

**Revisions to Election Law**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Doug Fiefia**

Senate Sponsor:

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**LONG TITLE****General Description:**

This bill amends provisions relating to elections.

**Highlighted Provisions:**

This bill:

- defines terms;
- changes the voter registration deadline to 29 days before the day of an election for all methods of voter registration;
- repeals voter registration by provisional ballot and modifies the provisional ballot form consistent with that repeal;
- provides that, except for a military or overseas ballot, a ballot must be received before the polls close on election day to be valid;
- provides that a voter who is required to cast a provisional ballot, because the voter was unable to provide valid voter identification, must provide the identification no later than 5 p.m. on the Monday following the day of the election;
- provides that a ballot that is rejected because a signature cannot be verified must be cured no later than 5 p.m. on the Monday following the election;
- removes mail as a method of notifying a voter that the voter's ballot was rejected;
- modifies provisions relating to information an election officer is required to report in relation to ballot processing;
- provides deadlines for tabulating ballots and publishing tabulation results;
- requires an election officer to post unofficial election results on the Monday after the day of the election;
- requires a ballot drop box to remain open until the polls close on election day;
- requires the lieutenant governor to award a contract, via a request for proposals, to designate a voting system, including equipment and software, that will be used throughout the state;
- requires that, as election officers replace voting equipment and software, the election

officers replace the voting equipment and software with voting equipment and software that is part of the election system designated under the preceding paragraph; and

- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**20A-1-603**, as last amended by Laws of Utah 2023, Chapter 175  
**20A-2-101.1**, as last amended by Laws of Utah 2018, Chapter 223  
**20A-2-102**, as last amended by Laws of Utah 2014, Chapter 231  
**20A-2-102.5**, as last amended by Laws of Utah 2023, Chapter 45  
**20A-2-201**, as last amended by Laws of Utah 2020, Chapters 31, 95 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 95  
**20A-2-202**, as last amended by Laws of Utah 2020, Chapter 31  
**20A-2-204**, as last amended by Laws of Utah 2023, Chapter 237  
**20A-2-205**, as last amended by Laws of Utah 2020, Chapter 31 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 95  
**20A-2-206**, as last amended by Laws of Utah 2023, Chapter 297  
**20A-2-301**, as last amended by Laws of Utah 2020, Chapter 31  
**20A-2-307**, as last amended by Laws of Utah 2020, Chapters 22, 31  
**20A-2-506**, as renumbered and amended by Laws of Utah 2023, Chapter 297  
**20A-3a-203**, as renumbered and amended by Laws of Utah 2020, Chapter 31  
**20A-3a-204**, as last amended by Laws of Utah 2022, Chapter 156  
**20A-3a-205**, as renumbered and amended by Laws of Utah 2020, Chapter 31  
**20A-3a-401**, as last amended by Laws of Utah 2024, Chapter 477  
**20A-3a-405**, as last amended by Laws of Utah 2023, Chapter 297  
**20A-3a-601**, as last amended by Laws of Utah 2020, Chapter 95 and renumbered and amended by Laws of Utah 2020, Chapter 31  
**20A-3a-807**, as enacted by Laws of Utah 2022, Chapter 380  
**20A-4-104**, as last amended by Laws of Utah 2023, Chapters 45, 297 and 435  
**20A-4-107**, as last amended by Laws of Utah 2020, Chapter 31  
**20A-4-109**, as last amended by Laws of Utah 2024, Chapter 465

65        **20A-5-403.5**, as last amended by Laws of Utah 2023, Chapters 45, 297 and 435

66        **20A-5-802**, as last amended by Laws of Utah 2019, Chapter 305

67        **20A-5-803**, as renumbered and amended by Laws of Utah 2017, Chapter 32

68        **20A-6-105**, as last amended by Laws of Utah 2023, Chapter 406

69        **67-1a-2**, as last amended by Laws of Utah 2024, Chapter 438

70    ENACTS:

71        **20A-4-104.5**, Utah Code Annotated 1953

72    REPEALS AND REENACTS:

73        **20A-5-801**, as last amended by Laws of Utah 2020, Chapter 31

74    RENUMBERS AND AMENDS:

75        **20A-5-804**, (Renumbered from 20A-5-302, as last amended by Laws of Utah 2023,  
76        Chapter 15)

77    REPEALS:

78        **20A-2-207**, as last amended by Laws of Utah 2022, Chapter 18

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

81        Section 1. Section **20A-1-603** is amended to read:

82        **20A-1-603 . Fraud, interference, disturbance -- Tampering with ballots or**  
83    **records -- Penalties.**

84    (1)(a) An individual may not fraudulently vote on the individual's behalf or on behalf of  
85        another, by:

86            (i) voting more than once at any one election, regardless of whether one of the  
87            elections is in a state or territory of the United States outside of Utah;

88            (ii) knowingly handing in two or more ballots folded together;

89            (iii) changing any ballot after the ballot is cast or deposited in the ballot box, or ballot  
90            drop box, or mailed;

91            (iv) adding or attempting to add any ballot or vote to those legally polled at any  
92            election by fraudulently introducing the ballot or vote into the ballot box or vote  
93            tally, either before or after the ballots have been counted;

94            (v) adding to or mixing or attempting to add or mix, other ballots with the ballots  
95            lawfully polled while those ballots are being counted or canvassed, or at any other  
96            time; or

97            (vi) voting in a voting district or precinct when the individual knew or should have  
98            known that the individual was not eligible for voter registration in that district or

- 99 precinct, unless the individual is legally entitled to vote the ballot under Section  
100 20A-4-107 or another provision of this title.
- 101 (b) A person may not fraudulently interfere with an election by:
- 102 (i) willfully tampering with, detaining, mutilating, or destroying any election returns;
- 103 (ii) in any manner, interfering with the officers holding an election or conducting a  
104 canvass, or with the voters lawfully exercising their rights of voting at an election,  
105 so as to prevent the election or canvass from being fairly held or lawfully  
106 conducted;
- 107 (iii) engaging in riotous conduct at any election, or interfering in any manner with  
108 any election official in the discharge of the election official's duties;
- 109 (iv) inducing any election officer, or officer whose duty it is to ascertain, announce,  
110 or declare the result of any election or to give or make any certificate, document,  
111 or evidence in relation to any election, to violate or refuse to comply with the  
112 election officer's duty or any law regulating the election officer's duty;
- 113 (v) taking, carrying away, concealing, removing, or destroying any ballot, pollbook,  
114 or other thing from a polling place, or from the possession of the person  
115 authorized by law to have the custody of that thing;
- 116 (vi) taking, carrying away, concealing, removing, or destroying a ballot drop box or  
117 the contents of a ballot drop box; or
- 118 (vii) aiding, counseling, providing, procuring, advising, or assisting any person to do  
119 any of the acts described in this section.
- 120 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3):
- 121 (a) a person who commits an offense under Subsection (1)(b)(vi), or who aids, counsels,  
122 provides, procures, advises, or assists a person to commit an offense under  
123 Subsection (1)(b)(vi), is guilty of a third degree felony; and
- 124 (b) a person who commits an offense under Subsection (1), other than an offense  
125 described in Subsection (2)(a), is guilty of a class A misdemeanor.
- 126 (3) The lieutenant governor shall take, and store for at least 22 months, a static copy of the  
127 official register made at the following times:
- 128 (a) the voter registration deadline described in Subsection [~~20A-2-102.5(2)(a)~~]  
129 20A-2-102.5(2);
- 130 (b) the day of the election; and
- 131 (c) the last day of the canvass.
- 132 Section 2. Section **20A-2-101.1** is amended to read:

**20A-2-101.1 . Preregistering to vote.**

- (1) An individual may preregister to vote if the individual:
- (a) is 16 or 17 years ~~[of age]~~ old;
  - (b) is not eligible to register to vote because the individual does not comply with the age requirements described in Subsection 20A-2-101(1)(c);
  - (c) is a citizen of the United States;
  - (d) has been a resident of Utah for at least 30 days; and
  - (e) currently resides within the voting district or precinct in which the individual preregisters to vote.
- (2) An individual described in Subsection (1) may not vote in an election and is not registered to vote until:
- (a) the individual is otherwise eligible to register to vote because the individual complies with the age requirements described in Subsection 20A-2-101(1)(c); and
  - (b) the county clerk registers the individual to vote under Subsection (4).
- (3) An individual who preregisters to vote shall:
- (a) complete a voter registration form, including an indication that the individual is preregistering to vote; and
  - (b) submit the voter registration form to a county clerk in person, by mail, or in any other manner authorized by this chapter for the submission of a voter registration form.
- (4)(a) A county clerk shall:
- (i) retain the voter registration form of an individual who meets the qualifications for preregistration and who submits a completed voter registration form to the county clerk under Subsection (3)(b);
  - (ii) register the individual to vote in the next election in which the individual will be eligible to vote, before the voter registration deadline established in Section 20A-2-102.5 for that election; and
  - (iii) send a notice to the individual that:
    - (A) informs the individual that the individual's voter registration form has been accepted as an application for preregistration;
    - (B) informs the individual that the individual will be registered to vote in the next election in which the individual will be eligible to vote; and
    - (C) indicates in which election the individual will be registered to vote.
- (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is

considered to have applied for voter registration on the earlier of:

(i) the day of the voter registration deadline immediately preceding the election day on which the individual will be at least 18 years ~~[of age]~~ old; or

(ii) the day on which the individual turns 18 years ~~[of age]~~ old.

(c) A county clerk shall refer a voter registration form to the county attorney for investigation and possible prosecution if the clerk or the clerk's designee believes the individual is attempting to preregister to vote in an election in which the individual will not be legally entitled to vote.

(5)(a) The lieutenant governor or a county clerk shall classify the voter registration record of an individual who preregisters to vote as a private record until the day on which the individual turns 18 years ~~[of age]~~ old.

(b) ~~[On]~~ Except to the extent otherwise provided under Subsection 63G-2-301(2)(l), on the day on which the individual described in Subsection (5)(a) turns 18 years ~~[of age]~~ old, the lieutenant governor or county clerk shall classify the individual's voter registration record as a public record~~[in accordance with Subsection 63G-2-301(2)(l)]~~.

(6) If an individual who is at least 18 years of age erroneously indicates on the voter registration form that the individual is preregistering to vote, the county clerk shall consider the form as a voter registration form and shall process the form in accordance with this chapter.

Section 3. Section **20A-2-102** is amended to read:

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

~~[(1) Except as provided in Subsection (2), a person]~~ An individual may not vote at ~~[any]~~ an election unless ~~[that person]~~ the individual is registered to vote as required by this chapter.

~~[(2) A person may vote a provisional ballot for an election as provided in Section 20A-2-307.]~~

Section 4. Section **20A-2-102.5** is amended to read:

**20A-2-102.5 . Voter registration deadline.**

(1) Except as otherwise provided in Chapter 16, Uniform Military and Overseas Voters Act, an individual who fails to timely submit a correctly completed voter registration form may not vote in the election.

(2) The voter registration deadline is ~~[as follows:]~~ 29 calendar days before the day of an election.

~~[(b) before the polls close on the last day of early voting, described in Section~~

~~20A-3a-601, if the individual registers by casting a provisional ballot at an early voting location in accordance with Section 20A-2-207; or]~~

~~[(e) before polls close on the date of the election, if the individual registers to vote on the date of the election by casting a provisional ballot, in accordance with Section 20A-2-207.]~~

[(a)] (3) [the] A voter registration must be received by the county clerk, the municipal clerk, or the lieutenant governor no later than 5 p.m. [11] 29 calendar days before the date of the election, if the individual registers to vote:

[(i)] (a) at the office of the county clerk, in accordance with Section 20A-2-201;

[(ii)] (b) by mail, in accordance with Section 20A-2-202;

[(iii)] (c) via an application for a driver license, in accordance with Section 20A-2-204;

[(iv)] (d) via a public assistance agency or a discretionary voter registration agency, in accordance with Section 20A-2-205; or

[(v)] (e) via electronic registration, in accordance with Section 20A-2-206[;] .

Section 5. Section **20A-2-201** is amended to read:

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

(1) Except as provided in Subsection (3), the county clerk shall register to vote each individual who registers in person at the county clerk's office during designated office hours if the individual will, on the date of the election, be legally eligible to vote in a voting precinct in the county in accordance with Section 20A-2-101.

(2) If an individual who is registering to vote submits a registration form in person at the office of the county clerk no later than 5 p.m. [11] on the last business day that is no less than 29 calendar days before the date of the election, the county clerk shall:

(a) accept and process the voter registration form;

(b) unless the individual named in the form is preregistering to vote:

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

(ii) notify the individual that the individual is registered to vote in the upcoming election; and

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

(3) If an individual who is registering to vote and who will be legally qualified and entitled to vote in a voting precinct in the county on the date of an election appears in person, during designated office hours, and submits a registration form after the deadline

described in Subsection (2), the county clerk shall[-] accept the registration form and[-; except as provided in Subsection 20A-2-207(6);] inform the individual that the individual will not be registered to vote in the pending election, [~~unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207]~~ because the individual registered to vote too late.

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

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

- (1)(a) An individual who will be qualified to vote at the next election may register by mail.
- (b) To register by mail, an individual shall complete and sign the registration form and mail or deliver the form to the county clerk of the county in which the citizen resides.
- (c) In order to register to vote in a particular election, the citizen shall:
- (i) address the voter registration form to the county clerk; and
  - (ii) ensure that the voter registration form is received by the county clerk no later than [ ~~5 p.m. +1~~] 29 calendar days before the date of the election.
- (d) The citizen has effectively registered to vote under this section only when the county clerk's office has received a correctly completed voter registration form.
- (2) Upon receipt of a timely, correctly completed voter registration form, the county clerk shall:
- (a) accept and process the voter registration form;
  - (b) unless the individual named in the form is preregistering to vote:
    - (i) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
    - (ii) notify the individual that the individual is registered to vote in the upcoming election; and
  - (c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.
- (3) If the county clerk receives a correctly completed voter registration form after the deadline described in Subsection (1)(c), the county clerk shall, unless the individual is preregistering to vote:
- (a) accept the application for registration; and
  - (b) if possible, promptly mail a notice to, or otherwise notify, the individual before the election, informing the individual that the individual will not be registered to vote in



the pending election, [~~unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207]~~ because the individual registered too late.

- (4) If the county clerk determines that a registration form received by mail or otherwise is incorrect because of an error or because the registration form is incomplete, the county clerk shall mail notice to the individual attempting to register or preregister, stating that the individual has not been registered or preregistered because of an error or because the registration form is incomplete.

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

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

- (1) As used in this section, "voter registration form" means, when an individual named on a qualifying form, as defined in Section 20A-2-108, answers "yes" to the question described in Subsection 20A-2-108(2)(a), the information on the qualifying form that can be used for voter registration purposes.
- (2)(a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may register to vote, and a citizen who is qualified to preregister to vote may preregister to vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a) and completing the voter registration form.
- (b) A citizen who is a program participant in the Safe at Home Program created in Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a), but is eligible to register to vote by any other means described in this part.
- (3) The Driver License Division shall:
- (a) assist an individual in completing the voter registration form unless the individual refuses assistance;
  - (b) electronically transmit each address change to the lieutenant governor within five days after the day on which the division receives the address change; and
  - (c) within five days after the day on which the division receives a voter registration form, electronically transmit the form to the Office of the Lieutenant Governor, including the following for the individual named on the form:
    - (i) the name, date of birth, driver license or state identification card number, last four digits of the social security number, Utah residential address, place of birth, and signature;
    - (ii) a mailing address, if different from the individual's Utah residential address;
    - (iii) an email address and phone number, if available;

- (iv) the desired political affiliation, if indicated;
- (v) an indication of whether the individual requested that the individual's voter registration record be classified as a private record under Subsection 20A-2-108(2)(b); and
- (vi) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification submitted with the form.
- (4) Upon receipt of an individual's voter registration form from the Driver License Division under Subsection (3), the lieutenant governor shall:
- (a) enter the information into the statewide voter registration database; and
- (b) if the individual requests on the individual's voter registration form that the individual's voter registration record be classified as a private record or the individual submits a withholding request form described in Subsections 20A-2-104(7) and (8) and any required verification, classify the individual's voter registration record as a private record.
- (5) The county clerk of an individual whose information is entered into the statewide voter registration database under Subsection (4) shall:
- (a) ensure that the individual meets the qualifications to be registered or preregistered to vote; and
- (b)(i) if the individual meets the qualifications to be registered to vote:
- (A) ensure that the individual is assigned to the proper voting precinct; and
- (B) send the individual the notice described in Section 20A-2-304; or
- (ii) if the individual meets the qualifications to be preregistered to vote, process the form in accordance with the requirements of Section 20A-2-101.1.
- (6)(a) When the county clerk receives a correctly completed voter registration form under this section, the clerk shall:
- (i) comply with the applicable provisions of this Subsection (6); or
- (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.
- (b) If the county clerk receives a correctly completed voter registration form under this section no later than ~~[5 p.m. or, if submitting the form electronically, midnight, 11]~~ 29 calendar days before the date of an election, the county clerk shall:
- (i) accept the voter registration form; and
- (ii) unless the individual is preregistering to vote:
- (A) enter the individual's name on the list of registered voters for the voting precinct in which the individual resides; and

- (B) notify the individual that the individual is registered to vote in the upcoming election; and
- (iii) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.
- (c) If the county clerk receives a correctly completed voter registration form under this section after the deadline described in Subsection (6)(b), the county clerk shall[~~unless the individual named in the form is preregistering to vote~~]:
- (i) accept the application for registration of the individual;
  - (ii) process the voter registration form; and
  - (iii) unless the individual is preregistering to vote, [~~and except as provided in Subsection 20A-2-207(6),~~]inform the individual that the individual will not be registered to vote in the pending election[~~unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207~~] because the individual registered too late.
- (7)(a) If the county clerk determines that an individual's voter registration form received from the Driver License Division is incorrect because of an error, because the form is incomplete, or because the individual does not meet the qualifications to be registered to vote, the county clerk shall mail notice to the individual stating that the individual has not been registered or preregistered because of an error, because the registration form is incomplete, or because the individual does not meet the qualifications to be registered to vote.
- (b) If a county clerk believes, based upon a review of a voter registration form, that an individual, who knows that the individual is not legally entitled to register or preregister to vote, may be intentionally seeking to register or preregister to vote, the county clerk shall refer the form to the county attorney for investigation and possible prosecution.
- Section 8. Section **20A-2-205** is amended to read:
- 20A-2-205 . Registration at voter registration agencies.**
- (1) As used in this section:
- (a) "Discretionary voter registration agency" means the same as that term is defined in Section 20A-2-300.5.
  - (b) "Public assistance agency" means the same as that term is defined in Section 20A-2-300.5.

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

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

"REGISTERING TO VOTE

If you are not registered to vote where you live now, would you like to apply to register or preregister to vote here today? (The decision of whether to register or preregister to vote will not affect the amount of assistance that you will be provided by this agency.) Yes\_\_\_\_ No\_\_\_\_ IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER OR PREREGISTER TO VOTE AT THIS TIME. If you would like help in filling out the voter registration form, we will help you. The decision about whether to seek or accept help is yours. You may fill out the application form in private. If you believe that someone has interfered with your right to register or preregister or to decline to register or preregister to vote, your right to privacy in deciding whether to register or preregister, or in applying to register or preregister to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Office of the Lieutenant Governor, State Capitol Building, Salt Lake City, Utah 84114. (The phone number of the Office of the Lieutenant Governor)."

(4) Unless an individual applying for service or assistance from a public assistance agency or discretionary voter registration agency declines, in writing, to register or preregister to vote, each public assistance agency and discretionary voter registration agency shall:

- (a) distribute a voter registration form with each application for service or assistance provided by the agency or office;
- (b) assist applicants in completing the voter registration form unless the applicant refuses assistance;
- (c) accept completed forms for transmittal to the appropriate election official; and
- (d) transmit a copy of each voter registration form to the appropriate election official within five days after the day on which the division receives the voter registration form.

(5) An individual in a public assistance agency or a discretionary voter registration agency that helps an applicant complete the voter registration form may not:

- (a) seek to influence an applicant's political preference or party registration;
- (b) display any political preference or party allegiance;

- (c) make any statement to an applicant or take any action that has the purpose or effect of discouraging the applicant from registering to vote; or
- (d) make any statement to an applicant or take any action that has the purpose or effect of leading the applicant to believe that a decision of whether to register or preregister has any bearing upon the availability of services or benefits.

(6) If the county clerk receives a correctly completed voter registration form under this section no later than 5 p.m. ~~[H]~~ on the last business day that is no less than 29 calendar days before the date of an election, the county clerk shall:

- (a) accept and process the voter registration form;
- (b) unless the individual named in the form is preregistering to vote:
  - (i) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
  - (ii) notify the applicant that the applicant is registered to vote in the upcoming election; and
- (c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.

(7) If the county clerk receives a correctly completed voter registration form after the deadline described in Subsection (6), the county clerk shall:

- (a) accept the application for registration of the individual; and
- (b) ~~[except as provided in Subsection 20A-2-207(6),]~~ if possible, promptly inform the individual that the individual will not be registered to vote in the pending election, ~~[unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207]~~ because the voter registered too late.

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

Section 9. Section **20A-2-206** is amended to read:

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

(1) The lieutenant governor shall create and maintain an electronic system that is publicly available on the Internet for an individual to apply for voter registration or

preregistration.

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

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

(b) that the applicant provide the information required by Section 20A-2-104, except that the applicant's signature may be obtained in the manner described in Subsections (2)(d) and (5);

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

(d) that the applicant authorize the lieutenant governor's and county clerk's use of the applicant's:

(i) driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver License Act, for voter registration purposes; or

(ii) signature on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-502.

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

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

(5) The lieutenant governor shall:

(a) obtain a digital copy of the applicant's driver license or identification card signature from the Driver License Division; or

(b) ensure that the applicant's signature is already on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-502.

(6) The lieutenant governor shall send the information to the county clerk for the county in which the applicant's principal place of residence is found for further action as required by Section 20A-2-304 after:

(a) receiving all information from an applicant; and

(b)(i) receiving all information from the Driver License Division; or

(ii) ensuring that the applicant's signature is already on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-502.

(7) The lieutenant governor may use additional security measures to ensure the accuracy

and integrity of an electronically submitted voter registration.

(8) If an individual applies to register under this section no later than [11] 29 calendar days before the date of an election, the county clerk shall:

(a) accept and process the voter registration form;

(b) unless the individual named in the form is preregistering to vote:

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

(ii) notify the individual that the individual is registered to vote in the upcoming election; and

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

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

(a) accept the application for registration; and

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

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

Section 10. Section **20A-2-301** is amended to read:

**20A-2-301 . County clerk responsibilities -- Voter registration forms.**

(1) Each county clerk shall provide voter registration forms for use in the voter registration process.

(2)(a) Each county clerk shall provide a copy of the voter registration form to each public assistance agency and discretionary voter registration agency.

(b) Each county clerk may provide a copy of the voter registration form to public school districts and nonpublic schools as provided in Section 20A-2-302.

(3)(a) The clerk shall make a copy of the voter registration form available to any person upon request.

(b) A person may make multiple copies of the voter registration form at the person's own expense.

(c) A person shall provide all completed voter registration forms in the person's

possession to the county clerk at or before 5 p.m. on the ~~[day of the voter registration deadline]~~ last business day that is at least 29 days before the election.

(4) The county clerk may not refuse to register an individual to vote for failing to provide a telephone number on the voter registration form.

(5)(a) It is unlawful for any person in possession of a completed voter registration form, other than the person's own completed voter registration form, to willfully fail or refuse to timely deliver the completed voter registration form to the county clerk.

(b) A person who violates this Subsection (5) is guilty of a class B misdemeanor.

Section 11. Section **20A-2-307** is amended to read:

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

(1) Each county clerk shall instruct election judges to allow a voter to vote a regular ballot if:

(a) the voter has moved from one address within a county to another address within the same county; and

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

(2) Each county clerk shall instruct election judges to allow an individual to vote a provisional ballot if:

~~[(a) the individual is not registered to vote, but is otherwise legally entitled to vote under Section 20A-2-207;]~~

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

~~[(c)] (b)~~ the voter is challenged as provided in Section 20A-3a-803.

Section 12. Section **20A-2-506** is amended to read:

**20A-2-506 . Lieutenant governor and county clerks to preserve records.**

(1) As used in this section:

(a) "Voter registration record" means a record concerning the implementation of programs and activities conducted for the purpose of ensuring that the official register is accurate and current.

(b) "Voter registration record" does not include a record that:

(i) relates to a person's decision to decline to register to vote; or

(ii) identifies the particular public assistance agency, discretionary voter registration agency, or Driver License Division through which a particular voter registered to vote.

(2) The lieutenant governor and each county clerk shall:

(a) preserve for at least two years all records relating to voter registration, including:



- (i) the official register; and
- (ii) the name and address of each individual to whom the notice required by Section 20A-2-505 was sent and a notation regarding whether the individual responded to the notice;

(b) make a voter registration record available for public inspection, except for a voter registration record, or part of a voter registration record that is classified as private under Section 63G-2-302; and

(c) allow a record or part of a record described in Subsection (2)(b) that is not classified as a private record to be photocopied for a reasonable cost.

(3) The lieutenant governor shall take, and store for at least 22 months, a static copy of the official register made at the following times:

(a) the voter registration deadline described in Subsection ~~[20A-2-102.5(2)(a)]~~ 20A-2-102.5(2);

(b) the day of the election; and

(c) the last day of the canvass.

Section 13. Section **20A-3a-203** is amended to read:

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

(1) Except as provided in Section 20A-7-609.5, a registered voter may vote at a polling place in an election in accordance with this section.

(2)(a) The voter shall give the voter's name, and, if requested, the voter's residence, to one of the poll workers.

(b) The voter shall present valid voter identification to one of the poll workers.

(c) If the poll worker is not satisfied that the voter has presented valid voter identification, the poll worker shall:

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

(ii) issue the voter a provisional ballot;

(iii) notify the voter that the voter will have until ~~[the close of normal office hours]~~ 5 p.m. on Monday after the day of the election to present valid voter identification:

(A) to the county clerk at the county clerk's office; or

(B) to an election officer who is administering the election; and

(iv) follow the procedures and requirements of Section 20A-3a-205.

(d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll worker shall follow the procedures and requirements of Section 20A-3a-205.

(3) A poll worker shall check the official register to determine whether:

- 575 (a) a voter is registered to vote; and  
576 (b) if the election is a regular primary election or a presidential primary election,  
577 whether a voter's party affiliation designation in the official register allows the voter  
578 to vote the ballot that the voter requests.

579 (4)(a) Except as provided in Subsection (5), if the voter's name is not found on the  
580 official register, the poll worker shall follow the procedures and requirements of  
581 Section 20A-3a-205.

- 582 (b) If, in a regular primary election or a presidential primary election, the official register  
583 does not affirmatively identify the voter as being affiliated with a registered political  
584 party or if the official register identifies the voter as being "unaffiliated," the voter  
585 shall be considered to be "unaffiliated."

586 (5) In a regular primary election or a presidential primary election:

- 587 (a) if a voter's name is not found on the official register, and if it is not unduly disruptive  
588 to the election process, the poll worker may attempt to contact the county clerk's  
589 office to request oral verification of the voter's registration;

590 (b) if oral verification is received from the county clerk's office, the poll worker shall:

- 591 (i) record the verification on the official register;  
592 (ii) determine the voter's party affiliation and the ballot that the voter is qualified to  
593 vote; and  
594 (iii) except as provided in Subsection (6), comply with Subsection (3).

595 (6)(a) Except as provided in Subsection (6)(b), if, in a regular primary election or a  
596 presidential primary election, the voter's political party affiliation listed in the official  
597 register does not allow the voter to vote the ballot that the voter requested, the poll  
598 worker shall inform the voter of that fact and inform the voter of the ballot or ballots  
599 that the voter's party affiliation does allow the voter to vote.

- 600 (b) If, in a regular primary election or a presidential primary election, the voter is listed  
601 in the official register as unaffiliated, or if the official register does not affirmatively  
602 identify the voter as either unaffiliated or affiliated with a registered political party,  
603 and the voter, as an unaffiliated voter, is not authorized to vote the ballot that the  
604 voter requests, the poll worker shall:

- 605 (i) ask the voter if the voter wishes to vote another registered political party ballot  
606 that the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and  
607 (ii)(A) if the voter wishes to vote another registered political party ballot that the  
608 unaffiliated voter is authorized to vote, the poll worker shall proceed as

- 609 required by Subsection (3); or
- 610 (B) if the voter wishes to remain unaffiliated and does not wish to vote another
- 611 ballot that unaffiliated voters are authorized to vote, the poll worker shall
- 612 instruct the voter that the voter may not vote.
- 613 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of
- 614 Subsection (6), if the poll worker determines that the voter is registered, a poll worker
- 615 shall:
- 616 (a) direct the voter to sign the voter's name in the official register;
- 617 (b) provide to the voter the ballot that the voter is qualified to vote; and
- 618 (c) allow the voter to enter the voting booth.
- 619 Section 14. Section **20A-3a-204** is amended to read:
- 620 **20A-3a-204 . Marking and depositing ballots.**
- 621 (1) To vote by mail:
- 622 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual ballot
- 623 by marking the appropriate space with a mark opposite the name of each candidate of
- 624 the voter's choice for each office to be filled;
- 625 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
- 626 appropriate space with a mark opposite the answer the voter intends to make;
- 627 (c) except as provided in Subsection (6), the voter shall record a write-in vote in
- 628 accordance with Subsection 20A-3a-206(1);
- 629 (d) except as provided in Subsection (6), a mark is not required opposite the name of a
- 630 write-in candidate; and
- 631 (e) the voter shall:
- 632 (i) complete and sign the affidavit on the return envelope;
- 633 (ii) place the voted ballot in the return envelope;
- 634 (iii) if required, place a copy of the voter's valid voter identification in the return
- 635 envelope;
- 636 (iv) securely seal the return envelope; and
- 637 (v)(A) attach postage, if necessary, and deposit the return envelope in the mail; or
- 638 (B) place the return envelope in a ballot drop box, designated by the election
- 639 officer, for the precinct where the voter resides.
- 640 (2)(a) Except as otherwise provided in Section 20A-16-404, to be valid, a ballot that is
- 641 mailed must be[?] received by the election officer before the polls close on election
- 642 day.

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

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

(b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls close on election day, be deposited in:

(i) a ballot box at a polling place; or

(ii) a ballot drop box designated by an election officer for the jurisdiction to which the ballot relates.

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

(d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, to deposit the ballot in the ballot drop box.

(3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after complying with Subsections (1)(a) through (d):

(a) sign the official register or pollbook; and

(b)(i) place the ballot in the ballot box; or

(ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot envelope, complete the information printed on the provisional ballot envelope, and deposit the provisional ballot envelope in the provisional ballot box.

(4)(a) An individual with a disability may vote a mechanical ballot at a polling place.

(b) An individual other than an individual with a disability may vote a mechanical ballot at a polling place if permitted by the election officer.

(5) To vote a mechanical ballot, the voter shall:

(a) make the selections according to the instructions provided for the voting device; and

(b) subject to Subsection (6), record a write-in vote by:

(i) selecting the appropriate position for entering a write-in candidate; and

(ii) using the voting device to enter the name of the valid write-in candidate for whom the voter wishes to vote.

(6) To vote in an instant runoff voting race under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, a voter:

(a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's first preference for the office; and

(b) may indicate, as directed on the ballot, the names of the remaining candidates in order of the voter's preference.

(7) A voter who votes at a polling place:

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

(b) may not:

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

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

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

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

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

(a) election officials;

(b) watchers; or

(c) assisting voters with a disability.

Section 15. Section **20A-3a-205** is amended to read:

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

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

(a) the individual's right to vote is challenged as provided in Section 20A-3a-803 or 20A-3a-805;

(b) the individual claims that the individual is registered to vote and is qualified to vote the ballot, but the individual's name is not found on the official register; or

(c) the poll worker is not satisfied that the voter has provided valid voter identification.

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

(a) request that the individual provide valid voter identification; and

(b) review the identification provided by the individual.

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

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

(i) record in the official register the type of identification that established the

- 711 individual's identity and place of residence;
- 712 (ii) record the provisional ballot envelope number in association with the name of the
- 713 individual; and
- 714 (iii) direct the individual to sign the individual's name in the official register or
- 715 pollbook; and
- 716 (b) the poll worker having charge of the ballots shall:
- 717 (i) give the individual a provisional ballot; and
- 718 (ii) allow the individual to enter the voting booth.
- 719 (4) If the poll worker is not satisfied that the individual has provided valid voter
- 720 identification that establishes the individual's identity and residence in the voting
- 721 precinct:
- 722 (a) the poll worker in charge of the official register shall:
- 723 (i) record in the official register that the voter did not provide valid voter
- 724 identification;
- 725 (ii) record in the official register the type of identification that was provided by the
- 726 individual, if any;
- 727 (iii) record the provisional ballot envelope number in association with the name of
- 728 the individual; and
- 729 (iv) direct the individual to sign the individual's name in the official register or
- 730 pollbook; and
- 731 (b) the poll worker having charge of the ballots shall:
- 732 (i) give the individual a provisional ballot; and
- 733 (ii) allow the individual to enter the voting booth.
- 734 (5)(a) A voter who casts a provisional ballot because the voter was unable to provide
- 735 valid voter identification shall provide valid voter identification no later than 5 p.m.
- 736 on the Monday following the day of the election.
- 737 (b) If a voter described in Subsection (5)(a) fails to timely provide valid voter
- 738 identification, the election officer shall retain the provisional ballot form, uncounted,
- 739 for the period specified in Section 20A-4-202.
- 740 ~~[(5)]~~ (6) When, at a polling place, the election officer is required to furnish more than one
- 741 version of a ballot, the poll workers at that polling place shall give the registered voter
- 742 the version of the ballot that the voter is qualified to vote.
- 743 (7) Except as provided in Subsection (8), the election officer shall retain a provisional ballot
- 744 form, uncounted, for the period specified in Section 20A-4-202, if the election officer

determines that the individual who voted the ballot:

(a) is not registered to vote; or

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

(8) Subsection (7) does not apply to the extent that a court with jurisdiction orders the election officer to produce or count the provisional ballot.

Section 16. Section **20A-3a-401** is amended to read:

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

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

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

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

(b) The poll workers shall, first, compare the signature of the voter on the affidavit of the return envelope to the signature of the voter in the voter registration records.

(3) After complying with Subsection (2), the poll workers shall determine whether:

(a) the signatures correspond;

(b) the affidavit is sufficient;

(c) the voter is registered to vote in the correct precinct;

(d) the voter's right to vote the ballot has been challenged;

(e) the voter has already voted in the election;

(f) the voter is required to provide valid voter identification; and

(g) if the voter is required to provide valid voter identification, whether the voter has provided valid voter identification.

(4)(a) The poll workers shall take the action described in Subsection (4)(b) if the poll workers determine:

(i) in accordance with the rules made under Subsection (11):

(A) that the signature on the affidavit of the return envelope is reasonably consistent with the individual's signature in the voter registration records; or

(B) for an individual who checks the box described in Subsection (5)(c)(v), that the signature is verified by alternative means;

(ii) that the affidavit is sufficient;

(iii) that the voter is registered to vote in the correct precinct;

(iv) that the voter's right to vote the ballot has not been challenged;

(v) that the voter has not already voted in the election; and

(vi) for a voter required to provide valid voter identification, that the voter has

- 779 provided valid voter identification.
- 780 (b) If the poll workers make all of the findings described in Subsection (4)(a), the poll  
781 workers shall:
- 782 (i) remove the manual ballot from the return envelope in a manner that does not  
783 destroy the affidavit on the return envelope;
- 784 (ii) ensure that the ballot does not unfold and is not otherwise examined in  
785 connection with the return envelope; and
- 786 (iii) place the ballot with the other ballots to be counted.
- 787 (c) If the poll workers do not make all of the findings described in Subsection (4)(a), the  
788 poll workers shall:
- 789 (i) disallow the vote;
- 790 (ii) without opening the return envelope, record the ballot as "rejected" and state the  
791 reason for the rejection; and
- 792 (iii) place the return envelope, unopened, with the other rejected return envelopes.
- 793 (5)(a) If the poll workers reject an individual's ballot because the poll workers  
794 determine, in accordance with rules made under Subsection (11), that the signature  
795 on the return envelope is not reasonably consistent with the individual's signature in  
796 the voter registration records, the election officer shall:
- 797 (i) contact the individual in accordance with Subsection (6); and
- 798 (ii) inform the individual:
- 799 (A) that the individual's signature is in question;
- 800 (B) how the individual may resolve the issue; and
- 801 (C) that, in order for the ballot to be counted, the individual is required to deliver  
802 to the election officer, no later than 5 p.m. on the Monday after the day of the  
803 election, a correctly completed affidavit, provided by the county clerk, that  
804 meets the requirements described in Subsection (5)(c).
- 805 (b) The election officer shall ensure that the notice described in Subsection (5)(a)  
806 includes:
- 807 ~~[(i) when communicating the notice by mail, a printed copy of the affidavit described~~  
808 ~~in Subsection (5)(c) and a courtesy reply envelope;]~~
- 809 ~~[(ii)]~~ (i) when communicating the notice electronically, a link to a copy of the  
810 affidavit described in Subsection (5)(c) or information on how to obtain a copy of  
811 the affidavit; or
- 812 ~~[(iii)]~~ (ii) when communicating the notice by phone, either during a direct



- 813 conversation with the voter or in a voicemail, arrangements for the voter to  
 814 receive a copy of the affidavit described in Subsection (5)(c), either in person  
 815 from the clerk's office~~[- by mail,]~~ or electronically.
- 816 (c) An affidavit described in Subsection (5)(a)(ii)(C) shall include:
- 817 (i) an attestation that the individual voted the ballot;
  - 818 (ii) a space for the individual to enter the individual's name, date of birth, and driver  
 819 license number or the last four digits of the individual's social security number;
  - 820 (iii) a space for the individual to sign the affidavit;
  - 821 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant  
 822 governor's and county clerk's use of the individual's signature on the affidavit for  
 823 voter identification purposes; and
  - 824 (v) a check box accompanied by language in substantially the following form: "I am  
 825 a voter with a qualifying disability under the Americans with Disabilities Act that  
 826 impacts my ability to sign my name consistently. I can provide appropriate  
 827 documentation upon request. To discuss accommodations, I can be contacted at  
 828 \_\_\_\_\_".
- 829 (d) In order for an individual described in Subsection (5)(a) to have the individual's  
 830 ballot counted, the individual shall deliver the affidavit described in Subsection (5)(c)  
 831 to the election officer no later than 5 p.m. on the Monday after the day of the election.
- 832 (e) An election officer who receives a signed affidavit under Subsection (5)(d) shall  
 833 immediately:
- 834 (i) scan the signature on the affidavit electronically and keep the signature on file in  
 835 the statewide voter registration database developed under Section 20A-2-502;
  - 836 (ii) if the election officer receives the affidavit no later than 5 p.m. [~~three days before~~  
 837 ~~the day on which the canvass begins~~] on the Monday after the day of the election,  
 838 count the individual's ballot; and
  - 839 (iii) if the check box described in Subsection (5)(c)(v) is checked, comply with the  
 840 rules described in Subsection (11)(c).
- 841 (6)(a) The election officer shall, within two business days after the day on which an  
 842 individual's ballot is rejected, notify the individual of the rejection and the reason for  
 843 the rejection, by phone, ~~[mail,]~~email, or SMS text message, unless:
- 844 (i) the ballot is cured within one business day after the day on which the ballot is  
 845 rejected; or
  - 846 (ii) the ballot is rejected because the ballot is received late or for another reason that

- 847 cannot be cured.
- 848 (b) If an individual's ballot is rejected for a reason described in Subsection (6)(a)(ii), the  
849 election officer shall notify the individual of the rejection and the reason for the  
850 rejection by phone, mail, email, or SMS text message, within the later of:  
851 (i) 30 days after the day of the rejection; or  
852 (ii) 30 days after the day of the election.
- 853 (c) The election officer may, when notifying an individual by phone under this  
854 Subsection (6), use auto-dial technology.
- 855 (7) An election officer may not count the ballot of an individual whom the election officer  
856 contacts under Subsection (5) or (6) unless, no later than 5 p.m. [~~three days before the~~  
857 ~~day on which the canvass begins~~] on the Monday after the day of the election, the  
858 election officer:  
859 (a) receives a signed affidavit from the individual under Subsection (5); or  
860 (b)(i) contacts the individual;  
861 (ii) if the election officer has reason to believe that an individual, other than the voter  
862 to whom the ballot was sent, signed the ballot affidavit, informs the individual that  
863 it is unlawful to sign a ballot affidavit for another person, even if the person gives  
864 permission;  
865 (iii) verifies the identity of the individual by:  
866 (A) requiring the individual to provide at least two types of personal identifying  
867 information for the individual; and  
868 (B) comparing the information provided under Subsection (7)(b)(iii)(A) to records  
869 relating to the individual that are in the possession or control of an election  
870 officer; and  
871 (iv) documenting the verification described in Subsection (7)(b)(iii), by recording:  
872 (A) the name and voter identification number of the individual contacted;  
873 (B) the name of the individual who conducts the verification;  
874 (C) the date and manner of the communication;  
875 (D) the type of personal identifying information provided by the individual;  
876 (E) a description of the records against which the personal identifying information  
877 provided by the individual is compared and verified; and  
878 (F) other information required by the lieutenant governor.
- 879 (8) The election officer shall:  
880 (a) retain and preserve the return envelopes in the manner provided by law for the

retention and preservation of ballots voted at that election;

(b) retain and preserve the documentation described in Subsection (7)(b)(iv); and

(c) if the election officer complies with Subsection (8)(b) by including the

documentation in the voter's voter registration record, make, retain, and preserve a

record of the name and voter identification number of each voter contacted under

Subsection (7)(b).

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

(i) any initial rejection of a ballot under Subsection (4)(c), within one business day after the day on which the election officer rejects the ballot; and

(ii) any resolution of a rejection of a ballot under Subsection (7), within one business day after the day on which the ballot rejection is resolved.

(b) An election officer shall include, in the canvass report, a final report of the disposition of all rejected and resolved ballots, including, for ballots rejected, the following:

(i) the number of ballots rejected because the voter did not sign the [voter's ballot] return envelope; and

(ii) the number of ballots rejected because the voter's signatures on the [ballot] return envelope, and in records on file, do not correspond.

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

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

(a) criteria and processes for use by poll workers in determining if a signature corresponds with the signature on file for the voter under Subsections (3)(a) and (4)(a)(i)(A);

(b) training and certification requirements for election officers and employees of election officers regarding the criteria and processes described in Subsection (11)(a); and

(c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Secs. 12131 through 12165, an alternative means of verifying the identity of an individual who checks the box described in Subsection (5)(c)(v).

(12) Subject to Subsection (13), if, in response to a request, and in accordance with the requirements of law, an election officer discloses the name or address of voters whose

ballots have been rejected and not yet resolved, the election officer shall:

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

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

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

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

Section 17. Section **20A-3a-405** is amended to read:

**20A-3a-405 . Public notice regarding ballot processing.**

(1) Except as provided in Subsection ~~[(5)(a)]~~ (4), an election officer shall post and update the data described in Subsection (2) on the election officer's website, on the following days, after the election officer finishes processing ballots on that day:

(a) the day on which the election officer begins mailing ballots;

(b) each Monday, Wednesday, and Friday after the day described in Subsection (1)(a), until the final posting described in Subsection (1)(c); and

(c) the Wednesday after the day of the election.

(2) The data that an election officer is required to post under Subsection (1) includes:

(a) the number of ballots in the county clerk's possession; and

(b) of the number of ballots described in Subsection (2)(a):

(i) the number of ballots that have not yet begun processing;

(ii) the number of ballots in process; and

(iii) the number of ballots processed.

~~[(3) Except as provided in Subsection (5)(b), an election officer shall post and update the data described in Subsection (4) on the election officer's website on the following days:]~~

~~[(a) the Friday after the day of the election;]~~

~~[(b) each Monday, Wednesday, and Friday after the day described in Subsection (3)(a), until the final posting described in Subsection (3)(c); and]~~

~~[(c) on the last day of the canvass.]~~

~~[(4)]~~ (3) ~~[The data that an]~~ An election officer ~~[is required to post under Subsection (3) includes]~~ shall, on the day of the election canvass, publicly post the following information on the election officer's website:

(a) ~~[a best estimate of the number of ballots received, to date,]~~ the number of ballots received by the election officer;

(b) the number of ballots ~~[in possession of]~~ rejected by the election officer that ~~[have been rejected and are not yet]~~ were timely cured;

(c) the number of ballots rejected by the election officer that were not timely cured, or could not be cured;

~~[(e)]~~ (d) the number of provisional ballots ~~[in the possession of the election officer that have not been]~~ processed by the election officer that were counted;

(e) the number of provisional ballots in the possession of the election officer that were not counted; and

~~[(d) the number of ballots that need to be adjudicated, but have not yet been adjudicated;]~~

~~[(e) the number of ballots awaiting replication; and]~~

(f) the number of ballots ~~[that have been]~~ replicated.

~~[(5)]~~ (4)(a) An election officer is not required to update the data described in

Subsection (2) on a Monday if the election officer does not process any ballots the preceding Saturday or Sunday.

~~[(b) An election officer is not required to update the data described in Subsection (4) on a Monday if the election officer does not process any ballots the preceding Saturday or Sunday.]~~

Section 18. Section **20A-3a-601** is amended to read:

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

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

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

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

~~[(i) is otherwise legally entitled to vote the ballot; and]~~

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

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

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

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

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

(b) For a municipal election, the municipal clerk may reduce the early voting period

described in this section if:

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

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

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

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

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

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

(b) for all other elections:

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

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

Section 19. Section **20A-3a-807** is amended to read:

**20A-3a-807 . Notification of ballot processes.**

(1) As used in this section, "ballot process" includes:

- (a) signature verification;
- (b) opening ballots;
- (c) scanning ballots;
- (d) adjudicating ballots;
- (e) replicating damaged or defective ballots; or
- (f) tabulating votes.

- 1017 (2) A county clerk shall:
- 1018 (a) beginning at least three days before the day on which the county clerk begins mailing
- 1019 ballots for an election, and ending on the first day of the canvass, post on the county
- 1020 clerk's website a schedule of the hours, over the next three days, during which the
- 1021 county clerk plans to conduct one or more ballot processes; and
- 1022 (b) update any changes to the schedule at least 24 hours before the clerk modifies the
- 1023 hours.

1024 (3) Subsection (2) does not prohibit a county clerk from continuing a ballot process after

1025 the hours posted, if:

- 1026 (a) the county clerk begins the ballot process during the scheduled time; and
- 1027 (b) at the end of the scheduled time, the county clerk continues the ballot process,
- 1028 without a disruption of longer than 15 minutes.

1029 Section 20. Section **20A-4-104** is amended to read:

1030 **20A-4-104 . Counting ballots electronically -- Notice of testing tabulating**

1031 **equipment.**

- 1032 (1)(a) Before beginning to count ballots using automatic tabulating equipment, the
- 1033 election officer shall test the automatic tabulating equipment to ensure that it will
- 1034 accurately count the votes cast for all offices and all measures.
- 1035 (b) The election officer shall provide public notice of the time and place of the test by
- 1036 publishing the notice, as a class A notice under Section 63G-30-102, for the county,
- 1037 municipality, or jurisdiction where the equipment is used, for at least 10 days before
- 1038 the day of the test.
- 1039 (c) The election officer shall conduct the test by processing a preaudited group of ballots.
- 1040 (d) The election officer shall ensure that:
- 1041 (i) a predetermined number of valid votes for each candidate and measure are
- 1042 recorded on the ballots;
- 1043 (ii) for each office, one or more ballots have votes in excess of the number allowed
- 1044 by law in order to test the ability of the automatic tabulating equipment to reject
- 1045 those votes; and
- 1046 (iii) a different number of valid votes are assigned to each candidate for an office, and
- 1047 for and against each measure.
- 1048 (e) If any error is detected, the election officer shall determine the cause of the error and
- 1049 correct it.
- 1050 (f) The election officer shall ensure that:

- 1051 (i) the automatic tabulating equipment produces an errorless count before beginning  
1052 the actual counting; and
- 1053 (ii) before the election returns are approved as official , the automatic [~~tabulating~~]  
1054 tabulating equipment passes a post election audit conducted in accordance with  
1055 the rules described in Subsection 20A-1-108(1).
- 1056 (2)(a) The election officer or the election officer's designee shall supervise and direct all  
1057 proceedings at the counting center.
- 1058 (b)(i) Proceedings at the counting center are public and may be observed by  
1059 interested persons.
- 1060 (ii) Only those persons authorized to participate in the count may touch any ballot or  
1061 return.
- 1062 (c) The election officer shall deputize and administer an oath or affirmation to all  
1063 persons who are engaged in processing and counting the ballots that they will  
1064 faithfully perform their assigned duties.
- 1065 (3)(a) If any ballot is damaged or defective so that it cannot properly be counted by the  
1066 automatic tabulating equipment, the election officer shall ensure that two counting  
1067 judges jointly:
- 1068 (i) make a true replication of the ballot with an identifying serial number;  
1069 (ii) substitute the replicated ballot for the damaged or defective ballot;  
1070 (iii) label the replicated ballot "replicated"; and  
1071 (iv) record the replicated ballot's serial number on the damaged or defective ballot.
- 1072 (b) The lieutenant governor shall provide to each election officer a standard form on  
1073 which the election officer shall maintain a log of all replicated ballots, that includes,  
1074 for each ballot:
- 1075 (i) the serial number described in Subsection (3)(a);  
1076 (ii) the identification of the individuals who replicated the ballot;  
1077 (iii) the reason for the replication; and  
1078 (iv) any other information required by the lieutenant governor.
- 1079 (c) An election officer shall:
- 1080 (i) maintain the log described in Subsection (3)(b) in a complete and legible manner,  
1081 as ballots are replicated;
- 1082 (ii) at the end of each day during which one or more ballots are replicated, make an  
1083 electronic copy of the log; and
- 1084 (iii) keep each electronic copy made under Subsection (3)(c)(ii) for at least 22 months.



- 1085   ~~[(4) The election officer may:]~~  
1086       ~~[(a) conduct an unofficial count before conducting the official count in order to provide~~  
1087           ~~early unofficial returns to the public;]~~  
1088       ~~[(b) release unofficial returns from time to time after the polls close; and]~~  
1089       ~~[(c) report the progress of the count for each candidate during the actual counting of~~  
1090           ~~ballots.]~~  
1091   ~~[(5) Beginning on the day after the date of the election, if an election officer releases early~~  
1092       ~~unofficial returns or reports the progress of the count for each candidate under~~  
1093       ~~Subsection (4), the election officer shall, with each release or report, disclose an estimate~~  
1094       ~~of the total number of voted ballots in the election officer's custody that have not yet~~  
1095       ~~been counted.]~~  
1096   ~~[(6)]~~ (4) The election officer shall review and evaluate the provisional ballot envelopes and  
1097       prepare any valid provisional ballots for counting as provided in Section 20A-4-107.  
1098   ~~[(7)]~~ (5)(a) The election officer or the election officer's designee shall:  
1099           (i) separate, count, and tabulate any ballots containing valid write-in votes; and  
1100           (ii) complete the standard form provided by the clerk for recording valid write-in  
1101               votes.  
1102       (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast  
1103           more votes for an office than that voter is entitled to vote for that office, the poll  
1104           workers shall count the valid write-in vote as being the obvious intent of the voter.  
1105   ~~[(8)]~~ (6)(a) The election officer shall certify the return printed by the automatic tabulating  
1106       equipment, to which have been added write-in and absentee votes, as the official  
1107       return of each voting precinct.  
1108       (b) Upon completion of the count, the election officer shall make official returns open to  
1109       the public.  
1110   ~~[(9)]~~ (7) If for any reason it becomes impracticable to count all or a part of the ballots with  
1111       tabulating equipment, the election officer may direct that they be counted manually  
1112       according to the procedures and requirements of this part.  
1113   ~~[(10)]~~ (8) After the count is completed, the election officer shall seal and retain the  
1114       programs, test materials, and ballots as provided in Section 20A-4-202.  
1115       Section 21. Section **20A-4-104.5** is enacted to read:  
1116       **20A-4-104.5 . Deadlines for tabulating ballots and disclosing tabulations --**  
1117       **Reporting unofficial results.**  
1118       (1) Except as provided in Subsection (4), an election officer shall, before 11:30 p.m. on

- 1119 election day, complete the tabulation of the following ballots:
- 1120 (a) all ballots cast in person during early voting;
- 1121 (b) all ballots cast in person on election day;
- 1122 (c) all ballots received by mail before election day;
- 1123 (d) all ballots deposited in a ballot drop box before election day; and
- 1124 (e) all provisional ballots that the election officer determines, before the polls close on
- 1125 election day, can legally be counted.
- 1126 (2) Except as provided in Subsection (4), an election officer shall, before 11:30 p.m. on the
- 1127 day after election day, complete the tabulation of the following ballots:
- 1128 (a) all ballots received by mail on election day;
- 1129 (b) all ballots deposited in a ballot drop box on election day;
- 1130 (c) all provisional ballots that the election officer determines, before 8 p.m. on the day
- 1131 after election day, can legally be counted; and
- 1132 (d) all other ballots counted that were not included in the tabulation described in
- 1133 Subsection (1).
- 1134 (3) The election officer:
- 1135 (a) shall publicly release the tabulation results described in Subsection (1) between
- 1136 11:30 p.m. and midnight on election day;
- 1137 (b) shall publicly release the sum of the tabulation results described in Subsection (2),
- 1138 and all other ballots tabulated before the tabulation described in Subsection (2),
- 1139 between 11:30 p.m. and midnight on the day after election day;
- 1140 (c) shall release updated tabulation results on each day after the day described in
- 1141 Subsection (3)(b) that the election officer counts additional ballots; and
- 1142 (d) may release updated tabulation results more often than the times required under
- 1143 Subsections (3)(a) through (c).
- 1144 (4) An election officer is not required to include in a tabulation described in Subsection (1)
- 1145 or (2):
- 1146 (a) a ballot received by mail, or placed in a ballot drop box, that is rejected and has not
- 1147 yet been resolved; or
- 1148 (b) a provisional ballot that the election officer has not yet determined can legally be
- 1149 counted.
- 1150 (5) Beginning on the day after election day, the election officer shall, with each release
- 1151 described in Subsections (3)(b) through (d), disclose an estimate of the total number of
- 1152 voted ballots in the election officer's custody that have not yet been counted.

- (6) No later than noon on the Monday after the day of the election, an election officer shall release unofficial election results for each race or other matter voted on at the election, except for a race or other matter that is too close to call.

Section 22. Section **20A-4-107** is amended to read:

**20A-4-107 . Review and disposition of provisional ballot envelopes.**

- (1) As used in this section, an individual is "legally entitled to vote" if:

(a) the individual:

(i) is registered to vote in the state;

(ii) votes the ballot for the voting precinct in which the individual resides; and

(iii) provides valid voter identification to the poll worker;

(b) the individual:

(i) is registered to vote in the state;

(ii)(A) provided valid voter identification to the poll worker; or

(B) either failed to provide valid voter identification or the documents provided as valid voter identification were inadequate and the poll worker recorded that fact in the official register but the county clerk verifies the individual's identity and residence through some other means; and

(iii) did not vote in the individual's precinct of residence, but the ballot that the individual voted was from the individual's county of residence and includes one or more candidates or ballot propositions on the ballot voted in the individual's precinct of residence; or

(c) the individual:

(i) is registered to vote in the state;

(ii) either failed to provide valid voter identification or the documents provided as valid voter identification were inadequate and the poll worker recorded that fact in the official register; and

(iii)(A) the county clerk verifies the individual's identity and residence through some other means as reliable as photo identification; or

(B) the individual provides valid voter identification to the county clerk or an election officer who is administering the election by the close of normal office hours on Monday after the date of the election.

- (2)(a) Upon receipt of a provisional ballot form, the election officer shall review the affirmation on the provisional ballot form and determine if the individual signing the affirmation is:

- 1187 (i) registered to vote in this state; and  
1188 (ii) legally entitled to vote:  
1189 (A) the ballot that the individual voted; or  
1190 (B) if the ballot is from the individual's county of residence, for at least one ballot  
1191 proposition or candidate on the ballot that the individual voted.
- 1192 (b) Except as provided in Section 20A-2-207, if the election officer determines that the  
1193 individual is not registered to vote in this state or is not legally entitled to vote in the  
1194 county or for any of the ballot propositions or candidates on the ballot that the  
1195 individual voted, the election officer shall retain the ballot form, uncounted, for the  
1196 period specified in Section 20A-4-202 unless ordered by a court to produce or count  
1197 it.
- 1198 (c) If the election officer determines that the individual is registered to vote in this state  
1199 and is legally entitled to vote in the county and for at least one of the ballot  
1200 propositions or candidates on the ballot that the individual voted, the election officer  
1201 shall place the provisional ballot with the regular ballots to be counted with those  
1202 ballots at the canvass.
- 1203 (d) The election officer may not count, or allow to be counted a provisional ballot unless  
1204 the individual's identity and residence is established by a preponderance of the  
1205 evidence.
- 1206 (3) If the election officer determines that the individual is registered to vote in this state, or  
1207 if the voter registers to vote in accordance with Section 20A-2-207, the election officer  
1208 shall ensure that the voter registration records are updated to reflect the information  
1209 provided on the provisional ballot form.
- 1210 ~~[(4) Except as provided in Section 20A-2-207, if the election officer determines that the~~  
1211 ~~individual is not registered to vote in this state and the information on the provisional~~  
1212 ~~ballot form is complete, the election officer shall:]~~
- 1213 ~~[(a) consider the provisional ballot form a voter registration form for the individual's~~  
1214 ~~county of residence; and]~~
- 1215 ~~[(b)(i) register the individual if the individual's county of residence is within the~~  
1216 ~~county; or]~~
- 1217 ~~[(ii) forward the voter registration form to the election officer of the individual's~~  
1218 ~~county of residence, which election officer shall register the individual.]~~
- 1219 ~~[(5)]~~ (4) Notwithstanding any provision of this section, the election officer shall place a  
1220 provisional ballot with the regular ballots to be counted with those ballots at the canvass,

1221 if:

- 1222 (a)~~[(i)]~~ the election officer determines, in accordance with the provisions of this  
 1223 section, that the sole reason a provisional ballot may not otherwise be counted is  
 1224 because the voter registration was filed less than ~~[11]~~ 29 days before the election;  
 1225 ~~[(ii)]~~ (b) ~~[11]~~ 29 or more days before the election, the individual who cast the provisional  
 1226 ballot:  
 1227 ~~[(A)]~~ (i) completed and signed the voter registration; and  
 1228 ~~[(B)]~~ (ii) provided the voter registration to another person to file;  
 1229 ~~[(iii)]~~ (c) the late filing was made due to the individual described in Subsection [  
 1230 ~~(5)(a)(ii)(B)]~~ (4)(b)(ii) filing the voter registration late; and  
 1231 ~~[(iv)]~~ (d) the election officer receives the voter registration before 5 p.m. no later than  
 1232 one day before the day of the election~~[: or] .~~  
 1233 ~~[(b) the provisional ballot is cast on or before election day and is not otherwise~~  
 1234 ~~prohibited from being counted under the provisions of this chapter.]~~

1235 Section 23. Section **20A-4-109** is amended to read:

1236 **20A-4-109 . Ballot reconciliation -- Rulemaking authority.**

- 1237 (1) In accordance with this section and rules made under Subsection (2), an election officer  
 1238 whose office processes ballots shall:  
 1239 (a) conduct ballot reconciliations~~[-every time-]~~ :  
 1240 (i) at the end of each day on which ballots are tabulated; or  
 1241 (ii) if ballot tabulation of a grouping of ballots continues past midnight, as soon as the  
 1242 office finishes tabulating those ballots;  
 1243 (b) conduct a final ballot reconciliation when an election officer concludes processing all  
 1244 ballots;  
 1245 (c) document each ballot reconciliation;  
 1246 (d) publicly release the results of each ballot reconciliation; and  
 1247 (e) in conducting ballot reconciliations:  
 1248 (i) ensure that the sum of the number of uncounted verified ballots and the number of  
 1249 ballots tabulated is equal to the number of voters given credit for voting; or  
 1250 (ii) if the sum described in Subsection (1)(e)(i) is not equal to the number of voters  
 1251 given credit for voting, account for and explain the differences in the numbers.  
 1252 (2) The director of elections within the Office of the Lieutenant Governor may make rules,  
 1253 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 1254 establishing procedures and requirements for conducting, documenting, and publishing a

1255 ballot reconciliation.

1256 Section 24. Section **20A-5-403.5** is amended to read:

1257 **20A-5-403.5 . Ballot drop boxes -- Notice.**

1258 (1)(a) An election officer:

- 1259 (i) shall designate at least one ballot drop box in each municipality and reservation  
1260 located in the jurisdiction to which the election relates;
- 1261 (ii) may designate additional ballot drop boxes for the election officer's jurisdiction;
- 1262 (iii) shall clearly mark each ballot drop box as an official ballot drop box for the  
1263 election officer's jurisdiction;
- 1264 (iv) shall provide 24-hour recorded video surveillance, without audio, of each  
1265 unattended ballot drop box;
- 1266 (v) shall post a sign on or near each unattended ballot drop box indicating that the  
1267 ballot drop box is under 24-hour video surveillance; and
- 1268 (vi) shall ensure that a camera, a video, or a recording of a video described in  
1269 Subsection (1)(a)(iv) may only be accessed:
- 1270 (A) by the election officer;
- 1271 (B) by a custodian of the camera, video, or recording;
- 1272 (C) by the lieutenant governor;
- 1273 (D) by the legislative auditor general, when performing an audit; or
- 1274 (E) by, or pursuant to an order of, a court of competent jurisdiction.

1275 (b) An individual may not view a video, or a recording of a video, described in  
1276 Subsection (1)(a)(iv), unless the individual:

- 1277 (i) is an individual described in Subsection (1)(a)(vi); and
- 1278 (ii) views the video to the extent necessary to:
- 1279 (A) ensure compliance with Subsection (1)(a)(iv), (1)(a)(vi), or (1)(c); or
- 1280 (B) investigate a concern relating to ballots or the ballot box.

1281 (c) The election officer, or the custodian of the recording, shall keep a recording  
1282 described in Subsection (1)(a)(iv) until the later of:

- 1283 (i) the end of the calendar year in which the election was held; or
- 1284 (ii) if the election is contested, when the contest is resolved.

1285 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer shall, at  
1286 least 28 days before the date of the election, provide notice of the location of each ballot  
1287 drop box designated under Subsection (1), by publishing notice for the jurisdiction  
1288 holding the election, as a class A notice under Section 63G-30-102, for at least 28 days

- 1289 before the day of the election.
- 1290 (3) Instead of including the location of ballot drop boxes, a notice required under
- 1291 Subsection (2) may specify the following sources where a voter may view or obtain a
- 1292 copy of all ballot drop box locations:
- 1293 (a) the jurisdiction's website;
- 1294 (b) the physical address of the jurisdiction's offices; and
- 1295 (c) a mailing address and telephone number.
- 1296 (4) The election officer shall include in the notice described in Subsection (2):
- 1297 (a) the address of the Statewide Electronic Voter Information Website and, if available,
- 1298 the address of the election officer's website, with a statement indicating that the
- 1299 election officer will post on the website the location of each ballot drop box,
- 1300 including any changes to the location of a ballot drop box and the location of
- 1301 additional ballot drop boxes; and
- 1302 (b) a phone number that a voter may call to obtain information regarding the location of
- 1303 a ballot drop box.
- 1304 (5)(a) Except as provided in Section 20A-1-308, the election officer may, after the
- 1305 deadline described in Subsection (2):
- 1306 (i) if necessary, change the location of a ballot drop box; or
- 1307 (ii) if the election officer determines that the number of ballot drop boxes is
- 1308 insufficient due to the number of registered voters who are voting, designate
- 1309 additional ballot drop boxes.
- 1310 (b) Except as provided in Section 20A-1-308, if an election officer changes the location
- 1311 of a ballot box or designates an additional ballot drop box location, the election
- 1312 officer shall, as soon as is reasonably possible, give notice of the changed ballot drop
- 1313 box location or the additional ballot drop box location:
- 1314 (i) to the lieutenant governor, for posting on the Statewide Voter Information
- 1315 Website;
- 1316 (ii) by posting the information on the website of the election officer, if available; and
- 1317 (iii) by posting notice:
- 1318 (A) for a change in the location of a ballot drop box, at the new location and, if
- 1319 possible, the old location; and
- 1320 (B) for an additional ballot drop box location, at the additional ballot drop box
- 1321 location.
- 1322 (6) An election officer may, at any time, authorize two or more poll workers to remove a

1323 ballot drop box from a location, or to remove ballots from a ballot drop box for  
1324 processing.

1325 (7)(a) At least two poll workers must be present when a poll worker collects ballots from  
1326 a ballot drop box and delivers the ballots to the location where the ballots will be  
1327 opened and counted.

1328 (b) An election officer shall ensure that the chain of custody of ballots placed in a ballot  
1329 box are recorded and tracked from the time the ballots are removed from the ballot  
1330 box until the ballots are delivered to the location where the ballots will be opened and  
1331 counted.

1332 (8) A ballot drop box described in this section shall remain open to receive ballots on  
1333 election day until the later of:

1334 (a) 8 p.m.; or

1335 (b) when each voter in line at the ballot drop box at 8 p.m., with a sealed return envelope  
1336 in the voter's possession, has had an opportunity to place the return envelope in the  
1337 ballot drop box.

1338 Section 25. Section **20A-5-801** is repealed and reenacted to read:

1339 **20A-5-801 . Definitions.**

1340 As used in this part:

1341 (1) "Voting equipment" means equipment used to process ballots, including equipment used  
1342 for:

1343 (a) casting votes;

1344 (b) sorting, handling, or scanning ballots or return envelopes;

1345 (c) counting votes; or

1346 (d) tabulating election results.

1347 (2) "Voting system" means a system of compatible voting equipment and software that is  
1348 designed to work as a complete, unified system.

1349 Section 26. Section **20A-5-802** is amended to read:

1350 **20A-5-802 . Certification of voting equipment and software.**

1351 (1) For the voting equipment and software used in the jurisdiction over which an election  
1352 officer has authority, the election officer shall:

1353 (a) before each election, use logic and accuracy tests to ensure that the voting equipment [  
1354 ~~performs the voting equipment's~~]functions correctly and accurately;

1355 (b) develop and implement a procedure to protect the physical security of the voting  
1356 equipment and the security of the software; and



(c) ensure that the voting equipment and software is certified by the lieutenant governor under Subsection (2) as having met the requirements of this section.

(2)(a) Except as provided in Subsection (2)(b)(ii):

(i) the lieutenant governor shall ensure that all voting equipment and software used in the state is independently tested using security testing protocols and standards that:

(A) are generally accepted in the industry at the time the lieutenant governor

reviews the voting equipment and software for certification; and

(B) meet the requirements of Subsection (2)(a)(ii);

(ii) the testing protocols and standards described in Subsection (2)(a)(i) shall require that a voting system, and equipment and software in the voting system:

(A) is accurate and reliable;

(B) possesses established and maintained access controls;

(C) has not been fraudulently manipulated or tampered with;

(D) is able to identify fraudulent or erroneous changes to the voting equipment or

software; and

(E) protects the secrecy of a voter's ballot; and

(iii) [The] the lieutenant governor may comply with the requirements of Subsection (2)(a) by certifying voting equipment that has been certified by:

(A) the United States Election Assistance Commission; or

(B) a laboratory that has been accredited by the United States Election Assistance Commission to test voting equipment.

(b)(i) Voting equipment and software used in the state may include technology that allows for ranked-choice voting.

(ii) The lieutenant governor may, for voting equipment used for ranked-choice voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, certify voting equipment that has been successfully used within the United States or a territory of the United States for ranked-choice voting for a race for federal office.

Section 27. Section **20A-5-803** is amended to read:

**20A-5-803 . Statewide voting system -- Voting System Selection Committee.**

(1) Beginning on January 1, 2026, an election officer may not purchase voting equipment or software that is not part of the voting system selected by the lieutenant governor for use throughout the state via a request for proposals procedure conducted in accordance with this section and Title 63G, Chapter 6a, Utah Procurement Code.

- 1391 (2) An election officer is not required to purchase all equipment and software that is  
1392 available for use as part of the voting system selected by the lieutenant governor, but,  
1393 beginning on January 1, 2026, is prohibited from purchasing equipment or software that  
1394 is not part of the voting system selected by the lieutenant governor.
- 1395 ~~[(1)]~~ (3) ~~[Before selecting or purchasing a new voting equipment system, the-]~~ The lieutenant  
1396 governor shall[:]
- 1397 ~~[(a)]~~ appoint a Voting [Equipment] System Selection Committee[; and]  
1398 ~~[(b) ensure that the committee includes persons having]~~ consisting of individuals who  
1399 have knowledge and experience in:
- 1400 ~~[(i)]~~ (a) election procedures and administration;  
1401 ~~[(ii)]~~ (b) computer technology;  
1402 ~~[(iii)]~~ (c) data security;  
1403 ~~[(iv)]~~ (d) auditing; and  
1404 ~~[(v)]~~ (e) access for ~~[persons]~~ individuals with disabilities.
- 1405 ~~[(2)]~~ (4) A member may not receive compensation or benefits for the member's service, but  
1406 may receive per diem and travel expenses in accordance with:
- 1407 (a) Section 63A-3-106;  
1408 (b) Section 63A-3-107; and  
1409 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
1410 63A-3-107.
- 1411 ~~[(3)]~~ (5) The lieutenant governor shall select a chair from the committee membership.
- 1412 ~~[(4)]~~ (6) The lieutenant governor may fill any vacancies that occur on the committee.
- 1413 ~~[(5)]~~ (7) The Office of the Lieutenant Governor shall provide staffing for the committee.
- 1414 ~~[(6)]~~ (8) The Voting [Equipment] System Selection Committee shall assist the lieutenant  
1415 governor in:
- 1416 ~~[(a) evaluate new voting equipment systems proposed for purchase by the state; and]~~  
1417 ~~[(b) provide information and recommendations to assist the lieutenant governor with the~~  
1418 ~~purchase of new voting equipment systems.]~~
- 1419 (a) preparing, issuing, and administering a request for proposals; and  
1420 (b) selecting a single voting system to be used throughout the state.
- 1421 ~~[(7)]~~ (9) The lieutenant governor may designate individuals, including committee members,  
1422 to inspect and review proprietary software ~~[as part of an evaluation of new-]~~ and voting  
1423 equipment for voting systems under consideration[ for purchase].
- 1424 ~~[(8)]~~ (10) Before making ~~[any selection or purchase]~~ the selection described in this section,

1425 the lieutenant governor shall provide for a period of public review and comment on [new  
1426 voting equipment] voting systems under consideration[ for purchase by the state].

1427 (11) A voting system selected by the lieutenant governor under this section shall comply  
1428 with the requirements of Section 20A-5-804 in relation to voting equipment used to cast  
1429 a mechanical ballot.

1430 (12) The selection made under this section shall require the successful applicant to enter  
1431 into a contract:

1432 (a) regarding pricing and support for the voting system, and the voting equipment and  
1433 software that are part of the system; and

1434 (b) that is effective for a term of not less than five years, but not more than seven years,  
1435 as determined by the lieutenant governor.

1436 Section 28. Section **20A-5-804**, which is renumbered from Section 20A-5-302 is renumbered  
1437 and amended to read:

1438 **[20A-5-302] 20A-5-804 . Voting equipment for casting a mechanical ballot.**

1439 ~~[(1)(a) Any county or municipal legislative body or special district board may:]~~

1440 ~~[(i) adopt, experiment with, acquire by purchase, lease, or otherwise, or abandon any~~  
1441 ~~automated voting system that meets the requirements of this section; and]~~

1442 ~~[(ii) use that system in any election, in all or a part of the voting precincts within its~~  
1443 ~~boundaries, or in combination with manual ballots.]~~

1444 ~~[(b) Nothing in this title shall be construed to require the use of electronic voting devices~~  
1445 ~~in local special elections, municipal primary elections, or municipal general elections.]]~~

1446 ~~[(2)]~~ (1) [Each automated voting system] Voting equipment for casting a mechanical ballot  
1447 shall:

1448 (a) provide for voting in secrecy, except in the case of voters who have received  
1449 assistance as authorized by Section 20A-3a-208;

1450 (b) permit each voter at any election to:

1451 (i) vote for all ~~[persons]~~ individuals and offices for whom and for which that voter is  
1452 lawfully entitled to vote;

1453 (ii) vote for as many ~~[persons]~~ individuals for an office as that voter is entitled to vote;  
1454 and

1455 (iii) vote for or against any ballot proposition upon which that voter is entitled to vote;

1456 (c) permit each voter, at presidential elections, by one mark, to vote for the candidates of  
1457 that party for president, vice president, and for their presidential electors;

1458 (d) at elections other than primary elections, permit each voter to vote for the nominees

- 1459 of one or more parties and for independent candidates;
- 1460 (e) at primary elections:
- 1461 (i) permit each voter to vote for candidates of the political party of the voter's choice;
- 1462 and
- 1463 (ii) reject any votes cast for candidates of another party;
- 1464 (f) prevent the voter from voting for the same ~~[person]~~ individual more than once for the
- 1465 same office;
- 1466 (g) provide the opportunity for each voter to change the ballot and to correct any error
- 1467 before the voter casts the ballot in compliance with the Help America Vote Act of
- 1468 2002, Pub. L. No. 107-252;
- 1469 (h) include automatic tabulating equipment that rejects choices recorded on a voter's
- 1470 ballot if the number of the voter's recorded choices is greater than the number which
- 1471 the voter is entitled to vote for the office or on the measure;
- 1472 (i) be of durable construction, suitably designed so that ~~[it]~~ the voting equipment may be
- 1473 used safely, efficiently, and accurately in the conduct of elections and counting
- 1474 ballots;
- 1475 (j) when properly operated, record correctly and count accurately each vote cast;
- 1476 (k) ~~[for voting equipment certified after January 1, 2005, ]~~produce a permanent paper
- 1477 record that:
- 1478 (i) shall be available as an official record for any recount or election contest
- 1479 conducted with respect to an election where the voting equipment is used;
- 1480 (ii)(A) shall be available for the voter's inspection ~~[prior to the voter leaving]~~
- 1481 before the voter leaves the polling place; and
- 1482 (B) shall permit the voter to inspect the record of the voter's selections
- 1483 independently only if reasonably practicable commercial methods permitting
- 1484 independent inspection are available at the time of certification of the voting
- 1485 equipment by the lieutenant governor;
- 1486 (iii) shall include, at a minimum, human readable printing that shows a record of the
- 1487 voter's selections;
- 1488 (iv) may also include machine readable printing which may be the same as the human
- 1489 readable printing; and
- 1490 (v) allows a watcher to observe the election process to ensure the integrity of the
- 1491 election process; and
- 1492 (l) meet the requirements of Section 20A-5-802.

1493 [(3)] (2) For the purposes of a recount or an election contest, if the permanent paper record  
 1494 contains a conflict or inconsistency between the human readable printing and the  
 1495 machine readable printing, the human readable printing shall supercede the machine  
 1496 readable printing when determining the intent of the voter.

1497 [(4)] (3) Notwithstanding any other provisions of this section, the election officers shall  
 1498 ensure that the ballots to be counted by means of electronic or electromechanical devices  
 1499 are of a size, layout, texture, and printed in a type of ink or combination of inks that will  
 1500 be suitable for use in the counting devices in which they are intended to be placed.

1501 Section 29. Section **20A-6-105** is amended to read:

1502 **20A-6-105 . Provisional ballot envelopes.**

1503 (1) Each election officer shall ensure that provisional ballot envelopes are printed in  
 1504 substantially the following form:

1505 "AFFIRMATION

1506 Are you a citizen of the United States of America? Yes No

1507 Will you be 18 years old on or before election day? Yes No

1508 If you checked "no" in response to either of the two above questions, do not complete  
 1509 this form.

1510 Name of Voter \_\_\_\_\_

1511 First Middle Last

1512 Driver License or Identification Card Number \_\_\_\_\_

1513 State of Issuance of Driver License or Identification Card Number \_\_\_\_\_

1514 Date of Birth \_\_\_\_\_

1515 Street Address of Principal Place of Residence

1516 \_\_\_\_\_

1517 City County State Zip Code

1518 Telephone Number (optional) \_\_\_\_\_

1519 Email Address (optional) \_\_\_\_\_

1520 Last four digits of Social Security Number \_\_\_\_\_

1521 Last former address at which I was registered to vote (if known)

1522 \_\_\_\_\_

1523 City County State Zip Code

1524 Voting Precinct (if known) \_\_\_\_\_

1525 I, (please print your full name) \_\_\_\_\_ do solemnly swear or

1526 affirm:

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

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

Signed

Dated

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

#### [PRIVACY INFORMATION]

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

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

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

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

#### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

#### CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

---

Signature of Applicant

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

(2) The provisional ballot envelope shall include:

- (a) a unique number;
- (b) a detachable part that includes the unique number;
- (c) a telephone number, [internet] Internet address, or other indicator of a means, in accordance with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted; and
- (d) an insert containing written instructions on how a voter may sign up to receive ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5.

Section 30. Section **67-1a-2** is amended to read:

**67-1a-2 . Duties enumerated.**

(1) The lieutenant governor shall:

(a) perform duties delegated by the governor, including assignments to serve in any of the following capacities:

(i) as the head of any one department, if so qualified, with the advice and consent of the Senate, and, upon appointment at the pleasure of the governor and without additional compensation;

(ii) as the chairperson of any cabinet group organized by the governor or authorized by law for the purpose of advising the governor or coordinating intergovernmental or interdepartmental policies or programs;

(iii) as liaison between the governor and the state Legislature to coordinate and facilitate the governor's programs and budget requests;

(iv) as liaison between the governor and other officials of local, state, federal, and international governments or any other political entities to coordinate, facilitate, and protect the interests of the state;

(v) as personal advisor to the governor, including advice on policies, programs, administrative and personnel matters, and fiscal or budgetary matters; and

(vi) as chairperson or member of any temporary or permanent boards, councils, commissions, committees, task forces, or other group appointed by the governor;

(b) serve on all boards and commissions in lieu of the governor, whenever so designated by the governor;

(c) serve as the chief election officer of the state as required by Subsection (2);

(d) keep custody of the Great Seal of the State of Utah;

(e) keep a register of, and attest, the official acts of the governor;

(f) affix the Great Seal, with an attestation, to all official documents and instruments to which the official signature of the governor is required; and

(g) furnish a certified copy of all or any part of any law, record, or other instrument filed, deposited, or recorded in the office of the lieutenant governor to any person who requests it and pays the fee.

(2)(a) As the chief election officer, the lieutenant governor shall:

(i) exercise oversight, and general supervisory authority, over all elections;

(ii) exercise direct authority over the conduct of elections for federal, state, and multicounty officers and statewide or multicounty ballot propositions and any



- 1629 recounts involving those races;
- 1630 (iii) establish uniformity in the election ballot;
- 1631 (iv)(A) prepare election information for the public as required by law and as
- 1632 determined appropriate by the lieutenant governor; and
- 1633 (B) make the information described in Subsection (2)(a)(iv)(A) available to the
- 1634 public and to news media, on the Internet, and in other forms as required by
- 1635 law and as determined appropriate by the lieutenant governor;
- 1636 (v) receive and answer election questions and maintain an election file on opinions
- 1637 received from the attorney general;
- 1638 (vi) maintain a current list of registered political parties as defined in Section
- 1639 20A-8-101;
- 1640 (vii) maintain election returns and statistics;
- 1641 (viii) certify to the governor the names of individuals nominated to run for, or elected
- 1642 to, office;
- 1643 (ix) ensure that all voting equipment purchased by the state complies with the
- 1644 requirements of Sections [20A-5-302,]20A-5-802, [~~and~~]20A-5-803, and
- 1645 20A-5-804;
- 1646 (x) during a declared emergency, to the extent that the lieutenant governor determines
- 1647 it warranted, designate, as provided in Section 20A-1-308, a different method,
- 1648 time, or location relating to:
- 1649 (A) voting on election day;
- 1650 (B) early voting;
- 1651 (C) the transmittal or voting of an absentee ballot or military-overseas ballot;
- 1652 (D) the counting of an absentee ballot or military-overseas ballot; or
- 1653 (E) the canvassing of election returns; and
- 1654 (xi) exercise all other election authority, and perform other election duties, as
- 1655 provided in Title 20A, Election Code.
- 1656 (b) As chief election officer, the lieutenant governor:
- 1657 (i) shall oversee all elections, and functions relating to elections, in the state;
- 1658 (ii) shall, in accordance with Section 20A-1-105, take action to enforce compliance
- 1659 by an election officer with legal requirements relating to elections; and
- 1660 (iii) may not assume the responsibilities assigned to the county clerks, city recorders,
- 1661 town clerks, or other local election officials by Title 20A, Election Code.
- 1662 (3)(a) The lieutenant governor shall:

- 1663 (i) determine a new municipality's classification under Section 10-2-301 upon the  
1664 city's incorporation under Title 10, Chapter 2a, Part 2, Incorporation of a  
1665 Municipality, based on the municipality's population using the population estimate  
1666 from the Utah Population Committee; and
- 1667 (ii)(A) prepare a certificate indicating the class in which the new municipality  
1668 belongs based on the municipality's population; and  
1669 (B) within 10 days after preparing the certificate, deliver a copy of the certificate  
1670 to the municipality's legislative body.
- 1671 (b) The lieutenant governor shall:
- 1672 (i) determine the classification under Section 10-2-301 of a consolidated municipality  
1673 upon the consolidation of multiple municipalities under Title 10, Chapter 2, Part  
1674 6, Consolidation of Municipalities, using population information from:
- 1675 (A) each official census or census estimate of the United States Bureau of the  
1676 Census; or  
1677 (B) the population estimate from the Utah Population Committee, if the  
1678 population of a municipality is not available from the United States Bureau of  
1679 the Census; and
- 1680 (ii)(A) prepare a certificate indicating the class in which the consolidated  
1681 municipality belongs based on the municipality's population; and  
1682 (B) within 10 days after preparing the certificate, deliver a copy of the certificate  
1683 to the consolidated municipality's legislative body.
- 1684 (c) The lieutenant governor shall monitor the population of each municipality using  
1685 population information from:
- 1686 (i) each official census or census estimate of the United States Bureau of the Census;  
1687 or  
1688 (ii) the population estimate from the Utah Population Committee, if the population of  
1689 a municipality is not available from the United States Bureau of the Census.
- 1690 (d) If the applicable population figure under Subsection (3)(b) or (c) indicates that a  
1691 municipality's population has increased beyond the population for its current class,  
1692 the lieutenant governor shall:
- 1693 (i) prepare a certificate indicating the class in which the municipality belongs based  
1694 on the increased population figure; and  
1695 (ii) within 10 days after preparing the certificate, deliver a copy of the certificate to  
1696 the legislative body of the municipality whose class has changed.

1697 (e)(i) If the applicable population figure under Subsection (3)(b) or (c) indicates that  
1698 a municipality's population has decreased below the population for its current  
1699 class, the lieutenant governor shall send written notification of that fact to the  
1700 municipality's legislative body.

1701 (ii) Upon receipt of a petition under Subsection 10-2-302(2) from a municipality  
1702 whose population has decreased below the population for its current class, the  
1703 lieutenant governor shall:

1704 (A) prepare a certificate indicating the class in which the municipality belongs  
1705 based on the decreased population figure; and

1706 (B) within 10 days after preparing the certificate, deliver a copy of the certificate  
1707 to the legislative body of the municipality whose class has changed.

1708 **Section 31. Repealer.**

1709 This bill repeals:

1710 **Section 20A-2-207, Registration by provisional ballot.**

1711 **Section 32. Effective Date.**

1712 This bill takes effect on May 7, 2025.