

Amendments to Election Law

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jefferson S. Burton

LONG TITLE**General Description:**

This bill amends provisions relating to voting at an election.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that, after a ballot is mailed to a voter, the voter is, subject to certain exceptions, required to return the ballot in person to a polling place where the voter must provide valid voter identification;
- ▶ provides exceptions to the requirement described in the preceding paragraph, including if:
 - the voter timely applies to return a ballot by mail;
 - the voter returns a ballot as a military or overseas voter; or
 - the voter has other legal grounds;
- ▶ subject to certain exceptions, requires a voter to appear in person and provide valid voter identification when:
 - voting at a polling place;
 - returning a ballot to a polling place; or
 - requesting to return a ballot by mail;
- ▶ establishes requirements for the number, and hours of operation, of ballot drop boxes in a jurisdiction;
- ▶ provides that a ballot may be returned to a ballot drop box only when the ballot drop box is attended by two or more poll workers;
- ▶ modifies forms, voting requirements, and other provisions to conform with the provisions of this bill; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

32 **Utah Code Sections Affected:**

33 AMENDS:

- 34 **20A-1-102**, as last amended by Laws of Utah 2024, Chapter 438
35 **20A-3a-106**, as enacted by Laws of Utah 2023, Chapter 297
36 **20A-3a-201**, as last amended by Laws of Utah 2022, Chapter 18
37 **20A-3a-202**, as last amended by Laws of Utah 2023, Chapters 56, 106 and 297
38 **20A-3a-203**, as renumbered and amended by Laws of Utah 2020, Chapter 31
39 **20A-3a-204**, as last amended by Laws of Utah 2022, Chapter 156
40 **20A-3a-205**, as renumbered and amended by Laws of Utah 2020, Chapter 31
41 **20A-3a-301**, as renumbered and amended by Laws of Utah 2020, Chapter 31
42 **20A-3a-401**, as last amended by Laws of Utah 2024, Chapter 477
43 **20A-3a-401.5**, as last amended by Laws of Utah 2023, Chapter 297
44 **20A-3a-402**, as last amended by Laws of Utah 2022, Chapter 380
45 **20A-3a-601**, as last amended by Laws of Utah 2020, Chapter 95 and renumbered and
46 amended by Laws of Utah 2020, Chapter 31
47 **20A-3a-805**, as renumbered and amended by Laws of Utah 2020, Chapter 31
48 **20A-4-101**, as last amended by Laws of Utah 2022, Chapter 342
49 **20A-4-102**, as last amended by Laws of Utah 2023, Chapters 156, 297
50 **20A-4-105**, as last amended by Laws of Utah 2022, Chapter 380
51 **20A-5-102**, as last amended by Laws of Utah 2022, Chapters 18, 170
52 **20A-5-301**, as last amended by Laws of Utah 2024, Chapter 438
53 **20A-5-303**, as last amended by Laws of Utah 2021, Chapters 162, 345
54 **20A-5-403**, as last amended by Laws of Utah 2023, Chapter 15
55 **20A-5-403.5**, as last amended by Laws of Utah 2023, Chapters 45, 297 and 435
56 **20A-5-407**, as last amended by Laws of Utah 2023, Chapter 15
57 **20A-5-601**, as last amended by Laws of Utah 2023, Chapter 15
58 **20A-5-605**, as last amended by Laws of Utah 2022, Chapter 170
59 **20A-7-609.5**, as last amended by Laws of Utah 2020, Chapter 31
60 **20A-9-808**, as last amended by Laws of Utah 2020, Chapter 31

61 ENACTS:

- 62 **20A-3a-203.5**, Utah Code Annotated 1953
63 **20A-3a-203.6**, Utah Code Annotated 1953

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

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

67 **20A-1-102 . Definitions.**

68 As used in this title:

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

71 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
72 counts votes recorded on ballots and tabulates the results.

73 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
74 storage medium, that records an individual voter's vote.

75 (b) "Ballot" does not include a record to tally multiple votes.

76 (4) "Ballot drop box" means a drop box, described in Section 20A-5-403.5, where a poll
77 worker may place a completed remote ballot delivered to the poll worker by a voter in
78 accordance with Section 20A-3a-203.5.

79 [~~(4)~~] (5) "Ballot proposition" means a question, issue, or proposal that is submitted to voters
80 on the ballot for their approval or rejection including:

81 (a) an opinion question specifically authorized by the Legislature;

82 (b) a constitutional amendment;

83 (c) an initiative;

84 (d) a referendum;

85 (e) a bond proposition;

86 (f) a judicial retention question;

87 (g) an incorporation of a city or town; or

88 (h) any other ballot question specifically authorized by the Legislature.

89 [~~(5)~~] (6) "Bind," "binding," or "bound" means securing more than one piece of paper
90 together using staples or another means in at least three places across the top of the
91 paper in the blank space reserved for securing the paper.

92 [~~(6)~~] (7) "Board of canvassers" means the entities established by Sections 20A-4-301 and
93 20A-4-306 to canvass election returns.

94 [~~(7)~~] (8) "Bond election" means an election held for the purpose of approving or rejecting
95 the proposed issuance of bonds by a government entity.

96 [~~(8)~~] (9) "Business reply mail envelope" means an envelope that may be mailed free of
97 charge by the sender.

98 [~~(9)~~] (10) "Canvass" means the review of election returns and the official declaration of
99 election results by the board of canvassers.

- 100 ~~[(10)]~~ (11) "Canvassing judge" means a poll worker designated to assist in counting ballots
101 at the canvass.
- 102 ~~[(11)]~~ (12) "Contracting election officer" means an election officer who enters into a
103 contract or interlocal agreement with a provider election officer.
- 104 ~~[(12)]~~ (13) "Convention" means the political party convention at which party officers and
105 delegates are selected.
- 106 ~~[(13)]~~ (14) "Counting center" means one or more locations selected by the election officer in
107 charge of the election for the automatic counting of ballots.
- 108 ~~[(14)]~~ (15) "Counting judge" means a poll worker designated to count the ballots during
109 election day.
- 110 ~~[(15)]~~ (16) "Counting room" means a suitable and convenient private place or room for use
111 by the poll workers and counting judges to count ballots.
- 112 ~~[(16)]~~ (17) "County officers" means those county officers that are required by law to be
113 elected.
- 114 ~~[(17)]~~ (18) "Date of the election" or "election day" or "day of the election":
115 (a) means the day that is specified in the calendar year as the day that the election
116 occurs; and
117 (b) does not include:
118 (i) deadlines established for voting by mail, military-overseas voting, or emergency
119 voting; or
120 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
121 Early Voting.
- 122 ~~[(18)]~~ (19) "Elected official" means:
123 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
124 Municipal Alternate Voting Methods Pilot Project;
125 (b) a person who is considered to be elected to a municipal office in accordance with
126 Subsection 20A-1-206(1)(c)(ii); or
127 (c) a person who is considered to be elected to a special district office in accordance
128 with Subsection 20A-1-206(3)(b)(ii).
- 129 ~~[(19)]~~ (20) "Election" means a regular general election, a municipal general election, a
130 statewide special election, a local special election, a regular primary election, a
131 municipal primary election, and a special district election.
- 132 ~~[(20)]~~ (21) "Election Assistance Commission" means the commission established by the
133 Help America Vote Act of 2002, Pub. L. No. 107-252.

134 ~~[(21)]~~ (22) "Election cycle" means the period beginning on the first day persons are eligible
135 to file declarations of candidacy and ending when the canvass is completed.

136 ~~[(22)]~~ (23) "Election judge" means a poll worker that is assigned to:

- 137 (a) preside over other poll workers at a polling place;
- 138 (b) act as the presiding election judge; or
- 139 (c) serve as a canvassing judge, counting judge, or receiving judge.

140 ~~[(23)]~~ (24) "Election officer" means:

- 141 (a) the lieutenant governor, for all statewide ballots and elections;
- 142 (b) the county clerk for:
 - 143 (i) a county ballot and election; and
 - 144 (ii) a ballot and election as a provider election officer as provided in Section
 - 145 20A-5-400.1 or 20A-5-400.5;
- 146 (c) the municipal clerk for:
 - 147 (i) a municipal ballot and election; and
 - 148 (ii) a ballot and election as a provider election officer as provided in Section
 - 149 20A-5-400.1 or 20A-5-400.5;
- 150 (d) the special district clerk or chief executive officer for:
 - 151 (i) a special district ballot and election; and
 - 152 (ii) a ballot and election as a provider election officer as provided in Section
 - 153 20A-5-400.1 or 20A-5-400.5; or
- 154 (e) the business administrator or superintendent of a school district for:
 - 155 (i) a school district ballot and election; and
 - 156 (ii) a ballot and election as a provider election officer as provided in Section
 - 157 20A-5-400.1 or 20A-5-400.5.

158 ~~[(24)]~~ (25) "Election official" means any election officer, election judge, or poll worker.

159 ~~[(25)]~~ (26) "Election results" means:

- 160 (a) for an election other than a bond election, the count of votes cast in the election and
- 161 the election returns requested by the board of canvassers; or
- 162 (b) for bond elections, the count of those votes cast for and against the bond proposition
- 163 plus any or all of the election returns that the board of canvassers may request.

164 ~~[(26)]~~ (27) "Election returns" includes:

- 165 (a) the pollbook, the military and overseas absentee voter registration and voting
- 166 certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all
- 167 excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and

- 168 the total votes cast form; and
- 169 (b) the record, described in Subsection 20A-3a-401(8)(c), of voters contacted to cure a
170 ballot.
- 171 ~~[(27)]~~ (28) "Electronic signature" means an electronic sound, symbol, or process attached to
172 or logically associated with a record and executed or adopted by a person with the intent
173 to sign the record.
- 174 ~~[(28)]~~ (29) "Inactive voter" means a registered voter who is listed as inactive by a county
175 clerk under Subsection 20A-2-505(4)(c)(i) or (ii).
- 176 ~~[(29)]~~ (30) "Judicial office" means the office filled by any judicial officer.
- 177 ~~[(30)]~~ (31) "Judicial officer" means any justice or judge of a court of record or any county
178 court judge.
- 179 ~~[(31)]~~ (32) "Local election" means a regular county election, a regular municipal election, a
180 municipal primary election, a local special election, a special district election, and a
181 bond election.
- 182 ~~[(32)]~~ (33) "Local political subdivision" means a county, a municipality, a special district, or
183 a local school district.
- 184 ~~[(33)]~~ (34) "Local special election" means a special election called by the governing body of
185 a local political subdivision in which all registered voters of the local political
186 subdivision may vote.
- 187 (35) "Mail-in return envelope" means an envelope described in Subsection 20A-3a-203.6(5)
188 that a voter must complete, with the voter's remote ballot sealed inside, to return the
189 ballot by mail.
- 190 ~~[(34)]~~ (36) "Manual ballot" means a paper document produced by an election officer on
191 which an individual records an individual's vote by directly placing a mark on the paper
192 document using a pen or other marking instrument.
- 193 ~~[(35)]~~ (37) "Mechanical ballot" means a record, including a paper record, electronic record,
194 or mechanical record, that:
- 195 (a) is created via electronic or mechanical means; and
- 196 (b) records an individual voter's vote cast via a method other than an individual directly
197 placing a mark, using a pen or other marking instrument, to record an individual
198 voter's vote.
- 199 ~~[(36)]~~ (38) "Municipal executive" means:
- 200 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
- 201 (b) the mayor in the council-manager form of government defined in Subsection

202 10-3b-103(6).

203 [(37)] (39) "Municipal general election" means the election held in municipalities and, as
204 applicable, special districts on the first Tuesday after the first Monday in November of
205 each odd-numbered year for the purposes established in Section 20A-1-202.

206 [(38)] (40) "Municipal legislative body" means the council of the city or town in any form
207 of municipal government.

208 [(39)] (41) "Municipal office" means an elective office in a municipality.

209 [(40)] (42) "Municipal officers" means those municipal officers that are required by law to
210 be elected.

211 [(41)] (43) "Municipal primary election" means an election held to nominate candidates for
212 municipal office.

213 [(42)] (44) "Municipality" means a city or town.

214 [(43)] (45) "Official ballot" means the ballots distributed by the election officer for voters to
215 record their votes.

216 [(44)] (46) "Official endorsement" means the information on the ballot that identifies:

217 (a) the ballot as an official ballot;

218 (b) the date of the election; and

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

221 (ii) for a ballot prepared by a county clerk, the words required by Subsection
222 20A-6-301(1)(b)(iii).

223 [(45)] (47) "Official register" means the official record furnished to election officials by the
224 election officer that contains the information required by Section 20A-5-401.

225 [(46)] (48) "Political party" means an organization of registered voters that has qualified to
226 participate in an election by meeting the requirements of Chapter 8, Political Party
227 Formation and Procedures.

228 [(47)] (49)(a) "Poll worker" means a person assigned by an election official to assist with
229 an election, voting, or counting votes.

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

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

232 [(48)] (50) "Pollbook" means a record of the names of voters in the order that they appear to
233 cast votes.

234 [(49)] (51) "Polling place" means ~~[a building where voting is conducted.]~~ :

235 (a) a standard polling place; or

- 236 (b) a ballot drop box.
- 237 [(50)] (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
238 in which the voter marks the voter's choice.
- 239 [(51)] (53) "Presidential Primary Election" means the election established in Chapter 9, Part
240 8, Presidential Primary Election.
- 241 [(52)] (54) "Primary convention" means the political party conventions held during the year
242 of the regular general election.
- 243 [(53)] (55) "Protective counter" means a separate counter, which cannot be reset, that:
- 244 (a) is built into a voting machine; and
- 245 (b) records the total number of movements of the operating lever.
- 246 [(54)] (56) "Provider election officer" means an election officer who enters into a contract or
247 interlocal agreement with a contracting election officer to conduct an election for the
248 contracting election officer's local political subdivision in accordance with Section
249 20A-5-400.1.
- 250 [(55)] (57) "Provisional ballot" means a ballot voted provisionally by a person:
- 251 (a) whose name is not listed on the official register at the polling place;
- 252 (b) whose legal right to vote is challenged as provided in this title; or
- 253 (c) whose identity was not sufficiently established by a poll worker.
- 254 [(56)] (58) "Provisional ballot envelope" means an envelope printed in the form required by
255 Section 20A-6-105 that is used to identify provisional ballots and to provide information
256 to verify a person's legal right to vote.
- 257 [(57)] (59)(a) "Public figure" means an individual who, due to the individual being
258 considered for, holding, or having held a position of prominence in a public or
259 private capacity, or due to the individual's celebrity status, has an increased risk to the
260 individual's safety.
- 261 (b) "Public figure" does not include an individual:
- 262 (i) elected to public office; or
- 263 (ii) appointed to fill a vacancy in an elected public office.
- 264 [(58)] (60) "Qualify" or "qualified" means to take the oath of office and begin performing
265 the duties of the position for which the individual was elected.
- 266 [(59)] (61) "Receiving judge" means the poll worker that checks the voter's name in the
267 official register at a polling place and provides the voter with a ballot.
- 268 [(60)] (62) "Registration form" means a form by which an individual may register to vote
269 under this title.

- 270 ~~[(61)]~~ (63) "Regular ballot" means a ballot that is not a provisional ballot.
- 271 ~~[(62)]~~ (64) "Regular general election" means the election held throughout the state on the
 272 first Tuesday after the first Monday in November of each even-numbered year for the
 273 purposes established in Section 20A-1-201.
- 274 ~~[(63)]~~ (65) "Regular primary election" means the election, held on the date specified in
 275 Section 20A-1-201.5, to nominate candidates of political parties and candidates for
 276 nonpartisan local school board positions to advance to the regular general election.
- 277 (66)(a) "Remote ballot" means a ballot that is mailed to a voter to be returned, after the
 278 voter has completed the ballot and sealed the ballot in a return envelope, to:
- 279 (i) a standard polling place;
- 280 (ii) a ballot drop box;
- 281 (iii) by mail, if the ballot is sealed in a mail-in return envelope; or
- 282 (iv) in any other manner permitted by law.
- 283 (b) "Remote ballot" does not include a ballot obtained and voted at a standard polling
 284 place.
- 285 ~~[(64)]~~ (67) "Resident" means a person who resides within a specific voting precinct in Utah.
- 286 ~~[(65)]~~ (68) "Return envelope" means~~[the envelope, described in Subsection 20A-3a-202(4),~~
 287 ~~provided to a voter with a manual ballot]:~~
- 288 (a) a standard return envelope; or
- 289 (b) a mail-in return envelope.
- 290 ~~[(a) into which the voter places the manual ballot after the voter has voted the manual~~
 291 ~~ballot in order to preserve the secrecy of the voter's vote; and]~~
- 292 ~~[(b) that includes the voter affidavit and a place for the voter's signature.]~~
- 293 ~~[(66)]~~ (69) "Sample ballot" means a mock ballot similar in form to the official ballot,
 294 published as provided in Section 20A-5-405.
- 295 ~~[(67)]~~ (70) "Special district" means a local government entity under Title 17B, Limited
 296 Purpose Local Government Entities - Special Districts, and includes a special service
 297 district under Title 17D, Chapter 1, Special Service District Act.
- 298 ~~[(68)]~~ (71) "Special district officers" means those special district board members who are
 299 required by law to be elected.
- 300 ~~[(69)]~~ (72) "Special election" means an election held as authorized by Section 20A-1-203.
- 301 ~~[(70)]~~ (73) "Spoiled ballot" means each ballot that:
- 302 (a) is spoiled by the voter;
- 303 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

304 (c) lacks the official endorsement.

305 (74) "Standard polling place" means a structure at which a voter may obtain and vote a
306 ballot in person.

307 (75) "Standard return envelope" means an envelope, described in Subsection 20A-3a-202(4),
308 in which a voter places a ballot after voting at a standard polling place or when returning
309 a ballot to a polling place.

310 [~~71~~] (76) "Statewide special election" means a special election called by the governor or
311 the Legislature in which all registered voters in Utah may vote.

312 [~~72~~] (77) "Tabulation system" means a device or system designed for the sole purpose of
313 tabulating votes cast by voters at an election.

314 [~~73~~] (78) "Ticket" means a list of:

315 (a) political parties;

316 (b) candidates for an office; or

317 (c) ballot propositions.

318 [~~74~~] (79) "Transfer case" means the sealed box used to transport voted ballots to the
319 counting center.

320 [~~75~~] (80) "Vacancy" means:

321 (a) except as provided in Subsection [~~75~~](b) (80)(b), the absence of an individual to
322 serve in a position created by state constitution or state statute, whether that absence
323 occurs because of death, disability, disqualification, resignation, or other cause[-]; or

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

327 [~~76~~] (81) "Valid voter identification" means:

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

330 (i) a currently valid Utah driver license;

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

332 (A) the state; or

333 (B) a branch, department, or agency of the United States;

334 (iii) a currently valid Utah permit to carry a concealed weapon;

335 (iv) a currently valid United States passport; or

336 (v) a currently valid United States military identification card;

337 (b) one of the following identification cards, whether or not the card includes a

- 338 photograph of the voter:
- 339 (i) a valid tribal identification card;
- 340 (ii) a Bureau of Indian Affairs card; or
- 341 (iii) a tribal treaty card; or
- 342 (c) two forms of identification not listed under Subsection [~~(76)(a) or (b)~~] (81)(a) or (b)
- 343 but that bear the name of the voter and provide evidence that the voter resides in the
- 344 voting precinct, which may include:
- 345 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
- 346 election;
- 347 (ii) a bank or other financial account statement, or a legible copy thereof;
- 348 (iii) a certified birth certificate;
- 349 (iv) a valid social security card;
- 350 (v) a check issued by the state or the federal government or a legible copy thereof;
- 351 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 352 (vii) a currently valid Utah hunting or fishing license;
- 353 (viii) certified naturalization documentation;
- 354 (ix) a currently valid license issued by an authorized agency of the United States;
- 355 (x) a certified copy of court records showing the voter's adoption or name change;
- 356 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 357 (xii) a currently valid identification card issued by:
- 358 (A) a local government within the state;
- 359 (B) an employer for an employee; or
- 360 (C) a college, university, technical school, or professional school located within
- 361 the state; or
- 362 (xiii) a current Utah vehicle registration.
- 363 [~~(77)~~] (82) "Valid write-in candidate" means a candidate who has qualified as a write-in
- 364 candidate by following the procedures and requirements of this title.
- 365 [~~(78)~~] (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter,
- 366 by:
- 367 (a) mailing the ballot to the location designated in the mailing; or
- 368 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 369 [~~(79)~~] (84) "Voter" means an individual who:
- 370 (a) meets the requirements for voting in an election;
- 371 (b) meets the requirements of election registration;

372 (c) is registered to vote; and

373 (d) is listed in the official register book.

374 [(80)] (85) "Voter registration deadline" means the registration deadline provided in Section
375 20A-2-102.5.

376 [(81)] (86) "Voting area" means the area within six feet of the voting booths, voting
377 machines, and ballot box.

378 [(82)] (87) "Voting booth" means:

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

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

382 [(83)] (88) "Voting device" means any device provided by an election officer for a voter to
383 vote a mechanical ballot.

384 [(84)] (89) "Voting precinct" means the smallest geographical voting unit, established under
385 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

386 [(85)] (90) "Watcher" means an individual who complies with the requirements described in
387 Section 20A-3a-801 to become a watcher for an election.

388 [(86)] (91) "Write-in ballot" means a ballot containing any write-in votes.

389 [(87)] (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on
390 the ballot, in accordance with the procedures established in this title.

391 Section 2. Section **20A-3a-106** is amended to read:

392 **20A-3a-106 . Rulemaking authority relating to conducting an election.**

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

396 (1) a return envelope[~~described in Subsection 20A-3a-202(4)~~], to ensure uniformity and
397 security of the envelopes;

398 (2) complying with the signature comparison audit requirements described in Section
399 20A-3a-402.5; or

400 (3) conducting and documenting the identity verification process described in Subsection
401 20A-3a-401(7)(b).

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

403 **20A-3a-201 . Voting methods.**

404 (1) Except for an election held for a local tax law referendum that is conducted entirely by
405 mail under Section 20A-7-609.5, a voter may vote as follows:

- 406 ~~[(a) by mail;]~~
 407 ~~[(b)] (a) at a polling place, or by delivering a completed remote ballot to a polling place,~~
 408 ~~during early voting hours;~~
 409 ~~[(e)] (b) at a polling place, or by delivering a completed remote ballot to a polling place,~~
 410 ~~on election day when the polls are open;~~
 411 ~~[(d)] (c) if the voter is an individual with a disability, by voting remotely, via a~~
 412 ~~mechanical ballot or via electronic means if approved by the election officer;~~
 413 ~~[(e)] (d) electronically or via a federal write-in absentee ballot if the voter is a covered~~
 414 ~~voter, as defined in Section 20A-16-102;[-or]~~
 415 (e) by mail, in accordance with Section 20A-3a-203.6; or
 416 (f) by emergency ballot, in accordance with Part 3, Emergency Ballots.

417 (2) A voter may not vote at a polling place if the voter voted ~~[by mail or]~~ in a manner
 418 described in Subsections ~~[(1)(d)]~~ (1)(c) through (f).

419 Section 4. Section **20A-3a-202** is amended to read:

420 **20A-3a-202 . Conducting election -- Mailing ballots to voters -- Exceptions.**

421 (1)~~[(a)]~~ Except as otherwise provided for an election held for a local tax law referendum
 422 that is conducted entirely by mail under Section 20A-7-609.5, an election officer
 423 shall administer an election ~~[primarily by mail,]~~ in accordance with this section.

424 ~~[(b) An individual who did not provide valid voter identification at the time the voter~~
 425 ~~registered to vote shall provide valid voter identification before voting.]~~

426 (2) An election officer who administers an election:

427 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day
 428 and no later than seven days before election day, mail to each active voter within a
 429 voting precinct:

430 (i) a manual ballot;

431 (ii)(A) a standard return envelope; or

432 (B) if required under Section 20A-3a-203.6, a mail-in return envelope;

433 (iii) instructions for returning the ballot that include an express notice about any
 434 relevant deadlines that the voter must meet in order for the voter's vote to be
 435 counted;

436 (iv) ~~[for an election administered by a county clerk]~~ except for an election held for a
 437 local tax law referendum that is conducted entirely by mail under Section
 438 20A-7-609.5, information regarding the location and hours of operation of any
 439 election day voting center at which the voter may vote or a website address where

- 440 the voter may view this information;
- 441 (v) for an election [~~administered by an election officer other than a county clerk, if~~
442 ~~the election officer does not operate a polling place or an election day voting~~
443 ~~center~~] held for a local tax law referendum that is conducted entirely by mail under
444 Section 20A-7-609.5, a warning, on a separate page of colored paper in bold face
445 print, indicating that if the voter fails to follow the instructions included with the
446 ballot, the voter will be unable to vote in that election because there will be no
447 polling place [~~for the voting precinct~~] on or before the day of the election; and
- 448 (vi) instructions on how a voter may sign up to receive electronic ballot status
449 notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 450 (b) may not mail a ballot under this section to:
- 451 (i) an inactive voter, unless the inactive voter requests a manual ballot; or
- 452 (ii) a voter whom the election officer is prohibited from sending a ballot under
453 Subsection [~~(9)(e)(ii)~~] (6)(c)(ii);
- 454 (c) shall, on the outside of the envelope in which the election officer mails the ballot,
455 include instructions for returning the ballot if the individual to whom the election
456 officer mails the ballot does not live at the address to which the ballot is sent;
- 457 (d) shall provide a method of accessible voting to a voter with a disability who is not
458 able to vote by mail; and
- 459 (e) shall include, on the election officer's website and with each ballot mailed,
460 instructions regarding how a voter described in Subsection (2)(d) may vote.
- 461 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the
462 manual ballot to the address:
- 463 (i) provided at the time of registration; or
- 464 (ii) if, at or after the time of registration, the voter files an alternate address request
465 form described in Subsection (3)(b), the alternate address indicated on the form.
- 466 (b) The lieutenant governor shall make available to voters an alternate address request
467 form that permits a voter to request that the election officer mail the voter's ballot to a
468 location other than the voter's residence.
- 469 (c) A voter shall provide the completed alternate address request form to the election
470 officer no later than 11 days before the day of the election.
- 471 (4) [~~The~~] A standard return envelope shall include:
- 472 (a) the name, official title, and post office address of the election officer on the front of
473 the envelope; and

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

476 [~~(c) a printed affidavit in substantially the following form:~~

477 "County of _____ State of _____

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

481 _____

482 Signature of Voter"; and]

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

487 [~~(5) If the election officer determines that the voter is required to show valid voter
488 identification, the election officer may:]~~

489 [~~(a) mail a ballot to the voter;]~~

490 [~~(b) instruct the voter to include a copy of the voter's valid voter identification with the
491 return ballot; and]~~

492 [~~(c) provide instructions to the voter on how the voter may sign up to receive electronic
493 ballot status notifications via the ballot tracking system described in Section
494 20A-3a-401.5.]~~

495 [~~(6) An election officer who administers an election shall:]~~

496 [~~(a)(i) before the election, obtain the signatures of each voter qualified to vote in the
497 election; or]~~

498 [~~(ii) obtain the signature of each voter within the voting precinct from the county
499 clerk; and]~~

500 [~~(b) maintain the signatures on file in the election officer's office.]~~

501 [~~(7) Upon receipt of a returned ballot, the election officer shall review and process the
502 ballot under Section 20A-3a-401.]~~

503 [~~(8) (5) A county that administers an election:~~

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

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

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

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

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

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

517 (d) is not required to pay return postage for a ~~[ballot]~~ mail-in return envelope.

518 ~~[(9)]~~ (6)(a) An individual may request that the election officer not send the individual a
 519 ballot by mail in the next and subsequent elections by submitting a written request to
 520 the election officer.

521 (b) An individual shall submit the request described in Subsection ~~[(9)(a)]~~ (6)(a) to the
 522 election officer before 5 p.m. no later than 60 days before an election if the individual
 523 does not wish to receive a ballot by mail in that election.

524 (c) ~~[An]~~ Except as provided in Subsection (6)(e), an election officer who receives a
 525 request from an individual under Subsection ~~[(9)(a)]~~ (6)(a):

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

528 (ii) may not send the individual a ballot by mail for:

529 (A) the next election, if the individual submits the request described in Subsection [
 530 ~~(9)(a)]~~ (6)(a) before the deadline described in Subsection [~~(9)(b)]~~ (6)(b); or

531 (B) an election after the election described in Subsection [~~(9)(e)(ii)(A)]~~ (6)(c)(ii)(A).

532 (d) An individual who submits a request under Subsection ~~[(9)(a)]~~ (6)(a) may resume the
 533 individual's receipt of a ballot by mail by submitting a written request to the election
 534 officer.

535 (e) In an election held for a local tax law referendum that is conducted entirely by mail
 536 under Section 20A-7-609.5, the election officer shall send a ballot by mail to a
 537 registered voter, regardless of whether the registered voter submits a request under
 538 Subsection (6)(a).

539 Section 5. Section **20A-3a-203** is amended to read:

540 **20A-3a-203 . Voting at a standard polling place -- Returning a remote ballot to a**
 541 **standard polling place.**

- 542 (1) Except as provided in Section 20A-7-609.5, a registered voter may vote at a standard
 543 polling place, or return a remote ballot to a standard polling place, in an election in
 544 accordance with this section.
- 545 (2)(a) The voter shall give the voter's name, and, if requested, the voter's residence, to
 546 one of the poll workers.
- 547 (b) The voter shall present valid voter identification to one of the poll workers.
- 548 (c) If the poll worker is not satisfied that the voter has presented valid voter
 549 identification, the poll worker shall:
- 550 (i) indicate on the official register that the voter was not properly identified;
 551 (ii) if the voter is returning a remote ballot, issue the voter a provisional ballot
 552 envelope;
 553 ~~[(ii)]~~ (iii) if the voter is voting in-person, issue the voter a provisional ballot; and
 554 ~~[(iii) notify the voter that the voter will have until the close of normal office hours on~~
 555 ~~Monday after the day of the election to present valid voter identification:]~~
 556 ~~[(A) to the county clerk at the county clerk's office; or]~~
 557 ~~[(B) to an election officer who is administering the election; and]~~
 558 (iv) follow the procedures and requirements of Section 20A-3a-205.
- 559 (d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll
 560 worker shall follow the procedures and requirements of Section 20A-3a-205.
- 561 (3) A poll worker shall check the official register~~[to determine whether]:~~
- 562 (a) to determine whether a voter is registered to vote; and
- 563 (b) ~~[if the election is]~~ for a voter who seeks to obtain a ballot from a standard polling
 564 place during a regular primary election or a presidential primary election, to
 565 determine whether a voter's party affiliation designation in the official register allows
 566 the voter to vote the ballot that the voter requests.
- 567 (4)(a) Except as provided in Subsection (5), if the voter's name is not found on the
 568 official register, the poll worker shall follow the procedures and requirements of
 569 Section 20A-3a-205.
- 570 (b) If, when a voter seeks to obtain a ballot from a standard polling place in a regular
 571 primary election or a presidential primary election, the official register does not
 572 affirmatively identify the voter as being affiliated with a registered political party or
 573 if the official register identifies the voter as being "unaffiliated," the voter shall be
 574 considered to be "unaffiliated."
- 575 (5) In a regular primary election or a presidential primary election:

- 576 (a) if a voter's name is not found on the official register, and if it is not unduly disruptive
577 to the election process, the poll worker may attempt to contact the county clerk's
578 office to request oral verification of the voter's registration; and
- 579 (b) if oral verification is received from the county clerk's office, the poll worker shall:
580 (i) record the verification on the official register;
581 (ii) for a voter who seeks to obtain a ballot from a standard polling place, determine
582 the voter's party affiliation and the ballot that the voter is qualified to vote; and
583 (iii) except as provided in Subsection (6), comply with Subsection (3).
- 584 (6)(a) Except as provided in Subsection (6)(b), if, in a regular primary election or a
585 presidential primary election, the voter's political party affiliation listed in the official
586 register does not allow the voter to vote the ballot that the voter requested, the poll
587 worker shall inform the voter of that fact and inform the voter of the ballot or ballots
588 that the voter's party affiliation does allow the voter to vote.
- 589 (b) If, in a regular primary election or a presidential primary election, the voter is listed
590 in the official register as unaffiliated, or if the official register does not affirmatively
591 identify the voter as either unaffiliated or affiliated with a registered political party,
592 and the voter, as an unaffiliated voter, is not authorized to vote the ballot that the
593 voter requests, the poll worker shall:
594 (i) ask the voter if the voter wishes to vote another registered political party ballot
595 that the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and
596 (ii)(A) if the voter wishes to vote another registered political party ballot that the
597 unaffiliated voter is authorized to vote, the poll worker shall proceed as
598 required by Subsection (3); or
599 (B) if the voter wishes to remain unaffiliated and does not wish to vote another
600 ballot that unaffiliated voters are authorized to vote, the poll worker shall
601 instruct the voter that the voter may not vote.
- 602 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of
603 Subsection (6), if the poll worker determines that the voter is registered, a poll worker
604 shall:
605 (a) direct the voter to sign the voter's name in the official register; and
606 (b)(i) if the voter is returning a remote ballot that is sealed in a return envelope,
607 accept the return envelope from the voter and place the return envelope in the
608 ballot box; or
609 (ii) if the voter seeks to obtain a ballot at the standard polling place:

610 ~~[(b)]~~ (A) provide to the voter the ballot that the voter is qualified to vote;~~[-and]~~
 611 (B) provide to the voter with a standard return envelope; and
 612 ~~[(e)]~~ (C) allow the voter to enter the voting booth.

613 Section 6. Section **20A-3a-203.5** is enacted to read:

614 **20A-3a-203.5 . Returning a remote ballot to a ballot drop box.**

- 615 (1) A registered voter may return a remote ballot to a ballot drop box in accordance with
 616 this section.
- 617 (2) A voter may not return a remote ballot to a ballot drop box, unless the ballot drop box is
 618 attended by two or more poll workers.
- 619 (3)(a) When returning a remote ballot to a ballot drop box, the voter shall give the
 620 voter's name, and, if requested, the voter's residence, to one of the poll workers.
- 621 (b) The voter shall present valid voter identification to one of the poll workers.
- 622 (c) If the poll worker is not satisfied that the voter has presented valid voter
 623 identification, the poll worker shall:
- 624 (i) indicate on the official register that the voter was not properly identified;
 625 (ii) provide the voter with a provisional ballot envelope; and
 626 (iii) follow the procedures and requirements of Section 20A-3a-205.
- 627 (d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll
 628 worker shall follow the procedures and requirements of Subsections (3)(c)(ii) and
 629 (iii).
- 630 (4) A poll worker shall check the official register:
- 631 (a) to determine whether a voter is registered to vote; and
- 632 (b) if the voter's name is not found on the official register, the poll worker shall follow
 633 the procedures and requirements of Subsections (3)(c)(ii) and (iii).

634 Section 7. Section **20A-3a-203.6** is enacted to read:

635 **20A-3a-203.6 . Returning a remote ballot by mail -- In-person application --**
 636 **Mail-in return envelope.**

- 637 (1) Except as otherwise provided in Chapter 16, Uniform Military and Overseas Voters Act,
 638 a voter may not return a remote ballot by mail unless the voter complies with the
 639 requirements of this section.
- 640 (2) A voter who desires to return a remote ballot by mail shall:
- 641 (a) apply for designation as a voter who may return a remote ballot by mail, on a form
 642 designed by the lieutenant governor;
- 643 (b) submit the form, in-person, at the office of the county clerk of the county of which

- 644 the voter is a resident; and
- 645 (c) at the time the voter submits the form, provide valid voter identification.
- 646 (3) A voter who complies with Subsection (2) may return a ballot by mail:
- 647 (a) in the next election that is at least 45 days after the day on which the voter complies
- 648 with Subsection (2); and
- 649 (b) in each election following the election described in Subsection (3)(a) that is no more
- 650 than two years after the day of the election described in Subsection (3)(a).
- 651 (4) For each voter who is authorized to return a ballot by mail under Subsections (2) and
- 652 (3), the election officer shall, when mailing ballots under Section 20A-3a-202, include
- 653 with the ballot a mail-in return envelope described in Subsection (5).
- 654 (5) A mail-in return envelope shall include:
- 655 (a) the name, official title, and post office address of the election officer on the front of
- 656 the envelope;
- 657 (b) a space where a voter may write an email address and phone number by which the
- 658 election officer may contact the voter if the voter's ballot is rejected;
- 659 (c) a printed affidavit in substantially the following form:
- 660 "County of _____ State of _____
- 661 I, _____, solemnly swear that: I am a qualified resident voter of the _____ voting
- 662 precinct in _____ County, Utah and that I am entitled to vote in this election. I am not
- 663 a convicted felon currently incarcerated for commission of a felony.
- 664 _____
- 665 Signature of Voter"; and
- 666 (d) a warning that the affidavit must be signed by the individual to whom the ballot was
- 667 sent and that the ballot will not be counted if the signature on the affidavit does not
- 668 match the signature on file with the election officer of the individual to whom the
- 669 ballot was sent.
- 670 (6) An election officer who administers an election shall:
- 671 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
- 672 election; or
- 673 (ii) obtain the signature of each voter within the voting precinct from the county
- 674 clerk; and
- 675 (b) maintain the signatures on file in the election officer's office.
- 676 (7) To return a remote ballot by mail, the voter shall comply with Subsections
- 677 20A-3a-204(1), (4), and (5)(a).

- 678 (8) A voter may return a remote ballot that was provided to the voter with a mail-in return
679 envelope to a standard polling place or a ballot drop box by:
- 680 (a) sealing the ballot in the mail-in return envelope, or in a standard return envelope that
681 is provided by a poll worker at the standard polling place or the ballot drop box; and
682 (b)(i) at a standard polling place, complying with Section 20A-3a-203; or
683 (ii) at a ballot drop box, complying with Section 20A-3a-203.5.
- 684 (9) If a voter returns a mail-in return envelope to a standard polling place or a ballot drop
685 box, the poll workers shall process the ballot as a remote ballot returned, in-person, in a
686 standard return envelope and not as a remote ballot returned by mail.
- 687 (10) Upon receipt of a remote ballot that is returned by mail in accordance with this section,
688 the election officer shall review and process the ballot under Section 20A-3a-401.
- 689 Section 8. Section **20A-3a-204** is amended to read:
- 690 **20A-3a-204 . Marking a manual ballot -- Depositing a ballot at a standard polling**
691 **place.**
- 692 (1) To vote [~~by mail~~] a manual ballot:
- 693 (a) except as provided in Subsection [~~(6)~~] (9), the voter shall prepare the voter's manual
694 ballot by marking the appropriate space with a mark opposite the name of each
695 candidate of the voter's choice for each office to be filled;
- 696 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
697 appropriate space with a mark opposite the answer the voter intends to make;
- 698 (c) except as provided in Subsection [~~(6)~~] (9), the voter shall record a write-in vote in
699 accordance with Subsection 20A-3a-206(1);
- 700 (d) except as provided in Subsection [~~(6)~~] (9), a mark is not required opposite the name
701 of a write-in candidate; and
- 702 (e) the voter shall place the ballot in the return envelope and seal the return envelope.
- 703 (2) Except to the extent otherwise required for a voter who casts a provisional ballot, a
704 voter who votes a manual ballot at a standard polling place shall, after complying with
705 Section 20A-3a-203 and Subsection (1), deposit the return envelope in the ballot box at
706 the polling location.
- 707 (3) Except to the extent otherwise required for a voter who casts a provisional ballot, if a
708 voter returns a remote ballot to a standard polling location:
- 709 (a) the voter shall, after complying with Section 20A-3a-203 and Subsection (1), deliver
710 the return envelope to the poll worker; and
- 711 (b) the poll worker shall immediately place the return envelope in the ballot drop box.

- 712 (4) If a voter returns a remote ballot by mail,
 713 ~~[(e)]~~ the voter shall:
 714 ~~[(i)]~~ (a) complete and sign the affidavit on the mail-in return envelope;
 715 ~~[(ii)]~~ (b) place the voted ballot in the mail-in return envelope;
 716 ~~[(iii)]~~ if required, place a copy of the voter's valid voter identification in the return
 717 envelope;]
 718 ~~[(iv)]~~ (c) securely seal the mail-in return envelope; and
 719 ~~[(v)]~~ (d)~~(A)~~ attach postage, if necessary, and deposit the mail-in return envelope
 720 in the mail~~[:or]~~ .
 721 ~~[(B)]~~ place the return envelope in a ballot drop box, designated by the election
 722 officer, for the precinct where the voter resides.]
 723 ~~[(2)]~~ (5)(a) Except as otherwise provided in Section 20A-16-404, to be valid, a ballot that
 724 is mailed must be~~[:]~~ received by the election officer on or before election day.
 725 ~~[(i)]~~ clearly postmarked before election day, or otherwise clearly marked by the post
 726 office as received by the post office before election day; and]
 727 ~~[(ii)]~~ received in the office of the election officer before noon on the day of the official
 728 canvass following the election.]
 729 (b) Except as provided in Subsection ~~[(2)(e)]~~ (5)(c), to be valid, a ballot shall, before the
 730 polls close on election day, be deposited in:
 731 (i) a ballot box at a standard polling place; or
 732 (ii) [a] an attended ballot drop box designated by an election officer for the
 733 jurisdiction to which the ballot relates.
 734 ~~[(e)]~~ An election officer may, but is not required to, forward a ballot deposited in a ballot
 735 drop box in the wrong jurisdiction to the correct jurisdiction.]
 736 ~~[(d)]~~ (c) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at
 737 a ~~[ballot drop box, with]~~ standard polling place, is allowed to, after complying with
 738 Section 20A-3a-203 and Subsection (1):
 739 (i) vote at the standard polling place; or
 740 (ii) if the voter has a sealed return envelope containing a remote ballot in the voter's
 741 possession, [to deposit the ballot] deliver the return envelope to a poll worker for
 742 placement in the ballot [drop]box.
 743 ~~[(3)]~~ Except as provided in Subsection (4), to vote at a polling place the voter shall, after
 744 complying with Subsections (1)(a) through (d):]
 745 (a) sign the official register or pollbook; and]

- 746 [(b)(i) place the ballot in the ballot box; or]
- 747 [(ii)] (6) [if] If the ballot that a voter votes at a standard polling place is a provisional ballot,
- 748 the voter shall place the ballot in the provisional ballot envelope, complete the
- 749 information printed on the provisional ballot envelope, and [deposit] give the provisional
- 750 ballot envelope to a poll worker for placement in the provisional ballot box.
- 751 [(4)] (7)(a) An individual with a disability may vote a mechanical ballot at a standard
- 752 polling place.
- 753 (b) An individual other than an individual with a disability may vote a mechanical ballot
- 754 at a standard polling place if permitted by the election officer.
- 755 [(5)] (8) To vote a mechanical ballot, the voter shall:
- 756 (a) make the selections according to the instructions provided for the voting device; and
- 757 (b) subject to Subsection [(6)] (9), record a write-in vote by:
- 758 (i) selecting the appropriate position for entering a write-in candidate; and
- 759 (ii) using the voting device to enter the name of the valid write-in candidate for
- 760 whom the voter wishes to vote.
- 761 [(6)] (9) To vote in an instant runoff voting race under [~~Title 20A, Chapter 4, Part 6,~~
- 762 ~~Municipal Alternate Voting Methods Pilot Project~~] Chapter 4, Part 6, Municipal
- 763 Alternate Voting Methods Pilot Project, a voter:
- 764 (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's
- 765 first preference for the office; and
- 766 (b) may indicate, as directed on the ballot, the names of the remaining candidates in
- 767 order of the voter's preference.
- 768 [(7)] (10) A voter who votes at a standard polling place:
- 769 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting area
- 770 after voting; and
- 771 (b) may not:
- 772 (i) occupy a voting booth occupied by another, except as provided in Section
- 773 20A-3a-208;
- 774 (ii) remain within the voting area more than 10 minutes; or
- 775 (iii) occupy a voting booth for more than five minutes if all booths are in use and
- 776 other voters are waiting to occupy a voting booth.
- 777 [(8)] (11) If the official register shows any voter as having voted, that voter may not reenter
- 778 the voting area during that election unless that voter is an election official or watcher.
- 779 [(9)] (12) A poll worker may not, at a standard polling place, allow more than four voters

780 more than the number of voting booths into the voting area at one time unless those
781 excess voters are:

- 782 (a) election officials;
- 783 (b) watchers; or
- 784 (c) assisting voters with a disability.

785 Section 9. Section **20A-3a-205** is amended to read:

786 **20A-3a-205 . Manner of voting -- Provisional ballot.**

787 (1) The poll workers shall follow the procedures and requirements of this section when:

- 788 (a) the individual's right to vote is challenged as provided in Section 20A-3a-803 or
- 789 20A-3a-805;
- 790 (b) the individual's name is not found on the official register; or
- 791 (c) the poll worker is not satisfied that the voter has provided valid voter identification.

792 (2) When faced with one of the circumstances described in Subsection (1)(a) or (b), the poll
793 worker shall:

- 794 (a) request that the individual provide valid voter identification; and
- 795 (b) review the identification provided by the individual.

796 (3) If the poll worker is satisfied that the individual has provided valid voter identification
797 that establishes the individual's identity and residence in the voting precinct:

- 798 (a) the poll worker in charge of the official register shall:
 - 799 (i) record in the official register the type of identification that established the
 - 800 individual's identity and place of residence;
 - 801 (ii) record the provisional ballot envelope number in association with the name of the
 - 802 individual; and
 - 803 (iii) direct the individual to sign the individual's name in the official register or
 - 804 pollbook; and
- 805 (b) the poll worker having charge of the ballots shall:
 - 806 (i) if the individual is returning a remote ballot, give the individual a provisional
 - 807 ballot envelope;
 - 808 (ii) if the individual is at a standard polling place and is voting in person:
 - 809 [(+)] (A) give the individual a provisional ballot; and
 - 810 [(+)] (B) allow the individual to enter the voting booth[-];
 - 811 (iii) accept the provisional ballot only after the voter completes, and seals the voter's
 - 812 ballot in, the provisional ballot envelope; and
 - 813 (iv) notify the voter that the voter will have until the close of normal office hours on

- 814 Monday after the day of the election to present valid voter identification to:
 815 (A) the county clerk at the county clerk's office; or
 816 (B) an election officer who is administering an election.
- 817 (4) If the poll worker is not satisfied that the individual has provided valid voter
 818 identification that establishes the individual's identity and residence in the voting
 819 precinct:
- 820 (a) the poll worker in charge of the official register shall:
- 821 (i) record in the official register that the voter did not provide valid voter
 822 identification;
- 823 (ii) record in the official register the type of identification that was provided by the
 824 individual, if any;
- 825 (iii) record the provisional ballot envelope number in association with the name of
 826 the individual; and
- 827 (iv) direct the individual to sign the individual's name in the official register or
 828 pollbook; and
- 829 (b) the poll worker having charge of the ballots shall:
- 830 (i) if the individual is returning a remote ballot, give the individual a provisional
 831 ballot envelope;
- 832 (ii) if the individual is at a standard polling place and is voting in-person:
 833 [(+)] (A) give the individual a provisional ballot; and
 834 [(+)] (B) allow the individual to enter the voting booth[-];
- 835 (iii) accept the provisional ballot only after the voter completes, and seals the voter's
 836 ballot in, the provisional ballot envelope; and
- 837 (iv) notify the voter that the voter will have until the close of normal office hours on
 838 Monday after the day of the election to present valid voter identification to:
 839 (A) the county clerk at the county clerk's office; or
 840 (B) to an election officer who is administering an election.
- 841 (5) When, at a polling place, the election officer is required to furnish more than one
 842 version of a ballot, the poll workers at that polling place shall give the registered voter
 843 the version of the ballot that the voter is qualified to vote.
- 844 Section 10. Section **20A-3a-301** is amended to read:
- 845 **20A-3a-301 . Emergency ballots.**
- 846 (1) As used in this section, "hospitalized voter" means a registered voter who:
 847 (a) is hospitalized or otherwise confined to a medical or long-term care institution;

- 848 ~~[(b) does not have a manual ballot in the voter's immediate possession;]~~
 849 (b) is not able to, independently or with reasonable assistance, leave the hospital or
 850 institution described in Subsection (1)(a) to:
 851 (i) vote in person;
 852 (ii) if the registered voter has a remote ballot and return envelope in the registered
 853 voter's possession, return the remote ballot and return envelope in person; or
 854 (iii) timely apply to receive a mail-in return envelope for the election; and
 855 (c) is able to vote a manual ballot~~[-and]~~ .
 856 ~~[(d) is not able to acquire a manual ballot without the assistance of another individual.]~~
 857 (2) A hospitalized voter may, in accordance with this section, obtain a manual ballot with a
 858 mail-in return envelope to use as an emergency ballot and vote at any time after the
 859 election officer mails manual ballots to the majority of voters and before the close of
 860 polls on election day.
 861 (3)(a) Any individual may obtain an emergency ballot application, a manual ballot, and
 862 a ~~[manual ballot]~~ mail-in return envelope from the election officer on behalf of a
 863 hospitalized voter by requesting a ballot and application in person at the election
 864 officer's office during business hours.
 865 (b) The election officer shall~~[-]~~ :
 866 (i) require the individual to sign a statement identifying the individual and the
 867 hospitalized voter[-] ; and
 868 (ii) mark the mail-in return envelope as an emergency ballot.
 869 (4) To vote, the hospitalized voter shall complete the emergency ballot application,
 870 complete and sign the affidavit on the ~~[manual ballot]~~ mail-in return envelope, mark the
 871 voter's votes on the manual ballot, place the manual ballot into the mail-in return
 872 envelope, and seal the mail-in return envelope unless a different method is authorized
 873 under Section 20A-1-308.
 874 (5) To be counted, the emergency voter application and the sealed ~~[manual ballot]~~ mail-in
 875 return envelope must be:
 876 (a) mailed and timely received by the election officer; or
 877 (b) timely returned to the election officer's office~~[-in accordance with the requirements~~
 878 ~~of this chapter]~~.

879 Section 11. Section **20A-3a-401** is amended to read:

- 880 **20A-3a-401 . Custody of voted remote ballots returned by mail -- Disposition --**
 881 **Notice -- Disclosures relating to unresolved ballots.**

- 882 (1)(a) This section governs remote ballots returned by mail [or via a ballot drop box]
883 under Section 20A-3a-203.6.
- 884 (b) Except for a ballot returned under Chapter 16, Uniform Military and Overseas Voters
885 Act, if a remote ballot returned by mail is not sealed in a mail-in return envelope, or
886 is sealed in a mail-in return envelope that was not issued by the election officer for
887 the voter identified on the mail-in return envelope, the election officer shall:
- 888 (i) reject the ballot; and
- 889 (ii) if possible:
- 890 (A) notify the voter that the ballot was rejected and the reason the ballot was
891 rejected; and
- 892 (B) if it is not too late for the voter to cast a ballot in a manner permitted by law,
893 inform the voter how the voter may vote.
- 894 (2)(a) Poll workers shall open mail-in return envelopes containing manual ballots that
895 are in the custody of the poll workers in accordance with this section.
- 896 (b) The poll workers shall, first, compare the signature of the voter on the affidavit of the
897 mail-in return envelope to the signature of the voter in the voter registration records.
- 898 (3) After complying with Subsection (2), the poll workers shall determine whether:
- 899 (a) the signatures correspond;
- 900 (b) the affidavit is sufficient;
- 901 (c) the voter is registered to vote in the correct precinct;
- 902 (d) the voter's right to vote the ballot has been challenged;
- 903 (e) the voter has already voted in the election;
- 904 (f) the voter is required to provide valid voter identification; and
- 905 (g) if the voter is required to provide valid voter identification, whether the voter has
906 provided valid voter identification.
- 907 (4)(a) The poll workers shall take the action described in Subsection (4)(b) if the poll
908 workers determine:
- 909 (i) in accordance with the rules made under Subsection (11):
- 910 (A) that the signature on the affidavit of the mail-in return envelope is reasonably
911 consistent with the individual's signature in the voter registration records; or
- 912 (B) for an individual who checks the box described in Subsection (5)(c)(v), that
913 the signature is verified by alternative means;
- 914 (ii) that the affidavit is sufficient;
- 915 (iii) that the voter is registered to vote in the correct precinct;

- 916 (iv) that the voter's right to vote the ballot has not been challenged;
- 917 (v) that the voter has not already voted in the election; and
- 918 (vi) for a voter required to provide valid voter identification, that the voter has
- 919 provided valid voter identification.
- 920 (b) If the poll workers make all of the findings described in Subsection (4)(a), the poll
- 921 workers shall:
- 922 (i) remove the manual ballot from the mail-in return envelope in a manner that does
- 923 not destroy the affidavit on the return envelope;
- 924 (ii) ensure that the ballot does not unfold and is not otherwise examined in
- 925 connection with the mail-in return envelope; and
- 926 (iii) place the ballot with the other ballots to be counted.
- 927 (c) If the poll workers do not make all of the findings described in Subsection (4)(a), the
- 928 poll workers shall:
- 929 (i) disallow the vote;
- 930 (ii) without opening the mail-in return envelope, record the ballot as "rejected" and
- 931 state the reason for the rejection; and
- 932 (iii) place the mail-in return envelope, unopened, with the other rejected return
- 933 envelopes.
- 934 (5)(a) If the poll workers reject an individual's ballot because the poll workers
- 935 determine, in accordance with rules made under Subsection (11), that the signature
- 936 on the mail-in return envelope is not reasonably consistent with the individual's
- 937 signature in the voter registration records, the election officer shall:
- 938 (i) contact the individual in accordance with Subsection (6); and
- 939 (ii) inform the individual:
- 940 (A) that the individual's signature is in question;
- 941 (B) how the individual may resolve the issue; and
- 942 (C) that, in order for the ballot to be counted, the individual is required to deliver
- 943 to the election officer a correctly completed affidavit, provided by the county
- 944 clerk, that meets the requirements described in Subsection (5)(c).
- 945 (b) The election officer shall ensure that the notice described in Subsection (5)(a)
- 946 includes:
- 947 (i) when communicating the notice by mail, a printed copy of the affidavit described
- 948 in Subsection (5)(c) and a courtesy reply envelope;
- 949 (ii) when communicating the notice electronically, a link to a copy of the affidavit

- 950 described in Subsection (5)(c) or information on how to obtain a copy of the
951 affidavit; or
- 952 (iii) when communicating the notice by phone, either during a direct conversation
953 with the voter or in a voicemail, arrangements for the voter to receive a copy of
954 the affidavit described in Subsection (5)(c), either in person from the clerk's
955 office, by mail, or electronically.
- 956 (c) An affidavit described in Subsection (5)(a)(ii)(C) shall include:
- 957 (i) an attestation that the individual voted the ballot;
- 958 (ii) a space for the individual to enter the individual's name, date of birth, and driver
959 license number or the last four digits of the individual's social security number;
- 960 (iii) a space for the individual to sign the affidavit;
- 961 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant
962 governor's and county clerk's use of the individual's signature on the affidavit for
963 voter identification purposes; and
- 964 (v) a check box accompanied by language in substantially the following form: "I am
965 a voter with a qualifying disability under the Americans with Disabilities Act that
966 impacts my ability to sign my name consistently. I can provide appropriate
967 documentation upon request. To discuss accommodations, I can be contacted at
968 _____".
- 969 (d) In order for an individual described in Subsection (5)(a) to have the individual's
970 ballot counted, the individual shall deliver the affidavit described in Subsection (5)(c)
971 to the election officer.
- 972 (e) An election officer who receives a signed affidavit under Subsection (5)(d) shall
973 immediately:
- 974 (i) scan the signature on the affidavit electronically and keep the signature on file in
975 the statewide voter registration database developed under Section 20A-2-502;
- 976 (ii) if the election officer receives the affidavit no later than 5 p.m. three days before
977 the day on which the canvass begins, count the individual's ballot; and
- 978 (iii) if the check box described in Subsection (5)(c)(v) is checked, comply with the
979 rules described in Subsection (11)(c).
- 980 (6)(a) The election officer shall, within two business days after the day on which an
981 individual's ballot is rejected, notify the individual of the rejection and the reason for
982 the rejection, by phone, mail, email, or SMS text message, unless:
- 983 (i) the ballot is cured within one business day after the day on which the ballot is

- 984 rejected; or
- 985 (ii) the ballot is rejected because the ballot is received late or for another reason that
986 cannot be cured.
- 987 (b) If an individual's ballot is rejected for a reason described in Subsection (6)(a)(ii), the
988 election officer shall notify the individual of the rejection and the reason for the
989 rejection by phone, mail, email, or SMS text message, within the later of:
- 990 (i) 30 days after the day of the rejection; or
991 (ii) 30 days after the day of the election.
- 992 (c) The election officer may, when notifying an individual by phone under this
993 Subsection (6), use auto-dial technology.
- 994 (7) An election officer may not count the ballot of an individual whom the election officer
995 contacts under Subsection (5) or (6) unless, no later than 5 p.m. three days before the
996 day on which the canvass begins, the election officer:
- 997 (a) receives a signed affidavit from the individual under Subsection (5); or
998 (b)(i) contacts the individual;
999 (ii) if the election officer has reason to believe that an individual, other than the voter
1000 to whom the ballot was sent, signed the ballot affidavit, informs the individual that
1001 it is unlawful to sign a ballot affidavit for another person, even if the person gives
1002 permission;
- 1003 (iii) verifies the identity of the individual by:
- 1004 (A) requiring the individual to provide at least two types of personal identifying
1005 information for the individual; and
1006 (B) comparing the information provided under Subsection (7)(b)(iii)(A) to records
1007 relating to the individual that are in the possession or control of an election
1008 officer; and
- 1009 (iv) documenting the verification described in Subsection (7)(b)(iii), by recording:
- 1010 (A) the name and voter identification number of the individual contacted;
1011 (B) the name of the individual who conducts the verification;
1012 (C) the date and manner of the communication;
1013 (D) the type of personal identifying information provided by the individual;
1014 (E) a description of the records against which the personal identifying information
1015 provided by the individual is compared and verified; and
1016 (F) other information required by the lieutenant governor.
- 1017 (8) The election officer shall:

- 1018 (a) retain and preserve the mail-in return envelopes in the manner provided by law for
1019 the retention and preservation of ballots voted at that election;
- 1020 (b) retain and preserve the documentation described in Subsection (7)(b)(iv); and
- 1021 (c) if the election officer complies with Subsection (8)(b) by including the
1022 documentation in the voter's voter registration record, make, retain, and preserve a
1023 record of the name and voter identification number of each voter contacted under
1024 Subsection (7)(b).
- 1025 (9)(a) The election officer shall record the following in the database used to verify
1026 signatures:
- 1027 (i) any initial rejection of a ballot under Subsection (4)(c), within one business day
1028 after the day on which the election officer rejects the ballot; and
- 1029 (ii) any resolution of a rejection of a ballot under Subsection (7), within one business
1030 day after the day on which the ballot rejection is resolved.
- 1031 (b) An election officer shall include, in the canvass report, a final report of the
1032 disposition of all rejected and resolved ballots, including, for ballots rejected, the
1033 following:
- 1034 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
1035 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in
1036 records on file, do not correspond.
- 1037 (10) Willful failure to comply with this section constitutes willful neglect of duty under
1038 Section 20A-5-701.
- 1039 (11) The director of elections within the Office of the Lieutenant Governor shall make
1040 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
1041 establish:
- 1042 (a) criteria and processes for use by poll workers in determining if a signature
1043 corresponds with the signature on file for the voter under Subsections (3)(a) and
1044 (4)(a)(i)(A);
- 1045 (b) training and certification requirements for election officers and employees of election
1046 officers regarding the criteria and processes described in Subsection (11)(a); and
- 1047 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.
1048 Secs. 12131 through 12165, an alternative means of verifying the identity of an
1049 individual who checks the box described in Subsection (5)(c)(v).
- 1050 (12) Subject to Subsection (13), if, in response to a request, and in accordance with the
1051 requirements of law, an election officer discloses the name or address of voters whose

- 1052 ballots have been rejected and not yet resolved, the election officer shall:
- 1053 (a) make the disclosure within two business days after the day on which the request is
- 1054 made;
- 1055 (b) respond to each request in the order the requests were made; and
- 1056 (c) make each disclosure in a manner, and within a period of time, that does not reflect
- 1057 favoritism to one requestor over another.
- 1058 (13) A disclosure described in Subsection (12) may not include the name or address of a
- 1059 protected individual, as defined in Subsection 20A-2-104(1).
- 1060 Section 12. Section **20A-3a-401.5** is amended to read:
- 1061 **20A-3a-401.5 . Ballot tracking system.**
- 1062 (1) As used in this section:
- 1063 (a) "Ballot tracking system" means the system described in this section to track and
- 1064 confirm the status of trackable ballots.
- 1065 (b) "Change in the status" includes:
- 1066 (i) when a trackable ballot is mailed to a voter;
- 1067 (ii) when an election official receives a voted trackable ballot; and
- 1068 (iii) when a voted trackable ballot is counted.
- 1069 (c) "Trackable ballot" means a manual ballot that is:
- 1070 (i) mailed to a voter in accordance with Section 20A-3a-202;
- 1071 [~~(ii) deposited in the mail by a voter in accordance with Section 20A-3a-204; or]~~
- 1072 [~~(iii) deposited in a ballot drop box by a voter in accordance with Section 20A-3a-204.~~]
- 1073 (ii) cast at a standard polling place in accordance with Section 20A-3a-203;
- 1074 (iii) returned to a standard polling place in accordance with Section 20A-3a-203;
- 1075 (iv) returned to a ballot drop box in accordance with Section 20A-3a-203.5; or
- 1076 (v) returned by mail in accordance with Section 20A-3a-203.6.
- 1077 (d) "Voter registration database" means the database, as defined in Section 20A-2-501.
- 1078 (2) The lieutenant governor shall operate and maintain a statewide or locally based system
- 1079 to track and confirm when there is a change in the status of a trackable ballot.
- 1080 (3) If a voter elects to receive electronic notifications regarding the status of the voter's
- 1081 trackable ballot, the ballot tracking system shall, when there is a change in the status of
- 1082 the voter's trackable ballot:
- 1083 (a) send a text message notification to the voter if the voter's information in the voter
- 1084 registration database includes a mobile telephone number;
- 1085 (b) send an email notification to the voter if the voter's information in the voter

- 1086 registration database includes an email address; and
- 1087 (c) send a notification by another electronic means directed by the lieutenant governor.
- 1088 (4) The lieutenant governor shall ensure that the ballot tracking system and the
- 1089 state-provided website described in Section 20A-7-801 automatically share appropriate
- 1090 information to ensure that a voter is able to confirm the status of the voter's trackable
- 1091 ballot via the state-provided website free of charge.
- 1092 (5) The ballot tracking system shall include a toll-free telephone number or other offline
- 1093 method by which a voter can confirm the status of the voter's trackable ballot.
- 1094 (6) The lieutenant governor shall ensure that the ballot tracking system:
- 1095 (a) is secure from unauthorized use by employing data encryption or other security
- 1096 measures; and
- 1097 (b) is only used for the purposes described in this section.
- 1098 Section 13. Section **20A-3a-402** is amended to read:
- 1099 **20A-3a-402 . Custody of ballots-- Disposition -- Counting ballots -- Release of**
- 1100 **tally.**
- 1101 (1)[(a)] For ballots voted at a polling place:
- 1102 [(b)] (a) the election officer shall deliver all return envelopes containing valid ballots and
- 1103 valid provisional ballots that are in the election officer's custody to the counting
- 1104 center before noon on the day of the official canvass following the election;
- 1105 [(c)] (b) valid ballots, including valid provisional ballots, may be processed and counted:
- 1106 (i) by the election officer, or poll workers acting under the supervision of the election
- 1107 officer, before the date of the canvass; and
- 1108 (ii) at the canvass, by the election officer or poll workers, acting under the
- 1109 supervision of the official canvassers of the election;
- 1110 [(d)] (c) when processing ballots, the election officer and poll workers shall comply with
- 1111 the procedures and requirements of [~~Section 20A-3a-401~~] this part in opening
- 1112 envelopes, verifying signatures, confirming eligibility of the ballots, and depositing
- 1113 ballots in preparation for counting; and
- 1114 [(e)] (d) all valid ballots, including valid provisional ballots have been deposited, the
- 1115 ballots shall be counted in the usual manner.
- 1116 (2)(a) After the polls close on the date of the election, the election officer shall publicly
- 1117 release the results of all ballots, including provisional ballots, that have been counted
- 1118 on or before the date of the election.
- 1119 (b) Except as provided in Subsection (2)(c), on each day, beginning on the day after the

1120 date of the election and ending on the day before the date of the canvass, the election
1121 officer shall publicly release the results of all ballots, including provisional ballots,
1122 counted on that day.

1123 (c)(i) If complying with Subsection (2)(b) on a particular day will likely result in
1124 disclosing a vote cast by an individual voter, the election officer shall request
1125 permission from the lieutenant governor to delay compliance for the minimum
1126 number of days necessary to protect against disclosure of the voter's vote.

1127 (ii) The lieutenant governor shall grant a request made under Subsection (2)(c)(i) if
1128 the lieutenant governor finds that the delay is necessary to protect against
1129 disclosure of a voter's vote.

1130 (d) On the date of the canvass, the election officer shall provide a tally of all ballots,
1131 including provisional ballots, counted, and the resulting tally shall be added to the
1132 official canvass of the election.

1133 Section 14. Section **20A-3a-601** is amended to read:

1134 **20A-3a-601 . Early voting.**

1135 (1) Except as provided in Section 20A-7-609.5:

1136 (a) an individual who is registered to vote may vote at a standard polling place before
1137 the election date in accordance with this section; and

1138 (b) except as provided in Subsection 20A-2-207(6), an individual who is not registered
1139 to vote may register to vote and vote at a standard polling place before the election
1140 date in accordance with this section if the individual:

1141 (i) is otherwise legally entitled to vote the ballot; and

1142 (ii) casts a provisional ballot in accordance with Section 20A-2-207.

1143 (2) Except as provided in Section 20A-1-308 or Subsection (3), the early voting period:

1144 (a) begins on the date that is 14 days before the date of the election; and

1145 (b) continues through the Friday before the election if the election date is a Tuesday.

1146 (3)(a) An election officer may extend the end of the early voting period to the day before
1147 the election date if the election officer provides notice of the extension in accordance
1148 with Section 20A-3a-604.

1149 (b) For a municipal election, the municipal clerk may reduce the early voting period
1150 described in this section if:

1151 (i) the municipal clerk conducts early voting on at least four days;

1152 (ii) the early voting days are within the period beginning on the date that is 14 days
1153 before the date of the election and ending on the day before the election; and

- 1154 (iii) the municipal clerk provides notice of the reduced early voting period in
 1155 accordance with Section 20A-3a-604.
- 1156 (c) For a county election, the county clerk may reduce the early voting period described
 1157 in this section if:
- 1158 (i) the county clerk conducts early voting on at least four days;
 1159 (ii) the early voting days are within the period beginning on the date that is 14 days
 1160 before the date of the election and ending on the day before the election; and
 1161 (iii) the county clerk provides notice of the reduced early voting period in accordance
 1162 with Section 20A-3a-604.
- 1163 (4) Except as provided in Section 20A-1-308, during the early voting period, the election
 1164 officer:
- 1165 (a) for a local special election, a municipal primary election, and a municipal general
 1166 election:
- 1167 (i) shall conduct early voting on a minimum of four days during each week of the
 1168 early voting period; and
 1169 (ii) shall conduct early voting on the last day of the early voting period; and
- 1170 (b) for all other elections:
- 1171 (i) shall conduct early voting on each weekday; and
 1172 (ii) may elect to conduct early voting on a Saturday, Sunday, or holiday.
- 1173 (5) Except as specifically provided in this Part 6, Early Voting, or Section 20A-1-308, early
 1174 voting shall be administered in accordance with the requirements of this title.
- 1175 Section 15. Section **20A-3a-805** is amended to read:
- 1176 **20A-3a-805 . Challenges to a voter's eligibility at polling place -- Procedure.**
- 1177 (1)(a) A poll worker, a watcher, or an individual who resides in the jurisdiction to which
 1178 the election relates may, at a polling place, challenge an individual's eligibility to vote
 1179 a particular ballot or to vote in that election if:
- 1180 (i) the individual making the challenge and the challenged individual are both present
 1181 at the polling place at the time the challenge is made; and
 1182 (ii) the challenge is made[-] :
- 1183 (A) before the challenged individual applies for a ballot[-] ; or
 1184 (B) in relation to an individual who is returning a remote ballot, before a poll
 1185 worker accepts the ballot.
- 1186 (b) An individual may make a challenge by orally stating the challenged individual's
 1187 name and the basis for the challenge, as provided under Section 20A-3a-803.

- 1188 (2) The poll worker shall record a challenge in the official register or on the challenge
1189 sheets in the pollbook, including:
- 1190 (a) the name of the challenged individual;
- 1191 (b) the name of the individual making the challenge; and
- 1192 (c) the basis upon which the challenge is made.
- 1193 (3) If an individual's eligibility to vote is challenged under this section, the poll worker shall
1194 follow the procedures and requirements of Section 20A-3a-205.
- 1195 Section 16. Section **20A-4-101** is amended to read:
- 1196 **20A-4-101 . Manual ballots cast at a polling place -- Counting manual ballots at a**
1197 **standard polling place on day of election before polls close.**
- 1198 (1) Each county legislative body, municipal legislative body, and each poll worker shall
1199 comply with the requirements of this section when counting manual ballots on the day of
1200 an election, if:
- 1201 (a) the ballots are cast at a standard polling place; and
- 1202 (b) the ballots are counted at the standard polling place before the polls close.
- 1203 (2)(a) Each county legislative body or municipal legislative body shall provide:
- 1204 (i) two sets of ballot boxes for all voting precincts where both receiving and counting
1205 judges have been appointed; and
- 1206 (ii) a counting room for the use of the poll workers counting the ballots during the
1207 day.
- 1208 (b) At any election in any voting precinct in which both receiving and counting judges
1209 have been appointed, when at least 20 votes have been cast, the receiving judges shall:
- 1210 (i) close the first ballot box and deliver it to the counting judges; and
- 1211 (ii) prepare and use another ballot box to receive voted ballots.
- 1212 (c) Except as provided in Subsection (2)(f), upon receipt of the ballot box, the counting
1213 judges shall:
- 1214 (i) take the ballot box to the counting room;
- 1215 (ii) count the votes on the regular ballots in the ballot box;
- 1216 (iii) place the provisional ballot envelopes in the envelope or container provided for
1217 them for return to the election officer; and
- 1218 (iv) when they have finished counting the votes in the ballot box, return the emptied
1219 box to the receiving judges.
- 1220 (d)(i) During the course of election day, whenever there are at least 20 ballots
1221 contained in a ballot box, the receiving judges shall deliver that ballot box to the

- 1222 counting judges for counting; and
- 1223 (ii) the counting judges shall immediately count the regular ballots and segregate the
- 1224 provisional ballots contained in that box.
- 1225 (e) The counting judges shall continue to exchange the ballot boxes and count ballots
- 1226 until the polls close.
- 1227 (f)(i) The director of elections within the Office of the Lieutenant Governor shall
- 1228 make rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 1229 Rulemaking Act, describing the procedures that a counting judge is required to
- 1230 follow for counting ballots in an instant runoff voting race under Part 6, Municipal
- 1231 Alternate Voting Methods Pilot Project.
- 1232 (ii) When counting ballots in an instant runoff voting race described in Part 6,
- 1233 Municipal Alternate Voting Methods Pilot Project, a counting judge shall comply
- 1234 with the procedures established under Subsection (2)(f)(i) and Part 6, Municipal
- 1235 Alternate Voting Methods Pilot Project.
- 1236 (3) To resolve questions that arise during the counting of ballots, a counting judge shall
- 1237 apply the standards and requirements of:
- 1238 (a) to the extent applicable, Section 20A-4-105; and
- 1239 (b) as applicable, for an instant runoff voting race under Part 6, Municipal Alternate
- 1240 Voting Methods Pilot Project, Subsections 20A-4-603(3) through (5).
- 1241 Section 17. Section **20A-4-102** is amended to read:
- 1242 **20A-4-102 . Manual ballots cast at a polling place -- Counting manual ballots at**
- 1243 **standard polling place on day of election after polls close.**
- 1244 (1)(a) This section governs counting manual ballots on the day of an election, if:
- 1245 (i) the ballots are cast at a standard polling place; and
- 1246 (ii) the ballots are counted at the standard polling place after the polls close.
- 1247 (b) Except as provided in Subsection (2) or a rule made under Subsection
- 1248 20A-4-101(2)(f)(i), as soon as the polls have been closed and the last qualified voter
- 1249 has voted, the election judges shall count the ballots by performing the tasks
- 1250 specified in this section in the order that they are specified.
- 1251 (c) To resolve questions that arise during the counting of ballots, a counting judge shall
- 1252 apply the standards and requirements of:
- 1253 (i) to the extent applicable, Section 20A-4-105; and
- 1254 (ii) as applicable, for an instant runoff voting race under Part 6, Municipal Alternate
- 1255 Voting Methods Pilot Project, Subsections 20A-4-603(3) through (5).

- 1256 (2)(a) First, the election judges shall count the number of ballots in the ballot box.
- 1257 (b)(i) If there are more ballots in the ballot box than there are names entered in the
- 1258 pollbook, the judges shall examine the official endorsements on the ballots.
- 1259 (ii) If, in the unanimous opinion of the judges, any of the ballots do not bear the
- 1260 proper official endorsement, the judges shall put those ballots in an excess ballot
- 1261 file and not count them.
- 1262 (c)(i) If, after examining the official endorsements, there are still more ballots in the
- 1263 ballot box than there are names entered in the pollbook, the judges shall place the
- 1264 remaining ballots back in the ballot box.
- 1265 (ii) One of the judges, without looking, shall draw a number of ballots equal to the
- 1266 excess from the ballot box.
- 1267 (iii) The judges shall put those excess ballots into the excess ballot envelope and not
- 1268 count them.
- 1269 (d) When the ballots in the ballot box equal the number of names entered in the
- 1270 pollbook, the judges shall count the votes.
- 1271 (3) The judges shall:
- 1272 (a) place all unused ballots in the envelope or container provided for return to the county
- 1273 clerk or city recorder; and
- 1274 (b) seal that envelope or container.
- 1275 (4) The judges shall:
- 1276 (a) place all of the provisional ballot envelopes in the envelope provided for them for
- 1277 return to the election officer; and
- 1278 (b) seal that envelope or container.
- 1279 (5)(a) In counting the votes, the election judges shall read and count each ballot
- 1280 separately.
- 1281 (b) In regular primary elections the judges shall:
- 1282 (i) count the number of ballots cast for each party;
- 1283 (ii) place the ballots cast for each party in separate piles; and
- 1284 (iii) count all the ballots for one party before beginning to count the ballots cast for
- 1285 other parties.
- 1286 (6)(a) In all elections, the counting judges shall, except as provided in Part 6, Municipal
- 1287 Alternate Voting Methods Pilot Project, or a rule made under Subsection
- 1288 20A-4-101(2)(f)(i):
- 1289 (i) count one vote for each candidate designated by the marks in the squares next to

- 1290 the candidate's name;
- 1291 (ii) count each vote for each write-in candidate who has qualified by filing a
- 1292 declaration of candidacy under Section 20A-9-601;
- 1293 (iii) read every name marked on the ballot and mark every name upon the tally sheets
- 1294 before another ballot is counted;
- 1295 (iv) evaluate each ballot and each vote based on the standards and requirements of
- 1296 Section 20A-4-105;
- 1297 (v) write the word "spoiled" on the back of each ballot that lacks the official
- 1298 endorsement and deposit it in the spoiled ballot envelope; and
- 1299 (vi) read, count, and record upon the tally sheets the votes that each candidate and
- 1300 ballot proposition received from all ballots, except excess or spoiled ballots.
- 1301 (b) Election judges need not tally write-in votes for fictitious persons, nonpersons, or
- 1302 persons clearly not eligible to qualify for office.
- 1303 (c) The judges shall certify to the accuracy and completeness of the tally list in the space
- 1304 provided on the tally list.
- 1305 (d) When the judges have counted all of the voted ballots, they shall record the results
- 1306 on the total votes cast form.
- 1307 (7)(a) Except as provided in Subsection (7)(b), only an election judge and a watcher may
- 1308 be present at the place where counting is conducted until the count is completed.
- 1309 (b)(i) An auditor conducting an audit described in Section 36-12-15.2 may be present
- 1310 at the place where counting is conducted, regardless of whether the count is
- 1311 completed.
- 1312 (ii) The lieutenant governor may be present at the place where counting is conducted,
- 1313 regardless of whether the count is completed.
- 1314 Section 18. Section **20A-4-105** is amended to read:
- 1315 **20A-4-105 . Standards and requirements for evaluating voter's ballot choice.**
- 1316 (1)(a) An election officer shall ensure that when a question arises regarding a vote
- 1317 recorded on a manual ballot, two counting judges jointly adjudicate the ballot, except
- 1318 as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, in
- 1319 accordance with the requirements of this section.
- 1320 (b) If the counting judges disagree on the disposition of a vote recorded on a ballot that
- 1321 is adjudicated under this section, the counting judges may not count the vote.
- 1322 (c) An election officer shall store adjudicated ballots separately from other ballots to
- 1323 enable a court to review the ballots if the election is challenged in court.

- 1324 (2) Except as provided in Subsection (10), Subsection [~~20A-3a-204(6)~~] 20A-3a-204(9), or
1325 Part 6, Municipal Alternate Voting Methods Pilot Project, if a voter marks more names
1326 than there are individuals to be elected to an office, or if the counting judges cannot
1327 determine a voter's choice for an office, the counting judges may not count the voter's
1328 vote for that office.
- 1329 (3) Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot
1330 Project, the counting judges shall count a defective or incomplete mark on a manual
1331 ballot if:
- 1332 (a) the defective or incomplete mark is in the proper place; and
1333 (b) there is no other mark or cross on the ballot indicating the voter's intent to vote other
1334 than as indicated by the incomplete or defective mark.
- 1335 (4) Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot
1336 Project, the counting judges may not reject a ballot marked by the voter because of
1337 marks on the ballot other than those marks allowed by this section unless the extraneous
1338 marks on a ballot show an intent by an individual to mark the individual's ballot so that
1339 the individual's ballot can be identified.
- 1340 (5)(a) In counting the ballots, the counting judges shall give full consideration to the
1341 intent of the voter.
- 1342 (b) The counting judges may not invalidate a ballot because of mechanical or technical
1343 defects in voting or failure on the part of the voter to follow strictly the rules for
1344 balloting required by Chapter 3a, Voting.
- 1345 (6) The counting judges may not reject a ballot because of an error in:
- 1346 (a) stamping or writing an official endorsement; or
1347 (b) delivering the wrong ballots to a polling place.
- 1348 (7) The counting judges may not count a manual ballot that does not have the official
1349 endorsement by an election officer.
- 1350 (8) The counting judges may not count a ballot proposition vote or candidate vote for which
1351 the voter is not legally entitled to vote, as defined in Section 20A-4-107.
- 1352 (9) If the counting judges discover that the name of a candidate is misspelled on a ballot,
1353 or that the initial letters of a candidate's given name are transposed or omitted in whole
1354 or in part on a ballot, the counting judges shall count a voter's vote for the candidate if it
1355 is apparent that the voter intended to vote for the candidate.
- 1356 (10) The counting judges shall count a vote for the president and the vice president of any
1357 political party as a vote for the presidential electors selected by the political party.

1358 (11) Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot
 1359 Project, in counting the valid write-in votes, if, by casting a valid write-in vote, a voter
 1360 has cast more votes for an office than that voter is entitled to vote for that office, the
 1361 counting judges shall count the valid write-in vote as being the obvious intent of the
 1362 voter.

1363 Section 19. Section **20A-5-102** is amended to read:

1364 **20A-5-102 . Voting instructions.**

1365 (1) Each election officer shall:

1366 (a) print instructions for voters;

1367 (b) ensure that the instructions are printed in English, and any other language required
 1368 under the Voting Rights Act of 1965, as amended, in large clear type; and

1369 (c) ensure that the instructions inform voters:

1370 (i) about how to obtain, and how to return, ballots for voting;

1371 (ii) about special political party affiliation requirements for voting in a regular
 1372 primary election or presidential primary election;

1373 (iii) about how to prepare ballots cast at a standard polling place for deposit in the
 1374 ballot box;

1375 (iv) about how to prepare a remote ballot for return;

1376 [~~(iv)~~] (v) about how to record write-in votes;

1377 [~~(v)~~] (vi) about how to obtain a new ballot in the place of one spoiled by accident or
 1378 mistake;

1379 [~~(vi)~~] (vii) about how to obtain assistance in marking ballots;

1380 [~~(vii)~~] (viii) about obtaining a new ballot if the voter's ballot is defaced;

1381 [~~(viii)~~] (ix) that identification marks or the spoiling or defacing of a ballot will make it
 1382 invalid;

1383 [~~(ix)~~] (x) about how to obtain and vote a provisional ballot;

1384 [~~(x)~~] (xi) about whom to contact to report election fraud;

1385 [~~(xi)~~] (xii) about applicable federal and state laws regarding:

1386 (A) voting rights and the appropriate official to contact if the voter alleges that the
 1387 voter's rights have been violated; and

1388 (B) prohibitions on acts of fraud and misrepresentation;

1389 [~~(xii)~~] (xiii) about procedures governing mail-in registrants and first-time voters; and

1390 [~~(xiii)~~] (xiv) about the date of the election and the hours that the polls are open on
 1391 election day.

- 1392 (2) Each election officer shall:
- 1393 (a) provide the election judges of each voting precinct with sufficient instruction cards to
- 1394 instruct voters in the preparation of the voters' ballots; and
- 1395 (b) direct the election judges to post:
- 1396 (i) general voting instructions in each voting booth;
- 1397 (ii) at least three instruction cards at other locations in [the] a standard polling place;
- 1398 and
- 1399 (iii) at least one sample ballot at [the] a standard polling place.

1400 Section 20. Section **20A-5-301** is amended to read:

1401 **20A-5-301 . Combined voting precincts -- Municipalities.**

- 1402 (1)(a) The municipal legislative body of a city of the first or second class may combine
- 1403 up to four regular county voting precincts into one municipal voting precinct for
- 1404 purposes of a municipal election if they designate the location and address of each of
- 1405 those combined voting precincts.
- 1406 (b) The standard polling place shall be within the combined voting precinct or within 1/2
- 1407 mile of the boundaries of the voting precinct.
- 1408 (2)(a) The municipal legislative body of a city of the third, fourth, or fifth class or a
- 1409 town may combine two or more regular county voting precincts into one municipal
- 1410 voting precinct for purposes of an election if it designates the location and address of
- 1411 that combined voting precinct.
- 1412 (b) If only two precincts are combined, the standard polling place shall be within the
- 1413 combined precinct or within 1/2 mile of the boundaries of the combined voting
- 1414 precinct.
- 1415 (c) If more than two precincts are combined, the standard polling place should be as near
- 1416 as practical to the middle of the combined precinct.

1417 Section 21. Section **20A-5-303** is amended to read:

1418 **20A-5-303 . Establishing, dividing, abolishing, and changing voting precincts --**

1419 **Common polling places -- Combined voting precincts.**

- 1420 (1)(a) After receiving recommendations from the county clerk, the county legislative
- 1421 body may establish, divide, abolish, and change voting precincts.
- 1422 (b) Within 30 days after the establishment, division, abolition, or change of a voting
- 1423 precinct under this section, the county legislative body shall file with the Utah
- 1424 Geospatial Resource Center, created under Section 63A-16-505, a notice describing
- 1425 the action taken and specifying the resulting boundaries of each voting precinct

- 1426 affected by the action.
- 1427 (2)(a) The county legislative body shall alter or divide voting precincts so that each
1428 voting precinct contains not more than 1,250 active voters.
- 1429 (b) The county legislative body shall:
- 1430 (i) identify those precincts that may reach the limit of active voters in a precinct
1431 under Subsection (2)(a) or that becomes too large to facilitate the election process;
1432 and
- 1433 (ii) except as provided by Subsection (3), divide those precincts on or before January
1434 1 of a general election year.
- 1435 (3) A county legislative body shall divide a precinct identified under Subsection (2)(b)(i) on
1436 or before January 31 of a regular general election year that immediately follows the
1437 calendar year in which the Legislature divides the state into districts in accordance with
1438 Utah Constitution, Article IX, Section 1.
- 1439 (4) Notwithstanding Subsection (2)(a) and except as provided by Subsection (5), the county
1440 legislative body may not:
- 1441 (a) establish or abolish any voting precinct after January 1 of a regular general election
1442 year;
- 1443 (b) alter or change the boundaries of any voting precinct after January 1 of a regular
1444 general election year; or
- 1445 (c) establish, divide, abolish, alter, or change a voting precinct between January 1 of a
1446 year immediately preceding the year in which an enumeration is required by the
1447 United States Constitution and the day on which the Legislature divides the state into
1448 districts in accordance with Utah Constitution, Article IX, Section 1.
- 1449 (5) A county legislative body may establish, divide, abolish, alter, or change a voting
1450 precinct on or before January 31 of a regular general election year that immediately
1451 follows the calendar year in which the Legislature divides the state into districts in
1452 accordance with Utah Constitution, Article IX, Section 1.
- 1453 (6)(a) For the purpose of voting in an election, the county legislative body may establish
1454 a common standard polling place for two or more whole voting precincts.
- 1455 (b) At least 90 days before the election, the county legislative body shall designate:
- 1456 (i) the voting precincts that will vote at the common standard polling place; and
1457 (ii) the location of the common standard polling place.
- 1458 (c) A county may use one set of election judges for the common polling place under this
1459 Subsection (6).

1460 (7) Each county shall have at least two standard polling places open for voting on the date
1461 of the election.

1462 (8) Each common standard polling place shall have at least one voting device that is
1463 accessible for individuals with disabilities in accordance with Public Law 107-252, the
1464 Help America Vote Act of 2002.

1465 Section 22. Section **20A-5-403** is amended to read:

1466 **20A-5-403 . Polling places -- Booths -- Ballot boxes -- Inspections --**
1467 **Arrangements.**

1468 (1) Except as provided in Section 20A-7-609.5, each election officer shall:

1469 (a) designate polling places for each voting precinct in the jurisdiction; and

1470 (b) obtain the approval of the county or municipal legislative body or special district
1471 governing board for those polling places.

1472 (2)(a) For each standard polling place, the election officer shall provide:

1473 (i) an American flag;

1474 (ii) a sufficient number of voting booths or compartments;

1475 (iii) the voting devices, voting booths, ballots, ballot boxes, and any other records and
1476 supplies necessary to enable a voter to vote;

1477 (iv) the constitutional amendment cards required by Part 1, Election Notices and
1478 Instructions;

1479 (v) the instructions required by Section 20A-5-102; and

1480 (vi) a sign, to be prominently displayed in the polling place, indicating that valid
1481 voter identification is required for every voter before the voter may vote and
1482 listing the forms of identification that constitute valid voter identification.

1483 (b) Each election officer shall ensure that:

1484 (i) each voting booth is at a convenient height for writing, and is arranged so that the
1485 voter can prepare the voter's ballot screened from observation;

1486 (ii) there are a sufficient number of voting booths or voting devices to accommodate
1487 the voters at that polling place; and

1488 (iii) there is at least one voting booth or voting device that is configured to
1489 accommodate persons with disabilities.

1490 (c) Each county clerk shall provide a ballot box for each polling place that is large
1491 enough to properly receive and hold the ballots to be cast.

1492 (3)(a) All polling places shall be physically inspected by each county clerk to ensure
1493 access by a person with a disability.

- 1494 (b) Any issues concerning inaccessibility to polling places by a person with a disability
1495 discovered during the inspections referred to in Subsection (3)(a) or reported to the
1496 county clerk shall be:
- 1497 (i) forwarded to the Office of the Lieutenant Governor; and
 - 1498 (ii) within six months of the time of the complaint, the issue of inaccessibility shall
1499 be either:
 - 1500 (A) remedied at the particular location by the county clerk;
 - 1501 (B) the county clerk shall designate an alternative accessible location for the
1502 particular precinct; or
 - 1503 (C) if no practical solution can be identified, file with the Office of the Lieutenant
1504 Governor a written explanation identifying the reasons compliance cannot
1505 reasonably be met.
- 1506 (4)(a) The municipality in which the election is held shall pay the cost of conducting
1507 each municipal election, including the cost of printing and supplies.
- 1508 (b)(i) Costs assessed by a county clerk to a municipality under this section may not
1509 exceed the actual costs incurred by the county clerk.
- 1510 (ii) The actual costs shall include:
- 1511 (A) costs of or rental fees associated with the use of election equipment and
1512 supplies; and
 - 1513 (B) reasonable and necessary administrative costs.
- 1514 (5) The county clerk shall make detailed entries of all proceedings had under this chapter.
- 1515 (6)(a) Each county clerk shall, to the extent possible, ensure that the amount of time that
1516 an individual waits in line before the individual can vote at a standard polling place in
1517 the county, or return a remote ballot to a polling place in the county, does not exceed
1518 30 minutes.
- 1519 (b) The lieutenant governor may require a county clerk to submit a line management
1520 plan before the next election if an individual waits in line at a standard polling place
1521 in the county, or return a remote ballot to a polling place in the county, longer than 30
1522 minutes before the individual can vote.
- 1523 (c) The lieutenant governor may consider extenuating circumstances in deciding whether
1524 to require the county clerk to submit a plan described in Subsection (6)(b).
- 1525 (d) The lieutenant governor shall review each plan submitted under Subsection (6)(b)
1526 and consult with the county clerk submitting the plan to ensure, to the extent
1527 possible, that the amount of time an individual waits in line before the individual can

1528 vote at a standard polling place in the county, or return a remote ballot to a polling
 1529 place in the county, does not exceed 30 minutes.

1530 Section 23. Section **20A-5-403.5** is amended to read:

1531 **20A-5-403.5 . Ballot drop boxes -- Attending poll workers -- Notice -- Operation**
 1532 **and security.**

1533 [~~(1)(a) An election officer:~~]

1534 [~~(i) shall designate at least one ballot drop box in each municipality and reservation~~
 1535 ~~located in the jurisdiction to which the election relates;]~~

1536 [~~(ii) may designate additional ballot drop boxes for the election officer's jurisdiction;]~~

1537 [~~(iii) shall clearly mark each ballot drop box as an official ballot drop box for the~~
 1538 ~~election officer's jurisdiction;]~~

1539 [~~(iv) shall provide 24-hour recorded video surveillance, without audio, of each~~
 1540 ~~unattended ballot drop box;]~~

1541 [~~(v) shall post a sign on or near each unattended ballot drop box indicating that the~~
 1542 ~~ballot drop box is under 24-hour video surveillance; and]~~

1543 [~~(vi) shall ensure that a camera, a video, or a recording of a video described in~~
 1544 ~~Subsection (1)(a)(iv) may only be accessed:]~~

1545 [~~(A) by the election officer;]~~

1546 [~~(B) by a custodian of the camera, video, or recording;]~~

1547 [~~(C) by the lieutenant governor;]~~

1548 [~~(D) by the legislative auditor general, when performing an audit; or]~~

1549 [~~(E) by, or pursuant to an order of, a court of competent jurisdiction.]~~

1550 [~~(b) An individual may not view a video, or a recording of a video, described in~~
 1551 ~~Subsection (1)(a)(iv), unless the individual:]~~

1552 [~~(i) is an individual described in Subsection (1)(a)(vi); and]~~

1553 [~~(ii) views the video to the extent necessary to:]~~

1554 [~~(A) ensure compliance with Subsection (1)(a)(iv), (1)(a)(vi), or (1)(c); or]~~

1555 [~~(B) investigate a concern relating to ballots or the ballot box.]~~

1556 [~~(e) The election officer, or the custodian of the recording, shall keep a recording~~
 1557 ~~described in Subsection (1)(a)(iv) until the later of:]~~

1558 [~~(i) the end of the calendar year in which the election was held; or]~~

1559 [~~(ii) if the election is contested, when the contest is resolved.]~~

1560 (1) An election officer shall:

1561 (a) in each municipality in the jurisdiction to which the election relates:

- 1562 (i) if the municipality contains less than 10,000 active registered voters, designate
1563 within the municipality at least one ballot drop box; or
- 1564 (ii) if the municipality contains at least 10,000 active registered voters:
- 1565 (A) designate within the municipality at least two ballot drop boxes, plus one
1566 additional ballot drop box for each 10,000 active registered voters above
1567 10,000 active registered voters in the municipality; and
- 1568 (B) disburse the ballot drop boxes in different locations throughout the
1569 municipality;
- 1570 (b) in each reservation in the jurisdiction to which the election relates, designate within
1571 the reservation at least one ballot drop box;
- 1572 (c) designate additional ballot drop boxes, as needed, to avoid long lines at a ballot drop
1573 box or other polling locations;
- 1574 (d) clearly mark each ballot drop box as an official ballot drop box for the election
1575 officer's jurisdiction;
- 1576 (e) secure a ballot drop box in a manner that a ballot cannot be placed in the ballot drop
1577 box while the ballot drop box is unattended;
- 1578 (f) operate each ballot drop box, in accordance with Section 20A-3a-203.5, with at least
1579 two poll workers present:
- 1580 (i) from 8 a.m. to 8 p.m. on each of the five business days before the day of the
1581 election; and
- 1582 (ii) on the day of the election, from 8 a.m. until each voter described in Subsection
1583 (10)(c) is given the opportunity to deliver the return envelope to a poll worker for
1584 placement in the ballot drop box, after the voter complies with Section
1585 20A-3a-203.5 and Subsection 20A-3a-204(1); and
- 1586 (g) ensure that, before poll workers leave a ballot drop box for the day, the poll workers:
- 1587 (i) remove all ballots from the ballot drop box for delivery to the election officer;
1588 (ii) ensure that the ballot drop box is empty; and
- 1589 (iii) secure the ballot drop box in a manner that a ballot cannot be placed in the ballot
1590 drop box until the ballot drop box again opens for operation.
- 1591 (2) Each day described in Subsection (1)(f), the poll workers shall:
- 1592 (a) before 8 a.m., inspect the ballot drop box to ensure that the ballot drop box is empty;
1593 (b) if any ballots or other items are discovered in the ballot drop box, empty the ballot
1594 drop box and secure any ballots found in the ballot drop box in a separate container
1595 for delivery to the election officer;

- 1596 (c) ensure that at least two poll workers are present at the ballot drop box at all times
1597 described in Subsections (1)(f)(i) and (ii);
- 1598 (d) before leaving the ballot drop box for the day:
- 1599 (i) remove all ballots from the ballot drop box for processing;
1600 (ii) ensure that the ballot drop box is empty; and
1601 (iii) secure the ballot drop box in a manner that a ballot cannot be placed in the ballot
1602 drop box until the ballot drop box again opens for operation.
- 1603 (3) An individual may not place a ballot in a ballot drop box, unless at least two poll
1604 workers are present to accept remote ballots in accordance with Section 20A-3a-203.5.
- 1605 (4) Only a poll worker may deposit a return ballot envelope into a ballot drop box, and only
1606 after a voter submits the return ballot envelope to the poll worker, at the ballot drop box,
1607 in accordance with the requirements of Section 20A-3a-203.5.
- 1608 [~~2~~] (5) Except as provided in Section 20A-1-308 or Subsection [~~5~~] (8), the election officer
1609 shall, at least 28 days before the date of the election, provide notice of the location of
1610 each ballot drop box designated under Subsection (1), and the dates and hours that poll
1611 workers will be present to accept ballots, by publishing notice for the jurisdiction
1612 holding the election, as a class A notice under Section 63G-30-102, for at least 28 days
1613 before the day of the election.
- 1614 [~~3~~] (6) Instead of including the location and the dates and hours of operation of ballot drop
1615 boxes, a notice required under Subsection [~~2~~] (5) may specify the following sources
1616 where a voter may view or obtain a copy of all ballot drop box locations and the dates
1617 and hours of operation:
- 1618 (a) the jurisdiction's website;
1619 (b) the physical address of the jurisdiction's offices; and
1620 (c) a mailing address and telephone number.
- 1621 [~~4~~] (7) The election officer shall include in the notice described in Subsection [~~2~~] (5):
- 1622 (a) the address of the Statewide Electronic Voter Information Website and, if available,
1623 the address of the election officer's website, with a statement indicating that the
1624 election officer will post on the website the location and the dates and hours of
1625 operation of each ballot drop box, including any changes to the location of a ballot
1626 drop box and the location of additional ballot drop boxes; and
1627 (b) a phone number that a voter may call to obtain information regarding the location
1628 and the dates and hours of operation of a ballot drop box.
- 1629 [~~5~~] (8)(a) Except as provided in Section 20A-1-308, the election officer may, after the

- 1630 deadline described in Subsection [(2)] (5):
- 1631 (i) if necessary, change the location of a ballot drop box; or
- 1632 (ii) if the election officer determines that the number of ballot drop boxes is
- 1633 insufficient due to the number of registered voters who are voting, designate
- 1634 additional ballot drop boxes.
- 1635 (b) Except as provided in Section 20A-1-308, if an election officer [~~changes the location~~
- 1636 ~~of a ballot box or designates an additional ballot drop box location~~] takes an action
- 1637 described in Subsection (8)(a), the election officer shall, as soon as is reasonably
- 1638 possible, give notice of the [~~changed ballot drop box location or the additional ballot~~
- 1639 ~~drop box location~~] action:
- 1640 (i) to the lieutenant governor, for posting on the Statewide Voter Information
- 1641 Website;
- 1642 (ii) by posting the information on the website of the election officer, if available; and
- 1643 (iii) by posting notice:
- 1644 (A) for a change in the location of a ballot drop box, at the new location and, if
- 1645 possible, the old location; and
- 1646 (B) for an additional ballot drop box location, at the additional ballot drop box
- 1647 location.
- 1648 [(6)] (9) An election officer may, at any time, authorize two or more poll workers to remove
- 1649 a ballot drop box from a location, or to remove ballots from a ballot drop box for
- 1650 processing.
- 1651 [(7)] (10)(a) At least two poll workers must be present when a poll worker collects
- 1652 ballots from a ballot drop box and delivers the ballots to the location where the
- 1653 ballots will be opened and counted.
- 1654 (b) An election officer shall ensure that the chain of custody of ballots placed in a ballot
- 1655 box are recorded and tracked from the time the ballots are removed from the ballot
- 1656 box until the ballots are delivered to the location where the ballots will be opened and
- 1657 counted.
- 1658 (c) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a
- 1659 ballot drop box that is attended by poll workers, with a sealed return envelope
- 1660 containing a remote ballot in the voter's possession, permitted to deliver the return
- 1661 envelope to a poll worker for placement in the ballot drop box after the voter
- 1662 complies with Section 20A-3a-203.5 and Subsection 20A-3a-204(1).
- 1663 Section 24. Section **20A-5-407** is amended to read:

1664 **20A-5-407 . Election officer to provide ballot boxes.**

1665 (1) Except as provided in Subsection (3), an election officer shall, for a standard polling
1666 place:

1667 (a) provide one ballot box with a lock and key for each polling place; and

1668 (b) deliver the ballot boxes, locks, and keys to the polling place before the polls open.

1669 (2) An election officer for a municipality or special district may obtain ballot boxes from
1670 the county clerk's office.

1671 (3) If locks and keys are unavailable, the election officer shall ensure that the ballot box lid
1672 is secured by tape.

1673 Section 25. Section **20A-5-601** is amended to read:

1674 **20A-5-601 . Appointment of poll workers in elections where candidates are**
1675 **distinguished by registered political parties.**

1676 (1)(a) This section governs appointment of poll workers in elections where candidates
1677 are distinguished by registered political parties.

1678 (b) On or before March 1 of each even-numbered year, an election officer shall provide
1679 to the county chair of each registered political party a list of the number of poll
1680 workers that the party must nominate for each polling place.

1681 (c) On or before April 1 of each even-numbered year, the county chair and secretary of
1682 each registered political party shall file a list with the election officer containing the
1683 names of individuals in the county who are willing to serve as poll workers, who are
1684 qualified to serve as poll workers in accordance with this section, and who are
1685 competent and trustworthy.

1686 (d) The county chair and secretary shall submit names equal in number to the number
1687 required by the election officer, plus one.

1688 (2) Each election officer shall provide for the appointment of individuals to serve as poll
1689 workers at each election.

1690 (3)(a) For each election, each election officer shall provide for the appointment of at
1691 least three registered voters, or one individual who is 16 or 17 years old and two
1692 registered voters, one of whom is at least 21 years old, from the list to serve as poll
1693 workers.

1694 (b) An election officer may appoint additional poll workers, as needed.

1695 (4) For each set of three poll workers appointed for a standard polling place for an election,
1696 the election officer shall ensure that:

1697 (a) two poll workers are appointed from the political party that cast the highest number

- 1698 of votes for governor, lieutenant governor, attorney general, state auditor, and state
 1699 treasurer, excluding votes for unopposed candidates, in the jurisdiction holding the
 1700 election at the last regular general election before the appointment of the poll
 1701 workers; and
- 1702 (b) one poll worker is appointed from the political party that cast the second highest
 1703 number of votes for governor, lieutenant governor, attorney general, state auditor,
 1704 and state treasurer, excluding votes for unopposed candidates, in the county, city, or
 1705 special district, as applicable, at the last regular general election before the
 1706 appointment of the poll workers.
- 1707 (5) The election officer shall provide for the appointment of any qualified county voter as a
 1708 poll worker when:
- 1709 (a) a political party fails to file the poll worker list by the filing deadline; or
 1710 (b) the list is incomplete.
- 1711 (6) A registered voter of the county may serve as a poll worker at any polling place in the
 1712 county, municipality, or district, as applicable.
- 1713 (7) An election officer may not appoint a candidate's parent, sibling, spouse, child,
 1714 mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or
 1715 son-in-law to serve as a poll worker in a polling place where the candidate appears on
 1716 the ballot.
- 1717 (8) The election officer shall fill all poll worker vacancies.
- 1718 (9) If a conflict arises over the right to certify the poll worker lists for any political party,
 1719 the election officer may decide between conflicting lists, but may only select names
 1720 from a properly submitted list.
- 1721 (10) The clerk shall establish compensation for poll workers.
- 1722 (11) The election officer may appoint additional poll workers to serve in the polling place
 1723 as needed.

1724 Section 26. Section **20A-5-605** is amended to read:

1725 **20A-5-605 . Duties of poll workers.**

- 1726 (1) Poll workers shall:
- 1727 (a) arrive at the polling place at a time determined by the election officer; and
 1728 (b) remain until the official election returns are prepared for delivery.
- 1729 (2) The election officer may designate the title and duties of each poll worker.
- 1730 (3) Upon arriving to open the polls, the poll workers shall, at a standard polling place:
- 1731 (a) display the United States flag;

- 1732 (b) examine the voting devices to see that they are in proper working order and that
1733 security devices have not been tampered with;
- 1734 (c) place the voting devices, voting booths, and the ballot box in plain view of those poll
1735 workers and watchers that are present;
- 1736 (d) check the ballots, supplies, records, and forms;
- 1737 (e) if directed by the election officer:
- 1738 (i) make any necessary corrections to the official ballots before the ballots are
1739 distributed at the polls;
- 1740 (ii) post any necessary notice of errors in ballots before voting commences; and
1741 (iii) post a sample ballot, instructions to voters, and constitutional amendments, if
1742 any;
- 1743 (f) open the ballot box in the presence of those assembled, turn the ballot box upside
1744 down to empty the ballot box of anything; and
- 1745 (g) immediately before the polls open, lock the ballot box or, if locks and keys are not
1746 available, tape the ballot box securely.
- 1747 (4)(a) If, at a standard polling place, any poll worker fails to appear on the morning of
1748 the election, or fails or refuses to act:
- 1749 (i) at least six qualified electors who are present at the polling place at the hour
1750 designated by law for the opening of the polls shall fill the vacancy by appointing
1751 another qualified individual from the voting precinct who is a member of the same
1752 political party as the poll worker who is being replaced to act as a poll worker; or
1753 (ii) the election officer shall appoint a qualified individual to act as a poll worker.
- 1754 (b) If a majority of the poll workers are present, the poll workers shall open the polls,
1755 even though a poll worker has not arrived.
- 1756 (5)(a) If it is impossible or inconvenient to hold an election at the standard polling place
1757 designated, the poll workers, after having assembled at or as near as practicable to the
1758 designated place, and before receiving any vote, may move to the nearest convenient
1759 place for holding the election.
- 1760 (b) If the poll workers move to a new standard polling place, the poll workers shall
1761 display a proclamation of the change and station a peace officer or some other proper
1762 individual at the original standard polling place to notify voters of the location of the
1763 new standard polling place.
- 1764 (6) If, for any reason, the official ballots are not ready for distribution at a standard polling
1765 place or, if the supply of ballots is exhausted before the polls are closed, the poll workers

1766 may use unofficial ballots, made as nearly as possible in the form of the official ballot,
 1767 until the election officer provides additional ballots.

1768 (7) When it is time to open the polls, one of the poll workers shall announce that the polls
 1769 are open as required by Section 20A-1-302, or in the case of early voting, Section
 1770 20A-3a-602.

1771 (8)(a) The poll workers shall comply with the voting procedures and requirements of
 1772 Chapter 3a, Voting, in allowing people to vote.

1773 (b) The poll workers may not allow an individual, other than election officials and those
 1774 admitted to vote, within six feet of voting devices, voting booths, or the ballot box.

1775 (c) Besides the poll workers and watchers, the poll workers may not allow more than
 1776 four voters in excess of the number of voting booths provided within six feet of
 1777 voting devices, voting booths, or the ballot box.

1778 (d) If necessary, the poll workers shall instruct each voter permitted to use a voting
 1779 device how to operate the voting device before the voter enters the voting booth.

1780 (e)(i) If the voter requests additional instructions after entering the voting booth, two
 1781 poll workers may, if necessary, enter the booth and give the voter additional
 1782 instructions.

1783 (ii) In regular general elections and regular primary elections, the two poll workers
 1784 who enter the voting booth to assist the voter shall be of different political parties.

1785 Section 27. Section **20A-7-609.5** is amended to read:

1786 **20A-7-609.5 . Election on referendum challenging local tax law conducted**
 1787 **entirely by mail.**

1788 (1) An election officer may administer an election on a referendum challenging a local tax
 1789 law entirely by mail.

1790 (2) For purposes of an election conducted under this section, the election officer shall:

1791 (a) designate as the election day the day that is 30 days after the day on which the
 1792 election officer complies with Subsection (2)(b); and

1793 (b) within 30 days after the day on which the referendum described in Subsection (1)
 1794 qualifies for the ballot, mail to each registered voter within the voting precincts to
 1795 which the local tax law applies:

1796 (i) a manual ballot;

1797 (ii) a statement that there will be no polling place for the election;

1798 (iii) a statement specifying the election day described in Subsection (2)(a);

1799 (iv) a [~~business reply mail envelope~~] mail-in return envelope;

- 1800 (v) instructions for returning the ballot that include an express notice about any
 1801 relevant deadlines that the voter must meet in order for the voter's vote to be
 1802 counted;
- 1803 (vi) a warning, on a separate page of colored paper in boldface print, indicating that if
 1804 the voter fails to follow the instructions included with the manual ballot, the voter
 1805 will be unable to vote in that election because there will be no polling place for the
 1806 election; and
- 1807 (vii)(A) a copy of the proposition information pamphlet relating to the referendum
 1808 if a proposition information pamphlet relating to the referendum was published
 1809 under Section 20A-7-401.5; or
- 1810 (B) a website address where an individual may view a copy of the proposition
 1811 information pamphlet described in Subsection (2)(b)(vii)(A).
- 1812 (3) An election officer who administers an election under this section shall:
- 1813 (a)(i) obtain, in person, the signatures of each voter within that voting precinct before
 1814 the election; or
- 1815 (ii) obtain the signature of each voter within the voting precinct from the county
 1816 clerk; and
- 1817 (b) maintain the signatures on file in the election officer's office.
- 1818 (4)(a) Upon receiving a returned manual ballot under this section, the election officer
 1819 shall compare the signature on each return envelope with the voter's signature that is
 1820 maintained on file and verify that the signatures are the same.
- 1821 (b) If the election officer questions the authenticity of the signature on the return
 1822 envelope, the election officer shall immediately contact the voter to verify the
 1823 signature.
- 1824 (c) If there is not a signature on the return envelope or if the election officer determines
 1825 that the signature on the return envelope does not match the voter's signature that is
 1826 maintained on file, the election officer shall:
- 1827 (i) disqualify the ballot; and
- 1828 (ii) notify the voter of the disqualification and the reason for the disqualification.

1829 Section 28. Section **20A-9-808** is amended to read:

1830 **20A-9-808 . Voting.**

1831 Voting in a presidential primary election shall be conducted in accordance with the
 1832 procedures of [~~Section 20A-3a-203~~] Chapter 3a, Part 2, Voting Procedures.

1833 Section 29. **Effective Date.**

1834 This bill takes effect on May 7, 2025.