

Jefferson S. Burton proposes the following substitute bill:

Amendments to Election Law

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jefferson S. Burton

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill amends provisions relating to elections.

Highlighted Provisions:

This bill:

- defines terms;
- establishes identification requirements to register to vote;
- requires the lieutenant governor to establish procedures and requirements for improving the accuracy of voter registration roles by:
 - determining the number of individuals who are registered to vote at a single-family home address;
 - investigating the validity of a voter registration when a ballot mailed by the county clerk is returned as undeliverable; and
 - using the Systematic Alien Verification for Entitlements Program to identify non-citizens who register to vote;
- requires the lieutenant governor to seek to enter into an agreement with the federal courts where, in exchange for receiving certain information from the state for the purpose of maintaining federal jury lists, the courts will notify the state of individuals who are disqualified from jury service due to criminal convictions or non-citizen status;
- provides that an individual who is eligible to vote in Utah may obtain a state identification card, unless the individual has a Utah driver license;
- provides that an indigent individual may obtain a state identification card, as described in the preceding paragraph, free of charge;
- provides an exception to the in-person application requirement to receive a state identification card for certain individuals who are unable to comply with the requirement due to disability, age, extended illness, or a long-term absence from the state;

29 ▸ requires a registered voter who has a Utah driver license, another Utah license certificate,
30 or a Utah state identification card (primary photo identification) to place to last four
31 digits of the primary photo identification's number on the return envelope;

32 ▸ before January 1, 2028, requires that the identity of a voter be confirmed by signature
33 comparison and, if the voter has primary photo identification, using the last four digits of
34 the primary photo identification's number;

35 ▸ beginning on January 1, 2028, requires that, subject to certain exceptions:

36 • a voter may not vote in person, or return a ballot by mail, if the voter does not have
37 primary photo identification; and

38 • the identity of a voter who returns a ballot by mail will be confirmed by signature
39 comparison and the last four digits of the voter's primary photo identification number;

40 ▸ subject to certain exception, requires that, for an election held on or after January 1, 2028,
41 a voter will not receive a ballot by mail unless the voter requests to receive ballots by
42 mail;

43 ▸ provides that a request to receive a ballot by mail remains in effect for eight years unless
44 the voter takes certain action that results in termination of the request or, in 2028 or
45 later, fails to vote in a regular general election;

46 ▸ provides that a voter may request, or renew a request, to receive a ballot by mail when the
47 person applies to receive or renew primary photo identification or votes at a polling
48 place;

49 ▸ amends voter registration forms relating to:

50 • requesting to receive ballot notifications; and

51 • requesting to receive a mailed ballot;

52 ▸ requires that the electronic registration system also allow a voter to request to receive a
53 ballot by mail;

54 ▸ modifies requirements for an individual to assist a voter to vote at a polling place;

55 ▸ provides that:

56 • a voter is required to write the last four numbers of the voter's primary photo
57 identification card on a return envelope; and

58 • before January 1, 2028, a voter is required to indicate on the return envelope if the
59 voter does not have primary photo identification and, in that case, permits
60 verification of the voter's identity by signature verification only;

61 ▸ modifies a return envelope consistent with the two preceding requirements and to provide
62 certain warnings to a voter;

- modifies provisions relating to obtaining and returning an emergency ballot;
- modifies provisions for the processing of ballots, consistent with the provisions of this bill; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates \$2,000,000 in operating and capital budgets for fiscal year 2026, all of which is from the General Fund.

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

- 20A-1-102**, as last amended by Laws of Utah 2024, Chapter 438
- 20A-2-104**, as last amended by Laws of Utah 2023, Chapters 327, 406
- 20A-2-108**, as last amended by Laws of Utah 2023, Chapter 406
- 20A-2-204**, as last amended by Laws of Utah 2023, Chapter 237
- 20A-2-205**, as last amended by Laws of Utah 2020, Chapter 31 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 95
- 20A-2-206**, as last amended by Laws of Utah 2023, Chapter 297
- 20A-2-207**, as last amended by Laws of Utah 2022, Chapter 18
- 20A-2-502**, as renumbered and amended by Laws of Utah 2023, Chapter 297
- 20A-2-503**, as renumbered and amended by Laws of Utah 2023, Chapter 297
- 20A-2-505**, as last amended by Laws of Utah 2023, Chapters 327, 406 and renumbered and amended by Laws of Utah 2023, Chapter 297
- 20A-3a-106**, as enacted by Laws of Utah 2023, Chapter 297
- 20A-3a-201**, as last amended by Laws of Utah 2022, Chapter 18
- 20A-3a-202**, as last amended by Laws of Utah 2023, Chapters 56, 106 and 297
- 20A-3a-203**, as renumbered and amended by Laws of Utah 2020, Chapter 31
- 20A-3a-204**, as last amended by Laws of Utah 2022, Chapter 156
- 20A-3a-208**, as renumbered and amended by Laws of Utah 2020, Chapter 31
- 20A-3a-301**, as renumbered and amended by Laws of Utah 2020, Chapter 31
- 20A-3a-401**, as last amended by Laws of Utah 2024, Chapter 477
- 20A-3a-401.5**, as last amended by Laws of Utah 2023, Chapter 297
- 20A-3a-402**, as last amended by Laws of Utah 2022, Chapter 380
- 20A-3a-601**, as last amended by Laws of Utah 2020, Chapter 95 and renumbered and

amended by Laws of Utah 2020, Chapter 31
20A-3a-603, as renumbered and amended by Laws of Utah 2020, Chapter 31
20A-4-105, as last amended by Laws of Utah 2022, Chapter 380
20A-5-102, as last amended by Laws of Utah 2022, Chapters 18, 170
20A-5-403, as last amended by Laws of Utah 2023, Chapter 15
20A-6-105, as last amended by Laws of Utah 2023, Chapter 406
20A-7-609, as last amended by Laws of Utah 2023, Chapter 107
20A-7-609.5, as last amended by Laws of Utah 2020, Chapter 31
20A-9-808, as last amended by Laws of Utah 2020, Chapter 31
20A-21-201, as last amended by Laws of Utah 2024, Chapter 17
53-3-105, as last amended by Laws of Utah 2024, Chapter 527
53-3-802, as renumbered and amended by Laws of Utah 1993, Chapter 234
53-3-804, as last amended by Laws of Utah 2024, Chapters 116, 234
53-3-805, as last amended by Laws of Utah 2023, Chapters 328, 414 and 456
53-3-807, as last amended by Laws of Utah 2024, Chapter 234
53-3-808, as last amended by Laws of Utah 2009, Chapter 45
53-3-810, as last amended by Laws of Utah 2020, Chapters 302, 347
63G-10-303, as last amended by Laws of Utah 2024, Chapter 509

ENACTS:

20A-2-103.5, Utah Code Annotated 1953
20A-3a-202.5, Utah Code Annotated 1953
63G-10-304, Utah Code Annotated 1953

REPEALS:

20A-3a-101, as enacted by Laws of Utah 2020, Chapter 31
53-3-801, as enacted by Laws of Utah 1993, Chapter 234

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

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

20A-1-102 . Definitions.

As used in this title:

- (1) "Active voter" means a registered voter who has not been classified as an inactive voter by the county clerk[:]
- (2) "Automatic tabulating equipment" means apparatus that automatically examines and counts votes recorded on ballots and tabulates the results.

- 131 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
132 storage medium, that records an individual voter's vote.
- 133 (b) "Ballot" does not include a record to tally multiple votes.
- 134 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
135 the ballot for their approval or rejection including:
- 136 (a) an opinion question specifically authorized by the Legislature;
137 (b) a constitutional amendment;
138 (c) an initiative;
139 (d) a referendum;
140 (e) a bond proposition;
141 (f) a judicial retention question;
142 (g) an incorporation of a city or town; or
143 (h) any other ballot question specifically authorized by the Legislature.
- 144 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together
145 using staples or another means in at least three places across the top of the paper in the
146 blank space reserved for securing the paper.
- 147 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
148 20A-4-306 to canvass election returns.
- 149 (7) "Bond election" means an election held for the purpose of approving or rejecting the
150 proposed issuance of bonds by a government entity.
- 151 (8) "Business reply mail envelope" means an envelope that may be mailed free of charge by
152 the sender.
- 153 (9) "Canvass" means the review of election returns and the official declaration of election
154 results by the board of canvassers.
- 155 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
156 canvass.
- 157 (11) "Contracting election officer" means an election officer who enters into a contract or
158 interlocal agreement with a provider election officer.
- 159 (12) "Convention" means the political party convention at which party officers and
160 delegates are selected.
- 161 (13) "Counting center" means one or more locations selected by the election officer in
162 charge of the election for the automatic counting of ballots.
- 163 (14) "Counting judge" means a poll worker designated to count the ballots during election
164 day.

- 165 (15) "Counting room" means a suitable and convenient private place or room for use by the
166 poll workers and counting judges to count ballots.
- 167 (16) "County officers" means those county officers that are required by law to be elected.
- 168 (17) "Date of the election" or "election day" or "day of the election":
- 169 (a) means the day that is specified in the calendar year as the day that the election
170 occurs; and
- 171 (b) does not include:
- 172 (i) deadlines established for voting by mail, military-overseas voting, or emergency
173 voting; or
- 174 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
175 Early Voting.
- 176 (18) "Elected official" means:
- 177 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
178 Municipal Alternate Voting Methods Pilot Project;
- 179 (b) a person who is considered to be elected to a municipal office in accordance with
180 Subsection 20A-1-206(1)(c)(ii); or
- 181 (c) a person who is considered to be elected to a special district office in accordance
182 with Subsection 20A-1-206(3)(b)(ii).
- 183 (19) "Election" means a regular general election, a municipal general election, a statewide
184 special election, a local special election, a regular primary election, a municipal primary
185 election, and a special district election.
- 186 (20) "Election Assistance Commission" means the commission established by the Help
187 America Vote Act of 2002, Pub. L. No. 107-252.
- 188 (21) "Election cycle" means the period beginning on the first day persons are eligible to file
189 declarations of candidacy and ending when the canvass is completed.
- 190 (22) "Election judge" means a poll worker that is assigned to:
- 191 (a) preside over other poll workers at a polling place;
- 192 (b) act as the presiding election judge; or
- 193 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 194 (23) "Election officer" means:
- 195 (a) the lieutenant governor, for all statewide ballots and elections;
- 196 (b) the county clerk for:
- 197 (i) a county ballot and election; and
- 198 (ii) a ballot and election as a provider election officer as provided in Section

- 199 20A-5-400.1 or 20A-5-400.5;
- 200 (c) the municipal clerk for:
- 201 (i) a municipal ballot and election; and
- 202 (ii) a ballot and election as a provider election officer as provided in Section
- 203 20A-5-400.1 or 20A-5-400.5;
- 204 (d) the special district clerk or chief executive officer for:
- 205 (i) a special district ballot and election; and
- 206 (ii) a ballot and election as a provider election officer as provided in Section
- 207 20A-5-400.1 or 20A-5-400.5; or
- 208 (e) the business administrator or superintendent of a school district for:
- 209 (i) a school district ballot and election; and
- 210 (ii) a ballot and election as a provider election officer as provided in Section
- 211 20A-5-400.1 or 20A-5-400.5.
- 212 (24) "Election official" means any election officer, election judge, or poll worker.
- 213 (25) "Election results" means:
- 214 (a) for an election other than a bond election, the count of votes cast in the election and
- 215 the election returns requested by the board of canvassers; or
- 216 (b) for bond elections, the count of those votes cast for and against the bond proposition
- 217 plus any or all of the election returns that the board of canvassers may request.
- 218 (26) "Election returns" includes:
- 219 (a) the pollbook, the military and overseas absentee voter registration and voting
- 220 certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all
- 221 excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
- 222 the total votes cast form; and
- 223 (b) the record, described in Subsection 20A-3a-401(8)(c), of voters contacted to cure a
- 224 ballot.
- 225 (27) "Electronic signature" means an electronic sound, symbol, or process attached to or
- 226 logically associated with a record and executed or adopted by a person with the intent to
- 227 sign the record.
- 228 (28) "Exempt voter" means a registered voter who:
- 229 (a)(i) is an individual with a disability;
- 230 (ii) is hospitalized or confined in a treatment facility;
- 231 (iii) is confined in hospice care or a long-term care facility; or
- 232 (iv) due to age or illness, is restricted in the ability to travel from the voter's

- 233 permanent or temporary residence;
- 234 (b) for an election held before January 1, 2028:
- 235 (i) does not already have a ballot that can be returned by mail or placed in a ballot
- 236 drop box; and
- 237 (ii) due to a condition or circumstance described in Subsection (28)(a), is not able to
- 238 independently or with reasonable available assistance:
- 239 (A) timely obtain by mail a ballot that can be returned by mail or placed in a ballot
- 240 drop box; or
- 241 (B) vote in person at a polling location; and
- 242 (c) for an election held on or after January 1, 2028:
- 243 (i) lacks one or both of the following:
- 244 (A) primary photo identification; or
- 245 (B) a ballot that can be returned by mail or placed in a ballot drop box; and
- 246 (ii) due to a condition or circumstance described in Subsection (28)(a), is not able to
- 247 independently or with reasonable available assistance:
- 248 (A) timely obtain by mail a ballot that can be returned by mail or placed in a ballot
- 249 drop box;
- 250 (B) vote in person at a polling location; or
- 251 (C) obtain primary photo identification in person.
- 252 (29) "Extended absence registered voter" means, for an election held on or after January 1,
- 253 2028, a registered voter who:
- 254 (a) temporarily resides outside of the jurisdiction where the voter is a resident, as
- 255 described in Section 20A-2-105;
- 256 (b) has resided, or intends to reside, outside of the jurisdiction described in Subsection
- 257 (29)(a) for a continuous period of at least one year, without returning to or visiting
- 258 the jurisdiction during that period of time; and
- 259 (c) does not have primary photo identification.
- 260 ~~[(28)]~~ (30) "Inactive voter" means a registered voter who is listed as inactive by a county
- 261 clerk under Subsection 20A-2-505(4)(c)(i) or (ii).
- 262 ~~[(29)]~~ (31) "Judicial office" means the office filled by any judicial officer.
- 263 ~~[(30)]~~ (32) "Judicial officer" means any justice or judge of a court of record or any county
- 264 court judge.
- 265 ~~[(31)]~~ (33) "Local election" means a regular county election, a regular municipal election, a
- 266 municipal primary election, a local special election, a special district election, and a

bond election.

~~[(32)]~~ (34) "Local political subdivision" means a county, a municipality, a special district, or a local school district.

~~[(33)]~~ (35) "Local special election" means a special election called by the governing body of a local political subdivision in which all registered voters of the local political subdivision may vote.

~~[(34)]~~ (36) "Manual ballot" means a paper document produced by an election officer on which an individual records an individual's vote by directly placing a mark on the paper document using a pen or other marking instrument.

~~[(35)]~~ (37) "Mechanical ballot" means a record, including a paper record, electronic record, or mechanical record, that:

(a) is created via electronic or mechanical means; and

(b) records an individual voter's vote cast via a method other than an individual directly placing a mark, using a pen or other marking instrument, to record an individual voter's vote.

~~[(36)]~~ (38) "Municipal executive" means:

(a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or

(b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(6).

~~[(37)]~~ (39) "Municipal general election" means the election held in municipalities and, as applicable, special districts on the first Tuesday after the first Monday in November of each odd-numbered year for the purposes established in Section 20A-1-202.

~~[(38)]~~ (40) "Municipal legislative body" means the council of the city or town in any form of municipal government.

~~[(39)]~~ (41) "Municipal office" means an elective office in a municipality.

~~[(40)]~~ (42) "Municipal officers" means those municipal officers that are required by law to be elected.

~~[(41)]~~ (43) "Municipal primary election" means an election held to nominate candidates for municipal office.

~~[(42)]~~ (44) "Municipality" means a city or town.

~~[(43)]~~ (45) "Official ballot" means the ballots distributed by the election officer for voters to record their votes.

~~[(44)]~~ (46) "Official endorsement" means the information on the ballot that identifies:

(a) the ballot as an official ballot;

(b) the date of the election; and

(c)(i) for a ballot prepared by an election officer other than a county clerk, the facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

(ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-301(1)(b)(iii).

~~[(45)]~~ (47) "Official register" means the official record furnished to election officials by the election officer that contains the information required by Section 20A-5-401.

~~[(46)]~~ (48) "Political party" means an organization of registered voters that has qualified to participate in an election by meeting the requirements of Chapter 8, Political Party Formation and Procedures.

~~[(47)]~~ (49)(a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or counting votes.

(b) "Poll worker" includes election judges.

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

~~[(48)]~~ (50) "Pollbook" means a record of the names of voters in the order that they appear to cast votes.

~~[(49)]~~ (51) "Polling place" means a building where voting is conducted.

~~[(50)]~~ (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in which the voter marks the voter's choice.

~~[(51)]~~ (53) "Presidential Primary Election" means the election established in Chapter 9, Part 8, Presidential Primary Election.

~~[(52)]~~ (54) "Primary convention" means the political party conventions held during the year of the regular general election.

(55) "Primary photo identification" means:

(a) a valid Utah license certificate, as defined in Section 53-3-102, other than a driving privilege card; or

(b) a valid Utah identification card, as defined in Section 53-3-102.

~~[(53)]~~ (56) "Protective counter" means a separate counter, which cannot be reset, that:

(a) is built into a voting machine; and

(b) records the total number of movements of the operating lever.

~~[(54)]~~ (57) "Provider election officer" means an election officer who enters into a contract or interlocal agreement with a contracting election officer to conduct an election for the contracting election officer's local political subdivision in accordance with Section 20A-5-400.1.

335 ~~[(55)]~~ (58) "Provisional ballot" means a ballot voted provisionally by a person:

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

337 (b) whose legal right to vote is challenged as provided in this title; or

338 (c) whose identity was not sufficiently established by a poll worker.

339 ~~[(56)]~~ (59) "Provisional ballot envelope" means an envelope printed in the form required by
340 Section 20A-6-105 that is used to identify provisional ballots and to provide information
341 to verify a person's legal right to vote.

342 ~~[(57)]~~ (60)(a) "Public figure" means an individual who, due to the individual being
343 considered for, holding, or having held a position of prominence in a public or
344 private capacity, or due to the individual's celebrity status, has an increased risk to the
345 individual's safety.

346 (b) "Public figure" does not include an individual:

347 (i) elected to public office; or

348 (ii) appointed to fill a vacancy in an elected public office.

349 ~~[(58)]~~ (61) "Qualify" or "qualified" means to take the oath of office and begin performing
350 the duties of the position for which the individual was elected.

351 ~~[(59)]~~ (62) "Receiving judge" means the poll worker that checks the voter's name in the
352 official register at a polling place and provides the voter with a ballot.

353 ~~[(60)]~~ (63) "Registration form" means a form by which an individual may register to vote
354 under this title.

355 ~~[(61)]~~ (64) "Regular ballot" means a ballot that is not a provisional ballot.

356 ~~[(62)]~~ (65) "Regular general election" means the election held throughout the state on the
357 first Tuesday after the first Monday in November of each even-numbered year for the
358 purposes established in Section 20A-1-201.

359 ~~[(63)]~~ (66) "Regular primary election" means the election, held on the date specified in
360 Section 20A-1-201.5, to nominate candidates of political parties and candidates for
361 nonpartisan local school board positions to advance to the regular general election.

362 (67) "Remote voter" means a voter to whom an election officer is required to mail a ballot
363 under Subsections 20A-3a-202.5(4) through (6).

364 ~~[(64)]~~ (68) "Resident" means a person who resides within a specific voting precinct in Utah.

365 ~~[(65)]~~ (69) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
366 provided to a voter with a manual ballot:

367 (a) into which the voter places the manual ballot after the voter has voted the manual
368 ballot in order to preserve the secrecy of the voter's vote; and

(b) that includes the voter affidavit and a place for the voter's signature.

~~[(66)]~~ (70) "Sample ballot" means a mock ballot similar in form to the official ballot, published as provided in Section 20A-5-405.

(71) "Secondary photo identification" means one of the following forms of identification that include the individual's name and photograph:

(a) a valid identification card issued by a branch, department, or agency of the United States;

(b) a valid Utah permit to carry a concealed weapon;

(c) a valid United States passport;

(d) a valid United States military identification card;

(e) a valid tribal identification card;

(f) a valid Bureau of Indian Affairs card;

(g) a valid tribal treaty card; or

(h) a valid driver license or identification card issued by a state other than Utah, if the individual also provides proof of residency in Utah.

~~[(67)]~~ (72) "Special district" means a local government entity under Title 17B, Limited Purpose Local Government Entities - Special Districts, and includes a special service district under Title 17D, Chapter 1, Special Service District Act.

~~[(68)]~~ (73) "Special district officers" means those special district board members who are required by law to be elected.

~~[(69)]~~ (74) "Special election" means an election held as authorized by Section 20A-1-203.

~~[(70)]~~ (75) "Spoiled ballot" means each ballot that:

(a) is spoiled by the voter;

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

(c) lacks the official endorsement.

~~[(71)]~~ (76) "Statewide special election" means a special election called by the governor or the Legislature in which all registered voters in Utah may vote.

~~[(72)]~~ (77) "Tabulation system" means a device or system designed for the sole purpose of tabulating votes cast by voters at an election.

(78) "Tertiary identification" means

(a) one of the following identification cards, if the identification card does not include a photograph of the voter:

(i) a valid tribal identification card;

(ii) a Bureau of Indian Affairs card; or

- 403 (iii) a tribal treaty card; or
- 404 (b) two forms of identification that bear the name of the voter and provide evidence that
- 405 the voter resides in the voting precinct, which may include:
- 406 (i) an original or copy of a current utility bill, dated no more than 90 days before the
- 407 date of the election;
- 408 (ii) an original or copy of a bank or other financial account statement, dated no more
- 409 than 90 days before the date of the election;
- 410 (iii) a certified birth certificate;
- 411 (iv) a valid social security card;
- 412 (v) an original or copy of a check issued by the state or the federal government, dated
- 413 no more than 90 days before the date of election;
- 414 (vi) an original or a copy of a paycheck from the voter's employer, dated no more
- 415 than 90 days before the date of election;
- 416 (vii) a currently valid Utah hunting or fishing license;
- 417 (viii) certified naturalization documentation;
- 418 (ix) a currently valid license issued by an authorized agency of the United States;
- 419 (x) a certified copy of court records showing the voter's adoption or name change;
- 420 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 421 (xii) a currently valid identification card issued by:
- 422 (A) a local government within the state;
- 423 (B) an employer for an employee; or
- 424 (C) a college, university, technical school, or professional school located within
- 425 the state; or
- 426 (xiii) a current Utah vehicle registration.
- 427 ~~[(73)]~~ (79) "Ticket" means a list of:
- 428 (a) political parties;
- 429 (b) candidates for an office; or
- 430 (c) ballot propositions.
- 431 ~~[(74)]~~ (80) "Transfer case" means the sealed box used to transport voted ballots to the
- 432 counting center.
- 433 ~~[(75)]~~ (81) "Vacancy" means:
- 434 (a) except as provided in Subsection ~~[(75)(b)]~~ (78)(b), the absence of an individual to
- 435 serve in a position created by state constitution or state statute, whether that absence
- 436 occurs because of death, disability, disqualification, resignation, or other cause ; or

- (b) in relation to a candidate for a position created by state constitution or state statute, the removal of a candidate due to the candidate's death, resignation, or disqualification.

[~~(76)~~] (82) "Valid voter identification" means:

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

- (i) a currently valid Utah driver license;
- (ii) a currently valid identification card that is issued by:
 - (A) the state; or
 - (B) a branch, department, or agency of the United States;
- (iii) a currently valid Utah permit to carry a concealed weapon;
- (iv) a currently valid United States passport; or
- (v) a currently valid United States military identification card;

- (b) one of the following identification cards, regardless of whether [~~or not~~] the card includes a photograph of the voter:

- (i) a valid tribal identification card;
- (ii) a Bureau of Indian Affairs card; or
- (iii) a tribal treaty card; or

- (c) two forms of identification not [~~listed under Subsection (76)(a) or (b) but~~] described in Subsection (79)(a) or (b) that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include:

- (i) an original or copy of a current utility bill [~~or a legible copy thereof~~], dated [~~within the~~] no more than 90 days before the date of the election;
- (ii) an original or copy of a bank or other financial account statement, [~~or a legible copy thereof~~] dated no more than 90 days before the date of the election;
- (iii) a certified birth certificate;
- (iv) a valid social security card;
- (v) an original or copy of a check issued by the state or the federal government [~~or a legible copy thereof~~] dated no more than 90 days before the date of election;
- (vi) an original or a copy of a paycheck from the voter's employer, [~~or a legible copy thereof~~] dated no more than 90 days before the date of election;
- (vii) a currently valid Utah hunting or fishing license;
- (viii) certified naturalization documentation;
- (ix) a currently valid license issued by an authorized agency of the United States;

(x) a certified copy of court records showing the voter's adoption or name change;

(xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

(xii) a currently valid identification card issued by:

(A) a local government within the state;

(B) an employer for an employee; or

(C) a college, university, technical school, or professional school located within the state; or

(xiii) a current Utah vehicle registration.

~~[(77)]~~ (83) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by following the procedures and requirements of this title.

~~[(78)]~~ (84) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

(a) mailing the ballot to the location designated in the mailing; or

(b) depositing the ballot in a ballot drop box designated by the election officer.

~~[(79)]~~ (85) "Voter" means an individual who:

(a) meets the requirements for voting in an election;

(b) meets the requirements of election registration;

(c) is registered to vote; and

(d) is listed in the official register book.

~~[(80)]~~ (86) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.

~~[(81)]~~ (87) "Voting area" means the area within six feet of the voting booths, voting machines, and ballot box.

~~[(82)]~~ (88) "Voting booth" means:

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

(b) a voting device that is free standing.

~~[(83)]~~ (89) "Voting device" means any device provided by an election officer for a voter to vote a mechanical ballot.

~~[(84)]~~ (90) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

~~[(85)]~~ (91) "Watcher" means an individual who complies with the requirements described in Section 20A-3a-801 to become a watcher for an election.

~~[(86)]~~ (92) "Write-in ballot" means a ballot containing any write-in votes.

505 [(87)] (93) "Write-in vote" means a vote cast for an individual, whose name is not printed on
506 the ballot, in accordance with the procedures established in this title.

507 Section 2. Section **20A-2-103.5** is enacted to read:

508 **20A-2-103.5 . Identification required for voter registration.**

509 (1) An individual registers to vote by a method, other than via the electronic system
510 described in Section 20A-2-206, shall submit, with the voter registration application or
511 before voter registration is finalized:

512 (a) if the individual has primary photo identification, the number of the primary photo
513 identification number;

514 (b) if the individual does not have primary photo identification, a copy of the
515 individual's secondary photo identification; or

516 (c) if the individual does not have primary photo identification or secondary photo
517 identification, a copy of the individual's tertiary identification and a signed affidavit
518 stating:

519 (i) that the individual does not have primary photo identification or secondary photo
520 identification;

521 (ii) that the individual:

522 (A) cannot obtain primary photo identification or secondary photo identification;
523 or

524 (B) for a reason outside the reasonable control of the individual, could not have
525 obtained primary photo identification or secondary photo identification in time
526 to register to vote in the next election; and

527 (iii)(A) the reason the individual is unable to obtain primary photo identification
528 or secondary photo identification; or

529 (B) the reason, outside the reasonable control of the individual, that the individual
530 could not have obtained primary photo identification or secondary photo
531 identification in time to register to vote in the next election.

532 (2) A reason described in Subsection (1)(c)(iii) may include:

533 (a) a practical reason; or

534 (b) a religious objection to being photographed.

535 Section 3. Section **20A-2-104** is amended to read:

536 **20A-2-104 . Voter registration form -- Registered voter lists -- Fees for copies.**

537 (1) As used in this section:

538 (a) "Candidate for public office" means an individual:

- (i) who files a declaration of candidacy for a public office;
- (ii) who files a notice of intent to gather signatures under Section 20A-9-408; or
- (iii) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i) or (ii) for political campaign purposes.
- (b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and the federal Violence Against Women Act of 1994, as amended.
- (c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the federal Violence Against Women Act of 1994, as amended.
- (d) "Hash Code" means a code generated by applying an algorithm to a set of data to produce a code that:
- (i) uniquely represents the set of data;
- (ii) is always the same if the same algorithm is applied to the same set of data; and
- (iii) cannot be reversed to reveal the data applied to the algorithm.
- (e) "Protected individual" means an individual:
- (i) who submits a withholding request form with the individual's voter registration record, or to the lieutenant governor or a county clerk, if the individual indicates on the form that the individual, or an individual who resides with the individual, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence;
- (ii) who submits a withholding request form with the individual's voter registration record, or to the lieutenant governor or a county clerk, if the individual indicates on the form and provides verification that the individual, or an individual who resides with the individual, is a law enforcement officer, a member of the armed forces as defined in Section 20A-1-513, a public figure, or protected by a protective order or protection order; or
- (iii) whose voter registration record was classified as a private record at the request of the individual before May 12, 2020.
- (2)(a) An individual applying for voter registration, or an individual preregistering to vote, shall comply with Section 20A-2-103.5 and complete a voter registration form in substantially the following form:

UTAH ELECTION REGISTRATION FORM

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

If you checked "no" to the above question, do not complete this form.

573 Will you be 18 years of age on or before election day? Yes No

574 If you checked "no" to the above question, are you 16 or 17 years of age and

575 preregistering to vote? Yes No

576 If you checked "no" to both of the prior two questions, do not complete this form.

577 Name of Voter

578 _____

579 First Middle Last

580 Utah Driver License or Utah Identification Card

581 Number _____

582 Date of Birth _____

583 Street Address of Principal Place of Residence

584 _____

585 City County State Zip Code

586 Telephone Number (optional) _____

587 Email Address (optional) _____

588 Last four digits of Social Security Number _____

589 Last former address at which I was registered to vote (if

590 known) _____

591 _____

592 City County State Zip Code

593 Political Party

594 (a listing of each registered political party, as defined in Section 20A-8-101 and

595 maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded

596 by a checkbox)

597 ☐ Unaffiliated (no political party preference) ☐ Other (Please

598 specify) _____

599 I do swear (or affirm), subject to penalty of law for false statements, that the information

600 contained in this form is true, and that I am a citizen of the United States and a resident of the

601 state of Utah, residing at the above address. Unless I have indicated above that I am

602 preregistering to vote in a later election, I will be at least 18 years of age and will have resided

603 in Utah for 30 days immediately before the next election. I am not a convicted felon currently

604 incarcerated for commission of a felony.

605 Signed and sworn

606 _____

Voter's Signature _____ (month/day/year).

PRIVACY INFORMATION

Voter registration records contain some information that is available to the public, such as your name and address, some information that is available only to government entities, and some information that is available only to certain third parties in accordance with the requirements of law.

Your driver license number, identification card number, social security number, email address, full date of birth, and phone number are available only to government entities. Your year of birth is available to political parties, candidates for public office, certain third parties, and their contractors, employees, and volunteers, in accordance with the requirements of law.

You may request that all information on your voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers, by indicating here:

_____ Yes, I request that all information on my voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers.

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

In addition to the protections provided above, you may request that identifying information on your voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form, and any required verification, as described in the following paragraphs.

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form with this registration record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form and any required verification with this registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order.

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 or preregistered to vote if you know you are not entitled to register or preregister 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 _____

-
- (b) [The] Before January 1, 2028, the voter registration form described in Subsection (2)(a) shall include a section in substantially the following form:

BALLOT NOTIFICATIONS

[If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box,] You can receive electronic notifications regarding the status of your ballot by indicating here:

_____ Yes, I would like to receive electronic notifications regarding the status of my

ballot.

I consent to receive notifications by email at the following address:

I consent to receive notifications by text at the following phone number:

MAILED BALLOT SELECTION

Please indicate below whether you desire to have a ballot mailed to you in the 2028 elections and beyond:

Yes, I desire to have a ballot mailed to me in the 2028 elections and beyond.

No, do not mail a ballot to me in the 2028 elections or beyond.

(c) Beginning on January 1, 2028, the voter registration form described in Subsection (2)(a) shall include a section in substantially the following form:

BALLOT NOTIFICATIONS

You can receive electronic notifications regarding the status of your ballot by indicating here:

Yes, I would like to receive electronic notifications regarding the status of my ballot.

I consent to receive notifications by email at the following address:

I consent to receive notifications by text at the following phone number:

MAILED BALLOT SELECTION

Please indicate below whether you desire to have a ballot mailed to you in the upcoming elections:

Yes, I desire to have a ballot mailed to me in the upcoming elections.

No, do not mail a ballot to me in the upcoming elections.

Warning: Unless otherwise required by law, an election officer is not required to mail a ballot to you for an election held less than 45 days after you make this request.

(e) (d)(i) Except as provided under Subsection [(2)(e)(ii)] (2)(d)(ii), 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.

(ii) The county clerk may transfer a superseded voter registration form to the

709 Division of Archives and Records Service created under Section 63A-12-101.

710 (3)(a) Each county clerk shall retain lists of currently registered voters.

711 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.

712 (c) If there are any discrepancies between the two lists, the county clerk's list is the
713 official list.

714 (d) The lieutenant governor and the county clerks may charge the fees established under
715 the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy
716 of the list of registered voters.

717 (4)(a) As used in this Subsection (4), "qualified person" means:

718 (i) a government official or government employee acting in the government official's
719 or government employee's capacity as a government official or a government
720 employee;

721 (ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee, or
722 independent contractor of a health care provider;

723 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee,
724 or independent contractor of an insurance company;

725 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or
726 independent contractor of a financial institution;

727 (v) a political party, or an agent, employee, or independent contractor of a political
728 party;

729 (vi) a candidate for public office, or an employee, independent contractor, or
730 volunteer of a candidate for public office;

731 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a
732 year of birth from the list of registered voters:

733 (A) provides the year of birth only to a person described in Subsections (4)(a)(i)
734 through [~~(vii)~~] (vi);

735 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person
736 described in Subsections (4)(a)(i) through [~~(vii)~~] (vi);

737 (C) ensures, using industry standard security measures, that the year of birth may
738 not be accessed by a person other than a person described in Subsections
739 (4)(a)(i) through (vii);

740 (D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to
741 whom the person provides the year of birth will only use the year of birth to
742 verify the accuracy of personal information submitted by an individual or to

- 743 confirm the identity of a person in order to prevent fraud, waste, or abuse;
- 744 (E) verifies that each person described in Subsection (4)(a)(i) to whom the person
- 745 provides the year of birth will only use the year of birth in the person's capacity
- 746 as a government official or government employee; and
- 747 (F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 748 person provides the year of birth will only use the year of birth for a political
- 749 purpose of the political party or candidate for public office; or
- 750 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining
- 751 information under Subsection (4)(n) and (o):
- 752 (A) provides the information only to another person described in Subsection
- 753 (4)(a)(v) or (vi);
- 754 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a
- 755 person described in Subsection (4)(a)(v) or (vi);
- 756 (C) ensures, using industry standard security measures, that the information may
- 757 not be accessed by a person other than a person described in Subsection
- 758 (4)(a)(v) or (vi); and
- 759 (D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 760 person provides the information will only use the information for a political
- 761 purpose of the political party or candidate for public office.
- 762 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in
- 763 Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall,
- 764 when providing the list of registered voters to a qualified person under this section,
- 765 include, with the list, the years of birth of the registered voters, if:
- 766 (i) the lieutenant governor or a county clerk verifies the identity of the person and
- 767 that the person is a qualified person; and
- 768 (ii) the qualified person signs a document that includes the following:
- 769 (A) the name, address, and telephone number of the person requesting the list of
- 770 registered voters;
- 771 (B) an indication of the type of qualified person that the person requesting the list
- 772 claims to be;
- 773 (C) a statement regarding the purpose for which the person desires to obtain the
- 774 years of birth;
- 775 (D) a list of the purposes for which the qualified person may use the year of birth
- 776 of a registered voter that is obtained from the list of registered voters;

- 777 (E) a statement that the year of birth of a registered voter that is obtained from the
778 list of registered voters may not be provided or used for a purpose other than a
779 purpose described under Subsection (4)(b)(ii)(D);
- 780 (F) a statement that if the person obtains the year of birth of a registered voter
781 from the list of registered voters under false pretenses, or provides or uses the
782 year of birth of a registered voter that is obtained from the list of registered
783 voters in a manner that is prohibited by law, is guilty of a class A misdemeanor
784 and is subject to a civil fine;
- 785 (G) an assertion from the person that the person will not provide or use the year of
786 birth of a registered voter that is obtained from the list of registered voters in a
787 manner that is prohibited by law; and
- 788 (H) notice that if the person makes a false statement in the document, the person is
789 punishable by law under Section 76-8-504.
- 790 (c) The lieutenant governor or a county clerk:
- 791 (i) may not disclose the year of birth of a registered voter to a person that the
792 lieutenant governor or county clerk reasonably believes:
- 793 (A) is not a qualified person or a person described in Subsection (4)(l); or
794 (B) will provide or use the year of birth in a manner prohibited by law; and
- 795 (ii) may not disclose information under Subsections (4)(n) or (o) to a person that the
796 lieutenant governor or county clerk reasonably believes:
- 797 (A) is not a person described in Subsection (4)(a)(v) or (vi); or
798 (B) will provide or use the information in a manner prohibited by law.
- 799 (d) The lieutenant governor or a county clerk may not disclose the voter registration
800 form of a person, or information included in the person's voter registration form,
801 whose voter registration form is classified as private under Subsection (4)(h) to a
802 person other than:
- 803 (i) a government official or government employee acting in the government official's
804 or government employee's capacity as a government official or government
805 employee; or
- 806 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for
807 a political purpose.
- 808 (e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or
809 information under Subsection (4)(d)(ii), the lieutenant governor or county clerk
810 shall exclude the information described in Subsection 63G-2-302(1)(j), other than

the year of birth.

(ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the voter registration record of a protected individual, the lieutenant governor or county clerk shall comply with Subsections (4)(n) through (p).

(f) The lieutenant governor or a county clerk may not disclose a withholding request form, described in Subsections (7) and (8), submitted by an individual, or information obtained from that form, 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.

(g) A person is guilty of a class A misdemeanor if the person:

(i) obtains from the list of registered voters, under false pretenses, the year of birth of a registered voter or information described in Subsection (4)(n) or (o);

(ii) uses or provides the year of birth of a registered voter, or information described in Subsection (4)(n) or (o), that is obtained from the list of registered voters in a manner that is not permitted by law;

(iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under false pretenses;

(iv) uses or provides information obtained from a voter registration record described in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;

(v) unlawfully discloses or obtains a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8); or

(vi) unlawfully discloses or obtains information from a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8).

(h) The lieutenant governor or a county clerk shall classify the voter registration record of a voter as a private record if the voter:

(i) submits a written application, created by the lieutenant governor, requesting that the voter's voter registration record be classified as private;

(ii) requests on the voter's voter registration form that the voter's voter registration record be classified as a private record; or

(iii) submits a withholding request form described in Subsection (7) and any required verification.

(i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a

county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a voter registration record, or information obtained from a voter registration record, if the record is withheld under Subsection (7).

(j) 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 violates a provision of this section, in an amount equal to the greater of:

(i) the product of 30 and the square root of the total number of:

(A) records obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or

(B) records from which information is obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or

(ii) \$200.

(k) A qualified person may not obtain, provide, or use the year of birth of a registered voter, if the year 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 year 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 year 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) or (vi) and obtains, provides, or uses the year of birth for a political purpose of the political party or candidate for public office; or

(iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or uses the year of birth to provide the year 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.

(l) The lieutenant governor or a county clerk may provide a year 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.

(m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose information from a voter registration record for a purpose other than a political

879 purpose.

- 880 (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a
881 county clerk shall, when providing the list of registered voters to a qualified person
882 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose
883 record is withheld under Subsection (7), the information described in Subsection
884 (4)(o), if:
- 885 (i) the lieutenant governor or a county clerk verifies the identity of the person and
886 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and
 - 887 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document
888 that includes the following:
 - 889 (A) the name, address, and telephone number of the person requesting the list of
890 registered voters;
 - 891 (B) an indication of the type of qualified person that the person requesting the list
892 claims to be;
 - 893 (C) a statement regarding the purpose for which the person desires to obtain the
894 information;
 - 895 (D) a list of the purposes for which the qualified person may use the information;
 - 896 (E) a statement that the information may not be provided or used for a purpose
897 other than a purpose described under Subsection (4)(n)(ii)(D);
 - 898 (F) a statement that if the person obtains the information under false pretenses, or
899 provides or uses the information in a manner that is prohibited by law, the
900 person is guilty of a class A misdemeanor and is subject to a civil fine;
 - 901 (G) an assertion from the person that the person will not provide or use the
902 information in a manner that is prohibited by law; and
 - 903 (H) notice that if the person makes a false statement in the document, the person is
904 punishable by law under Section 76-8-504.
- 905 (o) Except as provided in Subsection (4)(p), the information that the lieutenant governor
906 or a county clerk is required to provide, under Subsection (4)(n), from the record of a
907 protected individual is:
- 908 (i) a single hash code, generated from a string of data that includes both the voter's
909 voter identification number and residential address;
 - 910 (ii) the voter's residential address;
 - 911 (iii) the voter's mailing address, if different from the voter's residential address;
 - 912 (iv) the party affiliation of the voter;

- 913 (v) the precinct number for the voter's residential address;
914 (vi) the voter's voting history; and
915 (vii) a designation of which age group, of the following age groups, the voter falls
916 within:
917 (A) 25 or younger;
918 (B) 26 through 35;
919 (C) 36 through 45;
920 (D) 46 through 55;
921 (E) 56 through 65;
922 (F) 66 through 75; or
923 (G) 76 or older.
- 924 (p) The lieutenant governor or a county clerk may not disclose:
925 (i) information described in Subsection (4)(o) that, due to a small number of voters
926 affiliated with a particular political party, or due to another reason, would likely
927 reveal the identity of a voter if disclosed; or
928 (ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the
929 county clerk determines that the nature of the address would directly reveal
930 sensitive information about the voter.
- 931 (q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain, provide,
932 or use the information described in Subsection (4)(n) or (o), except to the extent that
933 the qualified person uses the information for a political purpose of a political party or
934 candidate for public office.
- 935 (5) When political parties not listed on the voter registration form qualify as registered
936 political parties under Title 20A, Chapter 8, Political Party Formation and Procedures,
937 the lieutenant governor shall inform the county clerks of the name of the new political
938 party and direct the county clerks to ensure that the voter registration form is modified to
939 include that political party.
- 940 (6) Upon receipt of a voter registration form from an applicant, the county clerk or the
941 clerk's designee shall:
942 (a) review each voter registration form for completeness and accuracy; and
943 (b) if the county clerk believes, based upon a review of the form, that an individual may
944 be seeking to register or preregister to vote who is not legally entitled to register or
945 preregister to vote, refer the form to the county attorney for investigation and
946 possible prosecution.

- (7) The lieutenant governor or a county clerk shall withhold from a person, other than a person described in Subsection (4)(a)(i), the voter registration record, and information obtained from the voter registration record, of a protected individual.
- (8)(a) The lieutenant governor shall design and distribute the withholding request form described in Subsection (7) to each election officer and to each agency that provides a voter registration form.
- (b) An individual described in Subsection (1)(e)(i) is not required to provide verification, other than the individual's attestation and signature on the withholding request form, that the individual, or an individual who resides with the individual, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence.
- (c) The director of elections within the Office of the Lieutenant Governor shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for providing the verification described in Subsection (1)(e)(ii).
- (9) An election officer or an employee of an election officer may not encourage an individual to submit, or discourage an individual from submitting, a withholding request form.
- (10)(a) The lieutenant governor shall make and execute a plan to provide notice to registered voters who are protected individuals, that includes the following information:
- (i) that the voter's classification of the record as private remains in effect;
 - (ii) that certain non-identifying information from the voter's voter registration record may, under certain circumstances, be released to political parties and candidates for public office;
 - (iii) that the voter's name, driver license or identification card number, social security number, email address, phone number, and the voter's day, month, and year of birth will remain private and will not be released to political parties or candidates for public office;
 - (iv) that a county clerk will only release the information to political parties and candidates in a manner that does not associate the information with a particular voter; and
 - (v) that a county clerk may, under certain circumstances, withhold other information that the county clerk determines would reveal identifying information about the

- 981 voter.
- 982 (b) The lieutenant governor may include in the notice described in this Subsection (10) a
- 983 statement that a voter may obtain additional information on the lieutenant governor's
- 984 website.
- 985 (c) The plan described in Subsection (10)(a) may include providing the notice described
- 986 in Subsection (10)(a) by:
- 987 (i) publication on the Utah Public Notice Website, created in Section 63A-16-601;
- 988 (ii) publication on the lieutenant governor's website or a county's website;
- 989 (iii) posting the notice in public locations;
- 990 (iv) publication in a newspaper;
- 991 (v) sending notification to the voters by electronic means;
- 992 (vi) sending notice by other methods used by government entities to communicate
- 993 with citizens; or
- 994 (vii) providing notice by any other method.
- 995 (d) The lieutenant governor shall provide the notice included in a plan described in this
- 996 Subsection (10) before June 16, 2023.

997 Section 4. Section **20A-2-108** is amended to read:

998 **20A-2-108 . Driver license or state identification card registration form --**

999 **Transmittal of information.**

- 1000 (1) As used in this section, "qualifying form" means:
- 1001 (a) a driver license application form; or
- 1002 (b) a state identification card application form.
- 1003 (2) The lieutenant governor and the Driver License Division shall design each qualifying
- 1004 form to include:
- 1005 (a)(i) the following question, which an applicant is required to answer: "Do you
- 1006 authorize the use of information in this form for voter registration purposes?
- 1007 YES____ NO____";
- 1008 (ii) before January 1, 2028, the following question: "If you are currently registered to
- 1009 vote, do you desire to receive a ballot by mail in the 2028 elections and beyond?
- 1010 YES _____ NO _____"; and
- 1011 (iii) beginning on January 1, 2028, the following question: "If you are currently
- 1012 registered to vote, do you desire to receive a ballot by mail in the upcoming
- 1013 elections? YES _____ NO _____";
- 1014 (b) the following statement:

1015 "PRIVACY INFORMATION

1016 Voter registration records contain some information that is available to the public, such
1017 as your name and address, some information that is available only to government entities, and
1018 some information that is available only to certain third parties in accordance with the
1019 requirements of law.

1020 Your driver license number, identification card number, social security number, email
1021 address, full date of birth, and phone number are available only to government entities. Your
1022 year of birth is available to political parties, candidates for public office, certain third parties,
1023 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1024 You may request that all information on your voter registration records be withheld from
1025 all persons other than government entities, political parties, candidates for public office, and
1026 their contractors, employees, and volunteers, by indicating here:

1027 _____ Yes, I request that all information on my voter registration records be withheld
1028 from all persons other than government entities, political parties, candidates for public office,
1029 and their contractors, employees, and volunteers.

1030 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1031 In addition to the protections provided above, you may request that identifying
1032 information on your voter registration records be withheld from all political parties, candidates
1033 for public office, and their contractors, employees, and volunteers, by submitting a
1034 withholding request form, and any required verification, as described in the following
1035 paragraphs.

1036 A person may request that identifying information on the person's voter registration
1037 records be withheld from all political parties, candidates for public office, and their
1038 contractors, employees, and volunteers, by submitting a withholding request form with this
1039 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
1040 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
1041 violence.

1042 A person may request that identifying information on the person's voter registration
1043 records be withheld from all political parties, candidates for public office, and their
1044 contractors, employees, and volunteers, by submitting a withholding request form and any
1045 required verification with this registration form, or to the lieutenant governor or a county clerk,
1046 if the person is, or resides with a person who is, a law enforcement officer, a member of the
1047 armed forces, a public figure, or protected by a protective order or a protection order."[-and]

1048 (c) before January 1, 2028, a section in substantially the following form:

BALLOT NOTIFICATIONS

[If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box,] You can receive electronic notifications regarding the status of your ballot by indicating here:

_____ Yes, I would like to receive electronic notifications regarding the status of my ballot.

I consent to receive notifications by email at the following address:

I consent to receive notifications by text at the following phone number:

MAILED BALLOT SELECTION

Please indicate below whether you desire to have a ballot mailed to you in the 2028 elections and beyond:

_____ Yes, I desire to have a ballot mailed to me in the 2028 elections and beyond.

_____ No, do not mail a ballot to me in the 2028 elections or beyond.

; and

(d) beginning on January 1, 2028, a section in substantially the following form:

BALLOT NOTIFICATIONS

You can receive electronic notifications regarding the status of your ballot by indicating here:

_____ Yes, I would like to receive electronic notifications regarding the status of my ballot.

I consent to receive notifications by email at the following address:

I consent to receive notifications by text at the following phone number:

MAILED BALLOT SELECTION

Please indicate below whether you desire to have a ballot mailed to you in the upcoming elections:

_____ Yes, I desire to have a ballot mailed to me in the upcoming elections.

_____ No, do not mail a ballot to me in the upcoming elections.

Warning: Unless otherwise required by law, an election officer is not required to mail a ballot to you for an election held less than 45 days after you make this request.

-
- (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form contains:
- (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and Utah residency, and that the information provided in the form is true;
 - (b) a records disclosure that is similar to the records disclosure on a voter registration form described in Section 20A-2-104;
 - (c) a statement that if an applicant declines to register or preregister to vote, the fact that the applicant has declined to register or preregister will remain confidential and will be used only for voter registration purposes;
 - (d) a statement that if an applicant does register or preregister to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and
 - (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a space where an individual may, if desired:
 - (i) indicate the individual's desired political affiliation from a listing of each registered political party, as defined in Section 20A-8-101;
 - (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires to affiliate; or
 - (iii) indicate that the individual does not wish to affiliate with a political party.

Section 5. Section **20A-2-204** is amended to read:

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

- (1) As used in this section, "voter registration form" means, when an individual named on a qualifying form, as defined in Section 20A-2-108, answers "yes" to the question described in Subsection [20A-2-108(2)(a)] 20A-2-108(2)(a)(i), the information on the qualifying form that can be used for voter registration purposes.
- (2)(a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may register to vote, and a citizen who is qualified to preregister to vote may preregister to vote, by answering "yes" to the question described in Subsection [20A-2-108(2)(a)] 20A-2-108(2)(a)(i), complying with Section 20A-2-103.5, and completing the voter registration form.

(b) A citizen who is a program participant in the Safe at Home Program created in Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a), but is eligible to register to vote by any other means described in this part.

(3) The Driver License Division shall:

(a) assist an individual in completing the voter registration form unless the individual refuses assistance;

(b) electronically transmit each address change to the lieutenant governor within five days after the day on which the division receives the address change; and

(c) within five days after the day on which the division receives a voter registration form, electronically transmit the form to the Office of the Lieutenant Governor, including the following for the individual named on the form:

(i) the name, date of birth, driver license or state identification card number, last four digits of the social security number, Utah residential address, place of birth, and signature;

(ii) a mailing address, if different from the individual's Utah residential address;

(iii) an email address and phone number, if available;

(iv) the desired political affiliation, if indicated;

(v) an indication of whether the individual requested that the individual's voter registration record be classified as a private record under Subsection 20A-2-108(2)(b); and

(vi) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification submitted with the form.

(4) Upon receipt of an individual's voter registration form from the Driver License Division under Subsection (3), the lieutenant governor shall:

(a) enter the information into the statewide voter registration database; and

(b) if the individual requests on the individual's voter registration form that the individual's voter registration record be classified as a private record or the individual submits a withholding request form described in Subsections 20A-2-104(7) and (8) and any required verification, classify the individual's voter registration record as a private record.

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

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

1151 (b)(i) if the individual meets the qualifications to be registered to vote:

1152 (A) ensure that the individual is assigned to the proper voting precinct; and

1153 (B) send the individual the notice described in Section 20A-2-304; or

1154 (ii) if the individual meets the qualifications to be preregistered to vote, process the
1155 form in accordance with the requirements of Section 20A-2-101.1.

1156 (6)(a) When the county clerk receives a correctly completed voter registration form
1157 under this section, the clerk shall:

1158 (i) comply with the applicable provisions of this Subsection (6); or

1159 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.

1160 (b) If the county clerk receives a correctly completed voter registration form under this
1161 section no later than 5 p.m. or, if submitting the form electronically, midnight, 11
1162 calendar days before the date of an election, the county clerk shall:

1163 (i) accept the voter registration form; and

1164 (ii) unless the individual is preregistering to vote:

1165 (A) enter the individual's name on the list of registered voters for the voting
1166 precinct in which the individual resides; and

1167 (B) notify the individual that the individual is registered to vote in the upcoming
1168 election; and

1169 (iii) if the individual named in the form is preregistering to vote, comply with Section
1170 20A-2-101.1.

1171 (c) If the county clerk receives a correctly completed voter registration form under this
1172 section after the deadline described in Subsection (6)(b), the county clerk shall,
1173 unless the individual named in the form is preregistering to vote:

1174 (i) accept the application for registration of the individual;

1175 (ii) process the voter registration form; and

1176 (iii) unless the individual is preregistering to vote, and except as provided in
1177 Subsection 20A-2-207(6), inform the individual that the individual will not be
1178 registered to vote in the pending election, unless the individual registers to vote by
1179 provisional ballot during the early voting period, if applicable, or on election day,
1180 in accordance with Section 20A-2-207.

1181 (7)(a) If the county clerk determines that an individual's voter registration form received
1182 from the Driver License Division is incorrect because of an error, because the form is
1183 incomplete, or because the individual does not meet the qualifications to be registered
1184 to vote, the county clerk shall mail notice to the individual stating that the individual

has not been registered or preregistered because of an error, because the registration form is incomplete, or because the individual does not meet the qualifications to be registered to vote.

(b) If a county clerk believes, based upon a review of a voter registration form, that an individual, who knows that the individual is not legally entitled to register or preregister to vote, may be intentionally seeking to register or preregister to vote, the county clerk shall refer the form to the county attorney for investigation and possible prosecution.

Section 6. Section **20A-2-205** is amended to read:

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

(1) As used in this section:

(a) "Discretionary voter registration agency" means the same as that term is defined in Section 20A-2-300.5.

(b) "Public assistance agency" means the same as that term is defined in Section 20A-2-300.5.

(2) An individual may obtain and complete a registration form at a public assistance agency or discretionary voter registration agency.

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

"REGISTERING TO VOTE

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

- (4) Unless an individual applying for service or assistance from a public assistance agency or discretionary voter registration agency declines, in writing, to register or preregister to vote, each public assistance agency and discretionary voter registration agency shall:
- (a) distribute a voter registration form with each application for service or assistance provided by the agency or office;
 - (b) assist applicants in completing the voter registration form unless the applicant refuses assistance;
 - (c) accept completed forms, and copies of any documents submitted in accordance with Section 20A-2-103.5, for transmittal to the appropriate election official; and
 - (d) transmit a copy of each voter registration form to the appropriate election official within five days after the division receives the voter registration form.
- (5) An individual in a public assistance agency or a discretionary voter registration agency that helps an applicant complete the voter registration form may not:
- (a) seek to influence an applicant's political preference or party registration;
 - (b) display any political preference or party allegiance;
 - (c) make any statement to an applicant or take any action that has the purpose or effect of discouraging the applicant from registering to vote; or
 - (d) make any statement to an applicant or take any action that has the purpose or effect of leading the applicant to believe that a decision of whether to register or preregister has any bearing upon the availability of services or benefits.
- (6) If the county clerk receives a correctly completed voter registration form under this section no later than 5 p.m. 11 calendar days before the date of an election, the county clerk shall:
- (a) accept and process the voter registration form;
 - (b) unless the individual named in the form is preregistering to vote:
 - (i) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
 - (ii) notify the applicant that the applicant is registered to vote in the upcoming election; and
 - (c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1
- (7) If the county clerk receives a correctly completed voter registration form after the deadline described in Subsection (6), the county clerk shall:
- (a) accept the application for registration of the individual; and

(b) except as provided in Subsection 20A-2-207(6), if possible, promptly inform the individual that the individual will not be registered to vote in the pending election, unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207.

- (8) If the county clerk determines that a voter registration form received from a public assistance agency or discretionary voter registration agency is incorrect because of an error or because the voter registration form is incomplete, the county clerk shall mail notice to the individual attempting to register or preregister to vote, stating that the individual has not been registered or preregistered to vote because of an error or because the voter registration form is incomplete.

Section 7. Section **20A-2-206** is amended to read:

20A-2-206 . Electronic registration -- Requesting to receive a ballot by mail.

- (1) The lieutenant governor shall create and maintain an electronic system that is publicly available on the Internet for an individual to[-] :
- (a) apply for voter registration or preregistration[-] ; or
 - (b) beginning no later than July 1, 2025, request to receive a ballot by mail for an election held on or after January 1, 2028.
- (2) ~~[An]~~ The electronic system ~~[for voter registration or preregistration-]~~ described in Subsection (1) shall require that, to register to vote, the applicant:
- ~~[(a) that an applicant have a valid driver license or identification card, issued under Title 53, Chapter 3, Uniform Driver License Act, that reflects the applicant's current principal place of residence;]~~
 - (a) enter the applicant's name, address, date of birth, primary photo identification number, and any other information determined to be necessary by the lieutenant governor;
 - (b) ~~[that the applicant]~~ provide the information required by Section 20A-2-104, except that the applicant's signature may be obtained in the manner described in Subsections (2)(d) and (5);
 - (c) ~~[that the applicant]~~ attest to the truth of the information provided; and
 - (d) ~~[that the applicant]~~ authorize the lieutenant governor's and county clerk's use of the applicant's:
 - (i) ~~[driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver License Act,]~~ primary photo identification signature for voter registration or preregistration purposes; or

- 1287 (ii) signature on file in the lieutenant governor's statewide voter registration database
1288 developed under Section 20A-2-502, for voter registration or preregistration
1289 purposes.
- 1290 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system [~~for voter~~
1291 ~~registration or preregistration created under this section~~] described in Subsection (1) is
1292 not required to complete a printed registration form.
- 1293 (4) A system created and maintained under this section shall provide to an individual who is
1294 registering to vote the notices concerning a voter's presentation of identification [
1295 ~~contained in Subsection 20A-2-104(1)~~] described in Subsection 20A-2-104(2).
- 1296 (5) The lieutenant governor shall, in relation to a voter who is registering to vote:
- 1297 (a) obtain a digital copy of the applicant's [~~driver license or identification card signature~~]
1298 primary photo identification from the Driver License Division, if the applicant has
1299 primary photo identification; [or] and
- 1300 (b) ensure that the applicant's signature is already on file in the lieutenant governor's
1301 statewide voter registration database developed under Section 20A-2-502.
- 1302 (6) The lieutenant governor shall send the information described in Subsections (2) and (5)
1303 to the county clerk for the county in which the applicant's principal place of residence is
1304 found for further action as required by Section 20A-2-304 after:
- 1305 (a) receiving all information from an applicant; and
- 1306 (b)(i) receiving all information from the Driver License Division, if applicable; [or]
1307 and
- 1308 (ii) ensuring that the applicant's signature is already on file in the lieutenant
1309 governor's statewide voter registration database developed under Section
1310 20A-2-502.
- 1311 (7) The lieutenant governor may use additional security measures to ensure the accuracy
1312 and integrity of [~~an electronically submitted voter registration~~] information submitted
1313 electronically under this section.
- 1314 (8) If an individual applies to register under this section no later than 11 calendar days
1315 before the date of an election, the county clerk shall:
- 1316 (a) accept and process the voter registration form;
- 1317 (b) unless the individual named in the form is preregistering to vote:
- 1318 (i) enter the applicant's name on the list of registered voters for the voting precinct in
1319 which the applicant resides; and
- 1320 (ii) notify the individual that the individual is registered to vote in the upcoming

election; and

(c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.

(9) If an individual applies to register under this section after the deadline described in Subsection (8), the county clerk shall, unless the individual is preregistering to vote:

(a) accept the application for registration; and

(b) except as provided in Subsection 20A-2-207(6), if possible, promptly inform the individual that the individual will not be registered to vote in the pending election, unless the individual registers to vote by provisional ballot during the early voting period, if applicable, ~~on~~ on election day, in accordance with Section 20A-2-207.

(10) The lieutenant governor shall provide a means by which a registered voter shall sign the application form.

(11) For an individual who is registering to vote or is already registered to vote, the electronic system described in Subsection (1) shall require that, to request to receive a ballot by mail in an election held on or after January 1, 2028, the individual shall enter the voter's name, address, date of birth, and any other information that the lieutenant governor determines necessary.

(12) The electronic system described in Subsection (1) shall provide the following notice to each individual, who under this section, requests to receive a ballot by mail:

"NOTICE

Unless otherwise required by law, the election officer is not required to comply with a request to mail a ballot to a voter for an election that occurs less than 45 days after the day on which a request is made. If you have made a request within 45 days before the next election, you may need to vote in person for that election. If you are unable to vote in person, please contact your county clerk to determine if another option is available to you."

Section 8. Section **20A-2-207** is amended to read:

20A-2-207 . Registration by provisional ballot.

(1) Except as provided in Subsection (6), an individual who is not registered to vote may register to vote, and vote, on election day or during the early voting period described in Section 20A-3a-601, by voting a provisional ballot, if:

(a) the individual is otherwise legally entitled to vote the ballot;

(b) the ballot is identical to the ballot for the precinct in which the individual resides;

(c) the information on the provisional ballot form is complete; and

(d) the individual provides valid voter identification and proof of residence to the poll worker.

(2) If a provisional ballot and the individual who voted the ballot comply with the requirements described in Subsection (1), the election officer shall:

(a) consider the provisional ballot a voter registration form;

(b) place the ballot with the other ballots, to be counted with those ballots at the canvass; and

(c) as soon as reasonably possible, register the individual to vote.

(3) Except as provided in Subsection (4), the election officer shall retain a provisional ballot form, uncounted, for the period specified in Section 20A-4-202, if the election officer determines that the individual who voted the ballot:

(a) is not registered to vote and is not eligible for registration under this section; or

(b) is not legally entitled to vote the ballot that the individual voted.

(4) Subsection (3) does not apply if a court orders the election officer to produce or count the provisional ballot.

(5) The lieutenant governor shall report to the Government Operations Interim Committee on or before October 31, 2020, regarding:

(a) implementation of registration by provisional ballot, as described in this section, on a statewide basis;

(b) any difficulties resulting from the implementation described in Subsection (5)(a);

(c) the effect of registration by provisional ballot on voter participation in Utah;

(d) the number of ballots cast by voters who registered by provisional ballot:

(i) during the early voting period described in Section 20A-3a-601; and

(ii) on election day; and

(e) suggested changes in the law relating to registration by provisional ballot.

(6) For an election administered by an election officer other than a county clerk:

(a) if the election officer does not operate a polling place to allow early voting, the individual may not register to vote, under this section, during an early voting period; and

(b) ~~[if the election officer does not operate a polling place on election day,]~~ the individual may not register to vote, under this section, on election day, or during early voting, in an election held for a local tax referendum that is conducted entirely by mail under Section 20A-7-609.5.

Section 9. Section **20A-2-502** is amended to read:

20A-2-502 . Statewide voter registration system -- Maintenance and update of system -- Record security -- List of incarcerated felons -- Public document showing compliance by county clerks.

(1) The lieutenant governor shall:

- (a) develop, manage, and maintain a statewide voter registration system to be used by county clerks to maintain an updated statewide voter registration database in accordance with this section and rules made under Section 20A-2-507;
- (b) except as provided in Subsection (2)(c), regularly update the system with information relevant to voter registration, as follows:
 - (i) on at least a weekly basis, information received from the Driver License Division in relation to:
 - (A) voter registration;
 - (B) a registered voter's change of address; or
 - (C) a registered voter's change of name;
 - (ii) on at least a weekly basis, the information described in Subsection 26B-8-114(11) from the state registrar, regarding deceased individuals;
 - (iii) on at least a monthly basis, the information described in Subsection (3), received from the Department of Corrections regarding incarcerated individuals;
 - (iv) on at least a monthly basis, information received from other states, including information received under an agreement described in Subsection (2); and
 - (v) within 31 days after receiving information relevant to voter registration, other than the information described in Subsections (1)(b)(i) through (v);
- (c) regularly monitor the system to ensure that each county clerk complies with the requirements of this part and rules made under Section 20A-2-507;
- (d) establish matching criteria and security measures for identifying a change described in Subsection (1)(b) to ensure the accuracy of a voter registration record;~~[-and]~~
- (e) on at least a monthly basis:
 - (i) use the matching criteria and security measures described in Subsection (1)(d) to compare information in the database to identify duplicate data, contradictory data, and changes in data;
 - (ii) notify the applicable county clerk of the data identified; and
 - (iii) notify the county clerk of the county in which a voter's principal place of residence is located of a change in a registered voter's principal place of residence or name~~[-]~~ ;

(f) before January 1, 2026:

(i) develop a procedure that a county clerk is required to follow to:

(A) determine the number of individuals who are registered to vote at a single-family home address; and

(B) investigate potential anomalies in the voter registration database based on the results of the determination described in Subsection (1)(f)(i)(A);

(ii) develop procedures that a county clerk is required to follow to investigate the validity of a voter registration when a ballot mailed by the county clerk is returned by the post office as undeliverable; and

(iii) establish requirements and a procedure for a county clerk to use the Systemic Alien Verification for Entitlements Program, operated by the United States Department of Homeland Security, to identify non-citizens who register to vote.

(2)(a) Subject to Subsection (2)(b), the lieutenant governor may cooperate or enter into an agreement with a governmental entity or another state to share information and increase the accuracy of the database.

(b) For a record shared under Subsection (2)(a), the lieutenant governor shall ensure:

(i) that the record is only used to maintain the accuracy of the database;

(ii) compliance with Section 63G-2-206; and

(iii) that the record is secure from unauthorized use by employing data encryption or another similar technology security system.

(c) The lieutenant governor is not required to comply with an updating requirement described in Subsection (1)(b) to the extent that the person responsible to provide the information to the lieutenant governor fails to provide the information.

(3)(a) The lieutenant governor shall maintain a current list of all incarcerated felons in Utah.

(b) The Department of Corrections shall provide the lieutenant governor's office with:

(i) the name and last-known address of each individual who:

(A) was convicted of a felony in a Utah state court; and

(B) is currently incarcerated for commission of a felony; and

(ii) the name of each convicted felon who has been released from incarceration.

(4) The lieutenant governor shall seek to enter into an agreement with the federal courts to provide that, in exchange for receiving information from the state's voter registration list or from a list maintained by the Driver License Division to use in relation to federal juries, the federal courts will notify the lieutenant governor or a county clerk when an

individual disclosed from one of the lists is disqualified from jury service due to a conviction or non-citizenship.

- [~~(4)~~] (5) The lieutenant governor shall maintain on the lieutenant governor's website a document that:
- (a) describes the utilities and tools within the system that a county clerk is required to run;
 - (b) describes the actions, if any, that a county clerk is required to take in relation to the results of running a utility or tool;
 - (c) lists, by date, the recurring deadlines by which a county clerk must comply with Subsection [~~(4)~~(a) or (b)] (5)(a) or (b); and
 - (d) indicates, by county:
 - (i) whether the county clerk timely complies with each deadline described in Subsection [~~(4)~~(c)] (5)(c); and
 - (ii) if the county clerk fails to timely comply with a deadline described in Subsection [~~(4)~~(c)] (5)(c), whether the county clerk subsequently complies with the deadline and the date on which the county clerk complies.

Section 10. Section **20A-2-503** is amended to read:

20A-2-503 . County clerk's responsibilities -- Updating voter registration.

- (1)(a) Each county clerk shall use the system to record or modify all voter registration records.
- (b) A county clerk shall:
- (i) at the time the county clerk enters a voter registration record into the system, run the system's voter identification verification tool in relation to the record; and
 - (ii) in accordance with rules made under Section 20A-2-507, regularly report to the lieutenant governor the information described in Subsection 20A-2-502(4).
- (2) A county clerk who receives notification from the lieutenant governor, as provided in Subsection 20A-2-502(1)(e), of a change in a registered voter's principal place of residence or name may verify the change with the registered voter.
- (3) Unless the county clerk verifies that a change described in Subsection (2) is incorrect, the county clerk shall:
- (a) change the voter registration record to show the registered voter's current name and address; and
 - (b) notify the registered voter of the change to the voter registration record.
- (4) A county clerk shall, in accordance with rules made under Section 20A-2-507:

(a) on at least a monthly basis, run the duplicate voter utility and take the action required to resolve potential duplicate data identified by the utility; and

(b) every December, run the annual maintenance utility.

(5)(a) If a voter does not vote in any election during the period beginning on the date of any regular general election and ending on the day after the date of the next regular general election, and the county clerk has not sent the voter a notice described in Section 20A-2-505 during the period, the county clerk shall, within 14 days after the day on which the county clerk runs the annual maintenance utility, send to the voter a preaddressed return form in substantially the following form:

"VOTER REGISTRATION ADDRESS"

To ensure the address on your voter registration is correct, please complete and return this form if your address has changed. What is your current street address?

Street	City	County	State	ZIP
--------	------	--------	-------	-----

Signature of Voter

(b) The county clerk shall mail the form described in Subsection (5)(a) with a postal service that will notify the county clerk if the voter has changed the voter's address.

(6) A county clerk shall comply with the requirements and procedures described in Subsection 20A-2-502(1)(f).

Section 11. Section **20A-2-505** is amended to read:

20A-2-505 . Removing names from the official register -- Determining and confirming change of residence.

(1) A county clerk may not remove a voter's name from the official register on the grounds that the voter has changed residence unless the voter:

(a) confirms in writing that the voter has changed residence to a place outside the county; or

(b)(i) does not vote in an election during the period beginning on the date of the notice described in Subsection (3), and ending on the day after the date of the second regular general election occurring after the date of the notice; and

(ii) does not respond to the notice described in Subsection (3).

(2)(a) Within 31 days after the day on which a county clerk obtains information that a voter's address has changed, if it appears that the voter still resides within the same county, the county clerk shall:

- 1525 (i) change the official register to show the voter's new address; and
- 1526 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).
- 1527 (b) When a county clerk obtains information that a voter's address has changed and it
- 1528 appears that the voter now resides in a different county, the county clerk shall verify
- 1529 the changed residence by sending to the voter, by forwardable mail, the notice
- 1530 described in Subsection (3), printed on a postage prepaid, preaddressed return form.
- 1531 (3)(a) Each county clerk shall use substantially the following form to notify voters whose
- 1532 addresses have changed:
- 1533 "VOTER REGISTRATION NOTICE
- 1534 We have been notified that your residence has changed. Please read, complete, and
- 1535 return this form so that we can update our voter registration records. What is your current
- 1536 street address?
- 1537 _____
- | | | | | | |
|------|--------|------|--------|-------|-----|
| 1538 | Street | City | County | State | Zip |
|------|--------|------|--------|-------|-----|
- 1539 What is your current phone number (optional)? _____
- 1540 What is your current email address (optional)? _____
- 1541 If you have not changed your residence, or have moved but stayed within the same
- 1542 county, you must complete and return this form to the county clerk so that it is received by the
- 1543 county clerk before 5 p.m. no later than 30 days before the date of the election. If you fail to
- 1544 return this form within that time:
- 1545 - you may be required to show evidence of your address to the poll worker before being
- 1546 allowed to vote in either of the next two regular general elections; or
- 1547 - if you fail to vote at least once, from the date this notice was mailed until the passing of
- 1548 two regular general elections, you will no longer be registered to vote. If you have changed
- 1549 your residence and have moved to a different county in Utah, you may register to vote by
- 1550 contacting the county clerk in your county.

1551 _____

1552	Signature of Voter	PRIVACY INFORMATION
------	--------------------	---------------------

1553 Voter registration records contain some information that is available to the public, such

1554 as your name and address, some information that is available only to government entities, and

1555 some information that is available only to certain third parties in accordance with the

1556 requirements of law.

1557 Your driver license number, identification card number, social security number, email

1558 address, full date of birth, and phone number are available only to government entities. Your

1559

year of birth is available to political parties, candidates for public office, certain third parties, and their contractors, employees, and volunteers, in accordance with the requirements of law.

You may request that all information on your voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers, by indicating here:

_____ Yes, I request that all information on my voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers.

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

In addition to the protections provided above, you may request that identifying information on your voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form, and any required verification, as described in the following paragraphs.

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form with this registration record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form and any required verification with this registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order."

- (b) [The] Before January 1, 2028, the form described in Subsection (3)(a) shall also include a section in substantially the following form:

BALLOT NOTIFICATIONS

~~[If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box,]~~ You can receive electronic notifications regarding the status of your ballot by indicating here:

1594 _____ Yes, I would like to receive electronic notifications regarding the status of my
1595 ballot.

1596 I consent to receive notifications by email at the following address:

1597 _____

1598 I consent to receive notifications by text at the following phone number:

1599 _____

1600 MAILED BALLOT SELECTION

1601 Please indicate below whether you desire to have a ballot mailed to you in the 2028
1602 elections and beyond:

1603 _____ Yes, I desire to have a ballot mailed to me in the 2028 elections and beyond.

1604 _____ No, do not mail a ballot to me in the 2028 elections or beyond.

1605 -----

1606 (c) Beginning on January 1, 2028, the form described in Subsection (3)(a) shall also
1607 include a section in substantially the following form:

1608 -----

1609 BALLOT NOTIFICATIONS

1610 You can receive electronic notifications regarding the status of your ballot by
1611 indicating here:

1612 _____ Yes, I would like to receive electronic notifications regarding the status
1613 of my ballot.

1614 I consent to receive notifications by email at the following address:

1615 _____

1616 I consent to receive notifications by text at the following phone number:

1617 _____

1618 MAILED BALLOT SELECTION

1619 Please indicate below whether you desire to have a ballot mailed to you in the
1620 upcoming elections:

1621 _____ Yes, I desire to have a ballot mailed to me in the upcoming elections.

1622 _____ No, do not mail a ballot to me in the upcoming elections.

1623 Warning: Unless otherwise required by law, an election officer is not required to
1624 mail a ballot to you for an election held less than 45 days after you make this request.

1625 -----

1626 (4)(a) Except as provided in Subsection (4)(b), the county clerk may not remove the
1627 names of any voters from the official register during the 90 days before a regular

primary election or the 90 days before a regular general election.

(b) The county clerk may remove the names of voters from the official register during the 90 days before a regular primary election or the 90 days before a regular general election if:

(i) the voter requests, in writing, that the voter's name be removed; or

(ii) the voter dies.

(c)(i) After a county clerk mails a notice under this section, the county clerk shall, unless otherwise prohibited by law, list that voter as inactive.

(ii) If a county clerk receives a returned voter identification card, determines that there was no clerical error causing the card to be returned, and has no further information to contact the voter, the county clerk shall, unless otherwise prohibited by law, list that voter as inactive.

(iii) An inactive voter may vote, sign petitions, and have all other privileges of a registered voter.

(iv) A county is not required to:

(A) send routine mailings to an inactive voter; or

(B) count inactive voters when dividing precincts and preparing supplies.

(5) The lieutenant governor shall make available to a county clerk United States Social Security Administration data received by the lieutenant governor regarding deceased individuals.

(6) A county clerk shall, within ten business days after the day on which the county clerk receives the information described in Subsection (5) or Subsections 26B-8-114(11) and (12) relating to a decedent whose name appears on the official register, remove the decedent's name from the official register.

(7) Ninety days before each primary and general election the lieutenant governor shall compare the information the lieutenant governor has received under Subsection 26B-8-114(11) with the official register of voters to ensure that all deceased voters have been removed from the official register.

Section 12. Section **20A-3a-106** is amended to read:

20A-3a-106 . Rulemaking authority relating to conducting an election.

The director of elections, within the Office of the Lieutenant Governor, may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for:

(1) a return envelope[~~described in Subsection 20A-3a-202(4)~~], to ensure uniformity and

security of the envelopes;

- (2) complying with the signature comparison audit requirements described in Section 20A-3a-402.5; or
- (3) conducting and documenting the identity verification process described in Subsection 20A-3a-401(7)(b).

Section 13. Section **20A-3a-201** is amended to read:

20A-3a-201 . Voting methods.

- (1) ~~[Except for an election conducted entirely by mail under Section 20A-7-609.5, a]~~ A voter may vote as follows:
 - (a) by mail;
 - (b) at a polling place during early voting hours;
 - (c) at a polling place on election day when the polls are open;
 - (d) if the voter is an individual with a disability, by voting remotely, via a mechanical ballot or via electronic means if approved by the election officer;
 - (e) electronically or via a federal write-in absentee ballot if the voter is a covered voter, as defined in Section 20A-16-102; or
 - (f) by emergency ballot, in accordance with Part 3, Emergency Ballots.
- (2) A voter may not vote at a polling place if the voter voted by mail or in a manner described in Subsections (1)(d) through (f).

Section 14. Section **20A-3a-202** is amended to read:

20A-3a-202 . Conducting election in person and by mail -- Mailing ballots to remote voters -- Exceptions.

- (1)(a) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.
- (b) An individual who did not provide valid voter identification at the time the voter registered to vote shall provide valid voter identification before voting.
- (2) An election officer who administers an election:
 - (a) shall in accordance with Subsection (3), no sooner than 21 days before election day and no later than seven days before election day, mail to each ~~[active]~~ remote voter~~[within a voting precinct]~~:
 - (i) a manual ballot;
 - (ii) a return envelope;
 - (iii) instructions for returning the ballot that include an express notice about any

- relevant deadlines that the voter must meet in order for the voter's vote to be counted;
- (iv) ~~[for an election administered by a county clerk,]~~information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information;
- ~~[(v) for an election administered by an election officer other than a county clerk, if the election officer does not operate a polling place or an election day voting center, a warning, on a separate page of colored paper in bold face print, indicating that if the voter fails to follow the instructions included with the ballot, the voter will be unable to vote in that election because there will be no polling place for the voting precinct on the day of the election; and]~~
- ~~[(vi)]~~ (v) instructions on how a voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5;
- (b) may not mail a ballot under this section to ~~to~~ a voter who is not a remote voter;
- ~~[(i) an inactive voter, unless the inactive voter requests a manual ballot; or]~~
- ~~[(ii) a voter whom the election officer is prohibited from sending a ballot under Subsection (9)(c)(ii);]~~
- (c) shall, on the outside of the envelope in which the election officer mails the ballot, include instructions for returning the ballot if the individual to whom the election officer mails the ballot does not live at the address to which the ballot is sent;
- (d) shall provide a method of accessible voting to a voter with a disability who is not able to vote by mail; and
- (e) shall include, on the election officer's website and with each ballot mailed, instructions regarding how a voter described in Subsection (2)(d) may vote.
- (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to the address:
- (i) provided at the time of registration or updated by the voter after the time of registration; or
- (ii) if, at or after the time of registration, the voter files an alternate address request form described in Subsection (3)(b), the alternate address indicated on the form.
- (b) The lieutenant governor shall make available to voters an alternate address request form that permits a voter to request that the election officer mail the voter's ballot to a location other than the voter's residence.
- (c) A voter shall provide the completed alternate address request form to the election

officer no later than 11 days before the day of the election.

- (d) Before January 1, 2028, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statements:

WARNING

If you have a valid Utah driver license (or license certificate) or a valid Utah state identification card, failure to provide the last four digits of the license or card number will result in your ballot not being counted. If you do not have either of these identification types, your ballot will still be counted if your signature on the affidavit on this envelope matches your signature on file with the election officer.

NOTICE

Beginning in 2028, you will not receive a ballot by mail unless you request to receive a ballot by mail, You may request to receive a ballot by mail for elections held in 2028 and beyond at [insert a uniform resource locator where the voter can make the request online]. If you are unable to make a request online, contact your county clerk's office at the following number for instructions on how to make the request in person or by mail [insert phone number here]."

- (e) Beginning on January 1, 2028, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statement:

"WARNING

If you have a valid Utah driver license (or license certificate) or a valid Utah state identification card, failure to provide the last four digits of the license or card number will result in your ballot not being counted. If you do not have a valid Utah driver license (or license certificate) or a valid Utah state identification card, you must vote in person at a polling place, unless you qualify for an exemption from this requirement. You may obtain information regarding an exemption at [insert a uniform resource locator where the voter can view this information] or by calling [insert a phone number that a voter may call to access this information]."

- (4) The return envelope shall include:

- (a) the name, official title, and post office address of the election officer on the front of the envelope;

- (b) before January 1, 2028, the following statement:

"If you have a valid Utah driver license (or license certificate), or a valid Utah state identification card, you must legibly enter the last four digits of the license number or card number below. Otherwise, indicate below that you do not have this

form of identification.

Last four digits of Utah driver license (or license certificate) number _____

Last four digits of Utah state identification card number _____

☐ I do not have a valid Utah driver license (or license certificate) or a valid Utah state identification card.

IMPORTANT: See the warning and notice enclosed with your ballot."

(c) beginning on January 1, 2028, the following statement:

"If you have a valid Utah driver license (or license certificate) or a valid Utah state identification card, you must legibly enter the last four digits of the license number or card number below.

Last four digits of Utah driver license (or license certificate) number _____

Last four digits of Utah state identification card number _____

IMPORTANT: See the warning and notice enclosed with your ballot."

~~[(b)]~~ (d) a space where a voter may write an email address and phone number by which the election officer may contact the voter if the voter's ballot is rejected; and

~~[(e)]~~ (e) a printed affidavit in substantially the following form:

"County of ____ State of ____

I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon currently incarcerated for commission of a felony.

Signature of Voter["; and]

WARNING

The above affidavit must be signed by the voter to whom the ballot is addressed. It is a FELONY for any other individual to sign the above affidavit, even if the voter to whom the ballot is addressed gives permission for another to sign the affidavit for the voter. The ballot will not be counted if the signature on the affidavit does not match the signature on file with the election officer."

~~[(d) a warning that the affidavit must be signed by the individual to whom the ballot was sent and that the ballot will not be counted if the signature on the affidavit does not match the signature on file with the election officer of the individual to whom the ballot was sent.]~~

(5) ~~If the election officer determines that the voter [is required to show valid voter] has not yet provided identification in accordance with Section 20A-2-103.5,[-] the election~~

1798 officer may:

1799 (a) mail a ballot to the voter;

1800 (b) instruct the voter to include a copy of the ~~[voter's valid voter identification with the~~
1801 ~~return ballot]~~ identification required under Section 20A-2-103.5 with the ballot inside
1802 the return envelope; and

1803 (c) provide instructions to the voter on how the voter may sign up to receive electronic
1804 ballot status notifications via the ballot tracking system described in Section
1805 20A-3a-401.5.

1806 (6) An election officer who administers an election shall:

1807 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
1808 election; or

1809 (ii) obtain the signature of each voter within the voting precinct from the county
1810 clerk; and

1811 (b) maintain the signatures on file in the election officer's office.

1812 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot
1813 under Section 20A-3a-401.

1814 (8) A county that administers an election:

1815 (a) shall provide at least one election day voting center in accordance with Part 7,
1816 Election Day Voting Center, and at least one additional election day voting center for
1817 every 5,000 active voters in the county who ~~[have requested to not receive a ballot by~~
1818 ~~mail]~~ are not remote voters;

1819 (b) shall ensure that each election day voting center operated by the county has at least
1820 one voting device that is accessible, in accordance with the Help America Vote Act
1821 of 2002, Pub. L. No. 107-252, for individuals with disabilities;

1822 (c) may reduce the early voting period described in Section 20A-3a-601, if:

1823 (i) the county clerk conducts early voting on at least four days;

1824 (ii) the early voting days are within the period beginning on the date that is 14 days
1825 before the date of the election and ending on the day before the election; and

1826 (iii) the county clerk provides notice of the reduced early voting period in accordance
1827 with Section 20A-3a-604; and

1828 (d) is not required to pay return postage for a ~~[ballot]~~ return envelope.

1829 ~~[(9)(a) An individual may request that the election officer not send the individual a~~
1830 ~~ballot by mail in the next and subsequent elections by submitting a written request to~~
1831 ~~the election officer.]~~

~~[(b) An individual shall submit the request described in Subsection (9)(a) to the election officer before 5 p.m. no later than 60 days before an election if the individual does not wish to receive a ballot by mail in that election.]~~

~~[(e) An election officer who receives a request from an individual under Subsection (9)(a):]~~

~~[(i) shall remove the individual's name from the list of voters who will receive a ballot by mail; and]~~

~~[(ii) may not send the individual a ballot by mail for:]~~

~~[(A) the next election, if the individual submits the request described in Subsection (9)(a) before the deadline described in Subsection (9)(b); or]~~

~~[(B) an election after the election described in Subsection (9)(c)(ii)(A).]~~

~~[(d) An individual who submits a request under Subsection (9)(a) may resume the individual's receipt of a ballot by mail by submitting a written request to the election officer.]~~

Section 15. Section **20A-3a-202.5** is enacted to read:

20A-3a-202.5 . Receiving a ballot by mail -- Making a request -- Termination or expiration of a request -- Renewing a request.

(1) As used in this section, "request to receive a ballot by mail" means to make a request as described in Subsection (2).

(2) An individual may request that, for an election held on or after January 1, 2028, the individual receive a ballot by mail, by:

(a) making the request on a voter registration form;

(b) making the request when the individual applies for or renews primary photo identification;

(c) making the request via the electronic system described in Section 20A-2-206;

(d) submitting the request form described in Subsection (3) to the individual's county clerk; or

(e) making the request when the voter votes in person.

(3)(a) The lieutenant governor shall design and make publicly available a form that a voter may use to request to receive a ballot by mail for an election held on or after January 1, 2028.

(b) The form described in Subsection (3)(a) shall:

(i) require the voter to enter the voter's name, address, date of birth, and any other information that the lieutenant governor determines necessary; and

(ii) include the following notice:

"NOTICE

Unless otherwise required by law, the election officer is not required to comply with a request to mail a ballot to a voter for an election that occurs less than 45 days after the day on which a request is made. If you have made a request within 45 days before the next election, you may need to vote in person for that election. If you are unable to vote in person, please contact your county clerk to determine if another option is available to you."

(4) An election officer shall, when mailing ballots to voters under Section 20A-3a-202, mail a ballot to each registered voter who:

(a) for an election held before January 1, 2028, is an active voter, unless the voter:

(i) is not eligible to vote the ballot; or

(ii) requests to stop receiving a ballot by mail; or

(b) except as provided in Subsection (5), for an election held on or after January 1, 2028:

(i) has primary photo identification; and

(ii) makes a request to receive a ballot by mail at least 45 days before the day of the election.

(5) For an election held on or after January 1, 2028, an election officer may not mail a ballot to an individual who:

(a) is not legally entitled to vote the ballot;

(b) following the individual's most recent request to receive a ballot by mail, the individual:

(i) requests to stop receiving ballots by mail; or

␣→ (ii) **does not vote in an election during a two-year period that includes two consecutive regular general elections; or**

[(iii) fails to vote in a regular general election in 2028 or later; or] ←␣

(c) has not, within eight years before the day on which the election officer mails the bulk of the ballots for an election, made a request to receive a ballot by mail.

(6) In addition to mailing ballots under Subsection (4), an election officer shall, to the extent required under Chapter 16, Uniform Military and Overseas Voters Act, mail a ballot to a covered voter, as defined in Section 20A-16-102, unless the voter has requested to not receive a ballot by mail.

Section 16. Section **20A-3a-203** is amended to read:

20A-3a-203 . Voting at a polling place.

- 1898 (1) ~~[Except as provided in Section 20A-7-609.5, a]~~ A registered voter may vote at a polling
1899 place in an election in accordance with this section.
- 1900 (2)(a) The voter shall give the voter's name, and, if requested, the voter's residence, to
1901 one of the poll workers.
- 1902 (b) ~~[The voter shall present valid voter]~~ Except as provided in Subsection (8), the voter
1903 shall present primary photo identification to one of the poll workers.
- 1904 (c) If the poll worker is not satisfied that the voter has presented ~~[valid voter]~~ the
1905 identification required under Subsection (2)(b) or, if applicable, Subsection (8), the
1906 poll worker shall:
- 1907 (i) indicate on the official register that the voter was not properly identified;
1908 (ii) issue the voter a provisional ballot;
1909 (iii) notify the voter that the voter will have until the close of normal office hours on
1910 Monday after the day of the election to present ~~[valid voter]~~ the identification
1911 required under Subsection (2)(b) or, if applicable, Subsection (8), to:
- 1912 (A) ~~[to]~~ the county clerk at the county clerk's office; or
1913 (B) ~~[to an]~~ the election officer who is administering the election; and
- 1914 (iv) follow the procedures and requirements of Section 20A-3a-205.
- 1915 (d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll
1916 worker shall follow the procedures and requirements of Section 20A-3a-205.
- 1917 (3) A poll worker shall check the official register to determine whether:
- 1918 (a) a voter is registered to vote; and
1919 (b) if the election is a regular primary election or a presidential primary election,
1920 whether a voter's party affiliation designation in the official register allows the voter
1921 to vote the ballot that the voter requests.
- 1922 (4)(a) Except as provided in Subsection (5), if the voter's name is not found on the
1923 official register, the poll worker shall follow the procedures and requirements of
1924 Section 20A-3a-205.
- 1925 (b) If, in a regular primary election or a presidential primary election, the official register
1926 does not affirmatively identify the voter as being affiliated with a registered political
1927 party or if the official register identifies the voter as being "unaffiliated," the voter
1928 shall be considered to be "unaffiliated."
- 1929 (5) In a regular primary election or a presidential primary election:
- 1930 (a) if a voter's name is not found on the official register, and if it is not unduly disruptive
1931 to the election process, the poll worker may attempt to contact the county clerk's

- 1932 office to request oral verification of the voter's registration; and
- 1933 (b) if oral verification is received from the county clerk's office, the poll worker shall:
- 1934 (i) record the verification on the official register;
- 1935 (ii) determine the voter's party affiliation and the ballot that the voter is qualified to
- 1936 vote; and
- 1937 (iii) except as provided in Subsection (6), comply with Subsection (3).
- 1938 (6)(a) Except as provided in Subsection (6)(b), if, in a regular primary election or a
- 1939 presidential primary election, the voter's political party affiliation listed in the official
- 1940 register does not allow the voter to vote the ballot that the voter requested, the poll
- 1941 worker shall inform the voter of that fact and inform the voter of the ballot or ballots
- 1942 that the voter's party affiliation does allow the voter to vote.
- 1943 (b) If, in a regular primary election or a presidential primary election, the voter is listed
- 1944 in the official register as unaffiliated, or if the official register does not affirmatively
- 1945 identify the voter as either unaffiliated or affiliated with a registered political party,
- 1946 and the voter, as an unaffiliated voter, is not authorized to vote the ballot that the
- 1947 voter requests, the poll worker shall:
- 1948 (i) ask the voter if the voter wishes to vote another registered political party ballot
- 1949 that the voter, as unaffiliated, is authorized to vote~~[-, or remain unaffiliated]~~; and
- 1950 (ii)(A) if the voter wishes to vote another registered political party ballot that the
- 1951 unaffiliated voter is authorized to vote, the poll worker shall proceed as
- 1952 required by Subsection (3); or
- 1953 (B) if the voter ~~[wishes to remain unaffiliated and]~~ does not wish to vote another
- 1954 ballot that unaffiliated voters are authorized to vote, the poll worker shall
- 1955 instruct the voter that the voter may not vote.
- 1956 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of
- 1957 Subsection (6), if the poll worker determines that the voter is registered, a poll worker
- 1958 shall:
- 1959 (a) direct the voter to sign the voter's name in the official register;
- 1960 (b) provide to the voter the ballot that the voter is qualified to vote; and
- 1961 (c) allow the voter to enter the voting booth.
- 1962 (8) If a voter voting in person at a polling place does not have primary photo identification,
- 1963 the individual shall present to one of the poll workers:
- 1964 (a) the voter's secondary photo identification; or
- 1965 (b) if the voter does not have secondary photo identification, the voter's tertiary

identification and a signed affidavit stating:

(i) that the individual does not have primary photo identification or secondary photo identification;

(ii) that the individual:

(A) cannot obtain primary photo identification or secondary photo identification;

or

(B) for a reason outside the reasonable control of the individual, could not have

obtained primary photo identification or secondary photo identification in time

to register to vote in the next election; and

(iii)(A) the reason the individual is unable to obtain primary photo identification

or secondary photo identification; or

(B) the reason, outside the reasonable control of the individual, that the individual

could not have obtained primary photo identification or secondary photo

identification in time to register to vote in the next election.

(9) A reason described in Subsection (8)(b)(iii) may include:

(a) a practical reason; or

(b) a religious objection to being photographed.

(10) A voter who votes at a polling place may submit a request to a poll worker that a ballot

be mailed to the voter in an election held in 2028 or later.

Section 17. Section **20A-3a-204** is amended to read:

20A-3a-204 . Marking a manual ballot -- Returning a ballot by mail, at an election officer's office, or via a ballot drop box -- Depositing a ballot received by mail at a polling place.

(1) To vote [~~by mail~~] a manual ballot:

(a) except as provided in Subsection [~~(6)~~] (7), the voter shall prepare the voter's manual ballot by marking the appropriate space with a mark opposite the name of each candidate of the voter's choice for each office to be filled;

(b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the appropriate space with a mark opposite the answer the voter intends to make;

(c) except as provided in Subsection [~~(6)~~] (7), the voter shall record a write-in vote in accordance with Subsection 20A-3a-206(1); and

(d) except as provided in Subsection [~~(6)~~] (7), a mark is not required opposite the name of a write-in candidate[~~; and~~] .

(2) Before returning a ballot mailed to the voter,

2000 [(e)] the voter shall:

2001 [(i)] (a) complete and sign the affidavit on the return envelope;

2002 [(ii)] (b) place the voted ballot in the return envelope;

2003 [(iii)] if required, place a copy of the voter's valid voter identification in the return
2004 envelope;

2005 (c) if required by the election officer because the voter has not yet provided
2006 identification in accordance with Section 20A-2-103.5, include a copy of the
2007 identification required under Section 20A-2-103.5 with the ballot inside the return
2008 envelope;

2009 [(iv)] (d) securely seal the return envelope; and

2010 [(v)] (e)[(A)] if returning the remote ballot by mail, attach postage, if necessary,
2011 and deposit the return envelope in the mail[; or] .

2012 [(B)] place the return envelope in a ballot drop box, designated by the election
2013 officer, for the precinct where the voter resides.]

2014 [(2)] (3)(a) Except as otherwise provided in Section 20A-16-404, to be valid, a ballot that
2015 is mailed must be[;] received by the election officer on or before 8 p.m. on election
2016 day.

2017 [(i)] clearly postmarked before election day, or otherwise clearly marked by the post
2018 office as received by the post office before election day; and]

2019 [(ii)] received in the office of the election officer before noon on the day of the official
2020 canvass following the election.]

2021 (b) Except as provided in Subsection [(2)(e)] (3)(c), to be valid, a ballot returned by a
2022 method other than by mail shall[-] :

2023 (i) before [the polls close] 8 p.m. on election day[-, be deposited in]:

2024 [(i)] (A) be deposited in a ballot box at a polling place; or

2025 [(ii)] (B) be deposited in a ballot drop box designated by an election officer for the
2026 jurisdiction to which the ballot relates[-] ; or

2027 (ii) if the ballot is returned directly to the election officer's office, be received at the
2028 election officer's office before 5 p.m. on election day.

2029 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot
2030 drop box in the wrong jurisdiction to the correct jurisdiction.

2031 (d) An election officer shall ensure that a voter who is[-, at or before 8 p.m., in line at a
2032 ballot drop box, with] :

2033 (i) in line at a polling place at 8 p.m. on election day to:

2034 (A) after complying with Section 20A-3a-203 and Subsection (1), allowed to vote;
 2035 or
 2036 (B) if the voter has a sealed return envelope containing a ballot in the voter's
 2037 possession, allowed to place the return envelope in a ballot box;
 2038 (ii) at 8 p.m. on election day, in line at a ballot drop box with a sealed return envelope
 2039 containing a ballot in the voter's possession, allowed to deposit the ballot in the
 2040 ballot drop box[-] ; or
 2041 (iii) at 5 p.m. on election day, in line at the election officer's office with a sealed
 2042 return envelope containing a ballot in the voter's possession, allowed to deliver the
 2043 return envelope to the election officer's office.

2044 ~~[(3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after~~
 2045 ~~complying with Subsections (1)(a) through (d):]~~
 2046 ~~[(a) sign the official register or pollbook; and]~~
 2047 ~~[(b)(i) place the ballot in the ballot box; or]~~
 2048 ~~[(ii)] (4) [if] If the ballot that a voter votes at a polling place is a provisional ballot, the voter~~
 2049 ~~shall place the ballot in the provisional ballot envelope, complete the information printed~~
 2050 ~~on the provisional ballot envelope, and deposit the provisional ballot envelope in the~~
 2051 ~~provisional ballot box.~~

2052 ~~[(4)] (5)(a) An individual with a disability may vote a mechanical ballot at a polling~~
 2053 ~~place.~~
 2054 ~~(b) An individual other than an individual with a disability may vote a mechanical ballot~~
 2055 ~~at a polling place if permitted by the election officer.~~

2056 ~~[(5)] (6) To vote a mechanical ballot, the voter shall:~~
 2057 ~~(a) make the selections according to the instructions provided for the voting device; and~~
 2058 ~~(b) subject to Subsection [(6)] (7), record a write-in vote by:~~
 2059 ~~(i) selecting the appropriate position for entering a write-in candidate; and~~
 2060 ~~(ii) using the voting device to enter the name of the valid write-in candidate for~~
 2061 ~~whom the voter wishes to vote.~~

2062 ~~[(6)] (7) To vote in an instant runoff voting race under [Title 20A, Chapter 4, Part 6,~~
 2063 ~~Municipal Alternate Voting Methods Pilot Project] Chapter 4, Part 6, Municipal~~
 2064 ~~Alternate Voting Methods Pilot Project, a voter:~~
 2065 ~~(a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's~~
 2066 ~~first preference for the office; and~~
 2067 ~~(b) may indicate, as directed on the ballot, the names of the remaining candidates in~~

2068 order of the voter's preference.

2069 [(7)] (8) A voter who votes at a polling place:

2070 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting area
2071 after voting; and

2072 (b) may not:

2073 (i) occupy a voting booth occupied by another, except as provided in Section
2074 20A-3a-208;

2075 (ii) remain within the voting area more than 10 minutes; or

2076 (iii) occupy a voting booth for more than five minutes if all booths are in use and
2077 other voters are waiting to occupy a voting booth.

2078 [(8)] (9) If the official register shows any voter as having voted, that voter may not reenter
2079 the voting area during that election unless that voter is an election official or watcher.

2080 [(9)] (10) A poll worker may not, at a polling place, allow more than four voters more than
2081 the number of voting booths into the voting area at one time unless those excess voters
2082 are:

2083 (a) election officials;

2084 (b) watchers; or

2085 (c) assisting voters with a disability.

2086 Section 18. Section **20A-3a-208** is amended to read:

2087 **20A-3a-208 . Assisting disabled, illiterate, or blind voters.**

2088 (1) Any voter who has a disability, or is blind, unable to read or write, unable to read or
2089 write the English language, or is physically unable to enter a polling place, may be given
2090 assistance by an individual of the voter's choice.

2091 (2) The individual giving assistance under this section shall comply with the same
2092 identification requirements that a voter is required to comply with, as described in the
2093 following provisions:

2094 (a) Subsection 20A-3a-203(2)(a); and

2095 (b)(i) Subsection 20A-3a-203(2)(b); or

2096 (ii) if applicable, Subsection 20A-3a-203(8).

2097 [(2)] (3) The individual providing assistance may not be:

2098 (a) the voter's employer;

2099 (b) an agent of the employer;

2100 (c) an officer or agent of the voter's union; or

2101 (d) a candidate.

~~[(3)] (4)~~ The person providing assistance may not request, persuade, or otherwise induce the voter to vote for or vote against any particular candidate or issue or release any information regarding the voter's selection.

Section 19. Section **20A-3a-301** is amended to read:

20A-3a-301 . Emergency ballots.

~~[(1) As used in this section, "hospitalized voter" means a registered voter who:]~~

~~[(a) is hospitalized or otherwise confined to a medical or long-term care institution;]~~

~~[(b) does not have a manual ballot in the voter's immediate possession;]~~

~~[(c) is able to vote a manual ballot; and]~~

~~[(d) is not able to acquire a manual ballot without the assistance of another individual.]~~

~~[(2)] (1)~~ ~~[A hospitalized]~~ An exempt voter may, in accordance with this section, obtain a manual ballot to use as an emergency ballot and vote at any time after the election officer mails manual ballots to the majority of voters and before the close of polls on election day.

~~[(3)] (2)~~~~[(a) Any]~~ An individual may obtain an emergency ballot application, a manual ballot, and a ~~[manual ballot]~~ return envelope from the election officer on behalf of ~~[a hospitalized]~~ an exempt voter by~~[-]~~ :

(a) requesting a ballot and application in person at the election officer's office during business hours[-] ;

(b) presenting primary photo identification or, if the individual does not have primary photo identification, secondary photo identification, of the individual requesting the ballot on the exempt voter's behalf; and

(c) signing a statement, created by the lieutenant governor, where the individual, under penalty of perjury:

(i) identifies the individual;

(ii) identifies the exempt voter and explains the reason the exempt voter qualifies as an exempt voter; and

(iii) states that the individual:

(A) is obtaining the ballot at the request of the exempt voter;

(B) will not request, persuade, or otherwise induce the voter to vote for or vote against any particular candidate or issue;

(C) will not release any information regarding the voter's votes; and

(D) will not alter the voter's votes.

~~[(b) The election officer shall require the individual to sign a statement identifying the~~

individual and the hospitalized voter.]

[(4)] (3) To vote, the [hospitalized] exempt voter shall[-] :

(a) complete the emergency ballot application and enclose it in the return envelope[-] ;

(b) complete, and sign the affidavit on, the [manual ballot] return envelope[-] ;

(c) mark the voter's votes on the manual ballot[-] ;

(d) place the manual ballot into the envelope[-] ;

(e) provide identification in the same manner required under Section 20A-2-103.5 and, if

the exempt voter does not have primary photo identification, include with the ballot

the documents required under Section 20A-2-103.5; and[-]

(f) seal the envelope unless a different method is authorized under Section 20A-1-308.

[(5) To be counted, the emergency voter application and the sealed manual ballot envelope must be returned to the election officer's office in accordance with the requirements of this chapter.]

(4) To be counted, the return envelope containing the ballot shall be returned to the office of the election officer, delivered to a polling place, or placed in a ballot drop box, before the polls close on election day.

(5) The lieutenant governor shall design the emergency ballot application and shall include in the application the check box and statement described in Subsection 20A-3a-401(5)(c)(v).

Section 20. Section **20A-3a-401** is amended to read:

20A-3a-401 . Custody of voted ballots mailed or deposited in a ballot drop box --

Disposition -- Notice -- Disclosures relating to unresolved ballots.

(1)(a) This section governs ballots returned by mail or via a ballot drop box.

[(2)] (b)[(a)] Poll workers shall [open] process return envelopes containing manual ballots that are in the custody of the poll workers in accordance with this section.

(2) Poll workers shall:

(a) examine the return envelope to determine:

(i) whether the return envelope contains the last four digits of a primary photo identification for the voter to whom the ballot was sent; or

(ii) for an election held before January 1, 2028, whether the return envelope indicates that the voter does not have primary photo identification;

(b) examine the return envelope to determine whether the voter completed and signed the affidavit on the return envelope; and

[(b)] (c) [The poll workers shall, first,] compare the signature of the voter on the affidavit

- 2170 of the return envelope to the signature of the voter in the voter registration records.
- 2171 (3) After complying with Subsection (2), the poll workers shall determine whether:
- 2172 (a) the signatures correspond;
- 2173 (b) the affidavit is sufficient;
- 2174 (c) the voter is registered to vote in the correct precinct;
- 2175 (d) the voter's right to vote the ballot has been challenged;
- 2176 (e) the voter has already voted in the election;
- 2177 (f) the ~~[voter is required to provide valid voter identification]~~ voter has not yet provided
- 2178 identification in accordance with Section 20A-2-103.5; and
- 2179 (g) if the voter is required to provide ~~[valid voter]~~ identification in accordance with
- 2180 Section 20A-2-103.5, whether the voter has ~~[provided valid voter identification]~~
- 2181 complied with Section 20A-2-103.5.
- 2182 (4)(a) The poll workers shall take the action described in Subsection (4)(b) if the poll
- 2183 workers determine:
- 2184 (i)(A) that the return envelope contains the last four digits of a primary photo
- 2185 identification for the voter to whom the ballot was sent; or
- 2186 (B) for an election held before January 1, 2028, whether the return envelope
- 2187 correctly indicates that the voter does not have primary photo identification;
- 2188 ~~[(i)]~~ (ii) in accordance with the rules made under Subsection (11):
- 2189 (A) that the signature on the affidavit of the return envelope is reasonably
- 2190 consistent with the individual's signature in the voter registration records; or
- 2191 (B) for an individual who checks the box described in Subsection ~~[(5)(e)(v)]~~
- 2192 (5)(d)(v), that the signature is verified by alternative means;
- 2193 ~~[(ii)]~~ (iii) that the affidavit is sufficient;
- 2194 ~~[(iii)]~~ (iv) that the voter is registered to vote in the correct precinct;
- 2195 ~~[(iv)]~~ (v) that the voter's right to vote the ballot has not been challenged;
- 2196 ~~[(v)]~~ (vi) that the voter has not already voted in the election; and
- 2197 ~~[(vi)]~~ (vii) for a voter required ~~[to provide valid voter identification]~~ under Subsection
- 2198 (3)(f) to comply with Section 20A-2-103.5, that the voter has ~~[provided valid~~
- 2199 ~~voter identification]~~ complied with Section 20A-2-103.5.
- 2200 (b) If the poll workers make all of the findings described in Subsection (4)(a), the poll
- 2201 workers shall:
- 2202 (i) remove the manual ballot from the return envelope in a manner that does not
- 2203 destroy the affidavit on the return envelope;

- 2204 (ii) ensure that the ballot does not unfold and is not otherwise examined in
2205 connection with the return envelope; and
- 2206 (iii) place the ballot with the other ballots to be counted.
- 2207 (c) If the poll workers do not make all of the findings described in Subsection (4)(a), the
2208 poll workers shall:
- 2209 (i) disallow the vote;
- 2210 (ii) without opening the return envelope, record the ballot as "rejected" and state the
2211 reason for the rejection; and
- 2212 (iii) place the return envelope, unopened, with the other rejected return envelopes.
- 2213 (5)(a) If the poll workers reject an individual's ballot because the poll workers determine
2214 that the return envelope does not comply with Subsection (4)(a)(i) or (ii), the election
2215 officer shall:
- 2216 (i) contact the individual in accordance with Subsection (6); and
- 2217 (ii) inform the individual:
- 2218 (A) that the individual's identification is in question;
- 2219 (B) how the individual may resolve the issue; and
- 2220 (C) that, in order for the ballot to be counted, the individual is required to deliver
2221 to the election officer a correctly completed affidavit, provided by the county
2222 clerk, that meets the requirements described in Subsection (5)(d).
- 2223 (b)[(a)] If the poll workers reject an individual's ballot because the poll workers
2224 determine, in accordance with rules made under Subsection (11), that the signature
2225 on the return envelope is not reasonably consistent with the individual's signature in
2226 the voter registration records, the election officer shall:
- 2227 (i) contact the individual in accordance with Subsection (6); and
- 2228 (ii) inform the individual:
- 2229 (A) that the individual's signature is in question;
- 2230 (B) how the individual may resolve the issue; and
- 2231 (C) that, in order for the ballot to be counted, the individual is required to deliver
2232 to the election officer a correctly completed affidavit, provided by the county
2233 clerk, that meets the requirements described in Subsection [(5)(e)] (5)(d).
- 2234 [(b)] (c) The election officer shall ensure that the notice described in Subsection [(5)(a)]
2235 (5)(a) or (b) includes:
- 2236 (i) when communicating the notice by mail, a printed copy of the affidavit described
2237 in Subsection [(5)(e)] (5)(d) and a courtesy reply envelope;

- 2238 (ii) when communicating the notice electronically, a link to a copy of the affidavit
 2239 described in Subsection ~~[(5)(e)]~~ (5)(d) or information on how to obtain a copy of
 2240 the affidavit; or
- 2241 (iii) when communicating the notice by phone, either during a direct conversation
 2242 with the voter or in a voicemail, arrangements for the voter to receive a copy of
 2243 the affidavit described in Subsection ~~[(5)(e)]~~ (5)(d), either in person from the
 2244 clerk's office, by mail, or electronically.
- 2245 ~~[(e)]~~ (d) An affidavit described in Subsection (5)(a)(ii)(C) or (5)(b)(ii)(C) shall include:
- 2246 (i) an attestation that the individual voted the ballot;
- 2247 (ii) a space for the individual to enter the individual's name, date of birth, and ~~[driver~~
 2248 ~~license]~~ primary photo identification number, or the last four digits of the
 2249 individual's social security number;
- 2250 (iii) a space for the individual to sign the affidavit;
- 2251 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant
 2252 governor's and county clerk's use of the information in the affidavit and the
 2253 individual's signature on the affidavit for voter identification purposes; and
- 2254 (v) a check box accompanied by language in substantially the following form: "I am
 2255 a voter with a qualifying disability under the Americans with Disabilities Act that
 2256 impacts my ability to sign my name consistently. I can provide appropriate
 2257 documentation upon request. To discuss accommodations, I can be contacted at
 2258 _____".
- 2259 ~~[(d)]~~ (e) In order for an individual described in Subsection ~~[(5)(a)]~~ (5)(a) or (b) to have
 2260 the individual's ballot counted, the individual shall deliver the affidavit described in
 2261 Subsection ~~[(5)(e)]~~ (5)(d) to the election officer.
- 2262 ~~[(e)]~~ (f) An election officer who receives a signed affidavit under Subsection ~~[(5)(d)]~~
 2263 (5)(e) shall immediately:
- 2264 (i) scan the signature on the affidavit electronically and keep the signature on file in
 2265 the statewide voter registration database developed under Section 20A-2-502;
- 2266 (ii) if the election officer receives the affidavit no later than 5 p.m. three days before
 2267 the day on which the canvass begins, count the individual's ballot; and
- 2268 (iii) if the check box described in Subsection ~~[(5)(e)(v)]~~ (5)(d)(v) is checked, comply
 2269 with the rules described in Subsection (11)(c).
- 2270 (6)(a) The election officer shall, within two business days after the day on which an
 2271 individual's ballot is rejected, notify the individual of the rejection and the reason for

the rejection, by phone, mail, email, or~~[-SMS]~~ , if consent is obtained, text message, unless:

(i) the ballot is cured within one business day after the day on which the ballot is rejected; or

(ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.

(b) If an individual's ballot is rejected for a reason described in Subsection (6)(a)(ii), the election officer shall notify the individual of the rejection and the reason for the rejection by phone, mail, email, or~~[-SMS]~~ , if consent is obtained, text message, within the later of:

(i) 30 days after the day of the rejection; or

(ii) 30 days after the day of the election.

(c) The election officer may, when notifying an individual by phone under this Subsection (6), use auto-dial technology.

(7) An election officer may not count the ballot of an individual whom the election officer contacts under Subsection (5) or (6) unless, no later than 5 p.m. three days before the day on which the canvass begins, the election officer:

(a) receives a signed affidavit from the individual under Subsection (5); or

(b)(i) contacts the individual;

(ii) if the election officer has reason to believe that an individual, other than the voter to whom the ballot was sent, signed the ballot affidavit, informs the individual that it is unlawful to sign a ballot affidavit for another person, even if the person gives permission;

(iii) verifies the identity of the individual by:

(A) requiring the individual to provide at least two types of personal identifying information for the individual; and

(B) comparing the information provided under Subsection (7)(b)(iii)(A) to records relating to the individual that are in the possession or control of an election officer; and

(iv) documenting the verification described in Subsection (7)(b)(iii), by recording:

(A) the name and voter identification number of the individual contacted;

(B) the name of the individual who conducts the verification;

(C) the date and manner of the communication;

(D) the type of personal identifying information provided by the individual;

(E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and

(F) other information required by the lieutenant governor.

(8) The election officer shall:

- (a) retain and preserve the return envelopes in the manner provided by law for the retention and preservation of ballots voted at that election;
- (b) retain and preserve the documentation described in Subsection (7)(b)(iv); and
- (c) if the election officer complies with Subsection (8)(b) by including the documentation in the voter's voter registration record, make, retain, and preserve a record of the name and voter identification number of each voter contacted under Subsection (7)(b).

(9)(a) The election officer shall record the following in the database used to verify signatures:

- (i) any initial rejection of a ballot under Subsection (4)(c), within one business day after the day on which the election officer rejects the ballot; and
 - (ii) any resolution of a rejection of a ballot under Subsection (7), within one business day after the day on which the ballot rejection is resolved.
- (b) An election officer shall include, in the canvass report, a final report of the disposition of all rejected and resolved ballots, including, for ballots rejected, the following:
- (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
 - (ii) the number of ballots rejected because the voter's signatures on the ballot, and in records on file, do not correspond.

(10) Willful failure to comply with this section constitutes willful neglect of duty under Section 20A-5-701.

(11) The director of elections within the Office of the Lieutenant Governor shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:

- (a) criteria and processes for use by poll workers in determining if a signature corresponds with the signature on file for the voter under Subsections (3)(a) and [~~(4)(a)(i)(A)~~] (4)(a)(ii)(A);
- (b) training and certification requirements for election officers and employees of election officers regarding the criteria and processes described in Subsection (11)(a); and
- (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.

2340 Secs. 12131 through 12165, an alternative means of verifying the identity of an
2341 individual who checks the box described in Subsection [(5)(e)(v)] (5)(d)(v).

2342 (12) Subject to Subsection (13), if, in response to a request, and in accordance with the
2343 requirements of law, an election officer discloses the name or address of voters whose
2344 ballots have been rejected and not yet resolved, the election officer shall:

2345 (a) make the disclosure within two business days after the day on which the request is
2346 made;

2347 (b) respond to each request in the order the requests were made; and

2348 (c) make each disclosure in a manner, and within a period of time, that does not reflect
2349 favoritism to one requestor over another.

2350 (13) A disclosure described in Subsection (12) may not include the name or address of a
2351 protected individual, as defined in Subsection 20A-2-104(1).

2352 Section 21. Section **20A-3a-401.5** is amended to read:

2353 **20A-3a-401.5 . Ballot tracking system.**

2354 (1) As used in this section:

2355 (a) "Ballot tracking system" means the system described in this section to track and
2356 confirm the status of trackable ballots.

2357 (b) "Change in the status" includes:

2358 (i) when a trackable ballot is mailed to a voter;

2359 (ii) when an election official receives a voted trackable ballot; and

2360 (iii) when a voted trackable ballot is counted.

2361 (c) "Trackable ballot" means a manual ballot that is:

2362 (i) mailed to a voter in accordance with Section 20A-3a-202;

2363 [~~(ii) deposited in the mail by a voter in accordance with Section 20A-3a-204; or]~~

2364 [~~(iii) deposited in a ballot drop box by a voter in accordance with Section 20A-3a-204;]~~

2365 (ii) cast at a polling place in accordance with Section 20A-3a-203;

2366 (iii) returned to a polling place in accordance with Section 20A-3a-204;

2367 (iv) returned to a ballot drop box in accordance with Section 20A-3a-204;

2368 (v) returned to an election officer's office in accordance with Section 20A-3a-204; or

2369 (vi) returned by mail in accordance with Section 20A-3a-401.

2370 (d) "Voter registration database" means the database, as defined in Section 20A-2-501.

2371 (2) The lieutenant governor shall operate and maintain a statewide or locally based system
2372 to track and confirm when there is a change in the status of a trackable ballot.

2373 (3) If a voter elects to receive electronic notifications regarding the status of the voter's

trackable ballot, the ballot tracking system shall, when there is a change in the status of the voter's trackable ballot:

- (a) send a text message notification to the voter if the voter's information in the voter registration database includes a mobile telephone number;
- (b) send an email notification to the voter if the voter's information in the voter registration database includes an email address; and
- (c) send a notification by another electronic means directed by the lieutenant governor.

(4) The lieutenant governor shall ensure that the ballot tracking system and the state-provided website described in Section 20A-7-801 automatically share appropriate information to ensure that a voter is able to confirm the status of the voter's trackable ballot via the state-provided website free of charge.

(5) The ballot tracking system shall include a toll-free telephone number or other offline method by which a voter can confirm the status of the voter's trackable ballot.

(6) The lieutenant governor shall ensure that the ballot tracking system:

- (a) is secure from unauthorized use by employing data encryption or other security measures; and
- (b) is only used for the purposes described in this section.

Section 22. Section **20A-3a-402** is amended to read:

20A-3a-402 . Custody of ballots voted at a polling place -- Disposition -- Counting ballots -- Release of tally.

(1)[(a)] For ballots voted at a polling place:

[(b)] (a) the election officer shall deliver all return envelopes containing valid ballots and valid provisional ballots that are in the election officer's custody to the counting center before noon on the day of the official canvass following the election;

[(e)] (b) valid ballots, including valid provisional ballots, may be processed and counted:

- (i) by the election officer, or poll workers acting under the supervision of the election officer, before the date of the canvass; and
- (ii) at the canvass, by the election officer or poll workers, acting under the supervision of the official canvassers of the election;

[(d)] (c) when processing ballots, the election officer and poll workers shall comply with the procedures and requirements of [Section 20A-3a-401] this part in opening envelopes, verifying signatures, confirming eligibility of the ballots, and depositing ballots in preparation for counting; and

[(e)] (d) all valid ballots, including valid provisional ballots have been deposited, the

2408 ballots shall be counted in the usual manner.

2409 (2)(a) After the polls close on the date of the election, the election officer shall publicly
2410 release the results of all ballots, including provisional ballots, that have been counted
2411 on or before the date of the election.

2412 (b) Except as provided in Subsection (2)(c), on each day, beginning on the day after the
2413 date of the election and ending on the day before the date of the canvass, the election
2414 officer shall publicly release the results of all ballots, including provisional ballots,
2415 counted on that day.

2416 (c)(i) If complying with Subsection (2)(b) on a particular day will likely result in
2417 disclosing a vote cast by an individual voter, the election officer shall request
2418 permission from the lieutenant governor to delay compliance for the minimum
2419 number of days necessary to protect against disclosure of the voter's vote.

2420 (ii) The lieutenant governor shall grant a request made under Subsection (2)(c)(i) if
2421 the lieutenant governor finds that the delay is necessary to protect against
2422 disclosure of a voter's vote.

2423 (d) On the date of the canvass, the election officer shall provide a tally of all ballots,
2424 including provisional ballots, counted, and the resulting tally shall be added to the
2425 official canvass of the election.

2426 Section 23. Section **20A-3a-601** is amended to read:

2427 **20A-3a-601 . Early voting.**

2428 (1) [~~Except as provided in Section 20A-7-609.5:~~]

2429 (a) [~~an~~] An individual who is registered to vote may vote at a polling place before the
2430 election date in accordance with this section[~~;~~ ~~and~~] .

2431 (b) [~~except~~] Except as provided in Subsection 20A-2-207(6), an individual who is not
2432 registered to vote may register to vote and vote at a polling place before the election
2433 date in accordance with this section if the individual:

2434 (i) is otherwise legally entitled to vote the ballot; and

2435 (ii) casts a provisional ballot in accordance with Section 20A-2-207.

2436 (2) Except as provided in Section 20A-1-308 or Subsection (3), the early voting period:

2437 (a) begins on the date that is 14 days before the date of the election; and

2438 (b) continues through the Friday before the election if the election date is a Tuesday.

2439 (3)(a) An election officer may extend the end of the early voting period to the day before
2440 the election date if the election officer provides notice of the extension in accordance
2441 with Section 20A-3a-604.

(b) For a municipal election, the municipal clerk may reduce the early voting period described in this section if:

- (i) the municipal clerk conducts early voting on at least four days;
- (ii) the early voting days are within the period beginning on the date that is 14 days before the date of the election and ending on the day before the election; and
- (iii) the municipal clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604.

(c) For a county election, the county clerk may reduce the early voting period described in this section if:

- (i) the county clerk conducts early voting on at least four days;
- (ii) the early voting days are within the period beginning on the date that is 14 days before the date of the election and ending on the day before the election; and
- (iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604.

(4) Except as provided in Section 20A-1-308, during the early voting period, the election officer:

(a) for a local special election, a municipal primary election, and a municipal general election:

- (i) shall conduct early voting on a minimum of four days during each week of the early voting period; and
- (ii) shall conduct early voting on the last day of the early voting period; and

(b) for all other elections:

- (i) shall conduct early voting on each weekday; and
- (ii) may elect to conduct early voting on a Saturday, Sunday, or holiday.

(5) Except as specifically provided in this Part 6, Early Voting, or Section 20A-1-308, early voting shall be administered in accordance with the requirements of this title.

Section 24. Section **20A-3a-603** is amended to read:

20A-3a-603 . Early voting polling places.

(1) Except as provided in Section 20A-1-308[~~or 20A-7-609.5~~], the election officer shall designate one or more polling places for early voting, as follows:

- (a) at least one polling place shall be open on each day that polls are open during the early voting period;
- (b) each polling place shall comply with the requirements for polling places under Chapter 5, Election Administration;

- 2476 (c) for all elections other than local special elections, municipal primary elections, and
2477 municipal general elections, at least 10% of the voting devices at a polling place shall
2478 be accessible for individuals with disabilities in accordance with Public Law
2479 107-252, the Help America Vote Act of 2002; and
- 2480 (d) each polling place shall be located in a government building or office, unless the
2481 election officer determines that, in the area designated by the election officer, there is
2482 no government building or office available that:
- 2483 (i) can be scheduled for use during early voting hours;
 - 2484 (ii) has the physical facilities necessary to accommodate early voting requirements;
 - 2485 (iii) has adequate space for voting equipment, poll workers, and voters; and
 - 2486 (iv) has adequate security, public accessibility, and parking.
- 2487 (2)(a) Except as provided in Section 20A-1-308, the election officer may, after the
2488 deadline described in Section 20A-3a-604:
- 2489 (i) if necessary, change the location of an early voting place; or
 - 2490 (ii) if the election officer determines that the number of early voting polling places is
2491 insufficient due to the number of registered voters who are voting, designate
2492 additional polling places during the early voting period.
- 2493 (b) Except as provided in Section 20A-1-308, if an election officer changes the location
2494 of an early voting polling place or designates an additional early voting polling place,
2495 the election officer shall, as soon as is reasonably possible, give notice of the dates,
2496 times, and location of the changed early voting polling place or the additional early
2497 voting polling place:
- 2498 (i) to the lieutenant governor, for posting on the Statewide Voter Information
2499 Website;
 - 2500 (ii) by posting the information on the website of the election officer, if available; and
 - 2501 (iii) by posting notice:
 - 2502 (A) for a change in the location of an early voting polling place, at the new
2503 location and, if possible, the old location; and
 - 2504 (B) for an additional early voting polling place, at the additional early voting
2505 polling place.
- 2506 (3) Except as provided in Section 20A-1-308, for each regular general election and regular
2507 primary election, counties of the first class shall ensure that the early voting polling
2508 places are approximately proportionately distributed based on population within the
2509 county.

Section 25. Section **20A-4-105** is amended to read:

20A-4-105 . Standards and requirements for evaluating voter's ballot choice.

- (1)(a) An election officer shall ensure that when a question arises regarding a vote recorded on a manual ballot, two counting judges jointly adjudicate the ballot, except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, in accordance with the requirements of this section.
- (b) If the counting judges disagree on the disposition of a vote recorded on a ballot that is adjudicated under this section, the counting judges may not count the vote.
- (c) An election officer shall store adjudicated ballots separately from other ballots to enable a court to review the ballots if the election is challenged in court.
- (2) Except as provided in Subsection (10), Subsection [~~20A-3a-204(6)~~] 20A-3a-204(7), or Part 6, Municipal Alternate Voting Methods Pilot Project, if a voter marks more names than there are individuals to be elected to an office, or if the counting judges cannot determine a voter's choice for an office, the counting judges may not count the voter's vote for that office.
- (3) Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, the counting judges shall count a defective or incomplete mark on a manual ballot if:
- (a) the defective or incomplete mark [-] is in the proper place; and
- (b) there is no other mark or cross on the ballot indicating the voter's intent to vote other than as indicated by the incomplete or defective mark.
- (4) Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, the counting judges may not reject a ballot marked by the voter because of marks on the ballot other than those marks allowed by this section unless the extraneous marks on a ballot show an intent by an individual to mark the individual's ballot so that the individual's ballot can be identified.
- (5)(a) In counting the ballots, the counting judges shall give full consideration to the intent of the voter.
- (b) The counting judges may not invalidate a ballot because of mechanical or technical defects in voting or failure on the part of the voter to follow strictly the rules for balloting required by Chapter 3a, Voting.
- (6) The counting judges may not reject a ballot because of an error in:
- (a) stamping or writing an official endorsement; or
- (b) delivering the wrong ballots to a polling place.

- (7) The counting judges may not count a manual ballot that does not have the official endorsement by an election officer.
- (8) The counting judges may not count a ballot proposition vote or candidate vote for which the voter is not legally entitled to vote, as defined in Section 20A-4-107.
- (9) If the counting judges discover that the name of a candidate is misspelled on a ballot, or that the initial letters of a candidate's given name are transposed or omitted in whole or in part on a ballot, the counting judges shall count a voter's vote for the candidate if it is apparent that the voter intended to vote for the candidate.
- (10) The counting judges shall count a vote for the president and the vice president of any political party as a vote for the presidential electors selected by the political party.
- (11) Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, in counting the valid write-in votes, if, by casting a valid write-in vote, a voter has cast more votes for an office than that voter is entitled to vote for that office, the counting judges shall count the valid write-in vote as being the obvious intent of the voter.

Section 26. Section **20A-5-102** is amended to read:

20A-5-102 . Voting instructions.

- (1) Each election officer shall:
- (a) print instructions for voters;
 - (b) ensure that the instructions are printed in English, and any other language required under the Voting Rights Act of 1965, as amended, in large clear type; and
 - (c) ensure that the instructions inform voters:
 - (i) about how to obtain, and how to return, ballots for voting;
 - (ii) about special political party affiliation requirements for voting in a regular primary election or presidential primary election;
 - (iii) about how to prepare ballots cast at a polling place for deposit in the ballot box;
 - (iv) about how to prepare a mailed ballot for return;
 - ~~[(iv)]~~ (v) about how to record write-in votes;
 - ~~[(v)]~~ (vi) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
 - ~~[(vi)]~~ (vii) about how to obtain assistance in marking ballots;
 - ~~[(vii)]~~ (viii) about obtaining a new ballot if the voter's ballot is defaced;
 - ~~[(viii)]~~ (ix) that identification marks or the spoiling or defacing of a ballot will make it invalid;

2578 ~~[(ix)]~~ (x) about how to obtain and vote a provisional ballot;
 2579 ~~[(x)]~~ (xi) about whom to contact to report election fraud;
 2580 ~~[(xi)]~~ (xii) about applicable federal and state laws regarding:
 2581 (A) voting rights and the appropriate official to contact if the voter alleges that the
 2582 voter's rights have been violated; and
 2583 (B) prohibitions on acts of fraud and misrepresentation;
 2584 ~~[(xii)]~~ (xiii) about procedures governing mail-in registrants and first-time voters; and
 2585 ~~[(xiii)]~~ (xiv) about the date of the election and the hours that the polls are open on
 2586 election day.

2587 (2) Each election officer shall:
 2588 (a) provide the election judges of each voting precinct with sufficient instruction cards to
 2589 instruct voters in the preparation of the voters' ballots; and
 2590 (b) direct the election judges to post:
 2591 (i) general voting instructions in each voting booth;
 2592 (ii) at least three instruction cards at other locations in the polling place; and
 2593 (iii) at least one sample ballot at the polling place.

2594 Section 27. Section **20A-5-403** is amended to read:

2595 **20A-5-403 . Polling places -- Booths -- Ballot boxes -- Inspections --**
 2596 **Arrangements.**

2597 (1) ~~[Except as provided in Section 20A-7-609.5, each]~~ An election officer shall:
 2598 (a) designate polling places for each voting precinct in the jurisdiction;~~[and]~~
 2599 (b) obtain the approval of the county or municipal legislative body or special district
 2600 governing board for those polling places.
 2601 (2)(a) For each polling place, the election officer shall provide:
 2602 (i) an American flag;
 2603 (ii) a sufficient number of voting booths or compartments;
 2604 (iii) the voting devices, voting booths, ballots, ballot boxes, and any other records and
 2605 supplies necessary to enable a voter to vote;
 2606 (iv) the constitutional amendment cards required by Part 1, Election Notices and
 2607 Instructions;
 2608 (v) the instructions required by Section 20A-5-102; and
 2609 (vi) a sign, to be prominently displayed in the polling place, indicating that valid
 2610 voter identification is required for every voter before the voter may vote and
 2611 listing the forms of identification that constitute valid voter identification.

(b) Each election officer shall ensure that:

(i) each voting booth is at a convenient height for writing, and is arranged so that the voter can prepare the voter's ballot screened from observation;

(ii) there are a sufficient number of voting booths or voting devices to accommodate the voters at that polling place; and

(iii) there is at least one voting booth or voting device that is configured to accommodate persons with disabilities.

(c) Each county clerk shall provide a ballot box for each polling place that is large enough to properly receive and hold the ballots to be cast.

(3)(a) All polling places shall be physically inspected by each county clerk to ensure access by a person with a disability.

(b) Any issues concerning inaccessibility to polling places by a person with a disability discovered during the inspections referred to in Subsection (3)(a) or reported to the county clerk shall be:

(i) forwarded to the Office of the Lieutenant Governor; and

(ii) within six months of the time of the complaint, the issue of inaccessibility shall be either:

(A) remedied at the particular location by the county clerk;

(B) the county clerk shall designate an alternative accessible location for the particular precinct; or

(C) if no practical solution can be identified, file with the Office of the Lieutenant Governor a written explanation identifying the reasons compliance cannot reasonably be met.

(4)(a) The municipality in which the election is held shall pay the cost of conducting each municipal election, including the cost of printing and supplies.

(b)(i) Costs assessed by a county clerk to a municipality under this section may not exceed the actual costs incurred by the county clerk.

(ii) The actual costs shall include:

(A) costs of or rental fees associated with the use of election equipment and supplies; and

(B) reasonable and necessary administrative costs.

(5) The county clerk shall make detailed entries of all proceedings had under this chapter.

(6)(a) Each county clerk shall, to the extent possible, ensure that the amount of time that an individual waits in line before the individual can vote at a polling place in the

county, or return a mailed ballot to a polling place in the county, does not exceed 30 minutes.

- (b) The lieutenant governor may require a county clerk to submit a line management plan before the next election if an individual waits in line at a polling place in the county, or return a mailed ballot to a polling place in the county, longer than 30 minutes before the individual can vote.
- (c) The lieutenant governor may consider extenuating circumstances in deciding whether to require the county clerk to submit a plan described in Subsection (6)(b).
- (d) The lieutenant governor shall review each plan submitted under Subsection (6)(b) and consult with the county clerk submitting the plan to ensure, to the extent possible, that the amount of time an individual waits in line before the individual can vote at a polling place in the county, or return a mailed ballot to a polling place in the county, does not exceed 30 minutes.

Section 28. Section **20A-6-105** is amended to read:

20A-6-105 . Provisional ballot envelopes.

- (1) Each election officer shall ensure that provisional ballot envelopes are printed in substantially the following form:

- (a) the envelope shall include the following statement:

"AFFIRMATION

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" in response to either of the two above questions, do not complete this form.

Name of Voter _____

First Middle Last

Driver License or Identification Card Number _____

State of Issuance of Driver License or Identification Card Number _____

Date of Birth _____

Street Address of Principal Place of Residence

City County State Zip Code

Telephone Number (optional) _____

Email Address (optional) _____

Last four digits of Social Security Number _____

2680 Last former address at which I was registered to vote (if known)

2681

2682 City County State Zip Code

2683 Voting Precinct (if known)

2684 I, (please print your full name)_____do solemnly swear or
2685 affirm:

2686 That I am eligible to vote in this election; that I have not voted in this election in any
2687 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted
2688 to vote in this precinct; and

2689 Subject to penalty of law for false statements, that the information contained in this form
2690 is true, and that I am a citizen of the United States and a resident of Utah, residing at the above
2691 address; and that I am at least 18 years old and have resided in Utah for the 30 days
2692 immediately before this election.

2693 Signed

2694

2695 Dated

2696

2697 In accordance with Section 20A-3a-506, wilfully providing false information above is a
2698 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

2699 **PRIVACY INFORMATION**

2700 Voter registration records contain some information that is available to the public, such
2701 as your name and address, some information that is available only to government entities, and
2702 some information that is available only to certain third parties in accordance with the
2703 requirements of law.

2704 Your driver license number, identification card number, social security number, email
2705 address, full date of birth, and phone number are available only to government entities. Your
2706 year of birth is available to political parties, candidates for public office, certain third parties,
2707 and their contractors, employees, and volunteers, in accordance with the requirements of law.

2708 You may request that all information on your voter registration records be withheld from
2709 all persons other than government entities, political parties, candidates for public office, and
2710 their contractors, employees, and volunteers, by indicating here:

2711 _____ Yes, I request that all information on my voter registration records be withheld
2712 from all persons other than government entities, political parties, candidates for public office,
2713 and their contractors, employees, and volunteers.

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

In addition to the protections provided above, you may request that identifying information on your voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form, and any required verification, as described in the following paragraphs.

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form with this registration record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form and any required verification with this registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order.

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.";

(b) before January 1, 2028, the following statement shall appear after the statement described in Subsection (1)(a):

- 2748 "BALLOT NOTIFICATIONS
2749 You can receive electronic notifications regarding the status of your ballot by
2750 indicating here:
2751 _____ Yes, I would like to receive electronic notifications regarding the status
2752 of my ballot.
2753 I consent to receive notifications by email at the following address:
2754 _____
2755 I consent to receive notifications by text at the following phone number:
2756 _____
2757 MAILED BALLOT SELECTION
2758 Please indicate below whether you desire to have a ballot mailed to you in the
2759 2028 elections and beyond:
2760 _____ Yes, I desire to have a ballot mailed to me in the 2028 elections and
2761 beyond.
2762 _____ No, do not mail a ballot to me in the 2028 elections or beyond."; and
2763 (c) beginning on January 1, 2028, the following statement shall appear after
2764 the statement described in Subsection (1)(a):
2765 "BALLOT NOTIFICATIONS
2766 You can receive electronic notifications by text message or email regarding the
2767 status of your ballot by indicating here:
2768 _____ Yes, I would like to receive electronic notifications regarding the status
2769 of my ballot.
2770 I consent to receive notifications by email at the following address:
2771 _____
2772 I consent to receive notifications by text at the following phone number:
2773 _____
2774 MAILED BALLOT SELECTION
2775 Please indicate below whether you desire to have a ballot mailed to you in the
2776 upcoming elections:
2777 _____ Yes, I desire to have a ballot mailed to me in the upcoming elections.
2778 _____ No, do not mail a ballot to me in the upcoming elections."
2779 (2) The provisional ballot envelope shall include:
2780 (a) a unique number;
2781 (b) a detachable part that includes the unique number;

(c) a telephone number, internet address, or other indicator of a means, in accordance with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted; and

(d) an insert containing written instructions on how a voter may sign up to receive ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5.

Section 29. Section **20A-7-609** is amended to read:

20A-7-609 . Form of ballot -- Manner of voting.

(1) The local clerk shall ensure that the number and ballot title are presented upon the official ballot with, immediately adjacent to them, the words "For" and "Against," each word presented with an adjacent square in which the elector may indicate the elector's vote.

(2)(a) Except as provided in Subsection (2)(c)(i)[~~or Section 20A-7-609.5~~], and unless the county legislative body calls a special election, the county clerk shall ensure that county referenda that have qualified for the ballot appear on the next regular general election ballot.

(b) Except as provided in Subsection (2)(c)(ii)[~~or Section 20A-7-609.5~~], and unless the municipal legislative body calls a special election, the municipal recorder or clerk shall ensure that municipal referenda that have qualified for the ballot appear on the next regular municipal election ballot.

(c)(i) [~~Except as provided in Section 20A-7-609.5, if~~] If a local law passes after January 30 of the year in which there is a regular general election, the county clerk shall ensure that a county referendum that has qualified for the ballot appears on the ballot at the second regular general election immediately following the passage of the local law unless the county legislative body calls a special election.

(ii) [~~Except as provided in Section 20A-7-609.5, if~~] If a local law passes after January 30 of the year in which there is a municipal general election, the municipal recorder or clerk shall ensure that a municipal referendum that has qualified for the ballot appears on the ballot at the second municipal general election immediately following the passage of the local law unless the municipal legislative body calls a special election.

(3)(a)(i) A voter desiring to vote in favor of the law that is the subject of the referendum shall mark the square adjacent to the word "For."

(ii) The law that is the subject of the referendum is effective if a majority of voters mark "For."

- (b)(i) A voter desiring to vote against the law that is the subject of the referendum shall mark the square following the word "Against."
- (ii) The law that is the subject of the referendum is not effective if a majority of voters mark "Against."

Section 30. Section **20A-7-609.5** is amended to read:

20A-7-609.5 . Election on referendum challenging local tax law conducted entirely by mail.

(1) An election officer may administer an election on a referendum challenging a local tax law entirely by mail.

(2) For purposes of an election conducted under this section, the election officer shall:

- (a) designate as the election day the day that is 30 days after the day on which the election officer complies with Subsection (2)(b); and
- (b) subject to Subsection (6), within 30 days after the day on which the referendum described in Subsection (1) qualifies for the ballot, mail to each registered voter within the voting precincts to which the local tax law applies:
- (i) a manual ballot;
- (ii) a statement that there will be no polling place for the election;
- (iii) a statement specifying the election day described in Subsection (2)(a);
- (iv) a ~~[business reply mail envelope]~~ return envelope;
- (v) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;
- (vi) a warning, on a separate page of colored paper in boldface print, indicating that if the voter fails to follow the instructions included with the manual ballot, the voter will be unable to vote in that election because there will be no polling place for the election; and
- (vii)(A) a copy of the proposition information pamphlet relating to the referendum if a proposition information pamphlet relating to the referendum was published under Section 20A-7-401.5; or
- (B) a website address where an individual may view a copy of the proposition information pamphlet described in Subsection (2)(b)(vii)(A).

(3) An election officer who administers an election under this section shall:

- (a)(i) obtain, in person, the signatures of each voter within that voting precinct before the election; or

- 2850 (ii) obtain the signature of each voter within the voting precinct from the county
2851 clerk; and
- 2852 (b) maintain the signatures on file in the election officer's office.
- 2853 (4)(a) Upon receiving a returned manual ballot under this section, the election officer
2854 shall compare the signature on each return envelope with the voter's signature that is
2855 maintained on file and verify that the signatures are the same.
- 2856 (b) If the election officer questions the authenticity of the signature on the return
2857 envelope, the election officer shall immediately contact the voter to verify the
2858 signature.
- 2859 (c) If there is not a signature on the return envelope or if the election officer determines
2860 that the signature on the return envelope does not match the voter's signature that is
2861 maintained on file, the election officer shall:
- 2862 (i) disqualify the ballot; and
- 2863 (ii) notify the voter of the disqualification and the reason for the disqualification.
- 2864 (5) The following provisions do not apply to an election described in this section:
- 2865 (a) Section 20A-3a-201;
- 2866 (b) Subsection 20A-3a-202(2)(a)(iv);
- 2867 (c) Section 20A-3a-203
- 2868 (d) Section 20A-3a-601;
- 2869 (e) Section 20A-3a-603;
- 2870 (f) Section 20A-3a-702;
- 2871 (g) Section 20A-5-403; or
- 2872 (h) Subsection 20A-7-609(2).
- 2873 (6) For an election described in this section, the election officer shall send a ballot by mail
2874 to a registered voter, regardless of whether the registered voter:
- 2875 (a) is a remote voter; or
- 2876 (b) has requested to not receive a ballot by mail.
- 2877 Section 31. Section **20A-9-808** is amended to read:
- 2878 **20A-9-808 . Voting.**
- 2879 Voting in a presidential primary election shall be conducted in accordance with the
2880 procedures of [Section 20A-3a-203] Chapter 3a, Part 2, Voting Procedures.
- 2881 Section 32. Section **20A-21-201** is amended to read:
- 2882 **20A-21-201 . Electronic signature gathering for an initiative, a referendum, or**
2883 **candidate qualification.**

- (1)[(a)] After filing a petition for a statewide initiative or a statewide referendum, and before gathering signatures, the sponsors shall, after consulting with the Office of the Lieutenant Governor, sign a form provided by the Office of the Lieutenant Governor indicating whether the sponsors will gather signatures manually~~[-or]~~ , electronically, or both.
- ~~[(b) If the sponsors indicate, under Subsection (1)(a), that the sponsors will gather signatures electronically:]~~
- ~~[(i) in relation to a statewide initiative, signatures for that initiative:]~~
- ~~[(A) may only be gathered and submitted electronically, in accordance with this section and Sections 20A-7-215, 20A-7-216, and 20A-7-217; and]~~
- ~~[(B) may not be gathered or submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-204; and]~~
- ~~[(ii) in relation to a statewide referendum, signatures for that referendum:]~~
- ~~[(A) may only be gathered and submitted electronically, in accordance with this section and Sections 20A-7-313, 20A-7-314, and 20A-7-315; and]~~
- ~~[(B) may not be gathered or submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-304.]~~
- ~~[(c) If the sponsors indicate, under Subsection (1)(a), that the sponsors will gather signatures manually:]~~
- ~~[(i) in relation to a statewide initiative, signatures for that initiative:]~~
- ~~[(A) may only be gathered and submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-204; and]~~
- ~~[(B) may not be gathered or submitted electronically, as described in this section and Sections 20A-7-215, 20A-7-216, and 20A-7-217; and]~~
- ~~[(ii) in relation to a statewide referendum, signatures for that referendum:]~~
- ~~[(A) may only be gathered and submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-304; and]~~
- ~~[(B) may not be gathered or submitted electronically, as described in this section and Sections 20A-7-313, 20A-7-314, and 20A-7-315.]~~
- (2)[(a)] After filing a petition for a local initiative or a local referendum, and before gathering signatures, the sponsors shall, after consulting with the local clerk's office, sign a form provided by the local clerk's office indicating whether the sponsors will gather signatures manually~~[-or]~~ , electronically, or both.
- ~~[(b) If the sponsors indicate, under Subsection (2)(a), that the sponsors will gather~~

signatures electronically:]

[(i) in relation to a local initiative, signatures for that initiative:]

[(A) may only be gathered and submitted electronically, in accordance with this section and Sections 20A-7-514, 20A-7-515, and 20A-7-516; and]

[(B) may not be gathered or submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-504; and]

[(ii) in relation to a local referendum, signatures for that referendum:]

[(A) may only be gathered and submitted electronically, in accordance with this section and Sections 20A-7-614, 20A-7-615, and 20A-7-616; and]

[(B) may not be gathered or submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-604.]

[(e) If the sponsors indicate, under Subsection (2)(a), that the sponsors will gather signatures manually:]

[(i) in relation to a local initiative, signatures for that initiative:]

[(A) may only be gathered and submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-504; and]

[(B) may not be gathered or submitted electronically, as described in this section and Sections 20A-7-514, 20A-7-515, and 20A-7-516; and]

[(ii) in relation to a local referendum, signatures for that referendum:]

[(A) may only be gathered and submitted using the manual signature-gathering process described in Sections 20A-7-105 and 20A-7-604; and]

[(B) may not be gathered or submitted electronically, as described in this section and Sections 20A-7-614, 20A-7-615, and 20A-7-616.]

(3)[(a)] After a candidate files a notice of intent to gather signatures to qualify for a ballot, and before gathering signatures, the candidate shall, after consulting with the election officer, sign a form provided by the election officer indicating whether the candidate will gather signatures manually[-or] , electronically, or both.

[(b) If a candidate indicates, under Subsection (3)(a), that the candidate will gather signatures electronically, signatures for the candidate:]

[(i) may only be gathered and submitted using the electronic candidate qualification process; and]

[(ii) may not be gathered or submitted using the manual candidate qualification process:]

[(c) If a candidate indicates, under Subsection (3)(a), that the candidate will gather

signatures manually, signatures for the candidate:]

[(i) may only be gathered and submitted using the manual candidate qualification process; and]

[(ii) may not be gathered or submitted using the electronic candidate qualification process.]

(4) To gather a signature electronically, a signature-gatherer shall:

(a) use a device provided by the signature-gatherer or a sponsor of the petition that:

(i) is approved by the lieutenant governor;

(ii) except as provided in Subsection (4)(a)(iii), does not store a signature or any other information relating to an individual signing the petition in any location other than the location used by the website to store the information;

(iii) does not, on the device, store a signature or any other information relating to an individual signing the petition except for the minimum time necessary to upload information to the website;

(iv) does not contain any applications, software, or data other than those approved by the lieutenant governor; and

(v) complies with cyber-security and other security protocols required by the lieutenant governor;

(b) use the approved device to securely access a website designated by the lieutenant governor, directly, or via an application designated by the lieutenant governor; and

(c) while connected to the website, present the approved device to an individual considering signing the petition and, while the signature-gatherer is in the physical presence of the individual:

(i) wait for the individual to reach each screen presented to the individual on the approved device; and

(ii) wait for the individual to advance to each subsequent screen by clicking on the acknowledgement at the bottom of the screen.

(5) Each screen shown on an approved device as part of the signature-gathering process shall appear as a continuous electronic document that, if the entire document does not appear on the screen at once, requires the individual viewing the screen to, before advancing to the next screen, scroll through the document until the individual reaches the end of the document.

(6) After advancing through each screen required for the petition, the signature process shall proceed as follows:

- 2986 (a) except as provided in Subsection (6)(b):
- 2987 (i) the individual desiring to sign the petition shall present the individual's driver
- 2988 license or state identification card to the signature-gatherer;
- 2989 (ii) the signature-gatherer shall verify that the individual pictured on the driver
- 2990 license or state identification card is the individual signing the petition;
- 2991 (iii) the signature-gatherer shall scan or enter the driver license number or state
- 2992 identification card number through the approved device; and
- 2993 (iv) immediately after the signature-gatherer complies with Subsection (6)(a)(iii), the
- 2994 website shall determine whether the individual desiring to sign the petition is
- 2995 eligible to sign the petition;
- 2996 (b) if the individual desiring to sign the petition is unable to provide a driver license or
- 2997 state identification card to the signature gatherer:
- 2998 (i) the individual may present other valid voter identification;
- 2999 (ii) if the valid voter identification contains a picture of the individual, the
- 3000 signature-gatherer shall verify that the individual pictured is the individual signing
- 3001 the petition;
- 3002 (iii) if the valid voter identification does not contain a picture of the individual, the
- 3003 signature-gatherer shall, to the extent reasonably practicable, use the individual's
- 3004 address or other available means to determine whether the identification relates to
- 3005 the individual presenting the identification;
- 3006 (iv) the signature-gatherer shall scan an image of the valid voter identification and
- 3007 immediately upload the image to the website; and
- 3008 (v) the individual:
- 3009 (A) shall enter the individual's address; and
- 3010 (B) may, at the discretion of the individual, enter the individual's date of birth or
- 3011 age after the individual clicks on the screen acknowledging that they have read
- 3012 and understand the following statement, "Birth date or age information is not
- 3013 required, but may be used to verify your identity with voter registration
- 3014 records. If you choose not to provide it, your signature may not be verified as a
- 3015 valid signature if you change your address before your signature is verified or
- 3016 if the information you provide does not match your voter registration records.";
- 3017 and
- 3018 (c) after completing the process described in Subsection (6)(a) or (b), the screen shall:
- 3019 (i) except for a petition to qualify a candidate for the ballot, give the individual

signing the petition the opportunity to enter the individual's email address after the individual reads the following statement, "If you provide your email address, you may receive an email with additional information relating to the petition you are signing."; and

(ii)(A) if the website determines, under Subsection (6)(a)(iv), that the individual is eligible to sign the petition, permit the individual to enter the individual's name as the individual's electronic signature and, immediately after the signature-gatherer timely complies with Subsection (10), certify the signature; or (B) if the individual provides valid voter identification under Subsection (6)(b), permit the individual to enter the individual's name as the individual's electronic signature.

(7) If an individual provides valid voter identification under Subsection (6)(b), the county clerk shall, within seven days after the day on which the individual submits the valid voter identification, certify the signature if:

- (a) the individual is eligible to sign the petition;
- (b) the identification provided matches the information on file; and
- (c) the signature-gatherer timely complies with Subsection (10).

(8) For each signature submitted under this section, the website shall record:

- (a) the information identifying the individual who signs;
- (b) the date the signature was collected; and
- (c) the name of the signature-gatherer.

(9) An individual who is a signature-gatherer may not sign a petition unless another individual acts as the signature-gatherer when the individual signs the petition.

(10) Except for a petition for a candidate to seek the nomination of a registered political party, each individual who gathers a signature under this section shall, within one business day after the day on which the individual gathers a signature, electronically sign and submit the following statement to the website:

"VERIFICATION OF SIGNATURE-GATHERER

State of Utah, County of ____

I, _____, of _____, hereby state, under penalty of perjury, that:

I am at least 18 years old;

All the signatures that I collected on [Date signatures were gathered] were signed by individuals who professed to be the individuals whose signatures I gathered, and each of the individuals signed the petition in my presence;

I did not knowingly make a misrepresentation of fact concerning the law or proposed law to which the petition relates;

I believe that each individual has signed the individual's name and written the individual's residence correctly, that each signer has read and understands the law to which the petition relates, and that each signer is registered to vote in Utah;

Each signature correctly reflects the date on which the individual signed the petition; and

I have not paid or given anything of value to any individual who signed this petition to encourage that individual to sign it."

(11) Except for a petition for a candidate to seek the nomination of a registered political party:

(a) the county clerk may not certify a signature that is not timely verified in accordance with Subsection (10); and

(b) if a signature certified by a county clerk under Subsection (6)(c)(ii)(A) is not timely verified in accordance with Subsection (10), the county clerk shall:

(i) revoke the certification;

(ii) remove the signature from the posting described in Subsection 20A-7-217(4), 20A-7-315(3), 20A-7-516(4), or 20A-7-616(3); and

(iii) update the totals described in Subsections 20A-7-217(5)(a)(ii), 20A-7-315(5)(a)(ii), 20A-7-516(5)(a)(ii), and 20A-7-616(5)(a)(ii).

(12) For a petition for a candidate to seek the nomination of a registered political party, each individual who gathers a signature under this section shall, within one business day after the day on which the individual gathers a signature, electronically sign and submit the following statement to the lieutenant governor in the manner specified by the lieutenant governor:

"VERIFICATION OF SIGNATURE-GATHERER

State of Utah, County of ____

I, _____, of _____, hereby state that:

I am at least 18 years old;

All the signatures that I collected on [Date signatures were gathered] were signed by individuals who professed to be the individuals whose signatures I gathered, and each of the individuals signed the petition in my presence;

I believe that each individual has signed the individual's name and written the individual's residence correctly and that each signer is registered to vote in Utah; and

Each signature correctly reflects the date on which the individual signed the petition."

(13) For a petition for a candidate to seek the nomination of a registered political party, the

3088 election officer may not certify a signature that is not timely verified in accordance with
3089 Subsection (12).

3090 Section 33. Section **53-3-105** is amended to read:

3091 **53-3-105 . Fees for licenses, renewals, extensions, reinstatements, rescheduling,**
3092 **and identification cards.**

3093 Except as provided in Subsection (39) or Subsection 53-3-804(8), the following fees
3094 apply under this chapter:

- 3095 (1) An original class D license application under Section 53-3-205 is \$52.
3096 (2) An original provisional license application for a class D license under Section 53-3-205
3097 is \$39.
3098 (3) An original limited term license application under Section 53-3-205 is \$32.
3099 (4) An original application for a motorcycle endorsement under Section 53-3-205 is \$18.
3100 (5) An original application for a taxicab endorsement under Section 53-3-205 is \$14.
3101 (6) A learner permit application under Section 53-3-210.5 is \$19.
3102 (7) A renewal of a class D license under Section 53-3-214 is \$52 unless Subsection (12)
3103 applies.
3104 (8) A renewal of a provisional license application for a class D license under Section
3105 53-3-214 is \$52.
3106 (9) A renewal of a limited term license application under Section 53-3-214 is \$32.
3107 (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
3108 (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
3109 (12) A renewal of a class D license for an individual 65 and older under Section 53-3-214 is
3110 \$27.
3111 (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection (17)
3112 applies.
3113 (14) An extension of a provisional license application for a class D license under Section
3114 53-3-214 is \$42.
3115 (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
3116 (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
3117 (17) An extension of a class D license for an individual 65 and older under Section 53-3-214
3118 is \$22.
3119 (18) An original or renewal application for a commercial class A, B, or C license or an
3120 original or renewal of a provisional commercial class A or B license under Part 4,
3121 Uniform Commercial Driver License Act, is \$52.

- 3122 (19) A commercial class A, B, or C license skills test is \$78.
- 3123 (20) Each original CDL endorsement for passengers, hazardous material, double or triple
3124 trailers, or tankers is \$9.
- 3125 (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial
3126 Driver License Act, is \$9.
- 3127 (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver License
3128 Act, is \$9.
- 3129 (23)(a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.
- 3130 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.
- 3131 (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.
- 3132 (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.
- 3133 (26)(a) A license reinstatement application under Section 53-3-205 is \$40.
- 3134 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or
3135 combination of alcohol and any drug-related offense is \$45 in addition to the fee
3136 under Subsection (26)(a).
- 3137 (27)(a) An administrative fee for license reinstatement after an alcohol, drug, or
3138 combination of alcohol and any drug-related offense under Section 41-6a-520,
3139 53-3-223, or 53-3-231 or an alcohol, drug, or combination of alcohol and any
3140 drug-related offense under Part 4, Uniform Commercial Driver License Act, is \$255.
- 3141 (b) This administrative fee is in addition to the fees under Subsection (26).
- 3142 (28)(a) An administrative fee for providing the driving record of a driver under Section
3143 53-3-104 or 53-3-420 is \$8.
- 3144 (b) The division may not charge for a report furnished under Section 53-3-104 to a
3145 municipal, county, state, or federal agency.
- 3146 (29) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.
- 3147 (30)(a) Except as provided under Subsections (30)(b) and (c), an identification card
3148 application under Section 53-3-808 is \$23.
- 3149 (b) An identification card application under Section 53-3-808 for a person with a
3150 disability, as defined in 42 U.S.C. Sec. 12102, is \$17.
- 3151 (c) A fee may not be charged for an identification card application if the individual
3152 applying:
- 3153 (i)(A) has not been issued a Utah driver license;
- 3154 (B) is indigent; and
- 3155 (C) is at least 18 years old;

- (ii) submits written verification that the individual is homeless, as defined in Section 26B-3-207, a person who is homeless, as defined in Section 35A-5-302, or a child or youth who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:
- (A) a homeless shelter, as defined in Section 35A-16-305;
 - (B) a permanent housing, permanent, supportive, or transitional facility, as defined in Section 35A-5-302;
 - (C) the Department of Workforce Services; or
 - (D) a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii); or
- (iii) is under the age of 26 and submits written verification that the individual:
- (A) is in the custody of the Division of Child and Family Services; or
 - (B) was in the custody of the Division of Child and Family Services but is no longer in the custody of the Division of Child and Family Services due to the individual's age.

- (31)(a) An extension of a regular identification card under Subsection [53-3-807(4)] 53-3-807(5) for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.
- (b) The fee described in Subsection (31)(a) is waived if the applicant submits written verification that the individual is homeless, as defined in Section 26B-3-207, or a person who is homeless, as defined in Section 35A-5-302, or a child or youth who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:
- (i) a homeless shelter, as defined in Section 35A-16-305;
 - (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in Section 35A-5-302;
 - (iii) the Department of Workforce Services;
 - (iv) a homeless service provider as verified by the Department of Workforce Services as described in Section 26B-8-113; or
 - (v) a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

- (32)(a) An extension of a regular identification card under Subsection [53-3-807(5)] 53-3-807(6) is \$23.

- (b) The fee described in Subsection (32)(a) is waived if the applicant submits written verification that the individual is homeless, as defined in Section 26B-3-207, or a person who is homeless, as defined in Section 35A-5-302, from:
- (i) a homeless shelter, as defined in Section 35A-16-305;

- 3190 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in
- 3191 Section 35A-5-302;
- 3192 (iii) the Department of Workforce Services; or
- 3193 (iv) a homeless service provider as verified by the Department of Workforce Services
- 3194 as described in Section 26B-8-113.

3195 (33) In addition to any license application fees collected under this chapter, the division
 3196 shall impose on individuals submitting fingerprints in accordance with Section
 3197 53-3-205.5 the fees that the Bureau of Criminal Identification is authorized to collect for
 3198 the services the Bureau of Criminal Identification provides under Section 53-3-205.5.

3199 (34) An original mobility vehicle permit application under Section 41-6a-1118 is \$30.

3200 (35) A renewal of a mobility vehicle permit under Section 41-6a-1118 is \$30.

3201 (36) A duplicate mobility vehicle permit under Section 41-6a-1118 is \$12.

3202 (37) An original driving privilege card application under Section 53-3-207 is \$32.

3203 (38) A renewal of a driving privilege card application under Section 53-3-207 is \$23.

3204 (39) A fee may not be charged for an original class D license application, original
 3205 provisional license application for a class D license, or a learner permit application if the
 3206 individual applying is:

3207 (a) under the age of 26; and

3208 (b) submits written verification that the individual:

3209 (i) is in the custody of the Division of Child and Family Services; or

3210 (ii) was in the custody of the Division of Child and Family Services but is no longer
 3211 in the custody of the Division of Child and Family Services due to the individual's
 3212 age.

3213 Section 34. Section **53-3-802** is amended to read:

3214 **53-3-802 . Definitions.**

3215 As used in this part:

3216 (1) "Adult" means a person 21 years of age or older.

3217 (2) "Exempt voter" means the same as that term is defined in Section 20A-1-102.

3218 (3) "Extended absence voter" means the same as that term is defined in Section 20A-1-102.

3219 [(2)] (4) "Identification card" means a card for identification issued under this part.

3220 (5) "Mailing address" means the address at which a Utah voter resident receives mail.

3221 [(3)] (6) "Minor" means a person younger than 21 years of age.

3222 (7) "Utah voter resident" means an individual who:

3223 (a) is not a resident, as defined in Section 53-3-102; and

3224 (b) has Utah residency for voting purposes, as described in Section 20A-2-105.

3225 (8) "Utah voting address" means:

3226 (a) the Utah address of an individual's principle place of residence, as defined in
3227 Subsection 20A-2-105, regardless of whether the individual currently lives at that
3228 address; or

3229 (b) a Utah address or Utah location specified on an individual's voter registration record,
3230 in accordance with Subsection 20A-2-105(7)(e).

3231 Section 35. Section **53-3-804** is amended to read:

3232 **53-3-804 . Application for identification card -- Required information -- Release**
3233 **of anatomical gift information -- Cancellation of identification card.**

3234 (1) To apply for a regular identification card or limited-term identification card, an
3235 applicant shall:

3236 (a)(i) be a Utah resident;

3237 ~~[(b)]~~ (ii) have a Utah residence address; and

3238 ~~[(c)]~~ (iii) except as provided in Subsection (7), appear in person at [any] a license
3239 examining station[-] ; or

3240 (b)(i) be eligible to vote in Utah;

3241 (ii) have a Utah voting address; and

3242 (iii) except as provided in Subsection (7), appear in person at a license examining
3243 station.

3244 (2) An applicant shall provide the following information to the division:

3245 (a) the applicant's true and full legal name[-and-]

3246 (b) the applicant's Utah residence address or, if the applicant does not have a Utah
3247 residence address, the applicant's Utah voting address;

3248 (c) if the applicant is temporarily living at an address other than an address described in
3249 Subsection (2)(b), the applicant's mailing address, which may be outside of Utah or
3250 outside the United States of America;

3251 ~~[(b)]~~ (d) the applicant's date of birth[-as set forth in-] ;

3252 (e) one of the following:

3253 (i) a certified copy of the applicant's birth certificate[-or-] ;

3254 (ii) a copy of other satisfactory evidence of the applicant's birth[-which shall be
3255 attached to the application];

3256 (iii) a copy of the applicant's tribal identification card;

3257 (iv) a copy of the applicant's Bureau of Indian Affairs card; or

- 3258 (v) a copy of the applicant's tribal treaty card;
3259 ~~[(e)]~~ ~~(f)~~(i) the applicant's social security number; or
3260 (ii) written proof that the applicant is ineligible to receive a social security number;
3261 ~~[(d)]~~ ~~(g)~~ the applicant's:
3262 (i) place of birth;
3263 ~~[(e)]~~ ~~(ii)~~ height and weight;
3264 ~~[(f)]~~ ~~(iii)~~ color of eyes and hair; and
3265 ~~[(g)]~~ ~~(iv)~~ signature;
3266 (h) a photograph of the applicant;
3267 (i) evidence of the applicant's lawful presence, or right to lawful presence, in the United
3268 States by providing documentary evidence:
3269 (i) that the applicant is:
3270 (A) a United States citizen;
3271 (B) a United States national; or
3272 (C) a legal permanent resident alien; or
3273 (ii) of the applicant's:
3274 (A) unexpired immigrant or nonimmigrant visa status for admission into the
3275 United States;
3276 (B) pending or approved application for asylum in the United States;
3277 (C) admission into the United States as a refugee;
3278 (D) pending or approved application for temporary protected status in the United
3279 States;
3280 (E) approved deferred action status;
3281 (F) pending application for adjustment of status to legal permanent resident or
3282 conditional resident; or
3283 (G) conditional permanent resident alien status;
3284 (j) an indication whether the applicant intends to make an anatomical gift under Title
3285 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act;
3286 (k) an indication whether the applicant is required to register as a sex offender, kidnap
3287 offender, or child abuse offender in accordance with Title 77, Chapter 41, Sex,
3288 Kidnap, and Child Abuse Offender Registry; and
3289 (l) an indication whether the applicant is a veteran of the United States Armed Forces,
3290 verification that the applicant has received an honorable or general discharge from
3291 the United States Armed Forces, and an indication whether the applicant does or does

not authorize sharing the information with the state Department of Veterans and Military Affairs.

- (3)(a) The requirements of Section 53-3-234 apply to this section for each individual, age 16 and older, applying for an identification card.
- (b) Refusal to consent to the release of information under Section 53-3-234 shall result in the denial of the identification card.
- (4) An individual person who knowingly fails to provide the information required under Subsection (2)(k) is guilty of a class A misdemeanor.
- (5)(a) A person may not hold both an unexpired Utah license certificate and an unexpired identification card.
- (b) A person who holds a regular or limited term Utah driver license and chooses to relinquish the person's driving privilege may apply for an identification card under this chapter, ~~[provided]~~ if:
- (i) the driver:
- (A) no longer qualifies for a driver license for failure to meet the requirement in Section 53-3-304; or
- (B) makes a personal decision to permanently discontinue driving;
- (ii) the driver:
- (A) submits an application to the division on a form approved by the division in person, through electronic means, or by mail;
- (B) affirms ~~[their]~~ the driver's intention to permanently discontinue driving; and
- (C) surrenders to the division the driver license certificate; and
- (iii) the division possesses a digital photograph of the driver obtained within the preceding 10 years.
- (c)(i) The division shall waive the fee under Section 53-3-105 for an identification card for an original identification card application under this Subsection (5).
- (ii) The fee waiver described in Subsection (5)(c)(i) does not apply to a person whose driving privilege is suspended or revoked.
- (6) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division shall, upon request, release to the Sex, Kidnap, and Child Abuse Offender Registry office in the Department of Public Safety, the names and addresses of all applicants who, under Subsection (2)(k), indicate they are required to register as a sex offender, kidnap offender, or child abuse offender in accordance with Title 77, Chapter 41, Sex, Kidnap, and Child Abuse Offender Registry.

(7) An exempt voter or an extended absence voter may, instead of appearing in person at a license examining station, apply for a regular identification card or limited-term identification card by:

(a) providing the information and documents described in Subsection (2) to the division electronically or by mail;

(b) providing a phone number where the division may contact the individual to verify the information provided under Subsection (2); and

(c) providing to the division a signed affidavit, on a form created by the division, stating that:

(i) the information provided under Subsection (2) is true and accurate and relates to the exempt voter or extended absence voter identified in the affidavit; and

(ii) the photograph provided under Subsection (2) is an accurate photograph of the exempt voter or extended absence voter identified in the affidavit.

(8) The division shall waive all fees for obtaining, extending, or renewing a regular identification card or limited-term identification card if the applicant signs an affidavit stating that:

(a) a purpose for which the applicant is obtaining the card is to provide identification to vote;

(b) the applicant is eligible to register to vote in Utah; and

(c) the applicant is indigent.

Section 36. Section **53-3-805** is amended to read:

53-3-805 . Identification card -- Contents -- Specifications.

(1) As used in this section:

(a) "Authorized guardian" means the same as that term is defined in Section 53-3-207.

(b) "Health care professional" means the same as that term is defined in Section 53-3-207.

(c) "Invisible condition" means the same as that term is defined in Section 53-3-207.

(d) "Invisible condition identification symbol" means the same as that term is defined in Section 53-3-207.

(2)(a) The division shall issue an identification card that bears:

(i) the distinguishing number assigned to the individual by the division;

(ii) the individual's name[;] and birth date[~~;~~~~and~~]

(iii)(A) the Utah residence address of the individual; or

(B) if the individual does not have a Utah residence address, the individual's Utah voting address;

3360 ~~[(iii)]~~ (iv) a brief description of the individual for the purpose of identification;
3361 ~~[(iv)]~~ (v) a photograph of the individual;
3362 ~~[(v)]~~ (vi) a photograph or other facsimile of the individual's signature;
3363 ~~[(vi)]~~ (vii) an indication whether the individual intends to make an anatomical gift
3364 under Title 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act; and
3365 ~~[(vii)]~~ (viii) if the individual states that the individual is a veteran of the United States
3366 military on the application for an identification card in accordance with Section
3367 53-3-804 and provides verification that the individual received an honorable or
3368 general discharge from the United States Armed Forces, an indication that the
3369 individual is a United States military veteran for a regular identification card or a
3370 limited-term identification card issued on or after July 1, 2011.

3371 (b) An identification card issued by the division may not bear the individual's social
3372 security number or place of birth.

3373 (3)(a) The card shall be of an impervious material, resistant to wear, damage, and
3374 alteration.

3375 (b) Except as provided under Section 53-3-806, the size, form, and color of the card is
3376 prescribed by the commissioner.

3377 (4) At the applicant's request, the card may include a statement that the applicant has a
3378 special medical problem or allergies to certain drugs, for the purpose of medical
3379 treatment.

3380 (5)(a) The division shall include or affix an invisible condition identification symbol on
3381 an individual's identification card if the individual or the individual's authorized
3382 guardian, on a form prescribed by the department:

3383 (i) requests the division to include the invisible condition identification symbol;

3384 (ii) provides written verification from a health care professional that the individual is
3385 an individual with an invisible condition; and

3386 (iii) submits a signed waiver of liability for the release of any medical information to:

3387 (A) the department;

3388 (B) any person who has access to the individual's medical information as recorded
3389 on the individual's driving record or the Utah Criminal Justice Information
3390 System under this chapter;

3391 (C) any other person who may view or receive notice of the individual's medical
3392 information by seeing the individual's identification card or the individual's
3393 information in the Utah Criminal Justice Information System;

(D) a local law enforcement agency that receives a copy of the form described in this Subsection (5)(a) and enters the contents of the form into the local law enforcement agency's record management system or computer-aided dispatch system; and

(E) a dispatcher who accesses the information regarding the individual's invisible condition through the use of a local law enforcement agency's record management system or computer-aided dispatch system.

(b) As part of the form described in Subsection (5)(a), the department shall advise the individual or the individual's authorized guardian that by submitting the request and signed waiver, the individual or the individual's authorized guardian consents to the release of the individual's medical information to any person described in Subsection (5)(a)(iii), even if the person is otherwise ineligible to access the individual's medical information under state or federal law.

(c) The division may not:

(i) charge a fee to include the invisible condition identification symbol on the individual's identification card; or

(ii) after including the invisible condition identification symbol on the individual's previously issued identification card, require the individual to provide subsequent written verification described in Subsection (5)(a)(ii) to include the invisible condition identification symbol on the individual's extended identification card.

(d) The division shall confirm with the Division of Professional Licensing that the health care professional described in Subsection (5)(a)(ii) holds a current state license.

(e) The inclusion of an invisible condition identification symbol on an individual's identification card in accordance with Subsection (5)(a) does not confer any legal rights or privileges on the individual, including parking privileges for individuals with disabilities under Section 41-1a-414.

(f) For each individual issued an identification card under this section that includes an invisible condition identification symbol, the division shall include in the division's database a brief description of the nature of the individual's invisible condition in the individual's record and provide the brief description to the Utah Criminal Justice Information System.

(g) Except as provided in this section, the division may not release the information described in Subsection (5)(f).

(h) Within 30 days after the day on which the division receives an individual's or the

individual's authorized guardian's written request, the division shall:

(i) remove from the individual's record in the division's database the invisible condition identification symbol and the brief description described in Subsection (5)(f); and

(ii) provide the individual's updated record to the Utah Criminal Justice Information System.

(6) As provided in Section 63G-2-302, the information described in Subsection (5)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.

(7)(a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated by the applicant in accordance with division rule.

(b)(i) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may, upon request, release to an organ procurement organization, as defined in Section 26B-8-301, the names and addresses of all individuals who under Subsection 53-3-804(2)(j) indicate that they intend to make an anatomical gift.

(ii) An organ procurement organization may use released information only to:

(A) obtain additional information for an anatomical gift registry; and

(B) inform applicants of anatomical gift options, procedures, and benefits.

(8) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may release to the Department of Veterans and Military Affairs the names and addresses of all individuals who indicate their status as a veteran under Subsection 53-3-804(2)(l).

(9) The division and the division's employees are not liable, as a result of false or inaccurate information provided under Subsection 53-3-804(2)(j) or (l), for direct or indirect:

(a) loss;

(b) detriment; or

(c) injury.

(10)(a) The division may issue a temporary regular identification card to an individual while the individual obtains the required documentation to establish verification of the information described in Subsections [~~53-3-804(2)(a), (b), (c), (d)~~] 53-3-804(2)(a) through (g), and (i)(i).

(b) A temporary regular identification card issued under this Subsection (10) shall be recognized and grant the individual the same privileges as a regular identification

3462 card.

3463 (c) A temporary regular identification card issued under this Subsection (10) is invalid:

3464 (i) when the individual's regular identification card has been issued;

3465 (ii) when, for good cause, an applicant's application for a regular identification card
3466 has been refused; or

3467 (iii) upon expiration of the temporary regular identification card.

3468 (d) The division shall coordinate with the Department of Corrections in providing an
3469 inmate with a temporary regular identification card as described in Section 64-13-10.6.

3470 Section 37. Section **53-3-807** is amended to read:

3471 **53-3-807 . Expiration -- Address and name change -- Extension.**

3472 (1)(a) A regular identification card expires on the birth date of the applicant in the fifth
3473 year after the issuance of the regular identification card.

3474 (b) A limited-term identification card expires on:

3475 (i) the expiration date of the period of time of the individual's authorized stay in the
3476 United States or on the birth date of the applicant in the fifth year after the
3477 issuance of the limited-term identification card, whichever is sooner; or

3478 (ii) on the date of issuance in the first year after the year that the limited-term
3479 identification card was issued if there is no definite end to the individual's period
3480 of authorized stay.

3481 (2)(a) Except as provided in Subsection (2)(b), if an individual has applied for and
3482 received an identification card and subsequently moves from the address shown on
3483 the application or on the card, the individual shall, within 10 days after the day on
3484 which the individual moves, notify the division in a manner specified by the division
3485 of the individual's new address.

3486 (b) If an individual who is required to register as a sex offender, kidnap offender, or
3487 child abuse offender under Title 77, Chapter 41, Sex, Kidnap, and Child Abuse
3488 Offender Registry, has applied for and received an identification card and
3489 subsequently moves from the address shown on the application or on the card, the
3490 individual shall, within 30 days after the day on which the individual moves, apply
3491 for an updated identification card in-person at a division office.

3492 (3) If an individual has applied for and received an identification card and subsequently
3493 changes the individual's name under Title 42, Chapter 1, Change of Name, the
3494 individual:

3495 (a) shall surrender the card to the division; and

- (b) may apply for a new card in the individual's new name by:
- (i) furnishing proper documentation to the division as provided in Section 53-3-804; and
 - (ii) except as provided in Subsection 53-3-804(8), paying the fee required under Section 53-3-105.

- (4) A person 21 years old or older with a disability, as defined under the Americans with Disabilities Act of 1990, Pub. L. 101-336, may extend the expiration date on an identification card for five years if the person with a disability or an agent of the person with a disability:
- (a) requests that the division send the application form to obtain the extension or requests an application form in person at the division's offices;
 - (b) completes the application;
 - (c) certifies that the extension is for a person 21 years old or older with a disability; ~~and~~
 - (d) returns the application to the division ~~together~~ ; and
 - (e) except as provided in Subsection 53-3-804(8), includes, with the application, the identification card fee required under Section 53-3-105.

- (5)(a) The division may extend a valid regular identification card issued after January 1, 2010, for five years at any time within six months before the day on which the identification card expires.
- (b) The application for an extension of a regular identification card is accompanied by a fee under Section 53-3-105.
- (c) The division shall allow extensions:
- (i) by mail, electronic means, or other means as determined by the division;
 - (ii) except as provided in Subsection 53-3-804(8), at the appropriate extension fee rate under Section 53-3-105; and
 - ~~(ii)~~ (iii) only if the applicant qualifies under this section.

- (6)(a) A regular identification card may only be extended once under Subsections (4) and (5).

- (b) After an extension an application for an identification card must be applied for ~~in person at the division's offices~~ in accordance with Section 53-3-804.

Section 38. Section **53-3-808** is amended to read:

53-3-808 . Fee required for identification card.

- (1) ~~The~~ Except as provided in Subsection (3), the commissioner may charge and collect a fee only as provided by Section 53-3-105 when an application for an identification card

3530 is submitted.

3531 (2) Except as provided in Subsection (3):

3532 (a) [~~Before~~] before accepting an application from an indigent person for an identification
3533 card without the payment of a fee, the division shall require that the indigent person
3534 sign a statement under penalty of perjury that the person is indigent[.] ; and

3535 (b) [~~The~~] the division may require an indigent person applying for an identification card
3536 without the payment of a fee to execute a release form allowing the division to
3537 inquire with the Tax Commission whether the person has filed state income tax
3538 returns or has state income tax withholding suggesting that the person is not indigent.

3539 (3) This section does not apply to an individual who complies with Subsection 53-3-804(8).

3540 Section 39. Section **53-3-810** is amended to read:

3541 **53-3-810 . Prohibited uses of identification card -- Penalties.**

3542 (1) It is a class C misdemeanor to:

3543 (a) lend or knowingly permit the use of an identification card issued to the individual, by
3544 an individual not entitled to the identification card;

3545 (b) display or to represent as the individual's own identification card an identification
3546 card not issued to the individual;

3547 (c) refuse to surrender to the division or a peace officer upon demand any identification
3548 card issued by the division;

3549 (d) use a false name or give a false address in any application for an identification card
3550 or any renewal or duplicate of the identification card, or to knowingly make a false
3551 statement, or to knowingly conceal a material fact in the application;

3552 (e) display a revoked identification card as a valid identification card;

3553 (f) knowingly acquire, use, display, or transfer an item that purports to be an authentic
3554 identification card issued by a governmental entity if the item is not an authentic
3555 identification card issued by that governmental entity; or

3556 (g) alter any information contained on an authentic identification card so that it no
3557 longer represents the information originally displayed.

3558 (2) It is a class A misdemeanor to knowingly:

3559 (a) issue an identification card with false or fraudulent information;

3560 (b) issue an identification card to an individual who is younger than 21 years old if the
3561 identification card is not distinguished as required for an individual who is younger
3562 than 21 years old under Section 53-3-806; or

3563 (c) acquire, use, display, or transfer a false or altered identification card to procure a

3564 tobacco product, an electronic cigarette product, or a nicotine product as those terms
3565 are defined in Section 76-10-101.

3566 (3) An individual may not knowingly use, display, or transfer a false or altered
3567 identification card to procure alcoholic beverages, gain admittance to a place where
3568 alcoholic beverages are sold or consumed, or obtain employment that may not be
3569 obtained by a minor in violation of Section 32B-1-403.

3570 (4) It is a third degree felony if an individual's acquisition, use, display, or transfer of a false
3571 or altered identification card:

3572 (a) aids or furthers the individual's efforts to fraudulently obtain goods or services;[~~or~~]

3573 (b) aids or further the individual's efforts to violate Section 20A-3a-505; or

3574 [~~(b)~~] (c) aids or furthers the individual's efforts to commit a violent felony.

3575 Section 40. Section **63G-10-303** is amended to read:

3576 **63G-10-303 . Legislative review and approval of action settlement agreements.**

3577 (1)(a) Before legally binding the state by executing an action settlement agreement that
3578 might cost government entities more than \$1,000,000 to implement, inclusive of the
3579 cost of the required action and any required monetary payment, an agency shall:

3580 (i) submit the proposed action settlement agreement, including all terms that are
3581 material to the settlement, to the governor for the governor's approval or rejection
3582 as required by Section 63G-10-302; and

3583 (ii) if the governor approves the action settlement agreement, submit the action
3584 settlement agreement to the Legislative Management Committee for its review
3585 and recommendations.

3586 (b) The Legislative Management Committee shall review the action settlement
3587 agreement and may:

3588 (i) recommend that the agency execute the settlement agreement;

3589 (ii) recommend that the agency reject the settlement agreement; or

3590 (iii) recommend to the governor that the governor call a special session of the
3591 Legislature to review and approve or reject the settlement agreement.

3592 (2)(a) Before legally binding the state by executing an action settlement agreement that
3593 might cost government entities more than \$2,000,000 to implement, an agency shall:

3594 (i) submit the proposed action settlement agreement, including all terms that are
3595 material to the settlement, to the governor for the governor's approval or rejection
3596 as required by Section 63G-10-302; and

3597 (ii) if the governor approves the action settlement agreement, submit the action

3598 settlement agreement to the Legislature for its approval in an annual general
3599 session or a special session.

3600 (b)(i) If the Legislature approves the action settlement agreement, the agency may
3601 execute the agreement.

3602 (ii) If the Legislature rejects the action settlement agreement, the agency may not
3603 execute the agreement.

3604 (c) If an agency executes an action settlement agreement without obtaining the
3605 Legislature's approval under this Subsection (2):

3606 (i) the governor may issue an executive order declaring the action settlement
3607 agreement void; or

3608 (ii) the Legislature may pass a joint resolution declaring the action settlement
3609 agreement void.

3610 Section 41. Section **63G-10-304** is enacted to read:

3611 **63G-10-304 . Legislative review and approval of action settlement agreement**
3612 **related to election law.**

3613 (1) As used in this section, "election law" means:

3614 (a) a provision of Title 20A, Election Code; or

3615 (b) a provision relating to elections or voting contained in any portion of the Utah
3616 Constitution, the Utah Code, or a Utah administrative rule.

3617 (2)(a) Before legally binding the state by executing an action settlement agreement that
3618 might limit the application or enforcement of an election law, an agency shall submit
3619 the proposed action settlement agreement, including all terms that are material to the
3620 settlement:

3621 (i) to the governor for the governor's approval or rejection; and

3622 (ii) if the governor approves the proposed action settlement agreement, to the
3623 Legislative Management Committee for the committee's review in accordance
3624 with Subsection (3).

3625 (b) If the governor rejects the action settlement agreement the agency may not execute
3626 the agreement.

3627 (3) The Legislative Management Committee shall review an action settlement agreement
3628 submitted under Subsection (2)(a)(i) and may:

3629 (a) recommend that the agency execute the settlement agreement;

3630 (b) recommend that the agency reject the settlement agreement; or

3631 (c) refer the matter to the entire Legislature.

- (4)(a) If the Legislative Management Committee refers a matter to the entire Legislature under Subsection (3)(a), agency may not execute the settlement agreement unless the Legislature approves the settlement agreement at a special session of the Legislature or a general session of the Legislature.
- (b) If, under Subsection (4)(a), the Legislature approves the action settlement agreement, the agency may execute the agreement.
- (c) If, under Subsection (4)(a), the Legislature rejects the action settlement agreement, the agency may not execute the agreement.
- (5) If an agency executes an action settlement agreement without complying with Subsection (2), (3), or, if applicable, (4):
- (a) the governor may issue an executive order declaring the action settlement agreement void; or
- (b) the Legislature may pass a joint resolution declaring the action settlement agreement void.

Section 42. **Repealer.**

This bill repeals:

Section **20A-3a-101, Title.**

Section **53-3-801, Short title.**

Section 43. **FY 2026 Appropriations.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2025, and ending June 30, 2026. These are additions to amounts previously appropriated for fiscal year 2026.

Subsection 43(a). **Operating and Capital Budgets**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1 To Governor's Office - Governor's Office Operations

From General Fund, One-time

2,000,000

Schedule of Programs:

Lt. Governor's Office

2,000,000

The Legislature intends that the amounts appropriated in this Item 1 be used for a public outreach campaign to inform voters of changes to voting implemented by this H.B. 300 and that the lieutenant

3666 governor disburse a portion of the funds to counties to
3667 participate in the outreach program.

3668 Section 44. **Effective Date.**

3669 This bill takes effect on May 7, 2025.