

HB0479S03 compared with HB0479S02

~~{Omitted text}~~ shows text that was in HB0479S02 but was omitted in HB0479S03
inserted text shows text that was not in HB0479S02 but was inserted into HB0479S03

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1

Election Code Modifications
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Jefferson S. Burton
Senate Sponsor: Michael K. McKell

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- 3 **LONG TITLE**
- 4 **General Description:**
- 5 This bill amends provisions relating to elections.
- 6 **Highlighted Provisions:**
- 7 This bill:
- 8 ▶ defines terms;
- 9 ▶ modifies voter registration forms and other forms to allow a voter to request, for future elections, whether the voter will receive a ballot by mail and whether the voter desires to return a ballot by mail;
- 12 ▶ requires a voter to make a request described in the preceding paragraph at least every eight years;
- 14 ▶ provides that, beginning in 2029, a voter:
- 15 • will not receive a ballot by mail unless the voter makes a timely request to receive a ballot by mail; and
- 17 • subject to certain exceptions, will not be permitted to return a ballot by mail unless the voter makes a timely request to return a ballot by mail;
- 19 ▶ provides that a voter may return a ballot to a ballot drop box only when the ballot drop box is attended by at least two poll workers;

HB0479S02

HB0479S02 compared with HB0479S03

- 21 ▶ establishes requirements regarding the required number of drop boxes and the days and hours
during which voters may return ballots to drop boxes;
- 23 ▶ requires a voter who returns a ballot to a ballot drop box to first provide identification to a poll
worker at the ballot drop box;
- 25 ▶ describes the requirements for verification of identity at a ballot drop box;
- 26 ▶ describes the requirements for returning a ballot by mail;
- 27 ▶ describes requirements relating to voting a ballot;
- 28 ▶ describes the requirements for returning a ballot to a polling place or voting at a polling place;
- 30 ▶ extends emergency ballot provisions to an individual with a disability who is restricted in the
individual's ability to travel from the individual's residence;
- 32 ▶ modifies forms, voting requirements, and other provisions to conform with the provisions of this
bill;
- 34 ▶ creates a process for an individual to receive a voter registration form and voter registration
information when purchasing a hunting or fishing license;
- 36 ▶ describes the type of personal identifying information that must be redacted from certain political
disclosure reports and provides civil and criminal penalties for publicly disclosing the information;
- 39 ▶ modifies a provision relating to the frequency of an elections audit performed by the Office of
the Legislative Auditor General; and
- 41 ▶ makes technical and conforming changes.

42 **Money Appropriated in this Bill:**

43 None

44 **Other Special Clauses:**

45 This bill provides a special effective date.

46 **Utah Code Sections Affected:**

47 AMENDS:

48 **10-2a-215 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 6

50 **20A-1-102 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 6

52 **20A-1-304 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 448

53 **20A-2-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381, 448

HB0479S02 compared with HB0479S03

- 55 **20A-2-108 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 381
- 56 **20A-2-206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 381
- 57 **20A-2-505 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381, 448
- 59 **20A-3a-201 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381
- 60 **20A-3a-202 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381, 448
- 62 **20A-3a-202.5 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 381
- 63 **20A-3a-203 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381, 448
- 65 **20A-3a-204 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381
- 66 **20A-3a-205 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2020, Chapter 31
- 68 **20A-3a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 381
- 69 **20A-3a-401 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 6
- 71 **20A-3a-805 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 2020, Chapter 31
- 73 **20A-4-101 (Effective 01/01/27)**, as last amended by Laws of Utah 2022, Chapter 342
- 74 **20A-4-102 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapters 156, 297
- 76 **20A-4-105 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381
- 77 **20A-4-304 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 6
- 79 **20A-4-401 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 6
- 81 **20A-5-102 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381
- 82 **20A-5-403.5 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 6
- 84 **20A-5-407 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapter 15
- 85 **20A-6-105 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381, 448
- 87 **20A-11-1002 (Effective 01/01/27)**, as last amended by Laws of Utah 2010, Chapter 389
- 88 **36-12-15.2 (Effective 01/01/27)**, as enacted by Laws of Utah 2023, Chapter 156
- 89 ENACTS:
- 90 **20A-2-208 (Effective 01/01/27)**, Utah Code Annotated 1953
- 91 **20A-3a-203.5 (Effective 01/01/27)**, Utah Code Annotated 1953
- 92 **20A-3a-203.6 (Effective 01/01/27)**, Utah Code Annotated 1953

HB0479S02 compared with HB0479S03

93 20A-4-102.5 (Effective 01/01/27), Utah Code Annotated 1953

94

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

96 Section 1. Section **10-2a-215** is amended to read:

97 **10-2a-215. Election of officers of new municipality -- Primary and final election dates --
Notice of election -- County clerk duties -- Candidate duties -- Occupation of office.**

100 (1) For the election of municipal officers, the county legislative body shall:

101 (a) unless a primary election is prohibited under Subsection 20A-9-404(2), hold a primary election; and

103 (b) unless the election may be cancelled in accordance with Section 20A-1-206, hold a final election.

105 (2) Each election described in Subsection (1) shall be held:

106 (a) consistent with the petition sponsors' determination of the length of each council member's initial
term; and

108 (b) for the incorporation of a city:

109 (i) appropriate to the form of government chosen by the voters at the incorporation election;

111 (ii) consistent with the voters' decision about whether to elect city council members by district and, if
applicable, consistent with the boundaries of those districts as determined by the petition sponsors;
and

114 (iii) consistent with the sponsors' determination of the number of city council members to be elected.

116 (3)

(a) Subject to Subsection (3)(b), and notwithstanding Subsection 20A-1-201.5(2), the primary election
described in Subsection (1)(a) shall be held at the earliest of the next:

118 (i) regular primary election described in Subsection 20A-1-201.5(1); or

119 (ii) municipal primary election described in Section 20A-9-404.

120 (b) The county shall hold the primary election, if necessary, on the next election date described in
Subsection (3)(a) that is after the incorporation election conducted under Section 10-2a-210.

123 (4)

(a) Subject to Subsection (4)(b), the county shall hold the final election described in Subsection (1)(b):

125 (i) on the following election date that next follows the date of the incorporation election held under
Subsection 10-2a-210(1)(a);

127 (ii) a regular general election described in Section 20A-1-201; or

128 (iii) a regular municipal general election under Section 20A-1-202.

HB0479S02 compared with HB0479S03

- 129 (b) The county shall hold the final election on the earliest of the next election date that is listed in
Subsection (4)(a)(i), (ii), or (iii):
- 131 (i) that is after a primary election; or
- 132 (ii) if there is no primary election, that is at least:
- 133 (A) 75 days after the incorporation election under Section 10-2a-210; and
- 134 (B) 65 days after the candidate filing period.
- 135 (5) The county clerk shall provide notice of an election under this section for the future municipality, as
a class A notice under Section 63G-30-102, for at least two weeks before the day of the election.
- 138 (6) Until the municipality is incorporated, the county clerk:
- 139 (a) is the election officer for all purposes related to the election of municipal officers;
- 140 (b) may, as necessary, determine appropriate deadlines, procedures, and instructions related to the
election of municipal officers for a new municipality that are not otherwise contrary to law;
- 143 (c) shall require and determine deadlines for municipal office candidates to file campaign financial
disclosures in accordance with Section 10-3-208; and
- 145 (d) shall ensure that the ballot for the election includes each office that is required to be included in the
election for officers of the newly incorporated municipality, including the term of each office.
- 148 (7) An individual who has filed as a candidate for an office described in this section shall comply with:
- 150 (a) the campaign finance disclosure requirements described in Section 10-3-208; and
- 151 (b) the requirements and deadlines established by the county clerk under this section.
- 152 (8) Notwithstanding Section 10-3-201, the officers elected at a final election described in Subsection (4)
(a) shall take office:
- 154 (a) after taking the oath of office; and
- 155 (b) at noon on the first Monday following the day on which the election official transmits a certificate
of nomination or election under the officer's seal to each elected candidate in accordance with
Subsection [~~20A-4-304(6)(b)~~] 20A-4-304(5)(b).
- 158 Section 2. Section **20A-1-102** is amended to read:
- 159 **20A-1-102. Definitions.**
As used in this title:
- 161 (1) "Active voter" means a registered voter who has not been classified as an inactive voter by the
county clerk.

163

HB0479S02 compared with HB0479S03

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

165 (3)

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

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

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

171 [~~(4)~~] (5) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on the ballot for their approval or rejection including:

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

174 (b) a constitutional amendment;

175 (c) an initiative;

176 (d) a referendum;

177 (e) a bond proposition;

178 (f) a judicial retention question;

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

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

181 [~~(5)~~] (6) "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.

184 [~~(6)~~] (7) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to canvass election returns.

186 [~~(7)~~] (8) "Bond election" means an election held for the purpose of approving or rejecting the proposed issuance of bonds by a government entity.

188 [~~(8)~~] (9) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a holiday.

190 [~~(9)~~] (10) "Business reply mail envelope" means an envelope that may be mailed free of charge by the sender.

192

HB0479S02 compared with HB0479S03

- 194 [(10)] (11) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday, a
business day, or any other type of day.
- 196 [(11)] (12) "Canvass" means the review of election returns and the official declaration of election
results by the board of canvassers.
- 198 [(12)] (13) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
canvass.
- 200 [(13)] (14) "Contracting election officer" means an election officer who enters into a contract or
interlocal agreement with a provider election officer.
- 202 [(14)] (15) "Convention" means the political party convention at which party officers and delegates are
selected.
- 204 [(15)] (16) "Counting center" means one or more locations selected by the election officer in charge of
the election for the automatic counting of ballots.
- 206 [(16)] (17) "Counting judge" means a poll worker designated to count the ballots during election day.
- 208 [(17)] (18) "Counting room" means a suitable and convenient private place or room for use by the poll
workers and counting judges to count ballots.
- 210 [(18)] (19) "County officers" means those county officers that are required by law to be elected.
- 211 [(19)] (20) "Date of the election" or "election day" or "day of the election":
- 213 (a) means the day that is specified in the calendar year as the day on which the election occurs; and
- 214 (b) does not include:
- 216 (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
- 218 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- 219 [(20)] (21) "Elected official" means:
- 221 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate
Voting Methods Pilot Project;
- 223 (b) a person who is considered to be elected to a municipal office in accordance with Subsection
20A-1-206(1)(c)(ii); or
- 225 (c) a person who is considered to be elected to a special district office in accordance with Subsection
20A-1-206(3)(b)(ii).
- 227 [(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.

HB0479S02 compared with HB0479S03

- 228 [~~(22)~~] (23) "Election Assistance Commission" means the commission established by the Help America
Vote Act of 2002, Pub. L. No. 107-252.
- 230 [~~(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.
- 233 [~~(24)~~] (25) "Election judge" means a poll worker that is assigned to:
- 234 (a) preside over other poll workers at a polling place;
- 235 (b) act as the presiding election judge; or
- 236 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 237 [~~(25)~~] (26) "Election material" includes:
- 238 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 239 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 240 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 241 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
- 242 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
- 243 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 244 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 245 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 246 (g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);
- 248 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 249 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 250 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 251 (k) scanned copies of return envelopes;
- 252 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 253 (m) the materials used in the programming of the automatic tabulating equipment.
- 254 [~~(26)~~] (27) "Election officer" means:
- 255 (a) the lieutenant governor, for all statewide ballots and elections;
- 256 (b) the county clerk for:
- 257 (i) a county ballot and election; and
- 258 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or
20A-5-400.5;
- 260 (c) the municipal clerk for:

HB0479S02 compared with HB0479S03

- 261 (i) a municipal ballot and election; and
- 262 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or
20A-5-400.5;
- 264 (d) the special district clerk or chief executive officer for:
- 265 (i) a special district ballot and election; and
- 266 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or
20A-5-400.5; or
- 268 (e) the business administrator or superintendent of a school district for:
- 269 (i) a school district ballot and election; and
- 270 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or
20A-5-400.5.
- 272 [~~27~~] (28) "Election official" means any election officer, election judge, or poll worker.
- 273 [~~28~~] (29) "Election results" means:
- 274 (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
- 276 (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.
- 278 [~~29~~] (30) "Election results database" means the following information generated by voting equipment:
- 280 (a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an
election;
- 282 (b) a ballot image; and
- 283 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 284 [~~30~~] (31) "Election returns" means:
- 285 (a) the pollbook;
- 286 (b) the military and overseas absentee voter registration and voting certificates;
- 287 (c) one of the tally sheets;
- 288 (d) any unprocessed ballots;
- 289 (e) all counted ballots;
- 290 (f) all excess ballots;
- 291 (g) all unused ballots;
- 292 (h) all spoiled ballots;

HB0479S02 compared with HB0479S03

- 293 (i) all ballot disposition forms, including any provisional ballot disposition forms;
294 (j) the final election results database described in Section 20A-5-802.5;
295 (k) all return envelopes;
296 (l) any provisional ballot envelopes; and
297 (m) the total votes cast form.
- 298 [~~(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.
- 301 [~~(32)~~] (33) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 302 [~~(33)~~] (34) "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).
- 304 [~~(34)~~] (35) "Judicial office" means the office filled by any judicial officer.
- 305 [~~(35)~~] (36) "Judicial officer" means any justice or judge of a court of record or any county court judge.
- 307 [~~(36)~~] (37) "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.
- 310 [~~(37)~~] (38) "Local political subdivision" means a county, a municipality, a special district, or a local
school district.
- 312 [~~(38)~~] (39) "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.
- 315 (40) "Mail-in return envelope" means an envelope described in Subsection 20A-3a-203.6(2) that a voter
must complete, with the voter's remote ballot sealed inside, to return the ballot by mail.
- 318 [~~(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.
- 321 [~~(40)~~] (42) "Mechanical ballot" means a record, including a paper record, electronic record, or
mechanical record, that:
- 323 (a) is created via electronic or mechanical means; and
324 (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.
- 327 [~~(41)~~] (43) "Municipal executive" means:
328 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
329 (b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(6).

HB0479S02 compared with HB0479S03

- 331 [~~(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.
- 334 [~~(43)~~] (45) "Municipal legislative body" means the council of the city or town in any form of municipal
government.
- 336 [~~(44)~~] (46) "Municipal office" means an elective office in a municipality.
- 337 [~~(45)~~] (47) "Municipal officers" means those municipal officers that are required by law to be elected.
- 339 [~~(46)~~] (48) "Municipal primary election" means an election held to nominate candidates for municipal
office.
- 341 [~~(47)~~] (49) "Municipality" means a city or town.
- 342 [~~(48)~~] (50) "Official ballot" means the ballots distributed by the election officer for voters to record
their votes.
- 344 [~~(49)~~] (51) "Official endorsement" means the information on the ballot that identifies:
- 345 (a) the ballot as an official ballot;
- 346 (b) the date of the election; and
- 347 (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
- 349 (ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-301(1)(b)(iii).
- 351 [~~(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.
- 353 [~~(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.
- 356 [~~(52)~~] (54)
- (a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or
counting votes.
- 358 (b) "Poll worker" includes election judges.
- 359 (c) "Poll worker" does not include a watcher.
- 360 [~~(53)~~] (55) "Pollbook" means a record of the names of voters in the order that the voters appear to cast
votes.

362

HB0479S02 compared with HB0479S03

[~~(54)~~] (56) "Polling place" means a [~~building where voting is conducted~~] structure, or a portion of a structure, where a voter may obtain and vote a ballot in person.

364 [~~(55)~~] (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in which the voter marks the voter's choice.

366 [~~(56)~~] (58) "Presidential Primary Election" means the election established in Chapter 9, Part 8, Presidential Primary Election.

368 [~~(57)~~] (59) "Primary convention" means the political party conventions held during the year of the regular general election.

370 [~~(58)~~] (60) "Protective counter" means a separate counter, which cannot be reset, that:

371 (a) is built into a voting machine; and

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

373 [~~(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.

377 [~~(60)~~] (62) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

381 [~~(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.

384 [~~(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.

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

389 (i) elected to public office; or

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

391 [~~(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.

393

HB0479S02 compared with HB0479S03

[(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.

395 [(65)] (67) "Registration form" means a form by which an individual may register to vote under this title.

397 [(66)] (68) "Regular ballot" means a ballot that is not a provisional ballot.

398 [(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.

401 [(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.

404 (71)

(a) "Remote ballot" means a ballot that is mailed to a voter to be returned, after the voter has completed the ballot and sealed the ballot in a return envelope, as follows:

406 (i) to a polling place;

407 (ii) to a ballot drop box;

408 (iii) by mail, if the ballot is sealed in a mail-in return envelope; or

409 (iv) in any other manner permitted by law.

410 (b) "Remote ballot" does not include a ballot obtained and voted at a polling place.

411 [(69)] (72) "Resident" means a person who resides within a specific voting precinct in Utah.

412 [(70)] (73) "Return envelope" means~~[the envelope, described in Subsection 20A-3a-202(4), provided to a voter with a manual ballot]:~~

414 (a) a standard return envelope; or

415 (b) a mail-in return envelope.

416 [(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]~~

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

419 [(71)] (74) "Sample ballot" means a mock ballot similar in form to the official ballot, published as provided in Section 20A-5-405.

421

HB0479S02 compared with HB0479S03

[~~(72)~~] (75) "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.

424 [~~(73)~~] (76) "Special district officers" means those special district board members who are required by law to be elected.

426 [~~(74)~~] (77) "Special election" means an election held as authorized by Section 20A-1-203.

427 [~~(75)~~] (78) "Spoiled ballot" means each ballot that:

428 (a) is spoiled by the voter;

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

430 (c) lacks the official endorsement.

431 (79) "Standard return envelope" means an envelope, described in Subsection 20A-3a-202(4), in which a voter places a ballot after voting at a polling place or when returning a ballot to a ballot drop box or a polling place.

434 [~~(76)~~] (80) "Statewide special election" means a special election called by the governor or the Legislature in which all registered voters in Utah may vote.

436 [~~(77)~~] (81) "Tabulation system" means a device or system designed for the sole purpose of tabulating votes cast by voters at an election.

438 [~~(78)~~] (82) "Ticket" means a list of:

439 (a) political parties;

440 (b) candidates for an office; or

441 (c) ballot propositions.

442 [~~(79)~~] (83) "Transfer case" means the sealed box used to transport voted ballots to the counting center.

444 [~~(80)~~] (84) "Vacancy" means:

445 (a) except as provided in Subsection [~~(80)(b)~~] (84)(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

448 (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.

451 [~~(81)~~] (85) "Valid voter identification" means:

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

454 (i) a currently valid Utah driver license;

HB0479S02 compared with HB0479S03

- 455 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8, Identification Card Act;
- 457 (iii) a currently valid identification card that is issued by:
- 458 (A) the state; or
- 459 (B) a branch, department, or agency of the United States;
- 460 (iv) a currently valid Utah permit to carry a concealed weapon;
- 461 (v) a currently valid United States passport; or
- 462 (vi) a currently valid United States military identification card;
- 463 (b) one of the following identification cards, regardless of whether the card includes a photograph of the voter:
- 465 (i) a valid tribal identification card;
- 466 (ii) a Bureau of Indian Affairs card; or
- 467 (iii) a tribal treaty card; or
- 468 (c) two forms of identification not listed under Subsection [~~(81)(a) or (b)~~] (85)(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:
- 471 [~~(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;~~]
- 473 [~~(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;~~]
- 475 [~~(iii)~~] (i) a certified birth certificate;
- 476 [~~(iv)~~] (ii) a valid social security card;
- 477 [~~(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;
- 479 [~~(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;
- 481 [~~(vii)~~] (v) a currently valid Utah hunting or fishing license;
- 482 [~~(viii)~~] (vi) certified naturalization documentation;
- 483 [~~(ix)~~] (vii) a currently valid license issued by an authorized agency of the United States;
- 485 [~~(x)~~] (viii) a certified copy of court records showing the voter's adoption or name change;
- 487 [~~(xi)~~] (ix) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- 489 [~~(xii)~~] (x) a currently valid identification card issued by:

HB0479S02 compared with HB0479S03

- 490 (A) a local government within the state;
- 491 (B) an employer for an employee; or
- 492 (C) a college, university, technical school, or professional school located within the state; or
- 494 [~~(xiii)~~] (xi) a current Utah vehicle registration.
- 495 [~~(82)~~] (86) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by
following the procedures and requirements of this title.
- 497 [~~(83)~~] (87) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 499 (a) mailing the ballot to the location designated in the mailing; or
- 500 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 501 [~~(84)~~] (88) "Voter" means an individual who:
- 502 (a) meets the requirements for voting in an election;
- 503 (b) meets the requirements of election registration;
- 504 (c) is registered to vote; and
- 505 (d) is listed in the official register.
- 506 [~~(85)~~] (89) "Voter registration deadline" means the registration deadline provided in Section
20A-2-102.5.
- 508 [~~(86)~~] (90) "Voting area" means the area within six feet of the voting booths, voting machines, and
ballot box.
- 510 [~~(87)~~] (91) "Voting booth" means:
- 511 (a) the space or compartment within a polling place that is provided for the preparation of ballots,
including the voting enclosure or curtain; or
- 513 (b) a voting device that is free standing.
- 514 [~~(88)~~] (92) "Voting device" means any device provided by an election officer for a voter to vote a
mechanical ballot.
- 516 [~~(89)~~] (93) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5,
Part 3, Duties of the County and Municipal Legislative Bodies.
- 518 [~~(90)~~] (94) "Watcher" means an individual who complies with the requirements described in Section
20A-3a-801 to become a watcher for an election.
- 520 [~~(91)~~] (95) "Write-in ballot" means a ballot containing any write-in votes.
- 521 [~~(92)~~] (96) "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.

HB0479S02 compared with HB0479S03

523 Section 3. Section **20A-1-304** is amended to read:

524 **20A-1-304. Tie votes.**

525 [~~(1) This section does not apply to a race conducted by instant runoff voting under Chapter 4, Part 6,~~
Municipal Alternate Voting Methods Pilot Project.]

527 [~~(2)~~ (1) Except as provided in Subsection [~~(3)~~ (2), if, after conducting a recount under Subsection
[~~20A-4-401(5)~~] 20A-4-401(4), a tie vote occurs, the election officer shall, in a public meeting held
no later than the first business day that is at least three calendar days after the day on which the
recount canvass is completed:

531 (a) determine the winning candidate, by lot, in whatever manner the election officer determines; and

533 (b) provide notice and an opportunity for each candidate involved in the tie to observe the casting or
drawing of the lot or to send a representative to observe the casting or drawing of the lot.

536 [~~(3)~~ (2)

(a) If, after conducting a recount under Subsection [~~20A-4-401(5)~~] 20A-4-401(4), a tie vote occurs
in a primary election race for a national, statewide, or other office that represents more than one
county, the governor, lieutenant governor, and attorney general shall, at a public meeting called by
the governor and held no later than the first business day that is at least three calendar days after the
day on which the recount canvass is completed:

542 (i) determine the winning nominee, by lot, in whatever manner the governor determines; and

544 (ii) provide notice and an opportunity for each candidate involved in the tie to observe the casting
or drawing of the lot or to send a representative to observe the casting or drawing of the lot.

547 (b) If, after conducting a recount under Subsection [~~20A-4-401(5)~~] 20A-4-401(4), a tie vote occurs in a
primary election race for a county office, the district court judges of the district in which the county
is located shall, at a public meeting called by the judges and held no later than the first business day
that is at least three calendar days after the day on which the recount canvass is completed:

552 (i) determine the winning nominee, by lot, in whatever manner the judges determine; and

554 (ii) provide notice and an opportunity for each candidate involved in the tie to observe the casting or
drawing of the lot or to send a representative to observe the casting or drawing of the lot.

557 Section 4. Section **20A-2-104** is amended to read:

558 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

560 (1) As used in this section:

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

HB0479S02 compared with HB0479S03

- 562 (i) who files a declaration of candidacy for a public office;
563 (ii) who files a notice of intent to gather signatures under Section 20A-9-408; or
564 (iii) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i)
or (ii) for political campaign purposes.
- 566 (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.
- 568 (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.
- 570 (d) "Hash [~~Code~~] code" means a code generated by applying an algorithm to a set of data to produce a
code that:
- 572 (i) uniquely represents the set of data;
573 (ii) is always the same if the same algorithm is applied to the same set of data; and
574 (iii) cannot be reversed to reveal the data applied to the algorithm.
- 575 (e) "Protected individual" means an individual:
- 576 (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;
- 581 (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
- 587 (iii) whose voter registration record was classified as a private record at the request of the individual
before May 12, 2020.
- 589 (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:

591 -----
592 UTAH ELECTION REGISTRATION FORM
593 Are you a citizen of the United States of America? Yes No

HB0479S02 compared with HB0479S03

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

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

596 If you checked "no" to the above question, are you 16 or 17 years of age and preregistering to
vote? Yes No

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

599 Name of Voter

600 _____

601 First Middle Last

602 Utah Driver License or Utah Identification Card Number _____

604 Date of Birth _____

605 Street Address of Principal Place of Residence

606 _____

607 City County State Zip Code

608 Telephone Number (optional) _____

609 Email Address (optional) _____

610 Last four digits of Social Security Number _____

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

613 _____

614 City County State Zip Code

615 Political Party

616 (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)

619 Unaffiliated (no political party preference) Other (Please
specify) _____

621 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.

HB0479S02 compared with HB0479S03

627 Signed and sworn

628 _____

629 Voter's Signature

630 _____(month/day/year).

631 PRIVACY INFORMATION

632 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.

636 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.

640 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:

643 _____ 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.

646 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

647 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.

652 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.

658 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

HB0479S02 compared with HB0479S03

registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order.

CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

Signature of Applicant

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

NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID VOTER IDENTIFICATION TO THE POLL WORKER, 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

HB0479S02 compared with HB0479S03

-----";
and

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

696 "How would you like to receive your ballot and vote in upcoming elections?"

697 [~~Indicate below how you want to vote in upcoming elections:~~

698 ~~_____ Mail a ballot to me.]~~

699 _____ Do not mail a ballot to me. I will obtain a ballot at a polling place and vote in person.^[2]

701 _____ Mail a ballot to me. After receiving a ballot by mail (choose one):

702 _____ I will return the ballot to a polling place or a ballot drop box.

703 _____ I will return the ballot by mail (Warning: If you return a ballot by mail, there is a risk that the
ballot may arrive too late to be counted)."

705 (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.

708 (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.

710 (3)

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

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

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

714 (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.

717 (4)

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

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

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

723

HB0479S02 compared with HB0479S03

- (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or independent contractor of an insurance company;
- 725 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or independent contractor of a financial institution;
- 727 (v) a political party, or an agent, employee, or independent contractor of a political party;
- 729 (vi) a candidate for public office, or an employee, independent contractor, or volunteer of a candidate for public office;
- 731 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a year of birth from the list of registered voters:
- 733 (A) provides the year of birth only to a person described in Subsections (4)(a)(i) through (vi);
- 735 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person described in Subsections (4)(a)(i) through (vi);
- 737 (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);
- 740 (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;
- 744 (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
- 747 (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
- 750 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining information under Subsection (4)(n) and (o):
- 752 (A) provides the information only to another person described in Subsection (4)(a)(v) or (vi);
- 754 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a person described in Subsection (4)(a)(v) or (vi);
- 756 (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

HB0479S02 compared with HB0479S03

- 759 (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.
- 762 (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
registered voters to a qualified person under this section, include, with the list, the years of birth of
the registered voters, if:
- 766 (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a
qualified person; and
- 768 (ii) the qualified person signs a document that includes the following:
- 769 (A) the name, address, and telephone number of the person requesting the list of registered voters;
- 771 (B) an indication of the type of qualified person that the person requesting the list claims to be;
- 773 (C) a statement regarding the purpose for which the person desires to obtain the years of birth;
- 775 (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;
- 777 (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);
- 780 (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;
- 785 (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
- 788 (H) notice that if the person makes a false statement in the document, the person is punishable by law
under Section 76-8-504.
- 790 (c) The lieutenant governor or a county clerk:
- 791 (i) may not disclose the year of birth of a registered voter to a person that the lieutenant governor or
county clerk reasonably believes:
- 793 (A) is not a qualified person or a person described in Subsection (4)(l); or
- 794 (B) will provide or use the year of birth in a manner prohibited by law; and

HB0479S02 compared with HB0479S03

- 795 (ii) may not disclose information under [~~Subsections~~] Subsection (4)(n) or (o) to a person that the
lieutenant governor or county clerk reasonably believes:
- 797 (A) is not a person described in Subsection (4)(a)(v) or (vi); or
- 798 (B) will provide or use the information in a manner prohibited by law.
- 799 (d) The lieutenant governor or a county clerk may not disclose the voter registration 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:
- 803 (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
- 806 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for a political
purpose.
- 808 (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.
- 812 (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).
- 815 (f) The lieutenant governor or a county clerk may not disclose a withholding request form, described
in Subsections (7) and (8), submitted by an individual, or information obtained from that form, to a
person other than a government official or government employee acting in the government official's
or government employee's capacity as a government official or government employee.
- 820 (g) A person is guilty of a class A misdemeanor if the person:
- 821 (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);
- 823 (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;
- 826 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under false pretenses;
- 828 (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;

830

HB0479S02 compared with HB0479S03

- (v) unlawfully discloses or obtains a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8); or
- 833 (vi) unlawfully discloses or obtains information from a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8).
- 836 (h) The lieutenant governor or a county clerk shall classify the voter registration record of a voter as a private record if the voter:
- 838 (i) submits a written application, created by the lieutenant governor, requesting that the voter's voter registration record be classified as private;
- 840 (ii) requests on the voter's voter registration form that the voter's voter registration record be classified as a private record; or
- 842 (iii) submits a withholding request form described in Subsection (7) and any required verification.
- 844 (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).
- 848 (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:
- 851 (i) the product of 30 and the square root of the total number of:
- 852 (A) records obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or
- 854 (B) records from which information is obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or
- 856 (ii) \$200.
- 857 (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:
- 860 (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;
- 863 (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;

HB0479S02 compared with HB0479S03

- 867 (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
- 870 (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.
- 874 (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.
- 877 (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.
- 880 (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), the
information described in Subsection (4)(o), if:
- 885 (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
- 887 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document that includes the
following:
- 889 (A) the name, address, and telephone number of the person requesting the list of registered voters;
- 891 (B) an indication of the type of qualified person that the person requesting the list claims to be;
- 893 (C) a statement regarding the purpose for which the person desires to obtain the information;
- 895 (D) a list of the purposes for which the qualified person may use the information;
- 896 (E) a statement that the information may not be provided or used for a purpose other than a purpose
described under Subsection (4)(n)(ii)(D);
- 898 (F) a statement that if the person obtains the information under false pretenses, or 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;
- 901 (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

903

HB0479S02 compared with HB0479S03

- (H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.
- 905 (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:
- 908 (i) a single hash code, generated from a string of data that includes both the voter's voter identification number and residential address;
- 910 (ii) the voter's residential address;
- 911 (iii) the voter's mailing address, if different from the voter's residential address;
- 912 (iv) the party affiliation of the voter;
- 913 (v) the precinct number for the voter's residential address;
- 914 (vi) the voter's voting history; and
- 915 (vii) a designation of which age group, of the following age groups, the voter falls within:
- 917 (A) 25 or younger;
- 918 (B) 26 through 35;
- 919 (C) 36 through 45;
- 920 (D) 46 through 55;
- 921 (E) 56 through 65;
- 922 (F) 66 through 75; or
- 923 (G) 76 or older.
- 924 (p) The lieutenant governor or a county clerk may not disclose:
- 925 (i) information described in Subsection (4)(o) that, due to a small number of voters affiliated with a particular political party, or due to another reason, would likely reveal the identity of a voter if disclosed; or
- 928 (ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the county clerk determines that the nature of the address would directly reveal sensitive information about the voter.
- 931 (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.
- 935 (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

HB0479S02 compared with HB0479S03

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.

- 940 (6) Upon receipt of a voter registration form from an applicant, the county clerk or the clerk's designee shall:
- 942 (a) review each voter registration form for completeness and accuracy; and
- 943 (b) if the county clerk believes, based upon a review of the form, that an individual may 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.
- 947 (7) The lieutenant governor or a county clerk shall withhold from a person, other than a person described in Subsection (4)(a)(i), the voter registration record, and information obtained from the voter registration record, of a protected individual.
- 950 (8)
- (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), and this Subsection (8) to each election officer and to each agency that provides a voter registration form.
- 953 (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.
- 958 (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).
- 962 (9) An election officer or an employee of an election officer may not encourage an individual to submit, or discourage an individual from submitting, a withholding request form.
- 965 (10)
- (a) The lieutenant governor shall make and execute a plan to provide notice to registered voters who are protected individuals, that includes the following information:
- 968 (i) that the voter's classification of the record as private remains in effect;
- 969 (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;

972

HB0479S02 compared with HB0479S03

- (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;
- 976 (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
- 979 (v) that a county clerk may, under certain circumstances, withhold other information that the county clerk determines would reveal identifying information about the voter.
- 982 (b) The lieutenant governor may include in the notice described in this Subsection (10) a statement that a voter may obtain additional information on the lieutenant governor's website.
- 985 (c) The plan described in Subsection (10)(a) may include providing the notice described in Subsection (10)(a) by:
- 987 (i) publication on the Utah Public Notice Website, created in Section 63A-16-601;
- 988 (ii) publication on the lieutenant governor's website or a county's website;
- 989 (iii) posting the notice in public locations;
- 990 (iv) publication in a newspaper;
- 991 (v) sending notification to the voters by electronic means;
- 992 (vi) sending notice by other methods used by government entities to communicate with citizens; or
- 994 (vii) providing notice by any other method.
- 995 (d) The lieutenant governor shall provide the notice included in a plan described in this Subsection (10) before June 16, 2023.

997 Section 5. Section **20A-2-108** is amended to read:

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

1000 (1) As used in this section, "qualifying form" means:

- 1001 (a) a driver license application form; or
- 1002 (b) a state identification card application form.

1003 (2) The lieutenant governor and the Driver License Division shall design each qualifying form to include:

1005 (a)

- (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

HB0479S02 compared with HB0479S03

- 1008 (ii) [~~no later than November 5, 2025,~~]the following:
- 1009 "How would you like to receive your ballot and vote in upcoming elections?
- 1010 [~~Indicate below how you want to vote in upcoming elections:~~
- 1011 _____ Mail a ballot to me.]
- 1012 _____ Do not mail a ballot to me. I will obtain a ballot at a polling place and vote in person.
- 1013 _____ Mail a ballot to me. After receiving a ballot by mail (choose one):
- 1014 _____ I will return the ballot to a polling place or a ballot drop box.
- 1015 _____ I will return the ballot by mail (Warning: If you return a ballot by mail, there is a risk that the ballot may arrive too late to be counted).";
- 1017 (b) the following statement:

"PRIVACY INFORMATION

1019 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.

1023 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.

1027 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:

1030 _____ 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

1034 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.

1039 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,

HB0479S02 compared with HB0479S03

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.

1045 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
1046 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

1051 (c) a section in substantially the following form:

1052 "-----
1053 **BALLOT NOTIFICATIONS**
1054 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
1056 -----".

1057 (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form
contains:

1059 (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;

1061 (b) a records disclosure that is similar to the records disclosure on a voter registration form described in
Section 20A-2-104;

1063 (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;

1066 (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

1069 (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a space where an
individual may, if desired:

1071 (i) indicate the individual's desired political affiliation from a listing of each registered political party, as
defined in Section 20A-8-101;

HB0479S02 compared with HB0479S03

- 1073 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires
to affiliate; or
- 1075 (iii) indicate that the individual does not wish to affiliate with a political party.
- 1076 Section 6. Section **20A-2-206** is amended to read:
- 1077 **20A-2-206. Electronic registration -- Requesting to receive a ballot by mail.**
- 1079 (1) The lieutenant governor shall create and maintain an electronic system that is publicly available on
the [~~Internet~~] internet for an individual to:
- 1081 (a) apply for voter registration or preregistration;~~[-or]~~
- 1082 (b) [~~beginning no later than July 1, 2025,~~]request to receive a ballot by mail~~[-]~~ ; or
- 1083 (c) beginning no later than July 1, 2026, request to return a ballot by mail.
- 1084 (2) The electronic system described in Subsection (1) shall require, to register to vote, the applicant to:
- 1086 (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;
- 1089 (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);
- 1091 (c) attest to the truth of the information provided; and
- 1092 (d) authorize the lieutenant governor's and county clerk's use of the applicant's:
- 1093 (i) driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver
License Act, for voter registration or preregistration purposes; or
- 1095 (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.
- 1098 (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.
- 1100 (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).
- 1103 (5) The lieutenant governor shall, in relation to an individual who is registering to vote:
- 1104 (a) obtain a digital copy of the applicant's driver license signature or identification card signature from
the Driver License Division; or
- 1106 (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.

HB0479S02 compared with HB0479S03

- 1108 (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:
- 1111 (a) receiving all information from an applicant; and
1112 (b)
(i) receiving all information from the Driver License Division, if applicable; and
1113 (ii) ensuring that the applicant's signature is on file in the lieutenant governor's statewide voter
registration database developed under Section 20A-2-502.
- 1115 (7) The lieutenant governor may use additional security measures to ensure the accuracy and integrity
of information submitted electronically under this section.
- 1117 (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:
- 1119 (a) accept and process the voter registration form;
1120 (b) unless the individual named in the form is preregistering to vote:
1121 (i) enter the applicant's name on the list of registered voters for the voting precinct in which the
applicant resides; and
1123 (ii) notify the individual that the individual is registered to vote in the upcoming election; and
1125 (c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.
- 1127 (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:
- 1129 (a) accept the application for registration; and
1130 (b) except as provided in Subsection 20A-2-207(6), if possible, promptly inform the individual that
the individual will not be registered to vote in the pending election, unless the individual registers
to vote by provisional ballot during the early voting period, if applicable, on election day, in
accordance with Section 20A-2-207.
- 1134 (10) The lieutenant governor shall provide a means by which a registered voter shall sign the
application form.
- 1136 (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:
- 1138 "How would you like to receive your ballot and vote in upcoming elections?"
1139 [~~"Indicate below how you want to vote in upcoming elections:"~~

HB0479S02 compared with HB0479S03

- 1140 _____ Mail a ballot to me.]
- 1141 _____ Do not mail a ballot to me. I will obtain a ballot at a polling place and vote in person.
- 1142 _____ Mail a ballot to me. After receiving a ballot by mail, I will (choose one):
- 1143 _____ I will return the ballot to a polling place or a ballot drop box.
- 1144 _____ I will return the ballot by mail (Warning: If you return a ballot by mail, there is a risk that the
ballot may arrive too late to be counted)."
- 1146 Section 7. Section 7 is enacted to read:
- 1147 **20A-2-208. Voter registration forms and information available at Division of Wildlife
Resources offices.**
- 1149 (1) As used in this section:
- 1150 (a) "Applicant" means an individual who is:
- 1151 (i) seeking to purchase a hunting or fishing license in-person at a Division of Wildlife Resources office;
and
- 1153 (ii) eligible to register to vote under Section 20A-2-101 or to preregister to vote under Section
20A-2-101.1.
- 1155 (b) "Voter registration information" means information provided by the lieutenant governor, including:
- 1157 (i) instructions for registering to vote;
- 1158 (ii) voter registration deadlines; and
- 1159 (iii) contact information for questions about voter registration.
- 1160 (2) The lieutenant governor shall provide voter registration forms and voter registration information to
each Division of Wildlife Resources office.
- 1162 (3)
- 1165 (a) An applicant may receive a voter registration form when purchasing a hunting or fishing license at a
Division of Wildlife Resources office in accordance with this Subsection (3).
- 1165 {~~(b) {Each Division of Wildlife Resources office shall provide to each applicant, either as part of an
existing form or on a separate form, the following text in substantially the following form:} }~~}
- 1177 (c){~~(b) {Unless an applicant declines a voter registration form, the } A~~ Division of Wildlife Resources
office shall:
- 1179 (i) provide {the applicant with a } voter registration {form} forms and voter registration informationto
the public; and
- 1181

HB0479S02 compared with HB0479S03

(ii) direct any questions about voter registration to the Office of the Lieutenant Governor or a county clerk.

1183 (4) The Division of Wildlife Resources shall provide a link to the state's online voter registration
application to each individual who purchases a hunting or fishing license on the internet.

1173 Section 8. Section **20A-2-505** is amended to read:

1174 **20A-2-505. Removing names from the official register -- Determining and confirming change**
of residence.

1189 (1) A county clerk may not remove a voter's name from the official register on the grounds that the
voter has changed residence unless the voter:

1191 (a) confirms in writing that the voter has changed residence to a place outside the county; or

1193 (b)

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

1196 (ii) does not respond to the notice described in Subsection (3).

1197 (2)

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

1200 (i) change the official register to show the voter's new address; and

1201 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

1202 (b) When a county clerk obtains information that a voter's address has changed and it appears that
the voter now resides in a different county, the county clerk shall verify the changed residence
by sending to the voter, by forwardable mail, the notice described in Subsection (3), printed on a
postage prepaid, preaddressed return form.

1206 (3)

(a) Each county clerk shall use substantially the following form to notify voters whose addresses have
changed:

1208 "VOTER REGISTRATION NOTICE

1209 We have been notified that your residence has changed. Please read, complete, and return this
form so that we can update our voter registration records. What is your current street address?

HB0479S02 compared with HB0479S03

1212

1213

Street	City	County	State	Zip
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1214

What is your current phone number (optional)? _____

1215

What is your current email address (optional)? _____

1216

If you have not changed your residence, or have moved but stayed within the same county, you must complete and return this form to the county clerk so that it is received by the county clerk before 5 p.m. no later than 30 calendar days before the date of the election. If you fail to return this form within that time:

1220

- you may be required to show evidence of your address to the poll worker before being allowed to vote in either of the next two regular general elections; or

1222

- if you fail to vote at least once, from the date this notice was mailed until the passing of two regular general elections, you will no longer be registered to vote. If you have changed your residence and have moved to a different county in Utah, you may register to vote by contacting the county clerk in your county.

1226

1227

Signature of Voter

1228

PRIVACY INFORMATION

1229

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.

1233

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.

1237

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:

1240

_____ 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.

1243

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

HB0479S02 compared with HB0479S03

1244 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.

1249 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.

1255 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."

1261 (b) The form described in Subsection (3)(a) shall also include:

1262 (i) a section in substantially the following form:

1263 "-----
1264 **BALLOT NOTIFICATIONS**
1265 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
1267 -----";

and

1269 (ii) [~~no later than November 5, 2025,~~]the following, immediately after the question described in
Subsection (3)(b)(i):

1258 "How would you like to receive your ballot and vote in upcoming elections?"

1272 [~~Indicate below how you want to vote in upcoming elections:~~

1273 _____ Mail a ballot to me.]

1274 _____ Do not mail a ballot to me. I will obtain a ballot at a polling place and vote in person.

1262 _____ Mail a ballot to me. After receiving a ballot by mail (choose one):

1263 _____ I will return the ballot to a polling place or a ballot drop box.

HB0479S02 compared with HB0479S03

- 1264 I will return the ballot by mail (Warning: If you return a ballot by mail, there is a risk that the
 ballot may arrive too late to be counted)."
- 1279 (4)
- (a) Except as provided in Subsection (4)(b), the county clerk may not remove the names of any voters
 from the official register during the 90 calendar days before a regular primary election or the 90
 calendar days before a regular general election.
- 1282 (b) The county clerk may remove the names of voters from the official register during the 90 calendar
 days before a regular primary election or the 90 calendar days before a regular general election if:
- 1285 (i) the voter requests, in writing, that the voter's name be removed; or
- 1286 (ii) the voter dies.
- 1287 (c)
- (i) After a county clerk mails a notice under this section, the county clerk shall, unless otherwise
 prohibited by law, list that voter as inactive.
- 1289 (ii) If a county clerk receives a returned voter identification card, determines that there was no clerical
 error causing the card to be returned, and has no further information to contact the voter, the county
 clerk shall, unless otherwise prohibited by law, list that voter as inactive.
- 1293 (iii) An inactive voter may vote, sign petitions, and have all other privileges of a registered voter.
- 1295 (iv) A county is not required to:
- 1296 (A) send routine mailings to an inactive voter; or
- 1297 (B) count inactive voters when dividing precincts and preparing supplies.
- 1298 (5) The lieutenant governor shall make available to a county clerk United States Social Security
 Administration data received by the lieutenant governor regarding deceased individuals.
- 1301 (6) A county clerk shall, within 10 business days after the day on which the county clerk receives
 the information described in Subsection (5) or Subsections 26B-8-114(11) and (12) relating to a
 decedent whose name appears on the official register, remove the decedent's name from the official
 register.
- 1305 (7) Ninety calendar days before each primary and general election the lieutenant governor shall
 compare the information the lieutenant governor has received under Subsection 26B-8-114(11) with
 the official register of voters to ensure that all deceased voters have been removed from the official
 register.
- 1296 Section 9. Section **20A-3a-201** is amended to read:

HB0479S02 compared with HB0479S03

1297 **20A-3a-201. Voting methods.**

1311 ~~[(1)]~~ A voter may vote as follows:

1312 ~~[(a) by mail;]~~

1313 ~~[(b)]~~ (1) at a polling place, or by delivering a completed remote ballot to a poll worker at a polling place, during early voting hours;

1315 ~~[(c)]~~ (2) at a polling place, or by delivering a completed remote ballot to a poll worker at a polling place, on election day when the polls are open;

1317 (3) by delivering a completed remote ballot to a poll worker at a ballot drop box during the hours that the ballot drop box is open and attended by poll workers;

1319 ~~[(d)]~~ (4) if the voter is an individual with a disability, by voting remotely, via a mechanical ballot or via electronic means if approved by the election officer;

1321 ~~[(e)]~~ (5) electronically or via a federal write-in absentee ballot if the voter is a covered voter, as defined in Section 20A-16-102; ~~[or]~~

1323 (6) by mail, in accordance with Section 20A-3a-203.6; or

1324 ~~[(f)]~~ (7) by emergency ballot, in accordance with Part 3, Emergency Ballots.

1325 ~~[(2) A voter may not vote at a polling place if the voter voted by mail or in a manner described in Subsections (1)(d) through (f).]~~

1314 Section 10. Section **20A-3a-202** is amended to read:

1315 **20A-3a-202. Conducting an election -- Mailing ballots to voters -- Exceptions.**

1330 (1)

~~[(a)]~~ Except as otherwise provided for an election held for a local tax referendum that is 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.

1333 ~~[(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.]~~

1335 (2) An election officer who administers an election:

1336 (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)] , and subject to, Section 20A-3a-202.5:~~

1340 (i) a manual ballot;

HB0479S02 compared with HB0479S03

- 1341 (ii)
1342 (A) a standard return envelope; or
1343 (B) if required under Subsection 20A-3a-202.5(4) or (5)(b)(ii), a mail-in return envelope;
1344 (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;
1347 (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
1350 (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;
- 1352 (b) may not mail a ballot under this section to:
1353 (i) an inactive voter, unless the inactive voter requests a manual ballot; or
1354 (ii) a voter whom the election officer is prohibited from sending a ballot under [~~Subsection~~
~~20A-3a-202.5(4)~~] Section 20A-3a-202.5;
- 1356 (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;
1359 (d) shall provide a method of accessible voting to a voter with a disability who is not able to vote by
mail; and
1361 (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.
- 1363 (3)
1364 (a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to
the address:
1365 (i) provided at the time of registration or updated by the voter after the time of registration; or
1367 (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.
- 1369 (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.
- 1372 (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.

HB0479S02 compared with HB0479S03

- 1374 (d) [~~Beginning on November 5, 2025, through~~] Before December 31, 2028, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statements:
- 1377 "WARNING
- 1378 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.
- 1384 NOTICE
- 1385 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a ballot by mail, and you will not be permitted to return your ballot by mail unless you request to return your ballot by mail (Exception: You may return your ballot by mail without making this request if, on the day of the election, you are stationed outside the United States by the military or you otherwise reside outside the United States). You may request to receive a ballot by mail, or to return a ballot by mail, at [insert a uniform resource locator where the voter can make the request online]. If you are unable to make a request online, contact your county clerk's office at the following number for instructions on how to make the request in person or by mail [insert phone number here]."[:]
- 1394 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statement:
- 1396 "WARNING
- 1397 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.
- 1400 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:
- 1403 • a currently valid identification card that is issued by the state or a branch, department, or agency of the United States;
- 1405 • a currently valid Utah permit to carry a concealed weapon;
- 1406 • a currently valid United States passport;
- 1407 • a currently valid United States military identification card; or

HB0479S02 compared with HB0479S03

- 1408 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card.
1410 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]."
- 1415 (4) ~~[The]~~ A standard return envelope shall include:
- 1416 (a) the name, official title, and post office address of the election officer on the front of the envelope;
- 1418 (b) subject to Subsection ~~[(9), beginning on or before January 1, 2026]~~ (6), until January 1, 2029, 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;
- 1421 (c) the following statement:
- 1422 "IMPORTANT: See the warning and notice enclosed with your ballot.";
- 1423 (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
- 1425 (e) a printed affidavit in substantially the following form:
- 1426 "County of ____ State of ____
- 1427 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.
- 1430 _____
- 1431 Signature of Voter
- 1432 WARNING
- 1433 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."
- 1436 ~~[(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:]~~
- 1438 ~~[(a) mail a ballot to the voter;]~~
- 1439 ~~[(b) instruct the voter to enclose a copy of the voter's valid voter identification in the return envelope;
and]~~

HB0479S02 compared with HB0479S03

- 1441 [(e) 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.]
- 1444 [(6) An election officer who administers an election shall:]
- 1445 [(a)
- 1447 [(i) before the election, obtain the signatures of each voter qualified to vote in the election; or]
- 1449 [(ii) obtain the signature of each voter within the voting precinct from the county clerk; and]
- 1450 [(b) maintain the signatures on file in the election officer's office.]
- 1450 [(7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under
Section 20A-3a-401.]
- 1452 [(8)] (5) A county that administers an election:
- 1453 (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;
- 1457 (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;
- 1460 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 1461 (i) the county clerk conducts early voting on at least four days;
- 1462 (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
- 1465 (iii) the county clerk provides notice of the reduced early voting period in accordance with Section
20A-3a-604; and
- 1467 (d) is not required to pay return postage for a mail-in return envelope.
- 1468 [(9)] (6) 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.
- 1471 [(10)] (7) A county clerk shall, at least 90 calendar days before an election administered by the county
clerk, contact local post offices to:
- 1473 (a) coordinate the handling of mail-in ~~[ballots]~~ return envelopes for the upcoming election; and
- 1475 (b) take measures to ensure that[:]
- 1476 [(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]

HB0479S02 compared with HB0479S03

- 1479 [(ii)] ballots are delivered in an expeditious manner to optimize the timely receipt of ballots.
- 1468 Section 11. Section **20A-3a-202.5** is amended to read:
- 1469 **20A-3a-202.5. Receiving a ballot by mail -- Making a request -- Termination or expiration of**
a request -- Renewing a request.
- 1484 (1) As used in this section[,"request"] :
- 1485 (a) "Request to receive a ballot by mail" means to make a request as described in Subsection (2).
- 1487 (b) "Request to return a ballot by mail" means to make a request as described in Subsection (3).
- 1489 (2) An individual may request to receive a ballot by mail by:
- 1490 (a) making the request on a voter registration form;
- 1491 (b) making the request when the individual applies for or renews the individual's driver license or state
identification card;
- 1493 (c) making the request via the electronic system described in Section 20A-2-206; or
- 1494 (d) making the request when the voter votes in person.
- 1495 (3) An individual may request to return a ballot by mail by:
- 1496 (a) making the request on a voter registration form;
- 1497 (b) making the request when the individual applies for or renews the individual's driver license or state
identification card;
- 1499 (c) making the request via the electronic system described in Section 20A-2-206; or
- 1500 (d) making the request when the voter votes in person.
- 1501 [~~3~~] (4) [~~An~~] Except as provided in Subsection (8), for an election held before January 1, 2029, an
election officer shall, when mailing ballots to voters under Section 20A-3a-202, mail a ballot and a
mail-in return envelope to each registered voter who[;]
- 1504 [~~(a) for an election held before January 1, 2029,~~] is an active voter, unless the voter requests to stop
receiving a ballot by mail[; or] .
- 1506 (5)
- [~~(b) except~~] Except as provided in [~~Subsection (4)~~] Subsections (6) through (8), for an election held
on or after January 1, 2029, an election officer shall, when mailing ballots to voters under Section
20A-3a-202:
- 1509 [(i)] (a) mail a ballot to each voter who:
- 1510 (i) is an active voter; and
- 1511 (ii) has, in accordance with Subsection (2), made a request to receive a ballot by mail[-] ; and

HB0479S02 compared with HB0479S03

- 1513 (b)
- (i) except as provided in Subsection (5)(b)(ii), mail with the ballot a standard return envelope; or
- 1515 (ii) if the voter has, in accordance with Subsection (3), made a request to return a ballot by mail, mail with the ballot a mail-in return envelope.
- 1517 ~~[(4)]~~ (6) ~~[For-]~~ Except as provided in Subsection (7) or (8), for an election held on or after January 1, 2029[-] :
- 1519 (a) an election officer may not mail a ballot or a return envelope to an individual who:
- 1520 ~~[(a)]~~ (i) following the individual's most recent request to receive a ballot by mail:
- 1521 ~~[(i)]~~ (A) requests to stop receiving ballots by mail; or
- 1522 ~~[(ii)]~~ (B) does not vote in an election during a period that includes two consecutive regular general elections; or
- 1524 ~~[(b)]~~ (ii) has not, within eight years before the day on which the election officer mails the bulk of the ballots for an election, made a request to receive a ballot by mail[-] ; and
- 1527 (b) an election officer who mails a ballot to an individual in accordance with this section shall include with the ballot a standard return envelope, and may not include with the ballot a mail-in return envelope if the individual has not, within eight years before the day on which the election officer mails the bulk of the ballots for an election, made a request to return a ballot by mail.
- 1532 ~~[(5)]~~ (7) This section may not be applied in a manner that conflicts with Chapter 16, Uniform Military and Overseas Voters Act.
- 1534 (8) In an election held for a local tax law referendum that is conducted entirely by mail under Section 20A-7-609.5, the election officer shall send by mail to a registered voter a ballot and a mail-in return envelope, regardless of whether the registered voter:
- 1537 (a) requests to receive a ballot by mail;
- 1538 (b) requests to stop receiving a ballot by mail; or
- 1539 (c) requests to return a ballot by mail.
- 1527 Section 12. Section **20A-3a-203** is amended to read:
- 1528 **20A-3a-203. Voting at a polling place.**
- 1542 (1) A registered voter may vote at a polling place, or return a remote ballot to a polling place, in an election in accordance with this section.
- 1544 (2)

HB0479S02 compared with HB0479S03

- (a) The voter shall give the voter's name, and, if requested, the voter's residence, to one of the poll workers.
- 1546 (b) The voter shall present valid voter identification to one of the poll workers, as follows:
- 1548 (i) the voter shall present a currently valid Utah driver license or Utah state identification card;
- 1550 (ii) if the voter does not have the type of identification described in Subsection (2)(b)(i), the voter shall present:
- 1552 (A) a currently valid identification card issued by the state, or a branch, department, or agency of the United States;
- 1554 (B) a currently valid Utah permit to carry a concealed weapon;
- 1555 (C) a currently valid United States passport;
- 1556 (D) a currently valid United States military identification card; or
- 1557 (E) a valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card; or
- 1559 (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.
- 1561 (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:
- 1563 (i) indicate on the official register that the voter was not properly identified;
- 1564 (ii) if the voter is returning a remote ballot, issue the voter a provisional ballot envelope;
- 1566 [~~(ii)~~] (iii) if the voter is voting in-person, issue the voter a provisional ballot; and
- 1567 [~~(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, to present valid voter identification;~~]
- 1570 [~~(A) to the county clerk at the county clerk's office; or~~]
- 1571 [~~(B) to an election officer who is administering the election; and~~]
- 1572 (iv) follow the procedures and requirements of Section 20A-3a-205.
- 1573 (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.
- 1575 (3) A poll worker at a polling place shall check the official register[~~to determine~~]:
- 1576 (a) to determine whether a voter is registered to vote; and
- 1577

HB0479S02 compared with HB0479S03

- (b) ~~[if the election is]~~ for a voter who seeks to obtain a ballot from a polling place during a regular primary election or a presidential primary election, to determine whether a voter's party affiliation designation in the official register allows the voter to vote the ballot that the voter requests.
- 1581 (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.
- 1584 (b) If, when a voter seeks to obtain a ballot from a polling place 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."
- 1589 (5) In a regular primary election or a presidential primary election:
- 1590 (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
- 1593 (b) if oral verification is received from the county clerk's office, the poll worker shall:
- 1594 (i) record the verification on the official register;
- 1595 (ii) for a voter who seeks to obtain a ballot from a polling place, determine the voter's party affiliation and the ballot that the voter is qualified to vote; and
- 1597 (iii) except as provided in Subsection (6), comply with Subsection (3).
- 1598 (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.
- 1603 (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:
- 1608 (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
- 1610 (ii)

HB0479S02 compared with HB0479S03

- (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
- 1613 (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.
- 1616 (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:
- 1619 (a) direct the voter to sign the voter's name in the official register; and
- 1620 (b)
- (i) if the voter is returning a remote ballot:
- 1621 (A) ensure that the voter seals the remote ballot in a return envelope; and
- 1622 (B) after complying with Subsection (7)(b)(i)(A), accept the return envelope from the voter and place the return envelope in the ballot box; or
- 1624 (ii) if the voter seeks to obtain a ballot at the polling place:
- 1625 [~~(b)~~] (A) provide to the voter the ballot that the voter is qualified to vote; [~~and~~]
- 1626 (B) provide to the voter a standard return envelope; and
- 1627 [~~(c)~~] (C) allow the voter to enter the voting booth.
- 1628 (8)
- (a) The official register shall include the statement described in Subsection (8)(b):
- 1629 (i) at the top of each page of the register where a voter signs the register; or
- 1630 (ii) adjacent to the place where each voter signs the register.
- 1631 (b) The statement described in Subsection (8)(a) shall appear as follows:
- 1632 "AFFIDAVIT
- 1633 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."
- 1636 (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.
- 1625 Section 13. Section 13 is enacted to read:
- 1626 **20A-3a-203.5. Returning a remote ballot to a ballot drop box.**
- 1640 (1) A registered voter may return a remote ballot to a ballot drop box in accordance with this section.
- 1642

HB0479S02 compared with HB0479S03

(2) A voter may not return a remote ballot to a ballot drop box, unless the ballot drop box is attended by two or more poll workers.

1644 (3) When returning a remote ballot to a ballot drop box:

1645 (a) the voter shall present to one of the poll workers:

1646 (i) the return envelope, with the remote ballot sealed inside; and

1647 (ii) a type of valid voter identification described in Subsection 20A-1-102(85)(a) or (b); and

1649 (b) the poll worker shall:

1650 (i) examine the return envelope and the identification described in Subsection (3)(a); and

1652 (ii) determine whether the identification presented:

1653 (A) is a type of valid voter identification described in Subsection 20A-1-102(85)(a) or (b); and

1655 (B) in accordance with Subsection (4), identifies the individual presenting the identification as the voter to whom the ballot relates.

1657 (4) A poll worker shall make the determination described in Subsection (3)(b)(ii)(B) as follows:

1659 (a) if the valid voter identification described in Subsection (3)(b)(ii)(A) includes a photograph of the individual identified:

1661 (i) compare the photograph to the individual presenting the identification to determine whether the individual presenting the identification is the individual in the photograph; and

1664 (ii) determine whether the name that appears on the return envelope:

1665 (A) is the name of the individual in the identification; and

1666 (B) is otherwise consistent with the individual presenting the identification; or

1667 (b) if the valid voter identification described in Subsection (3)(b)(ii)(A) does not include a photograph of the individual identified, determine whether the name that appears on the return envelope:

1670 (i) is the name of the individual in the identification; and

1671 (ii) is otherwise consistent with the individual presenting the identification.

1672 (5) After complying with Subsection (3)(b):

1673 (a) the poll worker shall place the ballot in the ballot drop box if, in accordance with Subsection (4), the poll worker determines that the identification presented:

1675 (i) is a type of valid voter identification described in Subsection 20A-1-102(85)(a) or (b); and

1677 (ii) identifies the individual presenting the identification as the voter to whom the ballot relates; or

1679 (b) if the poll worker is unable to make both determinations described in Subsections (5)(a)(i) and (ii), the poll worker shall:

HB0479S02 compared with HB0479S03

- 1681 (i) return the return envelope to the individual who presented the return envelope; and
1682 (ii) direct the individual to a polling place where the voter may:
1683 (A) establish the voter's identity with any type of valid voter identification; or
1684 (B) cast a provisional ballot.
- 1672 Section 14. Section 14 is enacted to read:
1673 **20A-3a-203.6. Returning a remote ballot by mail -- Application -- Mail-in return envelope.**
- 1688 (1) A voter:
1689 (a) may return a remote ballot by mail in the mail-in envelope that the election officer, in accordance
with Subsection 20A-3a-202.5(4) or (5)(b)(ii), sent to the voter with the voter's ballot; and
1692 (b) may not return a remote ballot by mail in a standard return envelope or in an envelope other than the
envelope described in Subsection (1)(a).
- 1694 (2) A mail-in return envelope shall include:
1695 (a) the official title, and post office address of the election officer on the front of the envelope;
1697 (b) 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;
1699 (c) a printed affidavit in substantially the following form:
1706 (d) a warning that the affidavit must be signed by the individual to whom the ballot was sent and that
the ballot will not be counted if the signature on the affidavit does not match the signature on file
with the election officer of the individual to whom the ballot was sent.
- 1710 (3) An election officer who administers an election shall:
1711 (a)
1713 (i) before the election, obtain the signatures of each voter qualified to vote in the election; or
1715 (ii) obtain the signature of each voter within the voting precinct from the county clerk; and
1716 (4) To return a remote ballot by mail, the voter shall comply with Subsections 20A-3a-204(1), (4), and
(5)(a).
- 1718 (5) A voter may return a remote ballot that was provided to the voter with a mail-in return envelope to a
polling place or a ballot drop box by:
1720 (a) sealing the ballot in the mail-in return envelope, or in a standard return envelope that is provided by
a poll worker at a polling place; and
1722 (b)

HB0479S02 compared with HB0479S03

- 1723 (i) at a polling place, complying with Section 20A-3a-203; or
- 1724 (ii) at a ballot drop box, complying with Section 20A-3a-203.5.
- 1727 (6) If a voter returns a ballot sealed in a mail-in return envelope to a polling place or a ballot drop box, the poll workers shall process the ballot as a remote ballot returned, in-person, in a standard return envelope and not as a remote ballot returned by mail.
- 1716 (7) Upon receipt of a remote ballot that is returned by mail in accordance with this section, the election officer shall review and process the ballot under Section 20A-3a-401.
- 1717 Section 15. Section **20A-3a-204** is amended to read:
- 1733 **20A-3a-204. Marking a manual ballot -- Returning a ballot by mail, at an election officer's office, or via a ballot drop box -- Depositing a ballot received by mail at a polling place.**
- 1734 (1) To vote a manual ballot:
- 1737 (a) ~~[except as provided in Subsection (7),]~~the voter shall prepare the voter's manual ballot by marking the appropriate space with a mark opposite the name of each candidate of the voter's choice for each office to be filled;
- 1739 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the appropriate space with a mark opposite the answer the voter intends to make;
- 1741 (c) ~~[except as provided in Subsection (7),]~~the voter shall record a write-in vote in accordance with Subsection 20A-3a-206(1);~~[-and]~~
- 1743 (d) ~~[except as provided in Subsection (7),]~~a mark is not required opposite the name of a write-in candidate~~[-] ; and~~
- 1744 (e) the voter shall place the ballot in the return envelope and seal the return envelope.
- 1748 (2) Except to the extent otherwise required for a voter who casts a provisional ballot, a voter who votes a manual ballot at a polling place shall, after complying with Section 20A-3a-203 and Subsection (1), deposit the return envelope in the ballot box at the polling place.
- 1750 (3) Except to the extent otherwise required for a voter who casts a provisional ballot, if a voter returns a remote ballot to a polling place:
- 1752 (a) the voter shall, after complying with Section 20A-3a-203 and Subsection (1), deliver the return envelope to the poll worker; and
- 1753 (b) the poll worker shall immediately place the return envelope in the ballot box.
- 1755 [(2)] (4) [Before returning a ballot mailed to the voter] If a voter returns a ballot by mail, the voter shall:
- (a) complete and sign the affidavit on the mail-in return envelope;

HB0479S02 compared with HB0479S03

- 1756 (b) enter the last four digits of the voter's Utah driver license or Utah state identification card;
1758 (c) beginning on January 1, 2029, if the voter does not have a Utah driver license or Utah state
identification card:
- 1760 (i) write the last four digits of the voter's social security card on the return envelope; or
1762 (ii) include in the return envelope a photocopy of one of the following forms of identification for the
voter:
- 1764 (A) a currently valid identification card issued by the state, or a branch, department, or agency of the
United States;
- 1766 (B) a currently valid Utah permit to carry a concealed weapon;
- 1767 (C) a currently valid United States passport;
- 1768 (D) a currently valid United States military identification card; or
- 1769 (E) a valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card;
- 1771 (d) place the voted ballot in the mail-in return envelope;
- 1772 (e) if required by the election officer because the voter has not yet provided valid voter identification
with the voter's voter registration record, include a copy of the voter's valid voter identification with
the ballot inside the mail-in return envelope;
- 1775 (f) securely seal the mail-in return envelope; and
- 1776 (g) [~~if returning the ballot by mail,~~] attach postage, if necessary, and deposit the mail-in return envelope
in the mail.
- 1778 [~~(3)~~] (5)
- (a) Except as otherwise provided in Section 20A-16-404, to be valid, a ballot that is mailed must be
received by the election officer on or before [~~8 p.m. on~~] election day at 8 p.m.
- 1781 (b) Except as provided in Subsection [~~(3)(e)~~] (5)(c), to be valid, a ballot returned by a method other than
by mail shall, before 8 p.m. on election day, be:
- 1783 (i) deposited in a ballot box at a polling place;
- 1784 (ii) deposited in [~~a~~] an attended ballot drop box designated by an election officer for the jurisdiction to
which the ballot relates; or
- 1786 (iii) otherwise received by the election officer.
- 1787 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot drop box in the
wrong jurisdiction to the correct jurisdiction.
- 1789

HB0479S02 compared with HB0479S03

(d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a polling place or a ballot drop box, is allowed to, after complying with Section 20A-3a-203 and Subsection (1):

1792 (i) vote at the polling place; or

1793 (ii) if the voter has a sealed return envelope containing a remote ballot in the voter's possession, deliver the return envelope to a poll worker for placement in the ballot box or ballot drop box.

1796 [~~(d) An election officer shall ensure that a voter who is, at or before 8 p.m. on election day:]~~

1798 [(i) ~~in line at a ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, is allowed to deposit the ballot in the ballot drop box; or]~~

1800 [(ii) ~~in line at a polling place, is allowed to vote.]~~

1801 [~~(4)~~

(a) ~~Except as provided in Subsection (6), to vote at a polling place the voter shall, after complying with Subsections (1)(a) through (d):]~~

1803 [(i) ~~sign the official register or pollbook; and]~~

1804 [(ii) ~~place the ballot in the ballot box; or]~~

1805 [(b)] (6) If the ballot that a voter votes at a polling place is a provisional ballot, the voter shall place the ballot in the provisional ballot envelope, complete the information printed on the provisional ballot envelope, and [~~deposit]~~ give the provisional ballot envelope to a poll worker for placement in the provisional ballot box.

1809 [(5)] (7)

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

1811 (b) An individual other than an individual with a disability may vote a mechanical ballot at a polling place if permitted by the election officer.

1813 [(6)] (8) To vote a mechanical ballot, the voter shall:

1814 (a) make the selections according to the instructions provided for the voting device; and

1815 (b) [~~subject to Subsection (7),~~] record a write-in vote by:

1816 (i) selecting the appropriate position for entering a write-in candidate; and

1817 (ii) using the voting device to enter the name of the valid write-in candidate for whom the voter wishes to vote.

1819 [(7) ~~To vote in an instant runoff voting race under Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, a voter:]~~

1821

HB0479S02 compared with HB0479S03

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

1823 [~~(b) may indicate, as directed on the ballot, the names of the remaining candidates in order of the voter's preference.~~]

1825 [(8)] (9) A voter who votes at a polling place:

1826 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting area after voting;
and

1828 (b) may not:

1829 (i) occupy a voting booth occupied by another, except as provided in Section 20A-3a-208;

1831 (ii) remain within the voting area more than 10 minutes; or

1832 (iii) occupy a voting booth for more than five minutes if all booths are in use and other voters are waiting to occupy a voting booth.

1834 [(9)] (10) If the official register shows any voter as having voted, that voter may not reenter the voting area during that election unless that voter is an election official or watcher.

1836 [(10)] (11) A poll worker may not, at a polling place, allow more than four voters more than the number of voting booths into the voting area at one time unless those excess voters are:

1839 (a) election officials;

1840 (b) watchers; or

1841 (c) assisting voters with a disability.

1829 Section 16. Section **20A-3a-205** is amended to read:

1830 **20A-3a-205. Manner of voting -- Provisional ballot.**

1844 (1) The poll workers shall follow the procedures and requirements of this section when:

1845 (a) the individual's right to vote is challenged as provided in Section 20A-3a-803 or 20A-3a-805;

1847 (b) the individual's name is not found on the official register; or

1848 (c) the poll worker is not satisfied that the voter has provided valid voter identification.

1849 (2) When faced with one of the circumstances described in Subsection (1)(a) or (b), the poll worker shall:

1851 (a) request that the individual provide valid voter identification; and

1852 (b) review the identification provided by the individual.

1853 (3) If the poll worker is satisfied that the individual has provided valid voter identification that establishes the individual's identity and residence in the voting precinct:

HB0479S02 compared with HB0479S03

- 1855 (a) the poll worker in charge of the official register shall:
- 1856 (i) record in the official register the type of identification that established the individual's identity and
place of residence;
- 1858 (ii) record the provisional ballot envelope number in association with the name of the individual; and
- 1860 (iii) direct the individual to sign the individual's name in the official register or pollbook; and
- 1862 (b) the poll worker having charge of the ballots shall:
- 1863 (i) if the individual is returning a remote ballot, give the individual a provisional ballot envelope;
- 1865 (ii) if the individual is at a polling place and is voting in person:
- 1866 [(+)] (A) give the individual a provisional ballot; and
- 1867 [(+)] (B) allow the individual to enter the voting booth[-] ; and
- 1868 (iii) accept the provisional ballot only after the voter completes, and seals the voter's ballot in, the
provisional ballot envelope.
- 1870 (4) If the poll worker is not satisfied that the individual has provided valid voter identification that
establishes the individual's identity and residence in the voting precinct:
- 1873 (a) the poll worker in charge of the official register shall:
- 1874 (i) record in the official register that the voter did not provide valid voter identification;
- 1876 (ii) record in the official register the type of identification that was provided by the individual, if any;
- 1878 (iii) record the provisional ballot envelope number in association with the name of the individual; and
- 1880 (iv) direct the individual to sign the individual's name in the official register or pollbook; and
- 1882 (b) the poll worker having charge of the ballots shall:
- 1883 (i) if the individual is returning a remote ballot, give the individual a provisional ballot envelope;
- 1885 (ii) if the individual is at a polling place and is voting in-person:
- 1886 [(+)] (A) give the individual a provisional ballot; and
- 1887 [(+)] (B) allow the individual to enter the voting booth[-] ;
- 1888 (iii) accept the provisional ballot only after the voter completes, and seals the voter's ballot in, the
provisional ballot envelope; and
- 1890 (iv) notify the voter that the voter will have until noon on the day before the day of the canvass for the
election to present valid voter identification to:
- 1892 (A) the county clerk at the county clerk's office; or
- 1893 (B) to an election officer who is administering an election.
- 1894

HB0479S02 compared with HB0479S03

(5) When, at a polling place, the election officer is required to furnish more than one version of a ballot, the poll workers at that polling place shall give the registered voter the version of the ballot that the voter is qualified to vote.

1884 Section 17. Section **20A-3a-301** is amended to read:

1885 **20A-3a-301. Emergency ballots -- Hospitalized voter returning ballot my mail without
standard identification.**

1900 (1) As used in this section, "hospitalized voter" means a registered voter who:

1901 (a) is:

1902 (i) hospitalized;

1903 (ii) confined in hospice care, a treatment facility, or a long-term care institution[~~facility~~]; or

1905 (iii) due to age[~~-or~~] , illness, [~~is~~] or disability, restricted in the ability to travel from the voter's
permanent or temporary residence; and

1907 (b) is able to vote a manual ballot.

1908 (2) A hospitalized voter who has not received a ballot by mail, or does not have possession of a ballot
sent to the voter by mail may, in accordance with this section, obtain a manual ballot with a mail-
in return envelope to use as an emergency ballot and vote at any time after the election officer mails
manual ballots to the majority of voters and before the close of polls on election day.

1913 (3) An individual may obtain an emergency ballot application, a manual ballot, and a mail-in return
envelope from the election officer on behalf of a hospitalized voter by:

1915 (a) requesting a manual ballot, a mail-in return envelope, and the application in person at the election
officer's office during business hours;

1917 (b) presenting valid voter identification for the individual requesting the manual ballot and mail-in
return envelope on the hospitalized voter's behalf; and

1919 (c) signing a statement, created by the lieutenant governor, where the individual, under penalty of
perjury:

1921 (i) identifies the individual;

1922 (ii) identifies the hospitalized voter and explains the reason the hospitalized voter qualifies as [~~an
exempt~~] a hospitalized voter; and

1924 (iii) states that the individual:

1925 (A) is obtaining the manual ballot and the mail-in return envelope at the request of the hospitalized
voter;

HB0479S02 compared with HB0479S03

- 1927 (B) will not request, persuade, or otherwise induce the voter to vote for or vote against any particular candidate or issue;
- 1929 (C) will not release any information regarding the voter's votes; and
- 1930 (D) will not alter the voter's votes.
- 1931 (4) An election officer who provides the items described in Subsection (3) shall mark the mail-in return envelope as an emergency ballot.
- 1933 [(4)] (5) To vote, a hospitalized voter described in Subsection (2) shall:
- 1934 (a) complete the emergency ballot application and enclose the application in the mail-in return envelope;
- 1936 (b) complete, and sign the affidavit on, the mail-in return envelope;
- 1937 (c) mark the voter's votes on the manual ballot;
- 1938 (d) if the voter did not provide the last four digits of the voter's Utah driver license, Utah state identification card, or social security number:
- 1940 (i) include in the mail-in return envelope a photocopy of a type of identification described in Subsection [20A-3a-204(2)(e)(ii)] 20A-3a-204(4)(c)(ii); or
- 1942 (ii) if the voter does not have a type of identification described in Subsection [20A-3a-204(2)(e)(ii)] 20A-3a-204(4)(c)(ii), include in the mail-in return envelope another type of valid voter identification;
- 1945 (e) place the manual ballot into the mail-in return envelope; and
- 1946 (f) seal the mail-in return envelope unless a different method is authorized under Section 20A-1-308.
- 1948 [(5)] (6) For a ballot described in Subsection [(4)] (5) to be counted, the emergency voter application and the sealed [~~manual ballot~~] mail-in return envelope must be returned to the election officer's office in accordance with the requirements of this chapter.
- 1951 [(6)] (7) An election officer shall design an emergency ballot application and ensure that the application includes the check box and statement described in Subsection 20A-3a-401(7)(d)(v).
- 1954 [(7)] (8) Beginning on January 1, 2029, a hospitalized voter who receives a ballot by mail with a mail-in return envelope may, if the voter is unable to provide the digits described in Subsection 20A-3a-401(4)(b)(i), [~~return the ballot by mail by including~~] include in the return envelope:
- 1958 (a) a photocopy of a type of identification described in Subsection [20A-3a-204(2)(e)(ii)] 20A-3a-204(4)(c)(ii); or
- 1960

HB0479S02 compared with HB0479S03

(b) if the voter does not have a type of identification described in Subsection [20A-3a-204(2)(e) (ii)] 20A-3a-204(4)(c)(ii):

1962 (i) a photocopy of another type of valid voter identification; and

1963 (ii) a document showing that the voter is a hospitalized voter.

1951 Section 18. Section **20A-3a-401** is amended to read:

1952 **20A-3a-401. Custody of remote ballots returned by mail -- Disposition -- Notice --**

Disclosures relating to unresolved ballots.

1967 (1)

(a) This section governs remote ballots returned by mail~~[, via a ballot drop box, or by other legal means]~~ under Subsection 20A-3a-203.6(1)(a).

1969 (b) Except for a ballot returned under Chapter 16, Uniform Military and Overseas Voters Act, if a remote ballot returned by mail is not sealed in a mail-in return envelope, or is sealed in a mail-in return envelope that was not issued by the election officer for the voter identified on the mail-in return envelope, the election officer shall:

1973 (i) reject the ballot; and

1974 (ii) if possible:

1975 (A) notify the voter that the ballot was rejected and the reason the ballot was rejected; and

1977 (B) if it is not too late for the voter to cast a ballot in a manner permitted by law, inform the voter how the voter may vote.

1979 (2) Poll workers shall process mail-in return envelopes containing manual ballots that are in the custody of the poll workers in accordance with this section.

1981 (3) Poll workers shall examine a mail-in return envelope to make the determinations described in Subsection (4).

1983 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers determine:

1985 (a) for an election held before January 1, 2029:

1986 (i) that the mail-in 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

1989 (ii) if the return envelope does not contain the digits described in Subsection (4)(a)(i), that:

1991 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the mail-in return envelope is reasonably consistent with the individual's signature in the voter registration records; or

HB0479S02 compared with HB0479S03

- 1994 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by
alternative means;
- 1996 (b) for an election held on or after January 1, 2029:
- 1997 (i) that the mail-in return envelope contains the last four digits of the voter's Utah driver license number,
Utah state identification card number, or social security number;
- 2000 (ii) if the mail-in return envelope does not contain the digits described in Subsection (4)(b)(i), that the
voter included in the mail-in return envelope a copy of the identification described in Subsection
[~~20A-3a-204(2)(e)(ii)~~] ~~20A-3a-204(4)(c)(ii)~~; or
- 2004 [(iii)] (A) for a voter described in Subsection [~~20A-3a-301(7)~~] 20A-3a-301(8), that the voter complied
with Subsection [~~20A-3a-301(7)~~] 20A-3a-301(8); and
- 2006 (c) that the affidavit is sufficient;
- 2007 (d) that the voter is registered to vote in the correct precinct;
- 2008 (e) that the voter's right to vote the ballot has not been challenged;
- 2009 (f) that the voter has not already voted in the election; and
- 2010 (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 mail-in return envelope.
- 2013 (5)
- (a) If the poll workers make all of the findings described in Subsection (4), the poll workers shall:
- 2015 (i) remove the manual ballot from the mail-in return envelope in a manner that does not destroy the
affidavit on the mail-in return envelope;
- 2017 (ii) ensure that the ballot is not examined in connection with the mail-in return envelope; and
- 2019 (iii) place the ballot with the other ballots to be counted.
- 2020 (b) If the poll workers do not make all of the findings described in Subsection (4), the poll workers
shall:
- 2022 (i) disallow the vote;
- 2023 (ii) except as provided in Subsection (6), without opening the mail-in return envelope, record the ballot
as "rejected" and state the reason for the rejection; and
- 2025 (iii) except as provided in Subsection (6), place the mail-in return envelope, unopened, with the other
rejected return envelopes.
- 2027 (6) A poll worker may open a mail-in return envelope, if necessary, to determine compliance with
Subsection [~~(4)(b)(ii), (4)(b)(iii)~~] (4)(b)(i)(B) or (C), or (4)(g).

HB0479S02 compared with HB0479S03

- 2029 (7)
- (a) If the poll workers reject an individual's ballot because the poll workers determine that the mail-in return envelope does not comply with Subsection (4), the election officer shall:
- 2032 (i) contact the individual in accordance with Subsection (8); and
- 2033 (ii) inform the individual:
- 2034 (A) that the identification information provided on the mail-in return envelope is in question;
- 2036 (B) how the individual may resolve the issue; and
- 2037 (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).
- 2040 (b) If, under Subsection [~~(4)(a)(ii)(A)~~] (4)(a) or (b), 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 mail-in return envelope is not reasonably consistent with the individual's signature in the voter registration records, the election officer shall:
- 2045 (i) contact the individual in accordance with Subsection (8); and
- 2046 (ii) inform the individual:
- 2047 (A) that the individual's signature is in question;
- 2048 (B) how the individual may resolve the issue; and
- 2049 (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).
- 2052 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b) includes:
- 2054 (i) when communicating the notice by mail, a printed copy of the affidavit described in Subsection (7) (d) and a courtesy reply envelope;
- 2056 (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
- 2059 (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.
- 2063 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- 2064 (i) an attestation that the individual voted the ballot;

HB0479S02 compared with HB0479S03

- 2065 (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;
- 2067 (iii) a space for the individual to sign the affidavit;
- 2068 (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
- 2071 (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 _____".
- 2076 (e) In order for an individual described in Subsection (7)(a) or (b) to have the individual's remote ballot counted, the individual shall deliver the affidavit described in Subsection (7)(d) to the election officer.
- 2079 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall immediately:
- 2081 (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;
- 2083 (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 remote ballot; and
- 2086 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the rules described in Subsection (13)(c).
- 2088 (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:
- 2091 (i) the ballot is cured within one business day after the day on which the ballot is rejected; or
- 2093 (ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.
- 2095 (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:
- 2099 (i) 30 calendar days after the day of the rejection; or

HB0479S02 compared with HB0479S03

- 2100 (ii) 30 calendar days after the day of the election.
- 2101 (c) The election officer may, when notifying an individual by phone under this Subsection (8), use auto-dial technology.
- 2103 (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:
- 2106 (a) receives a signed affidavit from the individual under Subsection (7); or
- 2107 (b)
- 2108 (i) contacts the individual;
- 2108 (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;
- 2112 (iii) verifies the identity of the individual by:
- 2113 (A) requiring the individual to provide at least two types of personal identifying information for the individual; and
- 2115 (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
- 2118 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 2119 (A) the name and voter identification number of the individual contacted;
- 2120 (B) the name of the individual who conducts the verification;
- 2121 (C) the date and manner of the communication;
- 2122 (D) the type of personal identifying information provided by the individual;
- 2123 (E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and
- 2125 (F) other information required by the lieutenant governor.
- 2126 (10)
- 2126 (a) The election officer shall retain and preserve:
- 2127 (i) the mail-in return envelopes in accordance with Subsection 20A-4-202(2); and
- 2128 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection 20A-4-202(3).
- 2130

HB0479S02 compared with HB0479S03

(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).

2134 (11)

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

2136 (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

2138 (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.

2140 (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:

2143 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and

2144 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in records on file, do not correspond.

2146 (12) Willful failure to comply with this section constitutes willful neglect of duty under Section 20A-5-701.

2148 (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:

2151 (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);

2153 (b) training and certification requirements for election officers and employees of election officers regarding the criteria and processes described in Subsection (13)(a); and

2155 (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).

2158 (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:

2161 (i) a candidate in the election;

2162 (ii) an individual who represents the candidate's campaign;

2163 (iii) the sponsors of an initiative or referendum appearing on the ballot; or

HB0479S02 compared with HB0479S03

- 2164 (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.
- 2167 (b) If an election officer discloses the information described in Subsection (14)(a), the election officer
shall:
- 2169 (i) make the disclosure within two business days after the day on which the request is made;
- 2171 (ii) respond to each request in the order the requests were made; and
- 2172 (iii) make each disclosure in a manner, and within a period of time, that does not reflect favoritism to
one requestor over another.
- 2174 (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).
- 2163 Section 19. Section **20A-3a-805** is amended to read:
- 2164 **20A-3a-805. Challenges to a voter's eligibility at polling place -- Procedure.**
- 2179 (1)
- (a) A poll worker, a watcher, or an individual who resides in the jurisdiction to which the election
relates may, at a polling place, challenge an individual's eligibility to vote a particular ballot or to
vote in that election if:
- 2182 (i) the individual making the challenge and the challenged individual are both present at the polling
place at the time the challenge is made; and
- 2184 (ii) the challenge is made[-] :
- 2185 (A) before the challenged individual applies for a ballot[-] ; or
- 2186 (B) in relation to an individual who is returning a remote ballot, before a poll worker accepts the ballot.
- 2188 (b) An individual may make a challenge by orally stating the challenged individual's name and the basis
for the challenge, as provided under Section 20A-3a-803.
- 2190 (2) The poll worker shall record a challenge in the official register or on the challenge sheets in the
pollbook, including:
- 2192 (a) the name of the challenged individual;
- 2193 (b) the name of the individual making the challenge; and
- 2194 (c) the basis upon which the challenge is made.
- 2195 (3) If an individual's eligibility to vote is challenged under this section, the poll worker shall follow the
procedures and requirements of Section 20A-3a-205.

HB0479S02 compared with HB0479S03

2184 Section 20. Section **20A-4-101** is amended to read:

2185 **20A-4-101. Manual ballots cast at a polling place -- Counting manual ballots at a polling**
2186 **place on day of election before polls close.**

2200 (1) Each county legislative body, municipal legislative body, and each poll worker shall comply with
2201 the requirements of this section when counting manual ballots on the day of an election, if:

2203 (a) the ballots are cast at a polling place; and

2204 (b) the ballots are counted at the polling place before the polls close.

2205 (2)

(a) Each county legislative body or municipal legislative body shall provide:

2206 (i) two sets of ballot boxes for all voting precincts where both receiving and counting judges have
2207 been appointed; and

2208 (ii) a counting room for the use of the poll workers counting the ballots during the day.

2210 (b) At any election in any voting precinct in which both receiving and counting judges have been
2211 appointed, when at least 20 votes have been cast, the receiving judges shall:

2212 (i) close the first ballot box and deliver it to the counting judges; and

2213 (ii) prepare and use another ballot box to receive voted ballots.

2214 (c) Except as provided in Subsection (2)(f), upon receipt of the ballot box, the counting judges shall:

2216 (i) take the ballot box to the counting room;

2217 (ii) count the votes on the regular ballots in the ballot box;

2218 (iii) place the provisional ballot envelopes in the envelope or container provided for them for return to
2219 the election officer; and

2220 (iv) when they have finished counting the votes in the ballot box, return the emptied box to the
2221 receiving judges.

2222 (d)

(i) During the course of election day, whenever there are at least 20 ballots contained in a ballot box, the
2223 receiving judges shall deliver that ballot box to the counting judges for counting; and

2225 (ii) the counting judges shall immediately count the regular ballots and segregate the provisional ballots
2226 contained in that box.

2227 (e) The counting judges shall continue to exchange the ballot boxes and count ballots until the polls
2228 close.

2229 [~~f~~]

HB0479S02 compared with HB0479S03

(i) ~~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, describing the procedures that a counting judge is required to follow for counting ballots in an instant runoff voting race under Part 6, Municipal Alternate Voting Methods Pilot Project.]~~

2234 [(ii) ~~When counting ballots in an instant runoff voting race described in Part 6, Municipal Alternate Voting Methods Pilot Project, a counting judge shall comply with the procedures established under Subsection (2)(f)(i) and Part 6, Municipal Alternate Voting Methods Pilot Project.]~~

2238 (3) To resolve questions that arise during the counting of ballots, a counting judge shall apply the standards and requirements of[~~;~~] .

2240 [(a)] to the extent applicable, Section 20A-4-105[~~;~~and] .

2241 [(b) ~~as applicable, for an instant runoff voting race under Part 6, Municipal Alternate Voting Methods Pilot Project, Subsections 20A-4-603(3) through (5).]~~

2230 Section 21. Section **20A-4-102** is amended to read:

2231 **20A-4-102. Manual ballots cast at a polling place -- Counting manual ballots at a polling place on day of election after polls close.**

2246 (1)

(a) This section governs counting manual ballots on the day of an election, if:

2247 (i) the ballots are cast at a polling place; and

2248 (ii) the ballots are counted at the polling place after the polls close.

2249 (b) Except as provided in Subsection (2)[~~or a rule made under Subsection 20A-4-101(2)(f)(i)~~], as soon as the polls have been closed and the last qualified voter has voted, the election judges shall count the ballots by performing the tasks specified in this section in the order that they are specified.

2253 (c) To resolve questions that arise during the counting of ballots, a counting judge shall apply the standards and requirements of[~~;~~] .

2255 [(i)] to the extent applicable, Section 20A-4-105[~~;~~and] .

2256 [(ii) ~~as applicable, for an instant runoff voting race under Part 6, Municipal Alternate Voting Methods Pilot Project, Subsections 20A-4-603(3) through (5).]~~

2258 (2)

(a) First, the election judges shall count the number of ballots in the ballot box.

2259 (b)

HB0479S02 compared with HB0479S03

- (i) If there are more ballots in the ballot box than there are names entered in the pollbook, the judges shall examine the official endorsements on the ballots.
- 2261 (ii) If, in the unanimous opinion of the judges, any of the ballots do not bear the proper official endorsement, the judges shall put those ballots in an excess ballot file and not count [them] those ballots.
- 2264 (c)
- (i) If, after examining the official endorsements, there are still more ballots in the ballot box than there are names entered in the pollbook, the judges shall place the remaining ballots back in the ballot box.
- 2267 (ii) One of the judges, without looking, shall draw a number of ballots equal to the excess from the ballot box.
- 2269 (iii) The judges shall put those excess ballots into the excess ballot envelope and not count them.
- 2271 (d) When the ballots in the ballot box equal the number of names entered in the pollbook, the judges shall count the votes.
- 2273 (3) The judges shall:
- 2274 (a) place all unused ballots in the envelope or container provided for return to the county clerk or city recorder; and
- 2276 (b) seal that envelope or container.
- 2277 (4) The judges shall:
- 2278 (a) place all of the provisional ballot envelopes in the envelope provided for them for return to the election officer; and
- 2280 (b) seal that envelope or container.
- 2281 (5)
- (a) In counting the votes, the election judges shall read and count each ballot separately.
- 2283 (b) In regular primary elections the judges shall:
- 2284 (i) count the number of ballots cast for each party;
- 2285 (ii) place the ballots cast for each party in separate piles; and
- 2286 (iii) count all the ballots for one party before beginning to count the ballots cast for other parties.
- 2288 (6)
- (a) In all elections, the counting judges shall [~~except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made under Subsection 20A-4-101(2)(f)(i)~~]:

HB0479S02 compared with HB0479S03

- 2291 (i) count one vote for each candidate designated by the marks in the squares next to the candidate's name;
- 2293 (ii) count each vote for each write-in candidate who has qualified by filing a declaration of candidacy under Section 20A-9-601;
- 2295 (iii) read every name marked on the ballot and mark every name upon the tally sheets before another ballot is counted;
- 2297 (iv) evaluate each ballot and each vote based on the standards and requirements of Section 20A-4-105;
- 2299 (v) write the word "spoiled" on the back of each ballot that lacks the official endorsement and deposit it in the spoiled ballot envelope; and
- 2301 (vi) read, count, and record upon the tally sheets the votes that each candidate and ballot proposition received from all ballots, except excess or spoiled ballots.
- 2303 (b) Election judges need not tally write-in votes for fictitious persons, nonpersons, or persons clearly not eligible to qualify for office.
- 2305 (c) The judges shall certify to the accuracy and completeness of the tally list in the space provided on the tally list.
- 2307 (d) When the judges have counted all of the voted ballots, they shall record the results on the total votes cast form.
- 2309 (7)
- (a) Except as provided in Subsection (7)(b), only an election judge and a watcher may be present at the place where counting is conducted until the count is completed.
- 2311 (b)
- (i) An auditor conducting an audit described in Section 36-12-15.2 may be present at the place where counting is conducted, regardless of whether the count is completed.
- 2314 (ii) The lieutenant governor may be present at the place where counting is conducted, regardless of whether the count is completed.
- 2303 Section 22. Section **22** is enacted to read:
- 2304 **20A-4-102.5. Preparing remote ballots returned to a ballot drop box for counting.**
- 2319 (1) Before counting remote ballots that are returned to a ballot drop box, the election officer shall, for each return envelope returned:
- 2321 (a) record the voting history for the voter;

HB0479S02 compared with HB0479S03

- 2322 (b) verify that the voter has not already voted; and
- 2323 (c) verify that the voter is registered to vote in the jurisdiction to which the ballot relates.
- 2324 (2) If an election officer is unable to make the verification described in Subsection (1)(b) or (c), the
election officer shall:
- 2326 (a) reject the ballot; and
- 2327 (b) if possible:
- 2328 (i) notify the voter that the ballot was rejected and the reason the ballot was rejected; and
- 2330 (ii) if it is not too late for the voter to cast a ballot in a manner permitted by law, inform the voter how
the voter may vote.
- 2319 Section 23. Section **20A-4-105** is amended to read:
- 2320 **20A-4-105. Standards and requirements for evaluating voter's ballot choice.**
- 2335 (1)
- (a) An election officer shall ensure that when a question arises regarding a vote recorded on a manual ballot, two counting judges jointly adjudicate the ballot, except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, in accordance with the requirements of this section.
- 2339 (b) If the counting judges disagree on the disposition of a vote recorded on a ballot that is adjudicated under this section, the counting judges may not count the vote.
- 2341 (c) An election officer shall store adjudicated ballots separately from other ballots to enable a court to review the ballots if the election is challenged in court.
- 2343 (2) Except as provided in Subsection (10), [~~Subsection 20A-3a-204(7), or Part 6, Municipal Alternate Voting Methods Pilot Project,~~]if a voter marks more names than there are individuals to be elected to an office, or if the counting judges cannot determine a voter's choice for an office, the counting judges may not count the voter's vote for that office.
- 2347 (3) [~~Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, the~~] The counting judges shall count a defective or incomplete mark on a manual ballot if:
- 2350 (a) the defective or incomplete mark is in the proper place; and
- 2351 (b) there is no other mark or cross on the ballot indicating the voter's intent to vote other than as indicated by the incomplete or defective mark.
- 2353 (4) [~~Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, the~~] The counting judges [-]may not reject a ballot marked by the voter because of marks on the ballot other

HB0479S02 compared with HB0479S03

than those marks allowed by this section unless the extraneous marks on a ballot show an intent by an individual to mark the individual's ballot so that the individual's ballot can be identified.

- 2358 (5)
- (a) In counting the ballots, the counting judges shall give full consideration to the intent of the voter.
- 2360 (b) The counting judges may not invalidate a ballot because of mechanical or technical defects in voting or failure on the part of the voter to follow strictly the rules for balloting required by Chapter 3a, Voting.
- 2363 (6) The counting judges may not reject a ballot because of an error in:
- 2364 (a) stamping or writing an official endorsement; or
- 2365 (b) delivering the wrong ballots to a polling place.
- 2366 (7) The counting judges may not count a manual ballot that does not have the official endorsement by an election officer.
- 2368 (8) The counting judges may not count a ballot proposition vote or candidate vote for which the voter is not legally entitled to vote, as defined in Section 20A-4-107.
- 2370 (9) If the counting judges discover that the name of a candidate is misspelled on a ballot, or that the initial letters of a candidate's given name are transposed or omitted in whole or in part on a ballot, the counting judges shall count a voter's vote for the candidate if it is apparent that the voter intended to vote for the candidate.
- 2374 (10) The counting judges shall count a vote for the president and the vice president of any political party as a vote for the presidential electors selected by the political party.
- 2376 (11) [~~Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project, in~~] In counting the valid write-in votes, if, by casting a valid write-in vote, a voter has cast more votes for an office than that voter is entitled to vote for that office, the counting judges shall count the valid write-in vote as being the obvious intent of the voter.
- 2368 Section 24. Section **20A-4-304** is amended to read:
- 2369 **20A-4-304. Declaration of results -- Canvassers' report.**
- 2383 (1)
- (a) [~~Except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project, a~~] A board of canvassers shall declare "elected" or "nominated" those persons who:
- 2385 (i) had the highest number of votes; and
- 2386 (ii) sought election or nomination to an office completely within the board's jurisdiction.

HB0479S02 compared with HB0479S03

- 2388 (b) [~~Except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project, a~~] A board of
canvassers shall declare a "tie vote" if:
- 2390 (i) two or more candidates for an office receive an equal and the highest number of votes for that office;
or
- 2392 (ii) in a race for an at-large office:
- 2393 (A) two or more candidates receive an equal number of votes; and
- 2394 (B) a recount is necessary to determine which candidates are elected to the at-large office.
- 2396 (c) A board of canvassers shall declare:
- 2397 (i) "approved" those ballot propositions that:
- 2398 (A) had more "yes" votes than "no" votes; and
- 2399 (B) were submitted only to the voters within the board's jurisdiction; or
- 2400 (ii) "rejected" those ballot propositions that:
- 2401 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes" votes; and
- 2403 (B) were submitted only to the voters within the board's jurisdiction.
- 2404 (d) A board of canvassers shall:
- 2405 (i) certify the vote totals for candidates and for and against ballot propositions that were submitted to
voters within and beyond the board's jurisdiction and transmit those vote totals to the lieutenant
governor; and
- 2408 (ii) if applicable, certify the results of each special district election to the special district clerk.
- 2410 (2) The election officer shall submit a report to the board of canvassers that includes the following
information:
- 2412 (a) a statement of votes cast, disclosing:
- 2413 (i) the total number of votes cast in the board's jurisdiction; and
- 2414 (ii) for each office that appeared on the ballot:
- 2415 (A) the name of each candidate whose name appeared on the ballot; and
- 2416 (B) whether the candidate is an unaffiliated candidate, a valid write-in candidate, or, if the candidate
is affiliated with or the nominee of a registered political party, the name of the registered political
party;
- 2419 (b) the title of each ballot proposition that appeared on the ballot;
- 2420 (c) the total number of votes given in the board's jurisdiction to each candidate, and for and against each
ballot proposition;

HB0479S02 compared with HB0479S03

- 2422 (d) from each voting precinct:
- 2423 (i) the number of votes for each candidate; and
- 2424 [~~(ii) for each race conducted by instant runoff voting under Part 6, Municipal Alternate Voting Methods
Pilot Project, the number of valid votes cast for each candidate for each potential ballot-counting
phase and the name of the candidate excluded in each ballot-counting phase; and]~~
- 2428 [(~~iii~~) (ii)] the number of votes for and against each ballot proposition;
- 2429 (e) standardized statistics, on a form provided by the lieutenant governor, disclosing, at a minimum:
- 2431 (i) the number of active voters in the board's jurisdiction as of the Friday before election day;
- 2433 (ii) the number of ballots counted by the election officer that were cast by voters who registered to vote
on election day under Section 20A-2-207;
- 2435 (iii) the total number of ballots counted by the election officer;
- 2436 (iv) the quotient of the number described in Subsection (2)(e)(iii) divided by the sum of the numbers
described in Subsections (2)(e)(i) and (ii);
- 2438 (v) of the number described in Subsection (2)(e)(iii):
- 2439 (A) the number of provisional ballots cast at a polling place; and
- 2440 (B) the number of ballots cast using a voting method described in Section 20A-3a-201;
- 2442 (vi) a reconciliation of the number of ballots the election officer counted and the number of voters given
credit for voting in the election;
- 2444 (vii) if there is a difference between the numbers described in Subsection (2)(e)(vi), an explanation for
the difference;
- 2446 (viii) the number of provisional ballots that could not legally be counted; and
- 2447 (ix) each of the following:
- 2448 (A) the number of ballots, other than provisional ballots, that were rejected because the ballots could
not legally be cured;
- 2450 (B) the number of ballots, other than provisional ballots, that were rejected, could have been cured by
the voter, but were not cured;
- 2452 (C) the number of uncounted ballots received after the deadline described in Subsection
[~~20A-3a-204(3)~~] 20A-3a-204(5); and
- 2454 (D) the percentage of ballots that were returned as undeliverable;
- 2455 (f) subject to Subsection (3), a cast vote record report that contains only the following information from
the election results database:

HB0479S02 compared with HB0479S03

- 2457 (i) for the jurisdiction administering the election:
- 2458 (A) the title of each ballot proposition appearing on the ballots;
- 2459 (B) a description of each race for federal office, statewide office, state legislative office, state school
board office, county office, local school board office, or municipal office appearing on the ballots;
and
- 2462 (C) the name of each candidate for an office described in Subsection (2)(f)(i)(B);
- 2463 (ii) the numeric identifier described in Subsection 20A-5-802.5(2)(b);
- 2464 (iii) the vote cast by a voter for:
- 2465 (A) a candidate for an office described in Subsection (2)(f)(i)(B);
- 2466 (B) a valid write-in candidate; and
- 2467 (C) each ballot proposition;
- 2468 (iv) if a voter's vote was not counted, an indication that the vote was not counted because:
- 2470 (A) the voter cast a vote for more than one candidate for a single office; or
- 2471 (B) the voter made more than one selection for a single ballot proposition;
- 2472 (v) if a voter was eligible to cast a vote, but did not cast a vote, an indication that the voter did not cast a
vote; and
- 2474 (vi) if a ballot proposition or an office described in Subsection (2)(f)(i)(B) did not appear on the voter's
ballot:
- 2476 (A) an indication that the voter was ineligible to cast a vote for the ballot proposition or office; or
- 2478 (B) a blank field or space in the portion of the report representing the ballot proposition or office;
- 2480 (g) other information required by law to be provided to the board of canvassers; and
- 2481 (h) a statement certifying that the information contained in the report is accurate.
- 2482 (3) The cast vote record described in Subsection (2)(f) may not include:
- 2483 (a) any special district office or special district ballot proposition appearing on a ballot in the
jurisdiction administering the election;
- 2485 (b) the vote cast by a voter for a special district office or special district ballot proposition;
- 2487 (c) the voter precinct number associated with a ballot; or
- 2488 (d) information that directly identifies the voter who cast the ballot.
- 2489 (4) For an election in which the election officer does not use automatic tabulating equipment, the
election officer shall:
- 2491 (a) review the votes cast on each ballot that is counted;

HB0479S02 compared with HB0479S03

- 2492 (b) manually compile the information described in Subsection (2)(f) in a file format described in
Subsection (8)(c);
- 2494 (c) ensure that the file does not contain the information described in Subsection (3); and
- 2495 (d) include a copy of the file in the board of canvassers' report.
- 2496 (5) The election officer and the board of canvassers shall:
- 2497 (a) review the report to ensure that the report is correct; and
- 2498 (b) sign the report.
- 2499 (6) The election officer shall:
- 2500 (a) record or file the certified report in a book kept for that purpose;
- 2501 (b) prepare and transmit a certificate of nomination or election under the officer's seal to each
nominated or elected candidate;
- 2503 (c) publish a copy of the certified report in accordance with Subsection (7); and
- 2504 (d) file a copy of the certified report with the lieutenant governor.
- 2505 (7) Subject to Subsection (8), an election officer shall, no later than three business days after the day on
which the board of canvassers declares the election results, publish a notice of the certified report
described in Subsection (2) as a class A notice under Section 63G-30-102.
- 2509 (8) The class A notice described in Subsection (7) shall:
- 2510 (a) include the following statement: "The Board of Canvassers for [indicate name of jurisdiction] has
prepared a report of the election results for the [indicate type and date of election].";
- 2513 (b) specify the following sources where an individual may view or obtain a copy of the entire certified
report:
- 2515 (i) the Utah Public Notice Website;
- 2516 (ii) if the election officer is required to publish the notice on the board's jurisdiction's website under
Subsection 63G-30-102(1)(b), the jurisdiction's website;
- 2518 (iii) the physical address for the board's jurisdiction; and
- 2519 (iv) a mailing address and telephone number; and
- 2520 (c) ~~[subject to Subsection (9),]~~for the website posting described in Subsections 63G-30-102(1)(a) and
(b), include a copy of the certified report in the following file formats:
- 2523 (i) except for the cast vote record report described in Subsection (2)(f), a PDF or similar file; and
- 2525 (ii) for the cast vote record report described in Subsection (2)(f), one or more spreadsheets, Comma
Separated Values files, or another common type of delimited or fixed-width files.

HB0479S02 compared with HB0479S03

- 2528 [~~(9)~~ An election officer may post the information required to be included in the cast vote record report described in Subsection (2)(f) as a text-based file that represents structured information through key value pairs and ordered collections of data in lieu of including that information in a file described in Subsection (8)(c)(ii) if:]
- 2532 [~~(a)~~ the race for elective office was conducted using instant runoff voting under Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project; and]
- 2534 [~~(b)~~ the tabulating equipment does not produce a file described in Subsection (8)(c)(ii) that accurately records all the preferences cast by a voter on the voter's ballot.]
- 2536 [~~(10)~~ (9) An election officer shall publish the class A notice described in Subsection (7) for the following time periods:
- 2538 (a) in relation to posting the notice on the Utah Public Notice Website under Subsection 63G-30-102(1) (a), indefinitely;
- 2540 (b) in relation to posting the notice on the election officer's jurisdiction's website under Subsection 63G-30-102(1)(b), for at least 180 calendar days after the day of the deadline described in Subsection (7); and
- 2543 (c) in relation to posting the notice in a physical location under Subsection 63G-30-102(1)(c), for at least seven calendar days after the day of the deadline described in Subsection (7).
- 2546 [~~(11)~~ (10) An election officer:
- 2547 (a) shall ensure that an individual may obtain a copy of the certified report in a file format described in[~~;~~]
- 2549 [~~(i)~~ Subsection (8)(c); and
- 2550 [~~(ii)~~ if applicable, Subsection (9); and]
- 2551 (b) may make the certified report available in any computer-readable format that the election officer determines is helpful to members of the public.
- 2553 [~~(12)~~ (11) When there has been a regular general or a statewide special election for statewide officers, for officers that appear on the ballot in more than one county, or for a statewide or two or more county ballot proposition, each board of canvassers shall, immediately upon adjournment of the board, transmit to the lieutenant governor a report detailing the number of votes for each candidate and the number of votes for and against each ballot proposition.
- 2559

HB0479S02 compared with HB0479S03

~~[(13)]~~ (12) In each county election, municipal election, school election, special district election, and local special election, the election officer shall transmit the reports to the lieutenant governor within 14 calendar days after the date of the election.

2562 ~~[(14)]~~ (13) In a regular primary election and in a presidential primary election, the board of canvassers shall, immediately upon adjournment of the board, transmit to the lieutenant governor:

2565 (a) the county totals for multi-county races; and

2566 (b) a complete tabulation showing voting totals for all primary races, precinct by precinct.

2555 Section 25. Section **20A-4-401** is amended to read:

2556 **20A-4-401. Recounts -- Procedure.**

2570 ~~[(1) This section does not apply to a race conducted by instant runoff voting under Part 6, Municipal Alternate Voting Methods Pilot Project.]~~

2572 ~~[(2)]~~ (1) The election officer shall conduct a recount of votes cast in a race if:

2573 (a) two or more candidates for an office receive an equal and the highest number of votes for that office; or

2575 (b) in a race for an at-large office, two or more candidates receive an equal number of votes and at least one of the candidates must be eliminated to determine which candidates are elected.

2578 ~~[(3)]~~ (2)

(a) Except as provided in Subsection ~~[(2) or (3)(b)]~~ (1) or (2)(b), for a race between candidates, if the difference between the number of votes cast for a winning candidate in the race and a losing candidate in the race is equal to or less than .25% of the total number of votes cast for all candidates in the race, the losing candidate may file a request for a recount in accordance with Subsection ~~[(4)]~~ (3).

2583 (b) Except as provided in Subsection ~~[(2)]~~ (1), for a race between candidates where the total of all votes cast in the race is 400 or less, if the difference between the number of votes cast for a winning candidate in the race and a losing candidate in the race is one vote, the losing candidate may file a request for a recount in accordance with Subsection ~~[(4)]~~ (3).

2588 ~~[(4)]~~ (3) A losing candidate who files a request for a recount under Subsection ~~[(3)(a) or (b)]~~ (2)(a) or (b) shall file the request:

2590 (a) for a municipal primary election, with the municipal clerk, no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the canvass is completed; or

2593

HB0479S02 compared with HB0479S03

(b) for all other elections, no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the canvass is completed, with:

- 2595 (i) the municipal clerk, if the election is a municipal general election;
2596 (ii) the special district clerk, if the election is a special district election;
2597 (iii) the county clerk, for a race voted on entirely within a single county; or
2598 (iv) the lieutenant governor, for a statewide race or multi-county race.
2599 [~~5~~] (4)

(a) The election officer shall conduct the recount:

- 2600 (i) for a race described in Subsection [~~2~~] (1), no later than 10 calendar days after the day on which
the board of canvassers certifies the vote totals; or
2602 (ii) for a race described in Subsection [~~3~~] (2), no later than seven calendar days after the day on
which the losing candidate requests the recount.

2604 (b) In conducting the recount, the election officer shall:

- 2605 (i) supervise the recount;
2606 (ii) recount all ballots cast in the race;
2607 (iii) reexamine all uncounted ballots to ensure compliance with Chapter 3a, Part 4, Disposition of
Ballots; and
2609 (iv)
(A) for a race between candidates for a single office, declare elected the candidate who receives the
highest number of votes on the recount;
2611 (B) for a race for an at-large office, declare elected the candidate who receives the highest number of
votes on the recount, until all offices are filled by the candidates who received the highest number of
votes;
2614 (C) for a race described in Subsection [~~5~~](b)(iv)(A)] (4)(b)(iv)(A) in which two or more candidates
receive an equal and the highest number of votes, declare a tie vote; or
2617 (D) for a race described in Subsection [~~5~~](b)(iv)(B)] (4)(b)(iv)(B) in which two or more candidates
receive an equal number of votes, declare a tie vote if the selection of the winning candidate by lot
under Section 20A-1-304 is necessary to determine which candidate is elected to the at-large office.

2621 [~~6~~] (5) The cost of a recount under Subsection [~~5~~] (4) shall be paid by:

- 2622 (a) for a statewide race or multi-county race, the state; or
2623 (b) for all other races:

HB0479S02 compared with HB0479S03

- 2624 (i) the political subdivision that conducts the election; or
- 2625 (ii) the political subdivision that enters into a contract or interlocal agreement under Title 11, Chapter
13, Interlocal Cooperation Act, with a provider election officer to conduct the election.
- 2628 ~~[(7)]~~ (6)
- (a) Except as provided in Subsection ~~[(7)(b)]~~ (6)(b), for a ballot proposition or a bond proposition, if
the proposition passes or fails by a margin that is equal to or less than .25% of the total votes cast
for or against the proposition, any 10 voters who voted in the election where the proposition was on
the ballot may file a request for a recount no later than 5 p.m. on the first business day that is at least
seven calendar days after the day of the canvass with the person described in Subsection ~~[(8)]~~ (7).
- 2634 (b) For a ballot proposition or a bond proposition where the total of all votes cast for or against the
proposition is 400 or less, if the difference between the number of votes cast for the proposition and
the number of votes cast against the proposition is one vote, any 10 voters who voted in the election
where the proposition was on the ballot may file a request for a recount no later than 5 p.m. on the
first business day that is at least seven calendar days after the day of the canvass with the person
described in Subsection ~~[(8)]~~ (7).
- 2641 ~~[(8)]~~ (7) The 10 voters who file a request for a recount under Subsection ~~[(7)(a) or (b)]~~ (6)(a) or (b)
shall file the request with:
- 2643 (a) the municipal clerk, if the election is a municipal election;
- 2644 (b) the special district clerk, if the election is a special district election;
- 2645 (c) the county clerk, for a proposition voted on entirely within a single county; or
- 2646 (d) the lieutenant governor, for a statewide proposition or multi-county proposition.
- 2647 ~~[(9)]~~ (8)
- (a) In conducting the recount, the election officer shall:
- 2648 (i) supervise the recount;
- 2649 (ii) recount all ballots cast for the ballot proposition or bond proposition;
- 2650 (iii) reexamine all uncounted ballots to ensure compliance with Chapter 3a, Part 4, Disposition of
Ballots; and
- 2652 (iv) declare the ballot proposition or bond proposition to have "passed" or "failed" based upon the
results of the recount.
- 2654 (b) Proponents and opponents of the ballot proposition or bond proposition may designate
representatives to witness the recount.

HB0479S02 compared with HB0479S03

- 2656 [(10)] (9) The voters requesting a recount under Subsection [(7)(a) or (b)] (6)(a) or (b) shall pay the
costs of the recount.
- 2658 [(11)] (10)
- (a) Upon completing a recount described in Subsection [(5) or (9)] (4) or (8), the election officer shall
immediately convene the board of canvassers.
- 2660 (b) The board of canvassers shall:
- 2661 (i) canvass the election returns for the race or proposition that was the subject of the recount; and
- 2663 (ii) with the assistance of the election officer, prepare and sign the report required by Section
20A-4-304 or 20A-4-306.
- 2665 (c) If the recount is for a statewide race, multi-county race, or a statewide proposition, the board of
county canvassers shall prepare and transmit a separate report to the lieutenant governor as required
by Subsection [20A-4-304(12)] 20A-4-304(11).
- 2668 (d) The canvassers' report prepared as provided in this Subsection [(11)] (10) is the official result of the
race or proposition that is the subject of the recount.
- 2657 Section 26. Section **20A-5-102** is amended to read:
- 2658 **20A-5-102. Voting instructions.**
- 2672 (1) Each election officer shall:
- 2673 (a) print instructions for voters;
- 2674 (b) ensure that the instructions are printed in English, and any other language required under the Voting
Rights Act of 1965, as amended, in large clear type; and
- 2676 (c) ensure that the instructions inform voters:
- 2677 (i) about how to obtain, and how to return, ballots for voting;
- 2678 (ii) about special political party affiliation requirements for voting in a regular primary election or
presidential primary election;
- 2680 (iii) about how to prepare ballots cast at a polling place for deposit in the ballot box;
- 2681 (iv) about how to prepare a [mailed] remote ballot for return;
- 2682 (v) about how to record write-in votes;
- 2683 (vi) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
- 2685 (vii) about how to obtain assistance in marking ballots;
- 2686 (viii) about obtaining a new ballot if the voter's ballot is defaced;
- 2687 (ix) that identification marks or the spoiling or defacing of a ballot will make it invalid;

HB0479S02 compared with HB0479S03

- 2689 (x) about how to obtain and vote a provisional ballot;
- 2690 (xi) about whom to contact to report election fraud;
- 2691 (xii) about applicable federal and state laws regarding:
- 2692 (A) voting rights and the appropriate official to contact if the voter alleges that the voter's rights have
been violated; and
- 2694 (B) prohibitions on acts of fraud and misrepresentation;
- 2695 (xiii) about procedures governing mail-in registrants and first-time voters; and
- 2696 (xiv) about the date of the election and the hours that the polls are open on election day.
- 2698 (2) Each election officer shall:
- 2699 (a) provide the election judges of each voting precinct with sufficient instruction cards to instruct voters
in the preparation of the voters' ballots; and
- 2701 (b) direct the election judges to post:
- 2702 (i) general voting instructions in each voting booth;
- 2703 (ii) at least three instruction cards at other locations in ~~[the]~~ a polling place; and
- 2704 (iii) at least one sample ballot at ~~[the]~~ a polling place.
- 2692 Section 27. Section **20A-5-403.5** is amended to read:
- 2693 **20A-5-403.5. Ballot drop boxes -- Number, location, hours, and method of operation --**
Notice.
- 2708 ~~[(1) An election officer:]~~
- 2709 ~~[(a) shall designate at least one ballot drop box in each municipality and reservation located in the
jurisdiction to which the election relates;]~~
- 2711 ~~[(b) may designate additional ballot drop boxes for the election officer's jurisdiction;]~~
- 2712 ~~[(c) shall clearly mark each ballot drop box as an official ballot drop box for the election officer's
jurisdiction;]~~
- 2714 ~~[(d) shall provide 24-hour recorded video surveillance, without audio, of each unattended ballot drop
box;]~~
- 2716 ~~[(e) shall post a sign on or near each unattended ballot drop box indicating that the ballot drop box is
under 24-hour video surveillance; and]~~
- 2718 ~~[(f) shall ensure that a camera, a video, or a recording of a video described in Subsection (1)(d) may
only be accessed by:]~~
- 2720 ~~[(i) the election officer;]~~

HB0479S02 compared with HB0479S03

- 2721 [~~(ii) a custodian of the camera, video, or recording;~~]
- 2722 [~~(iii) the lieutenant governor;~~]
- 2723 [~~(iv) the legislative auditor general, when performing an audit;~~]
- 2724 [~~(v) a court of competent jurisdiction, by or pursuant to an order of the court;~~]
- 2725 [~~(vi) a registered voter who claims to have cast a ballot at an unattended ballot drop box, if the election officer informs the voter that the election officer never received the voter's ballot; or]~~]
- 2728 [~~(vii) subject to Subsection (2)(b), and except as provided in Subsection (2)(c):]~~]
- 2729 [~~(A) a candidate for an office that appears on a ballot, or an individual representing the candidate's campaign;~~]
- 2731 [~~(B) for a federal, statewide, or multicounty race, the chair of the state political party whose member is a candidate described in Subsection (1)(f)(vii)(A);]~~]
- 2733 [~~(C) for a race where the officeholder is selected by voters entirely within one county, the chair of the county political party whose member is a candidate described in Subsection (1)(f)(vii)(A); or]~~]
- 2736 [~~(D) the designee of a political party chair described in Subsection (1)(f)(vii)(B) or (C).]~~]
- 2738 [~~(2)~~]
- (a) ~~An individual may not view a video, or a recording of a video, described in Subsection (1)(d), unless the individual:~~
- 2740 [~~(i) is an individual described in Subsection (1)(f); and]~~]
- 2741 [~~(ii) views the video to the extent necessary to:]~~]
- 2742 [~~(A) ensure compliance with Subsection (1)(d), (1)(f), or (3); or]~~]
- 2743 [~~(B) investigate a concern relating to ballots or the ballot box.]~~]
- 2744 [~~(b) If an individual described in Subsection (1)(f)(vii) seeks to view a video recording described in Subsection (1)(d), the election officer may require the individual to view the video recording at the election officer's office during regular business hours.]~~]
- 2747 [~~(c) An individual described in Subsection (1)(f)(vii) may not view a video recording described in Subsection (1)(d) after the time period for contesting the election to which the video recording relates ends.]~~]
- 2750 [~~(3) The election officer, or the custodian of the recording:]~~]
- 2751 [~~(a) shall keep a recording described in Subsection (1)(d) until at least the later of:]~~]
- 2752 [~~(i) the last day of the calendar year in which the election was held; or]~~]
- 2753 [~~(ii) if the election is contested, when the contest is resolved; and]~~]

HB0479S02 compared with HB0479S03

- 2754 [~~(b) may keep the video recording described in Subsection (1)(d) indefinitely.~~]
- 2755 (1) For a regular election, an election officer shall, in each county:
- 2756 (a) during the days and times described in Subsection (3)(a):
- 2757 (i) if less than 30,000 active registered voters reside in the county, operate within the county at least one
ballot drop box; or
- 2759 (ii) if at least 30,000 active registered voters reside in the county, operate within the county at least two
ballot drop boxes, plus one additional ballot drop box for each 30,000 active registered voters above
30,000 active registered voters who reside in the county;
- 2763 (b) during the days and times described in Subsection (3)(b):
- 2764 (i) if less than 10,000 active registered voters reside in the county, operate within the county at least one
ballot drop box; or
- 2766 (ii) if at least 10,000 active registered voters reside in the county, operate within the county at least two
ballot drop boxes, plus one additional ballot drop box for each 10,000 active registered voters above
10,000 active registered voters who reside in the county;
- 2770 (c) during the days and times described in Subsections (3)(a) and (b), in addition to the ballot drop
boxes required under Subsections (1)(a) and (b), operate at least one ballot drop box in each
reservation that is, in whole or in part, within the county; and
- 2773 (d) if two or more ballot drop boxes are operating in a county, disburse the ballot drop boxes in
different locations throughout the county.
- 2775 (2) For a municipal election, an election officer shall, in each municipality:
- 2776 (a) during the days and times described in Subsection (3)(a):
- 2777 (i) if less than 30,000 active registered voters reside in the municipality, operate within the municipality
at least one ballot drop box; or
- 2779 (ii) if at least 30,000 active registered voters reside in the municipality, operate within the municipality
at least two ballot drop boxes, plus one additional ballot drop box for each 30,000 active registered
voters above 30,000 active registered voters who reside in the municipality;
- 2783 (b) during the days and times described in Subsection (3)(b):
- 2784 (i) if less than 10,000 active registered voters reside in the municipality, operate within the municipality
at least one ballot drop box; or
- 2786

HB0479S02 compared with HB0479S03

- (ii) if at least 10,000 active registered voters reside in the municipality, operate within the municipality at least two ballot drop boxes, plus one additional ballot drop box for each 10,000 active registered voters above 10,000 active registered voters who reside in the municipality; and
- 2790 (c) if two or more ballot drop boxes are operating in a municipality, disburse the ballot drop boxes in different locations throughout the municipality.
- 2792 (3) An election officer shall:
- 2793 (a) operate all ballot drop boxes described in Subsection (1)(a), (1)(c), or (2)(a) during at least the following hours, on at least the following days:
- 2795 (i) on the Monday that is eight calendar days before the day of the election, beginning at noon and ending at 8 p.m.;
- 2797 (ii) on the Tuesday that is seven calendar days before the day of the election, beginning at 7 a.m. and ending at 3 p.m.;
- 2799 (iii) on the Wednesday before the day of the election, beginning at noon and ending at 8 p.m.;
- 2801 (iv) on the Thursday before the day of the election, beginning at 7 a.m. and ending at 3 p.m.;
- 2803 (v) on the Friday before the day of the election, beginning at noon and ending at 8 p.m.; and
- 2805 (vi) on the Saturday before the day of the election, beginning at 7 a.m. and ending at 8 p.m.;
- 2807 (b) operate all ballot drop boxes described in Subsection (1)(b), (1)(c), or (2)(b) on the day before the day of the election and on the day of the election, beginning at 7 a.m. and ending at 8 p.m.;
- 2810 (c) operate ballot drop boxes, in addition to the ballot drop boxes required under Subsection (1) or (2), as needed to avoid long lines at a ballot drop box or at a polling place;
- 2813 (d) clearly mark a ballot drop box as an official ballot drop box for the election officer's jurisdiction;
- 2815 (e) secure the ballot drop box in a manner that a ballot cannot be placed in the ballot drop box while the ballot drop box is unattended;
- 2817 (f) operate the ballot drop box, in accordance with Section 20A-3a-203.5, with at least two poll workers present at all times;
- 2819 (g) ensure that, before poll workers leave the ballot drop box for the day, the poll workers:
- 2821 (i) remove all ballots from the ballot drop box for delivery to the election officer;
- 2822 (ii) verify that the ballot drop box is empty; and
- 2823 (iii) secure the ballot drop box in a manner that a ballot cannot be placed in the ballot drop box until the ballot drop box again opens for operation; and
- 2825 (h) ensure that each day, before the ballot drop box opens for operation, the poll workers:

HB0479S02 compared with HB0479S03

- 2826 (i) inspect the ballot drop box to verify that the ballot drop box is empty; and
- 2827 (ii) if any ballots or other items are discovered in the ballot drop box, empty the ballot drop box and
secure any ballots found in the ballot drop box in a separate container for delivery to the election
officer.
- 2830 (4)
- (a) An individual may not return a remote ballot to a ballot drop box, unless at least two poll workers
are present to accept the remote ballot in accordance with Section 20A-3a-203.5.
- 2833 (b) Only a poll worker may deposit a remote ballot into a ballot drop box, and only after a voter submits
the remote ballot, sealed in a return envelope, to the poll worker at the ballot drop box in accordance
with the requirements of Section 20A-3a-203.5.
- 2836 [(4)] (5) Except as provided in Subsection (6), Subsection (8), or Section 20A-1-308~~[or Subsection~~
~~(7), the]~~ , an election officer shall, at least 28 calendar days before the date of the election, provide
notice of the location of each ballot drop box ~~[designated under Subsection (1),]~~ that the election
officer will operate for the election, and the dates and hours that poll workers will be present to
accept remote ballots, by publishing notice for the jurisdiction holding the election, as a class A
notice under Section 63G-30-102, for at least 28 calendar days before the day of the election.
- 2843 [(5)] (6) Instead of including the location and the dates and hours of operation of ballot drop boxes, a
notice required under Subsection [(4)] (5) may specify the following sources where a voter may
view or obtain a copy of all ballot drop box locations and the dates and hours of operation:
- 2847 (a) the jurisdiction's website;
- 2848 (b) the physical address of the jurisdiction's offices; and
- 2849 (c) a mailing address and telephone number.
- 2850 [(6)] (7) The election officer shall include in the notice described in Subsection [(4)] (5):
- 2851 (a) the address of the Statewide Electronic Voter Information Website and, if available, the address of
the election officer's website, with a statement indicating that the election officer will post on the
website the location and the dates and hours of operation of each ballot drop box, including any
changes to the location of a ballot drop box and the location of additional ballot drop boxes; and
- 2856 (b) a phone number that a voter may call to obtain information regarding the location and the dates and
hours of operation of a ballot drop box.
- 2858 [(7)] (8)

HB0479S02 compared with HB0479S03

- (a) Except as provided in Section 20A-1-308, the election officer may, after the deadline described in Subsection [(4)] (5):
- 2860 (i) if necessary, change the location of a ballot drop box; or
- 2861 (ii) if the election officer determines that the number of ballot drop boxes is insufficient due to the number of registered voters who are voting, designate additional ballot drop boxes.
- 2864 (b) Except as provided in Section 20A-1-308, if an election officer [~~changes the location of a ballot box or designates an additional ballot drop box location~~] takes an action described in Subsection (8)(a), the election officer shall, as soon as is reasonably possible, give notice of the [~~changed ballot drop box location or the additional ballot drop box location~~] action:
- 2869 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;
- 2871 (ii) by posting the information on the website of the election officer, if available; and
- 2872 (iii) by posting notice:
- 2873 (A) for a change in the location of a ballot drop box, at the new location and, if possible, the old location; and
- 2875 (B) for an additional ballot drop box location, at the additional ballot drop box location.
- 2877 [(8)] (9) An election officer may, at any time, authorize two or more poll workers to remove a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.
- 2880 [(9)] (10)
- (a) At least two poll workers must be present when a poll worker collects ballots from a ballot drop box and delivers the ballots to the location where the ballots will be opened and counted.
- 2883 (b) An election officer shall ensure that the chain of custody of ballots placed in a ballot box are recorded and tracked from the time the ballots are removed from the ballot box until the ballots are delivered to the location where the ballots will be opened and counted.
- 2887 (c) An election officer shall ensure that a voter who is, at the scheduled closing time for the day, in line at a ballot drop box that is attended by poll workers, with a sealed return envelope containing a remote ballot in the voter's possession, permitted to deliver the return envelope to a poll worker for placement in the ballot drop box after the voter complies with Section 20A-3a-203.5.
- 2892 (11) In addition to the days and times required under Subsection (1) or (2), an election officer may, in accordance with the requirements described in this section for operating a ballot drop box, operate a ballot drop box:
- 2895

HB0479S02 compared with HB0479S03

(a) at any time, and on any day, beginning on the Saturday that is 10 calendar days before the day of the election, through the end of the day before the day of the election; or

2898 (b) before 8 a.m. on the day of the election.

2886 Section 28. Section **20A-5-407** is amended to read:

2887 **20A-5-407. Election officer to provide ballot boxes.**

2901 (1) Except as provided in Subsection (3), an election officer shall, at a polling place:

2902 (a) provide one ballot box with a lock and key for each polling place; and

2903 (b) deliver the ballot boxes, locks, and keys to the polling place before the polls open.

2904 (2) An election officer for a municipality or special district may obtain ballot boxes from the county clerk's office.

2906 (3) If locks and keys are unavailable, the election officer shall ensure that the ballot box lid is secured by tape.

2895 Section 29. Section **20A-6-105** is amended to read:

2896 **20A-6-105. Provisional ballot envelopes.**

2910 (1) Each election officer shall ensure that provisional ballot envelopes are printed in substantially the following form:

2912 (a) the envelope shall include the following statement:

2913 "AFFIRMATION

2914 Are you a citizen of the United States of America? Yes No

2915 Will you be 18 years old on or before election day? Yes No

2916 If you checked "no" in response to either of the two above questions, do not complete this form.

2918 Name of Voter _____

2919 First Middle Last

2920 Driver License or Identification Card Number _____

2921 State of Issuance of Driver License or Identification Card Number _____

2922 Date of Birth _____

2923 Street Address of Principal Place of Residence

2924 _____

2925 City County State Zip Code

2926 Telephone Number (optional) _____

2927 Email Address (optional) _____

HB0479S02 compared with HB0479S03

2928 Last four digits of Social Security Number _____

2929 Last former address at which I was registered to vote (if known)

2930 _____

2931 City County State Zip Code

2932 Voting Precinct (if known) _____

2933 I, (please print your full name) _____ do solemnly swear or affirm:

2935 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

2938 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.

2942 Signed _____

2944 Dated _____

2946 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.

2948 PRIVACY INFORMATION

2949 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.

2953 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.

2957 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:

2960 _____ 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.

HB0479S02 compared with HB0479S03

2963 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2964 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.

2969 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.

2975 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.

2981 CITIZENSHIP AFFIDAVIT

2982 Name:

2983 Name at birth, if different:

2984 Place of birth:

2985 Date of birth:

2986 Date and place of naturalization (if applicable):

2987 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.

2990

2991 _____
Signature of Applicant

2992 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.";

2995 (b) the following statement shall appear after the statement described in Subsection (1)(a):

2996 "BALLOT NOTIFICATIONS

HB0479S02 compared with HB0479S03

- 2997 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
- 3000 (c) [~~no later than November 5, 2025,~~]after the statement described in Subsection (1)(b), the following:
- 2989 "How would you like to receive your ballot and vote in upcoming elections?
- 3003 ["Indicate below how you want to vote in upcoming elections:
- 3004 _____ Mail a ballot to me.]
- 3005 _____ Do not mail a ballot to me. I will obtain a ballot at a polling place and vote in person.
- 2993 _____ Mail a ballot to me. After receiving a ballot by mail (choose one):
- 2994 _____ I will return the ballot to a polling place or a ballot drop box.
- 2995 _____ I will return the ballot by mail (Warning: If you return a ballot by mail, there is a risk that the
ballot may arrive too late to be counted)."
- 3010 (2) The provisional ballot envelope shall include:
- 3011 (a) a unique number;
- 3012 (b) a detachable part that includes the unique number;
- 3013 (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
- 3016 (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.
- 3005 Section 30. Section **20A-11-1002** is amended to read:
- 3006 **20A-11-1002. Retention and public inspection of financial statements -- Written complaint
if statement is false or unlawful -- Redaction of certain information -- Penalties for unlawful
disclosure.**
- 3022 (1) The chief election officer shall:
- 3023 (a) make each financial statement required by this chapter or Chapter 12, Part 2, Judicial Retention
Elections:
- 3025 (i) open to public inspection in the office of the chief election officer; and
- 3026 (ii) available for viewing on the [~~Internet~~] internet in accordance with Section 20A-11-103;
- 3028 (b) preserve those statements for at least five years; and
- 3029 (c) provide certified copies of the financial statements in the same manner as for other public records.
- 3031 (2) Any candidate or voter may file a written complaint with the chief election officer alleging that a
filed financial statement does not conform to law or to the truth.

HB0479S02 compared with HB0479S03

- 3033 (3)
- (a) As used in this Subsection (3), "required report" means a report, a financial statement, or any other type of statement or disclosure that a person is required to make under this chapter or Chapter 12, Part 2, Judicial Retention Elections.
- 3036 (b) Before posting or otherwise publicly disclosing a required report, the lieutenant governor shall redact from the report the following information relating to each individual referenced in the report:
- 3039 (i) the phone number of the individual; and
- 3040 (ii) the street number and street name in the address of the individual.
- 3041 (c) The information required to be redacted under Subsection (3)(b) is not a record under Title 63G, Chapter 2, Government Records Access and Management Act.
- 3043 (d) It is unlawful to publicly disclose the information required to be redacted under Subsection (3)(b).
- 3045 (e) A government officer or employee who knowingly violates Subsection (3)(d) is guilty of a class B misdemeanor.
- 3034 Section 31. Section **36-12-15.2** is amended to read:
- 3035 **36-12-15.2. Elections audit.**
- 3049 (1) As used in this section, "office" means the Office of the Legislative Auditor General.
- 3050 (2) In addition to other audits performed by the office, the office shall, [~~each even-numbered year,~~]in accordance with this section and under the direction of the Legislative Audit Subcommittee, conduct a comprehensive performance audit of the state's election system and controls[-] :
- 3054 (a) each even-numbered year; and
- 3055 (b) at any other time, as directed by the Legislative Audit Subcommittee.
- 3056 (3) The audit may include the entire election process for the elections held in an even-numbered year, including:
- 3058 (a) procedures and practices that occur before or after the beginning of the year to prepare for the elections; and
- 3060 (b) procedures, practices, and standards relating to:
- 3061 (i) voter registration;
- 3062 (ii) candidate filing and selection;
- 3063 (iii) the preparation, printing, distribution, handling, examining, counting, and all other handling of ballots; and

3065

HB0479S02 compared with HB0479S03

- (iv) the entire election process, including the regular primary election, the regular general election, and the determination of election results.
- 3067 (4) The audit extends to the functions of all persons involved in the election process, including the
Office of the Lieutenant Governor, each county clerk's office, and each board of canvassers.
- 3070 (5) At a minimum, the office shall conduct a survey to audit the work of the Office of the Lieutenant
Governor and each county election office.
- 3072 (6) Based on the results of the survey described in Subsection (5), the office shall conduct a more
comprehensive audit of the jurisdictions or practices that, in the opinion of the office, present the
highest risk.
- 3075 (7) In addition to auditing the jurisdictions and practices described in Subsection (6), the office may
audit any other jurisdictions or entities, or any practices or procedures, that the office determines
necessary to ensure the success of a comprehensive performance audit of the election system.
- 3079 (8) To conduct an audit described in this section, the office has the full authority described in Section
36-12-15, including:
- 3081 (a) full access to closely observe, examine, and copy all records, documents, recordings, and other
information the office determines to be useful in conducting an audit described in this section;
- 3084 (b) full access to closely observe, examine, and copy ballots, ballot envelopes, vote tallies, canvassing
records, and voter registration records;
- 3086 (c) full access to closely observe and examine all facilities, storage areas, and equipment, and to closely
observe, examine, or copy all materials, that the office determines to be useful in conducting an
audit described in this section;
- 3089 (d) full access to all staff, including full-time, part-time, and volunteer staff;
- 3090 (e) full access to closely observe, examine, and copy all records and information relating to election
audits that are conducted by the Office of the Lieutenant Governor, a county clerk, or any other
person;
- 3093 (f) the right to, within the scope of the audit, attend any meeting, including a closed meeting;
- 3095 (g) the right to, within the scope of the audit, closely observe and examine any work or other process;
and
- 3097 (h) all other authority described in Section 36-12-15.
- 3098 (9) As with any audit conducted under the authority described in Section 36-12-15, all officials and staff
shall fully assist, and cooperate with, the office in conducting an audit described in this section.

HB0479S02 compared with HB0479S03

- 3101 (10) In conducting an audit described in this section, the office:
- 3102 (a) shall preserve the right of a voter to a secret ballot;
- 3103 (b) shall, when examining election returns, allow the election officer or a designee of the election
officer to be present to ensure the chain of custody of the election returns; and
- 3106 (c) may not, while votes are being counted, communicate in any manner, directly or indirectly, by word
or sign, the progress of the vote, the current result of the vote count, or any other information about
the vote count.
- 3109 (11) An election officer, or an election officer's designee, who is present under Subsection (10)(b) may
not interfere with the performance of the audit.
- 3098 Section 32. **Effective date.**
Effective Date.
- 3112 (1) Except as provided in Subsection (2), this bill takes effect January 1, 2027.
- 3113 (2) The actions affecting the following sections take effect on May 6, 2026:
- 3114 (a) Section 20A-2-104 (Effective 05/06/26);
- 3115 (b) Section 20A-2-108 (Effective 05/06/26);
- 3116 (c) Section 20A-2-206 (Effective 05/06/26);
- 3117 (d) Section 20A-2-505 (Effective 05/06/26);
- 3118 (e) Section 20A-3a-202.5 (Effective 05/06/26); and
- 3119 (f) Section 20A-3a-301 (Effective 05/06/26).

2-27-26 10:17 AM