

# HB0209S03 compared with HB0209

~~{Omitted text}~~ shows text that was in HB0209 but was omitted in HB0209S03

inserted text shows text that was not in HB0209 but was inserted into HB0209S03

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## Voting Amendments

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: A. Cory Maloy**

Senate Sponsor: Ronald M. Winterton

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### LONG TITLE

#### General Description:

This bill amends provisions relating to voting.

#### Highlighted Provisions:

This bill:

- defines terms;
- provides a process for an election officer to independently determine whether a registered voter is not a citizen of the United States;
- provides a process to challenge a determination described in the preceding paragraph;
- prohibits an individual from voting if an election officer independently determines that the voter is not a citizen of the United States and the individual does not successfully dispute the determination;
- creates a ~~{phased-in,}~~ bifurcated ballot system where, for an election held on or after November 1, 2026:
  - a voter chooses whether to provide documentary proof of United States citizenship when registering to vote or before voting; and
  -

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a voter who does not provide documentary proof of United States citizenship may only vote in races for federal office;

- modifies voter registration forms and requirements consistent with the bifurcated ballot system;
- establishes procedures for administration of the bifurcated ballot system;
- **establishes or modifies deadlines to cure a ballot or to provide proof of citizenship, as needed, for a rejected ballot or a provisional ballot;**
- modifies voter registration list requirements in relation to the bifurcated ballot system; and
- makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

#### AMENDS:

**20A-1-102** , as last amended by Laws of Utah 2025, First Special Session, Chapter 6

**20A-2-101.1** , as last amended by Laws of Utah 2025, Chapter 448

**20A-2-104** , as last amended by Laws of Utah 2025, Chapters 381, 448

**20A-2-108** , as last amended by Laws of Utah 2025, Chapter 381

**20A-2-204** , as last amended by Laws of Utah 2025, Chapters 381, 448

**20A-2-206** , as last amended by Laws of Utah 2025, Chapter 381

**20A-2-304** , as last amended by Laws of Utah 2025, Chapter 448

**20A-3a-202 , as last amended by Laws of Utah 2025, Chapters 381, 448**

**20A-3a-203 , as last amended by Laws of Utah 2025, Chapters 381, 448**

**20A-3a-401** , as last amended by Laws of Utah 2025, First Special Session, Chapter 6

**20A-4-107 , as last amended by Laws of Utah 2025, First Special Session, Chapter 6**

**20A-6-105** , as last amended by Laws of Utah 2025, Chapters 381, 448

**63G-2-301** , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

**63G-2-302** , as last amended by Laws of Utah 2025, Chapter 172

#### ENACTS:

**20A-2-508** , Utah Code Annotated 1953

**20A-3a-201.5** , Utah Code Annotated 1953

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

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

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

As used in this title:

- (1) "Active voter" means a registered voter who has not been classified as an inactive voter by the county clerk.
- (2) "Automatic tabulating equipment" means apparatus that automatically examines and counts votes recorded on ballots and tabulates the results.
- (3)
  - (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic storage medium, that records an individual voter's vote.
  - (b) "Ballot" does not include a record to tally multiple votes.
- (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on the ballot for their approval or rejection including:
  - (a) an opinion question specifically authorized by the Legislature;
  - (b) a constitutional amendment;
  - (c) an initiative;
  - (d) a referendum;
  - (e) a bond proposition;
  - (f) a judicial retention question;
  - (g) an incorporation of a city or town; or
  - (h) any other ballot question specifically authorized by the Legislature.
- (5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples or another means in at least three places across the top of the paper in the blank space reserved for securing the paper.
- (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to canvass election returns.
- (7) "Bond election" means an election held for the purpose of approving or rejecting the proposed issuance of bonds by a government entity.
- (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a holiday.

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- (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by the sender.
- (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday, a business day, or any other type of day.
- (11) "Canvass" means the review of election returns and the official declaration of election results by the board of canvassers.
- (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.
- (13) "Contracting election officer" means an election officer who enters into a contract or interlocal agreement with a provider election officer.
- (14) "Convention" means the political party convention at which party officers and delegates are selected.
- (15) "Counting center" means one or more locations selected by the election officer in charge of the election for the automatic counting of ballots.
- (16) "Counting judge" means a poll worker designated to count the ballots during election day.
- (17) "Counting room" means a suitable and convenient private place or room for use by the poll workers and counting judges to count ballots.
- (18) "County officers" means those county officers that are required by law to be elected.
- (19) "Date of the election" or "election day" or "day of the election":
- (a) means the day that is specified in the calendar year as the day on which the election occurs; and
- (b) does not include:
- (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
- (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- (20) "Documentary proof of United States citizenship" means:
- (a) a Utah driver license number that verifies United States citizenship;
- (b) a Utah state identification card number that verifies United States citizenship;
- (c) a legible copy of an individual's birth certificate that verifies United States citizenship;
- (d) a legible copy of the pages of an individual's United States passport that identifies the individual and the individual's passport number;
- (e) an alien registration number that verifies United States citizenship;
- (f) a legible copy of the voter's United States naturalization documents;
- (g) a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;

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(h) a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of birth; {or}

(i) verification of citizenship from the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security; or

(i){(j)} other documents or methods of proving United States citizenship that are established in accordance with the Immigration Reform and Control Act of 1986.

[~~(20)~~] (21) "Elected official" means:

(a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project;

(b) a person who is considered to be elected to a municipal office in accordance with Subsection 20A-1-206(1)(c)(ii); or

(c) a person who is considered to be elected to a special district office in accordance with Subsection 20A-1-206(3)(b)(ii).

[~~(21)~~] (22) "Election" means a regular general election, a municipal general election, a statewide special election, a local special election, a regular primary election, a municipal primary election, and a special district election.

[~~(22)~~] (23) "Election Assistance Commission" means the commission established by the Help America Vote Act of 2002, Pub. L. No. 107-252.

[~~(23)~~] (24) "Election cycle" means the period beginning on the first day on which individuals are eligible to file declarations of candidacy and ending when the canvass is completed.

[~~(24)~~] (25) "Election judge" means a poll worker that is assigned to:

(a) preside over other poll workers at a polling place;

(b) act as the presiding election judge; or

(c) serve as a canvassing judge, counting judge, or receiving judge.

[~~(25)~~] (26) "Election material" includes:

(a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);

(b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);

(c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);

(d) any chain of custody documentation described in Section 20A-3a-401.1, including:

(i) the count of ballots described in Subsection 20A-3a-401.1(3); and

(ii) the batch log described in Subsection 20A-3a-401.1(5);

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- 144 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 145 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 146 (g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);
- 148 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 149 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 150 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 151 (k) scanned copies of return envelopes;
- 152 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 153 (m) the materials used in the programming of the automatic tabulating equipment.
- 154 ~~[(26)]~~ (27) "Election officer" means:
- 155 (a) the lieutenant governor, for all statewide ballots and elections;
- 156 (b) the county clerk for:
- 157 (i) a county ballot and election; and
- 158 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5;
- 160 (c) the municipal clerk for:
- 161 (i) a municipal ballot and election; and
- 162 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5;
- 164 (d) the special district clerk or chief executive officer for:
- 165 (i) a special district ballot and election; and
- 166 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5; or
- 168 (e) the business administrator or superintendent of a school district for:
- 169 (i) a school district ballot and election; and
- 170 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5.
- 172 ~~[(27)]~~ (28) "Election official" means any election officer, election judge, or poll worker.
- 173 ~~[(28)]~~ (29) "Election results" means:
- 174 (a) for an election other than a bond election, the count of votes cast in the election and the election  
returns requested by the board of canvassers; or

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- 176 (b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all  
177 of the election returns that the board of canvassers may request.
- 178 [(29)] (30) "Election results database" means the following information generated by voting equipment:
- 180 (a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an  
181 election;
- 182 (b) a ballot image; and
- 183 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 184 [(30)] (31) "Election returns" means:
- 185 (a) the pollbook;
- 186 (b) the military and overseas absentee voter registration and voting certificates;
- 187 (c) one of the tally sheets;
- 188 (d) any unprocessed ballots;
- 189 (e) all counted ballots;
- 190 (f) all excess ballots;
- 191 (g) all unused ballots;
- 192 (h) all spoiled ballots;
- 193 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 194 (j) the final election results database described in Section 20A-5-802.5;
- 195 (k) all return envelopes;
- 196 (l) any provisional ballot envelopes; and
- 197 (m) the total votes cast form.
- 198 [(31)] (32) "Electronic signature" means an electronic sound, symbol, or process attached to or logically  
associated with a record and executed or adopted by a person with the intent to sign the record.
- 201 (33) "Federal ballot" means a ballot that includes only the federal races that are to be presented for a  
vote in a particular election.
- 203 [(32)] (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 204 [(33)] (35) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under  
Subsection 20A-2-505(4)(c)(i) or (ii).
- 206 [(34)] (36) "Judicial office" means the office filled by any judicial officer.
- 207 [(35)] (37) "Judicial officer" means any justice or judge of a court of record or any county court judge.
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[~~(36)~~] (38) "Local election" means a regular county election, a regular municipal election, a municipal primary election, a local special election, a special district election, and a bond election.

[~~(37)~~] (39) "Local political subdivision" means a county, a municipality, a special district, or a local school district.

[~~(38)~~] (40) "Local special election" means a special election called by the governing body of a local political subdivision in which all registered voters of the local political subdivision may vote.

[~~(39)~~] (41) "Manual ballot" means a paper document produced by an election officer on which an individual records an individual's vote by directly placing a mark on the paper document using a pen or other marking instrument.

[~~(40)~~] (42) "Mechanical ballot" means a record, including a paper record, electronic record, or mechanical record, that:

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

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

[~~(41)~~] (43) "Municipal executive" means:

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

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

[~~(42)~~] (44) "Municipal general election" means the election held in municipalities and, as applicable, special districts on the first Tuesday after the first Monday in November of each odd-numbered year for the purposes established in Section 20A-1-202.

[~~(43)~~] (45) "Municipal legislative body" means the council of the city or town in any form of municipal government.

[~~(44)~~] (46) "Municipal office" means an elective office in a municipality.

[~~(45)~~] (47) "Municipal officers" means those municipal officers that are required by law to be elected.

[~~(46)~~] (48) "Municipal primary election" means an election held to nominate candidates for municipal office.

[~~(47)~~] (49) "Municipality" means a city or town.

[~~(48)~~] (50) "Official ballot" means the ballots distributed by the election officer for voters to record their votes.

[~~(49)~~] (51) "Official endorsement" means the information on the ballot that identifies:

(a) the ballot as an official ballot;



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- 245 (b) the date of the election; and
- 246 (c)
- (i) for a ballot prepared by an election officer other than a county clerk, the facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
- 248 (ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-301(1)(b)(iii).
- 250 ~~[(50)]~~ (52) "Official register" means the official record furnished to election officials by the election officer that contains the information required by Section 20A-5-401.
- 252 ~~[(51)]~~ (53) "Political party" means an organization of registered voters that has qualified to participate in an election by meeting the requirements of Chapter 8, Political Party Formation and Procedures.
- 255 ~~[(52)]~~ (54)
- (a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or counting votes.
- 257 (b) "Poll worker" includes election judges.
- 258 (c) "Poll worker" does not include a watcher.
- 259 ~~[(53)]~~ (55) "Pollbook" means a record of the names of voters in the order that the voters appear to cast votes.
- 261 ~~[(54)]~~ (56) "Polling place" means a building where voting is conducted.
- 262 ~~[(55)]~~ (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in which the voter marks the voter's choice.
- 264 ~~[(56)]~~ (58) "Presidential Primary Election" means the election established in Chapter 9, Part 8, Presidential Primary Election.
- 266 ~~[(57)]~~ (59) "Primary convention" means the political party conventions held during the year of the regular general election.
- 268 ~~[(58)]~~ (60) "Protective counter" means a separate counter, which cannot be reset, that:
- 269 (a) is built into a voting machine; and
- 270 (b) records the total number of movements of the operating lever.
- 271 ~~[(59)]~~ (61) "Provider election officer" means an election officer who enters into a contract or interlocal agreement with a contracting election officer to conduct an election for the contracting election officer's local political subdivision in accordance with Section 20A-5-400.1.
- 275 ~~[(60)]~~ (62) "Provisional ballot" means a ballot voted provisionally by a person:
- 276 (a) whose name is not listed on the official register at the polling place;

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- 277 (b) whose legal right to vote is challenged as provided in this title; or  
278 (c) whose identity was not sufficiently established by a poll worker.
- 279 ~~[(61)]~~ (63) "Provisional ballot envelope" means an envelope printed in the form required by Section  
20A-6-105 that is used to identify provisional ballots and to provide information to verify a person's  
legal right to vote.
- 282 ~~[(62)]~~ (64)
- (a) "Public figure" means an individual who, due to the individual being considered for, holding, or  
having held a position of prominence in a public or private capacity, or due to the individual's  
celebrity status, has an increased risk to the individual's safety.
- 286 (b) "Public figure" does not include an individual:  
287 (i) elected to public office; or  
288 (ii) appointed to fill a vacancy in an elected public office.
- 289 ~~[(63)]~~ (65) "Qualify" or "qualified" means to take the oath of office and begin performing the duties of  
the position for which the individual was elected.
- 291 ~~[(64)]~~ (66) "Receiving judge" means the poll worker that checks the voter's name in the official register  
at a polling place and provides the voter with a ballot.
- 293 ~~[(65)]~~ (67) "Registration form" means a form by which an individual may register to vote under this  
title.
- 295 ~~[(66)]~~ (68) "Regular ballot" means a ballot that is not a provisional ballot.
- 296 ~~[(67)]~~ (69) "Regular general election" means the election held throughout the state on the first Tuesday  
after the first Monday in November of each even-numbered year for the purposes established in  
Section 20A-1-201.
- 299 ~~[(68)]~~ (70) "Regular primary election" means the election, held on the date specified in Section  
20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan local school  
board positions to advance to the regular general election.
- 302 ~~[(69)]~~ (71) "Resident" means a person who resides within a specific voting precinct in Utah.
- 303 ~~[(70)]~~ (72) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4), provided to  
a voter with a manual ballot:
- 305 (a) into which the voter places the manual ballot after the voter has voted the manual ballot in order to  
preserve the secrecy of the voter's vote; and  
307 (b) that includes the voter affidavit and a place for the voter's signature.

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- 308     ~~[(71)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot, published as  
provided in Section 20A-5-405.
- 310     ~~[(72)]~~ (74) "Special district" means a local government entity under Title 17B, Limited Purpose Local  
Government Entities - Special Districts, and includes a special service district under Title 17D,  
Chapter 1, Special Service District Act.
- 313     ~~[(73)]~~ (75) "Special district officers" means those special district board members who are required by  
law to be elected.
- 315     ~~[(74)]~~ (76) "Special election" means an election held as authorized by Section 20A-1-203.
- 316     ~~[(75)]~~ (77) "Spoiled ballot" means each ballot that:
- 317     (a) is spoiled by the voter;
- 318     (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 319     (c) lacks the official endorsement.
- 320     (78) "Standard ballot" means a ballot that includes all races and ballot propositions that are to be  
presented for a vote in a particular election.
- 322     ~~[(76)]~~ (79) "Statewide special election" means a special election called by the governor or the  
Legislature in which all registered voters in Utah may vote.
- 324     ~~[(77)]~~ (80) "Tabulation system" means a device or system designed for the sole purpose of tabulating  
votes cast by voters at an election.
- 326     ~~[(78)]~~ (81) "Ticket" means a list of:
- 327     (a) political parties;
- 328     (b) candidates for an office; or
- 329     (c) ballot propositions.
- 330     ~~[(79)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the counting center.
- 332     ~~[(80)]~~ (83) "Vacancy" means:
- 333     (a) except as provided in Subsection ~~[(80)(b)]~~ (83)(b), the absence of an individual to serve in a  
position created by state constitution or state statute, whether that absence occurs because of death,  
disability, disqualification, resignation, or other cause; or
- 336     (b) in relation to a candidate for a position created by state constitution or state statute, the removal of a  
candidate due to the candidate's death, resignation, or disqualification.
- 339     ~~[(81)]~~ (84) "Valid voter identification" means:
- 340     (a) a form of identification that bears the name and photograph of the voter which may include:

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- 342 (i) a currently valid Utah driver license;  
343 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8, Identification Card Act;  
345 (iii) a currently valid identification card that is issued by:  
346 (A) the state; or  
347 (B) a branch, department, or agency of the United States;  
348 (iv) a currently valid Utah permit to carry a concealed weapon;  
349 (v) a currently valid United States passport; or  
350 (vi) a currently valid United States military identification card;  
351 (b) one of the following identification cards, regardless of whether the card includes a photograph of the  
voter:  
353 (i) a valid tribal identification card;  
354 (ii) a Bureau of Indian Affairs card; or  
355 (iii) a tribal treaty card; or  
356 (c) two forms of identification not listed under Subsection [~~(81)(a) or (b)~~] (84)(a) or (b) but that bear  
the name of the voter and provide evidence that the voter resides in the voting precinct, which may  
include:  
359 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more than 90 calendar  
days before the date of the election;  
361 (ii) before January 1, 2029, an original or copy of a bank or other financial account statement, dated no  
more than 90 calendar days before the date of the election;  
363 (iii) a certified birth certificate;  
364 (iv) a valid social security card;  
365 (v) an original or copy of a check issued by the state or the federal government, dated no more than 90  
calendar days before the date of the election;  
367 (vi) an original or copy of a paycheck from the voter's employer, dated no more than 90 calendar days  
before the date of the election;  
369 (vii) a currently valid Utah hunting or fishing license;  
370 (viii) certified naturalization documentation;  
371 (ix) a currently valid license issued by an authorized agency of the United States;  
372 (x) a certified copy of court records showing the voter's adoption or name change;  
373 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;

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374 (xii) a currently valid identification card issued by:  
375 (A) a local government within the state;  
376 (B) an employer for an employee; or  
377 (C) a college, university, technical school, or professional school located within the state; or  
379 (xiii) a current Utah vehicle registration.

380 ~~[(82)]~~ (85) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by  
following the procedures and requirements of this title.

382 ~~[(83)]~~ (86) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:  
384 (a) mailing the ballot to the location designated in the mailing; or  
385 (b) depositing the ballot in a ballot drop box designated by the election officer.

386 ~~[(84)]~~ (87) "Voter" means an individual who:  
387 (a) meets the requirements for voting in an election;  
388 (b) meets the requirements of election registration;  
389 (c) is registered to vote; and  
390 (d) is listed in the official register.

391 ~~[(85)]~~ (88) "Voter registration deadline" means the registration deadline provided in Section  
20A-2-102.5.

393 ~~[(86)]~~ (89) "Voting area" means the area within six feet of the voting booths, voting machines, and  
ballot box.

395 ~~[(87)]~~ (90) "Voting booth" means:  
396 (a) the space or compartment within a polling place that is provided for the preparation of ballots,  
including the voting enclosure or curtain; or  
398 (b) a voting device that is free standing.

399 ~~[(88)]~~ (91) "Voting device" means any device provided by an election officer for a voter to vote a  
mechanical ballot.

401 ~~[(89)]~~ (92) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5,  
Part 3, Duties of the County and Municipal Legislative Bodies.

403 ~~[(90)]~~ (93) "Watcher" means an individual who complies with the requirements described in Section  
20A-3a-801 to become a watcher for an election.

405 ~~[(91)]~~ (94) "Write-in ballot" means a ballot containing any write-in votes.  
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[~~(92)~~] (95) "Write-in vote" means a vote cast for an individual, whose name is not printed on the ballot, in accordance with the procedures established in this title.

Section 2. Section **20A-2-101.1** is amended to read:

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

(1) ~~[An]~~ Subject to Section 20A-3a-201.5, 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 calendar 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) subject to Section 20A-3a-201.5, 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:

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(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 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]~~ old 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-2-104** is amended to read:

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

(1) As used in this section:

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

(i) who files a declaration of candidacy for a public office;

(ii) who files a notice of intent to gather signatures under Section 20A-9-408; or

(iii) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i) or (ii) for political campaign purposes.

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- 470 (b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and the federal  
Violence Against Women Act of 1994, as amended.
- 472 (c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the federal  
Violence Against Women Act of 1994, as amended.
- 474 (d) "Hash Code" means a code generated by applying an algorithm to a set of data to produce a code  
that:
- 476 (i) uniquely represents the set of data;
- 477 (ii) is always the same if the same algorithm is applied to the same set of data; and
- 478 (iii) cannot be reversed to reveal the data applied to the algorithm.
- 479 (e) "Protected individual" means an individual:
- 480 (i) who submits a withholding request form with the individual's voter registration record, or to the  
lieutenant governor or a county clerk, if the individual indicates on the form that the individual, or  
an individual who resides with the individual, is a victim of domestic violence or dating violence or  
is likely to be a victim of domestic violence or dating violence;
- 485 (ii) who submits a withholding request form with the individual's voter registration record, or to  
the lieutenant governor or a county clerk, if the individual indicates on the form and provides  
verification that the individual, or an individual who resides with the individual, is a law  
enforcement officer, a member of the armed forces as defined in Section 20A-1-513, a public figure,  
or protected by a protective order or protection order; or
- 491 (iii) whose voter registration record was classified as a private record at the request of the individual  
before May 12, 2020.
- 493 (2)
- (a) An individual applying for voter registration, or an individual preregistering to vote, shall complete  
a voter registration form in substantially the following form:

495 -----

496 UTAH ELECTION REGISTRATION FORM

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

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

499 Will you be 18 years [~~of age~~] old on or before election day? Yes No

500 If you checked "no" to the above question, are you 16 or 17 years [~~of age~~] old and  
preregistering to vote? Yes No



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

Are you registering to vote in races for federal office only? Yes No

You must be a United States citizen to vote. If you {~~desire~~} ~~fail~~ to {~~vote for a race for an office other than federal office~~} ~~provide proof of United States citizenship.~~ {~~or if~~} you {~~desire~~} ~~will only be permitted~~ to vote for {~~a ballot proposition, you are required~~} ~~federal offices. Information on how to provide {one} proof of {the following as proof that you are a citizen of the United States:}~~ citizenship is included on the back of this form.

•} a Utah driver license number that verifies United States citizenship;

•} a Utah state identification card number that verifies United States citizenship;

•} a legible copy of your birth certificate that verifies United States citizenship;

•} a legible copy of the pages of a United States passport that identifies you and your passport number;

•} an alien registration number that verifies United States citizenship;

•} a legible copy of your United States naturalization documents;

•} a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;

•} a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of birth; or

•} other documents or methods of proving United States citizenship that are established in accordance with the Immigration Reform and Control Act of 1986.

Name of Voter

First

Middle

Last

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

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

Street Address of Principal Place of Residence

City

County

State

Zip Code

Tribal Identification Number or Alien Registration Number (optional)

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

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

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

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

\_\_\_\_\_  
City County State Zip Code

Political Party

(a listing of each registered political party, as defined in Section 20A-8-101 and maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)

☐ Unaffiliated (no political party preference) ☐ Other (Please specify)\_\_\_\_\_

I do swear (or affirm), 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 the state of Utah, residing at the above address. Unless I have indicated above that I am preregistering to vote in a later election, I will be at least 18 years of age and will have resided in Utah for 30 calendar days immediately before the next election. I am not a convicted felon currently incarcerated for commission of a felony.

Signed and sworn

\_\_\_\_\_  
Voter's Signature

\_\_\_\_\_(month/day/year).

### PRIVACY INFORMATION

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

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

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

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\_\_\_\_\_ 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

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

NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID VOTER IDENTIFICATION TO THE POLL WORKER, IN ACCORDANCE WITH THE REQUIREMENTS OF LAW.

FOR OFFICIAL USE ONLY

Type of I.D. \_\_\_\_\_

Voting Precinct \_\_\_\_\_

Voting I.D. Number \_\_\_\_\_

(b) The voter registration form described in Subsection (2)(a) shall include:

(i) a section in substantially the following form:

"-----"

### BALLOT NOTIFICATIONS

Do you consent to receive communications about the status of your ballot and other official communications, by text, at the phone number you provided above?      Yes      No

-----";

and

(ii) no later than November 5, 2025, the following, immediately after the question described in Subsection (2)(b)(i):

"Indicate below how you want to vote in upcoming elections:

\_\_\_\_\_ Mail a ballot to me.

\_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

(c)

(i) Except as provided under Subsection (2)(c)(ii), the county clerk shall retain a copy of each voter registration form in a permanent countywide alphabetical file, which may be electronic or some other recognized system.

(ii) The county clerk may transfer a superseded voter registration form to the Division of Archives and Records Service created under Section 63A-12-101.

(d) The back of the voter registration form shall include the following statement:

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"Proof of United States citizenship may be established by one of the following methods:

- a Utah driver license number that verifies United States citizenship;
- a Utah state identification card number that verifies United States citizenship;
- a legible copy of your birth certificate that verifies United States citizenship;
- a legible copy of the pages of a United States passport that identifies you and your passport number;
- an alien registration number that verifies United States citizenship;
- a legible copy of your United States naturalization documents;
- a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;
- a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of birth;
- verification of citizenship from the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security; or
- other documents or methods of proving United States citizenship that are established in accordance with the Immigration Reform and Control Act of 1986."

(3)

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

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

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

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

(4)

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

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

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

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

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

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

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- (vi) a candidate for public office, or an employee, independent contractor, or volunteer of a candidate for public office;
- 646 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a year of birth from the list of registered voters:
- 648 (A) provides the year of birth only to a person described in Subsections (4)(a)(i) through (vi);
- 650 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person described in Subsections (4)(a)(i) through (vi);
- 652 (C) ensures, using industry standard security measures, that the year of birth may not be accessed by a person other than a person described in Subsections (4)(a)(i) through (vi);
- 655 (D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to whom the person provides the year of birth will only use the year of birth to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;
- 659 (E) verifies that each person described in Subsection (4)(a)(i) to whom the person provides the year of birth will only use the year of birth in the person's capacity as a government official or government employee; and
- 662 (F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the person provides the year of birth will only use the year of birth for a political purpose of the political party or candidate for public office; or
- 665 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining information under Subsection (4)(n) and (o):
- 667 (A) provides the information only to another person described in Subsection (4)(a)(v) or (vi);
- 669 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a person described in Subsection (4)(a)(v) or (vi);
- 671 (C) ensures, using industry standard security measures, that the information may not be accessed by a person other than a person described in Subsection (4)(a)(v) or (vi); and
- 674 (D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the person provides the information will only use the information for a political purpose of the political party or candidate for public office.
- 677 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall, when providing the list of

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registered voters to a qualified person under this section, include, with the list, the years of birth of the registered voters, if:

- 681 (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a  
qualified person; and
- 683 (ii) the qualified person signs a document that includes the following:
  - 684 (A) the name, address, and telephone number of the person requesting the list of registered voters;
  - 686 (B) an indication of the type of qualified person that the person requesting the list claims to be;
  - 688 (C) a statement regarding the purpose for which the person desires to obtain the years of birth;
  - 690 (D) a list of the purposes for which the qualified person may use the year of birth of a registered voter  
that is obtained from the list of registered voters;
  - 692 (E) a statement that the year of birth of a registered voter that is obtained from the list of registered  
voters may not be provided or used for a purpose other than a purpose described under Subsection  
(4)(b)(ii)(D);
  - 695 (F) a statement that if the person obtains the year of birth of a registered voter from the list of registered  
voters under false pretenses, or provides or uses the year of birth of a registered voter that is  
obtained from the list of registered voters in a manner that is prohibited by law, is guilty of a class A  
misdemeanor and is subject to a civil fine;
  - 700 (G) an assertion from the person that the person will not provide or use the year of birth of a registered  
voter that is obtained from the list of registered voters in a manner that is prohibited by law; and
  - 703 (H) notice that if the person makes a false statement in the document, the person is punishable by law  
under Section 76-8-504.
- 705 (c) The lieutenant governor or a county clerk:
  - 706 (i) may not disclose the year of birth of a registered voter to a person that the lieutenant governor or  
county clerk reasonably believes:
    - 708 (A) is not a qualified person or a person described in Subsection (4)(l); or
    - 709 (B) will provide or use the year of birth in a manner prohibited by law; and
  - 710 (ii) may not disclose information under Subsections (4)(n) or (o) to a person that the lieutenant governor  
or county clerk reasonably believes:
    - 712 (A) is not a person described in Subsection (4)(a)(v) or (vi); or
    - 713 (B) will provide or use the information in a manner prohibited by law.
  - 714

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- (d) The lieutenant governor or a county clerk may not disclose the voter registration form of a person, or information included in the person's voter registration form, whose voter registration form is classified as private under Subsection (4)(h) to a person other than:
- 718 (i) a government official or government employee acting in the government official's or government  
employee's capacity as a government official or government employee; or
- 721 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for a political  
purpose.
- 723 (e)
- (i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or information under  
Subsection (4)(d)(ii), the lieutenant governor or county clerk shall exclude the information described  
in Subsection 63G-2-302(1)(j), other than the year of birth.
- 727 (ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the voter registration  
record of a protected individual, the lieutenant governor or county clerk shall comply with  
Subsections (4)(n) through (p).
- 730 (f) The lieutenant governor or a county clerk may not disclose a withholding request form, described  
in Subsections [~~(7) and~~](8) and (9), submitted by an individual, or information obtained from  
that form, to a person other than a government official or government employee acting in the  
government official's or government employee's capacity as a government official or government  
employee.
- 735 (g) A person is guilty of a class A misdemeanor if the person:
- 736 (i) obtains from the list of registered voters, under false pretenses, the year of birth of a registered voter  
or information described in Subsection (4)(n) or (o);
- 738 (ii) uses or provides the year of birth of a registered voter, or information described in Subsection (4)(n)  
or (o), that is obtained from the list of registered voters in a manner that is not permitted by law;
- 741 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under false pretenses;
- 743 (iv) uses or provides information obtained from a voter registration record described in Subsection  
63G-2-302(1)(k) in a manner that is not permitted by law;
- 745 (v) unlawfully discloses or obtains a voter registration record withheld under Subsection [~~(7)~~] (8) or a  
withholding request form described in [~~Subsections (7) and (8)~~] Subsection (9); or
- 748



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(vi) unlawfully discloses or obtains information from a voter registration record withheld under Subsection [(7)] (8) or a withholding request form described in [Subsections (7) and (8)] Subsection (9).

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

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

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

757 (iii) submits a withholding request form described in Subsection [(7)] (9) and any required verification.

759 (i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a voter registration record, or information obtained from a voter registration record, if the record is withheld under Subsection [(7)] (8).

763 (j) In addition to any criminal penalty that may be imposed under this section, the lieutenant governor may impose a civil fine against a person who violates a provision of this section, in an amount equal to the greater of:

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

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

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

771 (ii) \$200.

772 (k) A qualified person may not obtain, provide, or use the year of birth of a registered voter, if the year of birth is obtained from the list of registered voters or from a voter registration record, unless the person:

775 (i) is a government official or government employee who obtains, provides, or uses the year of birth in the government official's or government employee's capacity as a government official or government employee;

778 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or uses the year of birth only to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;

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- 782 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains, provides, or uses the year  
of birth for a political purpose of the political party or candidate for public office; or
- 785 (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or uses the year  
of birth to provide the year of birth to another qualified person to verify the accuracy of personal  
information submitted by an individual or to confirm the identity of a person in order to prevent  
fraud, waste, or abuse.
- 789 (l) The lieutenant governor or a county clerk may provide a year of birth to a member of the media,  
in relation to an individual designated by the member of the media, in order for the member of the  
media to verify the identity of the individual.
- 792 (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose information from a voter  
registration record for a purpose other than a political purpose.
- 795 (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall,  
when providing the list of registered voters to a qualified person described in Subsection (4)(a)(v)  
or (vi), include, from the record of a voter whose record is withheld under Subsection [(7)] (8), the  
information described in Subsection (4)(o), if:
- 800 (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a  
qualified person described in Subsection (4)(a)(v) or (vi); and
- 802 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document that includes the  
following:
- 804 (A) the name, address, and telephone number of the person requesting the list of registered voters;
- 806 (B) an indication of the type of qualified person that the person requesting the list claims to be;
- 808 (C) a statement regarding the purpose for which the person desires to obtain the information;
- 810 (D) a list of the purposes for which the qualified person may use the information;
- 811 (E) a statement that the information may not be provided or used for a purpose other than a purpose  
described under Subsection (4)(n)(ii)(D);
- 813 (F) a statement that if the person obtains the information under false pretenses, or provides or uses the  
information in a manner that is prohibited by law, the person is guilty of a class A misdemeanor and  
is subject to a civil fine;
- 816 (G) an assertion from the person that the person will not provide or use the information in a manner that  
is prohibited by law; and

818

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(H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.

(o) Except as provided in Subsection (4)(p), the information that the lieutenant governor or a county clerk is required to provide, under Subsection (4)(n), from the record of a protected individual is:

(i) a single hash code, generated from a string of data that includes both the voter's voter identification number and residential address;

(ii) the voter's residential address;

(iii) the voter's mailing address, if different from the voter's residential address;

(iv) the party affiliation of the voter;

(v) the precinct number for the voter's residential address;

(vi) the voter's voting history; and

(vii) a designation of which age group, of the following age groups, the voter falls within:

(A) 25 or younger;

(B) 26 through 35;

(C) 36 through 45;

(D) 46 through 55;

(E) 56 through 65;

(F) 66 through 75; or

(G) 76 or older.

(p) The lieutenant governor or a county clerk may not disclose:

(i) information described in Subsection (4)(o) that, due to a small number of voters affiliated with a particular political party, or due to another reason, would likely reveal the identity of a voter if disclosed; or

(ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the county clerk determines that the nature of the address would directly reveal sensitive information about the voter.

(q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain, provide, or use the information described in Subsection (4)(n) or (o), except to the extent that the qualified person uses the information for a political purpose of a political party or candidate for public office.

(5) When political parties not listed on the voter registration form qualify as registered political parties under Chapter 8, Political Party Formation and Procedures, the lieutenant governor shall inform the

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county clerks of the name of the new political party and direct the county clerks to ensure that the voter registration form is modified to include that political party.

855 (6) Upon receipt of a voter registration form from an applicant, the county clerk or the clerk's designee shall:

857 (a) review each voter registration form for completeness and accuracy; and

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

862 (7) An individual who registers to vote using a federal voter registration form is limited to voting a federal ballot, unless the individual provides documentary proof of United States citizenship.

865 [(7)] (8) The lieutenant governor or a county clerk shall withhold from a person, other than a person described in Subsection (4)(a)(i), the voter registration record, and information obtained from the voter registration record, of a protected individual.

868 [(8)] (9)

(a) The lieutenant governor shall design and distribute a withholding request form for the purpose described in Subsections (1)(e)(i), (1)(e)(ii), [(7)] (8), and this Subsection [(8)] (9) to each election officer and to each agency that provides a voter registration form.

872 (b) An individual described in Subsection (1)(e)(i) is not required to provide verification, other than the individual's attestation and signature on the withholding request form, that the individual, or an individual who resides with the individual, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence.

877 (c) The director of elections within the Office of the Lieutenant Governor shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for providing the verification described in Subsection (1)(e)(ii).

881 [(9)] (10) An election officer or an employee of an election officer may not encourage an individual to submit, or discourage an individual from submitting, a withholding request form.

884 [(10)] (11)

(a) The lieutenant governor shall make and execute a plan to provide notice to registered voters who are protected individuals, that includes the following information:

887 (i) that the voter's classification of the record as private remains in effect;

888

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(ii) that certain non-identifying information from the voter's voter registration record may, under certain circumstances, be released to political parties and candidates for public office;

(iii) that the voter's name, driver license or identification card number, social security number, email address, phone number, and the voter's day, month, and year of birth will remain private and will not be released to political parties or candidates for public office;

(iv) that a county clerk will only release the information to political parties and candidates in a manner that does not associate the information with a particular voter; and

(v) that a county clerk may, under certain circumstances, withhold other information that the county clerk determines would reveal identifying information about the voter.

(b) The lieutenant governor may include in the notice described in this Subsection ~~[(10)]~~ (11) a statement that a voter may obtain additional information on the lieutenant governor's website.

(c) The plan described in Subsection ~~[(10)(a)]~~ (11)(a) may include providing the notice described in Subsection ~~[(10)(a)]~~ (11)(a) by:

(i) publication on the Utah Public Notice Website, created in Section 63A-16-601;

(ii) publication on the lieutenant governor's website or a county's website;

(iii) posting the notice in public locations;

(iv) publication in a newspaper;

(v) sending notification to the voters by electronic means;

(vi) sending notice by other methods used by government entities to communicate with citizens; or

(vii) providing notice by any other method.

(d) The lieutenant governor shall provide the notice included in a plan described in this Subsection ~~[(10)]~~ (11) before June 16, 2023.

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

**20A-2-108. Driver license or state identification card registration form -- Transmittal of information.**

(1) As used in this section, "qualifying form" means:

(a) a driver license application form; or

(b) a state identification card application form.

(2) The lieutenant governor and the Driver License Division shall design each qualifying form to include:

(a)

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(i) the following question, which an applicant is required to answer: "Do you authorize the use of information in this form for voter registration purposes? YES\_\_\_\_ NO\_\_\_\_"; and

(ii) no later than November 5, 2025, the following:

"Indicate below how you want to vote in upcoming elections:

\_\_\_\_ Mail a ballot to me.

\_\_\_\_ Do not mail a ballot to me. I will vote in person.";

(b) the following statement:

### "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.

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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."; and

(c) a section in substantially the following form:

"-----

### BALLOT NOTIFICATIONS

Do you consent to receive communications about the status of your ballot and other official communications, by text, at the phone number you provided above?      Yes      No

-----".

(3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form contains:

(a) a place for an individual to affirm the individual's citizenship, voting eligibility, and Utah residency, and that the information provided in the form is true;

(b) a records disclosure that is similar to the records disclosure on a voter registration form described in Section 20A-2-104;

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

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

(e) if the applicant answers "yes" to the question described in Subsection [(2)(a)] (2)(a)(i), a space where an individual may, if desired:

(i) indicate the individual's desired political affiliation from a listing of each registered political party, as defined in Section 20A-8-101;

(ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires to affiliate; or

(iii) indicate that the individual does not wish to affiliate with a political party[-] ; {and}

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990 (f) the following statement:

1008 (g) on the back of the form, the statement described in Subsection 20A-2-104(2)(d).

1009 Section 5. Section **20A-2-204** is amended to read:

1010 **20A-2-204. Registering to vote when applying for or renewing a driver license or other**  
**qualifying form.**

1011 (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)(i), the information on the qualifying form that can be used for voter registration  
purposes.

1015 (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)(i) and completing the voter registration form.

1019 (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.

1022 (3) The Driver License Division shall:

1023 (a) assist an individual in completing the voter registration form unless the individual refuses assistance;

1025 (b) electronically transmit each address change to the lieutenant governor on or before the first business  
day that is at least five calendar days after the day on which the division receives the address  
change; and

1028 (c) on or before the first business day that is at least five calendar days after the day on which the  
division receives a voter registration form, electronically transmit the form to the [~~Office of the~~  
~~Lieutenant Governor~~] lieutenant governor, including the following for the individual named on the  
form:

1032 (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;

1035 (ii) a mailing address, if different from the individual's Utah residential address;

1036 (iii) an email address and phone number, if available;

1037 (iv) the desired political affiliation, if indicated;

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- (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]~~
- 1041 (vi) a withholding request form described in Subsections ~~[20A-2-104(7) and (8)]~~ 20A-2-104(8) and (9) and any verification submitted with the form~~[-]~~ ; and
- 1043 (vii) ~~{ a copy of any documentary }~~ an indication regarding whether the individual provided proof of United States citizenship ~~{ submitted by the individual }~~ .
- 1045 (4) Upon receipt of an individual's voter registration form from the Driver License Division under Subsection (3), the lieutenant governor shall:
- 1047 (a) enter the information into the statewide voter registration database;~~[-and]~~
- 1048 (b) ~~{ retain }~~ make a ~~{ copy }~~ record of the ~~{ documentary proof of United States citizenship submitted by the individual }~~ indication described in Subsection (3)(c)(vii) ; and
- 1050 ~~[(b)]~~ (c) 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)]~~ 20A-2-104(8) and (9) and any required verification, classify the individual's voter registration record as a private record.
- 1055 (5) The county clerk of an individual whose information is entered into the statewide voter registration database under Subsection (4) shall:
- 1057 (a) ensure that the individual meets the qualifications to be registered or preregistered to vote; and
- 1059 (b)
- 1060 (i) if the individual meets the qualifications to be registered to vote:
- 1061 (A) ensure that the individual is assigned to the proper voting precinct; and
- 1062 (B) send the individual the notice described in Section 20A-2-304;~~[-or]~~
- 1064 (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~~[-]~~ ; ~~{ and }~~
- 1066 (iii) determine whether the individual has provided documentary proof of United States citizenship~~{ : }~~ ; and
- 1066 ~~{ (6) }~~
- 1068 { (a) if the individual has not provided documentary proof or United States citizenship, notify the individual, in accordance with Subsection (8):
- 1069 (A) that the individual has not provided proof of United States citizenship;

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(B) that if the individual fails to provide proof of United States citizenship, the individual will only be permitted to vote for federal offices; and

1071 (C) of the methods by which the individual may provide documentary proof of United States  
citizenship.

1073 (6)

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

1068 (i) comply with the applicable provisions of this Subsection (6); or

1069 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.

1070 (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 calendar days before the date of an election, the county clerk shall:

1073 (i) accept the voter registration form;[-and]

1074 {~~(ii) {indicate in the voter registration record whether the voter is limited to voting in federal races only;}~~}

1081 (ii) comply with Subsection 20A-2-304(3);

1076 [~~(ii)~~] (iii) unless the individual is preregistering to vote, and subject to Section 20A-3a-201.5:

1078 (A) enter the individual's name on the list of registered voters for the voting precinct in which the individual resides; and

1080 (B) notify the individual that the individual is registered to vote in the upcoming election; and

1082 [~~(iii)~~] (iv) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.

1084 (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, and subject to Section 20A-3a-201.5:

1088 (i) accept the application for registration of the individual;

1089 (ii) process the voter registration form; and

1090 (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.

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- 1095 (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.
- 1102 (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.
- 1113 (8) A county clerk who provides notice under Subsection (5)(b)(iv) shall send the notice, in writing, to the individual:
- 1115 (a) by mail, at the most recent address the county clerk has for the individual; and
- 1116 (b)
- (i) by email, if the county clerk has an email address for the individual; or
- 1117 (ii) by text to a phone number, if the county clerk has a phone number for the individual and has received consent from the individual to send text messages to the phone number.
- 1120 Section 6. Section **20A-2-206** is amended to read:
- 1121 **20A-2-206. Electronic registration -- Requesting to receive a ballot by mail.**
- 1109 (1) The lieutenant governor shall create and maintain an electronic system that is publicly available on the [Internet] internet for an individual to:
- 1111 (a) apply for voter registration or preregistration; or
- 1112 (b) ~~[beginning no later than July 1, 2025,]~~request to receive a ballot by mail.
- 1113 (2) The electronic system described in Subsection (1) shall require, to register to vote, the applicant to:
- 1115 (a) enter the applicant's name, address, date of birth, driver license number or state identification card number, and any other information determined to be necessary by the lieutenant governor;
- 1118 (b) 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);
- 1120 (c) attest to the truth of the information provided; and
- 1121 (d) authorize the lieutenant governor's and county clerk's use of the applicant's:

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- 1122 (i) driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver  
License Act, for voter registration or preregistration purposes; or
- 1124 (ii) signature on file in the lieutenant governor's statewide voter registration database developed under  
Section 20A-2-502, for voter registration or preregistration purposes.
- 1127 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system described in  
Subsection (1) is not required to complete a printed registration form.
- 1129 (4) A system created and maintained under this section shall provide to an individual who is registering  
to vote the notices concerning a voter's presentation of identification described in Subsection  
20A-2-104(2).
- 1132 (5) The lieutenant governor shall, in relation to an individual who is registering to vote:
- 1133 (a) obtain a digital copy of the applicant's driver license signature or identification card signature from  
the Driver License Division; or
- 1135 (b) ensure that the applicant's signature is on file in the lieutenant governor's statewide voter registration  
database developed under Section 20A-2-502.
- 1137 (6) The lieutenant governor shall send the information described in Subsections (2) and (5) 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:
- 1140 (a) receiving all information from an applicant;[-and]
- 1141 (b)
- [+]{-}receiving all information from the Driver License Division, if applicable; and
- 1142 [+]{-}(c) ensuring that the applicant's signature is on file in the lieutenant governor's statewide voter  
registration database developed under Section 20A-2-502.
- 1144 (7) The lieutenant governor may use additional security measures to ensure the accuracy and integrity  
of information submitted electronically under this section.
- 1146 (8) If an individual applies to register under this section no later than 11 calendar days before the date of  
an election, the county clerk shall:
- 1148 (a) accept and process the voter registration form;
- 1149 (b) unless the individual named in the form is preregistering to vote, and subject to Section  
20A-3a-201.5:
- 1151 (i) enter the applicant's name on the list of registered voters for the voting precinct in which the  
applicant resides; and

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- 1153 (ii) notify the individual that the individual is registered to vote in the upcoming election; and  
1155 (c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.  
1157 (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:  
1159 (a) accept the application for registration; and  
1160 (b) except as provided in Subsection 20A-2-207(6), and subject to Section 20A-3a-201.5, if possible,  
promptly inform the individual that the individual will not be registered to vote in the pending  
election, unless the individual registers to vote by provisional ballot during the early voting period,  
if applicable, on election day, in accordance with Section 20A-2-207.  
1165 (10) The lieutenant governor shall provide a means by which a registered voter shall sign the  
application form.  
1167 (11) For an individual who is registering to vote or is already registered to vote, the electronic system  
described in Subsection (1) shall include the following:  
1169 "Indicate below how you want to vote in upcoming elections:  
1170 \_\_\_\_\_ Mail a ballot to me.  
1171 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."  
1185 (12) The lieutenant governor shall provide the ability for a registered voter to:  
1186 (a) determine whether, for an election held on or after November 1, 2026, the voter is eligible to vote a  
standard ballot or only a federal ballot; and  
1188 (b) view the options for providing documentary proof of United States citizenship in order to vote a  
standard ballot.  
1190 Section 7. Section **20A-2-304** is amended to read:  
1191 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**  
[Each] Subject to Section 20A-3a-201.5, a county clerk shall:  
1175 (1) register to vote each individual who meets the requirements for registration and who:  
1176 (a) submits a completed voter registration form to the county clerk;  
1177 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to the Driver License  
Division;  
1179 (c) submits a completed voter registration form to a public assistance agency or a discretionary voter  
registration agency; or  
1181 (d) mails a completed voter registration form to the county clerk;[-and]

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- 1182 (2) within 30 calendar days after the day on which the county clerk processes a voter registration form,  
1184 send a notice to the individual who submits the form that:
- 1184 (a)
- 1186 (i) informs the individual that the individual's voter registration form has been accepted and that the  
individual is registered to vote;
- 1188 (ii) informs the individual of the procedure for designating or changing the individual's political  
1189 affiliation;
- 1188 (iii) informs the individual of the procedure to cancel a voter registration;
- 1189 (iv) provides instructions to the voter on how the voter may sign up to receive electronic ballot status  
notifications via the ballot tracking system described in Section 20A-3a-401.5; and
- 1192 (v) confirms that the individual has chosen to receive electronic ballot status notifications if the  
individual opted to receive electronic ballot status notifications on the voter registration form;
- 1195 (b) informs the individual that the individual's voter registration form has been rejected and the reason  
for the rejection; or
- 1197 (c)
- 1199 (i) informs the individual that the individual's voter registration form is being returned to the individual  
for further action because the form is incomplete; and
- 1199 (ii) gives instructions to the individual on how to properly complete the form[-] ; and
- 1200 (3) for each voter registration record of an individual who is limited to voting in a federal race only{;  
indicate the limitation on the voter's voter registration record.} ;
- 1220 (a) before March 1, 2027, segregate the record in a manner that identifies the voter's voter registration  
record as belonging to an individual who is limited to voting in a federal race only; or
- 1223 (b) beginning on March 1, 2027, indicate the limitation on the voter's voter registration record.
- 1225 Section 8. Section 8 is enacted to read:
- 1226 **20A-2-508. Independent investigation of citizenship -- Identification of non-citizens --**  
**Opportunity to challenge -- Provisional ballot option-- Action taken when lack of documentary**  
**proof of citizenship discovered.**
- 1205 (1)
- (a) An election officer shall, to the extent that the review can be conducted in a uniform,  
nondiscriminatory manner, conduct a review of the voter registration records to independently  
determine whether an individual who is registered to vote is not a citizen of the United States.

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- 1209 (b) To conduct the review described in Subsection (1)(a), the election officer:
- 1210 (i) except as provided in Subsection (3), may not require an individual who registers to vote only in a  
federal race to provide documentary proof of United States citizenship; and
- 1213 (ii) shall use any tools lawfully available to the election officer, including:
- 1214 (A) the Systematic Alien Verification for Entitlements program, operated by the United States  
Department of Homeland Security;
- 1216 (B) information received from the federal courts under Subsection 20A-2-502(4); and
- 1218 (C) data collected by a state agency.
- 1219 (2) If, in accordance with Subsection (1), an election officer determines that an individual who is  
registered to vote is not a citizen of the United States, the election officer shall, in accordance with  
Subsection (7):
- 1221 (a) notify the individual{~~, in writing,~~} of the determination and the reason for the determination;
- 1223 (b) give the individual an opportunity to dispute the determination; and
- 1224 (c) if the individual fails to refute the determination within {~~a reasonable time-frame specified by~~} 30  
days after the day on which the election officer {~~in~~} sends the {~~notification~~} notice described in  
Subsection (2)(a), remove the individual from the list of registered voters.
- 1227 (3) Except as provided in Subsection (4), an individual described in Subsection (2) may not vote in  
an election unless, before voting, the individual provides documentary proof of United States  
citizenship to the election officer.
- 1230 (4) An individual described in Subsection (2) may cast a provisional ballot pending the resolution of a  
dispute under Subsection {~~(2)(c)~~} (2).
- 1232 (5) An election officer may not count a provisional ballot cast by an individual under Subsection (4)  
unless, {~~within 10 days after~~} before noon on the last business day before the day of the {~~election~~}  
applicable canvass, the individual provides documentary proof of citizenship to the election officer.
- 1260 (6) An election officer shall comply with Subsection 20A-2-204(5)(b)(iv) if the election officer  
discovers a voter registration record for which:
- 1262 (a) the the election officer does not make the determination described in Subsection (2); and
- 1264 (b) proof of United States citizenship has not been established, unless the individual has expressed an  
intent:
- 1266 (i) to not provide proof of United States citizenship; or
- 1267 (ii) to vote for federal offices only.

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- 1268 (7) An election officer who provides notice under Subsection (2) shall send the notice, in writing, to the  
1270 individual:
- 1270 (a) by mail, at the most recent address the election officer has for the individual; and  
1271 (b)
- 1272 (i) by email, if the election officer has an email address for the individual; or  
1272 (ii) by text to a phone number, if the election officer has a phone number for the individual and has  
received consent from the individual to send text messages to the phone number.
- 1275 (8) No later July 1, 2026, the lieutenant governor shall, with the assistance of the county clerks as  
needed:
- 1277 (a) conduct the review described in Subsection (1); and  
1278 (b) provide the notice described in Subsections (7) and (8).
- 1279 Section 9. Section 9 is enacted to read:
- 1280 **20A-3a-201.5. Proof of citizenship required for state elections -- Separate federal ballots for**  
**registered voters who do not provide proof of citizenship.**
- 1238 (1) Except as provided in Subsection (2), for an election held on or after November 1, 2026, that  
includes a race for federal office:
- 1240 (a) an election officer shall:
- 1241 (i) for each precinct, produce a standard ballot; and  
1242 (ii) for each congressional district, produce a federal ballot;
- 1243 (b) only a voter who has, at the time of voter registration or before voting, provided documentary proof  
of United States citizenship may vote a standard ballot; and
- 1245 (c) a voter who has not provided documentary proof of United States citizenship, at the time of voter  
registration or before voting, may only vote a federal ballot.
- 1247 (2) A voter who has not, at the time of registration or before voting, provided documentary proof of  
United States citizenship may cast a standard ballot as a provisional ballot, but an election officer  
may only count votes for federal office cast using the standard ballot unless the voter provides  
documentary proof of United States citizenship { within 10 days after } before noon on the last  
business day before the day of the { election } applicable canvass.
- 1252 (3) Except as otherwise provided in Section 20A-2-508:
- 1253 (a) an election officer may not require a voter to provide documentary proof of United States citizenship  
to vote a federal ballot; and



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- 1255 (b) a voter who has previously provided documentary proof of United States citizenship to an election officer is not required to provide documentary proof of citizenship when the voter subsequently registers to vote.
- 1302 (4) If, due to marriage or another legally-recognized method of changing an individual's name, a voter's name has changed from the name appearing on the voter's documentary proof of United States citizenship, the voter may provide documentary proof of the name change, together with the voter's documentary proof of United States citizenship, to establish that the voter is a United States citizen.
- 1307 Section 10. Section 20A-3a-202 is amended to read:
- 1308 **20A-3a-202. Conducting election in person and by mail -- Mailing ballots to voters --**
- Exceptions.by mail.
- 1310 (1)
- (a) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.
- 1313 (b) An individual who did not provide valid voter identification at the time the voter registered to vote shall provide valid voter identification before voting.
- 1315 (2) An election officer who administers an election:
- 1316 (a) shall in accordance with Subsection (3), no sooner than 21 calendar days before election day and no later than seven calendar days before election day, mail to the applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to Subsection 20A-3a-202.5(4):
- 1320 (i) a manual ballot;
- 1321 (ii) a return envelope;
- 1322 (iii) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;
- 1325 (iv) information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information; and
- 1328 (v) instructions on how a voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 1330 (b) may not mail a ballot under this section to:
- 1331 (i) an inactive voter, unless the inactive voter requests a manual ballot;~~[-or]~~
- 1332 (ii) a voter whom the election officer is prohibited from sending a ballot under Subsection 20A-3a-202.5(4); or

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- 1334 (iii) for an election held on or after November 1, 2026, a voter who is only eligible to vote a federal  
1336 ballot, if the election does not include a race for federal office;
- 1336 (c) shall, on the outside of the envelope in which the election officer mails the ballot, include  
instructions for returning the ballot if the individual to whom the election officer mails the ballot  
does not live at the address to which the ballot is sent;
- 1339 (d) shall provide a method of accessible voting to a voter with a disability who is not able to vote by  
mail; and
- 1341 (e) shall include, on the election officer's website and with each ballot mailed, instructions regarding  
how a voter described in Subsection (2)(d) may vote.
- 1343 (3)
- (a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to  
the address:
- 1345 (i) provided at the time of registration or updated by the voter after the time of registration; or
- 1347 (ii) if, at or after the time of registration, the voter files an alternate address request form described  
in Subsection (3)(b), the alternate address indicated on the form.
- 1349 (b) The lieutenant governor shall make available to voters an alternate address request form that permits  
a voter to request that the election officer mail the voter's ballot to a location other than the voter's  
residence.
- 1352 (c) A voter shall provide the completed alternate address request form to the election officer no later  
than 11 calendar days before the day of the election.
- 1354 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall include, with  
each ballot mailed to a voter, a separate paper document containing the following statements:
- 1357 "WARNING
- 1358 If you have a valid Utah driver license or a valid Utah state identification card, failure to provide the  
last four digits of the license or card number may result in your ballot not being counted. You also  
have the option of providing the last four digits of your social security number as identification. If  
you do not have any of these identification types, your ballot will still be counted if your signature  
on the affidavit on this envelope matches your signature on file with the election officer.
- 1364 NOTICE
- 1365 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a ballot by  
mail. You may request to receive a ballot by mail at [insert a uniform resource locator where the

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voter can make the request online]. If you are unable to make a request online, contact your county clerk's office at the following number for instructions on how to make the request in person or by mail [insert phone number here].".

- 1370 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a voter, a  
1372 separate paper document containing the following statement:  
1373 "WARNING  
1376 If you have a valid Utah driver license or a valid Utah state identification card, failure to provide the  
last four digits of your license or card number will result in your ballot not being counted.  
1379 If you do not have a license or card described above, you may enter the last four digits of your  
social security number as identification, or include a photocopy of one of the following in the return  
envelope:  
1381 • a currently valid identification card that is issued by the state or a branch, department, or agency of  
the United States;  
1382 • a currently valid Utah permit to carry a concealed weapon;  
1383 • a currently valid United States passport;  
1384 • a currently valid United States military identification card; or  
1386 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card.  
If you do not have any of the forms of identification listed above, you must vote in person at  
a polling place, unless you qualify for an exemption from this requirement. You may obtain  
information regarding an exemption at [insert a uniform resource locator where the voter can  
view this information] or by calling [insert a phone number that a voter may call to access this  
information]."
- 1391 (4) The return envelope shall include:  
1392 (a) the name, official title, and post office address of the election officer on the front of the envelope;  
1394 (b) subject to Subsection (9), beginning on or before January 1, 2026, a place for the voter to enter the  
last four digits of the voter's Utah driver license number, Utah state identification card number, or  
social security number;  
1397 (c) the following statement:  
1398 "IMPORTANT: See the warning and notice enclosed with your ballot.";  
1399 (d) a space where a voter may write an email address and phone number by which the election officer  
may contact the voter if the voter's ballot is rejected; and

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- 1401 (e) a printed affidavit in substantially the following form:
- 1402 "County of \_\_\_\_ State of \_\_\_\_
- 1403 I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct in \_\_\_\_
- County, Utah and that I am entitled to vote in this election. I am not a convicted felon currently
- incarcerated for commission of a felony.
- 1406 \_\_\_\_\_
- 1407 Signature of Voter
- 1408 WARNING
- 1409 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a FELONY
- for any other individual to sign the above affidavit, even if the voter to whom the ballot is addressed
- gives permission for another to sign the affidavit for the voter."
- 1412 (5) If the election officer determines that the voter has not yet provided valid voter identification with
- the voter's voter registration, the election officer may:
- 1414 (a) mail a ballot to the voter;
- 1415 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the return envelope;
- and
- 1417 (c) provide instructions to the voter on how the voter may sign up to receive electronic ballot status
- notifications via the ballot tracking system described in Section 20A-3a-401.5.
- 1420 (6) An election officer who administers an election shall:
- 1421 (a)
- (i) before the election, obtain the signatures of each voter qualified to vote in the election; or
- 1423 (ii) obtain the signature of each voter within the voting precinct from the county clerk; and
- 1425 (b) maintain the signatures on file in the election officer's office.
- 1426 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under
- Section 20A-3a-401.
- 1428 (8) A county that administers an election:
- 1429 (a) shall provide at least one election day voting center in accordance with Part 7, Election Day Voting
- Center, and at least one additional election day voting center for every 5,000 active voters in the
- county who, under Section 20A-3a-202.5, will not receive a ballot by mail;
- 1433

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

(c) may reduce the early voting period described in Section 20A-3a-601, 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 calendar 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; and

(d) is not required to pay return postage for a return envelope.

(9) A return envelope shall be designed in a manner that the information described in Subsections (4)(b) and (d), and the voter's signature, is covered from view after the return envelope is sealed.

(10) A county clerk shall, at least 90 calendar days before an election administered by the county clerk, contact local post offices to:

(a) coordinate the handling of mail-in ballots for the upcoming election; and

(b) take measures to ensure that:

(i) ballots are clearly and properly postmarked, or otherwise marked in accordance with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was mailed; and

(ii) ballots are delivered in an expeditious manner to optimize the timely receipt of ballots.

### Section 11. Section 20A-3a-203 is amended to read:

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

(1) 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, as follows:

(i) the voter shall present a currently valid Utah driver license or Utah state identification card;

(ii) if the voter does not have the type of identification described in Subsection (2)(b)(i), the voter shall present:

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

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- 1470 (B) a currently valid Utah permit to carry a concealed weapon;  
1471 (C) a currently valid United States passport;  
1472 (D) a currently valid United States military identification card; or  
1473 (E) a valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card; or  
1475 (iii) if the voter does not have the type of identification described in Subsection (2)(b)(i) or (ii), the  
voter shall present other valid voter identification.
- 1477 (c) If the poll worker is not satisfied that the voter has presented valid voter identification in accordance  
with Subsection (2)(b), the poll worker shall:
- 1479 (i) indicate on the official register that the voter was not properly identified;  
1480 (ii) issue the voter a provisional ballot;  
1481 (iii) notify the voter that the voter will have until [~~the close of normal office hours on Monday after the~~  
~~day of the election or, if Monday is a holiday, on the first business day after the holiday]~~ noon on the  
last business day before the day of the applicable canvass, to present valid voter identification:
- 1485 (A) to the county clerk at the county clerk's office; or  
1486 (B) to an election officer who is administering the election; and  
1487 (iv) follow the procedures and requirements of Section 20A-3a-205.
- 1488 (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.
- 1490 (3) A poll worker shall check the official register to determine:  
1491 (a) whether a voter is registered to vote; and  
1492 (b) if the election is a regular primary election or a presidential primary election, whether a voter's  
party affiliation designation in the official register allows the voter to vote the ballot that the voter  
requests.
- 1495 (4)  
(a) Except as provided in Subsection (5), if the voter's name is not found on the official register, the poll  
worker shall follow the procedures and requirements of Section 20A-3a-205.
- 1498 (b) If, in a regular primary election or a presidential primary election, the official register does not  
affirmatively identify the voter as being affiliated with a registered political party or if the official  
register identifies the voter as being "unaffiliated," the voter shall be considered to be "unaffiliated."
- 1502 (5) In a regular primary election or a presidential primary election:  
1503

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

1506 (b) if oral verification is received from the county clerk's office, the poll worker shall:

1507 (i) record the verification on the official register;

1508 (ii) determine the voter's party affiliation and the ballot that the voter is qualified to vote; and

1510 (iii) except as provided in Subsection (6), comply with Subsection (3).

1511 (6)

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

1516 (b) If, in a regular primary election or a presidential primary election, the voter is listed in the official register as unaffiliated, or if the official register does not affirmatively identify the voter as either unaffiliated or affiliated with a registered political party, and the voter, as an unaffiliated voter, is not authorized to vote the ballot that the voter requests, the poll worker shall:

1521 (i) ask the voter if the voter wishes to vote another registered political party ballot that the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and

1523 (ii)

(A) if the voter wishes to vote another registered political party ballot that the unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection (3); or

1526 (B) if the voter wishes to remain unaffiliated and does not wish to vote another ballot that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the voter may not vote.

1529 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of Subsection (6), if the poll worker determines that the voter is registered, a poll worker shall:

1532 (a) direct the voter to sign the voter's name in the official register;

1533 (b) provide to the voter the ballot that the voter is qualified to vote; and

1534 (c) allow the voter to enter the voting booth.

1535 (8)

(a) The official register shall include the statement described in Subsection (8)(b):

1536 (i) at the top of each page of the register where a voter signs the register; or

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- 1537 (ii) adjacent to the place where each voter signs the register.
- 1538 (b) The statement described in Subsection (8)(a) shall appear as follows:
- 1539 AFFIDAVIT
- 1540 By signing this register I am signing an affidavit where, UNDER PENALTY OF PERJURY,  
I affirm that the identification I presented to the poll worker is valid voter identification that  
accurately identifies me as the person indicated.
- 1543 (9) A voter who votes at a polling place may submit a request to a poll worker that a ballot be mailed to  
the voter in upcoming elections.
- 1545 Section 12. Section **20A-3a-401** is amended to read:
- 1546 **20A-3a-401. Custody of voted ballots mailed or deposited in a ballot drop box -- Disposition  
-- Notice -- Disclosures relating to unresolved ballots.**
- 1261 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal means.
- 1263 (2) Poll workers shall process return envelopes containing manual ballots that are in the custody of the  
poll workers in accordance with this section.
- 1265 (3) Poll workers shall examine a return envelope to make the determinations described in Subsection  
(4).
- 1267 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers determine:
- 1269 (a) for an election held before January 1, 2029:
- 1270 (i) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah  
state identification card number, or social security number; or
- 1273 (ii) if the return envelope does not contain the digits described in Subsection (4)(a)(i), that:
- 1275 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return  
envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 1278 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by  
alternative means;
- 1280 (b) for an election held on or after January 1, 2029:
- 1281 (i) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah  
state identification card number, or social security number;
- 1283 (ii) if the return envelope does not contain the digits described in Subsection (4)(b)(i), that the voter  
included in the return envelope a copy of the identification described in Subsection 20A-3a-204(2)  
(c)(ii); or



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- 1286 (iii) for a voter described in Subsection 20A-3a-301(7), that the voter complied with Subsection  
20A-3a-301(7);
- 1288 (c) that the affidavit is sufficient;
- 1289 (d) that the voter is registered to vote in the correct precinct;
- 1290 (e) that the voter's right to vote the ballot has not been challenged;
- 1291 (f) that the voter has not already voted in the election; and
- 1292 (g) for a voter who has not yet provided valid voter identification with the voter's voter registration,  
whether the voter has provided valid voter identification with the return envelope.
- 1295 (5)
- (a) [H] Subject to Sections 20A-2-508 and 20A-3a-201.5, if the poll workers make all of the findings  
described in Subsection (4), the poll workers shall:
- 1297 (i) remove the manual ballot from the return envelope in a manner that does not destroy the  
affidavit on the return envelope;
- 1299 (ii) ensure that the ballot is not examined in connection with the return envelope; and
- 1300 (iii) place the ballot with the other ballots to be counted.
- 1301 (b) If the poll workers do not make all of the findings described in Subsection (4), the poll workers  
shall:
- 1303 (i) disallow the vote;
- 1304 (ii) except as provided in Subsection (6), without opening the return envelope, record the ballot as  
"rejected" and state the reason for the rejection; and
- 1306 (iii) except as provided in Subsection (6), place the return envelope, unopened, with the other rejected  
return envelopes.
- 1308 (6) A poll worker may open a return envelope, if necessary, to determine compliance with Subsection  
(4)(b)(ii), (4)(b)(iii), or (4)(g).
- 1310 (7)
- (a) If the poll workers reject an individual's ballot because the poll workers determine that the return  
envelope does not comply with Subsection (4), the election officer shall:
- 1313 (i) contact the individual in accordance with Subsection (8); and
- 1314 (ii) inform the individual:
- 1315 (A) that the identification information provided on the return envelope is in question;
- 1317 (B) how the individual may resolve the issue; and

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- 1318 (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer  
a correctly completed affidavit, provided by the county clerk, that meets the requirements described  
in Subsection (7)(d).
- 1321 (b) If, under Subsection (4)(a)(ii)(A), the poll workers reject an individual's ballot because the poll  
workers determine, in accordance with rules made under Subsection (13), that the signature on the  
return envelope is not reasonably consistent with the individual's signature in the voter registration  
records, the election officer shall:
- 1325 (i) contact the individual in accordance with Subsection (8); and
- 1326 (ii) inform the individual:
- 1327 (A) that the individual's signature is in question;
- 1328 (B) how the individual may resolve the issue; and
- 1329 (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer  
a correctly completed affidavit, provided by the county clerk, that meets the requirements described  
in Subsection (7)(d).
- 1332 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b) includes:
- 1334 (i) when communicating the notice by mail, a printed copy of the affidavit described in Subsection (7)  
(d) and a courtesy reply envelope;
- 1336 (ii) when communicating the notice electronically, a link to a copy of the affidavit described in  
Subsection (7)(d) or information on how to obtain a copy of the affidavit; or
- 1339 (iii) when communicating the notice by phone, either during a direct conversation with the voter or in a  
voicemail, arrangements for the voter to receive a copy of the affidavit described in Subsection (7)  
(d), either in person from the clerk's office, by mail, or electronically.
- 1343 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- 1344 (i) an attestation that the individual voted the ballot;
- 1345 (ii) a space for the individual to enter the individual's name, date of birth, and driver license number or  
the last four digits of the individual's social security number;
- 1347 (iii) a space for the individual to sign the affidavit;
- 1348 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant governor's and  
county clerk's use of the information in the affidavit and the individual's signature on the affidavit  
for voter identification purposes; and
- 1351

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(v) a check box accompanied by language in substantially the following form: "I am a voter with a qualifying disability under the Americans with Disabilities Act that impacts my ability to sign my name consistently. I can provide appropriate documentation upon request. To discuss accommodations, I can be contacted at \_\_\_\_\_".

1356 (e) In order for an individual described in Subsection (7)(a) or (b) to have the individual's ballot counted, the individual shall deliver the affidavit described in Subsection (7)(d) to the election officer.

1359 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall immediately:

1361 (i) scan the signature on the affidavit electronically and keep the signature on file in the statewide voter registration database developed under Section 20A-2-502;

1363 (ii) if the election officer receives the affidavit no later than ~~noon on the last business day before the day on which the canvass begins~~ noon on the last business day before the day of the applicable canvass, count the individual's ballot; and

1365 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the rules described in Subsection (13)(c).

1367 (8)

(a) The election officer shall, within two business days after the day on which an individual's ballot is rejected, notify the individual of the rejection and the reason for the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:

1370 (i) the ballot is cured within one business day after the day on which the ballot is rejected; or

1372 (ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.

1374 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the election officer shall notify the individual of the rejection and the reason for the rejection by phone, mail, email, or, if consent is obtained, text message, within the later of:

1378 (i) 30 calendar days after the day of the rejection; or

1379 (ii) 30 calendar days after the day of the election.

1380 (c) The election officer may, when notifying an individual by phone under this Subsection (8), use auto-dial technology.

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- (9) An election officer may not count the ballot of an individual whom the election officer contacts under Subsection (7) or (8) unless, no later than noon on the last business day before the day on which the canvass begins, the election officer:
- 1385 (a) receives a signed affidavit from the individual under Subsection (7); or  
1386 (b)  
1387 (i) contacts the individual;  
(ii) if the election officer has reason to believe that an individual, other than the voter to whom the ballot was sent, signed the ballot affidavit, informs the individual that it is unlawful to sign a ballot affidavit for another person, even if the person gives permission;  
1391 (iii) verifies the identity of the individual by:  
1392 (A) requiring the individual to provide at least two types of personal identifying information for the individual; and  
1394 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records relating to the individual that are in the possession or control of an election officer; and  
1397 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:  
1398 (A) the name and voter identification number of the individual contacted;  
1399 (B) the name of the individual who conducts the verification;  
1400 (C) the date and manner of the communication;  
1401 (D) the type of personal identifying information provided by the individual;  
1402 (E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and  
1404 (F) other information required by the lieutenant governor.  
1405 (10)  
(a) The election officer shall retain and preserve:  
1406 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and  
1407 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection 20A-4-202(3).  
1409 (b) If the election officer complies with Subsection (10)(a)(ii) by including the documentation in the voter's voter registration record, the election officer shall make, retain, and preserve a record of the name and voter identification number of each voter contacted under Subsection (9)(b).  
1413 (11)  
(a) The election officer shall record the following in the database used in the verification process:

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- 1415 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day after the day on  
which the election officer rejects the ballot; and
- 1417 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business day after the  
day on which the ballot rejection is resolved.
- 1419 (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:
- 1422 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 1423 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in records on file, do  
not correspond.
- 1425 (12) Willful failure to comply with this section constitutes willful neglect of duty under Section  
20A-5-701.
- 1427 (13) 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:
- 1430 (a) criteria and processes for use by poll workers in determining if a signature corresponds with the  
signature on file for the voter under Subsection (4)(a)(ii)(A);
- 1432 (b) training and certification requirements for election officers and employees of election officers  
regarding the criteria and processes described in Subsection (13)(a); and
- 1434 (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 (7)(d)(v).
- 1437 (14)
- (a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may disclose the name  
and address of a voter whose ballot has been rejected and not yet resolved with:
- 1440 (i) a candidate in the election;
- 1441 (ii) an individual who represents the candidate's campaign;
- 1442 (iii) the sponsors of an initiative or referendum appearing on the ballot; or
- 1443 (iv) for a ballot proposition appearing on the ballot, an individual who represents a political issues  
committee, as defined in Section 20A-11-101, if the political issues committee supports or  
opposes the ballot proposition.
- 1446 (b) If an election officer discloses the information described in Subsection (14)(a), the election officer  
shall:

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- 1448 (i) make the disclosure within two business days after the day on which the request is made;  
1450 (ii) respond to each request in the order the requests were made; and  
1451 (iii) make each disclosure in a manner, and within a period of time, that does not reflect favoritism to  
one requestor over another.
- 1453 (c) A disclosure described in this Subsection (14) may not include the name or address of a protected  
individual, as defined in Subsection 20A-2-104(1).

1743 Section 13. Section 20A-4-107 is amended to read:

1744 **20A-4-107. Review and disposition of provisional ballot envelopes.**

- 1745 (1) As used in this section, an individual is "legally entitled to vote" if:  
1746 (a) the individual:  
1747 (i) is registered to vote in the state;  
1748 (ii) votes the ballot for the voting precinct in which the individual resides; and  
1749 (iii) provides valid voter identification to the poll worker;  
1750 (b) the individual:  
1751 (i) is registered to vote in the state;  
1752 (ii)  
(A) provided valid voter identification to the poll worker; or  
1753 (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  
1757 (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  
1761 (c) the individual:  
1762 (i) is registered to vote in the state;  
1763 (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  
1766 (iii)  
(A) the county clerk verifies the individual's identity and residence through some other means as  
reliable as photo identification; or

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(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~~] before noon on the last business day before the day of the applicable canvass.

- 1772 (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:
- 1775 (i) registered to vote in this state; and
- 1776 (ii) legally entitled to vote:
- 1777 (A) the ballot that the individual voted; or
- 1778 (B) if the ballot is from the individual's county of residence, for at least one ballot proposition or candidate on the ballot that the individual voted.
- 1780 (b) Except as provided in Section 20A-2-207, if the election officer determines that the individual is not registered to vote in this state or is not legally entitled to vote in the county or for any of the ballot propositions or candidates on the ballot that the individual voted, the election officer shall retain the ballot form, uncounted, for the period specified in Subsection 20A-4-202(2) unless ordered by a court to produce or count it.
- 1786 (c) If the election officer determines that the individual is registered to vote in this state and is legally entitled to vote in the county and for at least one of the ballot propositions or candidates on the ballot that the individual voted, the election officer shall place the provisional ballot with the regular ballots to be counted with those ballots at the canvass.
- 1791 (d) The election officer may not count, or allow to be counted a provisional ballot unless the individual's identity and residence is established by a preponderance of the evidence.
- 1794 (3) If the election officer determines that the individual is registered to vote in this state, or if the voter registers to vote in accordance with Section 20A-2-207, the election officer shall ensure that the voter registration records are updated to reflect the information provided on the provisional ballot form.
- 1798 (4) Except as provided in Section 20A-2-207, if the election officer determines that the individual is not registered to vote in this state and the information on the provisional ballot form is complete, the election officer shall:
- 1801 (a) consider the provisional ballot form a voter registration form for the individual's county of residence; and

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- 1803 (b)
- 1805 (i) register the individual if the individual's county of residence is within the county; or
- (ii) forward the voter registration form to the election officer of the individual's county of residence, which election officer shall register the individual.
- 1807 (5) Notwithstanding any provision of this section, the election officer shall place a provisional ballot with the regular ballots to be counted with those ballots at the canvass, if:
- 1810 (a)
- (i) the election officer determines, in accordance with the provisions of this section, that the sole reason a provisional ballot may not otherwise be counted is because the voter registration was filed less than 11 days before the election;
- 1813 (ii) 11 or more days before the election, the individual who cast the provisional ballot:
- 1814 (A) completed and signed the voter registration; and
- 1815 (B) provided the voter registration to another person to file;
- 1816 (iii) the late filing was made due to the individual described in Subsection (5)(a)(ii)(B) filing the voter registration late; and
- 1818 (iv) the election officer receives the voter registration before 5 p.m. no later than one day before the day of the election; or
- 1820 (b) the provisional ballot is cast on or before election day and is not otherwise prohibited from being counted under the provisions of this chapter.

1822 Section 14. Section **20A-6-105** is amended to read:

1823 **20A-6-105. Provisional ballot envelopes.**

1457 (1) Each election officer shall ensure that provisional ballot envelopes are printed in substantially the following form:

1459 (a) the envelope shall include the following statement:

1460 "AFFIRMATION

1461 Are you a citizen of the United States of America? Yes No

1462 Will you be 18 years old on or before election day? Yes No

1463 If you checked "no" in response to either of the two above questions, do not complete this form.

1832 You must be a United States citizen to vote. If you fail to provide proof of United States citizenship, you will only be permitted to vote for federal offices. Information on how to provide proof of citizenship is included on or with this form.



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1465 Are you registering to vote in races for federal office only? Yes No

1466 If you desire to vote for a race for an office other than federal office, or if you desire to vote for a  
ballot proposition, you are required to provide one of the following as proof that you are a citizen of  
the United States:

1469 •} a Utah driver license number that verifies United States citizenship;

1470 •} a Utah state identification number that verifies United States citizenship;

1471 •} a legible copy of your birth certificate that verifies United States citizenship;

1472 •} a legible copy of the pages of a United States passport that identifies you and your passport  
number;

1474 •} an alien registration number that verifies United States citizenship;

1475 •} a legible copy of your United States naturalization documents;

1476 •} a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;

1478 •} a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of  
birth; or

1480 •} other documents or methods of proving United States citizenship that are established in  
accordance with the Immigration Reform and Control Act of 1986.

1482 Name of Voter \_\_\_\_\_

1483                      First                      Middle                      Last

1484 Driver License or Identification Card Number \_\_\_\_\_

1485 State of Issuance of Driver License or Identification Card Number \_\_\_\_\_

1486 Date of Birth \_\_\_\_\_

1487 Street Address of Principal Place of Residence \_\_\_\_\_

1488 \_\_\_\_\_

1489                      City                      County                      State                      Zip Code

1843 Tribal Identification Number or Alien Registration Number (optional)

=====

1490 Telephone Number (optional) \_\_\_\_\_

1491 Email Address (optional) \_\_\_\_\_

1492 Last four digits of Social Security Number \_\_\_\_\_

1493 Last former address at which I was registered to vote (if known)

1494 \_\_\_\_\_

1495                      City                      County                      State                      Zip Code

1496 Voting Precinct (if known) \_\_\_\_\_

## HB0209 compared with HB0209S03

1497 I, (please print your full name)\_\_\_\_\_do solemnly swear or affirm:

1499 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

1502 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 calendar days immediately before this election.

1506 Signed \_\_\_\_\_

1508 Dated \_\_\_\_\_

1510 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.

### 1512 PRIVACY INFORMATION

1513 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.

1517 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.

1521 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:

1524 \_\_\_\_\_ 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.

### 1527 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1528 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.

## HB0209 compared with HB0209S03

1533 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.

1539 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.

1545 CITIZENSHIP AFFIDAVIT

1546 Name:

1547 Name at birth, if different:

1548 Place of birth:

1549 Date of birth:

1550 Date and place of naturalization (if applicable):

1551 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.

1554 \_\_\_\_\_

1555 Signature of Applicant

1556 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.";

1559 (b) the following statement shall appear after the statement described in Subsection (1)(a):

1560 "BALLOT NOTIFICATIONS

1561 Do you consent to receive communications about the status of your ballot and other official  
communications, by text, at the phone number you provided above? Yes No "; and

1564 (c) no later than November 5, 2025, after the statement described in Subsection (1)(b), the following:

1566 "Indicate below how you want to vote in upcoming elections:

1567 \_\_\_\_\_ Mail a ballot to me.

## HB0209 compared with HB0209S03

1568 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

1569 (2) The provisional ballot envelope shall include:

1570 (a) a unique number;

1571 (b) a detachable part that includes the unique number;

1572 (c) a telephone number, internet address, or other indicator of a means, in accordance with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted; ~~and~~

1575 (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~~[-]~~ ; and

1933 (e) on or with the form on the envelope, the statement described in Subsection 20A-2-104(2)(d).

1935 Section 15. Section **63G-2-301** is amended to read:

1936 **63G-2-301. Public records.**

1579 (1) As used in this section:

1580 (a) "Business address" means a single address of a governmental agency designated for the public to contact an employee or officer of the governmental agency.

1582 (b) "Business email address" means a single email address of a governmental agency designated for the public to contact an employee or officer of the governmental agency.

1585 (c) "Business telephone number" means a single telephone number of a governmental agency designated for the public to contact an employee or officer of the governmental agency.

1588 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.

1589 (2) The following records are public except to the extent they contain information expressly permitted to be treated confidentially under the provisions of Subsections 63G-2-201(3)(b) and (6)(a):

1592 (a) laws;

1593 (b) the name, gender, gross compensation, job title, job description, business address, business email address, business telephone number, number of hours worked per pay period, dates of employment, and relevant education, previous employment, and similar job qualifications of a current or former employee or officer of the governmental entity, excluding:

1598 (i) undercover law enforcement personnel; and

1599 (ii) investigative personnel if disclosure could reasonably be expected to impair the effectiveness of investigations or endanger any individual's safety;

1601 (c) final opinions, including concurring and dissenting opinions, and orders that are made by a governmental entity in an administrative, adjudicative, or judicial proceeding except that if the

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proceedings were properly closed to the public, the opinion and order may be withheld to the extent that they contain information that is private, controlled, or protected;

- 1606 (d) final interpretations of statutes or rules by a governmental entity unless classified as protected as  
provided in Subsection 63G-2-305(17) or (18);
- 1608 (e) information contained in or compiled from a transcript, minutes, or report of the open portions of a  
meeting of a governmental entity as provided by Title 52, Chapter 4, Open and Public Meetings Act,  
including the records of all votes of each member of the governmental entity;
- 1612 (f) judicial records unless a court orders the records to be restricted under the rules of civil or criminal  
procedure or unless the records are private under this chapter;
- 1614 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of records filed with  
or maintained by county recorders, clerks, treasurers, surveyors, zoning commissions, the Division  
of Forestry, Fire, and State Lands, the School and Institutional Trust Lands Administration, the  
Division of Oil, Gas, and Mining, the Division of Water Rights, or other governmental entities that  
give public notice of:
  - 1619 (i) titles or encumbrances to real property;
  - 1620 (ii) restrictions on the use of real property;
  - 1621 (iii) the capacity of persons to take or convey title to real property; or
  - 1622 (iv) tax status for real and personal property;
- 1623 (h) records of the Department of Commerce that evidence incorporations, mergers, name changes, and  
uniform commercial code filings;
- 1625 (i) data on individuals that would otherwise be private under this chapter if the individual who is the  
subject of the record has given the governmental entity written permission to make the records  
available to the public;
- 1628 (j) documentation of the compensation that a governmental entity pays to a contractor or private  
provider;
- 1630 (k) summary data;
- 1631 (l) voter registration records, including an individual's voting history, except for a voter registration  
record or those parts of a voter registration record that are classified as private under Subsections  
63G-2-302(1)(j) through (n) or withheld under Subsection [~~20A-2-104(7)~~] 20A-2-104(8);

1635

## HB0209 compared with HB0209S03

- (m) for an elected official, as defined in Section 11-47-102, a telephone number, if available, and email address, if available, where that elected official may be reached as required in Title 11, Chapter 47, Access to Elected Officials;
- 1638 (n) for a school community council member, a telephone number, if available, and email address, if available, where that elected official may be reached directly as required in Section 53G-7-1203;
- 1641 (o) annual audited financial statements of the Utah Educational Savings Plan described in Section 53H-10-210; and
- 1643 (p) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 1645 (3) The following records are normally public, but to the extent that a record is expressly exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b), Section 63G-2-302, 63G-2-304, or 63G-2-305:
  - 1648 (a) administrative staff manuals, instructions to staff, and statements of policy;
  - 1649 (b) records documenting a contractor's or private provider's compliance with the terms of a contract with a governmental entity;
  - 1651 (c) records documenting the services provided by a contractor or a private provider to the extent the records would be public if prepared by the governmental entity;
  - 1653 (d) contracts entered into by a governmental entity;
  - 1654 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds by a governmental entity;
  - 1656 (f) records relating to government assistance or incentives publicly disclosed, contracted for, or given by a governmental entity, encouraging a person to expand or relocate a business in Utah, except as provided in Subsection 63G-2-305(35);
  - 1659 (g) chronological logs and initial contact reports;
  - 1660 (h) correspondence by and with a governmental entity in which the governmental entity determines or states an opinion upon the rights of the state, a political subdivision, the public, or any person;
  - 1663 (i) empirical data contained in drafts if:
    - 1664 (i) the empirical data is not reasonably available to the requester elsewhere in similar form; and
    - 1666 (ii) the governmental entity is given a reasonable opportunity to correct any errors or make nonsubstantive changes before release;
  - 1668 (j) drafts that are circulated to anyone other than:

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- 1669 (i) a governmental entity;
- 1670 (ii) a political subdivision;
- 1671 (iii) a federal agency if the governmental entity and the federal agency are jointly responsible for  
implementation of a program or project that has been legislatively approved;
- 1674 (iv) a government-managed corporation; or
- 1675 (v) a contractor or private provider;
- 1676 (k) drafts that have never been finalized but were relied upon by the governmental entity in carrying out  
action or policy;
- 1678 (l) original data in a computer program if the governmental entity chooses not to disclose the program;
- 1680 (m) arrest warrants after issuance, except that, for good cause, a court may order restricted access to  
arrest warrants prior to service;
- 1682 (n) search warrants after execution and filing of the return, except that a court, for good cause, may  
order restricted access to search warrants prior to trial;
- 1684 (o) records that would disclose information relating to formal charges or disciplinary actions against a  
past or present governmental entity employee if:
  - 1686 (i) the disciplinary action has been completed and all time periods for administrative appeal have  
expired; and
  - 1688 (ii) the charges on which the disciplinary action was based were sustained;
- 1689 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and Institutional  
Trust Lands Administration, or the Division of Oil, Gas, and Mining that evidence mineral  
production on government lands;
- 1692 (q) final audit reports;
- 1693 (r) occupational and professional licenses;
- 1694 (s) business licenses;
- 1695 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar records used to  
initiate proceedings for discipline or sanctions against persons regulated by a governmental entity,  
but not including records that initiate employee discipline; and
- 1699 (u)
  - (i) records that disclose a standard, regulation, policy, guideline, or rule regarding the operation of a  
correctional facility or the care and control of inmates committed to the custody of a correctional  
facility; and

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- 1702 (ii) records that disclose the results of an audit or other inspection assessing a correctional facility's  
compliance with a standard, regulation, policy, guideline, or rule described in Subsection (3)(u)(i).
- 1705 (4) The list of public records in this section is not exhaustive and should not be used to limit access to  
records.
- 2065 Section 16. Section **63G-2-302** is amended to read:
- 2066 **63G-2-302. Private records.**
- 1709 (1) The following records are private:
- 1710 (a) records concerning an individual's eligibility for unemployment insurance benefits, social services,  
welfare benefits, or the determination of benefit levels;
- 1712 (b) records containing data on individuals describing medical history, diagnosis, condition, treatment,  
evaluation, or similar medical data;
- 1714 (c) records of publicly funded libraries that when examined alone or with other records identify a  
patron;
- 1716 (d) records received by or generated by or for:
- 1717 (i) the Independent Legislative Ethics Commission, except for:
- 1718 (A) the commission's summary data report that is required under legislative rule; and
- 1720 (B) any other document that is classified as public under legislative rule; or
- 1721 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints, unless the record  
is classified as public under legislative rule;
- 1723 (e) records received by, or generated by or for, the Independent Executive Branch Ethics Commission,  
except as otherwise expressly provided in Title 63A, Chapter 14, Review of Executive Branch  
Ethics Complaints;
- 1726 (f) records received or generated for a Senate confirmation committee concerning character,  
professional competence, or physical or mental health of an individual:
- 1728 (i) if, prior to the meeting, the chair of the committee determines release of the records:
- 1730 (A) reasonably could be expected to interfere with the investigation undertaken by the committee; or
- 1732 (B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and
- 1734 (ii) after the meeting, if the meeting was closed to the public;
- 1735 (g) employment records concerning a current or former employee of, or applicant for employment with,  
a governmental entity that would disclose that individual's home address, home telephone number,  
social security number, insurance coverage, marital status, or payroll deductions;



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- 1739 (h) records or parts of records under Section 63G-2-303 that a current or former employee identifies as  
private according to the requirements of that section;
- 1741 (i) that part of a record indicating a person's social security number or federal employer identification  
number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202, 58-1-301, 58-55-302,  
61-1-4, or 61-2f-203;
- 1744 (j) that part of a voter registration record[-] :
- 1745 (i) identifying a voter's:
- 1746 [(i)] (A) driver license or identification card number;
- 1747 [(ii)] (B) social security number, or last four digits of the social security number;
- 1748 [(iii)] (C) email address;
- 1749 [(iv)] (D) date of birth; or
- 1750 [(v)] (E) phone number;
- 2109 (ii) submitted by the voter as proof of United States citizenship;
- 2110 (iii) indicating whether the voter has provided proof of United States citizenship; or
- 2111 (iv) indicating whether the voter is restricted to voting a federal ballot;
- 2112 (k) {~~or~~
- 1751 {(ii)} {submitted by the voter as proof of United States citizenship;}
- 1752 {(k)} a voter registration record:
- 2113 (i) [that] is classified as a private record by the lieutenant governor or a county clerk under Subsection  
20A-2-101.1(5)(a), 20A-2-104(4)(h), or [20A-2-204(4)(b)] 20A-2-204(4)(c);
- 1755 {(i)} or
- 2116 (l) a voter registration record:
- 2117 (i) that is withheld under Subsection [20A-2-104(7)] 20A-2-104(8);
- 1757 {(m)} or
- 2118 (ii) before January 1, 2027, a voter registration record of a voter who is limited to voting a federal ballot  
only;
- 2120 (m) a withholding request form described in Subsections [20A-2-104(7) and (8)] 20A-2-104(8) and (9)  
and any verification submitted in support of the form;
- 1759 (n) a record or information regarding whether a voter returned a ballot with postage attached;
- 1761 (o) a record that:
- 1762 (i) contains information about an individual;

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- 1763 (ii) is voluntarily provided by the individual; and
- 1764 (iii) goes into an electronic database that:
- 1765 (A) is designated by and administered under the authority of the [~~Chief Information Officer~~] chief  
information officer; and
- 1767 (B) acts as a repository of information about the individual that can be electronically retrieved and used  
to facilitate the individual's online interaction with a state agency;
- 1770 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance under:
- 1772 (i) Subsection 31A-23a-115(3)(a);
- 1773 (ii) Subsection 31A-23a-302(4); or
- 1774 (iii) Subsection 31A-26-210(4);
- 1775 (q) information obtained through a criminal background check under Title 11, Chapter 40, Criminal  
Background Checks by Political Subdivisions Operating Water Systems;
- 1777 (r) information provided by an offender that is:
- 1778 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and Child Abuse  
Offender Registry; and
- 1780 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 1781 (s) a statement and any supporting documentation filed with the attorney general in accordance with  
Section 34-45-107, if the federal law or action supporting the filing involves homeland security;
- 1784 (t) electronic toll collection customer account information received or collected under Section 72-6-118  
and customer information described in Section 17B-2a-815 received or collected by a public transit  
district, including contact and payment information and customer travel data;
- 1788 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 1789 (v) a completed military-overseas ballot that is electronically transmitted under Title 20A, Chapter 16,  
Uniform Military and Overseas Voters Act;
- 1791 (w) records received by or generated by or for the Political Subdivisions Ethics Review Commission  
established in Section 63A-15-201, except for:
- 1793 (i) the commission's summary data report that is required in Section 63A-15-202; and
- 1794 (ii) any other document that is classified as public in accordance with Title 63A, Chapter 15, Political  
Subdivisions Ethics Review Commission;
- 1796 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an incident or  
threat;

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- 1798 (y) a criminal background check or credit history report conducted in accordance with Section  
63A-3-201;
- 1800 (z) a record described in Subsection 53-5a-104(7);
- 1801 (aa) on a record maintained by a county for the purpose of administering property taxes, an individual's:
- 1803 (i) email address;
- 1804 (ii) phone number; or
- 1805 (iii) personal financial information related to a person's payment method;
- 1806 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an exemption, deferral,  
abatement, or relief under:
- 1808 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 1809 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 1810 (cc) a record provided by the State Tax Commission in response to a request under Subsection  
59-1-403(4)(y)(iii);
- 1812 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual child welfare  
case, as described in Subsection 36-33-103(3);
- 1814 (ee) a record relating to drug or alcohol testing of a state employee under Section 63A-17-1004;
- 1816 (ff) a record relating to a request by a state elected official or state employee who has been threatened to  
the Division of Technology Services to remove personal identifying information from the open web  
under Section 63A-16-109;
- 1819 (gg) a record including confidential information as that term is defined in Section 67-27-106; and
- 1821 (hh) a record or notice received or generated under Title 53, Chapter 30, Security Improvements Act,  
relating to:
- 1823 (i) an application for certification described in Section 53-30-201; or
- 1824 (ii) a security improvement, including a building permit application or building permit for a security  
improvement described in Section 53-30-301.
- 1826 (2) The following records are private if properly classified by a governmental entity:
- 1827 (a) records concerning a current or former employee of, or applicant for employment with a  
governmental entity, including performance evaluations and personal status information such  
as race, religion, or disabilities, but not including records that are public under Subsection  
63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);
- 1832 (b) records describing an individual's finances, except that the following are public:

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- 1833 (i) records described in Subsection 63G-2-301(2);
- 1834 (ii) information provided to the governmental entity for the purpose of complying with a financial  
assurance requirement; or
- 1836 (iii) records that must be disclosed in accordance with another statute;
- 1837 (c) records of independent state agencies if the disclosure of those records would conflict with the  
fiduciary obligations of the agency;
- 1839 (d) other records containing data on individuals the disclosure of which constitutes a clearly  
unwarranted invasion of personal privacy;
- 1841 (e) records provided by the United States or by a government entity outside the state that are given  
with the requirement that the records be managed as private records, if the providing entity states in  
writing that the record would not be subject to public disclosure if retained by it;
- 1845 (f) any portion of a record in the custody of the Division of Aging and Adult Services, created in  
Section 26B-6-102, that may disclose, or lead to the discovery of, the identity of a person who made  
a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and
- 1849 (g) audio and video recordings created by a body-worn camera, as defined in Section 77-7a-103, that  
record sound or images inside a home or residence except for recordings that:
- 1852 (i) depict the commission of an alleged crime;
- 1853 (ii) record any encounter between a law enforcement officer and a person that results in death or bodily  
injury, or includes an instance when an officer fires a weapon;
- 1855 (iii) record any encounter that is the subject of a complaint or a legal proceeding against a law  
enforcement officer or law enforcement agency;
- 1857 (iv) contain an officer-involved critical incident as defined in Subsection 76-2-408(1)(f); or
- 1859 (v) have been requested for reclassification as a public record by a subject or authorized agent of a  
subject featured in the recording.
- 1861 (3)
- (a) As used in this Subsection (3), "medical records" means medical reports, records, statements,  
history, diagnosis, condition, treatment, and evaluation.
- 1863 (b) Medical records in the possession of the University of Utah Hospital, its clinics, doctors, or  
affiliated entities are not private records or controlled records under Section 63G-2-304 when the  
records are sought:

1866

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(i) in connection with any legal or administrative proceeding in which the patient's physical, mental, or emotional condition is an element of any claim or defense; or

1868 (ii) after a patient's death, in any legal or administrative proceeding in which any party relies upon the condition as an element of the claim or defense.

1870 (c) Medical records are subject to production in a legal or administrative proceeding according to state or federal statutes or rules of procedure and evidence as if the medical records were in the possession of a nongovernmental medical care provider.

2236 Section 17. **Effective date.**

Effective Date.

This bill takes effect:

1875 (1) except as provided in Subsection (2), May 6, 2026; or

1876 (2) if approved by two-thirds of all members elected to each house:

1877 (a) upon approval by the governor;

1878 (b) without the governor's signature, the day following the constitutional time limit of Utah Constitution, Article VII, Section 8; or

1880 (c) in the case of a veto, the date of veto override.

2-4-26 4:03 PM