

HB0311

~~{Omitted text}~~ shows text that was in HB0311 but was omitted in HB0311S02

inserted text shows text that was not in HB0311 but was inserted into HB0311S02

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¹ {Amendments to Election Law} Elections Study

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jefferson S. Burton

Senate Sponsor:Michael K. McKell

3 LONG TITLE

4 General Description:

5 This bill {~~amends provisions relating to~~} directs the Gary R. Herbert Institute for Public Policy at Utah Valley University and the Center for Constitutional Studies at Utah Valley University to {~~the voting process~~} conduct an elections study.

8 Highlighted Provisions:

9 This bill:

8 ▶ ~~{ modifies the type of identification that qualifies as valid voter identification; }~~

9 ▶ {provides that, regardless of whether the last four digits of a voter's Utah driver license number, Utah state identification card number, or social security number, appears on the return envelope of the voter's ballot, if poll workers have reason to believe that the signature on the affidavit of the return envelope is not the voter's signature, the poll workers shall compare the signature with the voter's signature in the voter registration records to determine whether the signatures are reasonably consistent; and}

15 ▶ {~~provides that, when the poll workers compare signatures under the preceding paragraph,~~
~~the poll workers shall:~~}

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17 • ~~{if the signatures are reasonably consistent, place the ballot with the other ballots to be~~
counted; or}

19 • ~~{if the signatures are not reasonably consistent, disallow the vote. }~~

10 ▸ directs the Gary R. Herbert Institute for Public Policy at Utah Valley University (the
institute) and the Center for Constitutional Studies at Utah Valley University (the center) to
conduct an elections study regarding:

13 • the security of in-person voting versus voting by mail; and
14 • best practices for conducting and implementing a process where identification must be
presented before depositing a ballot in a ballot drop box; and

16 ▸ directs the institute and the center to present the study to the Government Operations
Interim Committee.

18 Money Appropriated in this Bill:

19 None

20 Other Special Clauses:

21 None

22 Utah Code Sections Affected:

23 ENACTS:

24 53H-4-708 , Utah Code Annotated 1953

AMENDS:

26 ~~{20A-1-102 , as last amended by Laws of Utah 2025, First Special Session, Chapter 6}~~

27 ~~{20A-3a-401 , as last amended by Laws of Utah 2025, First Special Session, Chapter 6}~~

25

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

30 ~~{Section 1. Section 20A-1-102 is amended to read: }~~

31 20A-1-102. Definitions.

As used in this title:

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

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

37 (3)

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- (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic storage medium, that records an individual voter's vote.
- 39 (b) "Ballot" does not include a record to tally multiple votes.
- 40 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on the ballot for their approval or rejection including:
- 42 (a) an opinion question specifically authorized by the Legislature;
- 43 (b) a constitutional amendment;
- 44 (c) an initiative;
- 45 (d) a referendum;
- 46 (e) a bond proposition;
- 47 (f) a judicial retention question;
- 48 (g) an incorporation of a city or town; or
- 49 (h) any other ballot question specifically authorized by the Legislature.
- 50 (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.
- 53 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to canvass election returns.
- 55 (7) "Bond election" means an election held for the purpose of approving or rejecting the proposed issuance of bonds by a government entity.
- 57 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a holiday.
- 59 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by the sender.
- 61 (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.
- 63 (11) "Canvass" means the review of election returns and the official declaration of election results by the board of canvassers.
- 65 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.
- 67 (13) "Contracting election officer" means an election officer who enters into a contract or interlocal agreement with a provider election officer.
- 69 (14) "Convention" means the political party convention at which party officers and delegates are selected.

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- 71 (15) "Counting center" means one or more locations selected by the election officer in charge of the
election for the automatic counting of ballots.
- 73 (16) "Counting judge" means a poll worker designated to count the ballots during election day.
- 75 (17) "Counting room" means a suitable and convenient private place or room for use by the poll
workers and counting judges to count ballots.
- 77 (18) "County officers" means those county officers that are required by law to be elected.
- 78 (19) "Date of the election" or "election day" or "day of the election":
79 (a) means the day that is specified in the calendar year as the day on which the election occurs; and
81 (b) does not include:
82 (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
84 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- 86 (20) "Elected official" means:
87 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate
Voting Methods Pilot Project;
89 (b) a person who is considered to be elected to a municipal office in accordance with Subsection
20A-1-206(1)(c)(ii); or
91 (c) a person who is considered to be elected to a special district office in accordance with Subsection
20A-1-206(3)(b)(ii).
- 93 (21) "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.
- 96 (22) "Election Assistance Commission" means the commission established by the Help America Vote
Act of 2002, Pub. L. No. 107-252.
- 98 (23) "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.
- 100 (24) "Election judge" means a poll worker that is assigned to:
101 (a) preside over other poll workers at a polling place;
102 (b) act as the presiding election judge; or
103 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 104 (25) "Election material" includes:
105 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);

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- (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);
 - (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
 - (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
 - (g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);
 - (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
 - (i) the record of voter database access described in Subsection 20A-5-905(2);
 - (j) the reports on military and overseas voters described in Section 20A-16-202;
 - (k) scanned copies of return envelopes;
 - (l) a copy of the final election results database described in Section 20A-5-802.5; and
 - (m) the materials used in the programming of the automatic tabulating equipment.
- (26) "Election officer" means:
- (a) the lieutenant governor, for all statewide ballots and elections;
 - (b) the county clerk for:
 - (i) a county ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
 - (c) the municipal clerk for:
 - (i) a municipal ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
 - (d) the special district clerk or chief executive officer for:
 - (i) a special district ballot and election; and
 - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5; or
 - (e) the business administrator or superintendent of a school district for:
 - (i) a school district ballot and election; and

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(ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5.

(27) "Election official" means any election officer, election judge, or poll worker.

(28) "Election results" means:

(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

(b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all of the election returns that the board of canvassers may request.

(29) "Election results database" means the following information generated by voting equipment:

(a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an election;

(b) a ballot image; and

(c) other information related to a ballot that is adjudicated under Section 20A-4-105.

(30) "Election returns" means:

(a) the pollbook;

(b) the military and overseas absentee voter registration and voting certificates;

(c) one of the tally sheets;

(d) any unprocessed ballots;

(e) all counted ballots;

(f) all excess ballots;

(g) all unused ballots;

(h) all spoiled ballots;

(i) all ballot disposition forms, including any provisional ballot disposition forms;

(j) the final election results database described in Section 20A-5-802.5;

(k) all return envelopes;

(l) any provisional ballot envelopes; and

(m) the total votes cast form.

(31) "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.

(32) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).

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(33) "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).

(34) "Judicial office" means the office filled by any judicial officer.

(35) "Judicial officer" means any justice or judge of a court of record or any county court judge.

(36) "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) "Local political subdivision" means a county, a municipality, a special district, or a local school district.

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

(44) "Municipal office" means an elective office in a municipality.

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

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

(47) "Municipality" means a city or town.

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

(49) "Official endorsement" means the information on the ballot that identifies:

(a) the ballot as an official ballot;

(b) the date of the election; and

(c)

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

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

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

(51) "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.

(52)

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

(b) "Poll worker" includes election judges.

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

(53) "Pollbook" means a record of the names of voters in the order that the voters appear to cast votes.

(54) "Polling place" means a building where voting is conducted.

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

(56) "Presidential Primary Election" means the election established in Chapter 9, Part 8, Presidential Primary Election.

(57) "Primary convention" means the political party conventions held during the year of the regular general election.

(58) "Protective counter" means a separate counter, which cannot be reset, that:

(a) is built into a voting machine; and

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

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(59) "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.

(60) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

(61) "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.

(62)

(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.

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

(i) elected to public office; or

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

(63) "Qualify" or "qualified" means to take the oath of office and begin performing the duties of the position for which the individual was elected.

(64) "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.

(65) "Registration form" means a form by which an individual may register to vote under this title.

(66) "Regular ballot" means a ballot that is not a provisional ballot.

(67) "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.

(68) "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.

(69) "Resident" means a person who resides within a specific voting precinct in Utah.

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(70) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4), provided to a voter with a manual ballot:

(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

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

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

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

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

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

(75) "Spoiled ballot" means each ballot that:

(a) is spoiled by the voter;

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

(c) lacks the official endorsement.

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

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

(78) "Ticket" means a list of:

(a) political parties;

(b) candidates for an office; or

(c) ballot propositions.

(79) "Transfer case" means the sealed box used to transport voted ballots to the counting center.

(80) "Vacancy" means:

(a) except as provided in Subsection (80)(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

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(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.

(81) "Valid voter identification" means:

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

(i) a currently valid Utah driver license;

(ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8, Identification Card Act;

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

(A) the state; or

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

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

(v) a currently valid United States passport; or

(vi) a currently valid United States military identification card;

(b) one of the following identification cards, regardless of whether the card includes a photograph of the voter:

(i) a valid tribal identification card;

(ii) a Bureau of Indian Affairs card; or

(iii) a tribal treaty card; or

(c) two forms of identification not listed under Subsection (81)(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:

~~[(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;]~~

~~[(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;]~~

~~[(iii)]~~ (i) a certified birth certificate;

~~[(iv)]~~ (ii) a valid social security card;

~~[(v)]~~ (iii) 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;

~~[(vi)]~~ (iv) 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;

~~[(vii)]~~ (v) a currently valid Utah hunting or fishing license;

~~[(viii)]~~ (vi) certified naturalization documentation;

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334 [~~(ix)~~] (vii) a currently valid license issued by an authorized agency of the United States;
336 [~~(x)~~] (viii) a certified copy of court records showing the voter's adoption or name change;
338 [~~(xi)~~] (ix) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
340 [~~(xii)~~] (x) a currently valid identification card issued by:
341 (A) a local government within the state;
342 (B) an employer for an employee; or
343 (C) a college, university, technical school, or professional school located within the state; or
345 [~~(xiii)~~] (xi) a current Utah vehicle registration.
346 (82) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by
following the procedures and requirements of this title.
348 (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
349 (a) mailing the ballot to the location designated in the mailing; or
350 (b) depositing the ballot in a ballot drop box designated by the election officer.
351 (84) "Voter" means an individual who:
352 (a) meets the requirements for voting in an election;
353 (b) meets the requirements of election registration;
354 (c) is registered to vote; and
355 (d) is listed in the official register.
356 (85) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.
358 (86) "Voting area" means the area within six feet of the voting booths, voting machines, and ballot box.
360 (87) "Voting booth" means:
361 (a) the space or compartment within a polling place that is provided for the preparation of ballots,
including the voting enclosure or curtain; or
363 (b) a voting device that is free standing.
364 (88) "Voting device" means any device provided by an election officer for a voter to vote a mechanical
ballot.
366 (89) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5, Part 3,
Duties of the County and Municipal Legislative Bodies.
368 (90) "Watcher" means an individual who complies with the requirements described in Section
20A-3a-801 to become a watcher for an election.
370 (91) "Write-in ballot" means a ballot containing any write-in votes.

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(92) "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-3a-401 is amended to read: }~~

20A-3a-401. Custody of voted ballots mailed or deposited in a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.

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

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

(3) Poll workers shall examine a return envelope to make the determinations described in Subsection (4).

(4) ~~[The]~~ Except as otherwise provided in Subsection (5)(b), the poll workers shall take the action described in Subsection (5)(a) if the poll workers determine:

(a) for an election held before January 1, 2029:

(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

(ii) if the return envelope does not contain the digits described in Subsection (4)(a)(i), that:

(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

(B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by alternative means;

(b) for an election held on or after January 1, 2029:

(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;

(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

(iii) for a voter described in Subsection 20A-3a-301(7), that the voter complied with Subsection 20A-3a-301(7);

(c) that the affidavit is sufficient;

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

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

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- 406 (f) that the voter has not already voted in the election; and
- 407 (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.
- 410 (5)
- (a) ~~[If]~~ Except as otherwise provided in Subsection (5)(b), if the poll workers make all of the findings
described in Subsection (4), the poll workers shall:
- 412 (i) remove the manual ballot from the return envelope in a manner that does not destroy the
affidavit on the return envelope;
- 414 (ii) ensure that the ballot is not examined in connection with the return envelope; and
- 415 (iii) place the ballot with the other ballots to be counted.
- 416 (b)
- (i) Regardless of whether a return envelope contains the correct last four digits described in Subsection
(4)(a)(i) or (4)(b)(i), if the poll workers have reason to believe that the signature on the affidavit of
the return envelope is not the voter's signature, the poll workers shall compare the signature on the
affidavit with the voter's signature in the voter registration records to determine, in accordance with
the rules made under Subsection (13), whether the signatures are reasonably consistent.
- 423 (ii) After comparing the signatures under Subsection (5)(b)(i), the poll workers shall:
- 424 (A) if the poll workers determine that the signatures are reasonably consistent, take the actions
described in Subsections (5)(a)(i) through (iii); or
- 426 (B) if the poll workers determine that the signatures are not reasonably consistent, take the actions
described in Subsections (5)(c)(i) through (iii).
- 428 ~~[(b)]~~ (c) If the poll workers do not make all of the findings described in Subsection (4), the poll workers
shall:
- 430 (i) disallow the vote;
- 431 (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
- 433 (iii) except as provided in Subsection (6), place the return envelope, unopened, with the other rejected
return envelopes.
- 435 (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).
- 437 (7)

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(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:

(i) contact the individual in accordance with Subsection (8); and

(ii) inform the individual:

(A) that the identification information provided on the return envelope is in question;

(B) how the individual may resolve the issue; and

(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).

(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:

(i) contact the individual in accordance with Subsection (8); and

(ii) inform the individual:

(A) that the individual's signature is in question;

(B) how the individual may resolve the issue; and

(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).

(c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b) includes:

(i) when communicating the notice by mail, a printed copy of the affidavit described in Subsection (7)(d) and a courtesy reply envelope;

(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

(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.

(d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:

(i) an attestation that the individual voted the ballot;

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- (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;
- 474 (iii) a space for the individual to sign the affidavit;
- 475 (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
- 478 (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 _____".
- 483 (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.
- 486 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall immediately:
- 488 (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;
- 490 (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, count the individual's ballot; and
- 492 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the rules described in Subsection (13)(c).
- 494 (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:
- 497 (i) the ballot is cured within one business day after the day on which the ballot is rejected; or
- 499 (ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.
- 501 (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:
- 505 (i) 30 calendar days after the day of the rejection; or

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- (ii) 30 calendar days after the day of the election.
- (c) The election officer may, when notifying an individual by phone under this Subsection (8), use auto-dial technology.
- (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:
- (a) receives a signed affidavit from the individual under Subsection (7); or
- (b)
- (i) contacts the individual;
- (ii) if the election officer has reason to believe that an individual, other than the voter to whom the ballot was sent, signed the ballot affidavit, informs the individual that it is unlawful to sign a ballot affidavit for another person, even if the person gives permission;
- (iii) verifies the identity of the individual by:
- (A) requiring the individual to provide at least two types of personal identifying information for the individual; and
- (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records relating to the individual that are in the possession or control of an election officer; and
- (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- (A) the name and voter identification number of the individual contacted;
- (B) the name of the individual who conducts the verification;
- (C) the date and manner of the communication;
- (D) the type of personal identifying information provided by the individual;
- (E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and
- (F) other information required by the lieutenant governor.
- (10)
- (a) The election officer shall retain and preserve:
- (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection 20A-4-202(3).

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(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).

(11)

(a) The election officer shall record the following in the database used in the verification process:

(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

(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.

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

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

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

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

(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:

(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);

(b) training and certification requirements for election officers and employees of election officers regarding the criteria and processes described in Subsection (13)(a); and

(c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Secs. 12131 through 12165, an alternative means of verifying the identity of an individual who checks the box described in Subsection (7)(d)(v).

(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:

(i) a candidate in the election;

(ii) an individual who represents the candidate's campaign;

(iii) the sponsors of an initiative or referendum appearing on the ballot; or

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(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.

(b) If an election officer discloses the information described in Subsection (14)(a), the election officer shall:

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

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

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

(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).

Section 1. Section 1 is enacted to read:

53H-4-708. Election study.

(1) The institute and the center shall conduct a study to determine:

(a) the security risks of in-person voting versus voting by mail; and

(b) the best practices for conducting and implementing a process where identification is presented and checked at a ballot drop box before a voter may deposit a ballot in the ballot drop box.

(2) The portion of the study described in Subsection (1)(a) shall include:

(a) a comparison between Utah and states that don't use voting by mail as the primary means of voting;

(b) an analysis of potential and actual fraud in Utah, and in comparison to other states;

(c) an analysis of the accuracy or inaccuracy of voter rolls using a vote by mail system versus in-person voting; and

(d) an analysis of related issues raised in 2024-20, A Performance Audit of Utah's Election System: Strengthening Election Integrity.

(3) The portion of the study described in Subsection (1)(b) shall include information, analysis, and recommendations regarding:

(a) logistics;

(b) wait times;

(c) costs; and

(d) ballot processing.

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(4) The institute and the center shall present the results of the study described in this section to the Government Operations Interim Committee at or before the October 2026 interim meeting.

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Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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