the applicant of registration.]~~

116 ~~[(b) Upon receipt of a correctly completed voter registration form from an individual~~
117 ~~who is preregistering to vote, the county clerk shall]~~

118 (c) within five days after the day on which the division receives a voter registration

119 form, electronically transmit the form to the Office of the Lieutenant Governor.

120 (4) Upon receipt of an individual's voter registration form from the Driver License
 121 Division under Subsection (3), the lieutenant governor shall enter the information on the form
 122 into the statewide voter registration database.

123 (5) The county clerk of an individual whose information is entered into the statewide
 124 voter registration database under Subsection (4) shall:

125 (a) (i) ensure that the individual meets the qualifications to be registered or
 126 preregistered to vote; and

127 (ii) if the individual meets the qualifications to be registered to vote:

128 (A) ensure that the individual is assigned to the proper voting precinct; and

129 (B) send the individual the notice described in Section [20A-2-304](#); or

130 (b) if the individual meets the qualifications to be preregistered to vote, process the
 131 form in accordance with the requirements of Section [20A-2-101.1](#).

132 ~~[(5)]~~ (6) (a) If the county clerk receives a correctly completed voter registration form
 133 under this section that is dated after the voter registration deadline, the county clerk shall,
 134 unless the individual named in the form is preregistering to vote:

135 (i) register the ~~[applicant]~~ individual after the next election; and

136 (ii) if possible, promptly phone or mail a notice to the ~~[applicant]~~ individual before the
 137 election, informing the ~~[applicant]~~ individual that ~~[his]~~ the individual's registration will not be
 138 effective until after the election.

139 (b) When the county clerk receives a correctly completed voter registration form at
 140 least seven days before an election that is dated on or before the voter registration deadline, the
 141 county clerk shall, unless the individual named in the form is preregistering to vote:

142 (i) process the voter registration form; and

143 (ii) record the ~~[new voter]~~ individual in the official register.

144 ~~[(6)]~~ (7) If the county clerk determines that ~~[a]~~ an individual's voter registration form
 145 received from the Driver License Division is incorrect because of an error ~~[or]~~, because ~~[it]~~ the
 146 form is incomplete, or because the individual does not meet the qualifications to be registered
 147 or preregistered to vote, the county clerk shall mail notice to the individual ~~[attempting to~~
 148 register or preregister to vote,] stating that the individual has not been registered or
 149 preregistered because of an error ~~[or]~~, because the form is incomplete, or because the

150 individual does not meet the qualifications to be registered or preregistered to vote.