

SB0194S06 compared with SB0194S01

~~{Omitted text}~~ shows text that was in SB0194S01 but was omitted in SB0194S06

inserted text shows text that was not in SB0194S01 but was inserted into SB0194S06

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1

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



2

3 **LONG TITLE**

4 **General Description:**

5 This bill ~~{amends}~~ modifies provisions relating to ~~{elections}~~ the nomination of candidates by
political parties.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ ~~{defines terms;}~~

9 ▶ ~~{requires}~~ removes the ~~{lieutenant governor}~~ ability to ~~{create}~~ qualify as a ~~{written conflict~~
~~of interest avoidance plan}~~ nominee of a political party by gathering signatures;

10 ▶ ~~{modifies}~~ repeals provisions relating to ~~{filling an office vacancy}~~ qualified political parties,
and other provisions enacted by 2014, S.B 54, Elections Amendments;

11 ▶ ~~{provides that if a vacancy in an elected office is filled by appointment, the appointee shall~~
~~be a member of the same political party of which the prior officeholder was a member at the time~~
~~the prior officeholder was last elected or appointed;}~~

14 ▶ ~~{establishes a process to fill a vacancy created by an officeholder who was not affiliated~~
~~with a political party at the time the officeholder was last elected or appointed;}~~

SB0194S01

SB0194S01 compared with SB0194S06

- 16 ▶ ~~{ provides a process for an election officer to independently determine whether a registered voter is a citizen of the United States; }~~
- 18 ▶ ~~{ provides a process to challenge a determination of non-citizenship under the preceding paragraph; }~~
- 20 ▶ ~~{ prohibits an individual from voting if an election officer independently determines that the voter is not a citizen of the United States and the individual does not successfully dispute the determination; }~~
- 23 ▶ ~~{ creates a bifurcated ballot system, beginning on January 1, 2028, where: }~~
- 24 • ~~{ a voter chooses whether to provide documentary proof of United States citizenship when registering to vote or before voting; and }~~
- 26 • ~~{ a voter who does not provide documentary proof of United States citizenship may only vote in races for federal office; }~~
- 28 ▶ ~~{ modifies voter registration forms and requirements consistent with the bifurcated ballot system; }~~
- 30 ▶ ~~{ establishes procedures for administration of the bifurcated ballot system; }~~
- 31 ▶ ~~{ modifies voter registration list requirements in relation to the bifurcated ballot system; }~~
- 32 ▶ ~~{ subject to certain exceptions, provides that, when poll workers verify a voter's identity in relation to a ballot returned by mail, the poll workers are required to verify the signature on the affidavit in addition to the last four digits of an identification number; }~~
- 35 ▶ ~~{ modifies and recodifies provisions relating to: }~~
- 36 • ~~{ the information in a voter registration record that is available to a person based on the capacity in which the person requests the information; and }~~
- 38 • ~~{ the requirements to obtain additional privacy protection for a voter registration record; }~~
- 39 ▶ ~~{ provides that a voter's voter registration record that, before January 1, 2027, was classified as private without requiring a reason for the classification will be reclassified as a public voter registration record, unless the voter takes certain action to obtain additional protection for the voter's voter registration record; }~~
- 43 ▶ ~~{ requires an election officer to notify a voter whose voter registration is subject to reclassification as described in the preceding paragraph in order to give the voter an opportunity to apply for additional protection for the voter's voter registration record; }~~

SB0194S01 compared with SB0194S06

- 46 ▶ ~~{ requires the assignment of new voter identification numbers; }~~
- 47 ▶ ~~{ modifies the voter registration form to reflect the changes made in this bill and to give a voter the option of opting into receiving electronic communications from a political party with which the voter affiliates; }~~
- 50 ▶ provides for ~~{ release to a }~~ nominations by political parties by convention, followed by a primary election only if the political party ~~{ of information relating }~~ chooses to send more than one candidate to the ~~{ number of at-risk voters in the state and in individual state House of Representatives districts; }~~ ballot as a potential nominee; and
- 52 ▶ ~~{ establishes additional requirements to ensure the removal of deceased individuals from voter registration records; }~~
- 54 ▶ ~~{ modifies penalties that may be imposed in relation to the unlawful disclosure of a voter registration record; }~~
- 56 ▶ ~~{ places a cap on the fee that may be charged to obtain an electronic copy of the voter registration list; }~~
- 58 ▶ ~~{ requires the lieutenant governor to conduct an audit of voter registration records to determine whether the lieutenant governor or a county clerk has documentary proof of United States citizenship for each record and to notify registered voters for whom the lieutenant governor or a county clerk does not have documentary proof of United States citizenship; }~~
- 63 ▶ ~~{ modifies the number of signatures that a qualified political party candidate for a county office is required to collect to qualify for placement on the primary election ballot; }~~
- 65 ▶ ~~{ requires an incumbent county clerk who is running for reelection to contract with another county clerk to provide certain services in relation to verifying candidate signatures for the race; }~~
- 68 ▶ ~~{ modifies a provision relating to the frequency of an elections audit performed by the Office of the Legislative Auditor General; }~~
- 70 ▶ ~~{ permits the use of campaign funds for certain goods or services relating to security; and }~~
- 71 ▶ makes technical and conforming changes.

15 Money Appropriated in this Bill:

16 None

17 Other Special Clauses:

18 None

19 Utah Code Sections Affected:

SB0194S01 compared with SB0194S06

20 AMENDS:

78 ~~{17-69-202 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025, First
Special Session, Chapter 13}~~

80 ~~{17-70-403 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025, First
Special Session, Chapter 13}~~

82 ~~{20A-1-102 (Effective 01/01/27), as last amended by Laws of Utah 2025, First Special
Session, Chapter 6}~~

21 **20A-1-201.5 , as last amended by Laws of Utah 2024, Third Special Session, Chapter 3**

22 ~~20A-1-502 {(Effective 05/06/26)}, as last amended by Laws of Utah 2025, Chapter 448~~

23 **20A-1-502.5 , as last amended by Laws of Utah 2025, Chapter 448**

24 ~~20A-1-503 {(Effective 05/06/26)}, as last amended by Laws of Utah 2025, Chapters 90, 448~~

86 ~~{20A-1-504 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 90}~~

87 ~~{20A-1-508 (Effective 05/06/26), as last amended by Laws of Utah 2025, First Special
Session, Chapter 16}~~

89 ~~{20A-1-509.1 (Effective 05/06/26), as last amended by Laws of Utah 2025, Second Special
Session, Chapter 2}~~

91 ~~{20A-1-509.2 (Effective 05/06/26), as last amended by Laws of Utah 2025, First Special
Session, Chapter 16}~~

93 ~~{20A-1-513 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 448}~~

25 **20A-1-1001 , as last amended by Laws of Utah 2025, First Special Session, Chapter 16**

94 ~~{20A-2-101.1 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 448}~~

95 ~~{20A-2-104 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 381, 448}~~

97 ~~{20A-2-108 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 381}~~

98 ~~{20A-2-204 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 381, 448}~~

100 ~~{20A-2-206 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 381}~~

101 ~~{20A-2-304 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 448}~~

102 ~~{20A-2-502 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 381, 448}~~

104 ~~{20A-2-504 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 448}~~

105 ~~{20A-2-505 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 381, 448}~~

26 **20A-3a-106 , as last amended by Laws of Utah 2025, Chapters 381, 448**

107 ~~{20A-3a-202 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 381, 448}~~

SB0194S01 compared with SB0194S06

- 109 ~~{20A-3a-401 (Effective 05/06/26), as last amended by Laws of Utah 2025, First Special~~
Session, Chapter 6}
- 27 **20A-5-101 , as last amended by Laws of Utah 2025, Chapter 448**
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- 111 ~~{20A-5-410 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 188, 448}~~
- 113 ~~{20A-6-105 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 381, 448}~~
- 28 **20A-8-103 , as last amended by Laws of Utah 2025, Chapters 38, 448**
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- 29 **20A-9-101 , as last amended by Laws of Utah 2023, Chapters 15, 45**
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- 30 **20A-9-201 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**
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- 31 **20A-9-201.5 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**
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- 32 **20A-9-202 , as last amended by Laws of Utah 2025, Chapter 448**
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- 33 **20A-9-403 , as last amended by Laws of Utah 2025, Chapters 39, 448**
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- 34 **20A-9-407 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**
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- 115 ~~{20A-9-408 (Effective 01/01/27), as last amended by Laws of Utah 2025, Second Special~~
Session, Chapter 2}
- 35 **20A-9-408.5 , as last amended by Laws of Utah 2021, Chapter 183**
-
- 36 **20A-9-409 , as last amended by Laws of Utah 2025, First Special Session, Chapter 16**
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- 117 ~~{20A-11-104 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 447}~~
- 118 ~~{20A-11-204 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 90, 448}~~
- 120 ~~{20A-11-1303 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 90, 448}~~
- 122 ~~{20A-11-1604 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 90, 448}~~
- 37 **20A-21-101 , as enacted by Laws of Utah 2022, Chapter 325**
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- 124 ~~{36-12-15.2 (Effective 05/06/26), as enacted by Laws of Utah 2023, Chapter 156}~~
- 125 ~~{63G-2-202 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 188}~~
- 126 ~~{63G-2-301 (Effective 01/01/27), as last amended by Laws of Utah 2025, First Special~~
Session, Chapter 9}
- 128 ~~{63G-2-302 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 172}~~
- 129 ~~{63G-2-303 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 208}~~
- 38 **63G-2-305 , as last amended by Laws of Utah 2025, First Special Session, Chapter 17**
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- 39 REPEALS:
- 40 **20A-9-405 , as last amended by Laws of Utah 2025, Chapter 38**
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SB0194S01 compared with SB0194S06

41 20A-9-406 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
42 20A-9-408 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
43 20A-9-408.1 , as enacted by Laws of Utah 2025, Chapter 448
44 20A-9-408.2 , as enacted by Laws of Utah 2025, Chapter 448
45 20A-9-408.3 , as enacted by Laws of Utah 2025, Chapter 448
46 20A-9-410 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
47 20A-9-411 , as enacted by Laws of Utah 2015, Chapter 296

ENACTS:

131 ~~{20A-1-109 (Effective 05/06/26), Utah Code Annotated 1953}~~
132 ~~{20A-2-508 (Effective 05/06/26), Utah Code Annotated 1953}~~
133 ~~{20A-2-601 (Effective 05/06/26), Utah Code Annotated 1953}~~
134 ~~{20A-2-602 (Effective 05/06/26), Utah Code Annotated 1953}~~
135 ~~{20A-2-603 (Effective 01/01/27), Utah Code Annotated 1953}~~
136 ~~{20A-2-603.5 (Effective 01/01/27), Utah Code Annotated 1953}~~
137 ~~{20A-2-604 (Effective 01/01/27), Utah Code Annotated 1953}~~
138 ~~{20A-2-605 (Effective 01/01/27), Utah Code Annotated 1953}~~
139 ~~{20A-2-606 (Effective 01/01/27), Utah Code Annotated 1953}~~
140 ~~{20A-2-607 (Effective 01/01/27), Utah Code Annotated 1953}~~
141 ~~{20A-3a-201.5 (Effective 05/06/26), Utah Code Annotated 1953}~~
142 ~~{20A-9-408.4 (Effective 05/06/26), Utah Code Annotated 1953}~~

48

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

145 ~~{Section 1. Section 17-69-202 is amended to read: }~~

146 **17-69-202. Qualifications for a county auditor in a county of the first class.**

148 (1) In a county of the first class, in addition to the requirements described in Section 17-66-201, an individual filing a declaration of candidacy for the office of county auditor, an individual elected to the office of county auditor, or an interim replacement appointed under Subsection 20A-1-508(3) or (4), shall have one or more of the following professional certifications active and in good standing:

- 153 (a) certified public accountant;
154 (b) certified internal auditor;
155 (c) certified fraud examiner;

SB0194S01 compared with SB0194S06

- 156 (d) certified management accountant; or
157 (e) certified information systems auditor.
158 (2) Subsection (1) does not apply to any other position within an auditor's office, except that a chief
deputy or other individual filling the vacancy of an elected auditor in a county of the first class
may not be appointed as an interim replacement under Subsection 20A-1-508(3) or (4) unless the
individual meets the qualifications of Subsection (1) and Section 17-66-201.

163 ~~{Section 2. Section 17-70-403 is amended to read: }~~

164 **17-70-403. Campaign financial disclosure in county elections.**

- 165 (1) A county shall adopt an ordinance establishing campaign finance disclosure requirements for:
166 (a) candidates for county office; and
167 (b) candidates for local school board office who reside in that county.
168 (2) The ordinance required by Subsection (1) shall include:
169 (a) a requirement that each candidate for county office or local school board office report the
candidate's itemized and total campaign contributions and expenditures at least once within the two
weeks before the election and at least once within two months after the election;
174 (b) a definition of "contribution" and "expenditure" that requires reporting of nonmonetary
contributions such as in-kind contributions and contributions of tangible things;
177 (c) a requirement that the financial reports identify:
178 (i) for each contribution, the name of the donor of the contribution, if known, and the amount of the
contribution; and
180 (ii) for each expenditure, the name of the recipient and the amount of the expenditure;
181 (d) a requirement that a candidate for county office or local school board office deposit a contribution in
a separate campaign account into a financial institution;
183 (e) a prohibition against a candidate for county office or local school board office depositing or
mingling any contributions received into a personal or business account;
185 (f) a requirement that a candidate for county office who receives a contribution that is cash or a
negotiable instrument, exceeds \$50, and is from a donor whose name is unknown, shall, within 30
days after receiving the contribution, disburse the amount of the contribution to:
189 (i) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's
general fund; or

191

SB0194S01 compared with SB0194S06

- (ii) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
- 193 (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a county office or local school board office file the financial report described in Subsection (2)(c) with the county clerk:
- 196 (i) for a county office vacancy described in Subsection 20A-1-508(3)[~~or (7)~~], (4), or (9), no later than three business days before the day on which the political party of the prior officeholder submits the candidate's name to the county legislative body as the individual the political party selects to fill the vacancy;
- 200 (ii) for a county or district attorney office vacancy described in Subsection 20A-1-509.1(5)(a), no later than three business days before the day on which the political party of the prior officeholder submits the candidate's name to the county legislative body as one of the three individuals the party nominates to fill the vacancy;
- 205 (iii) for a county or district attorney office vacancy described in Section 20A-1-509.2:
- 206 (A) no later than the deadline for the candidate to submit an application to fill the vacancy under Subsection 20A-1-509.2(2)(c); and
- 208 (B) if, under Subsection 20A-1-509.2(3), more than three attorneys submit an application to fill the vacancy, no later than three business days before the day on which the political party of the prior officeholder submits the candidate's name to the county legislative body as one of the three individuals the party nominates to fill the vacancy; or
- 213 (iv) for a local school board office vacancy, no later than three business days before the day on which the local school board meets to interview each candidate interested in filling the vacancy in accordance with Section 20A-1-511; and
- 216 (h) a requirement that, upon receipt of the financial report described in Subsection (2)(g), the county clerk immediately submit a copy of the report to the county legislative body.
- 219 (3)
- (a) As used in this Subsection (3), "account" means an account in a financial institution:
- 221 (i) that is not described in Subsection (2)(d); and
- 222 (ii) into which or from which a person who, as a candidate for an office, other than a county office for which the person files a declaration of candidacy or federal office, or as a holder of an

SB0194S01 compared with SB0194S06

office, other than a county office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

- 227 (b) The ordinance required by Subsection (1) shall include a requirement that a candidate for county
office or local school board office include on a financial report filed in accordance with the
ordinance a contribution deposited in or an expenditure made from an account:
- 231 (i) since the last financial report was filed; or
232 (ii) that has not been reported under a statute or ordinance that governs the account.
- 233 (4) If any county fails to adopt a campaign finance disclosure ordinance described in Subsection (1),
candidates for county office, other than community council office, and candidates for local school
board office shall comply with the financial reporting requirements contained in Subsections (5)
through (10).
- 237 (5) A candidate for elective office in a county or local school board office:
- 238 (a) shall deposit a contribution into a separate campaign account in a financial institution; and
240 (b) may not deposit or mingle any contributions received into a personal or business account.
- 242 (6) Each candidate for elective office in any county who is not required to submit a campaign financial
statement to the lieutenant governor, and each candidate for local school board office, shall file a
signed campaign financial statement with the county clerk:
- 246 (a) seven days before the date of the regular general election, reporting each contribution and each
expenditure as of 10 days before the date of the regular general election; and
248 (b) no later than 30 days after the date of the regular general election.
- 249 (7)
- (a) The statement filed seven days before the regular general election shall include:
- 250 (i) a list of each contribution received by the candidate, and the name of the donor, if known; and
252 (ii) a list of each expenditure for political purposes made during the campaign period, and the
recipient of each expenditure.
- 254 (b) The statement filed 30 days after the regular general election shall include:
- 255 (i) a list of each contribution received after the cutoff date for the statement filed seven days before the
election, and the name of the donor; and
257 (ii) a list of all expenditures for political purposes made by the candidate after the cutoff date for the
statement filed seven days before the election, and the recipient of each expenditure.
- 260 (8)

SB0194S01 compared with SB0194S06

- 262 (a) As used in this Subsection (8), "account" means an account in a financial institution:
- 263 (i) that is not described in Subsection (5)(a); and
- 263 (ii) into which or from which a person who, as a candidate for an office, other than a county office for which the person filed a declaration of candidacy or federal office, or as a holder of an office, other than a county office for which the person filed a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.
- 268 (b) A county office candidate and a local school board office candidate shall include on any campaign financial statement filed in accordance with Subsection (6) or (7):
- 270 (i) a contribution deposited into an account:
- 271 (A) since the last campaign finance statement was filed; or
- 272 (B) that has not been reported under a statute or ordinance that governs the account; or
- 274 (ii) an expenditure made from an account:
- 275 (A) since the last campaign finance statement was filed; or
- 276 (B) that has not been reported under a statute or ordinance that governs the account.
- 278 (9) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is unknown, a county office candidate shall disburse the amount of the contribution to:
- 281 (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or
- 283 (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.
- 285 (10) Candidates for elective office in any county, and candidates for local school board office, who are eliminated at a primary election shall file a signed campaign financial statement containing the information required by this section not later than 30 days after the primary election.
- 289 (11)
- (a) A candidate seeking appointment to fill a midterm vacancy in a county office or local school board office shall:
- 291 (i) comply with Subsections (5) and (9); and
- 292 (ii) file a signed campaign financial statement with the county clerk no later than the deadline described in Subsection (2)(g).
- 294

SB0194S01 compared with SB0194S06

- (b) Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii), the county clerk shall immediately submit a copy of the statement to the county legislative body.
- 297 (12) Any individual who fails to comply with this section is guilty of an infraction.
- 298 (13)
- (a) Counties may, by ordinance, enact requirements that:
- 299 (i) require greater disclosure of campaign contributions and expenditures; and
- 300 (ii) impose additional penalties.
- 301 (b) The requirements described in Subsection (13)(a) apply to a local school board office candidate who resides in that county.
- 303 (14) If a candidate fails to file an interim report due before the election, the county clerk:
- 304 (a) may send an electronic notice to the candidate and the political party of which the candidate is a member, if any, that states:
- 306 (i) that the candidate failed to timely file the report; and
- 307 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for filing the report, the candidate will be disqualified and the political party will not be permitted to replace the candidate; and
- 310 (b) impose a fine of \$100 on the candidate.
- 311 (15)
- (a) The county clerk shall disqualify a candidate and inform the appropriate election officials that the candidate is disqualified if the candidate fails to file an interim report described in Subsection (14) within 24 hours after the deadline for filing the report.
- 315 (b) The political party of a candidate who is disqualified under Subsection (15)(a) may not replace the candidate.
- 317 (c) A candidate who is disqualified under Subsection (15)(a) shall file with the county clerk a complete and accurate campaign finance statement within 30 days after the day on which the candidate is disqualified.
- 320 (16) If a candidate is disqualified under Subsection (15)(a), the election official:
- 321 (a) shall:
- 322 (i) notify every opposing candidate for the county office that the candidate is disqualified;
- 324

SB0194S01 compared with SB0194S06

- (ii) send an email notification to each voter who is eligible to vote in the county election office race for whom the election official has an email address informing the voter that the candidate is disqualified and that votes cast for the candidate will not be counted;
- 328 (iii) post notice of the disqualification on the county's website; and
- 329 (iv) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; and
- 331 (b) may not count any votes for that candidate.
- 332 (17) An election official may fulfill the requirement described in Subsection (16)(a) in relation to a mailed ballot, including a military or overseas ballot, by including with the ballot a written notice directing the voter to the county's website to inform the voter whether a candidate on the ballot is disqualified.
- 336 (18) A candidate is not disqualified if:
- 337 (a) the candidate files the interim reports described in Subsection (14) no later than 24 hours after the applicable deadlines for filing the reports;
- 339 (b) the reports are completed, detailing accurately and completely the information required by this section except for inadvertent omissions or insignificant errors or inaccuracies; and
- 342 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.
- 344 (19)
- (a) A report is considered timely filed if:
- 345 (i) the report is received in the county clerk's office no later than midnight, Mountain Time, at the end of the day on which the report is due;
- 347 (ii) the report is received in the county clerk's office with a United States Postal Service postmark three days or more before the date that the report was due; or
- 349 (iii) the candidate has proof that the report was mailed, with appropriate postage and addressing, three days before the report was due.
- 351 (b) For a county clerk's office that is not open until midnight at the end of the day on which a report is due, the county clerk shall permit a candidate to file the report via email or another electronic means designated by the county clerk.
- 354 (20)

SB0194S01 compared with SB0194S06

(a) Any private party in interest may bring an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of this section or any ordinance adopted under this section.

357 (b) In a civil action filed under Subsection (20)(a), the court shall award costs and attorney fees to the prevailing party.

359 (21) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the county clerk shall:

361 (a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and

363 (b) make the campaign finance statement filed by a candidate available for public inspection by:

365 (i) posting an electronic copy or the contents of the statement on the county's website no later than seven business days after the day on which the statement is filed; and

367 (ii) in order to meet the requirements of Subsection 20A-11-103(4)(b)(ii), providing the lieutenant governor with a link to the electronic posting described in Subsection (21)(b)(i) no later than two business days after the day the statement is filed.

371 ~~{Section 3. Section 20A-1-102 is amended to read: }~~

372 **20A-1-102. Definitions.**

As used in this title:

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

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

378 (3)

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

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

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

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

384 (b) a constitutional amendment;

385 (c) an initiative;

SB0194S01 compared with SB0194S06

- 386 (d) a referendum;
- 387 (e) a bond proposition;
- 388 (f) a judicial retention question;
- 389 (g) an incorporation of a city or town; or
- 390 (h) any other ballot question specifically authorized by the Legislature.
- 391 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples
or another means in at least three places across the top of the paper in the blank space reserved for
securing the paper.
- 394 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to
canvass election returns.
- 396 (7) "Bond election" means an election held for the purpose of approving or rejecting the proposed
issuance of bonds by a government entity.
- 398 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a holiday.
- 400 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by the sender.
- 402 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday, a business
day, or any other type of day.
- 404 (11) "Canvass" means the review of election returns and the official declaration of election results by
the board of canvassers.
- 406 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.
- 408 (13) "Contracting election officer" means an election officer who enters into a contract or interlocal
agreement with a provider election officer.
- 410 (14) "Convention" means the political party convention at which party officers and delegates are
selected.
- 412 (15) "Counting center" means one or more locations selected by the election officer in charge of the
election for the automatic counting of ballots.
- 414 (16) "Counting judge" means a poll worker designated to count the ballots during election day.
- 416 (17) "Counting room" means a suitable and convenient private place or room for use by the poll
workers and counting judges to count ballots.
- 418 (18) "County officers" means those county officers that are required by law to be elected.
- 419 (19) "Date of the election" or "election day" or "day of the election":
- 420 (a) means the day that is specified in the calendar year as the day on which the election occurs; and

SB0194S01 compared with SB0194S06

- 422 (b) does not include:
- 423 (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
- 425 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- 427 (20) "Documentary proof of United States citizenship" means:
- 428 (a) a Utah driver license number that verifies United States citizenship;
- 429 (b) a Utah state identification card number that verifies United States citizenship;
- 430 (c) a legible copy of an individual's birth certificate that verifies United States citizenship;
- 432 (d) a legible copy of the pages of an individual's United States passport that identify the individual and
the individual's passport number;
- 434 (e) an alien registration number that verifies United States citizenship;
- 435 (f) a legible copy of the voter's United States naturalization documents;
- 436 (g) a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;
- 438 (h) a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of
birth;
- 440 (i) verification of citizenship from the Systematic Alien Verification for Entitlements program, operated
by the United States Department of Homeland Security; or
- 442 (j) other documents or methods of proving United States citizenship that are established in accordance
with the Immigration Reform and Control Act of 1986.
- 444 [~~(20)~~] (21) "Elected official" means:
- 445 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate
Voting Methods Pilot Project;
- 447 (b) a person who is considered to be elected to a municipal office in accordance with Subsection
20A-1-206(1)(c)(ii); or
- 449 (c) a person who is considered to be elected to a special district office in accordance with Subsection
20A-1-206(3)(b)(ii).
- 451 [~~(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.
- 454 [~~(22)~~] (23) "Election Assistance Commission" means the commission established by the Help America
Vote Act of 2002, Pub. L. No. 107-252.
- 456

SB0194S01 compared with SB0194S06

~~[(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.

459 ~~[(24)]~~ (25) "Election judge" means a poll worker that is assigned to:

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

463 ~~[(25)]~~ (26) "Election material" includes:

- 464 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
465 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
466 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
467 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
468 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
469 (ii) the batch log described in Subsection 20A-3a-401.1(5);
470 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
471 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
472 (g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);
474 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
475 (i) the record of voter database access described in Subsection 20A-5-905(2);
476 (j) the reports on military and overseas voters described in Section 20A-16-202;
477 (k) scanned copies of return envelopes;
478 (l) a copy of the final election results database described in Section 20A-5-802.5; and
479 (m) the materials used in the programming of the automatic tabulating equipment.

480 ~~[(26)]~~ (27) "Election officer" means:

- 481 (a) the lieutenant governor, for all statewide ballots and elections;
482 (b) the county clerk for:
483 (i) a county ballot and election; and
484 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or
20A-5-400.5;
486 (c) the municipal clerk for:
487 (i) a municipal ballot and election; and
488

SB0194S01 compared with SB0194S06

- (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
- 490 (d) the special district clerk or chief executive officer for:
- 491 (i) a special district ballot and election; and
- 492 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5; or
- 494 (e) the business administrator or superintendent of a school district for:
- 495 (i) a school district ballot and election; and
- 496 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5.
- 498 [~~(27)~~] (28) "Election official" means any election officer, election judge, or poll worker.
- 499 [~~(28)~~] (29) "Election results" means:
- 500 (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
- 502 (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.
- 504 [~~(29)~~] (30) "Election results database" means the following information generated by voting equipment:
- 506 (a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an election;
- 508 (b) a ballot image; and
- 509 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 510 [~~(30)~~] (31) "Election returns" means:
- 511 (a) the pollbook;
- 512 (b) the military and overseas absentee voter registration and voting certificates;
- 513 (c) one of the tally sheets;
- 514 (d) any unprocessed ballots;
- 515 (e) all counted ballots;
- 516 (f) all excess ballots;
- 517 (g) all unused ballots;
- 518 (h) all spoiled ballots;
- 519 (i) all ballot disposition forms, including any provisional ballot disposition forms;

SB0194S01 compared with SB0194S06

- 520 (j) the final election results database described in Section 20A-5-802.5;
- 521 (k) all return envelopes;
- 522 (l) any provisional ballot envelopes; and
- 523 (m) the total votes cast form.
- 524 [~~(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.
- 527 (33) "Federal ballot" means a ballot that includes only the federal races that are to be presented for a
vote in a particular election.
- 529 [~~(32)~~] (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 530 [~~(33)~~] (35) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under
Subsection 20A-2-505(4)(c)(i) or (ii).
- 532 [~~(34)~~] (36) "Judicial office" means the office filled by any judicial officer.
- 533 [~~(35)~~] (37) "Judicial officer" means any justice or judge of a court of record or any county court judge.
- 535 [~~(36)~~] (38) "Local election" means a regular county election, a regular municipal election, a municipal
primary election, a local special election, a special district election, and a bond election.
- 538 [~~(37)~~] (39) "Local political subdivision" means a county, a municipality, a special district, or a local
school district.
- 540 [~~(38)~~] (40) "Local special election" means a special election called by the governing body of a local
political subdivision in which all registered voters of the local political subdivision may vote.
- 543 [~~(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.
- 546 [~~(40)~~] (42) "Mechanical ballot" means a record, including a paper record, electronic record, or
mechanical record, that:
- 548 (a) is created via electronic or mechanical means; and
- 549 (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.
- 552 [~~(41)~~] (43) "Municipal executive" means:
- 553 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
- 554 (b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(6).
- 556

SB0194S01 compared with SB0194S06

- 559 [(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.
- 561 [(43)] (45) "Municipal legislative body" means the council of the city or town in any form of municipal
government.
- 562 [(44)] (46) "Municipal office" means an elective office in a municipality.
- 564 [(45)] (47) "Municipal officers" means those municipal officers that are required by law to be elected.
- 566 [(46)] (48) "Municipal primary election" means an election held to nominate candidates for municipal
office.
- 567 [(47)] (49) "Municipality" means a city or town.
- 569 [(48)] (50) "Official ballot" means the ballots distributed by the election officer for voters to record
their votes.
- 570 [(49)] (51) "Official endorsement" means the information on the ballot that identifies:
- 571 (a) the ballot as an official ballot;
- 572 (b) the date of the election; and
- (c)
- (i) for a ballot prepared by an election officer other than a county clerk, the facsimile signature required
by Subsection 20A-6-401(1)(a)(iii); or
- 574 (ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-301(1)(b)(iii).
- 576 [(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.
- 578 [(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.
- 581 [(52)] (54)
- (a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or
counting votes.
- 583 (b) "Poll worker" includes election judges.
- 584 (c) "Poll worker" does not include a watcher.
- 585 [(53)] (55) "Pollbook" means a record of the names of voters in the order that the voters appear to cast
votes.
- 587 [(54)] (56) "Polling place" means a building where voting is conducted.

SB0194S01 compared with SB0194S06

- 588 [(55)] (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in which
the voter marks the voter's choice.
- 590 [(56)] (58) "Presidential Primary Election" means the election established in Chapter 9, Part 8,
Presidential Primary Election.
- 592 [(57)] (59) "Primary convention" means the political party conventions held during the year of the
regular general election.
- 594 [(58)] (60) "Protective counter" means a separate counter, which cannot be reset, that:
- 595 (a) is built into a voting machine; and
- 596 (b) records the total number of movements of the operating lever.
- 597 [(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.
- 601 [(60)] (62) "Provisional ballot" means a ballot voted provisionally by a person:
- 602 (a) whose name is not listed on the official register at the polling place;
- 603 (b) whose legal right to vote is challenged as provided in this title; or
- 604 (c) whose identity was not sufficiently established by a poll worker.
- 605 [(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.
- 608 [(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.
- 612 [(b) "Public figure" does not include an individual:]
- 613 [(i) elected to public office; or]
- 614 [(ii) appointed to fill a vacancy in an elected public office.]
- 615 (b) "Public figure" includes an individual who is elected to public office, appointed to fill a vacancy in
an elected public office, or employed by a government entity if, in relation to the individual's service
in public office or employment as an employee of a government entity, the individual has received a
threat of harm to a person or property.

620

SB0194S01 compared with SB0194S06

- 622 [(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.
- 624 [(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.
- 626 [(65)] (67) "Registration form" means a form by which an individual may register to vote under this title.
- 627 [(66)] (68) "Regular ballot" means a ballot that is not a provisional ballot.
- 630 [(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.
- 633 [(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.
- 634 [(69)] (71) "Resident" means a person who resides within a specific voting precinct in Utah.
- 636 [(70)] (72) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4), provided to a voter with a manual ballot:
- 638 (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
 - 639 (b) that includes the voter affidavit and a place for the voter's signature.
- 641 [(71)] (73) "Sample ballot" means a mock ballot similar in form to the official ballot, published as provided in Section 20A-5-405.
- 644 [(72)] (74) "Special district" means a local government entity under Title 17B, Limited Purpose Local Government Entities - Special Districts, and includes a special service district under Title 17D, Chapter 1, Special Service District Act.
- 646 [(73)] (75) "Special district officers" means those special district board members who are required by law to be elected.
- 647 [(74)] (76) "Special election" means an election held as authorized by Section 20A-1-203.
- 648 [(75)] (77) "Spoiled ballot" means each ballot that:
- 649 (a) is spoiled by the voter;
 - 650 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
 - (c) lacks the official endorsement.

SB0194S01 compared with SB0194S06

- 651 (78) "Standard ballot" means a ballot that includes all races and ballot propositions that are to be
652 presented for a vote in a particular election.
- 653 ~~[(76)]~~ (79) "Statewide special election" means a special election called by the governor or the
654 Legislature in which all registered voters in Utah may vote.
- 655 ~~[(77)]~~ (80) "Tabulation system" means a device or system designed for the sole purpose of tabulating
656 votes cast by voters at an election.
- 657 ~~[(78)]~~ (81) "Ticket" means a list of:
- 658 (a) political parties;
- 659 (b) candidates for an office; or
- 660 (c) ballot propositions.
- 661 ~~[(79)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the counting center.
- 662 ~~[(80)]~~ (83) "Vacancy" means:
- 663 (a) except as provided in Subsection ~~[(80)(b)]~~ (83)(b), the absence of an individual to serve in a
664 position created by state constitution or state statute, whether that absence occurs because of death,
665 disability, disqualification, resignation, or other cause; or
- 666 (b) in relation to a candidate for a position created by state constitution or state statute, the removal of a
667 candidate due to the candidate's death, resignation, or disqualification.
- 668 ~~[(81)]~~ (84) "Valid voter identification" means:
- 669 (a) a form of identification that bears the name and photograph of the voter which may include:
- 670 (i) a currently valid Utah driver license;
- 671 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8, Identification Card Act;
- 672 (iii) a currently valid identification card that is issued by:
- 673 (A) the state; or
- 674 (B) a branch, department, or agency of the United States;
- 675 (iv) a currently valid Utah permit to carry a concealed weapon;
- 676 (v) a currently valid United States passport; or
- 677 (vi) a currently valid United States military identification card;
- 678 (b) one of the following identification cards, regardless of whether the card includes a photograph of the
679 voter:
- 680 (i) a valid tribal identification card;
- 681 (ii) a Bureau of Indian Affairs card; or
- 682

SB0194S01 compared with SB0194S06

- 686 (iii) a tribal treaty card; or
- 687 (c) two forms of identification not listed under Subsection [~~(81)(a) or (b)~~] (84)(a) or (b) but that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include:
- 690 (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;
- 692 (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;
- 694 (iii) a certified birth certificate;
- 695 (iv) a valid social security card;
- 696 (v) an original or copy of a check issued by the state or the federal government, dated no more than 90 calendar days before the date of the election;
- 698 (vi) an original or copy of a paycheck from the voter's employer, dated no more than 90 calendar days before the date of the election;
- 700 (vii) a currently valid Utah hunting or fishing license;
- 701 (viii) certified naturalization documentation;
- 702 (ix) a currently valid license issued by an authorized agency of the United States;
- 703 (x) a certified copy of court records showing the voter's adoption or name change;
- 704 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- 705 (xii) a currently valid identification card issued by:
- 706 (A) a local government within the state;
- 707 (B) an employer for an employee; or
- 708 (C) a college, university, technical school, or professional school located within the state; or
- 710 (xiii) a current Utah vehicle registration.
- 711 [~~(82)~~] (85) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by following the procedures and requirements of this title.
- 713 [~~(83)~~] (86) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 715 (a) mailing the ballot to the location designated in the mailing; or
- 716 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 717 [~~(84)~~] (87) "Voter" means an individual who:
- 718 (a) meets the requirements for voting in an election;

SB0194S01 compared with SB0194S06

- 719 (b) meets the requirements of election registration;
- 720 (c) is registered to vote; and
- 721 (d) is listed in the official register.
- 722 [(85)] (88) "Voter registration deadline" means the registration deadline provided in Section
20A-2-102.5.
- 724 [(86)] (89) "Voting area" means the area within six feet of the voting booths, voting machines, and
ballot box.
- 726 [(87)] (90) "Voting booth" means:
- 727 (a) the space or compartment within a polling place that is provided for the preparation of ballots,
including the voting enclosure or curtain; or
- 729 (b) a voting device that is free standing.
- 730 [(88)] (91) "Voting device" means any device provided by an election officer for a voter to vote a
mechanical ballot.
- 732 [(89)] (92) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5,
Part 3, Duties of the County and Municipal Legislative Bodies.
- 734 [(90)] (93) "Watcher" means an individual who complies with the requirements described in Section
20A-3a-801 to become a watcher for an election.
- 736 [(91)] (94) "Write-in ballot" means a ballot containing any write-in votes.
- 737 [(92)] (95) "Write-in vote" means a vote cast for an individual, whose name is not printed on the ballot,
in accordance with the procedures established in this title.
- 739 Section 4. Section 4 is enacted to read:
- 740 **20A-1-109. Lieutenant governor conflict of interest avoidance plan -- Creation and
presentation.**
- 742 (1) The lieutenant governor shall, before August 31, 2026, create a written conflict of interest risk
avoidance plan that:
- 744 (a) identifies specific types of decisions or actions the lieutenant governor may take, in the course and
scope of the duties or powers of the office of lieutenant governor, that could create a conflict of
interest by influencing, or being perceived to influence, the lieutenant governor's candidacy for an
office;
- 748 (b) for each type of decision or action identified under Subsection (1)(a), establishes procedures and
actions the lieutenant governor will take to mitigate or avoid the conflict, including:

SB0194S01 compared with SB0194S06

- 751 (i) recusal from making the decision or taking the action; and
752 (ii) designating the person who will make the decision or take the action in the event of a recusal; and
754 (c) for each type of decision or action considered in relation to creating the plan that the lieutenant
governor concludes does not constitute a conflict of interest:
- 756 (i) a description of the type of decision or action; and
757 (ii) an explanation of why the type of decision or action does not constitute a conflict of interest or the
appearance of a conflict of interest.
- 759 (2) The lieutenant governor shall:
- 760 (a) forward a copy of the plan described in Subsection (1) to the Government Operations Interim
Committee on or before September 1, 2026;
- 762 (b) if requested by the chairs of the Government Operations Interim Committee, present the plan to the
committee at a meeting of the committee specified by the chairs of the committee; and
- 765 (c) keep a copy of the plan available for public review on the lieutenant governor's website.
- 767 (3) Beginning on January 1, 2029, when a new lieutenant governor first takes office, the lieutenant
governor shall, within 90 days after first taking office:
- 769 (a)
- (i) adopt the written conflict of interest risk avoidance plan used by the previous lieutenant governor; or
- 771 (ii) create a new written conflict of interest avoidance plan in accordance with the requirements
described in Subsection (1);
- 773 (b) forward a copy of the plan described in Subsection (3)(a) to the Government Operations Interim
Committee;
- 775 (c) if requested by the chairs of the Government Operations Interim Committee, present the plan to the
committee at a meeting of the committee specified by the chairs of the committee; and
- 778 (d) keep a copy of the plan available for public review on the lieutenant governor's website.
- 780 (4) If, at any time during the lieutenant governor's term of office, the lieutenant governor revises the
written conflict of interest avoidance plan, the lieutenant governor shall:
- 782 (a) forward a copy of the revised plan to the Government Operations Interim Committee;
- 783 (b) if requested by the chairs of the Government Operations Interim Committee, present the revised
plan to the committee at a meeting of the committee specified by the chairs of the committee; and
- 786 (c) keep a copy of the revised plan available for public review on the lieutenant governor's website.
788

SB0194S01 compared with SB0194S06

(5) The lieutenant governor shall comply with the written conflict of interest avoidance plan adopted or created by the lieutenant governor under this section.

50 Section 1. Section 20A-1-201.5 is amended to read:

51 **20A-1-201.5. Primary election dates.**

52 (1) The regular primary election shall be held throughout the state on the fourth Tuesday of June of
each even numbered year as provided in Section 20A-9-403[;] or 20A-9-407, [~~or 20A-9-408,~~]as
applicable, to nominate persons for national, state, school board, and county offices.

56 (2) A municipal primary election shall be held, if necessary, on the second Tuesday following the first
Monday in August before the regular municipal election to nominate persons for:

59 (a) municipal offices; or

60 (b) local school board office for a new school district or a reorganized new school district under Section
53G-3-302.

62 (3) A presidential primary election shall be held throughout the state on the first Tuesday in March in
the year in which a presidential election will be held.

64 Section 2. Section 20A-1-502 is amended to read:

65 **20A-1-502. ~~{(Effective 05/06/26)}~~Midterm vacancy in office of United States senator.**

793 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of United States
senator, the governor shall, within seven calendar days after the day on which the vacancy occurs,
issue a proclamation calling a special congressional election to fill the vacancy that:

797 (a) sets a date for a primary congressional special election, and a later date for a general congressional
special election, on the same day as one of the following elections:

799 (i) a municipal general election;

800 (ii) a presidential primary election;

801 (iii) a regular primary election; or

802 (iv) a regular general election;

803 (b) sets the date of the primary congressional special election on the same day as the next election
described in Subsections (1)(a)(i) through (iv) that is more than 90 calendar days after the day on
which the governor issues the proclamation;

806 (c) sets the date of the general special congressional election on the same day as the next election
described in Subsection (1)(a) that is more than 90 calendar days after the primary special
congressional election described in Subsection (1)(b);

SB0194S01 compared with SB0194S06

- 809 ~~[(d) provides each registered political party that is not a qualified political party at least 21 calendar~~
~~days, but no more than 28 calendar days, to select one candidate, in a manner determined by the~~
~~registered political party, as a candidate for the registered political party;]~~
- 813 ~~[(e)]~~ (d) ~~[for each qualified political party,]~~ provides at least 21 calendar days, but no more than 28
calendar days~~;~~
- 815 ~~[(i)]~~ for ~~[the qualified]~~ a registered political party to select one candidate, using the convention process
described in Section 20A-9-407, as a candidate for the ~~[qualified]~~ registered political party;~~[and]~~
- 818 ~~[(ii)]~~ for a member of the qualified political party to submit signatures to qualify as a candidate for the
qualified political party using the signature-gathering process described in Section 20A-9-408;~~]~~
- 821 ~~[(f)]~~ (e) consistent with the requirements of this section, establishes the deadlines, time frames, and
procedures for filing a declaration of candidacy, giving notice of an election, and other election
requirements; and
- 824 ~~[(g)]~~ (f) requires an election officer to comply with the requirements of Chapter 16, Uniform Military
and Overseas Voters Act.
- 826 (2)
- (a) The governor may set a date for a primary special congressional election or a general special
congressional election on a date other than a date described in Subsection (1)(a) if:
- 829 (i) on the same day on which the governor issues the proclamation described in Subsection (1) the
governor calls a special session for the Legislature to appropriate money to hold the election on
a different day; or
- 832 (ii) if the governor issues the proclamation described in Subsection (1) on or after January 1,
but before the end of the general session of the Legislature, and requests in the proclamation
described in Subsection (1) that the Legislature appropriate money to hold the election on a
different day.
- 836 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the election on a
different day, the proclamation described in Subsection (1) is void and the governor shall, within
seven calendar days after the day on which the Legislature declines to appropriate money to hold
the election on a different day, issue a proclamation, in accordance with Subsection (1), that sets
the special congressional primary and general elections on dates described in Subsections (1)(a)(i)
through (iv).

842

SB0194S01 compared with SB0194S06

(3) A special congressional election to fill a vacancy in the office of United States senator will not be held if:

844 (a) the next regular general election that occurs after the day on which the vacancy occurs is the regular general election that occurs immediately before the six-year term for the senate office ends; and

847 (b) the vacancy occurs after August 1 of the year before the regular general election described in Subsection (3)(a).

849 (4)

(a) The governor shall appoint an individual to temporarily fill a vacancy in the office of United States senator from one of three individuals nominated by the Legislature, each of whom ~~{[is a member of the political party of which the prior officeholder was a member at the time the prior officeholder was elected.]}~~ ~~meets the qualifications for the office, as follows:~~

854 ~~{(i) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, the individuals nominated by the Legislature shall be members of the registered political party of which the prior officeholder was a member when last elected or appointed; or }~~

859 ~~{(ii) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, the individuals nominated by the Legislature may be members of any registered political party or unaffiliated with a registered political party. }~~

863 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator until the earlier of the day on which:

865 (i) the vacancy is filled by election under Subsection (1) or (2); or

866 (ii) the six-year term for the senate office ends.

867 (5) An individual elected to fill a vacancy under this section shall serve until the end of the current term in which the vacancy filled by the election occurs.

869 (6) A vacancy in the office of United States senator does not occur unless the senator:

870 (a) has left the office; or

871 (b) submits an irrevocable letter of resignation to the governor or to the president of the United States Senate.

136 Section 3. Section 20A-1-502.5 is amended to read:

137 **20A-1-502.5. Midterm vacancy in office of United States representative.**

SB0194S01 compared with SB0194S06

- 138 (1) Except as provided in Subsections (2) and (4), when a vacancy occurs in the office of United States
representative, the governor shall, within seven calendar days after the day on which the vacancy
occurs, issue a proclamation calling a special congressional election to fill the vacancy that:
- 142 (a) sets a date for a primary congressional special election, and a later date for a general congressional
special election, on the same day as one of the following elections:
- 144 (i) a municipal general election;
- 145 (ii) a presidential primary election;
- 146 (iii) a regular primary election; or
- 147 (iv) a regular general election;
- 148 (b) sets the date of the primary congressional special election on the same day as the next election
described in Subsections (1)(a)(i) through (iv) that is more than 90 calendar days after the day on
which the governor issues the proclamation;
- 151 (c) sets the date of the general special congressional election on the same day as the next election
described in Subsection (1)(a) that is more than 90 calendar days after the primary special
congressional election described in Subsection (1)(b);
- 154 [~~(d) provides each registered political party that is not a qualified political party at least 21 calendar
days, but no more than 28 calendar days, to select one candidate, in a manner determined by the
registered political party, as a candidate for the registered political party;~~]
- 158 [~~(e)~~ (d) [for each qualified political party,] provides at least 21 calendar days, but no more than 28
calendar days[;]
- 160 [(i)] for [the qualified] a registered political party to select one candidate, using the convention process
described in Section 20A-9-407, as a candidate for the qualified political party; [and]
- 163 [(ii)] for a member of the qualified political party to submit signatures to qualify as a candidate for the
qualified political party using the signature-gathering process described in Section 20A-9-408;]
- 166 [(f)] (e) consistent with the requirements of this section, establishes the deadlines, time frames, and
procedures for filing a declaration of candidacy, giving notice of an election, and other election
requirements; and
- 169 [(g)] (f) requires an election officer to comply with the requirements of Chapter 16, Uniform Military
and Overseas Voters Act.
- 171 (2) The governor may set a date for a primary special congressional election or a general special
congressional election on a date other than a date described in Subsection (1)(a) if:

SB0194S01 compared with SB0194S06

- 174 (a) on the same day on which the governor issues the proclamation described in Subsection (1) the
governor calls a special session for the Legislature to appropriate money to hold the election on a
different day; or
- 177 (b) if the governor issues the proclamation described in Subsection (1) on or after January 1, but before
the end of the general session of the Legislature, and requests in the proclamation described in
Subsection (1) that the Legislature appropriate money to hold the election on a different day.
- 181 (3) If the Legislature does not, under Subsection (2), appropriate money to hold the election on a
different day, the proclamation described in Subsection (1) is void and the governor shall, within
seven calendar days after the day on which the Legislature declines to appropriate money to hold
the election on a different day, issue a proclamation, in accordance with Subsection (1), that sets
the special congressional primary and general elections on dates described in Subsections (1)(a)(i)
through (iv).
- 187 (4) A special congressional election to fill a vacancy in the office of United States representative will
not be held if the vacancy occurs fewer than 180 calendar days before the next regular general
election.
- 190 (5) An individual who fills a vacancy under this section shall serve until the end of the current term in
which the vacancy occurs.
- 192 (6) A vacancy in the office of United States representative does not occur unless the representative:
- 194 (a) has left the office; or
- 195 (b) submits an irrevocable letter of resignation to the governor or to the speaker of the United States
House of Representatives.

197 Section 4. Section **20A-1-503** is amended to read:

198 **20A-1-503. ~~{(Effective 05/06/26)}~~Midterm vacancies in the Legislature.**

875 (1) As used in this section:

876 (a) "Filing deadline" means the final date for filing:

877 (i) a declaration of candidacy as provided in Section 20A-9-202; and

878 (ii) a certificate of nomination as provided in Section 20A-9-503.

879 (b) "Party liaison" means the political party officer designated to serve as a liaison with the lieutenant
governor on all matters relating to the political party's relationship with the state as required by
Section 20A-8-401.

882

SB0194S01 compared with SB0194S06

- (2) When a vacancy occurs for any reason in the office of representative in the Legislature, the governor shall fill the vacancy ~~{by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior representative.}~~ as follows:
- 886 ~~{(a) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing the individual whose name is submitted by the party liaison of the same registered political party of which the prior officeholder was a member when last elected or appointed, if the individual meets the qualifications for office; or}~~
- 892 ~~{(b) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing one of three individuals, who meet the qualifications for office, nominated by the House of Representatives, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.}~~
- 898 (3)
- (a) Except as provided by Subsection (5), when a vacancy occurs for any reason in the office of senator in the Legislature, ~~{it}~~ the vacancy shall be filled for the unexpired term at the next regular general election.
- 901 (b) The governor shall fill the vacancy until the next regular general election ~~{by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior senator.}~~ as follows:
- 904 ~~{(i) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing the individual whose name is submitted by the party liaison of the same registered political party of which the prior officeholder was a member when last elected or appointed, if the individual meets the qualifications for office; or}~~
- 910 ~~{(ii) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing one of three individuals, who meet the qualifications for office, nominated by the Senate, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.}~~
- 916 (4)

SB0194S01 compared with SB0194S06

- 919 (a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but before August 31 of an even-numbered year in which the term of office does not expire, the lieutenant governor shall:
- 923 (i) establish a date and time, which is before the date for a candidate to be certified for the ballot
924 under Section 20A-9-701 and no later than 21 calendar days after the day on which the vacancy
925 occurred, by which a person intending to obtain a position on the ballot for the vacant office
926 shall file:
- 927 (A) a declaration of candidacy; or
928 (B) a certificate of nomination; and
929 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
930 (A) on the lieutenant governor's website; and
931 (B) to each registered political party.
- 932 (b) A person intending to obtain a position on the ballot for the vacant office shall:
- 933 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of candidacy or
934 certificate of nomination according to the procedures and requirements of Chapter 9, Candidate
935 Qualifications and Nominating Procedures; and
936 (ii) run in the regular general election if:
937 (A) nominated as a party candidate; or
938 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate Qualifications and
939 Nominating Procedures.
- 940 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline ~~described in Subsection~~
941 ~~20A-9-202(1)(b)]~~ for filing a declaration of candidacy and before August 31, of an even-numbered
942 year in which the term of office does not expire, a party liaison from each registered political party
943 may submit a name of a person described in Subsection (4)(b) to the lieutenant governor before 5
944 p.m. no later than August 30 for placement on the regular general election ballot.
- 945 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an even-numbered year
946 in which a term does not expire, the governor shall fill the vacancy for the unexpired term {by
947 immediately appointing the person whose name was submitted by the party liaison of the same
948 political party as the prior senator.} ~~in accordance with Subsection (3)(b).~~
- 949 (6)
- 950 (a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill a vacancy
951 described in this section shall, no later than the deadline for the individual to file an interim report

SB0194S01 compared with SB0194S06

under Subsection 20A-11-303(3)(a), make a complete conflict of interest disclosure on the website described in Section 20A-11-1602.5.

952 (b) An individual described in Subsection (6)(a) is not required to comply with Subsection (6)(a) if the individual:

954 (i)

(A) currently holds the office of senator and is seeking appointment as a representative; or

956 (B) currently holds the office of representative and is seeking appointment as a senator;

958 (ii) already, that same year, filed a conflict of interest disclosure for the office described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and

960 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii) is updated and accurate as of the date of the written statement.

963 (7) The lieutenant governor shall make each conflict of interest disclosure made by an individual described in Subsection (6)(a) available for public inspection in accordance with Subsection 20A-11-1603(4).

966 (8) A vacancy in the office of senator or representative of the Legislature does not occur unless the senator or representative:

968 (a) has left the office; or

969 (b) submits an irrevocable letter of resignation to:

970 (i) for a senator, the president of the Senate; or

971 (ii) for a representative, the speaker of the House of Representatives.

972 ~~{Section 7. Section 20A-1-504 is amended to read: }~~

973 **20A-1-504. Midterm vacancies in the offices of attorney general, state treasurer, state auditor, State Board of Education member, and lieutenant governor.**

976 (1)

(a) When a vacancy occurs for any reason in the office of attorney general, state treasurer, state auditor, or State Board of Education member, the vacancy shall be filled for the unexpired term at the next regular general election.

979 ~~[(b) The governor shall fill the vacancy until the next regular general election by:]~~

980 ~~[(i) appointing a person who meets the qualifications for the office from three persons nominated by the state central committee of the same political party as the prior officeholder; or]~~

SB0194S01 compared with SB0194S06

- 983 [~~(ii) for a State Board of Education vacancy, if the individual who is being replaced:]~~
- 984 [~~(A) was elected at a nonpartisan State Board of Education election, by appointing, with the advice and consent of the Senate, an individual who meets the qualifications and residency requirements for filling the vacancy described in Section 20A-14-103;]~~
- 988 [~~(B) was elected at a partisan State Board of Education election, but is not a member of a political party, by appointing, with the advice and consent of the Senate, an individual who meets the qualifications and residency requirements for filling the vacancy described in Section 20A-14-103; or]~~
- 992 [~~(C) was elected at a partisan State Board of Education election, and is a member of a political party, by appointing an individual who meets the qualifications for the office from three persons nominated by the state central committee of the same political party as the prior officeholder.]~~
- 996 (b) The governor shall fill a vacancy described in Subsection (1)(a) until the next general election, as follows:
- 998 (i) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing the individual whose name is submitted by the party liaison of the same registered political party of which the prior officeholder was a member when last elected or appointed, if the individual meets the qualifications for office; or
- 1004 (ii) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by appointing, with the advice and consent of the Senate, an individual who meets the qualifications for office, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.
- 1010 (2) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the advice and consent of the Senate, appoint a person to hold the office until the next regular general election at which the governor stands for election.
- 1013 (3)
- (a) Except as provided in Subsection (3)(b), an individual seeking appointment to fill a vacancy described in this section shall make a complete conflict of interest disclosure on the website described in Section 20A-11-1602.5:
- 1016

SB0194S01 compared with SB0194S06

- (i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer, or state auditor, no later than the deadline for the individual to file an interim report under Subsection 20A-11-204(3)(a); or
- 1019 (ii) for a vacancy in the office of State Board of Education member, no later than the deadline for the individual to file an interim report under Subsection 20A-11-1303(2)(a).
- 1022 (b) An individual described in Subsection (3)(a) is not required to comply with Subsection (3)(a) if the individual:
- 1024 (i) currently holds an office described in Subsection (1)(a) or (2);
- 1025 (ii) already, that same year, filed a conflict of interest disclosure for the office described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and
- 1027 (iii) no later than the deadline described in Subsection (3)(a), indicates, in a written statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii) is updated and accurate as of the date of the written statement.
- 1030 (4) The lieutenant governor shall make each conflict of interest disclosure made by an individual described in Subsection (3)(a) available for public inspection in accordance with Subsection 20A-11-1603(4).
- 1033 (5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the individual occupying the office:
- 1035 (a) has left the office; or
- 1036 (b) submits an irrevocable letter of resignation to the governor.
- 1037 ~~{Section 8. Section 20A-1-508 is amended to read: }~~
- 1038 **20A-1-508. Midterm vacancies in county elected offices -- Temporary manager -- Interim replacement.**
- 1040 (1) As used in this section:
- 1041 (a)
- (i) "County offices" includes the county executive, members of the county legislative body, the county treasurer, the county sheriff, the county clerk, the county auditor, the county recorder, the county surveyor, and the county assessor.
- 1044 (ii) "County offices" does not include the office of county attorney, district attorney, or judge.
- 1046

SB0194S01 compared with SB0194S06

(b) "Party liaison" means the political party officer designated to serve as a liaison with each county legislative body on all matters relating to the political party's relationship with a county as required by Section 20A-8-401.

1049 (2)

(a) Except as provided in Subsection (2)(d), until a county legislative body appoints an interim replacement to fill a vacant county office under Subsection (3), or the governor appoints an interim replacement under Subsection (4), the following shall temporarily discharge the duties of the county office as a temporary manager:

1053 (i) for a county office with one chief deputy, the chief deputy;

1054 (ii) for a county office with more than one chief deputy:

1055 (A) the chief deputy with the most cumulative time served as a chief deputy for the county office; or

1057 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer vacates the office, the county officer files with the county clerk a written statement designating one of the county officer's chief deputies to discharge the duties of the county office in the event the county officer vacates the office, the designated chief deputy; or

1062 (iii) for a county office without a chief deputy:

1063 (A) if one management-level employee serving under the county office has a higher-seniority management level than any other employee serving under the county office, that management-level employee;

1066 (B) if two or more management-level employees serving under the county office have the same and highest-seniority management level, the highest-seniority management-level employee with the most cumulative time served in the employee's current position; or

1070 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county officer vacates the office, the county officer files with the county clerk a written statement designating one of the county officer's employees to discharge the county officer's duties in the event the county officer vacates the office, the designated employee.

1075 (b) Except as provided in Subsection (2)(c), a temporary manager described in Subsection (2)(a) who temporarily discharges the duties of a county office holds the powers and duties of the county office until the county legislative body appoints an interim replacement under Subsection (3) or the governor appoints an interim replacement under Subsection (4).

1080

SB0194S01 compared with SB0194S06

- (c) The temporary manager described in Subsection (2)(a) who temporarily discharges the duties of a county office:
- 1082 (i) may not take an oath of office for the county office as a temporary manager;
- 1083 (ii) shall comply with Title 17, Chapter 63, Fiscal Authority and Processes, and the county's budget ordinances and policies;
- 1085 (iii) unless approved by the county legislative body, may not change the compensation of an employee;
- 1087 (iv) unless approved by the county legislative body, may not promote or demote an employee or change an employee's job title;
- 1089 (v) may terminate an employee only if the termination is conducted in accordance with:
- 1091 (A) personnel rules described in Subsection 17-75-602(2) that are approved by the county legislative body; and
- 1093 (B) applicable law;
- 1094 (vi) unless approved by the county legislative body, may not exceed by more than 5% an expenditure that was planned before the county office for which the temporary manager discharges duties was vacated;
- 1097 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or compensation; and
- 1099 (viii) if approved by the county legislative body, may receive a performance award after:
- 1101 (A) the county legislative body appoints an interim replacement under Subsection (3) or the governor appoints an interim replacement under Subsection (4); and
- 1103 (B) the interim replacement is sworn into office.
- 1104 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative body member.
- 1106 (3)
- (a) Until a replacement is selected as provided in this section and has qualified, the county legislative body shall appoint an interim replacement to fill the vacant office by following the procedures and requirements of this Subsection (3) through Subsection (5).
- 1110 (b) In addition to this Subsection (3), or Subsection (4) as applicable, an interim replacement appointed to the office of county auditor in a county of the first class is subject to the requirements described in Section 17-69-202.
- 1113 (c)

SB0194S01 compared with SB0194S06

[(†)] To appoint an interim replacement, the county legislative body shall, within 10 calendar days after the day on which the vacancy occurs, give notice of the vacancy[+†]:

1116 [(A)] (i) to the county clerk; and

1117 [(B) the party liaison of the same political party of the prior office holder.-]

1118 (ii) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, to the party liaison of that registered political party.

1121 [(††)] (d) [The] If the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section:

1124 (i) the county legislative body shall invite the party liaison described in Subsection [(3)(e)(i)(B)] (3)(c) (ii) to submit the name of an individual to fill the vacancy[-] ;

1126 [(†††)] (ii) [The] the party liaison described in Subsection (3)(c)(ii) shall, no later than 5 p.m. on the first business day that is at least 30 calendar days, after the day on which the party liaison receives the notice described in Subsection [(3)(e)(i)(B)] (3)(c)(ii), or if the party liaison does not receive the notice, no later than 5 p.m. on the first business day that is at least 40 calendar days after the day on which the vacancy occurs, submit to the county legislative body the name of an individual who the party selects in accordance with the party's constitution or bylaws, and who meets the qualifications for the office, to serve as the interim replacement[-] ; and

1135 [(†††)] (iii) [The] the county legislative body shall, no later than seven calendar days after the day on which a party liaison submits the name of [the] an individual who meets the qualifications for office to serve as the interim replacement, appoint the individual to serve out the unexpired term.

1139 (e) If the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, the county legislative body shall, no later than 5 p.m. on the first business day that is at least 30 calendar days after the day on which the county legislative body provides the notice described in Subsection (3)(c)(i), appoint an individual who meets the qualifications for the office to serve as the interim replacement, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

1147 [(††)] (4)

[(†)] If the county legislative body fails to appoint an interim replacement to fill the vacancy in accordance with Subsection [(3)(e)(iv)-] (3)(d) or (e), as applicable:

SB0194S01 compared with SB0194S06

- 1150 (a) the county clerk shall, no later than seven calendar days after the day of the deadline described in
Subsection [~~(3)(e)(iv)~~] (3)(d)(iii) or (e), as applicable, send to the governor a letter that:
- 1153 [~~(A)~~] (i) informs the governor that the county legislative body has failed to appoint a replacement
within the statutory time period; [~~and~~]
- 1155 (ii) states whether the prior officeholder is an officeholder described in Subsection (3)(d) or (e); and
- 1157 [~~(B)~~] (iii) [~~contains~~] if the prior officeholder is an officeholder described in Subsection (3)(d), states the
name of the individual submitted by the party liaison to fill the vacancy[-] ; and
- 1160 [~~(i)~~] (b) [~~The~~] the governor shall, within 10 calendar days after the day on which the governor receives
the letter described in Subsection [~~(3)(d)(i)~~]; (4)(a):
- 1162 (i) if the prior officeholder is an officeholder described in Subsection (3)(d), appoint the individual
named by the party liaison as an interim replacement to fill the vacancy[-] , if the individual meets
the qualifications for office; or
- 1165 (ii) if the prior officeholder is an officeholder described in Subsection (3)(e), appoint an individual who
meets the qualifications for the office to serve out the unexpired term, regardless of whether the
individual is a member of a particular registered political party or is unaffiliated with a registered
political party.
- 1169 [~~(e)~~] (5) An individual appointed as interim replacement under [~~this Subsection (3)~~] Subsection (3) or
(4) shall hold office until a successor is elected and has qualified.
- 1171 [~~(4)~~] (6)
- (a) The requirements of this Subsection [~~(4)~~] (6) apply to all county offices that become vacant if:
- 1173 (i) the vacant office has an unexpired term of two years or more; and
- 1174 (ii) the vacancy occurs after the election at which the officeholder was elected, or after the
officeholder was appointed under this section, but before the first day of the declaration of
candidacy filing period described in Section 20A-9-201.5.
- 1177 (b)
- (i) When the conditions described in Subsection [~~(4)(a)~~] (6)(a) are met, the county clerk shall as soon as
practicable, but no later than 180 calendar days before the next regular general election, notify the
public and each registered political party that the vacancy exists.
- 1181 (ii) An individual intending to become a party candidate for the vacant office shall file a declaration of
candidacy in accordance with:
- 1183 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

SB0194S01 compared with SB0194S06

- 1185 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if applicable.
- 1187 (iii) An individual who is nominated as a party candidate, who qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular general election.
- 1192 [~~(5)~~] (7)
- (a) The requirements of this Subsection [~~(5)~~] (7) apply to all county offices that become vacant if:
- 1194 (i) the vacant office has an unexpired term of two years or more; and
- 1195 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing period described in Section 20A-9-201.5, but more than 75 calendar days before the regular primary election.
- 1198 (b) When the conditions described in Subsection [~~(5)(a)~~] (7)(a) are met, the county clerk shall as soon as practicable, but no later than 70 calendar days before the next regular primary election, notify the public and each registered political party:
- 1201 (i) that the vacancy exists; and
- 1202 (ii) of the deadlines described in Subsection [~~(5)(e)(i)~~] (7)(c)(i) and the deadlines established under Subsection [~~(5)(d)(ii)~~] (7)(d)(ii).
- 1204 (c)
- (i) An individual intending to become a party candidate for a vacant office shall, no later than 5 p.m. on the first business day that is at least five calendar days after the day on which the notice is given, file a declaration of candidacy for the vacant office in accordance with:
- 1208 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and
- 1210 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if applicable.
- 1212 (ii) The county central committee of each party shall:
- 1213 (A) select a candidate or candidates from among those qualified candidates who have filed declarations of candidacy; and
- 1215 (B) certify the name of the candidate or candidates to the county clerk as soon as practicable, but no later than 5 p.m. on the last business day that is at least 60 calendar days before the day of the regular primary election.
- 1218 (d)

SB0194S01 compared with SB0194S06

(i) Except as provided in Subsection [~~(5)(d)(ii)~~] (7)(d)(ii), an individual intending to become a candidate for a vacant office who does not wish to affiliate with a registered political party shall file a verified certificate of nomination described in Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5, Candidates not Affiliated with a Party.

1223

(ii)

(A) The county clerk shall establish, in the clerk's reasonable discretion, a deadline that is no later than 5 p.m. on the last business day that is at least 65 calendar days before the day of the next regular general election by which an individual who is not affiliated with a registered political party is required to submit a certificate of nomination under Subsection [~~(5)(d)(i)~~] (7)(d)(i).

1228

(B) The county clerk shall establish the deadline described in Subsection [~~(5)(d)(ii)(A)~~] (7)(d)(ii)(A) in a manner that gives an unaffiliated candidate an equal opportunity to access the regular general election ballot.

1231

(e) An individual who is nominated as a party candidate for the vacant office, who qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular general election.

1236

~~(6)~~ (8)

(a) The requirements of this Subsection [~~(6)~~] (8) apply to all county offices that become vacant:

1238

(i) if the vacant office has an unexpired term of two years or more; and

1239

(ii) when 75 calendar days or less remain before the day of the regular primary election but more than 65 calendar days remain before the day of the regular general election.

1242

(b) When the conditions described in Subsection [~~(6)(a)~~] (8)(a) are met, the county clerk shall, as soon as practicable, notify the public and each registered political party:

1244

(i) that the vacancy exists; and

1245

(ii) of the deadlines established under Subsection [~~(6)(d)~~] (8)(d).

1246

(c)

(i) Before the deadline that the county clerk establishes under Subsection [~~(6)(d)(i)(A)~~] (8)(d)(i)(A), the county central committee of each registered political party that wishes to submit a candidate for the office shall certify the name of one candidate to the county clerk for placement on the regular general election ballot.

1250

SB0194S01 compared with SB0194S06

- 1255 (ii) Before the deadline that the county clerk establishes under Subsection [~~(6)(d)(i)(B)~~] (8)(d)(i)(B), a candidate who does not wish to affiliate with a registered political party shall file a verified certificate of nomination described in Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5, Candidates not Affiliated with a Party.
- 1258 (iii) Before the deadline that the county clerk establishes under Subsection [~~(6)(d)(i)(C)~~] (8)(d)(i)(C), a write-in candidate shall submit to the county clerk a declaration of candidacy described in Section 20A-9-601.
- 1261 (d)
- 1263 (i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines that are no later than 5 p.m. on the last business day that is at least 65 calendar days before the day of the next regular general election by which:
- 1266 (A) a registered political party is required to certify a name under Subsection [~~(6)(e)(i)~~] (8)(c)(i);
- 1268 (B) an individual who does not wish to affiliate with a registered political party is required to submit a certificate of nomination under Subsection [~~(6)(e)(ii)~~] (8)(c)(ii); and
- 1271 (C) a write-in candidate is required to submit a declaration of candidacy under Subsection [~~(6)(e)(iii)~~] (8)(c)(iii).
- 1276 (ii) The county clerk shall establish deadlines under Subsection [~~(6)(d)(i)~~] (8)(d)(i) in a manner that gives an unaffiliated candidate or a write-in candidate an equal opportunity to access the regular general election ballot.
- 1281 (e) An individual who is certified as a party candidate for the vacant office, who qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular general election.
- 1281 [~~(7)~~] (9)
- 1278 (a) The requirements of this Subsection [~~(7)~~] (9) apply to all county offices that become vacant:
- 1279 (i) if the vacant office has an unexpired term of less than two years; or
- 1281 (ii) if the vacant office has an unexpired term of two years or more but 65 calendar days or less remain before the day of the next regular general election.
- 1281 [~~(b)~~]

SB0194S01 compared with SB0194S06

- (i) ~~When the conditions described in Subsection (7)(a) are met, the county legislative body shall as soon as practicable, but no later than 10 calendar days after the day on which the vacancy occurs, give notice of the vacancy to:]~~
- 1284 ~~[(A) the county clerk; and]~~
- 1285 ~~[(B) the party liaison of the same political party as the prior office holder.]~~
- 1286 ~~[(ii) The county legislative body shall invite the party liaison described in Subsection (7)(b)(i)(B) to submit the name of an individual to fill the vacancy.]~~
- 1288 ~~[(iii) The party liaison shall, no later than 5 p.m. on the first business day that is at least 30 calendar days after the day on which the party liaison receives the notice described in Subsection (7)(b)(i)(B), or if the party liaison does not receive the notice, no later than 5 p.m. on the first business day that is at least 40 calendar days after the day on which the vacancy occurs, submit to the county legislative body the name of an individual to fill the vacancy.]~~
- 1294 ~~[(iv) The county legislative body shall, no later than seven calendar days after the day on which a party liaison submits the name of the individual to fill the vacancy, appoint the individual to serve out the unexpired term.]~~
- 1297 ~~[(e)~~
- ~~(i) If the county legislative body fails to appoint an individual to fill the vacancy in accordance with Subsection (7)(b)(iv), the county clerk shall send to the governor a letter that:]~~
- 1300 ~~[(A) informs the governor that the county legislative body has failed to appoint an individual to fill the vacancy within the statutory time period; and]~~
- 1302 ~~[(B) contains the name of the individual submitted by the party liaison to fill the vacancy.]~~
- 1304 ~~[(ii) The governor shall, within 10 calendar days after the day on which the governor receives the letter described in Subsection (7)(c)(i), appoint the individual named by the party liaison to fill the vacancy.]~~
- 1307 (b) When the conditions described in Subsection (9)(a) are met:
- 1308 (i) the county legislative body shall fill the vacancy for the remainder of the term by following the same procedures, described in Subsections (3)(b) through (e), as required to appoint an interim replacement;
- 1311 (ii) if the county legislative body fails to appoint an individual to fill the vacancy under Subsection (9)(b)(i), the county clerk and the governor shall take the actions described in Subsection (4) to fill the

SB0194S01 compared with SB0194S06

vacancy for the remainder of the term, using the same procedures described in Subsection (4) for appointing an interim replacement; and

1316 ~~[(4)]~~ (iii) ~~[An]~~ an individual appointed to fill the vacancy under this Subsection ~~[(7)]~~ (9) shall hold
office until a successor is elected and has qualified.

1318 ~~[(8)]~~ (10) Except as otherwise provided by law, the county legislative body may appoint replacements
to fill all vacancies that occur in those offices filled by appointment of the county legislative body.

1321 ~~[(9)]~~ (11) Nothing in this section prohibits a candidate that does not wish to affiliate with a political
party from filing a certificate of nomination for a vacant office within the same time limits as a
candidate that is affiliated with a political party.

1324 ~~[(10)]~~ (12)

(a) Each individual elected under Subsection ~~[(4), (5), or (6)]~~ (6), (7), or (8) to fill a vacancy in a county
office shall serve for the remainder of the unexpired term of the individual who created the vacancy
and until a successor is elected and qualified.

1327 (b) ~~[Nothing in this section may be construed to]~~ This section does not contradict or alter the provisions
of Section 17-66-202.

1329 ~~[(11)]~~ (13)

(a) Except as provided in Subsection ~~[(11)(b)]~~ (13)(b), for an individual seeking appointment to fill a
vacancy described in Subsection ~~[(3) or (7)]~~ (3), (4), or (9), the individual shall, no later than the
deadline for the individual to file a financial report under Section 17-70-403:

1333 (i) complete a conflict of interest disclosure statement in accordance with Section 17-70-304; and

1335 (ii) submit the conflict of interest disclosure statement to the county legislative body and the county
clerk.

1337 (b) An individual described in Subsection ~~[(11)(a)]~~ (13)(a) is not required to comply with Subsection
~~[(11)(a)]~~ (13)(a) if the individual:

1339 (i) currently holds an office described in Subsection (1)(a)(i);

1340 (ii) already, that same year, filed a conflict of interest disclosure statement for the office described in
Subsection ~~[(11)(b)(i)]~~ (13)(b)(i), in accordance with Section 17-70-509; and

1343 (iii) no later than the deadline described in Subsection ~~[(11)(a)]~~ (13)(a), indicates, in a written notice
submitted to the county clerk, that the conflict of interest disclosure statement described in
Subsection ~~[(11)(b)(ii)]~~ (13)(b)(ii) is updated and accurate as of the date of the written notice.

1347 ~~[(12)]~~ (14)

SB0194S01 compared with SB0194S06

(a) The county clerk shall make each conflict of interest disclosure statement made by an individual described in Subsection ~~[(11)(a)]~~ (13)(a) available for public inspection by posting an electronic copy of the statement on the county's website for at least 10 calendar days after the day on which ~~the county legislative body~~:

1351 (i) the county legislative body appoints an interim replacement under Subsection (3); ~~or~~

1353 (ii) the governor appoints an interim replacement under Subsection (4);

1354 ~~[(ii)]~~ (iii) the county legislative body appoints an individual to fill a vacancy under Subsection (9)
(b)(i); or

1356 (iv) the governor appoints an individual to fill a vacancy under Subsection ~~[(7)]~~ (9)(b)(ii).

1358 (b) The county clerk shall post the electronic statement described in Subsection ~~[(12)(a)]~~ (14)(a) no later than two business days after the day on which the county clerk receives the statement.

1361 ~~[(13)]~~ (15) A vacancy in a county office does not occur unless the individual occupying the office:

1363 (a) has left the office; or

1364 (b) submits an irrevocable letter of resignation to the county legislative body.

1365 ~~{Section 9. Section 20A-1-509.1 is amended to read: }~~

1366 **20A-1-509.1. Procedure for filling midterm vacancy in county or district with 15 or more attorneys.**

1368 (1) When a vacancy occurs in the office of county or district attorney in a county or district having 15 or more attorneys who are licensed active members in good standing with the Utah State Bar and registered voters, the vacancy shall be filled as provided in this section.

1372 (2)

(a) The requirements of this Subsection (2) apply when the office of county attorney or district attorney becomes vacant and:

1374 (i) the vacant office has an unexpired term of two years or more; and

1375 (ii) the vacancy occurs before the first day of the applicable declaration of candidacy filing period described in Section 20A-9-201.5.

1377 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall notify the public and each registered political party that the vacancy exists.

1379 (c) All persons intending to become candidates for the vacant office shall:

1380 (i) file a declaration of candidacy according to the procedures and requirements of Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

SB0194S01 compared with SB0194S06

- 1382 (ii) if nominated as a party candidate or qualified as an independent or write-in candidate under Chapter
9, Candidate Qualifications and Nominating Procedures, run in the regular general election; and
- 1385 (iii) if elected, complete the unexpired term of the person who created the vacancy.
- 1386 (d) If the vacancy occurs during the applicable declaration of candidacy filing period described in
Section 20A-9-201.5:
- 1388 (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be extended until 5 p.m.
on the first business day that is no later than seven calendar days after the last day of the applicable
declaration of candidacy filing period described in Section 20A-9-201.5; and
- 1392 (ii) the county clerk shall notify the public and each registered political party that the vacancy exists.
- 1394 (3)
- (a) The requirements of this Subsection (3) apply when the office of county attorney or district attorney
becomes vacant and:
- 1396 (i) the vacant office has an unexpired term of two years or more; and
- 1397 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year but more than
75 calendar days before the regular primary election.
- 1399 (b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:
- 1400 (i) notify the public and each registered political party that the vacancy exists; and
- 1401 (ii) identify the date and time by which a person interested in becoming a candidate shall file a
declaration of candidacy.
- 1403 (c) All persons intending to become candidates for the vacant office shall:
- 1404 (i) no later than 5 p.m. on the first business day that is at least five calendar days after the day on which
the county clerk gives the notice described in Subsection (3)(b)(i), file a declaration of candidacy
for the vacant office as required by Chapter 9, Part 2, Candidate Qualifications and Declarations of
Candidacy; and
- 1408 (ii) if elected, complete the unexpired term of the person who created the vacancy.
- 1409 (d) The county central committee of each party shall:
- 1410 (i) select a candidate or candidates from among those qualified candidates who have filed declarations
of candidacy; and
- 1412 (ii) certify the name of the candidate or candidates to the county clerk:
- 1413 (A) no later than 5 p.m. on the last business day that is at least 60 calendar days before the day of the
regular primary election; or

SB0194S01 compared with SB0194S06

- 1415 (B) electronically, before midnight no later than 60 calendar days before the day of the regular primary
election.
- 1417 (4)
- (a) The requirements of this Subsection (4) apply when the office of county attorney or district attorney
becomes vacant and:
- 1419 (i) the vacant office has an unexpired term of two years or more; and
- 1420 (ii) 75 calendar days or less remain before the regular primary election but more than 65 calendar
days remain before the regular general election.
- 1422 (b) When the conditions established in Subsection (4)(a) are met, the county central committees of each
registered political party that wishes to submit a candidate for the office shall, not later than five
calendar days after the day on which the vacancy occurs, certify the name of one candidate to the
county clerk for placement on the regular general election ballot.
- 1427 (c) The candidate elected shall complete the unexpired term of the person who created the vacancy.
- 1429 (5)
- (a) The requirements of this Subsection (5) apply when the office of county attorney or district attorney
becomes vacant and:
- 1431 (i) the vacant office has an unexpired term of less than two years; or
- 1432 (ii) the vacant office has an unexpired term of two years or more but 65 calendar days or less
remain before the next regular general election.
- 1434 (b) When the conditions established in Subsection (5)(a) are met, the county legislative body shall give
notice of the vacancy to:
- 1436 (i) the county clerk; and
- 1437 ~~[(ii) the county central committee of the same political party of the prior officeholder.]~~
- 1438 (ii) if the prior officeholder was a member of a registered political party when the prior officeholder last
took office, either by election or by appointment under this section, the county central committee of
that registered political party.
- 1441 (c) ~~[The]~~ If the prior officeholder was a member of a registered political party when the prior
officeholder last took office, either by election or appointment under this section:
- 1444 (i) the county legislative body shall invite the committee described in Subsection ~~[(5)(b)(ii)]~~ (5)(b)(ii) to
submit the names of three nominees to fill the vacancy[-] ;
- 1446

SB0194S01 compared with SB0194S06

~~[(d)]~~ (ii) ~~[The]~~ the county central committee shall, [within 30 calendar days after the day on which the county legislative body gives the notice described in Subsection (5)(b)(ii)] no later than 5 p.m. on the first business day that is at least 45 calendar days after the day on which the county central committee receives the notice described in Subsection (5)(b)(ii), submit to the county legislative body the names of three nominees who meet the qualifications for the office to fill the vacancy[-]; and

1453 ~~[(e)]~~ (iii) ~~[The]~~ the county legislative body shall, within 45 calendar days after the day on which the vacancy occurs, appoint one of those nominees to serve out the unexpired term.

1456 (d) If the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or appointment under this section, the county legislative body shall, no later than 5 p.m. on the first business day that is at least 45 calendar days after the day on which the county legislative body posts the notice described in Subsection (5)(b)(i), appoint an individual who meets the qualifications for the office to fill the vacancy, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

1464 ~~[(f)]~~ (e) If the county legislative body fails to appoint a person to fill the vacancy [within 45 calendar days,] in accordance with Subsection (5)(c) or (d), as applicable:

1466 (i) the county clerk shall, no later than the deadline described in Subsection (5)(c)(iii) or (d), as applicable, send to the governor a letter that:

1468 ~~[(i)]~~ (A) informs the governor that the county legislative body has failed to appoint [a person] an individual to fill the vacancy within the statutory time period;[-and]

1470 (B) states whether the prior officeholder is an officeholder described in Subsection (5)(c) or (d); and

1472 ~~[(ii)]~~ (C) ~~[contains]~~ if the prior officeholder is an officeholder described in Subsection (5)(c), includes the [list] names of the nominees submitted by the party central committee[-]; and

1475 ~~[(g)]~~ (f) ~~[The]~~ the governor shall[-appoint a person to fill the vacancy from that list of nominees] , within 30 calendar days after the day on which the governor receives the letter described in Subsection (5)(f)[-];

1478 (i) if the prior officeholder is an officeholder described in Subsection (5)(c), appoint one of the nominees described in Subsection (5)(c)(ii) to fill the vacancy; or

1480

SB0194S01 compared with SB0194S06

(ii) if the prior officeholder is an officeholder described in Subsection (5)(d), appoint an individual who meets the qualifications for the office to fill the vacancy, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

1484 [(h)] (g) ~~[A person]~~ An individual appointed to fill the vacancy under this Subsection (5) shall complete the unexpired term of the ~~[person]~~ individual who created the vacancy.

1486 (6) ~~[A person]~~ An individual seeking appointment to fill a vacancy described in Subsection ~~[(5)(a)]~~ (5) shall, no later than the deadline for the ~~[person]~~ individual to file a financial report under Section 17-70-403:

1489 (a) complete a conflict of interest disclosure statement in accordance with Section 17-70-304; and

1491 (b) submit the conflict of interest disclosure statement to the county legislative body and the county clerk.

1493 (7)

(a) The county clerk shall make each conflict of interest disclosure statement made by ~~[a person]~~ an individual described in Subsection (6) available for public inspection by posting an electronic copy of the statement on the county's website for at least 10 calendar days after the day on which the county legislative body appoints ~~[a person]~~ the individual to fill the vacancy.

1498 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no later than two business days after the day on which the county clerk receives the statement.

1501 (8) A vacancy in the office described in Subsection (1) does not occur unless the ~~[person]~~ individual occupying the office:

1503 (a) has left the office; or

1504 (b) submits an irrevocable letter of resignation to the county legislative body.

1505 (9) Nothing in this section prevents or prohibits independent candidates from filing a declaration of candidacy for the office within the required time limits.

1507 ~~{Section 10. Section 20A-1-509.2 is amended to read: }~~

1508 **20A-1-509.2. Procedure for filling vacancy in county or district with fewer than 15 attorneys.**

1510 (1) When a vacancy occurs in the office of county or district attorney, including a vacancy created by the failure of a person to file as a candidate for the office of county or district attorney in an election, in a county or district having fewer than 15 attorneys who are licensed, active members in good standing with the Utah State Bar and registered voters, the vacancy shall be filled as provided in this section.

SB0194S01 compared with SB0194S06

- 1515 (2) The county clerk shall send a letter to each attorney residing in the county or district who is a
licensed, active member in good standing with the Utah State Bar and a registered voter that:
- 1518 (a) informs the attorney of the vacancy;
- 1519 (b) invites the attorney to apply for the vacancy; and
- 1520 (c) informs the attorney that if the attorney does not respond before 5 p.m. on the first business day that
is at least 10 calendar days after the day on which the county clerk sends the letter, the attorney's
candidacy to fill the vacancy will not be considered.
- 1523 ~~[(3)~~
- (a)
- (i) ~~If, before the deadline described in Subsection (2)(c), more than three attorneys who are
licensed, active members in good standing with the Utah State Bar and registered voters in
the county or district have applied for the vacancy, the county clerk shall, except as provided
in Subsection (3)(a)(ii), submit the applications to the county central committee of the same
political party of the prior officeholder.]~~
- 1529 ~~[(ii) In multicounty prosecution districts, the clerk shall submit the applications to the county
central committee of each county within the prosecution district.]~~
- 1531 ~~[(b) The central committee shall nominate three of the applicants and forward the applicants' names to
the county legislative body no later than 5 p.m. on the first business day that is at least 20 calendar
days after the day on which the county clerk submits the applicants' names under Subsection (3)(a).]~~
- 1535 ~~[(e) The county legislative body shall appoint one of the nominees to fill the vacant position.]~~
- 1537 ~~[(d) If the central committee of the political party fails to submit at least three names to the county
legislative body before the deadline described in Subsection (3)(b), the county legislative body shall
appoint one of the applicants to fill the vacant position.]~~
- 1540 ~~[(e) If the county legislative body fails to appoint a person to fill the vacancy within 120 calendar days
after the day on which the vacancy occurs, the county clerk shall mail to the governor:]~~
- 1543 ~~[(i) a letter informing the governor that the county legislative body has failed to appoint a person to fill
the vacancy; and]~~
- 1545 ~~[(ii)~~
- ~~(A) the list of nominees, if any, submitted by the central committee of the political party; or]~~
- 1547

SB0194S01 compared with SB0194S06

~~[(B) if the party central committee has not submitted a list of at least three nominees within the required time, the names of the persons who submitted applications for the vacant position to the county clerk.]~~

1550 ~~[(f) The governor shall appoint, within 30 calendar days after the day on which the governor receives the letter described in Subsection (3)(e), a person from the list to fill the vacancy.]~~

1553 ~~(3) If, before the deadline described in Subsection (2)(c), more than three attorneys who are licensed, active members in good standing with the Utah State Bar and registered voters in the county or district have applied for the vacancy:~~

1556 ~~(a) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section:~~

1558 ~~(i) the county clerk shall:~~

1559 ~~(A) except as provided in Subsection (3)(a)(i)(B), submit the applications to the county central committee of the same registered political party of which the prior officeholder was a member when the prior officeholder last took office; or~~

1562 ~~(B) for a multicounty prosecution district, submit the applications to the county central committee of the same registered political party of which the prior officeholder was a member when the prior officeholder last took office, for each county within the multicounty prosecution district;~~

1566 ~~(ii)~~

~~(A) except as provided in Subsection (3)(a)(ii)(B), the county central committee described in Subsection (3)(a)(i)(A) shall nominate three of the applicants and forward the applicants' names to the county legislative body no later than 5 p.m. on the first business day that is at least 20 calendar days after the day on which the county clerk submits the applicants' names under Subsection (3)(a)(i)(A); or~~

1572 ~~(B) for a multicounty prosecution district, the county central committees described in Subsection (3)(a)(i)(B) shall jointly nominate three of the applicants and forward the applicants' names to the county legislative bodies in the multicounty prosecution districts no later than 5 p.m. on the first business day that is at least 20 calendar days after the day on which the county clerk submits the applicants' names under Subsection (3)(a)(i)(B); and~~

1578 ~~(iii)~~

~~(A) except as provided in Subsection (3)(a)(iii)(B), the county legislative body shall appoint one of the nominees to fill the vacant position; or~~

SB0194S01 compared with SB0194S06

- 1580 (B) for a multicounty prosecution district, the county legislative bodies shall jointly appoint one of the
nominees to fill the vacant position; or
- 1582 (b) if the prior officeholder was not a member of a registered political party when the prior officeholder
last took office, either by election or by appointment under this section:
- 1585 (i) the county clerk shall:
- 1586 (A) except as provided in Subsection (3)(b)(i)(B), submit the applications to the county legislative
body; or
- 1588 (B) for a multicounty prosecution district, submit the applications to the county legislative bodies of
each county within the multicounty prosecution district; and
- 1591 (ii)
- (A) except as provided in Subsection (3)(b)(ii)(B), the county legislative body described in Subsection
(3)(b)(i)(A) shall appoint one of the applicants to fill the vacant position; or
- 1594 (B) for a multicounty prosecution district, the county legislative bodies described in Subsection (3)(b)(i)
(B) shall jointly appoint one of the applicants to fill the vacant position.
- 1597 (4)
- (a) Except as provided in Subsection (4)(b), if the central committee described in Subsection (3)(a)(ii)
(A) fails to submit at least three names to the county legislative body before the deadline described
in Subsection (3)(a)(ii)(A), the county legislative body shall appoint one of the applicants to fill the
vacant position.
- 1601 (b) If the central committees described in Subsection (3)(a)(ii)(B) fail to jointly submit at least three
names to the county legislative bodies before the deadline described in Subsection (3)(a)(ii)(B), the
county legislative bodies shall jointly appoint one of the applicants to fill the vacant position.
- 1605 (5) If, within 120 calendar days after the day on which the vacancy occurs, the county legislative
body fails under Subsection (3)(a)(iii)(A) or (4)(a) to appoint an individual to fill the vacancy,
or the county legislative bodies fail under Subsection (3)(a)(iii)(B) or (4)(b) to jointly appoint an
individual to fill the vacancy, the county clerk shall send the governor notice that:
- 1610 (a) states that the county legislative body or bodies have failed to timely appoint a person to fill the
vacancy; and
- 1612 (b) includes the following:
- 1613 (i) for a vacancy where the prior officeholder was a member of a registered political party when the
prior officeholder last took office:

SB0194S01 compared with SB0194S06

- 1615 (A) if the applicable central committee or applicable central committees timely submitted at least three
nominees, the names of the nominees; or
- 1617 (B) if the applicable central committee or applicable central committees failed to timely submit at least
three nominees, the names of the applicants; or
- 1619 (ii) for a vacancy where the prior officeholder was not a member of a political party when the prior
officeholder last took office, the names of the applicants.
- 1621 (6) The governor shall, within 30 calendar days after the day on which the governor receives the notice
described in Subsection (5)(a), appoint an individual from the names provided under Subsection (5)
(b), to fill the vacancy.
- 1624 ~~[(4)]~~ (7)
- (a) If, before the deadline described in Subsection (2)(c), three or fewer attorneys who are licensed,
active members in good standing with the Utah State Bar and registered voters in the county or
district have applied for the vacancy, the county legislative body, or, for a prosecution district, the
county legislative bodies jointly, may:
- 1629 (i) appoint one of ~~[them]~~ the attorneys to be county or district attorney; or
- 1630 (ii) solicit additional applicants and appoint a county or district attorney as provided in Subsection
~~[(4)(b)]~~ (7)(b).
- 1632 (b)
- (i) If three or fewer attorneys who are licensed members in good standing of the Utah State Bar and
registered voters in the county or district submit applications, the county legislative body or county
legislative bodies may publicly solicit and accept additional applications for the position from
licensed, active members in good standing of the Utah State Bar who are not residents of the county
or prosecution district.
- 1638 (ii) The county legislative body or county legislative bodies shall consider the applications submitted by
the attorneys who are residents of and registered voters in the county or prosecution district and the
applications submitted by the attorneys who are not residents of the county or prosecution district
and shall appoint one of the applicants to be county attorney or district attorney.
- 1643 (c) If the county legislative body ~~[fails]~~ or county legislative bodies fail to appoint ~~[a person]~~ an
attorney to fill the vacancy within 120 calendar days after the day on which the vacancy occurs, the
county clerk shall:

1646

SB0194S01 compared with SB0194S06

(i) notify the governor that the county legislative body [has] or county legislative bodies have failed to fill the vacancy within the required time period; and

1648 (ii) provide the governor with a list of all the applicants.

1649 (d) The governor shall appoint [a person] an attorney to fill the vacancy within 30 calendar days after the day on which the governor receives the notification described in Subsection [(4)(e)] (7)(c).

1652 [(5)] (8) [The person] An attorney appointed to fill [the] a vacancy described in this section shall serve for the unexpired term of the [person] attorney who created the vacancy.

1654 [(6)] (9) [A person] An attorney seeking appointment to fill a vacancy under this section shall, no later than the deadline for the [person] attorney to file a financial report under Section 17-70-403:

1657 (a) complete a conflict of interest disclosure statement in accordance with Section 17-70-304; and

1659 (b) submit the conflict of interest disclosure statement to the county legislative body and the county clerk.

1661 [(7)] (10)

(a) The county clerk shall make each conflict of interest disclosure statement made by [a person] an attorney described in Subsection [(6)] (9) available for public inspection by posting an electronic copy of the statement on the county's website for at least 10 calendar days after the day on which the county legislative body appoints [a person] an attorney to fill the vacancy.

1666 (b) The county clerk shall post the electronic statement described in Subsection [(7)(a)] (10)(a) no later than two business days after the day on which the county clerk receives the statement.

1669 [(8)] (11) A vacancy in the office described in Subsection (1) does not occur until the [person] attorney occupying the office:

1671 (a) has left the office; or

1672 (b) submits an irrevocable letter of resignation to the county legislative body.

1673 {Section 11. Section 20A-1-513 is amended to read: }

1674 **20A-1-513. Temporary absence in elected office of a political subdivision for military service.**

1676 (1) As used in this section:

1677 (a)

(i) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.

1679 (ii) "Armed forces" includes the National Guard.

1680 (b)

SB0194S01 compared with SB0194S06

- 1682 (i) "Elected official" means an individual who holds an office of a political subdivision that is required by law to be filled by an election.
- 1684 (ii) "Elected official" includes an individual who is appointed to fill a vacancy in an office described in Subsection (1)(b)(i).
- 1685 (c) "Elected official reservist" means an elected official who is:
- 1686 (i) a member of the armed forces reserves component;
- 1687 (ii) a member of the National Guard; or
- 1689 (iii) a retired member of the armed forces who may be called to active, full-time duty in the armed forces under Title 10, U.S.C., Armed Forces.
- 1690 (d)
- 1692 (i) "Military leave" means the temporary absence from an office:
- 1694 (A) by an elected official reservist called to active, full-time duty in the armed forces; and
- 1696 (B) for a period of time that exceeds 30 calendar days and does not exceed 400 calendar days.
- 1697 (ii) "Military leave" includes the time an individual on leave, as described in Subsection (1)(d)(i), spends for:
- 1698 (A) out processing;
- 1699 (B) an administrative delay;
- 1700 (C) accrued leave; and
- 1701 (D) on rest and recuperation leave program of the armed forces.
- 1702 (e) "Political subdivision's governing body" means:
- 1703 (i) for a county, city, or town, the legislative body of the county, city, or town;
- 1704 (ii) for a special district, the board of trustees of the special district;
- 1705 (iii) for a local school district, the local school board;
- 1706 (iv) for a special service district:
- 1707 (A) the legislative body of the county, city, or town that established the special service district, if no administrative control board has been appointed under Section 17D-1-301; or
- 1708 (B) the administrative control board of the special service district, if an administrative control board has been appointed under Section 17D-1-301; and
- 1709 (v) for a political subdivision not listed in Subsections (1)(e)(i) through (iv), the body that governs the affairs of the political subdivision.
- 1712

SB0194S01 compared with SB0194S06

- (f) "Temporary replacement" means the individual appointed by the political subdivision's governing body in accordance with this section to exercise the powers and duties of the office of an elected official reservist who takes military leave.
- 1715 (2) An elected official reservist who takes military leave in accordance with this section does not create a vacancy in the elected official's office.
- 1717 (3)
- (a) An elected official reservist who is called to active, full-time duty in the armed forces under Title 10, U.S.C., Armed Forces, shall notify the political subdivision's governing body of the elected official's orders no later than 5 p.m. on the first business day that is at least five calendar days after the day on which the elected official receives the orders.
- 1722 (b) An elected official reservist described in Subsection (3)(a) may:
- 1723 (i) if the period of active, full-time duty does not exceed 270 calendar days:
- 1724 (A) continue to carry out the elected official's duties if possible while on active, full-time duty; or
- 1726 (B) take military leave if the elected official submits to the political subdivision's governing body written notice of the intent to take military leave and the expected duration of the military leave; or
- 1729 (ii) if the period of active, full-time duty exceeds 270 calendar days but does not exceed 400 calendar days, take military leave if the elected official submits to the political subdivision's governing body:
- 1732 (A) written notice of the intent to take military leave and the expected duration of the military leave; and
- 1734 (B) written certification that the secretary of the armed force of which the elected official is a member granted the elected official permission under [~~U.S.~~] United States Department of Defense Directive 1344.10 to continue to hold the elected official's office while on active, full-time duty.
- 1738 (4)
- (a) An elected official reservist who chooses to continue to carry out the elected official's duties under Subsection (3)(b)(i)(A) shall, no later than 10 calendar days after the day of the elected official's deployment, confirm in writing to the political subdivision's governing body that the elected official has the ability to carry out the elected official's duties.
- 1743 (b) If an elected official reservist does not submit the confirmation to the political subdivision's governing body before the deadline described in Subsection (4)(a), the political subdivision's governing body shall:
- 1746 (i) place the elected official in military leave status; and

SB0194S01 compared with SB0194S06

- 1747 (ii) appoint a temporary replacement in accordance with Subsection (8).
1748 (5)
(a) An elected official reservist who chooses to take military leave under Subsection (3)(b)(ii) shall, no later than 21 calendar days after the date of the elected official's deployment, submit to the political subdivision's governing body the written notice and certification described in Subsection (3)(b)(ii).
1752 (b) If an elected official reservist does not submit the notice and certification to the political subdivision's governing body before the deadline described in Subsection (5)(a):
1755 (i) the political subdivision's governing body may not appoint a temporary replacement under Subsection (8); and
1757 (ii) the elected official reservist creates a vacancy in the elected official's office.
1758 (6) An elected official reservist who is called to active, full-time duty in the armed forces under Title 10, U.S.C., Armed Forces, for a period of more than 400 calendar days creates a vacancy in the elected official's office.
1761 (7) An elected official reservist's military leave:
1762 (a) begins:
1763 (i) for an elected official reservist described in Subsection (3)(b)(i), the later of:
1764 (A) the day after the day on which the elected official notifies the political subdivision's governing body of the intent to take military leave;
1766 (B) 11 calendar days after the day of the elected official's deployment if no confirmation is received by the political subdivision's governing body in accordance with Subsection (4)(a); or
1769 (C) the day on which the elected official begins active, full-time duty in the armed forces; or
1771 (ii) for an elected official reservist described in Subsection (3)(b)(ii), the day after the day on which the elected official submits to the political subdivision's governing body the written notice and certification described in Subsection (3)(b)(ii); and
1774 (b) ends the sooner of:
1775 (i) the expiration of the elected official reservist's term of office; or
1776 (ii) the day on which the elected official reservist ends active, full-time duty in the armed forces.
1778 (8) A temporary replacement shall:
1779 (a) meet the qualifications required to hold the office; and
1780 (b) be appointed:
1781 (i) when an elected official reservist:

SB0194S01 compared with SB0194S06

- 1782 (A) takes military leave under Subsection (3)(b)(i)(B) or (b)(ii); or
1783 (B) is placed in military leave status under Subsection (4)(b)(i); and
1784 (ii) by the political subdivision's governing body:
1785 (A) if a registered political party nominated the elected official reservist as a candidate for the office, in
the same manner as provided in Subsection 20A-1-508(3) or (4) for the appointment of an interim
replacement; or
1788 (B) if a registered political party did not nominate the elected official reservist as a candidate for the
office, after submitting an application in accordance with Subsection (10)(b).
1791 (9)
(a) A temporary replacement shall exercise the powers and duties of the office for which the temporary
replacement is appointed for the duration of the elected official reservist's military leave.
1794 (b) An elected reservist may not exercise the powers or duties of the office while on military leave.
1796 (c) If a temporary replacement is not appointed as required by Subsection (8)(b), no individual may
exercise the powers and duties of the elected official reservist's office during the elected official's
military leave.
1799 (10) The political subdivision's governing body shall establish:
1800 (a) the distribution of the emoluments of the office between the elected official reservist and the
temporary replacement; and
1802 (b) an application form and the date and time before which an individual shall submit the application
to be considered by the political subdivision's governing body for appointment as a temporary
replacement.
1805 (11) This section does not apply to an elected official who is not an elected official reservist.

270 Section 5. Section 20A-1-1001 is amended to read:

271 **20A-1-1001. Definitions.**

As used in this part:

- 273 (1)
(a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town clerk, city recorder, or
municipal recorder.
275 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions Applicable to All
Special Districts.
277 (2) "Local petition" means:

SB0194S01 compared with SB0194S06

- 278 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local Initiatives -
Procedures; or
- 280 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6, Local Referenda -
Procedures.
- 282 (3) "Petition" means one of the following written requests, signed by registered voters, appealing to an
authority with respect to a particular cause:
- 284 (a) a local petition;
- 285 (b) a petition to consolidate two or more municipalities under Section 10-2-601;
- 286 (c) a petition for disincorporation of a municipality under Section 10-2-701;
- 287 (d) a petition to incorporate a proposed municipality under Section 10-2a-208;
- 288 (e) a petition to consolidate adjoining counties under Section 17-61-201;
- 289 (f) a petition to annex a portion of a county to an adjoining county under Section 17-61-301;
- 291 (g) a petition for the creation of a new county under Section 17-61-401;
- 292 (h) a petition for the removal of a county seat under Section 17-60-302;
- 293 (i) a petition for the adoption of an optional plan under Section 17-62-303;
- 294 (j) a petition for the repeal of an optional plan under Section 17-62-505;
- 295 (k) a petition to create a special district under Section 17B-1-203;
- 296 (l) a petition to withdraw an area from a special district under Section 17B-1-504;
- 297 (m) a petition to dissolve a special district under Section 17B-1-1303;
- 298 (n) a petition for issuance of local building authority bonds under Section 17D-2-502;
- 299 (o) a petition to become a registered political party under Section 20A-8-103;
- 300 (p) a nomination petition for municipal office under Section 20A-9-203;
- 301 [~~(q) a nomination petition for a regular primary election under Subsection 20A-9-403(3)(a) and Section
20A-9-405;~~]
- 303 [~~(†)~~] (q) a petition for a political party to qualify as a municipal political party under Section 20A-9-404;
- 305 [~~(s) a petition for the nomination of a qualified political party under Section 20A-9-408;~~]
- 306 [~~(†)~~] (r) a nomination petition for a candidate not affiliated with a political party under Section
20A-9-502;
- 308 [~~(†)~~] (s) a nomination petition to become a delegate to a ratification convention under Section
20A-15-103;
- 310 [~~(†)~~] (t) a petition to create a new school district under Section 53G-3-301;

SB0194S01 compared with SB0194S06

- 311 [(w)] (u) a petition to consolidate school districts under Section 53G-3-401;
- 312 [(x)] (v) a petition to transfer a portion of a school district to another district under Section 53G-3-501;
- 314 [(y)] (w) a petition to determine whether a privatization project agreement should be approved under
Section 73-10d-4; or
- 316 [(z)] (x) a statewide petition.
- 317 (4) "Statewide petition" means:
- 318 (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2, Statewide
Initiatives; or
- 320 (b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3, Statewide
Referenda.
- 322 (5)
- 323 (a) "Substantially similar name" means:
- 326 (i) the given name, the surname, or both, provided by the individual with the individual's petition
signature, contain only minor spelling differences when compared to the given name and
surname shown on the official register;
- 330 (ii) the surname provided by the individual with the individual's petition signature exactly matches
the surname shown on the official register, and the given names differ only because one of the
given names shown is a commonly used abbreviation or variation of the other;
- 334 (iii) the surname provided by the individual with the individual's petition signature exactly matches
the surname shown on the official register, and the given names differ only because one of the
given names shown is accompanied by a first or middle initial or a middle name which is not
shown on the other record; or
- 339 (iv) the surname provided by the individual with the individual's petition signature exactly matches
the surname shown on the official register, and the given names differ only because one of the
given names shown is an alphabetically corresponding initial that has been provided in the place
of a given name shown on the other record.
- 339 (b) "Substantially similar name" does not include a name having an initial or a middle name provided
by the individual with the individual's petition signature that does not match a different initial or
middle name shown on the official register.

1806 {Section 12. Section 20A-2-101.1 is amended to read: }

1807 **20A-2-101.1. Preregistering to vote.**

SB0194S01 compared with SB0194S06

- 1808 (1) ~~[An]~~ Subject to Section 20A-3a-201.5, an individual may preregister to vote if the individual:
- 1810 (a) is 16 or 17 years ~~[of age]~~ old;
- 1811 (b) is not eligible to register to vote because the individual does not comply with the age requirements described in Subsection 20A-2-101(1)(c);
- 1813 (c) is a citizen of the United States;
- 1814 (d) has been a resident of Utah for at least 30 calendar days; and
- 1815 (e) currently resides within the voting district or precinct in which the individual preregisters to vote.
- 1817 (2) An individual described in Subsection (1) may not vote in an election and is not registered to vote until:
- 1819 (a) the individual is otherwise eligible to register to vote because the individual complies with the age requirements described in Subsection 20A-2-101(1)(c); and
- 1821 (b) the county clerk registers the individual to vote under Subsection (4).
- 1822 (3) An individual who preregisters to vote shall:
- 1823 (a) complete a voter registration form, including an indication that the individual is preregistering to vote; and
- 1825 (b) submit the voter registration form to a county clerk in person, by mail, or in any other manner authorized by this chapter for the submission of a voter registration form.
- 1828 (4)
- 1829 (a) A county clerk shall:
- 1832 (i) retain the voter registration form of an individual who meets the qualifications for preregistration and who submits a completed voter registration form to the county clerk under Subsection (3) (b);
- 1835 (ii) subject to Section 20A-3a-201.5, register the individual to vote in the next election in which the individual will be eligible to vote, before the voter registration deadline established in Section 20A-2-102.5 for that election; and
- 1836 (iii) send a notice to the individual that:
- 1838 (A) informs the individual that the individual's voter registration form has been accepted as an application for preregistration;
- 1840 (B) informs the individual that the individual will be registered to vote in the next election in which the individual will be eligible to vote; and
- (C) indicates in which election the individual will be registered to vote.

SB0194S01 compared with SB0194S06

- 1841 (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is considered to have
applied for voter registration on the earlier of:
- 1843 (i) the day of the voter registration deadline immediately preceding the election day on which the
individual will be at least 18 years [~~of age~~] old; or
- 1845 (ii) the day on which the individual turns 18 years [~~of age~~] old.
- 1846 (c) A county clerk shall refer a voter registration form to the county attorney for investigation and
possible prosecution if the clerk or the clerk's designee believes the individual is attempting to
preregister to vote in an election in which the individual will not be legally entitled to vote.
- 1850 (5)
- (a) The lieutenant governor or a county clerk shall classify the voter registration record of an individual
who preregisters to vote as a private record until the day on which the individual turns 18 years [~~of
age~~] old.
- 1853 (b) [~~On~~] Subject to Subsection 63G-2-301(2)(l), and except as otherwise provided in Subsections
63G-2-302(1)(j) through (m), on the day on which the individual described in Subsection (5)(a)
turns 18 years [~~of age~~] old, the lieutenant governor or county clerk shall classify the individual's
voter registration record as a public record[~~in accordance with Subsection 63G-2-301(2)(l)~~].
- 1858 (6) If an individual who is at least 18 years [~~of age~~] old erroneously indicates on the voter registration
form that the individual is preregistering to vote, the county clerk shall consider the form as a voter
registration form and shall process the form in accordance with this chapter.
- 1862 ~~{Section 13. Section 20A-2-104 is amended to read: }~~
- 1863 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**
- 1865 [~~(1) As used in this section:~~]
- 1866 [~~(a) "Candidate for public office" means an individual:~~]
- 1867 [~~(i) who files a declaration of candidacy for a public office;~~]
- 1868 [~~(ii) who files a notice of intent to gather signatures under Section 20A-9-408; or~~]
- 1869 [~~(iii) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i)
or (ii) for political campaign purposes.~~]
- 1871 [~~(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.~~]
- 1873 [~~(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.~~]

SB0194S01 compared with SB0194S06

- 1875 [(d) "Hash Code" means a code generated by applying an algorithm to a set of data to produce a code
that:]
- 1877 [(i) uniquely represents the set of data;]
- 1878 [(ii) is always the same if the same algorithm is applied to the same set of data; and]
- 1879 [(iii) cannot be reversed to reveal the data applied to the algorithm.]
- 1880 [(e) "Protected individual" means an individual:]
- 1881 [(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;]
- 1886 [(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]
- 1892 [(iii) whose voter registration record was classified as a private record at the request of the individual
before May 12, 2020.]
- 1894 [(2)] (1)
- (a) An individual applying for voter registration, or an individual preregistering to vote, shall complete
[a] the voter registration form[in substantially the following form:] described in this Subsection (1)
(a).
- 1897 (i) The first portion of the voter registration form shall contain the following:
- 1898 "-----
- 1900 UTAH ELECTION REGISTRATION FORM
- 1901 Are you a citizen of the United States of America? Yes No
- 1902 If you checked "no" to the above question, do not complete this form.
- 1903 Will you be 18 years [of age] old on or before election day? Yes No
- 1904 If you checked "no" to the above question, are you 16 or 17 years [of age] old and
preregistering to vote? Yes No
- 1906 If you checked "no" to both of the prior two questions, do not complete this form."
- 1907

SB0194S01 compared with SB0194S06

(ii) Beginning on January 1, 2028, the voter registration form shall contain the following, immediately after the portion of the form described in Subsection (1)(a)(i) and immediately before the portion of the form described in Subsection (1)(a)(iii):

1911 "You must be a United States citizen to vote. If you fail to provide proof of United States
1912 citizenship, you will only be permitted to vote for federal offices. Information on how to
1913 provide proof of citizenship is included on the back of this form."

1914 (iii) Except as provided in Subsection (1)(a)(ii), immediately after the portion of the voter registration
1915 form described in Subsection (1)(a)(i), the form shall contain the following:

1916 "Name of Voter

1917 _____

1918 First Middle Last

1919 Utah Driver License or Utah Identification Card Number _____

1920 Date of Birth _____

1921 Street Address of Principal Place of Residence

1922 _____

1923 City County State Zip Code

1924 Tribal Identification Number or Alien Registration Number (optional)

1925 _____

1926 Telephone Number (optional) _____

1927 Email Address (optional) _____

1928 Do you consent to receive communications from the political party with which you affiliate, and
1929 candidates for that political party, as follows (optional):

1930 • At the email address you provided above? Yes No

1931 • By text or phone call, at the phone number you provided above? Yes No

1932 Last four digits of Social Security Number _____

1933 Last former address at which I was registered to vote (if

1934 known) _____

1935 _____

1936 City County State Zip Code

1937 Political Party

1938

1939

1940

SB0194S01 compared with SB0194S06

1972 ~~[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.~~

1976 ~~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.~~

1980 ~~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:~~

1983 ~~_____ 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.~~

1986 ~~REQUEST FOR ADDITIONAL PRIVACY PROTECTION~~

1987 ~~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:~~

1992 ~~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.~~

1998 ~~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.]~~

2004 ~~CITIZENSHIP AFFIDAVIT~~

2005 ~~Name:~~

SB0194S01 compared with SB0194S06

2006 Name at birth, if different:
 2007 Place of birth:
 2008 Date of birth:
 2009 Date and place of naturalization (if applicable):
 2010 I hereby swear [~~and~~] or 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.
 2013 _____
 2014 Signature of Applicant
 2015 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.
 2018 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.
 2021 FOR OFFICIAL USE ONLY
 2022 Type of I.D. _____
 2023 Voting Precinct _____
 2024 Voting I.D. Number _____
 2025 -----";
 2027 (b) The voter registration form described in Subsection [~~(2)(a)~~] (1)(a) shall include:
 2028 (i) a section in substantially the following form:
 2029 "-----"
 2030 **BALLOT NOTIFICATIONS**
 2031 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
 2033 -----";
 and
 2035 (ii) no later than November 5, 2025, the following, immediately after the question described in
 Subsection [~~(2)(b)(i)~~] (1)(b)(i):
 2037 "Indicate below how you want to vote in upcoming elections:
 2038 _____ Mail a ballot to me.

SB0194S01 compared with SB0194S06

- 2039 _____ Do not mail a ballot to me. I will vote in person."
2040 (c)
(i) Except as provided under Subsection [~~(2)(e)(ii)~~] (1)(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.
2043 (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.
2045 [~~(3)~~] (d)
[~~(a)~~] (i) Each county clerk shall retain lists of currently registered voters.
2046 [~~(b)~~] (ii) The lieutenant governor shall maintain a list of registered voters in electronic form.
2048 [~~(e)~~] (iii) If there are any discrepancies between the two lists, the county clerk's list is the official list.
2050 [~~(d)~~] (iv) [~~The~~] Subject to Subsection (1)(d)(v), the lieutenant governor [and the county clerks] or a county clerk may charge the fees established under the authority of Subsection 63G-2-203(10) to [~~individuals who wish~~] a person who wishes to obtain a copy of the list of registered voters.
2054 (v) The fee to obtain an electronic copy of the list of registered voters may not exceed \$200.
2056 (e) The back of the voter registration form shall include the following statement:
2057 "Proof of United States citizenship may be established by one of the following methods:
2059 • a Utah driver license number that verifies United States citizenship;
2060 • a Utah state identification card number that verifies United States citizenship;
2061 • a legible copy of your birth certificate that verifies United States citizenship;
2062 • a legible copy of the pages of a United States passport that identifies you and your passport number;
2064 • an alien registration number that verifies United States citizenship;
2065 • a legible copy of your United States naturalization documents;
2066 • a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;
2068 • a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of birth;
2070 • verification of citizenship from the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security; or
2072 • other documents or methods of proving United States citizenship that are established in accordance with the Immigration Reform and Control Act of 1986."

SB0194S01 compared with SB0194S06

- 2074 [(4)
- (a) As used in this Subsection (4), "qualified person" means:]
- 2075 [(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;]
- 2078 [(ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee, or independent
contractor of a health care provider;]
- 2080 [(iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or independent
contractor of an insurance company;]
- 2082 [(iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or independent
contractor of a financial institution;]
- 2084 [(v) a political party, or an agent, employee, or independent contractor of a political party;]
- 2086 [(vi) a candidate for public office, or an employee, independent contractor, or volunteer of a
candidate for public office;]
- 2088 [(vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a year of birth
from the list of registered voters;]
- 2090 [(A) provides the year of birth only to a person described in Subsections (4)(a)(i) through (vi);]
- 2092 [(B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person described in Subsections
(4)(a)(i) through (vi);]
- 2094 [(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);]
- 2097 [(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;]
- 2101 [(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]
- 2104 [(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]
- 2107

SB0194S01 compared with SB0194S06

- [~~(viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining information under Subsection (4)(n) and (o):]~~
- 2109 [~~(A) provides the information only to another person described in Subsection (4)(a)(v) or (vi);]~~
- 2111 [~~(B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a person described in Subsection (4)(a)(v) or (vi);]~~
- 2113 [~~(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]~~
- 2116 [~~(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.]~~
- 2119 [~~(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:]~~
- 2123 [~~(i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a qualified person; and]~~
- 2125 [~~(ii) the qualified person signs a document that includes the following:]~~
- 2126 [~~(A) the name, address, and telephone number of the person requesting the list of registered voters;]~~
- 2128 [~~(B) an indication of the type of qualified person that the person requesting the list claims to be;]~~
- 2130 [~~(C) a statement regarding the purpose for which the person desires to obtain the years of birth;]~~
- 2132 [~~(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;]~~
- 2134 [~~(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);]~~
- 2137 [~~(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;]~~
- 2142 [~~(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]~~

SB0194S01 compared with SB0194S06

- 2145 [~~(H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.~~]
- 2147 [~~(e) The lieutenant governor or a county clerk:~~]
- 2148 [~~(i) may not disclose the year of birth of a registered voter to a person that the lieutenant governor or county clerk reasonably believes:~~]
- 2150 [~~(A) is not a qualified person or a person described in Subsection (4)(l); or]~~
- 2151 [~~(B) will provide or use the year of birth in a manner prohibited by law; and]~~
- 2152 [~~(ii) may not disclose information under Subsections (4)(n) or (o) to a person that the lieutenant governor or county clerk reasonably believes:~~]
- 2154 [~~(A) is not a person described in Subsection (4)(a)(v) or (vi); or]~~
- 2155 [~~(B) will provide or use the information in a manner prohibited by law.~~]
- 2156 [~~(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:~~]
- 2160 [~~(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]~~
- 2163 [~~(ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for a political purpose.~~]
- 2165 [(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.]
- 2169 [(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).]
- 2172 [(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.]
- 2177 [(g) A person is guilty of a class A misdemeanor if the person:]
- 2178

SB0194S01 compared with SB0194S06

- 2180 [(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);]
- 2183 [(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;]
- 2185 [(iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under false pretenses;]
- 2187 [(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;]
- 2190 [(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]
- 2193 [(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).]
- 2195 [(h) The lieutenant governor or a county clerk shall classify the voter registration record of a voter as a private record if the voter:]
- 2197 [(i) submits a written application, created by the lieutenant governor, requesting that the voter's voter registration record be classified as private;]
- 2199 [(ii) requests on the voter's voter registration form that the voter's voter registration record be classified as a private record; or]
- 2201 [(iii) submits a withholding request form described in Subsection (7) and any required verification.]
- 2205 [(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).]
- 2208 [(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:]
- 2209 [(i) the product of 30 and the square root of the total number of:]
- 2211 [(A) records obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or]
- 2213 [(B) records from which information is obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or]
- 2214 [(ii) \$200.]

SB0194S01 compared with SB0194S06

- [~~(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:]~~
- 2217 [~~(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;~~]
- 2220 [~~(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;~~]
- 2224 [~~(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]~~
- 2227 [~~(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.]~~
- 2231 [~~(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.]~~
- 2234 [~~(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.]~~
- 2237 [~~(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:]~~
- 2242 [~~(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]~~
- 2244 [~~(ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document that includes the following:]~~
- 2246 [~~(A) the name, address, and telephone number of the person requesting the list of registered voters;]~~
- 2248 [~~(B) an indication of the type of qualified person that the person requesting the list claims to be;]~~
- 2250 [~~(C) a statement regarding the purpose for which the person desires to obtain the information;]~~

SB0194S01 compared with SB0194S06

- 2252 [~~(D)~~ a list of the purposes for which the qualified person may use the information;]
- 2253 [~~(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~~);]
- 2255 [~~(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;]
- 2258 [~~(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]
- 2260 [~~(H)~~ notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.]
- 2262 [~~(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:]
- 2265 [(i) a single hash code, generated from a string of data that includes both the voter's voter identification number and residential address;]
- 2267 [(ii) the voter's residential address;]
- 2268 [(iii) the voter's mailing address, if different from the voter's residential address;]
- 2269 [(iv) the party affiliation of the voter;]
- 2270 [(v) the precinct number for the voter's residential address;]
- 2271 [(vi) the voter's voting history; and]
- 2272 [(vii) a designation of which age group, of the following age groups, the voter falls within:]
- 2274 [(A) 25 or younger;]
- 2275 [(B) 26 through 35;]
- 2276 [(C) 36 through 45;]
- 2277 [(D) 46 through 55;]
- 2278 [(E) 56 through 65;]
- 2279 [(F) 66 through 75; or]
- 2280 [(G) 76 or older.]
- 2281 [(p) The lieutenant governor or a county clerk may not disclose:]
- 2282 [(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]

SB0194S01 compared with SB0194S06

- 2285 [~~(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.]~~
- 2288 [~~(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.]~~
- 2292 [~~(5)] (2) 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 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.~~
- 2297 [~~(6)] (3) Upon receipt of a voter registration form from an applicant, the county clerk or the clerk's designee shall:~~
- 2299 (a) review each voter registration form for completeness and accuracy; and
- 2300 (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.
- 2304 (4) Beginning on January 1, 2028, an individual who registers to vote using a federal voter registration form is limited to voting a federal ballot, unless the individual provides documentary proof of United States citizenship.
- 2307 [~~(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.]~~
- 2310 [~~(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.]~~
- 2313 [~~(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.]~~
- 2318

SB0194S01 compared with SB0194S06

- [e) 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).]
- 2322 [(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.]
- 2325 [(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:]
- 2328 [(i) that the voter's classification of the record as private remains in effect;]
- 2329 [(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;]
- 2332 [(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;]
- 2336 [(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]
- 2339 [(v) that a county clerk may, under certain circumstances, withhold other information that the county clerk determines would reveal identifying information about the voter.]
- 2342 [(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.]
- 2345 [(e) The plan described in Subsection (10)(a) may include providing the notice described in Subsection (10)(a) by:]
- 2347 [(i) publication on the Utah Public Notice Website, created in Section 63A-16-601;]
- 2348 [(ii) publication on the lieutenant governor's website or a county's website;]
- 2349 [(iii) posting the notice in public locations;]
- 2350 [(iv) publication in a newspaper;]
- 2351 [(v) sending notification to the voters by electronic means;]
- 2352 [(vi) sending notice by other methods used by government entities to communicate with citizens; or]
- 2354 [(vii) providing notice by any other method.]
- 2355 [(d) The lieutenant governor shall provide the notice included in a plan described in this Subsection (10) before June 16, 2023.]

SB0194S01 compared with SB0194S06

2357 ~~{Section 14. Section 20A-2-108 is amended to read: }~~

2358 **20A-2-108. Driver license or state identification card registration form -- Transmittal of information.**

2360 (1) As used in this section, "qualifying form" means:

2361 (a) a driver license application form; or

2362 (b) a state identification card application form.

2363 (2) The lieutenant governor and the Driver License Division shall design each qualifying form to include:

2365 (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

2368 (ii) no later than November 5, 2025, the following:

2369 "Indicate below how you want to vote in upcoming elections:

2370 _____ Mail a ballot to me.

2371 _____ Do not mail a ballot to me. I will vote in person.";

2372 (b) the following statement:

2373 "PRIVACY INFORMATION

2374 Voter registration records contain some information that is available to the public, such as your name, address, and year of birth. Your full date of birth, driver license number, state identification card number, and social security number are available only to an authorized government entity. Your email address and phone number are also only available to an authorized government entity, unless you have consented, above, to disclose them to the political party with which you choose to affiliate and candidates for that political party.

2380 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

2381 In addition to the protections provided above, you may request that your voter registration record be withheld from public disclosure if you or someone you live with:

2383 • is at risk of domestic violence;

2384 • is a law enforcement officer;

2385 • is a member of the military who is deployed away from home;

2386 • is a public figure; or

2387 • is protected by a court order.

SB0194S01 compared with SB0194S06

- 2388 To make this request for additional privacy protection, you must prove that you qualify by
2390 submitting an at-risk voter request form, and any required proof, to the county clerk."; and
[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.
- 2394 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.
- 2398 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:
- 2401 _____ 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.
- 2404 ~~REQUEST FOR ADDITIONAL PRIVACY PROTECTION~~
- 2405 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.
- 2410 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.
- 2416 A person may request that identifying information on the person's voter registration records be
withheld from all political parties, candidates for public office, and their contractors, employees,
and volunteers, by submitting a withholding request form and any required verification with this
registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with
a person who is, a law enforcement officer, a member of the armed forces, a public figure, or
protected by a protective order or a protection order."; and]

SB0194S01 compared with SB0194S06

- 2422 (c) a section in substantially the following form:
- 2423 "-----
- 2424 **BALLOT NOTIFICATIONS**
- 2425 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
- 2427 -----".
- 2428 (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form
- contains:
- 2430 (a) a place for an individual to swear or affirm the individual's citizenship, voting eligibility, and Utah
- residency, and that the information provided in the form is true;
- 2432 (b) a records disclosure that is similar to the records disclosure on a voter registration form described in
- Section 20A-2-104;
- 2434 (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;
- 2437 (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]
- 2440 (e) if the applicant answers "yes" to the question described in Subsection [(2)(a)] (2)(a)(i), a space
- where an individual may, if desired:
- 2442 (i) indicate the individual's desired political affiliation from a listing of each registered political party, as
- defined in Section 20A-8-101;
- 2444 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires
- to affiliate; or
- 2446 (iii) indicate that the individual does not wish to affiliate with a political party[-] ;
- 2447 (f) beginning on January 1, 2028, the following statement:
- 2448 "You must be a United States citizen to vote. If you fail to provide proof of United States
- citizenship, you will only be permitted to vote for federal offices. Information on how to provide
- proof of citizenship is included on the back of this form."; and
- 2451 (g) on the back of the form, the statement described in Subsection 20A-2-104(1)(e).
- 2452 ~~{Section 15. Section 20A-2-204 is amended to read: }~~

SB0194S01 compared with SB0194S06

- 2453 **20A-2-204. Registering to vote when applying for or renewing a driver license or other**
2455 **qualifying form.**
- 2459 (1) As used in this section, "voter registration form" means, when an individual named on a qualifying form, as defined in Section 20A-2-108, answers "yes" to the question described in Subsection 20A-2-108(2)(a)(i), the information on the qualifying form that can be used for voter registration purposes.
- 2463 (2)
- 2466 (a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may register to vote, and a citizen who is qualified to preregister to vote may preregister to vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a)(i) and completing the voter registration form.
- 2472 (b) A citizen who is a program participant in the Safe at Home Program created in Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a), but is eligible to register to vote by any other means described in this part.
- 2476 (3) The Driver License Division shall:
- 2479 (a) assist an individual in completing the voter registration form unless the individual refuses assistance;
- 2480 (b) electronically transmit each address change to the lieutenant governor on or before the first business day that is at least five calendar days after the day on which the division receives the address change; and
- 2481 (c) on or before the first business day that is at least five calendar days after the day on which the division receives a voter registration form, electronically transmit the form to the ~~[Office of the Lieutenant Governor]~~ lieutenant governor, including the following for the individual named on the form:
- 2485 (i) the name, date of birth, driver license or state identification card number, last four digits of the social security number, Utah residential address, place of birth, and signature;
- 2486 (ii) a mailing address, if different from the individual's Utah residential address;
- 2487 (iii) an email address and phone number, if available;
- 2488 (iv) the desired political affiliation, if indicated;
- 2489 ~~[(v) an indication of whether the individual requested that the individual's voter registration record be classified as a private record under Subsection 20A-2-108(2)(b); and]~~
- 2490 ~~[(vi)]~~ (v) ~~[a withholding]~~ an at-risk voter request form described in ~~[Subsections 20A-2-104(7) and (8)]~~ Subsection 20A-2-606(5) and any verification submitted with the form~~[-]~~ ; and

SB0194S01 compared with SB0194S06

- 2488 (vi) an indication regarding whether the individual provided proof of United States citizenship.
- 2490 (4) Upon receipt of an individual's voter registration form from the Driver License Division under Subsection (3), the lieutenant governor or county clerk shall:
- 2492 (a) enter the information into the statewide voter registration database;~~[-and]~~
- 2493 (b) make a record of the indication described in Subsection (3)(c)(vi); and
- 2494 ~~[(b)] (c) if the individual [requests on the individual's voter registration form that the individual's voter registration record be classified as a private record or the individual submits a withholding request form described in Subsections 20A-2-104(7) and (8)]~~ submits an at-risk voter request form described in Subsection 20A-2-606(5) and any required verification, classify the individual's voter registration record as a private record.
- 2500 (5) The county clerk of an individual whose information is entered into the statewide voter registration database under Subsection (4) shall:
- 2502 (a) ensure that the individual meets the qualifications to be registered or preregistered to vote; and
- 2504 (b)
- (i) if the individual meets the qualifications to be registered to vote:
- 2505 (A) ensure that the individual is assigned to the proper voting precinct; and
- 2506 (B) send the individual the notice described in Section 20A-2-304;~~[-or]~~
- 2507 (ii) if the individual meets the qualifications to be preregistered to vote, process the form in accordance with the requirements of Section 20A-2-101.1~~[-:]~~ ;
- 2509 (iii) determine whether the individual has provided documentary proof of United States citizenship; and
- 2511 (iv) if the individual has not provided documentary proof of United States citizenship, notify the individual, in accordance with Subsection (8):
- 2513 (A) that the individual has not provided proof of United States citizenship;
- 2514 (B) that, beginning on January 1, 2028, if the individual fails to provide proof of United States citizenship, the individual will only be permitted to vote for federal offices; and
- 2517 (C) of the methods by which the individual may provide documentary proof of United States citizenship.
- 2519 (6)
- (a) When the county clerk receives a correctly completed voter registration form under this section, the clerk shall:
- 2521 (i) comply with the applicable provisions of this Subsection (6); or

SB0194S01 compared with SB0194S06

- 2522 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.
- 2523 (b) If the county clerk receives a correctly completed voter registration form under this section no later than 5 p.m. or, if submitting the form electronically, midnight, 11 calendar days before the date of an election, the county clerk shall:
- 2526 (i) accept the voter registration form;[~~and~~]
- 2527 (ii) beginning on January 1, 2028, comply with Subsection 20A-2-304(3);
- 2528 [~~(ii)~~] (iii) unless the individual is preregistering to vote, and subject to Section 20A-3a-201.5:
- 2530 (A) enter the individual's name on the list of registered voters for the voting precinct in which the individual resides; and
- 2532 (B) notify the individual that the individual is registered to vote in the upcoming election; and
- 2534 [~~(iii)~~] (iv) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.
- 2536 (c) If the county clerk receives a correctly completed voter registration form under this section after the deadline described in Subsection (6)(b), the county clerk shall, unless the individual named in the form is preregistering to vote, and subject to Section 20A-3a-201.5:
- 2540 (i) accept the application for registration of the individual;
- 2541 (ii) process the voter registration form; and
- 2542 (iii) unless the individual is preregistering to vote, and except as provided in Subsection 20A-2-207(6), inform the individual that the individual will not be registered to vote in the pending election, unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207.
- 2547 (7)
- (a) If the county clerk determines that an individual's voter registration form received from the Driver License Division is incorrect because of an error, because the form is incomplete, or because the individual does not meet the qualifications to be registered to vote, the county clerk shall mail notice to the individual stating that the individual has not been registered or preregistered because of an error, because the registration form is incomplete, or because the individual does not meet the qualifications to be registered to vote.
- 2554 (b) If a county clerk believes, based upon a review of a voter registration form, that an individual, who knows that the individual is not legally entitled to register or preregister to vote, may be

SB0194S01 compared with SB0194S06

intentionally seeking to register or preregister to vote, the county clerk shall refer the form to the county attorney for investigation and possible prosecution.

2559 (8) A county clerk who provides notice under Subsection (5)(b)(iv) shall send the notice, in writing, to the individual:

2561 (a) by mail, at the most recent address the county clerk has for the individual; and

2562 (b)

(i) by email, if the county clerk has an email address for the individual;

2563 (ii) by text to a phone number, if the county clerk has a phone number for the individual and has received consent from the individual to send text messages to the phone number.

2566 ~~{Section 16. Section 20A-2-206 is amended to read: }~~

2567 **20A-2-206. Electronic registration -- Requesting to receive a ballot by mail.**

2569 (1) The lieutenant governor shall create and maintain an electronic system that is publicly available on the [~~Internet~~] internet for an individual to:

2571 (a) apply for voter registration or preregistration; or

2572 (b) [~~beginning no later than July 1, 2025,~~]request to receive a ballot by mail.

2573 (2) The electronic system described in Subsection (1) shall require, to register to vote, the applicant to:

2575 (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;

2578 (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);

2580 (c) attest to the truth of the information provided; and

2581 (d) authorize the lieutenant governor's and county clerk's use of the applicant's:

2582 (i) driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver License Act, for voter registration or preregistration purposes; or

2584 (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.

2587 (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.

2589 (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)~~] 20A-2-104(1).

SB0194S01 compared with SB0194S06

- 2592 (5) The lieutenant governor shall, in relation to an individual who is registering to vote:
- 2593 (a) obtain a digital copy of the applicant's driver license signature or identification card signature from
the Driver License Division; or
- 2595 (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.
- 2597 (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:
- 2600 (a) receiving all information from an applicant; ~~and~~
- 2601 (b)
- [~~(i)~~] receiving all information from the Driver License Division, if applicable; and
- 2602 [~~(ii)~~] (c) ensuring that the applicant's signature is on file in the lieutenant governor's statewide voter
registration database developed under Section 20A-2-502.
- 2604 (7) The lieutenant governor may use additional security measures to ensure the accuracy and integrity
of information submitted electronically under this section.
- 2606 (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:
- 2608 (a) accept and process the voter registration form;
- 2609 (b) unless the individual named in the form is preregistering to vote, and subject to Section
20A-3a-201.5:
- 2611 (i) enter the applicant's name on the list of registered voters for the voting precinct in which the
applicant resides; and
- 2613 (ii) notify the individual that the individual is registered to vote in the upcoming election; and
- 2615 (c) if the individual named in the form is preregistering to vote, comply with Section 20A-2-101.1.
- 2617 (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:
- 2619 (a) accept the application for registration; and
- 2620 (b) except as provided in Subsection 20A-2-207(6), and subject to Section 20A-3a-201.5, if possible,
promptly inform the individual that the individual will not be registered to vote in the pending
election, unless the individual registers to vote by provisional ballot during the early voting period,
if applicable, on election day, in accordance with Section 20A-2-207.

SB0194S01 compared with SB0194S06

- 2625 (10) The lieutenant governor shall provide a means by which a registered voter shall sign the
application form.
- 2627 (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:
- 2629 "Indicate below how you want to vote in upcoming elections:
- 2630 _____ Mail a ballot to me.
- 2631 _____ Do not mail a ballot to me. I will vote in person."
- 2632 ~~{Section 17. Section 20A-2-304 is amended to read: }~~
- 2633 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**
[Each] Subject to Section 20A-3a-201.5, a county clerk shall:
- 2636 (1) register to vote each individual who meets the requirements for registration and who:
- 2637 (a) submits a completed voter registration form to the county clerk;
- 2638 (b) submits a completed voter registration form, as defined in ~~[Section 20A-2-204]~~ Subsection
20A-2-204(1), to the Driver License Division;
- 2640 (c) submits a completed voter registration form to a public assistance agency or a discretionary voter
registration agency; or
- 2642 (d) mails a completed voter registration form to the county clerk;~~[-and]~~
- 2643 (2) within 30 calendar days after the day on which the county clerk processes a voter registration form,
send a notice to the individual who submits the form that:
- 2645 (a)
- 2647 (i) informs the individual that the individual's voter registration form has been accepted and that the
individual is registered to vote;
- 2649 (ii) informs the individual of the procedure for designating or changing the individual's political
affiliation;
- 2650 (iii) informs the individual of the procedure to cancel a voter registration;
- 2653 (iv) provides instructions to the voter on how the voter may sign up to receive electronic ballot status
notifications via the ballot tracking system described in Section 20A-3a-401.5; and
- 2656 (v) confirms that the individual has chosen to receive electronic ballot status notifications if the
individual opted to receive electronic ballot status notifications on the voter registration form;
- (b) informs the individual that the individual's voter registration form has been rejected and the reason
for the rejection; or

SB0194S01 compared with SB0194S06

- 2658 (c)
- (i) informs the individual that the individual's voter registration form is being returned to the individual for further action because the form is incomplete; and
- 2660 (ii) gives instructions to the individual on how to properly complete the form[-] ; and
- 2661 (3) beginning on January 1, 2028, for each voter registration record of an individual who is limited to voting in a federal race only, indicate the limitation on the voter's voter registration record.
- 2664 ~~{Section 18. Section 20A-2-502 is amended to read: }~~
- 2665 **20A-2-502. Statewide voter registration system -- Maintenance and update of system -- Record security -- List of incarcerated felons -- Public document showing compliance by county clerks.**
- 2668 (1) The lieutenant governor shall:
- 2669 (a) develop, manage, and maintain a statewide voter registration system to be used by county clerks to maintain an updated statewide voter registration database in accordance with this section and rules made under Section 20A-2-507;
- 2672 (b) except as provided in Subsection (2)(c), regularly update the system with information relevant to voter registration, as follows:
- 2674 (i) on at least a weekly basis, information received from the Driver License Division in relation to:
- 2676 (A) voter registration;
- 2677 (B) a registered voter's change of address; or
- 2678 (C) a registered voter's change of name;
- 2679 (ii) on at least a weekly basis, the information described in Subsection 26B-8-114(11) from the state registrar, regarding deceased individuals;
- 2681 (iii) on at least a monthly basis, the information described in Subsection (3), received from the Department of Corrections regarding incarcerated individuals;
- 2683 (iv) on at least a monthly basis, information received from other states, including information received under an agreement described in Subsection (2); and
- 2685 (v) within 31 calendar days after the day on which the lieutenant governor receives information relevant to voter registration, other than the information described in Subsections (1)(b)(i) through (iv);
- 2688 (c) regularly monitor the system to ensure that each county clerk complies with the requirements of this part and rules made under Section 20A-2-507;
- 2690

SB0194S01 compared with SB0194S06

- (d) establish matching criteria and security measures for identifying a change described in Subsection (1)(b) to ensure the accuracy of a voter registration record;
- 2692 (e) on at least a monthly basis:
- 2693 (i) use the matching criteria and security measures described in Subsection (1)(d) to compare
information in the database to identify duplicate data, contradictory data, and changes in data;
- 2696 (ii) notify the applicable county clerk of the data identified; and
- 2697 (iii) notify the county clerk of the county in which a voter's principal place of residence is located of a
change in a registered voter's principal place of residence or name;
- 2700 (f) before April 1, 2026, develop a procedure to evaluate voter registration based on addresses to
identify potential anomalies, including eight or more voters at a single-family home address;
- 2703 (g) develop procedures to investigate the validity of a voter registration when a ballot mailed by the
county clerk is returned by the post office as undeliverable;
- 2705 (h) before June 1, 2026, register with the Systematic Alien Verification for Entitlements program,
operated by the United States Department of Homeland Security; and
- 2707 (i) as part of maintaining the voter registration database, analyze the database at least 90 calendar
days before the day of each regular primary election and each regular general election to ensure
the accuracy of the voter registration record, and to inform county clerks of action needed, by
identifying errors in the database, including errors based on:
- 2712 (i) change of incarceration status;
- 2713 (ii) the death of a voter;
- 2714 (iii) duplicate voters;
- 2715 (iv) identical identification numbers used by multiple voters; or
- 2716 (v) other reasons identified by the lieutenant governor that would render a voter ineligible to vote.
- 2718 (2)
- (a) Subject to Subsection (2)(b), the lieutenant governor may cooperate or enter into an agreement
with a governmental entity or another state to share information and increase the accuracy of the
database.
- 2721 (b) For a record shared under Subsection (2)(a), the lieutenant governor shall ensure:
- 2722 (i) that the record is only used to maintain the accuracy of the database;
- 2723 (ii) compliance with Section 63G-2-206; and
- 2724

SB0194S01 compared with SB0194S06

- (iii) that the record is secure from unauthorized use by employing data encryption or another similar technology security system.
- 2726 (c) The lieutenant governor is not required to comply with an updating requirement described in Subsection (1)(b) to the extent that the person responsible to provide the information to the lieutenant governor fails to provide the information.
- 2729 (3)
- (a) The lieutenant governor shall maintain a current list of all incarcerated felons in Utah.
- 2731 (b) The Department of Corrections shall provide the lieutenant governor's office with:
- 2732 (i) the name and last-known address of each individual who:
- 2733 (A) was convicted of a felony in a Utah state court; and
- 2734 (B) is currently incarcerated for commission of a felony; and
- 2735 (ii) the name of each convicted felon who has been released from incarceration.
- 2736 (4) The lieutenant governor shall seek to enter into an agreement with the federal courts to provide that, in exchange for receiving information from the state's voter registration list or from a list maintained by the Driver License Division to use in relation to federal juries, the federal courts will notify the lieutenant governor or a county clerk when an individual disclosed from one of the lists is disqualified from jury service due to a conviction or non-citizenship.
- 2742 (5) The lieutenant governor shall maintain on the lieutenant governor's website a document that:
- 2744 (a) describes the utilities and tools within the system that a county clerk is required to run;
- 2746 (b) describes the actions, if any, that a county clerk is required to take in relation to the results of running a utility or tool;
- 2748 (c) lists, by date, the recurring deadlines by which a county clerk must comply with Subsection (5)(a) or (b); and
- 2750 (d) indicates, by county:
- 2751 (i) whether the county clerk timely complies with each deadline described in Subsection (5)(c); and
- 2753 (ii) if the county clerk fails to timely comply with a deadline described in Subsection (5)(c), whether the county clerk subsequently complies with the deadline and the date on which the county clerk complies.
- 2756 (6)
- (a) The lieutenant governor shall, before January 1, 2028, conduct an audit of all voter registration records, with the assistance of the county clerks if requested by the lieutenant governor, to

SB0194S01 compared with SB0194S06

determine whether the lieutenant governor or a county clerk has documentary proof of United States citizenship for each individual registered to vote in Utah.

2761 (b) If the lieutenant governor discovers a voter registration record for which the lieutenant governor or a county clerk does not have documentary proof of United States citizenship, the lieutenant governor or a county clerk shall send written notice to the registered voter, at the most recent address that the lieutenant governor has for the voter:

2766 (i) that the lieutenant governor or county clerk does not have documentary proof of United States citizenship for the registered voter;

2768 (ii) that if the voter does not provide documentary proof of United States citizenship before January 1, 2028, the voter will only be permitted to vote for candidates for federal office, in elections held on or after January 1, 2028, until the voter provides documentary proof of United States citizenship; and

2772 (iii) of the methods by which an individual may provide documentary proof of United States citizenship.

2774 ~~{Section 19. Section 20A-2-504 is amended to read: }~~

2775 **20A-2-504. Removing names from the official register -- General requirements -- Deceased individuals.**

2777 (1) The county clerk may not remove a voter's name from the official register solely because the voter has failed to vote in an election.

2779 (2) The county clerk shall remove a voter's name from the official register if:

2780 (a) the voter dies and the requirements of Subsection [~~(3)~~] (4) are met;

2781 (b) the county clerk, after complying with the requirements of Section 20A-2-505, receives written confirmation from the voter that the voter no longer resides within the county clerk's county;

2784 (c)

(i) the county clerk obtains evidence that the voter's residence has changed;

2785 (ii) the county clerk mails notice to the voter as required under Section 20A-2-505;

2786 (iii) the county clerk:

2787 (A) receives no response from the voter; or

2788 (B) does not receive information that confirms the voter's residence; and

2789

SB0194S01 compared with SB0194S06

(iv) the voter does not vote or appear to vote in an election during the period beginning on the date of the notice described in Section 20A-2-505 and ending on the day after the date of the second regular general election occurring after the date of the notice;

2793 (d) the voter requests, in writing, that the voter's name be removed from the official register;

2795 (e) the county clerk receives notice that a voter has been convicted of any felony or a misdemeanor for an offense under this title and the voter's right to vote has not been restored as provided in Section 20A-2-101.3 or 20A-2-101.5; or

2798 (f) the county clerk receives notice that a voter has registered to vote in another state after the day on which the voter registered to vote in this state.

2800 (3) The lieutenant governor shall make available to a county clerk the United States Social Security Administration data received by the lieutenant governor regarding deceased individuals.

2803 [~~(3)~~] (4) The county clerk shall remove a voter's name from the official register within five business days after the day on which the county clerk[-] :

2805 (a) receives, from the lieutenant governor, the information described in Subsection (3) or 26B-8-114(11) in relation to the voter; or

2807 (b) receives confirmation from the Office of Vital Records that the voter is deceased.

2808 [~~(4)~~] (5) No later than 90 calendar days before each primary election day and general election day[-] :

2810 (a) the county clerk shall update the official register by reviewing the official register and taking the actions permitted or required by law under this section, Section 20A-2-503, and Section 20A-2-505[-] ; and

2813 (b) the lieutenant governor shall compare the records that the lieutenant governor receives under Subsections (3) and 26B-8-114(11) to the official register to ensure that each county clerk complies with Subsection (4).

2816 {Section 20. Section 20A-2-505 is amended to read: }

2817 **20A-2-505. Removing names from the official register -- Determining and confirming change of residence.**

2819 (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:

2821 (a) confirms in writing that the voter has changed residence to a place outside the county; or

2823 (b)

SB0194S01 compared with SB0194S06

(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

2826 (ii) does not respond to the notice described in Subsection (3).

2827 (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:

2830 (i) change the official register to show the voter's new address; and

2831 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

2832 (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.

2836 (3)

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

2838 "VOTER REGISTRATION NOTICE

2839 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?

2842

2843 _____
Street City County State Zip

2844 What is your current phone number (optional)? _____

2845 What is your current email address (optional)? _____

2846 Do you consent to receive communications from the political party with which you affiliate, and candidates for that political party, as follows (optional):

2848 • At the email address you provided above? Yes No

2849 • By text or phone call, at the phone number you provided above? Yes No

2850 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

SB0194S01 compared with SB0194S06

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:

2854 - 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

2856 - 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.

2860

Signature of Voter

2861

2862

PRIVACY INFORMATION

2863

Voter registration records contain some information that is available to the public, such as your name, address, and year of birth. Your full date of birth, driver license number, state identification card number, and social security number are available only to an authorized government entity. Your email address and phone number are also only available to an authorized government entity, unless you have consented, above, to disclose them to the political party with which you choose to affiliate and candidates for that political party.

2869

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2870

In addition to the protections provided above, you may request that your voter registration record be withheld from public disclosure if you or someone you live with:

2872

• is at risk of domestic violence;

2873

• is a law enforcement officer;

2874

• is a member of the military who is deployed away from home;

2875

• is a public figure; or

2876

• is protected by a court order.

2877

To make this request for additional privacy protection, you must prove that you qualify by submitting an at-risk voter request form, and any required proof, to the county clerk."

2879

~~[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.~~

2883

SB0194S01 compared with SB0194S06

- 2916
- 2917 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
- 2919 -----";
and
- 2921 (ii) no later than November 5, 2025, the following, immediately after the question described in
Subsection (3)(b)(i):
- 2923 "Indicate below how you want to vote in upcoming elections:
- 2924 _____ Mail a ballot to me.
- 2925 _____ Do not mail a ballot to me. I will vote in person."
- 2926 (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.
- 2929 (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:
- 2932 (i) the voter requests, in writing, that the voter's name be removed; or
- 2933 (ii) the voter dies.
- 2934 (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.
- 2936 (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.
- 2940 (iii) An inactive voter may vote, sign petitions, and have all other privileges of a registered voter.
- 2942 (iv) A county is not required to:
- 2943 (A) send routine mailings to an inactive voter; or
- 2944 (B) count inactive voters when dividing precincts and preparing supplies.
- 2945 [~~(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.]~~
- 2948

SB0194S01 compared with SB0194S06

[~~(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.~~]

2952 [~~(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.~~]

2956 Section 21. Section **21** is enacted to read:

2957 **20A-2-508. Independent investigation of citizenship -- Identification of non-citizens --**
Opportunity to challenge -- Provisional ballot option.

2959 (1)

(a) An election officer shall, to the extent that the review can be conducted in a uniform, nondiscriminatory manner, conduct a review of the voter registration records to independently determine whether an individual who is registered to vote is not a citizen of the United States.

2963 (b) To conduct the review described in Subsection (1)(a), the election officer:

2964 (i) except as provided in Subsection (3), may not require an individual who registers to vote only in a federal race to provide documentary proof of United States citizenship; and

2967 (ii) shall use any tools lawfully available to the election officer, including:

2968 (A) the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security;

2970 (B) information received from the federal courts under Subsection 20A-2-502(4); and

2972 (C) data collected by a state agency.

2973 (2) If, in accordance with Subsection (1), an election officer determines that an individual who is registered to vote is not a citizen of the United States, the election officer shall:

2975 (a) notify the individual, in writing, of the determination and the reason for the determination;

2977 (b) give the individual an opportunity to refute the determination; and

2978 (c) if the individual fails to refute the determination within a reasonable time frame specified by the election officer in the notification described in Subsection (2)(a), remove the individual from the list of registered voters.

2981

SB0194S01 compared with SB0194S06

- 2984 (3) Except as provided in Subsection (4), an individual described in Subsection (2) may not vote in an election unless, before voting, the individual provides documentary proof of United States citizenship to the election officer.
- 2986 (4) An individual described in Subsection (2) may cast a provisional ballot pending the resolution of a dispute under Subsection (2).
- 2990 (5) An election officer may not count a provisional ballot cast by an individual under Subsection (4) unless, on or before the last business day before the day on which the applicable canvass occurs, the individual provides documentary proof of citizenship to the election officer.
- 2992 (6) An election officer shall comply with Subsection 20A-2-204(5)(b)(iv) if the election officer discovers a voter registration record for which:
- 2993 (a) the county clerk does not make the determination described in Subsection (2); and
- 2995 (b) proof of United States citizenship has not been established, unless the individual has expressed an intent:
- 2996 (i) to not provide proof of United States citizenship; or
- 2997 (ii) to vote for federal offices only.
- 2999 (7) A county clerk who provides notice under Subsection (2) shall send the notice, in writing, to the individual:
- 3000 (a) by mail, at the most recent address the county clerk has for the individual; and
- 3001 (b) (i) by email, if the county clerk has an email address for the individual; or
- 3004 (ii) by text to a phone number, if the county clerk has a phone number for the individual and has received consent from the individual to send text messages to the phone number.
- 3005 Section 22. Section **22** is enacted to read:
- 3007 **20A-2-601. Definitions.**
- 3008 As used in this part:
- 3007 (1)
- 3008 (a) "At-risk voter" means:
- 3008 (i) a voter who is designated as an at-risk voter under Subsection 20A-2-606(2) or (6), regardless of whether the voter files a subsequent voter registration form after receiving the designation, unless the voter loses status as an at-risk voter:
- 3011 (A) under Subsection 20A-2-606(7)(b); or

SB0194S01 compared with SB0194S06

- 3012 (B) by requesting that the lieutenant governor or county clerk remove the voter's status as an at-risk
voter; or
- 3014 (ii) a preregistered voter.
- 3015 (b) "At-risk voter," until the lieutenant governor takes the action described in Subsection 20A-2-602(2),
includes a voter with a segregated record.
- 3017 (2)
- 3018 (a) "Candidate for public office" means an individual:
- 3018 (i) who files a declaration of candidacy for a public office;
- 3019 (ii) who files a notice of intent to gather signatures under Section 20A-9-408; or
- 3020 (iii) who is employed by, under contract with, or a volunteer of, an individual described in
Subsection (2)(a)(i) or (ii), who is authorized to act on behalf of the individual described in
Subsection (2)(a)(i) or (ii) for political purposes.
- 3023 (b) "Candidate for public office" does not include:
- 3024 (i) an individual described in Subsection (2)(a)(i) or (ii) who is eliminated as a candidate for:
- 3026 (A) failure to qualify for the primary election ballot via signature gathering or convention;
- 3028 (B) failure to advance to the general election; or
- 3029 (C) any other reason provided by law; or
- 3030 (ii) an individual who is employed by, under contract with, or a volunteer of, an individual described in
Subsection (2)(b)(i).
- 3032 (3) "Dating violence" means the same as that term is defined in Section 78B-7-102 and the federal
Violence Against Women Act of 1994, as amended.
- 3034 (4) "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.
- 3036 (5)
- 3037 (a) "Government entity" means:
- 3037 (i) the state; or
- 3038 (ii) a county, city, town, school district, special district, special service district, or other political
subdivision of the state.
- 3040 (b) "Government entity" includes an agency, bureau, office, department, division, board, commission,
institution, laboratory, or other instrumentality of an entity described in Subsection (5)(a).
- 3043 (6) "Government official" means:

SB0194S01 compared with SB0194S06

- 3044 (a) an elected or appointed officer of a government entity; or
- 3045 (b) an employee of a government entity.
- 3046 (7) "Political party" means the same as that term is defined in Section 20A-1-102.
- 3047 (8) "Public office" means the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, state senator, state representative, state school board member, or an elective office of a local political subdivision.
- 3050 (9) "Public registered voter" means a registered voter who is not an at-risk voter.
- 3051 (10) "Qualified family member," when used in relation to a remotely-deployed member of the armed forces, means an individual who:
- 3053 (a) resides with the remotely-deployed member of the armed forces; or
- 3054 (b) would reside with the remotely-deployed member of the armed forces, but for the deployment.
- 3056 (11) "Remotely-deployed member of the armed forces" means a member of the armed forces, as defined in Section 20A-1-513, who is deployed to a location where the member of the armed forces would not live but for the deployment.
- 3059 (12) "Segregated record" means a voter registration record that was classified as a private record by a voter:
- 3061 (a) via the method that existed before May 12, 2020; or
- 3062 (b) via a method that existed on or after May 12, 2020, other than the method of submitting a withholding request form.
- 3064 (13) "Standard voter data" means the following information from a voter registration record:
- 3065 (a) the voter's full legal name;
- 3066 (b) the voter's voter identification number and federal information processing series geographic code;
- 3068 (c) the voter's year of birth;
- 3069 (d) the voter's complete residential address, including the unit type and number;
- 3070 (e) the voter's county of residence;
- 3071 (f) the voter's mailing address, including the city;
- 3072 (g) the voter's precinct, congressional district, state House of Representatives district, state Senate district, state school board district, local school board district, county council district, and city council district;
- 3075 (h) the voter's party affiliation or status as unaffiliated;
- 3076 (i) the voter's status as active or inactive;

SB0194S01 compared with SB0194S06

- 3077 (j) beginning on January 1, 2028, whether the voter is restricted to vote a federal ballot only;
3079 (k) the last day on which the voter's voter registration record was updated; and
3080 (l) subject to the provisions of Section 20A-5-410, the voter's voting history record for the preceding
eight years.
- 3082 (14) "Withheld status" means the status granted, before January 1, 2027, to the voter registration record
of a voter that prevented the disclosure of the voter registration record to a person other than an
official or employee of a government entity acting in the official's or employee's capacity as an
official or employee of a governmental entity.
- 3086 Section 23. Section **23** is enacted to read:
- 3087 **20A-2-602. Change of voter registration record privacy status -- Notice -- Redesignation of**
status -- New voter identification number.
- 3089 (1) The lieutenant governor shall, on or before January 1, 2027, mail to each voter who has a segregated
record, at the last known address of the voter, a notice that includes the following information:
- 3092 (a) that the privacy status of the voter's voter registration record will change on July 1, 2027, and, unless
the voter applies for and receives designation as an at-risk voter before July 1, 2027, the voter will
be redesignated as a public registered voter on that date;
- 3096 (b) that, as a public registered voter, the following information from the voter's voter registration record
is public:
- 3098 (i) the voter's full legal name;
- 3099 (ii) the voter's voter identification number and federal information processing series geographic code;
- 3101 (iii) the voter's year of birth;
- 3102 (iv) the voter's complete residential address, including the unit type and number;
- 3103 (v) the voter's county of residence;
- 3104 (vi) the voter's mailing address, including the city;
- 3105 (vii) the voter's precinct, congressional district, state House of Representatives district, state Senate
district, state school board district, local school board district, county council district, and city
council district;
- 3108 (viii) the voter's party affiliation or status as unaffiliated;
- 3109 (ix) the voter's status as an active or inactive voter;
- 3110 (x) beginning on January 1, 2028, whether the voter is restricted to vote a federal ballot only;
- 3112 (xi) the last day on which the voter's voter registration record was updated; and

SB0194S01 compared with SB0194S06

- 3113 (xii) the voter's voting history for the preceding eight years;
3114 (c) that:
3115 (i) the voter may apply for designation as an at-risk voter in accordance with Section 20A-2-606; and
3117 (ii) if the voter is designated as an at-risk voter under Section 20A-2-606, the voter's entire voter
registration record will be withheld from all persons other than an authorized government entity;
3120 (d) instructions on how the voter may apply for designation as an at-risk voter; and
3121 (e) information on how the voter may obtain a copy of the at-risk voter request form, described in
Section 20A-2-606, online or by mail.
3123 (2) Unless, before July 1, 2027, a voter with a segregated record is designated as an at-risk voter under
Section 20A-2-606, the lieutenant governor or a county clerk shall, on July 1, 2027, designate a
voter who has a segregated record as a public registered voter.
3126 (3) On July 1, 2027, each county clerk shall, under the direction of the lieutenant governor:
3127 (a) assign a new voter identification number to each registered voter in Utah; and
3128 (b) ensure that the new voter identification number:
3129 (i) is not the same as a number previously assigned to the registered voter; and
3130 (ii) cannot be used, by the number alone, to identify the voter.

3131 Section 24. Section **24** is enacted to read:

3132 **20A-2-603. General request for voter registration records.**

Except as otherwise provided in this section or another express provision of law, upon
receiving a request from a person for voter registration records, the lieutenant governor or a
county clerk:

- 3136 (1) shall disclose to the person the standard voter data from a public registered voter's voter registration
record; and
3138 (2) may not disclose to the person:
3139 (a) information from a public registered voter's voter registration record that is not standard voter data;
or
3141 (b) any information from an at-risk voter's voter registration record.

3142 Section 25. Section **25** is enacted to read:

3143 **20A-2-603.5. Request by candidate for consensual disclosure of contact information.**

- 3145 (1) As used in this section, "qualified candidate" means an individual who:
3146 (a) is affiliated with a registered political party; and

SB0194S01 compared with SB0194S06

- 3147 (b) is a candidate who:
- 3148 (i) is seeking the nomination of the registered political party with whom the candidate is affiliated; or
- 3150 (ii) has obtained the nomination of the registered political party with whom the candidate is affiliated.
- 3152 (2) Subject to Subsections (3) and (4), and except as provided in Subsection (5), the lieutenant governor or a county clerk shall, upon the request of a qualified candidate, provide to the qualified candidate, for each public registered voter who is affiliated with the same registered political party as the qualified candidate:
- 3156 (a) subject to Subsection (6), the voter's phone number; and
- 3157 (b) subject to Subsection (6), the voter's email address.
- 3158 (3) A qualified candidate that receives information under Subsection (2)(a) or (b), or an authorized agent of the qualified candidate:
- 3160 (a) shall ensure, using industry standard security measures, that the information may not be accessed by a person other than the qualified candidate or an authorized agent of the qualified candidate;
- 3163 (b) may only use the information to communicate with an individual in relation to the qualified candidate's candidacy or for a political purpose;
- 3165 (c) may not:
- 3166 (i) use or share the information for a purpose other than a purpose described in Subsection (3)(b); or
- 3168 (ii) grant access to the information to a person other than an authorized agent of the qualified candidate;
and
- 3170 (d) notwithstanding Subsection (3)(a) or (b), may not grant access to the information or share the information with a person whom the qualified candidate or the agent of the qualified candidate believes:
- 3173 (i) will use or share the information in a manner other than a manner described in Subsection (3)(b); or
- 3175 (ii) will not comply with Subsection (3)(a), (b), or (c).
- 3176 (4) Before providing the information described in Subsection (2)(a) or (b) to an individual claiming to be a qualified candidate:
- 3178 (a) the lieutenant governor or county clerk shall verify that the individual requesting the information is a qualified candidate of the registered political party to which the information sought relates; and
- 3181 (b) the qualified candidate requesting the information under Subsection (2)(a) shall sign a request form that includes:
- 3183 (i) the name, address, and telephone number of the qualified candidate who is seeking the information;

SB0194S01 compared with SB0194S06

- 3185 (ii) the qualified candidate's name, address, and telephone number;
- 3186 (iii) a statement that the qualified candidate is a qualified candidate for the registered political party to which the information sought relates and has presented to the lieutenant governor or the county clerk valid verification that the qualified candidate is the qualified candidate whom the qualified candidate claims to be;
- 3190 (iv) a statement that the qualified candidate will comply with the requirements described in Subsection (3);
- 3192 (v) a statement that the qualified candidate, or an agent of the qualified candidate, will not provide or use the information in a manner that is prohibited by law;
- 3194 (vi) a statement that obtaining the information under false pretenses, or providing or using the information in a manner that is prohibited by law, is punishable as a class A misdemeanor and by a civil fine; and
- 3197 (vii) notice that if a person makes a false statement in the request form, the person is punishable by law under Section 76-8-504.
- 3199 (5) The lieutenant governor or a county clerk may not disclose the information described in Subsection (2)(a) or (b) to an individual requesting the information under this section if the lieutenant governor or county clerk has probable cause to believe that the individual:
- 3202 (a) is not a qualified candidate of the registered political party or an agent of the qualified candidate; or
- 3204 (b) will use or share the information in a manner prohibited by law.
- 3205 (6)
- (a) A qualified candidate who is affiliated with the same political party as the public registered voter to whom the information described in Subsection (2)(a) or (b) relates:
- 3207 (i) will receive the public registered voter's phone number, under Subsection (2)(a), only if the voter consents, on the voter's voter registration form, to receive notifications from the political party and the political party's candidates by text to the phone number indicated on the form; and
- 3211 (ii) will receive the public registered voter's email address, under Subsection (2)(b), only if the voter consents, on the voter's voter registration form, to receive notifications from the political party and the political party's candidates at the email address indicated on the form.
- 3215 (b) If an at-risk voter consents, on the voter's voter registration form, to provide the political party with which the voter chooses to affiliate, and the party's candidates, with the voter's phone number or email address, the county clerk or the lieutenant governor:

SB0194S01 compared with SB0194S06

- 3219 (i) may not provide the phone number or email address to the qualified candidate; and
3220 (ii) shall notify the at-risk voter that the voter must contact the political party, or a candidate of the
political party, directly to provide the voter's phone number or email address to the political party or
to the candidate or to consent to receive communications from the political party or the candidate.

3224 Section 26. Section **26** is enacted to read:

3225 **20A-2-604. Request for voter registration records by political party -- Confirmation of**
political party affiliation.

3227 (1) Except as otherwise provided in this section or another express provision of law, upon receiving
a request from a political party for voter registration records, the lieutenant governor or a county
clerk:

3230 (a) for each public registered voter who is not affiliated with the political party:

3231 (i) shall provide to the political party the voter's standard voter data; and

3232 (ii) may not provide to the political party any information from the public registered voter's voter
registration record that is not standard voter data;

3234 (b) for each public registered voter who is affiliated with the political party:

3235 (i) shall, subject to Subsections (2) and (3), and except as provided in Subsection (4), provide to the
political party:

3237 (A) subject to Subsection (5), the voter's phone number;

3238 (B) subject to Subsection (5), the voter's email address; and

3239 (C) the voter's standard voter data; and

3240 (ii) may not provide to the political party any information relating to the voter other than the
information provided in accordance with Subsection (1)(b)(i);

3242 (c) may not provide to the political party any information from an at-risk voter's voter registration
record;

3244 (d) shall provide the following information to the political party:

3245 (i) for the entire state:

3246 (A) the total number of at-risk voters in the state; and

3247 (B) the total number of at-risk voters in the state who are affiliated with the political party; and

3249 (ii) for each state House of Representatives district in the state:

3250 (A) the total number of at-risk voters in the district; and

3251 (B) the total number of at-risk voters in the district who are affiliated with the political party.

SB0194S01 compared with SB0194S06

- 3253 (2) A political party, or an agent of a political party, that receives information under Subsection (1)(b)(i)
(A) or (B):
- 3255 (a) shall ensure, using industry standard security measures, that the information may not be accessed by
a person other than the political party or an authorized agent of the political party;
- 3258 (b) may only use the information:
- 3259 (i) to communicate with an individual who is affiliated with the political party in relation to the business
of the political party or for a political purpose;
- 3261 (ii) to verify that the voter is a member of the political party; or
- 3262 (iii) to conduct demographic or other analysis for a political purpose;
- 3263 (c) may not:
- 3264 (i) use or share the information for a purpose other than a purpose described in Subsection (2)(b); or
- 3266 (ii) grant access to the information to a person other than an authorized agent of the political party;
- 3268 (d) notwithstanding Subsection (2)(a) or (b), may not grant access to the information or share the
information with a person whom the political party believes:
- 3270 (i) will use or share the information in a manner other than a manner described in Subsection (2)(b); or
- 3272 (ii) will not comply with Subsection (2)(a), (b), or (c); and
- 3273 (e) may limit access by an authorized agent to only the portion of the information needed for the
authorized agent to fulfill a purpose for which the authorized agent is:
- 3275 (i) permitted by law to use the information; and
- 3276 (ii) authorized by the state political party to use the information.
- 3277 (3) Before providing the information described in Subsection (1)(b)(i)(A) or (B) to a political party:
- 3279 (a) the lieutenant governor or county clerk shall verify that the individual requesting the information on
behalf of the political party is an authorized agent of the political party; and
- 3282 (b) the individual requesting the information under Subsection (3)(a) shall sign a request form that
includes:
- 3284 (i) the name, address, and telephone number of the political party that is seeking the information;
- 3286 (ii) the individual's name, address, and telephone number;
- 3287 (iii) a statement that the individual is an authorized agent of the political party and has presented to the
lieutenant governor or the county clerk valid verification that the individual is an authorized agent of
the political party;
- 3290

SB0194S01 compared with SB0194S06

- 3292 (iv) a statement that the political party and the individual will comply with the requirements described in Subsection (2);
- 3295 (v) a statement that the political party, or an agent of the political party, will not provide or use the information obtained from the list of registered voters in a manner that is prohibited by law;
- 3298 (vi) a statement that obtaining the information under false pretenses, or providing or using the information in a manner that is prohibited by law, is punishable as a class A misdemeanor and by a civil fine; and
- 3300 (vii) notice that if a person makes a false statement in the request form, the person is punishable by law under Section 76-8-504.
- 3303 (4) The lieutenant governor or a county clerk may not disclose the information described in Subsection (1)(b)(i)(A) or (B) to a person requesting the information under this section if the lieutenant governor or county clerk has probable cause to believe that the person:
- 3304 (a) is not a political party or an agent of the political party; or
- 3305 (b) will use or share the information in a manner prohibited by law.
- 3306 (5)
- 3310 (a) A political party with which a public registered voter chooses to affiliate:
- 3314 (i) will receive the public registered voter's phone number, under Subsection (1)(b)(i)(A), only if the voter consents, on the voter's voter registration form, to receive notifications from the political party and candidates for that political party by text to the phone number indicated on the form; and
- 3317 (ii) will receive the public registered voter's email address, under Subsection (1)(b)(i)(B), only if the voter consents, on the voter's voter registration form, to receive notifications from the political party and candidates for that political party at the email address indicated on the form.
- 3318 (b) If an at-risk voter consents, on the voter's voter registration form, to provide the political party with which the voter chooses to affiliate with the voter's phone number or email address, the county clerk or the lieutenant governor:
- 3321 (i) may not provide the phone number or email address to the political party; and
- (ii) shall notify the at-risk voter that the voter must contact the political party directly to provide the voter's phone number or email address to the political party or to consent to receive communications from the political party.

SB0194S01 compared with SB0194S06

(6) The lieutenant governor will provide a political party with the capability, on the lieutenant governor's website, to verify that an individual is affiliated with the political party by entering only the individual's name and address.

3324 Section 27. Section 27 is enacted to read:

3325 **20A-2-605. Request for voter registration records by a government official.**

3327 (1) Except as otherwise provided in this section or another express provision of law, upon request by a government official acting in the government official's capacity as a government official, the lieutenant governor or a county clerk:

3330 (a) shall disclose to the government official the information in a voter registration record necessary to permit the government official to fulfill an official duty imposed by law on the government official;
and

3333 (b) may not disclose to the government official the information in a voter registration record that is not necessary to permit the government official to fulfill an official duty imposed by law on the government official.

3336 (2) A government official who receives information under Subsection (1)(a):

3337 (a) shall ensure, using industry standard security measures, that the information may not be accessed by a person other than the government official or the government entity that the government official represents;

3340 (b) may only use the information to the extent necessary to fulfill a duty of the government official; and

3342 (c) may not disclose the information to a person other than a person needing the information to fulfill a duty of the government official or the government entity that the government official represents.

3345 (3) Before providing the information described in Subsection (1)(a) to a government official:

3347 (a) the lieutenant governor or county clerk shall verify that:

3348 (i) the person requesting the information is a government official; and

3349 (ii) it is necessary to provide the information requested to permit the government official to fulfill an official duty imposed by law on the government official; and

3351 (b) the government official requesting the information shall sign a request form that includes:

3353 (i) the name, address, and telephone number of the government official;

3354 (ii) the government official's position or title;

3355 (iii) a description of the information requested;

3356

SB0194S01 compared with SB0194S06

- 3357 (iv) a description of the official duty imposed by law on the government official that requires the
3358 requested information;
- 3359 (v) a statement that the government official will ensure, using industry standard security measures,
3360 that the information may not be accessed by a person other than the government official or the
3361 government entity that the government official represents;
- 3362 (vi) a statement that the government official will only use the information to the extent necessary to
3363 fulfill an official duty imposed by law on the government official;
- 3364 (vii) an assertion that the government official will not provide or use the information obtained from the
3365 voter registration records in a manner that is prohibited by law;
- 3366 (viii) a statement that obtaining the information under false pretenses, or providing or using the
3367 information from the voter registration records in a manner that is prohibited by law, is punishable
3368 as a class A misdemeanor and a civil fine; and
- 3369 (ix) notice that if the person signing the request form makes a false statement in the request form, the
3370 person is punishable by law under Section 76-8-504.
- 3371 (4) The lieutenant governor or a county clerk may not disclose the information under this section if the
3372 lieutenant governor or county clerk reasonably believes that the person:
- 3373 (a) is not a government official;
- 3374 (b) does not need the information requested to fulfill an official duty imposed by law on the government
3375 official; or
- 3376 (c) will provide or use the information in a manner prohibited by law.
- 3377
- 3378 Section 28. Section **28** is enacted to read:
- 3379 **20A-2-606. At-risk registered voter -- Application -- Designation -- Change of status.**
- 3380 (1) Except to the extent expressly authorized in this part or otherwise expressly provided by law, the
3381 lieutenant governor or a county clerk may not disclose an at-risk voter's voter registration record, or
3382 any information from an at-risk voter's voter registration record.
- 3383 (2) On January 1, 2027, each county clerk shall designate as an at-risk voter each voter whose voter
3384 registration record had withheld status on December 31, 2026, for one of the following reasons:
- 3385 (a) the voter:
- 3386 (i) submitted a withholding request form:
- 3387 (A) with the individual's voter registration record; or
- 3388 (B) directly to the lieutenant governor or a county clerk; and
- 3389
- 3390

SB0194S01 compared with SB0194S06

- 3391 (ii) indicated on the form that the voter, or an individual who resides with the voter, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence; or
- 3394 (b) the voter:
- 3395 (i) submitted a withholding request form:
- 3396 (A) with the individual's voter registration record;
- 3397 (B) to the lieutenant governor; or
- 3398 (C) to a county clerk; and
- 3399 (ii) indicated on the form and provided verification that the voter, or an individual who resides with the voter, 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.
- 3403 (3)
- 3405 (a) The lieutenant governor shall design and distribute an at-risk voter request form to each election officer and to each agency that provides a voter registration form.
- 3405 (b) The director of elections within the Office of the Lieutenant Governor may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for providing the proof described in Subsections (5)(a)(ii), (b)(ii), and (c)(ii).
- 3409 (4) The following may not encourage an individual to submit, or discourage an individual from submitting, an at-risk voter request form:
- 3411 (a) an election officer;
- 3412 (b) an agency described in Subsection (3)(a); or
- 3413 (c) an employee of a person described in Subsection (4)(a) or (b).
- 3414 (5) A voter may apply for designation as an at-risk voter by submitting, either with the voter's voter registration form, or separately to the lieutenant governor or a county clerk:
- 3416 (a)
- 3419 (i) an at-risk voter request form indicating that the voter, or an individual who resides with the voter, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence; and
- 3419 (ii) in accordance with any rules made under Subsection (3)(b), proof of the indication described in Subsection (5)(a)(i) in the form of a sworn affidavit where the voter swears to the following statement: "I am applying for designation as an at-risk voter because either myself, or someone who

SB0194S01 compared with SB0194S06

resides with me, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence.";

3425 (b)

(i) an at-risk voter request form indicating that the voter, or an individual who resides with the voter, is a law enforcement officer, a public figure, or protected by a protective order or protection order; and

3428 (ii) in accordance with any rules made under Subsection (3)(b), proof of the indication described in Subsection (5)(b)(i); or

3430 (c)

(i) an at-risk voter request form indicating that the voter is, or is a qualified family member of, a remotely-deployed member of the armed forces; and

3432 (ii) in accordance with any rules made under Subsection (3)(b), proof of the indication described in Subsection (5)(c)(i).

3434 (6) Beginning on January 1, 2027, a county clerk or the lieutenant governor shall, in addition to the voters designated as at-risk voters under Subsection (2), designate a voter as an at-risk voter if the voter:

3437 (a)

(i) is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence;

3439 (ii) is, or resides with an individual who is, a law enforcement officer, a public figure, or protected by a protective order or protection order; or

3441 (iii) is, or is a qualified family member of, a remotely-deployed member of the armed forces; and

3443 (b) complies with Subsection (5).

3444 (7) A county clerk shall, beginning in 2030, and every five years after 2030, before July 15:

3445 (a) mail to each voter who, for at least the last year, has been designated as an at-risk voter:

3447 (i) notice that the voter is designated as an at-risk voter and the grounds for the designation;

3449 (ii) a list of the grounds for designating a voter as an at-risk voter;

3450 (iii) an inquiry regarding whether the voter still qualifies as an at-risk voter; and

3451 (iv) a self-addressed envelope, with postage prepaid, for the voter to mail the voter's response to the inquiry described in Subsection (7)(a)(iii); and

3453 (b) remove the designation of a voter as an at-risk voter if the voter responds that the voter no longer qualifies as an at-risk voter.

SB0194S01 compared with SB0194S06

3455 Section 29. Section 29 is enacted to read:

3456 **20A-2-607. Applicability and enforcement -- Transition.**

3457 (1) This part does not govern or restrict the release of a voter registration record:

3458 (a) to an election officer or an employee of an election officer;

3459 (b) for a government purpose relating to maintaining the voter registration list or the administration of an election;

3461 (c) to the federal government to comply with, or verify compliance with, the requirements of law;

3463 (d) pursuant to an order of a court with jurisdiction; or

3464 (e) to a federal, state, or local law enforcement agency for a legitimate law enforcement purpose.

3466 (2) It is unlawful for a person to:

3467 (a) obtain information from the list of registered voters under false pretenses;

3468 (b) obtain or use information from the list of registered voters in a manner that is not permitted by law;
or

3470 (c) knowingly disclose information from the list of registered voters in a manner that is not permitted by law.

3472 (3)

(a) A violation of Subsection (2)(a) is a class A misdemeanor.

3473 (b) A violation of Subsection (2)(b) or (c) is a class B misdemeanor.

3474 (4) Beginning on January 1, 2027, and ending on March 1, 2027, a response to a request for the voter registration list, a voter registration record, or information from the list or record, may be delayed until the earlier of:

3477 (a) the first business day after the day on which the new software system that will be implemented by the lieutenant governor on January 1, 2027, is fully functioning; or

3479 (b) March 1, 2027.

342 **Section 6. Section 20A-3a-106 is amended to read:**

343 **20A-3a-106. Rulemaking authority relating to conducting an election.**

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

347 (1) a return envelope, to ensure uniformity and security of the envelopes;

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

SB0194S01 compared with SB0194S06

350 (3) conducting and documenting the identity verification process described in Subsection
20A-3a-401(7)(b)~~[; or]~~ .

352 ~~[(4) establishing specific requirements and procedures for an election officer to:]~~

353 ~~[(a) perform the signature comparison audits described in Subsection 20A-9-408(9)(e); or]~~

355 ~~[(b) fulfill the chain of custody requirements described in Section 20A-9-408.3.]~~

3480 Section 30. Section **30** is enacted to read:

3481 **20A-3a-201.5. Proof of citizenship required for state elections -- Separate federal ballots for**
registered voters who do not provide proof of citizenship.

3484 (1) Except as provided in Subsection (2), beginning on January 1, 2028, for an election that includes a
race for federal office:

3486 (a) an election officer shall:

3487 (i) for each precinct, produce a standard ballot; and

3488 (ii) for each congressional district, produce a federal ballot;

3489 (b) only a voter who has, at the time of voter registration or before voting, provided documentary proof
of United States citizenship may vote a standard ballot; and

3491 (c) a voter who has not provided documentary proof of United States citizenship, at the time of voter
registration or before voting, may only vote a federal ballot.

3493 (2) Beginning on January 1, 2028, a voter who has not, at the time of registration or before voting,
provided documentary proof of United States citizenship may cast a standard ballot as a provisional
ballot, but an election officer may only count votes for federal office cast using the standard ballot
unless the voter provides documentary proof of United States citizenship within 10 calendar days
after the day of the election.

3498 (3) Beginning on January 1, 2028, except as otherwise provided in Section 20A-2-508:

3499 (a) an election officer may not require a voter to provide documentary proof of United States citizenship
to vote a federal ballot; and

3501 (b) a voter who has previously provided documentary proof of United States citizenship to an election
officer is not required to provide documentary proof of citizenship when the voter subsequently
registers to vote.

3504 ~~{Section 31. Section **20A-3a-202** is amended to read: }~~

3505 **20A-3a-202. Conducting election in person and by mail -- Mailing ballots to voters --**
Exceptions.

SB0194S01 compared with SB0194S06

- 3507 (1)
- (a) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.
- 3510 (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.
- 3512 (2) An election officer who administers an election:
- 3513 (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):
- 3517 (i) a manual ballot;
- 3518 (ii) a return envelope;
- 3519 (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;
- 3522 (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
- 3525 (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;
- 3527 (b) may not mail a ballot under this section to:
- 3528 (i) an inactive voter, unless the inactive voter requests a manual ballot;~~[-or]~~
- 3529 (ii) a voter whom the election officer is prohibited from sending a ballot under Subsection 20A-3a-202.5(4); or
- 3531 (iii) for an election held on or after January 1, 2028, a voter who is only eligible to vote a federal ballot, if the election does not include a race for federal office;
- 3533 (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;
- 3536 (d) shall provide a method of accessible voting to a voter with a disability who is not able to vote by mail; and
- 3538 (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.
- 3540 (3)

SB0194S01 compared with SB0194S06

- (a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to the address:
- 3542 (i) provided at the time of registration or updated by the voter after the time of registration; or
3544 (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.
- 3546 (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.
- 3549 (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.
- 3551 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statements:
- 3554 "WARNING
3555 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.
- 3561 NOTICE
3562 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource locator where the 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]."
- 3567 (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:
- 3569 "WARNING
3570 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.
- 3573

SB0194S01 compared with SB0194S06

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:

- 3576 • a currently valid identification card that is issued by the state or a branch, department, or agency of the United States;
- 3578 • a currently valid Utah permit to carry a concealed weapon;
- 3579 • a currently valid United States passport;
- 3580 • a currently valid United States military identification card; or
- 3581 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card.

3583 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]."

3588 (4) The return envelope shall include:

- 3589 (a) the name, official title, and post office address of the election officer on the front of the envelope;
- 3591 (b) subject to Subsection (9), beginning on or before January 1, 2026, a place for the voter to enter the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;

3594 (c) the following statement:

3595 "IMPORTANT: See the warning and notice enclosed with your ballot.";

3596 (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

3598 (e) a printed affidavit in substantially the following form:

3599 "County of ____ State of ____

3600 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.

3603 _____

3604 Signature of Voter

3605 WARNING

SB0194S01 compared with SB0194S06

- 3606 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."
- 3609 (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:
- 3611 (a) mail a ballot to the voter;
- 3612 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the return envelope;
and
- 3614 (c) provide instructions to the voter on how the voter may sign up to receive electronic ballot status
notifications via the ballot tracking system described in Section 20A-3a-401.5.
- 3617 (6) An election officer who administers an election shall:
- 3618 (a)
- (i) before the election, obtain the signatures of each voter qualified to vote in the election; or
- 3620 (ii) obtain the signature of each voter within the voting precinct from the county clerk; and
- 3622 (b) maintain the signatures on file in the election officer's office.
- 3623 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under
Section 20A-3a-401.
- 3625 (8) A county that administers an election:
- 3626 (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;
- 3630 (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;
- 3633 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 3634 (i) the county clerk conducts early voting on at least four days;
- 3635 (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
- 3638 (iii) the county clerk provides notice of the reduced early voting period in accordance with Section
20A-3a-604; and
- 3640 (d) is not required to pay return postage for a return envelope.

SB0194S01 compared with SB0194S06

- 3641 (9) A return envelope shall be designed in a manner that the information described in Subsections (4)(b)
and (d), and the voter's signature, is covered from view after the return envelope is sealed.
- 3644 (10) A county clerk shall, at least 90 calendar days before an election administered by the county clerk,
contact local post offices to:
- 3646 (a) coordinate the handling of mail-in ballots for the upcoming election; and
- 3647 (b) take measures to ensure that:
- 3648 (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
- 3651 (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of ballots.
- 3653 ~~{Section 32. Section 20A-3a-401 is amended to read: }~~
- 3654 **20A-3a-401. Custody of voted ballots mailed or deposited in a ballot drop box -- Disposition
-- Notice -- Disclosures relating to unresolved ballots.**
- 3656 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal means.
- 3658 (2) Poll workers shall process return envelopes containing manual ballots that are in the custody of the
poll workers in accordance with this section.
- 3660 (3) Poll workers shall examine a return envelope to make the determinations described in Subsection
(4).
- 3662 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers determine:
- 3664 (a) for an election held before January 1, 2029:
- 3665 (i) ~~[that]~~ if the return envelope contains a four digit number on the portion of the return envelope for a
voter to enter the last four digits of the voter's Utah driver license number, Utah state identification
card number, or social security number, that the four digit number correctly identifies the last four
digits of one of those numbers for the voter to whom the return envelope relates; [or]
- 3670 (ii) if the return envelope does not contain [the digits described in Subsection (4)(a)(i)] a four digit
number on the portion of the return envelope described in Subsection (4)(a)(i), that:
- 3673 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return
envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 3676 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by
alternative means; and
- 3678 (iii) if the return envelope contains the correct four digit number under Subsection (4)(a)(i), that:
- 3680

SB0194S01 compared with SB0194S06

- 3683 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 3685 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by
3686 alternative means;
- 3685 (b) for an election held on or after January 1, 2029:
- 3686 (i)
- (A) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;
- 3689 [(ii)] (B) if the return envelope does not contain the digits described in Subsection (4)(b)(i), that the voter included in the return envelope a copy of the identification described in Subsection 20A-3a-204(2)(c)(ii); or
- 3692 [(iii)] (C) for a voter described in Subsection 20A-3a-301(7), that the voter complied with Subsection 20A-3a-301(7); and
- 3694 (ii) that:
- 3695 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 3698 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by
alternative means;
- 3700 (c) that the affidavit is sufficient;
- 3701 (d) that the voter is registered to vote in the correct precinct;
- 3702 (e) that the voter's right to vote the ballot has not been challenged;
- 3703 (f) that the voter has not already voted in the election; and
- 3704 (g) for a voter who has not yet provided valid voter identification with the voter's voter registration, whether the voter has provided valid voter identification with the return envelope.
- 3707 (5)
- (a) [H] Subject to Sections 20A-2-508 and 20A-3a-201.5, if the poll workers make all of the findings described in Subsection (4), the poll workers shall:
- 3709 (i) remove the manual ballot from the return envelope in a manner that does not destroy the affidavit on the return envelope;
- 3711 (ii) ensure that the ballot is not examined in connection with the return envelope; and
- 3712 (iii) place the ballot with the other ballots to be counted.

SB0194S01 compared with SB0194S06

- 3713 (b) If the poll workers do not make all of the findings described in Subsection (4), the poll workers shall:
- 3715 (i) disallow the vote;
- 3716 (ii) except as provided in Subsection (6), without opening the return envelope, record the ballot as "rejected" and state the reason for the rejection; and
- 3718 (iii) except as provided in Subsection (6), place the return envelope, unopened, with the other rejected return envelopes.
- 3720 (6) A poll worker may open a return envelope, if necessary, to determine compliance with Subsection (4)(b)(ii), (4)(b)(iii), or (4)(g).
- 3722 (7)
- (a) If the poll workers reject an individual's ballot because the poll workers determine that the return envelope does not comply with Subsection (4), the election officer shall:
- 3725 (i) contact the individual in accordance with Subsection (8); and
- 3726 (ii) inform the individual:
- 3727 (A) that the identification information provided on the return envelope is in question;
- 3729 (B) how the individual may resolve the issue; and
- 3730 (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).
- 3733 (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 return envelope is not reasonably consistent with the individual's signature in the voter registration records, the election officer shall:
- 3738 (i) contact the individual in accordance with Subsection (8); and
- 3739 (ii) inform the individual:
- 3740 (A) that the individual's signature is in question;
- 3741 (B) how the individual may resolve the issue; and
- 3742 (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).
- 3745 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b) includes:

SB0194S01 compared with SB0194S06

- 3747 (i) when communicating the notice by mail, a printed copy of the affidavit described in Subsection (7)
3749 (d) and a courtesy reply envelope;
- 3749 (ii) when communicating the notice electronically, a link to a copy of the affidavit described in
3752 Subsection (7)(d) or information on how to obtain a copy of the affidavit; or
- 3752 (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)
3756 (d), either in person from the clerk's office, by mail, or electronically.
- 3756 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- 3757 (i) an attestation that the individual voted the ballot;
- 3758 (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;
- 3760 (iii) a space for the individual to sign the affidavit;
- 3761 (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
- 3764 (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 _____".
- 3769 (e) In order for an individual described in Subsection (7)(a) or (b) to have the individual's ballot
counted, the individual shall deliver the affidavit described in Subsection (7)(d) to the election
officer.
- 3772 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall immediately:
- 3774 (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;
- 3776 (ii) if the election officer receives the affidavit no later than noon on the last business day before the day
on which the canvass begins, count the individual's ballot; and
- 3778 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the rules described in
Subsection (13)(c).
- 3780 (8)

SB0194S01 compared with SB0194S06

- (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:
- 3783 (i) the ballot is cured within one business day after the day on which the ballot is rejected; or
- 3785 (ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.
- 3787 (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:
- 3791 (i) 30 calendar days after the day of the rejection; or
- 3792 (ii) 30 calendar days after the day of the election.
- 3793 (c) The election officer may, when notifying an individual by phone under this Subsection (8), use auto-dial technology.
- 3795 (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:
- 3798 (a) receives a signed affidavit from the individual under Subsection (7); or
- 3799 (b)
- 3800 (i) contacts the individual;
- 3804 (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;
- 3805 (iii) verifies the identity of the individual by:
- 3807 (A) requiring the individual to provide at least two types of personal identifying information for the individual; and
- 3810 (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
- 3811 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 3812 (A) the name and voter identification number of the individual contacted;
- 3813 (B) the name of the individual who conducts the verification;
- (C) the date and manner of the communication;

SB0194S01 compared with SB0194S06

- 3814 (D) the type of personal identifying information provided by the individual;
- 3815 (E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and
- 3817 (F) other information required by the lieutenant governor.
- 3818 (10)
- (a) The election officer shall retain and preserve:
- 3819 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 3820 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection 20A-4-202(3).
- 3822 (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).
- 3826 (11)
- (a) The election officer shall record the following in the database used in the verification process:
- 3828 (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
- 3830 (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.
- 3832 (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:
- 3835 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 3836 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in records on file, do not correspond.
- 3838 (12) Willful failure to comply with this section constitutes willful neglect of duty under Section 20A-5-701.
- 3840 (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:
- 3843 (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);
- 3845 (b) training and certification requirements for election officers and employees of election officers regarding the criteria and processes described in Subsection (13)(a); and
- 3847

SB0194S01 compared with SB0194S06

(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).

3850 (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:

3853 (i) a candidate in the election;

3854 (ii) an individual who represents the candidate's campaign;

3855 (iii) the sponsors of an initiative or referendum appearing on the ballot; or

3856 (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.

3859 (b) If an election officer discloses the information described in Subsection (14)(a), the election officer shall:

3861 (i) make the disclosure within two business days after the day on which the request is made;

3863 (ii) respond to each request in the order the requests were made; and

3864 (iii) make each disclosure in a manner, and within a period of time, that does not reflect favoritism to one requestor over another.

3866 (c)

(i) ~~[A] Before January 1, 2027, 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)] voter with a segregated record, as defined in Section 20A-2-601.~~

3870 (ii) Beginning on January 1, 2027, a disclosure described in this Subsection (14) may not include any information relating to an at-risk voter, as defined in Section 20A-2-601.

356 Section 7. Section 20A-5-101 is amended to read:

357 **20A-5-101. Notice of election.**

358 (1) On or before November 15 in the year before each regular general election year, the lieutenant governor shall prepare and transmit a written notice to each county clerk that:

360 (a) designates the offices to be filled at the next year's regular general election;

361

SB0194S01 compared with SB0194S06

- (b) identifies the dates for filing a declaration of candidacy~~[-and for submitting and certifying nomination petition signatures, as applicable,]~~ under Sections 20A-9-403[~~;~~] and 20A-9-407~~[-and 20A-9-408]~~ for those offices; and
- 364 (c) contains a description of any ballot propositions to be decided by the voters that have qualified for
the ballot as of that date.
- 366 (2)
- (a) No later than seven business days after the day on which the lieutenant governor transmits the
written notice described in Subsection (1), each county clerk shall provide notice for the county, as a
class A notice under Section 63G-30-102, for seven business days before the day of the election and
in accordance with Subsection (3).
- 371 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a), showing a copy of
the notice and the places where the notice was posted.
- 373 (3) The notice described in Subsection (2) shall:
- 374 (a) designate the offices to be voted on in that election; and
- 375 (b) identify the dates for filing a declaration of candidacy for those offices.
- 376 (4) Except as provided in Subsection (6), before each election, the election officer shall give printed
notice of the following information:
- 378 (a) the date of election;
- 379 (b) the hours during which the polls will be open;
- 380 (c) the polling places for each voting precinct, early voting polling place, and election day voting
center;
- 382 (d) 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 any changes to the location of a polling place and the location of any additional polling
place;
- 386 (e) a phone number that a voter may call to obtain information regarding the location of a polling place;
- 388 (f) the qualifications for persons to vote in the election: and
- 389 (g) instructions regarding how an individual with a disability, who is not able to vote a manual ballot by
mail, may obtain information on voting in an accessible manner.

391

SB0194S01 compared with SB0194S06

(5) The election officer shall provide the notice described in Subsection (4) for the jurisdiction, as a class A notice under Section 63G-30-102, for at least seven business days before the day of the election.

394 (6) Instead of including the information described in Subsection (4) in the notice, the election officer
may give printed notice that:

396 (a) is entitled "Notice of Election";

397 (b) includes the following: "A [indicate election type] will be held in [indicate the jurisdiction] on
[indicate date of election]. Information relating to the election, including polling places, polling
place hours, and qualifications of voters may be obtained from the following sources:"; and

401 (c) specifies the following sources where an individual may view or obtain the information described in
Subsection (4):

403 (i) if the jurisdiction has a website, the jurisdiction's website;

404 (ii) the physical address of the jurisdiction offices; and

405 (iii) a mailing address and telephone number.

3873 ~~{Section 33. Section 20A-5-410 is amended to read: }~~

3874 **20A-5-410. Election officer to provide voting history information and status -- Restrictions.**

3876 (1) As used in this section, "voting history record" means the following information relating to a
registered voter:

3878 (a) the information ~~[in the voter's voter registration record]~~ described in Subsections 20A-2-601(a)
through (k), in relation to the voter, other than the information classified as private under Subsection
63G-2-302(1)(j);

3881 (b) the voter's privacy status;

3882 ~~[(e) the voter's status as active or inactive;]~~

3883 ~~[(d) the voter's voter identification number;]~~

3884 ~~[(e) the voter's federal information processing system code;]~~

3885 ~~[(f) the voter's precinct;]~~

3886 ~~[(g) each political district in which the voter is a resident;]~~

3887 ~~[(h)]~~ (c) a list of elections in which the voter voted;

3888 ~~[(i)]~~ (d) whether the voter voted in person on election day;

3889 ~~[(j)]~~ (e) whether the voter voted in person before election day;

3890 ~~[(k)]~~ (f) whether the voter returned a mailed ballot;

SB0194S01 compared with SB0194S06

- 3891 ~~[(f)]~~ (g) whether the voter's ballot was mailed to an alternate address; and
- 3892 ~~[(m)]~~ (h) the date on which the voter voted or on which the voter returned a mailed ballot.
- 3893 (2)
- (a) Each election officer shall maintain, in the election officer's office, a voting history record of those voters registered to vote in the election officer's jurisdiction.
- 3895 (b) The voting history record is a public record under Title 63G, Chapter 2, Government Records Access and Management Act, except:
- 3897 (i) as it relates to a voter whose voter registration record is classified as private under Subsection 63G-2-302(1)(k) or (l);~~[-or]~~
- 3899 (ii) a record or information described in Subsection ~~[63G-2-302(1)(n).]~~ 63G-2-302(1)(m) or (n); or
- 3901 (iii) as provided in Subsection (3).
- 3902 (3)
- (a) When an election officer reports voting history for an election, the election officer shall, for each ~~[voter whose voter registration is classified as private under Subsection 20A-2-104(4)(h), report the following, for that election only,]~~ at-risk voter, as defined in Section 20A-2-601, without disclosing the identity of the at-risk voter, report, for that election only, only the following information:
- 3907 (i) for voting by mail, the information described in Subsection (4)(a);
- 3908 (ii) for early voting, the date the individual voted; and
- 3909 (iii) for voting on election day, the date the individual voted.
- 3910 (b) In relation to the information of ~~[a voter whose voter registration is classified as private under Subsection 20A-2-104(4)(h)]~~ an at-risk voter, as defined in Section 20A-2-601, a report described in Subsection (3)(a) may not disclose, by itself or in conjunction with any other public information, the identity or any other personal identifying information of the voter.
- 3915 (4) Subject to Subsection (5), the election officer shall ensure that the voting history record kept by the election officer for each voting precinct contains:
- 3917 (a) for voting by mail:
- 3918 (i) the date that the manual ballot was mailed to the voter; and
- 3919 (ii) the date that the voted manual ballot was received by the election officer;
- 3920 (b) for early voting:
- 3921 (i) the name and address of each individual who participated in early voting; and
- 3922 (ii) the date the individual voted; and

SB0194S01 compared with SB0194S06

- 3923 (c) for voting on election day, the name and address of each individual who voted on election day.
- 3925 (5) Subsection (4) does not authorize the disclosure of the information described in Subsection (4) beyond the extent expressly provided in Subsections (2) and (3).
- 3927 (6)
- (a) Notwithstanding the time limits for response to a request for records under Section 63G-2-204 or the time limits for a request for records established in any ordinance, the election officer shall ensure that the information required to be disclosed under this section is recorded and made available to the public no later than one business day after the day on which the election officer receives the information.
- 3932 (b) Notwithstanding the fee requirements of Section 63G-2-203 or the fee requirements established in any ordinance, the election officer shall, subject to Subsection 20A-2-104(1)(c)(v), make copies of the voting history record available to the public, in accordance with this section, for the actual cost of production or copying.

3936 ~~{Section 34. Section 20A-6-105 is amended to read: }~~

3937 **20A-6-105. Provisional ballot envelopes.**

3938 (1) Each election officer shall ensure that provisional ballot envelopes are printed in substantially the following form:

3940 (a)

(i) the envelope shall include the following statement:

3941 "AFFIRMATION

3942 Are you a citizen of the United States of America? Yes No

3943 Will you be 18 years old on or before election day? Yes No

3944 If you checked "no" in response to either of the two above questions, do not complete this form.";

3946 (ii) beginning on January 1, 2028, the envelope shall include the following statement:

3947 "You must be a United States citizen to vote. If you fail to provide proof of United States citizenship, you will only be permitted to vote for federal offices. Information on how to provide proof of citizenship is included on or with this form.";

3951 (iii) the envelope shall include the following:

3952 "Name of Voter _____

3953 First Middle Last

SB0194S01 compared with SB0194S06

3954 Driver License or Identification Card Number _____

3955 State of Issuance of Driver License or Identification Card Number _____

3956 Date of Birth _____

3957 Street Address of Principal Place of Residence

3958 _____

3959 City County State Zip Code

3960 Tribal Identification Number or Alien Registration Number (optional)

3962 Telephone Number (optional) _____

3963 Email Address (optional) _____

3964 Do you consent to receive communications from the political party with which you affiliate, and

candidates for that political party, as follows (optional):

3966 • At the email address you provided above? Yes No

3967 • By text or phone call, at the phone number you provided above? Yes No

3968 Last four digits of Social Security Number _____

3969 Last former address at which I was registered to vote (if known)

3970 _____

3971 City County State Zip Code

3972 Voting Precinct (if known) _____

3973 I, (please print your full name) _____ do solemnly swear or affirm:

3975 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

3978 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.

3982 Signed _____

3984 Dated _____

3986 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.

SB0194S01 compared with SB0194S06

3988

PRIVACY INFORMATION

3989

Voter registration records contain some information that is available to the public, such as your name, address, and year of birth. Your full date of birth, driver license number, state identification card number, and social security number are available only to an authorized government entity. Your email address and phone number are also only available to an authorized government entity, unless you have consented, above, to disclose them to the political party with which you choose to affiliate and candidates for that political party.

3995

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

3996

In addition to the protections provided above, you may request that your voter registration record be withheld from public disclosure if you or someone you live with:

3998

• is at risk of domestic violence;

3999

• is a law enforcement officer;

4000

• is a member of the military who is deployed away from home;

4001

• is a public figure; or

4002

• is protected by a court order.

4003

To make this request for additional privacy protection, you must prove that you qualify by submitting an at-risk voter request form, and any required proof, to the county clerk.

4005

~~[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.~~

4009

~~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.~~

4013

~~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:~~

4016

~~_____ 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.~~

4019

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

SB0194S01 compared with SB0194S06

4020 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.

4025 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.

4031 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.]

4037 CITIZENSHIP AFFIDAVIT

4038 Name:

4039 Name at birth, if different:

4040 Place of birth:

4041 Date of birth:

4042 Date and place of naturalization (if applicable):

4043 I hereby swear [and] or 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.

4046

4047 _____
Signature of Applicant

4048 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."; and

4051 (iv) on or with the form on the envelope, the statement described in Subsection Subsection
20A-2-104(1)(e);

4053

SB0194S01 compared with SB0194S06

(b) the following statement shall appear after the ~~[statement described in]~~ provisions required under Subsection (1)(a):

4055

"BALLOT NOTIFICATIONS

4056

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

4059

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

4061

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

4062

_____ Mail a ballot to me.

4063

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

4064

(2) The provisional ballot envelope shall include:

4065

(a) a unique number;

4066

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

4067

(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

4070

(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.

406

Section 8. Section 20A-8-103 is amended to read:

407

20A-8-103. Petition procedures -- Criminal penalty -- Removal of signature.

408

(1) As used in this section, the proposed name or emblem of a registered political party is "distinguishable" if a reasonable person of average intelligence will be able to perceive a difference between the proposed name or emblem and any name or emblem currently being used by another registered political party.

412

(2) To become a registered political party, an organization of registered voters that is not a continuing political party shall:

414

(a) circulate a petition seeking registered political party status beginning no earlier than the date of the statewide canvass held after the last regular general election and ending before 5 p.m. no later than November 30 of the year before the year in which the next regular general election will be held;

418

(b) file a petition with the lieutenant governor that is signed, with a holographic signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the year in which a regular general election will be held; and

421

(c) file, with the petition described in Subsection (2)(b), a document certifying:

SB0194S01 compared with SB0194S06

- 422 (i) the identity of one or more registered political parties whose members may vote for the
organization's candidates; and
- 424 (ii) whether unaffiliated voters may vote for the organization's candidates[; ~~and~~] .
- 425 [~~(iii) whether, for the next election, the organization intends to nominate the organization's candidates in
accordance with the provisions of Section 20A-9-406.~~]
- 427 (3) The petition shall:
- 428 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;
- 429 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for the
purpose of binding;
- 431 (c) contain the name of the political party and the words "Political Party Registration Petition" printed
directly below the horizontal line;
- 433 (d) contain the word "Warning" printed directly under the words described in Subsection (3)(c);
- 435 (e) contain, to the right of the word "Warning," the following statement printed in not less than eight-
point, single leaded type:
- 437 "It is a class A misdemeanor for anyone to knowingly sign a political party registration petition
signature sheet with any name other than the individual's own name or more than once for the
same party or if the individual is not registered to vote in this state and does not intend to become
registered to vote in this state before the petition is submitted to the lieutenant governor.";
- 442 (f) contain the following statement directly under the statement described in Subsection (3)(e):
- 443 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____, Lieutenant
Governor:
- 445 We, the undersigned citizens of Utah, seek registered political party status for _____ (name);
- 447 Each signer says:
- 448 I have personally signed this petition with a holographic signature;
- 449 I am registered to vote in Utah or will register to vote in Utah before the petition is submitted to
the lieutenant governor;
- 451 I am or desire to become a member of the political party; and
- 452 My street address is written correctly after my name.";
- 453 (g) be vertically divided into columns as follows:
- 454 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be headed with "For
Office Use Only," and be subdivided with a light vertical line down the middle;

SB0194S01 compared with SB0194S06

- 457 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed Name (must be
legible to be counted)";
- 459 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of Registered Voter";
- 461 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
- 462 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip Code"; and
- 464 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age information is not
required, but it may be used to verify your identity with voter registration records. If you choose
not to provide it, your signature may not be certified as a valid signature if you change your address
before petition signatures are certified or if the information you provide does not match your voter
registration records.";
- 470 (h) have a final page bound to one or more signature sheets that are bound together that contains the
following printed statement:
- 472 "Verification
473 State of Utah, County of ____
474 I, _____, of _____, hereby state that:
475 I am at least 18 years old;
476 All the names that appear on the signature sheets bound to this page were signed by individuals
who professed to be the individuals whose names appear on the signature sheets, and each
individual signed the individual's name on the signature sheets in my presence;
- 479 I believe that each individual has printed and signed the individual's name and written the
individual's street address correctly, and that each individual is registered to vote in Utah or will
register to vote in Utah before the petition is submitted to the lieutenant governor.
- 482 _____
483 (Signature) (Residence Address) (Date)"; and
- 484 (i) be bound to a cover sheet that:
- 485 (i) identifies the political party's name, which may not exceed four words, and the emblem of the party;
- 487 (ii) states the process that the organization will follow to organize and adopt a constitution and bylaws;
and
- 489 (iii) is signed by a filing officer, who agrees to receive communications on behalf of the organization.
- 491 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in whose
presence each signature sheet is signed:

SB0194S01 compared with SB0194S06

- 493 (a) is at least 18 years old; and
- 494 (b) verifies each signature sheet by completing the verification bound to one or more signature sheets
that are bound together.
- 496 (5) An individual may not sign the verification if the individual signed a signature sheet bound to the
verification.
- 498 (6) The lieutenant governor shall:
- 499 (a) use the procedures described in Section 20A-1-1002 to determine whether a signer is a registered
voter;
- 501 (b) review the proposed name and emblem to determine if they are "distinguishable" from the names
and emblems of other registered political parties; and
- 503 (c) certify the lieutenant governor's findings to the filing officer described in Subsection (3)(i)(iii)
within 30 calendar days after the day on which the organization files the petition described in
Subsection (2)(b).
- 506 (7)
- (a) If the lieutenant governor determines that the petition meets the requirements of this section, and
that the proposed name and emblem are distinguishable, the lieutenant governor shall authorize the
filing officer described in Subsection (3)(i)(iii) to organize the prospective political party.
- 510 (b) If the lieutenant governor finds that the name, emblem, or both are not distinguishable from the
names and emblems of other registered political parties, the lieutenant governor shall notify the
filing officer that the filing officer has seven calendar days to electronically submit a new name or
emblem to the lieutenant governor.
- 515 (8) A registered political party may not change its name or emblem during the regular general election
cycle.
- 517 (9)
- (a) It is unlawful for an individual to:
- 518 (i) knowingly sign a political party registration petition:
- 519 (A) with any name other than the individual's own name;
- 520 (B) more than once for the same political party; or
- 521 (C) if the individual is not registered to vote in this state and does not intend to become registered to
vote in this state before the petition is submitted to the lieutenant governor; or
- 524 (ii) sign the verification of a political party registration petition signature sheet if the individual:

SB0194S01 compared with SB0194S06

- 526 (A) has not witnessed the signing by those individuals whose names appear on the political party
registration petition signature sheet; or
- 528 (B) knows that an individual whose signature appears on the political party registration petition
signature sheet is not registered to vote in this state and does not intend to become registered to vote
in this state.
- 531 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.
- 532 (10)
- (a) A voter who signs a petition under this section may have the voter's signature removed from the
petition by, no later than three business days after the day on which the petition is filed with the
lieutenant governor, submitting to the lieutenant governor a statement requesting that the voter's
signature be removed.
- 536 (b) A statement described in Subsection (10)(a) shall comply with the requirements described in
Subsection 20A-1-1003(2).
- 538 (c) The lieutenant governor shall use the procedures described in Subsection 20A-1-1003(3) to
determine whether to remove an individual's signature from a petition after receiving a timely, valid
statement requesting removal of the signature.

541 Section 9. Section 20A-9-101 is amended to read:

542 **20A-9-101. Definitions.**

As used in this chapter:

- 544 (1)
- (a) "Candidates for elective office" means persons who file a declaration of candidacy under Section
20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty
office, or county office.
- 547 (b) "Candidates for elective office" does not mean candidates for:
- 548 (i) justice or judge of court of record or not of record;
- 549 (ii) presidential elector;
- 550 (iii) any political party offices; and
- 551 (iv) municipal or special district offices.
- 552 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney general,
state auditor, and state treasurer.
- 554 (3) "Continuing political party" means the same as that term is defined in Section 20A-8-101.

SB0194S01 compared with SB0194S06

- 556 (4)
- (a) "County office" means an elective office where the officeholder is selected by voters entirely within one county.
- 558 (b) "County office" does not mean:
- 559 (i) the office of justice or judge of any court of record or not of record;
- 560 (ii) the office of presidential elector;
- 561 (iii) any political party offices;
- 562 (iv) any municipal or special district offices; and
- 563 (v) the office of United States Senator and United States Representative.
- 564 [~~(5) "Electronic candidate qualification process" means:]~~
- 565 [~~(a) as it relates to a registered political party that is not a qualified political party, the process for gathering signatures electronically to seek the nomination of a registered political party, described in:]~~
- 568 [~~(i) Section 20A-9-403;~~]
- 569 [~~(ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and]~~
- 570 [~~(iii) Section 20A-21-201; and]~~
- 571 [~~(b) as it relates to a qualified political party, the process, for gathering signatures electronically to seek the nomination of a registered political party, described in:]~~
- 573 [~~(i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);]~~
- 574 [~~(ii) Section 20A-9-408; and]~~
- 575 [~~(iii) Section 20A-21-201.]~~
- 576 [(6)] (5) "Federal office" means an elective office for United States Senator and United States Representative.
- 578 [(7)] (6) "Filing officer" means:
- 579 (a) the lieutenant governor, for:
- 580 (i) the office of United States Senator and United States Representative; and
- 581 (ii) all constitutional offices;
- 582 (b) for the office of a state senator, state representative, or the state school board, the lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
- 584 (c) the county clerk, for county offices and local school district offices;
- 585 (d) the county clerk in the filer's county of residence, for multicounty offices;

SB0194S01 compared with SB0194S06

- 586 (e) the city or town clerk, for municipal offices; or
587 (f) the special district clerk, for special district offices.
- 588 ~~[(8)]~~ (7) "Local government office" includes county offices, municipal offices, and special district
offices and other elective offices selected by the voters from a political division entirely within one
county.
- 591 ~~[(9) "Manual candidate qualification process" means the process for gathering signatures to seek the
nomination of a registered political party, using paper signature packets that a signer physically
signs.]~~
- 594 ~~[(10)]~~ (8)
- (a) "Multicounty office" means an elective office where the officeholder is selected by the voters from
more than one county.
- 596 (b) "Multicounty office" does not mean:
- 597 (i) a county office;
598 (ii) a federal office;
599 (iii) the office of justice or judge of any court of record or not of record;
600 (iv) the office of presidential elector;
601 (v) any political party offices; or
602 (vi) any municipal or special district offices.
- 603 ~~[(11)]~~ (9) "Municipal office" means an elective office in a municipality.
- 604 ~~[(12)]~~ (10)
- (a) "Political division" means a geographic unit from which an officeholder is elected and that an
officeholder represents.
- 606 (b) "Political division" includes a county, a city, a town, a special district, a school district, a legislative
district, and a county prosecution district.
- 608 ~~[(13) "Qualified political party" means a registered political party that:]~~
- 609 ~~[(a)~~
- ~~(i) permits a delegate for the registered political party to vote on a candidate nomination in the
registered political party's convention remotely; or]~~
- 611 ~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not present at the
registered political party's convention;]~~
- 613

SB0194S01 compared with SB0194S06

~~[(b) does not hold the registered political party's convention before the fourth Saturday in March of an even-numbered year;]~~

615 ~~[(c) permits a member of the registered political party to seek the registered political party's nomination for any elective office by the member choosing to seek the nomination by either or both of the following methods:]~~

618 ~~[(i) seeking the nomination through the registered political party's convention process, in accordance with the provisions of Section 20A-9-407; or]~~

620 ~~[(ii) seeking the nomination by collecting signatures, in accordance with the provisions of Section 20A-9-408; and]~~

622 ~~[(d)~~

~~(i) if the registered political party is a continuing political party, no later than 5 p.m. on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or]~~

627 ~~[(ii) if the registered political party is not a continuing political party, certifies at the time that the registered political party files the petition described in Section 20A-8-103 that, for the next election, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406.]~~

632 ~~[(14) "Signature," as it relates to a petition for a candidate to seek the nomination of a registered political party, means:]~~

634 ~~[(a) when using the manual candidate qualification process, a holographic signature collected physically on a nomination petition described in Subsection 20A-9-405(3); or]~~

637 ~~[(b) when using the electronic candidate qualification process:]~~

638 ~~[(i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or]~~

639 ~~[(ii) a holographic signature collected electronically under Subsection 20A-21-201(6)(c)(ii)(B).]~~

641 ~~[(15)]~~ (11) "Special district office" means an elected office in a special district.

642 Section 10. Section 20A-9-201 is amended to read:

643 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of more than one political party prohibited with exceptions -- General filing and form requirements -- Affidavit of impecuniosity.**

646 (1) Before filing a declaration of candidacy for election to any office, an individual shall:

SB0194S01 compared with SB0194S06

- 647 (a) be a United States citizen;
- 648 (b) meet the legal requirements of that office; and
- 649 (c) if seeking a registered political party's nomination as a candidate for elective office, state:
- 651 (i) the registered political party of which the individual is a member; or
- 652 (ii) that the individual is not a member of a registered political party.
- 653 (2)
- (a) Except as provided in Subsection (2)(b), an individual may not:
- 654 (i) file a declaration of candidacy for, or be a candidate for, more than one office in Utah during any
election year;
- 656 (ii) appear on the ballot as the candidate of more than one political party; or
- 657 (iii) file a declaration of candidacy for a registered political party of which the individual is not
a member, except to the extent that the registered political party permits otherwise in the
registered political party's bylaws.
- 660 (b)
- (i) An individual may file a declaration of candidacy for, or be a candidate for, president or vice
president of the United States and another office, if the individual resigns the individual's candidacy
for the other office after the individual is officially nominated for president or vice president of the
United States.
- 665 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more than one justice
court judge office.
- 667 (iii) An individual may file a declaration of candidacy for lieutenant governor even if the individual
filed a declaration of candidacy for another office in the same election year if the individual
withdraws as a candidate for the other office in accordance with Subsection 20A-9-202(6) before
filing the declaration of candidacy for lieutenant governor.
- 672 (iv) For the 2026 election year only, an individual who files a declaration of candidacy to seek the
nomination of a qualified political party for constitutional office, multicounty office, or county
office:
- 675 (A) may also be a candidate for United States representative;
- 676 (B) may, if the individual desires to use the signature-gathering process to qualify for the primary
election ballot for the office of United States representative, file a notice of intent to gather
signatures for, and gather signatures for, that office; and

SB0194S01 compared with SB0194S06

- 680 (C) shall, before filing a declaration of candidacy for the office of United States representative,
withdraw as a candidate for the constitutional office, multicounty office, or county office for which
the individual filed a declaration of candidacy.
- 684 (3)
- (a) Except for a candidate for president or vice president of the United States, before the filing officer
may accept any declaration of candidacy, the filing officer shall:
- 686 (i) read to the individual the constitutional and statutory qualification requirements for the office
that the individual is seeking;
- 688 (ii) require the individual to state whether the individual meets the requirements described in
Subsection (3)(a)(i);
- 690 (iii) if the declaration of candidacy is for a county office, inform the individual that an individual
who holds a county elected office may not, at the same time, hold a municipal elected office;
and
- 693 (iv) if the declaration of candidacy is for a legislative office, inform the individual that Utah
Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit or
trust, under authority of the United States or Utah, from being a member of the Legislature.
- 697 (b)
- (i) Before accepting a declaration of candidacy for the office of county attorney, the county clerk shall
ensure that the individual filing that declaration of candidacy is:
- 700 (A) a United States citizen;
- 701 (B) an attorney licensed to practice law in the state who is an active member in good standing of the
Utah State Bar;
- 703 (C) a registered voter in the county in which the individual is seeking office; and
- 704 (D) a current resident of the county in which the individual is seeking office and either has been a
resident of that county for at least one year before the date of the election or was appointed and
is currently serving as county attorney and became a resident of the county within 30 calendar
days after appointment to the office.
- 709 (ii) An individual filing a declaration of candidacy for the office of county attorney shall submit with
the individual's declaration:
- 711 (A) a letter from the Utah Supreme Court, affirming that the individual is an attorney in good standing;
- 713

SB0194S01 compared with SB0194S06

- (B) proof of the individual's application with the Utah State Bar, with an affidavit describing the status of the individual's application; or
- 715 (C) an affidavit describing how the individual intends to comply with the requirements for office of county attorney described in Subsection (3)(b)(i), prior to taking office.
- 718 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual shall also provide the filing officer with the individual's license number with:
- 720 (A) the Utah State Bar, if the individual is a member; or
- 721 (B) any other state bar association, if the individual is a member.
- 722 (c)
- (i) Before accepting a declaration of candidacy for the office of district attorney, the county clerk shall ensure that, as of the date of the election, the individual filing that declaration of candidacy is:
- 725 (A) a United States citizen;
- 726 (B) an attorney licensed to practice law in the state who is an active member in good standing of the Utah State Bar;
- 728 (C) a registered voter in the prosecution district in which the individual is seeking office; and
- 730 (D) a current resident of the prosecution district in which the individual is seeking office and either will have been a resident of that prosecution district for at least one year before the date of the election or was appointed and is currently serving as district attorney or county attorney and became a resident of the prosecution district within 30 calendar days after receiving appointment to the office.
- 736 (ii) An individual filing a declaration of candidacy for the office of district attorney shall submit with the individual's declaration:
- 738 (A) a letter from the Utah Supreme Court, affirming that the individual is an attorney in good standing;
- 740 (B) proof of the individual's application with the Utah State Bar, with an affidavit describing the status of the individual's application; or
- 742 (C) an affidavit describing how the individual intends to comply with the requirements for office of district attorney described in Subsection (3)(c)(i), prior to taking office.
- 745 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual shall also provide the filing officer with the individual's license number with:
- 747 (A) the Utah State Bar, if the individual is a member; or
- 748 (B) any other state bar association, if the individual is a member.

SB0194S01 compared with SB0194S06

- 749 (d) Before accepting a declaration of candidacy for the office of county sheriff, the county clerk shall
ensure that the individual filing the declaration:
- 751 (i) is a United States citizen;
- 752 (ii) is a registered voter in the county in which the individual seeks office;
- 753 (iii)
- (A) has successfully met the standards and training requirements established for law enforcement
officers under Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act; or
- 756 (B) has met the waiver requirements in Section 53-6-206;
- 757 (iv) is qualified to be certified as a law enforcement officer, as defined in Section 53-13-103; and
- 759 (v) before the date of the election, will have been a resident of the county in which the individual seeks
office for at least one year.
- 761 (e)
- (i) An individual filing a declaration of candidacy for the office of attorney general shall submit with
the individual's declaration:
- 763 (A) a letter from the Utah Supreme Court, affirming that the individual is an attorney in good
standing;
- 765 (B) proof of the individual's application with the Utah State Bar, with an affidavit describing the
status of the individual's application; or
- 767 (C) an affidavit describing how the individual intends to comply with the requirements for office of
attorney general, described in Article VII, Sec. 3, Utah Constitution, prior to taking office.
- 770 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual shall also provide the
filing officer with the individual's license number with:
- 772 (A) the Utah State Bar, if the individual is a member; or
- 773 (B) any other state bar association, if the individual is a member.
- 774 (iii) An individual filing the declaration of candidacy for the office of attorney general shall also make
the conflict of interest disclosure described in Section 20A-11-1603.
- 777 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant governor, state
auditor, state treasurer, state legislator, or State Board of Education member, the filing officer shall
ensure that the individual filing the declaration of candidacy also makes the conflict of interest
disclosure described in Section 20A-11-1603.

782

SB0194S01 compared with SB0194S06

- (4) If an individual who files a declaration of candidacy does not meet the qualification requirements for the office the individual is seeking, the filing officer may not accept the individual's declaration of candidacy.
- 785 (5) If an individual who files a declaration of candidacy meets the requirements described in Subsection
(3), the filing officer shall:
- 787 (a) inform the individual that:
- 788 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as the individual's
name is written on the individual's declaration of candidacy;
- 790 (ii) the individual may be required to comply with state or local campaign finance disclosure laws; and
- 792 (iii) the individual is required to file a financial statement before the individual's political convention
under:
- 794 (A) Section 20A-11-204 for a candidate for constitutional office;
- 795 (B) Section 20A-11-303 for a candidate for the Legislature; or
- 796 (C) local campaign finance disclosure laws, if applicable;
- 797 (b) except for a presidential candidate, provide the individual with a copy of the current campaign
financial disclosure laws for the office the individual is seeking and inform the individual that
failure to comply will result in disqualification as a candidate and removal of the individual's name
from the ballot;
- 801 (c)
- (i) provide the individual with a copy of Section 20A-7-801 regarding the Statewide Electronic
Voter Information Website Program and inform the individual of the submission deadline under
Subsection 20A-7-801(4)(a);
- 804 (ii) inform the individual that the individual must provide the filing officer with an email address that
the individual actively monitors:
- 806 (A) to receive a communication from a filing officer or an election officer; and
- 807 (B) if the individual wishes to display a candidate profile on the Statewide Electronic Voter Information
Website, to submit to the website the biographical and other information described in Subsection
20A-7-801(4)(a)(ii);
- 811 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is not a record under
Title 63G, Chapter 2, Government Records Access and Management Act; and
- 814 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);

SB0194S01 compared with SB0194S06

- 815 (d) provide the candidate with a copy of the pledge of fair campaign practices described under Section
20A-9-206 and inform the candidate that:
- 817 (i) signing the pledge is voluntary; and
- 818 (ii) signed pledges shall be filed with the filing officer;
- 819 (e) accept the individual's declaration of candidacy; and
- 820 (f) if the individual has filed for a partisan office, provide a certified copy of the declaration of
candidacy to the chair of the county or state political party of which the individual is a member.
- 823 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer shall:
- 825 (a) accept the candidate's pledge; and
- 826 (b) if the candidate has filed for a partisan office, provide a certified copy of the candidate's pledge to
the chair of the county or state political party of which the candidate is a member.
- 829 (7)
- (a) Except for a candidate for president or vice president of the United States, the form of the
declaration of candidacy shall:
- 831 (i) be substantially as follows:
- 832 "State of Utah, County of ____
- 833 I, _____, declare my candidacy for the office of _____, seeking the nomination of
the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet the qualifications
to hold the office, both legally and constitutionally, if selected; I reside at _____ in the
City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not knowingly violate any law
governing campaigns and elections; if filing via a designated agent, I will be out of the state of
Utah during the entire candidate filing period; I will file all campaign financial disclosure reports
as required by law; and I understand that failure to do so will result in my disqualification as a
candidate for this office and removal of my name from the ballot. The mailing address that I
designate for receiving official election notices is _____.
- 843 _____
- 844 Subscribed and sworn before me this _____(month\day\year).
- 845 Notary Public (or other officer qualified to administer oath)."; and
- 846 (ii) require the candidate to state, in the sworn statement described in Subsection (7)(a)(i):
- 848 (A) the registered political party of which the candidate is a member; or
- 849 (B) that the candidate is not a member of a registered political party.

SB0194S01 compared with SB0194S06

- 850 (b) An agent designated under Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b) to file a declaration of
candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.
- 853 (8)
- (a) Except for a candidate for president or vice president of the United States, the fee for filing a
declaration of candidacy is:
- 855 (i) \$50 for candidates for the local school district board; and
- 856 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the person
holding the office for all other federal, state, and county offices.
- 858 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any candidate:
- 860 (i) who is disqualified; or
- 861 (ii) who the filing officer determines has filed improperly.
- 862 (c)
- (i) The county clerk shall immediately pay to the county treasurer all fees received from candidates.
- 864 (ii) The lieutenant governor shall:
- 865 (A) apportion to and pay to the county treasurers of the various counties all fees received for filing of
nomination certificates or acceptances; and
- 867 (B) ensure that each county receives that proportion of the total amount paid to the lieutenant governor
from the congressional district that the total vote of that county for all candidates for representative
in Congress bears to the total vote of all counties within the congressional district for all candidates
for representative in Congress.
- 872 (d)
- (i) A person who is unable to pay the filing fee may file a declaration of candidacy without payment
of the filing fee upon a prima facie showing of impecuniosity as evidenced by an affidavit of
impecuniosity filed with the filing officer and, if requested by the filing officer, a financial statement
filed at the time the affidavit is submitted.
- 877 (ii) A person who is able to pay the filing fee may not claim impecuniosity.
- 878 (iii)
- (A) False statements made on an affidavit of impecuniosity or a financial statement filed under this
section shall be subject to the criminal penalties provided under Sections 76-8-503 and 76-8-504 and
any other applicable criminal provision.

882

SB0194S01 compared with SB0194S06

(B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be considered an offense under this title for the purposes of assessing the penalties provided in Subsection 20A-1-609(2).

885 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially the following form:

887 "Affidavit of Impecuniosity

888 Individual Name _____ Address _____

890 Phone Number _____

891 I, _____ (name), do solemnly [swear] [affirm], under penalty of law for false statements, that, owing to my poverty, I am unable to pay the filing fee required by law.

894 Date _____ Signature _____

Affiant

896 Subscribed and sworn to before me on _____ (month\day\year)

897 _____

898 (signature)

899 Name and Title of Officer Authorized to Administer Oath _____".

900 (v) The filing officer shall provide to a person who requests an affidavit of impecuniosity a statement printed in substantially the following form, which may be included on the affidavit of impecuniosity:

903 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a candidate who is found guilty of filing a false statement, in addition to being subject to criminal penalties, will be removed from the ballot."

906 (vi) The filing officer may request that a person who makes a claim of impecuniosity under this Subsection (8)(d) file a financial statement on a form prepared by the election official.

909 (9) An individual who fails to file a declaration of candidacy or certificate of nomination within the time provided in this chapter is ineligible for nomination to office.

911 (10) A declaration of candidacy filed under this section may not be amended or modified after the final date established for filing a declaration of candidacy.

913 Section 11. Section 20A-9-201.5 is amended to read:

914 **20A-9-201.5. Declaration of candidacy filing period for a registered political party.**

For a [qualified] registered political party:

917

SB0194S01 compared with SB0194S06

(1) except as provided in Subsection (2), the filing period to file a declaration of candidacy for an elective office that is to be filled at the next regular general election:

919 (a) begins at 8 a.m. on the first business day in January of an even-numbered year; and

920 (b) ends at 5 p.m. on the fifth business day in January of an even-numbered year; and

921 (2) for the 2026 election year only, the filing period to file a declaration of candidacy for the office of United States representative:

923 (a) begins at 8 a.m. on March 9, 2026; and

924 (b) ends at 5 p.m. on March 13, 2026.

925 Section 12. Section 20A-9-202 is amended to read:

926 **20A-9-202. Declarations of candidacy for regular general elections.**

927 (1)

(a) An individual seeking to become a candidate for an elective office that is to be filled at the next regular general election shall:

929 (i) except as provided in Subsection (1)(c), file a declaration of candidacy in person with the filing officer on or after January 1 of the regular general election year~~[- and, if applicable, before the individual circulates nomination petitions under Section 20A-9-405];~~ and

933 (ii) pay the filing fee.

934 ~~[(b) Unless expressly provided otherwise in this title, for a registered political party that is not a qualified political party, the deadline for filing a declaration of candidacy for an elective office that is to be filled at the next regular general election is 5 p.m. on the first Monday after the fourth Saturday in April.]~~

938 ~~[(e)]~~ (b) Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent to file a declaration of candidacy with the filing officer if:

940 (i) the individual is located outside of the state during the entire filing period;

941 (ii) the designated agent appears in person before the filing officer;

942 (iii) the individual communicates with the filing officer using an electronic device that allows the individual and filing officer to see and hear each other; and

944 (iv) the individual provides the filing officer with an email address to which the filing officer may send the individual the copies described in Subsection 20A-9-201(5).

946

SB0194S01 compared with SB0194S06

- 950 [(d)] (c) Each county clerk who receives a declaration of candidacy from a candidate for multicounty
office shall transmit the filing fee and a copy of the candidate's declaration of candidacy to the
lieutenant governor within one business day after the candidate files the declaration of candidacy.
- 953 [(e)] (d) Each business day during the filing period, each county clerk shall notify the lieutenant
governor electronically or by telephone of candidates who have filed a declaration of candidacy with
the county clerk.
- 956 [(f)] (e) Each individual seeking the office of lieutenant governor, the office of district attorney, or the
office of president or vice president of the United States shall comply with the specific declaration
of candidacy requirements established by this section.
- 959 (2)
- (a) Each individual intending to become a candidate for the office of district attorney within a
multicounty prosecution district that is to be filled at the next regular general election shall:
- (i) file a declaration of candidacy with the clerk designated in the interlocal agreement creating the
prosecution district on or after January 1 of the regular general election year~~[-and before the
individual circulates nomination petitions under Section 20A-9-405];~~ and
- (ii) pay the filing fee.
- 964 (b) The designated clerk shall provide to the county clerk of each county in the prosecution district a
certified copy of each declaration of candidacy filed for the office of district attorney.
- 967 (3)
- (a) Before the deadline described in Subsection (1)(b), each lieutenant governor candidate shall:
- (i) file a declaration of candidacy with the lieutenant governor;
- (ii) pay the filing fee; and
- (iii) submit a letter from a candidate for governor who has received certification for the primary-
election ballot under Section 20A-9-403 that names the lieutenant governor candidate as a joint-
ticket running mate.
- 974 (b)
- (i) A candidate for lieutenant governor who fails to timely file is disqualified.
- 975 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to replace the
disqualified candidate.
- 977 (4) Before 5 p.m. no later than August 31, each registered political party shall:
- 978

SB0194S01 compared with SB0194S06

- (a) certify the names of the political party's candidates for president and vice president of the United States to the lieutenant governor; or
- 980 (b) provide written authorization for the lieutenant governor to accept the certification of candidates for president and vice president of the United States from the national office of the registered political party.
- 983 (5)
- (a) A declaration of candidacy filed under this section is valid unless a written objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last business day that is at least 10 calendar days before the deadline described in Subsection [~~20A-9-409(4)(e)~~] 20A-9-409(2)(c).
- 987 (b) If an objection is made, the clerk or lieutenant governor shall:
- 988 (i) mail or personally deliver notice of the objection to the affected candidate immediately; and
- 990 (ii) decide any objection within 48 hours after it is filed.
- 991 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the problem by:
- 993 (i) amending the declaration or petition no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the objection is sustained; or
- 996 (ii) filing a new declaration no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the objection is sustained.
- 998 (d)
- (i) The clerk's or lieutenant governor's decision upon objections to form is final.
- 999 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable by a district court if prompt application is made to the court.
- 1001 (iii) The decision of the district court is final unless the Supreme Court, in the exercise of its discretion, agrees to review the lower court decision.
- 1003 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing a written affidavit with the clerk.
- 1005 (7)
- (a) Except for a candidate who is certified by a registered political party under Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later than August 31 of a general election year, each individual running as a candidate for vice president of the United States shall:
- 1009 (i) file a declaration of candidacy, in person or via a designated agent, on a form developed by the lieutenant governor, that:

SB0194S01 compared with SB0194S06

- 1011 (A) contains the individual's name, address, and telephone number;
- 1012 (B) states that the individual meets the qualifications for the office of vice president of the United States;
- 1014 (C) names the presidential candidate, who has qualified for the general election ballot, with which the individual is running as a joint-ticket running mate;
- 1016 (D) states that the individual agrees to be the running mate of the presidential candidate described in Subsection (7)(a)(i)(C); and
- 1018 (E) contains any other necessary information identified by the lieutenant governor;
- 1019 (ii) pay the filing fee; and
- 1020 (iii) submit a letter from the presidential candidate described in Subsection (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice presidential candidate.
- 1023 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of candidacy.
- 1025 (c) A vice presidential candidate who fails to meet the requirements described in this Subsection (7) may not appear on the general election ballot.
- 1027 (8) An individual filing a declaration of candidacy for president or vice president of the United States shall pay a filing fee of \$500.

1029 Section 13. Section 20A-9-403 is amended to read:

1030 **20A-9-403. Regular primary elections.**

- 1031 (1)
- 1038 [~~(a) Candidates for elective office that are to be filled at the next regular general election shall be nominated in a regular primary election by direct vote of the people in the manner prescribed in this section.—~~]The regular primary election is held on the date specified in Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to qualify for a regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election as a write-in candidate under Section 20A-9-601.
- 1043 [~~(b) Each registered political party that chooses to have the names of the registered political party's candidates for elective office featured with party affiliation on the ballot at a regular general election shall comply with the requirements of this section and shall nominate the registered political party's candidates for elective office in the manner described in this section.~~]
- 1043 [~~(c) A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a registered political party or any other political group and~~]

SB0194S01 compared with SB0194S06

~~a candidate for elective office who is not nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).]~~

- 1047 ~~[(d)]~~ (a) Unless noted otherwise, the dates in this section refer to those that occur in each even-
numbered year in which a regular general election will be held.
- 1049 (2)
- 1051 (a) Each registered political party, in a statement filed with the lieutenant governor, shall~~[:]~~
~~[(i) either declare the registered political party's intent to participate in the next regular primary
election or declare that the registered political party chooses not to have the names of the
registered political party's candidates for elective office featured on the ballot at the next regular
general election; and]~~
- 1055 ~~[(ii)]~~ if the registered political party participates in the upcoming regular primary election, identify
one or more registered political parties whose members may vote for the registered political
party's candidates and whether individuals identified as unaffiliated with a political party may
vote for the registered political party's candidates.
- 1060 (b)
- (i) A registered political party that is a continuing political party shall file the statement described in
Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on November 30 of each odd-
numbered year.
- 1063 (ii) An organization that is seeking to become a registered political party under Section 20A-8-103 shall
file the statement described in Subsection (2)(a) at the time that the registered political party files the
petition described in Section 20A-8-103.
- 1067 ~~[(3)]~~
- (a) ~~Except as provided in Subsection (3)(e), an individual who submits a declaration of candidacy under
Section 20A-9-202 shall appear as a candidate for elective office on the regular primary ballot of the
registered political party listed on the declaration of candidacy only if the individual is certified by
the appropriate filing officer as having submitted a nomination petition that was:]~~
- 1072 ~~[(i) circulated and completed in accordance with Section 20A-9-405; and]~~
- 1073 ~~[(ii) signed by at least 2% of the registered political party's members who reside in the political
division of the office that the individual seeks.]~~
- 1075 ~~[(b)]~~

SB0194S01 compared with SB0194S06

- (i) ~~A candidate for elective office shall, in accordance with Section 20A-9-408.3, submit signatures for a nomination petition to the appropriate filing officer for verification and certification no later than 5 p.m. on March 31.]~~
- 1078 [(ii) ~~A candidate may supplement the candidate's submissions at any time on or before the filing deadline.]~~
- 1080 [(e)
- (i) ~~The lieutenant governor shall determine for each elective office the total number of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting the aggregate number of individuals residing in each elective office's political division who have designated a particular registered political party on the individuals' voter registration forms on or before November 15 of each odd-numbered year.]~~
- 1086 [(ii) ~~The lieutenant governor shall publish the determination for each elective office no later than November 30 of each odd-numbered year.]~~
- 1088 [(d) ~~The filing officer shall:]~~
- 1089 [(i) ~~except as otherwise provided in Section 20A-21-201, and in accordance with Section 20A-9-408.3, verify signatures on nomination petitions in a transparent and orderly manner, no later than 14 calendar days after the day on which a candidate submits the signatures to the filing officer;]~~
- 1093 [(ii) ~~for all qualifying candidates for elective office who submit nomination petitions to the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline described in Subsection 20A-9-202(1)(b);]~~
- 1096 [(iii) ~~consider active and inactive voters eligible to sign nomination petitions;]~~
- 1097 [(iv) ~~consider an individual who signs a nomination petition a member of a registered political party for purposes of Subsection (3)(a)(ii) if the individual has designated that registered political party as the individual's party membership on the individual's voter registration form; and]~~
- 1101 [(v) ~~except as otherwise provided in Section 20A-21-201 and with the assistance of the county clerk as applicable, use the procedures described in Section 20A-1-1002 to verify submitted nomination petition signatures, or use statistical sampling procedures to verify submitted nomination petition signatures in accordance with rules made under Subsection (3)(f).]~~
- 1106 [(e) ~~Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant governor may appear on the regular primary ballot of a registered political party without submitting~~

SB0194S01 compared with SB0194S06

~~nomination petitions if the candidate files a declaration of candidacy and complies with Subsection 20A-9-202(3).]~~

- 1110 [~~(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the director of elections, within the Office of the Lieutenant Governor, may make rules that:]~~
- 1113 [~~(i) provide for the use of statistical sampling procedures that:]~~
- 1114 [~~(A) filing officers are required to use to verify signatures under Subsection (3)(d); and]~~
- 1116 [~~(B) reflect a bona fide effort to determine the validity of a candidate's entire submission, using widely recognized statistical sampling techniques; and]~~
- 1118 [~~(ii) provide for the transparent, orderly, and timely submission, verification, and certification of nomination petition signatures.:~~]
- 1120 [~~(g) (3) The county clerk shall:~~
- 1121 [~~(i) (a) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;~~
- 1123 [~~(ii) (b) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and~~
- 1126 [~~(iii) (c) place the local board of education candidates' names on the ballot in accordance with Sections 20A-6-109 and 20A-6-110.~~
- 1128 (4)
- (a) Before the deadline described in Subsection [~~20A-9-409(4)(e)~~] 20A-9-409(2)(c), the lieutenant governor shall provide to the county clerks:
- 1130 (i) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications under Subsection (3), along with instructions on how those names shall appear on the primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1134 (ii) a list of unopposed candidates for elective office who have been nominated by a registered political party under Subsection (5)(c) and instruct the county clerks to exclude the unopposed candidates from the primary election ballot.
- 1137 (b) A candidate for lieutenant governor and a candidate for governor campaigning as joint-ticket running mates shall appear jointly on the primary election ballot.

1139

SB0194S01 compared with SB0194S06

- (c) After the county clerk receives the certified list from the lieutenant governor under Subsection (4) (a), the county clerk shall post or publish a primary election notice in substantially the following form:

1142 "Notice is given that a primary election will be held Tuesday, June ____, ____ (year), to
nominate party candidates for the parties and candidates for nonpartisan local school board positions
listed on the primary ballot. The polling place for voting precinct ____ is _____. The polls will open
at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."

1147 (5)

- (a) A candidate who, at the regular primary election, receives the highest number of votes cast for the office sought by the candidate is:

1149 (i) nominated for that office by the candidate's registered political party; or

1150 (ii) for a nonpartisan local school board position, nominated for that office.

- 1151 (b) If two or more candidates are to be elected to the office at the regular general election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the regular primary election are the nominees of the candidates' party for those positions.

1155 (c)

- (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

1156 (A) no individual other than the candidate receives a certification under Subsection (3) for the regular primary election ballot of the candidate's registered political party for a particular elective office; or

1159 (B) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification under Subsection (3) for the regular primary election of the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.

1163 (ii) A candidate who is unopposed for an elective office in the regular primary election of a registered political party is nominated by the party for that office without appearing on the primary election ballot.

1166 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

SB0194S01 compared with SB0194S06

- 1170 (7) An individual may not file a declaration of candidacy for a registered political party of which the
individual is not a member, except to the extent that the registered political party permits otherwise
under the registered political party's bylaws.
- 1173 Section 14. Section 20A-9-407 is amended to read:
- 1174 **20A-9-407. Convention process to seek the nomination of a registered political party.**
- 1176 (1) This section describes the requirements for a member of a [qualified] registered political party who
is seeking the nomination of a [qualified] registered political party for an elective office through the
[qualified] registered political party's convention process.
- 1179 (2) [~~Notwithstanding Subsection 20A-9-201(7)(a), the~~] The form of the declaration of candidacy for
a member of a [qualified] registered political party who is nominated by, or who is seeking the
nomination of, the [qualified] registered political party under this section shall be substantially as
described in Section 20A-9-408.5.
- 1183 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a
member of a [qualified] registered political party who, under this section, is seeking the nomination
of the [qualified] registered political party for an elective office that is to be filled at the next general
election, shall:
- 1187 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy in person with
the filing officer during the applicable declaration of candidacy filing period described in Section
20A-9-201.5; and
- 1190 (b) pay the filing fee.
- 1191 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a [qualified] registered political party
who, under this section, is seeking the nomination of the [qualified] registered political party for
the office of district attorney within a multicounty prosecution district that is to be filled at the next
general election, shall:
- 1195 (a) file a declaration of candidacy with the county clerk designated in the interlocal agreement creating
the prosecution district during the applicable declaration of candidacy filing period described in
Section 20A-9-201.5; and
- 1198 (b) pay the filing fee.
- 1199 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who files as the
joint-ticket running mate of an individual who is nominated by a qualified political party, under
this section, for the office of governor shall, during the applicable declaration of candidacy filing

SB0194S01 compared with SB0194S06

period described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the candidate for governor that names the lieutenant governor candidate as a joint-ticket running mate.

1205 (6)

[(a)] A [qualified] registered political party that nominates a candidate under this section shall:

1207

(a) for each office for which the registered political party will have two or more candidates on the regular primary election ballot for the party, certify the names of the candidates to the county clerk before the deadline described in Subsection *****; and

1211

(b) for each office for which the registered political party will not participate in the regular primary election, certify the name of the candidate who will appear on the general election ballot for the party before August 31. [~~certify the name of the candidate to the lieutenant governor before the deadline described in Subsection 20A-9-202(1)(b).~~]

1216

[(b) The lieutenant governor shall include, in the primary ballot certification or, for a race where a primary is not held because the candidate is unopposed, in the general election ballot certification, the name of each candidate nominated by a qualified political party under this section.]

1220

(7) A registered political party

1221

[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is nominated by a qualified political party under this section, designate the qualified political party that nominated the candidate.]

4072

~~{Section 35. Section 20A-9-408 is amended to read: }~~

4073

20A-9-408. Signature-gathering process to seek the nomination of a qualified political party -- Removal of signature.

4075

(1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of the qualified political party for an elective office through the signature-gathering process described in this section.

4078

(2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section 20A-9-408.5.

4082

(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election shall:

SB0194S01 compared with SB0194S06

- 4086 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable declaration of candidacy filing period described in Section 20A-9-201.5, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:
- 4091 (i) the name of the member who will attempt to become a candidate for a registered political party under this section;
- 4093 (ii) the name of the registered political party for which the member is seeking nomination;
- 4095 (iii) the office for which the member is seeking to become a candidate;
- 4096 (iv) the address and telephone number of the member; and
- 4097 (v) other information required by the lieutenant governor;
- 4098 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer during the applicable declaration of candidacy filing period described in Section 20A-9-201.5; and
- 4101 (c) pay the filing fee.
- 4102 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for the office of district attorney within a multicounty prosecution district that is to be filled at the next general election shall:
- 4106 (a) during the applicable declaration of candidacy filing period described in Section 20A-9-201.5, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:
- 4110 (i) the name of the member who will attempt to become a candidate for a registered political party under this section;
- 4112 (ii) the name of the registered political party for which the member is seeking nomination;
- 4114 (iii) the office for which the member is seeking to become a candidate;
- 4115 (iv) the address and telephone number of the member; and
- 4116 (v) other information required by the lieutenant governor;
- 4117 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer during the applicable declaration of candidacy filing period described in Section 20A-9-201.5; and
- 4120 (c) pay the filing fee.

SB0194S01 compared with SB0194S06

- 4121 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who files as the
joint-ticket running mate of an individual who is nominated by a qualified political party, under
this section, for the office of governor shall, during the applicable declaration of candidacy filing
period described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the
candidate for governor that names the lieutenant governor candidate as a joint-ticket running mate.
- 4127 (6) The lieutenant governor shall ensure that the certification described in Subsection 20A-9-701(1) also
includes the name of each candidate nominated by a qualified political party under this section.
- 4130 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is nominated by
a qualified political party under this section, designate the qualified political party that nominated
the candidate.
- 4133 (8) A member of a qualified political party may seek the nomination of the qualified political party for
an elective office by:
- 4135 (a) complying with the requirements described in this section; and
- 4136 (b) collecting signatures, on a form approved by the lieutenant governor that complies with Subsection
20A-9-405(3), during the period beginning on the day on which the member files a notice of intent
to gather signatures and ending at the applicable deadline described in Subsection (12), in the
following amounts:
- 4140 (i) for a statewide race, 28,000 signatures of registered voters in the state who are permitted by the
qualified political party to vote for the qualified political party's candidates in a primary election;
- 4143 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000 signatures of
registered voters who are residents of the congressional district and are permitted by the qualified
political party to vote for the qualified political party's candidates in a primary election;
- 4147 (iii) for a state Senate district race, 2,000 signatures of registered voters who are residents of the state
Senate district and are permitted by the qualified political party to vote for the qualified political
party's candidates in a primary election;
- 4150 (iv) for a state House district race, 1,000 signatures of registered voters who are residents of the state
House district and are permitted by the qualified political party to vote for the qualified political
party's candidates in a primary election;
- 4153 (v) for a State Board of Education race, the lesser of:
- 4154

SB0194S01 compared with SB0194S06

- (A) 2,000 signatures of registered voters who are residents of the State Board of Education district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election; or
- 4157 (B) 3% of the registered voters of the qualified political party who are residents of the applicable State Board of Education district; and
- 4159 (vi) for a county office race, the lesser of:
- 4160 (A) 2,000 signatures of registered voters who are residents of the area permitted to vote for the county office and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election; or
- 4163 (B) signatures of [~~3%~~] 1.5% of the registered voters who are residents of the area permitted to vote for the county office and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.
- 4167 (9)
- (a) This Subsection (9) applies only to the manual candidate qualification process.
- 4168 (b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, using the manual candidate qualification process, the member shall:
- 4171 (i) collect the signatures on a form approved by the lieutenant governor, using the same circulation and verification requirements described in Sections 20A-7-105 and 20A-7-204; and
- 4174 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election officer before the applicable deadline described in Subsection (12).
- 4176 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in accordance with Section 20A-9-408.3, the election officer shall, no later than the earlier of 14 calendar days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:
- 4182 (i) check the name of each individual who completes the verification for a signature packet to determine whether each individual is at least 18 years old;
- 4184 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at least 18 years old to the attorney general and the county attorney;
- 4186

SB0194S01 compared with SB0194S06

- (iii) with the assistance of the county clerk as applicable, determine whether each signer is a registered voter who is qualified to sign the petition, using the same method, described in Section 20A-1-1002, used to verify a signature on a petition; and
- 4190 (iv) certify whether each name is that of a registered voter who is qualified to sign the signature packet.
4192 (d)
- (i) A registered voter who physically signs a form under Subsections (8) and (9)(b) may have the voter's signature removed from the form by, no later than 5 p.m. three business days after the day on which the member submits the signature form to the election officer, submitting to the election officer a statement requesting that the voter's signature be removed.
- 4197 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements described in Subsection 20A-1-1003(2).
- 4199 (iii) With the assistance of the county clerk as applicable, the election officer shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature after receiving a timely, valid statement requesting removal of the signature.
- 4203 (e)
- (i) An election officer shall, in accordance with this Subsection (9)(e) and rules made under Section 20A-3a-106, conduct regular audits of signature comparisons made between signatures gathered under this section and voter signatures maintained by the election officer.
- 4207 (ii) An individual who conducts an audit of signature comparisons under this section may not audit the individual's own work.
- 4209 (iii) The election officer shall:
- 4210 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to determine the accuracy of the comparisons made;
- 4212 (B) record the individuals who conducted the audit;
- 4213 (C) record the audit results;
- 4214 (D) provide additional training or staff reassignments, as needed, based on the results of an audit described in Subsection (9)(e)(i); and
- 4216 (E) record any remedial action taken.
- 4217 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 4218 (f) An election officer who certifies signatures under Subsection (9)(c) or 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate has reached the applicable signature

SB0194S01 compared with SB0194S06

threshold described in Subsection (8) or 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the candidate in excess of the number of signatures required, until the election officer either:

- 4224 (i) certifies signatures equal to 110% of the applicable signature threshold; or
- 4225 (ii) has reviewed all signatures submitted for the candidate before reaching an amount equal to 110% of the applicable signature threshold.
- 4227 (10)
- (a) This Subsection (10) applies only to the electronic candidate qualification process.
- 4229 (b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, the member shall, before the deadline described in Subsection (12), collect signatures electronically:
- 4233 (i) in accordance with Section 20A-21-201; and
- 4234 (ii) using progressive screens, in a format approved by the lieutenant governor, that complies with Subsection 20A-9-405(4).
- 4236 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the election officer shall, no later than the earlier of 14 calendar days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:
- 4241 (i) check the name of each individual who completes the verification for a signature to determine whether each individual is at least 18 years old; and
- 4243 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not at least 18 years old to the attorney general and the county attorney.
- 4245 (11)
- (a) An individual may not gather signatures under this section until after the individual files a notice of intent to gather signatures for candidacy described in this section.
- 4248 (b) An individual who files a notice of intent to gather signatures for candidacy, described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files the notice of intent to gather signatures for candidacy:
- 4251 (i) required to comply with the reporting requirements that a candidate for office is required to comply with; and
- 4253

SB0194S01 compared with SB0194S06

- 4256 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that apply to a candidate for office in relation to the reporting requirements described in Subsection (11)(b)(i).
- 4256 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or Subsections (8) and (10)(b), the election officer shall, no later than the day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate, notify the qualified political party and the lieutenant governor of the name of each member of the qualified political party who qualifies as a nominee of the qualified political party, under this section, for the elective office to which the convention relates.
- 4263 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this section, the lieutenant governor shall post the notice of intent to gather signatures for candidacy on the lieutenant governor's website in the same location that the lieutenant governor posts a declaration of candidacy.
- 4267 (12) The deadline before which a member of a qualified political party must collect and submit signatures to the election officer under this section is 5 p.m. on the last business day that is at least 14 calendar days before the day on which the qualified political party's convention for the office begins.
- 4271 (13) For the 2026 election year only, an individual who desires to gather signatures to seek the nomination of a qualified political party for the office of United States representative shall:
- 4274 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures during the period beginning at 8 a.m. on the first business day of January and ending at 5 p.m. on March 13, 2026; and
- 4277 (b) during the period beginning on the day on which the individual files the notice of intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form approved by the lieutenant governor that complies with Subsection 20A-9-405(3), collect 7,000 signatures of registered voters who are residents of the state and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.

4283 Section 36. Section **36** is enacted to read:

4284 **20A-9-408.4. Incumbent county clerk required to contract for certain services relating to a race for reelection.**

In relation to a race in which an incumbent county clerk is running for reelection, the incumbent county clerk:

4288 (1) shall contract with another county clerk to fulfill the responsibilities described in:

SB0194S01 compared with SB0194S06

- 4289 (a) Subsection 20A-9-403(3)(d);
4290 (b) Subsection 20A-9-405(10)(c);
4291 (c) Subsections 20A-9-408(9)(c), (d)(iii), and (f);
4292 (d) Subsections 20A-9-408(10)(c), (11)(c); and
4293 (e) Subsections 20A-9-408.3(2) through (3) and (5) through (7);
4294 (2) no later than one business day after the day on which the incumbent county clerk receives a
signature packet for the race, deliver the signature packet to the county clerk described in Subsection
(1); and
4297 (3) on the same business day on which the incumbent county clerk receives a document requesting the
removal of a signature form a signature packet for the race, electronically send a clear image of the
document to the county clerk described in Subsection (1).

1224 Section 15. Section 20A-9-408.5 is amended to read:

1225 **20A-9-408.5. Declaration of candidacy form for a registered political party.**

The declaration of candidacy form described in [~~Sections~~] Section 20A-9-407 [~~and~~
~~20A-9-408~~] shall:

1228 (1) be substantially as follows:

1229 "State of Utah, County of ____

1230 I, _____, declare my intention of becoming a candidate for the office of
____ as a candidate for the ____ party. I do solemnly swear, under penalty of perjury, that:
I will meet the qualifications to hold the office, both legally and constitutionally, if selected;
I reside at _____ in the City or Town of _____, Utah, Zip Code _____, Phone No.
_____; I will not knowingly violate any law governing campaigns and elections; I will file all
campaign financial disclosure reports as required by law; and I understand that failure to do
so will result in my disqualification as a candidate for this office and removal of my name
from the ballot. The mailing address that I designate for receiving official election notices is

1239 _____
_____.

1240 Subscribed and sworn before me this _____(month\day\year). Notary Public (or other
officer qualified to administer oath)."; and

1242 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1243 (a) the registered political party of which the candidate is a member; or

SB0194S01 compared with SB0194S06

- 1244 (b) that the candidate is not a member of a registered political party. ~~and]~~
- 1245 [~~(3) direct the candidate to indicate whether the candidate is seeking the nomination using:]~~
- 1246 [~~(a) the convention process described in Section 20A-9-407;~~]
- 1247 [~~(b) the signature-gathering process described in Section 20A-9-408; or]~~
- 1248 [~~(c) both processes described in Subsections (3)(a) and (b).]~~
- 1249 Section 16. Section 20A-9-409 is amended to read:
- 1250 **20A-9-409. Primary election provisions relating to a registered political party.**
- 1251 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.
- 1252 [~~(2)~~
- 1253 (a) ~~A qualified political party that nominates one or more candidates for an elective office under Section~~
~~20A-9-407 and does not have a candidate qualify as a candidate for that office under Section~~
~~20A-9-408, may, but is not required to, participate in the primary election for that office.]~~
- 1256 (b) ~~A qualified political party that has only one candidate qualify as a candidate for an elective~~
~~office under Section 20A-9-408 and does not nominate a candidate for that office under Section~~
~~20A-9-407, may, but is not required to, participate in the primary election for that office.]~~
- 1260 (c) ~~A qualified political party that nominates one or more candidates for an elective office under~~
~~Section 20A-9-407 and has one or more candidates qualify as a candidate for that office under~~
~~Section 20A-9-408 shall participate in the primary election for that office.]~~
- 1264 (d) ~~A qualified political party that has two or more candidates qualify as candidates for an elective~~
~~office under Section 20A-9-408 and does not nominate a candidate for that office under Section~~
~~20A-9-407 shall participate in the primary election for that office.]~~
- 1268 (3) ~~Notwithstanding Subsection (2), in an opt-in county, as defined in Section 17-62-201 or 17-62-202,~~
~~a qualified political party shall participate in the primary election for a county commission office if:]~~
- 1271 [~~(a) there is more than one:]~~
- 1272 [~~(i) open position as defined in Section 17-62-201; or]~~
- 1273 [~~(ii) midterm vacancy as defined in Section 17-62-201; and]~~
- 1274 (b) ~~the number of candidates nominated under Section 20A-9-407 or qualified under Section~~
~~20A-9-408 for the respective open positions or midterm vacancies exceeds the number of respective~~
~~open positions or midterm vacancies.]~~
- 1277 [~~(4)] (2)~~
- (a) As used in this Subsection [(4)] (2), a candidate is "unopposed" if:

SB0194S01 compared with SB0194S06

- 1278 (i) no individual other than the candidate receives a certification, from the appropriate filing officer, for the regular primary election ballot of the candidate's registered political party for a particular elective office; or
- 1281 (ii) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification, from the appropriate filing officer, for the regular primary election of the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.
- 1286 (b) Before the deadline described in Subsection [~~(4)(e)~~] (2)(c), the lieutenant governor shall:
- 1288 (i) provide to the county clerks:
- 1289 (A) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications from the appropriate filing officer, along with instructions on how those names shall appear on the primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1294 (B) a list of unopposed candidates for elective office who have been nominated by a registered political party; and
- 1296 (ii) instruct the county clerks to exclude unopposed candidates from the primary election ballot.
- 1298 (c) The deadline described in Subsection [~~(4)(b)~~] (2)(b) is 5 p.m. on the first Wednesday after the fourth Saturday in April.

4300 ~~{Section 37. Section 20A-11-104 is amended to read: }~~

4301 **20A-11-104. Personal use expenditure -- Authorized and prohibited uses of campaign funds -- Enforcement -- Penalties.**

- 4303 (1)
- 4304 (a) As used in this chapter, "personal use expenditure" means an expenditure that:
- 4306 (i)
- (A) is not excluded from the definition of personal use expenditure by Subsection (2); and
- (B) primarily furthers a personal interest of a candidate or officeholder or a candidate's or officeholder's family, which interest is not connected with the performance of an activity as a candidate or an activity or duty of an officeholder; or
- 4310 (ii) would likely cause the candidate or officeholder to recognize the expenditure as taxable income under federal or state law.
- 4312 (b) "Personal use expenditure" includes:

SB0194S01 compared with SB0194S06

- 4313 (i) a mortgage, rent, utility, or vehicle payment;
- 4314 (ii) a household food item or supply;
- 4315 (iii) a clothing expense, except:
- 4316 (A) clothing bearing the candidate's name or campaign slogan or logo that is used in the candidate's campaign;
- 4318 (B) clothing bearing the logo or name of a jurisdiction, district, government organization, government entity, caucus, or political party that the officeholder represents or of which the officeholder is a member; or
- 4321 (C) repair or replacement of clothing that is damaged while the candidate or officeholder is engaged in an activity of a candidate or officeholder;
- 4323 (iv) an admission to a sporting, artistic, or recreational event or other form of entertainment;
- 4325 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
- 4326 (vi) a salary payment made to:
- 4327 (A) a candidate or officeholder; or
- 4328 (B) a person who has not provided a bona fide service to a candidate or officeholder;
- 4330 (vii) a vacation;
- 4331 (viii) a vehicle expense;
- 4332 (ix) a meal expense;
- 4333 (x) a travel expense;
- 4334 (xi) a payment of an administrative, civil, or criminal penalty;
- 4335 (xii) a satisfaction of a personal debt;
- 4336 (xiii) a personal service, including the service of an attorney, accountant, physician, or other professional person;
- 4338 (xiv) a membership fee for a professional or service organization; and
- 4339 (xv) a payment in excess of the fair market value of the item or service purchased.
- 4340 (2) As used in this chapter, "personal use expenditure" does not include an expenditure made:
- 4342 (a) for a political purpose;
- 4343 (b) for candidacy for public office;
- 4344 (c) to fulfill a duty or activity of an officeholder;
- 4345 (d) for a donation to a registered political party;
- 4346

SB0194S01 compared with SB0194S06

- (e) for a contribution to another candidate's campaign account, including sponsorship of or attendance at an event, the primary purpose of which is to solicit a contribution for another candidate's campaign account;
- 4349 (f) to return all or a portion of a contribution to a contributor;
- 4350 (g) for the following items, if made in connection with the candidacy for public office or an activity or duty of an officeholder:
 - 4352 (i)
 - (A) a mileage allowance at the rate established by the Division of Finance under Section 63A-3-107; or
 - 4354 (B) for motor fuel or special fuel, as defined in Section 59-13-102;
 - 4355 (ii) a food expense, including food or beverages:
 - 4356 (A) served at a campaign event;
 - 4357 (B) served at a charitable event;
 - 4358 (C) consumed, or provided to others, by a candidate while the candidate is engaged in campaigning;
 - 4360 (D) consumed, or provided to others, by an officeholder while the officeholder is acting in the capacity of an officeholder; or
 - 4362 (E) provided as a gift to an individual who works on a candidate's campaign or who assists an officeholder in the officeholder's capacity as an officeholder;
 - 4364 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to the candidate's campaign, including airfare, car rental, other transportation, hotel, or other expenses incidental to the travel;
 - 4367 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of the travel by the individual is to assist the candidate with the candidate's campaign, including an expense described in Subsection (2)(g)(iii);
 - 4370 (v) a travel expense of an officeholder, if the primary purpose of the travel is related to an activity or duty of the officeholder, including an expense described in Subsection (2)(g)(iii);
 - 4373 (vi) a travel expense of an individual assisting an officeholder, if the primary purpose of the travel by the individual is to assist the officeholder in an activity or duty of an officeholder, including an expense described in Subsection (2)(g)(iii);
 - 4376 (vii) a payment for a service provided by an attorney or accountant;
 - 4377 (viii) a tuition payment or registration fee for participation in a meeting or conference;
 - 4378 (ix) a gift;

SB0194S01 compared with SB0194S06

- 4379 (x) a payment for the following items in connection with an office space:
- 4380 (A) rent;
- 4381 (B) utilities;
- 4382 (C) a supply; or
- 4383 (D) furnishing;
- 4384 (xi) a booth at a meeting or event;
- 4385 (xii) educational material; or
- 4386 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty of an officeholder;
- 4388 (h) to purchase or mail informational material, a survey, or a greeting card;
- 4389 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including admission to or sponsorship of an event, the primary purpose of which is charitable solicitation, as defined in Section 13-22-2;
- 4392 (j) to repay a loan a candidate makes from the candidate's personal account to the candidate's campaign account;
- 4394 (k) to pay membership dues to a national organization whose primary purpose is to address general public policy;
- 4396 (l) for admission to or sponsorship of an event, the primary purpose of which is to promote the social, educational, or economic well-being of the state or the candidate's or officeholder's community;
- 4399 (m) for one or more guests of an officeholder or candidate to attend an event, meeting, or conference described in this Subsection (2), including related travel expenses and other expenses, if attendance by the guest is for a primary purpose described in Subsection (2)(g)(iv) or (vi);~~or~~
- 4403 (n) to pay childcare expenses of:
- 4404 (i) a candidate while the candidate is engaging in campaign activity; or
- 4405 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder~~[-]~~; or
- 4407 (o) by a candidate or officeholder to purchase reasonably necessary goods, other than weapons, or services, for the purpose of protecting the security of the candidate or officeholder, the candidate's or officeholder's family, or the candidate's or officeholder's staff, which may include:
- 4411 (i) a security system for use at the candidate's or officeholder's home, place of business, or campaign office; or
- 4413 (ii) security services while the candidate or officeholder is traveling to or from, or attending:
- 4415 (A) a campaign event; or

SB0194S01 compared with SB0194S06

- 4416 (B) for an officeholder, an event relating to an activity or duty of the officeholder.
4417 (3)
4418 (a) The lieutenant governor shall enforce this chapter prohibiting a personal use expenditure by:
4419 (i) evaluating a financial statement to identify a personal use expenditure; and
4420 (ii) commencing an informal adjudicative proceeding in accordance with Title 63G, Chapter 4,
Administrative Procedures Act, if the lieutenant governor has probable cause to believe a
candidate or officeholder has made a personal use expenditure.
4423 (b) Following the proceeding, the lieutenant governor may issue a signed order requiring a candidate or
officeholder who has made a personal use expenditure to:
4425 (i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the
lieutenant governor; and
4427 (ii) deposit the amount of the personal use expenditure in the campaign account from which the
personal use expenditure was disbursed.
4429 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) ~~in~~ into the
General Fund.

4431 ~~{Section 38. Section 20A-11-204 is amended to read: }~~

4432 **20A-11-204. State office candidate and state officeholder -- Financial reporting requirements**
-- Interim reports.

- 4434 (1) As used in this section:
4435 (a) "Campaign account" means a separate campaign account required under Subsection 20A-11-201(1)
(a) or (c).
4437 (b) "Received" means:
4438 (i) for a cash contribution, that the cash is given to a state office candidate or a member of the state
office candidate's personal campaign committee;
4440 (ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is
negotiated;
4442 (iii) for a direct deposit made into a campaign account by a person not associated with the campaign,
the earlier of:
4444 (A) the day on which the state office candidate or a member of the state office candidate's personal
campaign committee becomes aware of the deposit and the source of the deposit;

4447

SB0194S01 compared with SB0194S06

- (B) the day on which the state office candidate or a member of the state office candidate's personal campaign committee receives notice of the deposit and the source of the deposit by mail, email, text, or similar means; or
- 4450 (C) 31 calendar days after the day on which the direct deposit occurs; or
- 4451 (iv) for any other type of contribution, that any portion of the contribution's benefit inures to the state office candidate.
- 4453 (2) Except as provided in Subsection (3), each state office candidate shall file an interim report at the following times in any year in which the candidate has filed a declaration of candidacy for a public office:
- 4456 (a)
- (i) seven calendar days before the candidate's political convention; or
- 4457 (ii) for an unaffiliated candidate, the fourth Saturday in March;
- 4458 (b) seven calendar days before the regular primary election date;
- 4459 (c) September 30; and
- 4460 (d) seven calendar days before the regular general election date.
- 4461 (3) If a state office candidate is a state office candidate seeking appointment for a midterm vacancy, the state office candidate:
- 4463 (a) shall file an interim report:
- 4464 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(i), no later than three business days before the day on which the political party of the party for which the state office candidate seeks nomination meets to declare a nominee for the governor to appoint~~[in accordance with Subsection 20A-1-504(1)(a); or]~~ ;
- 4468 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii), no later than three business days before the day on which the Senate meets to consider the governor's nomination; or
- 4471 ~~[(ii)]~~ (iii) if a state office candidate decides to seek the appointment with less than three business days before the [day on which the political party meets] applicable day described in Subsection (3)(a)(i) or (ii), or the political party or the Senate schedules the [meeting to declare a nominee] applicable meeting described in Subsection (3)(a)(i) or (ii) less than three business days before the day of the meeting, no later than 5 p.m. on the last day of business before the day on which the political party or the Senate meets; and
- 4478 (b) is not required to file an interim report at the times described in Subsection (2).

SB0194S01 compared with SB0194S06

- 4479 (4) Each interim report shall include the following information:
- 4480 (a) the net balance of the last summary report, if any;
- 4481 (b) a single figure equal to the total amount of receipts reported on all prior interim reports, if any,
during the calendar year in which the interim report is due;
- 4483 (c) a single figure equal to the total amount of expenditures reported on all prior interim reports, if any,
filed during the calendar year in which the interim report is due;
- 4485 (d) a detailed listing of:
- 4486 (i) for a state office candidate, each contribution received since the last summary report that has not
been reported in detail on a prior interim report; or
- 4488 (ii) for a state officeholder, each contribution and public service assistance received since the last
summary report that has not been reported in detail on a prior interim report;
- 4491 (e) for each nonmonetary contribution:
- 4492 (i) the fair market value of the contribution with that information provided by the contributor; and
- 4494 (ii) a specific description of the contribution;
- 4495 (f) a detailed listing of each expenditure made since the last summary report that has not been reported
in detail on a prior interim report;
- 4497 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 4498 (h) a net balance for the year consisting of the net balance from the last summary report, if any, plus all
receipts since the last summary report minus all expenditures since the last summary report;
- 4501 (i) a summary page in the form required by the lieutenant governor that identifies:
- 4502 (i) beginning balance;
- 4503 (ii) total contributions and public service assistance received during the period since the last statement;
- 4505 (iii) total contributions and public service assistance received to date;
- 4506 (iv) total expenditures during the period since the last statement; and
- 4507 (v) total expenditures to date; and
- 4508 (j) the name of a political action committee for which the state office candidate or state officeholder is
designated as an officer who has primary decision-making authority under Section 20A-11-601.
- 4511 (5)
- (a) In preparing each interim report, all receipts and expenditures shall be reported as of five calendar
days before the required filing date of the report.

4513

SB0194S01 compared with SB0194S06

(b) Any negotiable instrument or check received by a state office candidate or state officeholder more than five calendar days before the required filing date of a report required by this section shall be included in the interim report.

4516 ~~{Section 39. Section 20A-11-1303 is amended to read: }~~

4517 **20A-11-1303. School board office candidate and school board officeholder -- Financial reporting requirements -- Interim reports.**

4519 (1)

(a) As used in this section, "received" means:

4520 (i) for a cash contribution, that the cash is given to a school board office candidate or a member of the school board office candidate's personal campaign committee;

4522 (ii) for a contribution that is a check or other negotiable instrument, that the check or other negotiable instrument is negotiated;

4524 (iii) for a direct deposit made into a campaign account by a person not associated with the campaign, the earlier of:

4526 (A) the day on which the school board office candidate or a member of the school board office candidate's personal campaign committee becomes aware of the deposit and the source of the deposit;

4529 (B) the day on which the school board office candidate or a member of the school board office candidate's personal campaign committee receives notice of the deposit and the source of the deposit by mail, email, text, or similar means; or

4532 (C) 31 calendar days after the day on which the direct deposit occurs; or

4533 (iv) for any other type of contribution, that any portion of the contribution's benefit inures to the school board office candidate.

4535 (b) As used in this Subsection (1), "campaign account" means a separate campaign account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).

4537 (c) Except as provided in Subsection (2), each school board office candidate shall file an interim report at the following times in any year in which the candidate has filed a declaration of candidacy for a public office:

4540 (i) May 15;

4541 (ii) seven calendar days before the regular primary election date;

4542 (iii) September 30; and

SB0194S01 compared with SB0194S06

- 4543 (iv) seven calendar days before the regular general election date.
- 4544 (2) If a school board office candidate is a school board office candidate seeking appointment for a
midterm vacancy, the school board office candidate:
- 4546 (a) shall file an interim report:
- 4547 (i) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(A) or (B)~~] 20A-1-504(1)(b)(ii), no later
than three business days before the day on which the Senate meets to consider the school board
office candidate's nomination; [~~or~~]
- 4550 (ii) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(C)~~]: 20A-1-504(1)(b)(i),
- 4552 [~~(A)~~] no later than three business days before the day on which the political party of the party for which
the school board office candidate seeks nomination meets to declare a nominee for the governor to
appoint; or
- 4555 [~~(B)~~] (iii) if the school board office candidate decides to seek the appointment with less than three
business days before the [~~day on which the political party meets~~] applicable day described in
Subsection (2)(a)(i) or (ii), or the political party or the Senate schedules the [~~meeting to declare a~~
~~nominee~~] applicable meeting described in Subsection (2)(a)(i) or (ii) less than three business days
before the day of the meeting, no later than 5 p.m. on the last day of business before the day on
which the political party or the Senate meets; and
- 4562 (b) is not required to file an interim report at the times described in Subsection (1)(c).
- 4563 (3) Each interim report shall include the following information:
- 4564 (a) the net balance of the last summary report, if any;
- 4565 (b) a single figure equal to the total amount of receipts reported on all prior interim reports, if any,
during the calendar year in which the interim report is due;
- 4567 (c) a single figure equal to the total amount of expenditures reported on all prior interim reports, if any,
filed during the calendar year in which the interim report is due;
- 4569 (d) a detailed listing of:
- 4570 (i) for a school board office candidate, each contribution received since the last summary report that has
not been reported in detail on a prior interim report; or
- 4572 (ii) for a school board officeholder, each contribution and public service assistance received since the
last summary report that has not been reported in detail on a prior interim report;
- 4575 (e) for each nonmonetary contribution:
- 4576 (i) the fair market value of the contribution with that information provided by the contributor; and

SB0194S01 compared with SB0194S06

- 4578 (ii) a specific description of the contribution;
- 4579 (f) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on a prior interim report;
- 4581 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 4582 (h) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts since the last summary report minus all expenditures since the last summary report;
- 4585 (i) a summary page in the form required by the lieutenant governor that identifies:
- 4586 (i) beginning balance;
- 4587 (ii) total contributions during the period since the last statement;
- 4588 (iii) total contributions to date;
- 4589 (iv) total expenditures during the period since the last statement; and
- 4590 (v) total expenditures to date; and
- 4591 (j) the name of a political action committee for which the school board office candidate or school board officeholder is designated as an officer who has primary decision-making authority under Section 20A-11-601.
- 4594 (4)
- (a) In preparing each interim report, all receipts and expenditures shall be reported as of five calendar days before the required filing date of the report.
- 4596 (b) Any negotiable instrument or check received by a school board office candidate or school board officeholder more than five calendar days before the required filing date of a report required by this section shall be included in the interim report.
- 4599 ~~{Section 40. Section 20A-11-1604 is amended to read: }~~
- 4600 **20A-11-1604. Failure to disclose conflict of interest -- Failure to comply with reporting requirements.**
- 4602 (1)
- (a) Before or during the execution of any order, settlement, declaration, contract, or any other official act of office in which a state constitutional officer has actual knowledge that the state constitutional officer has a conflict of interest that is not stated in the conflict of interest disclosure, the state constitutional officer shall publicly declare that the state constitutional officer may have a conflict of interest and what that conflict of interest is.

4608

SB0194S01 compared with SB0194S06

- (b) Before or during any vote on legislation or any legislative matter in which a legislator has actual knowledge that the legislator has a conflict of interest that is not stated in the conflict of interest disclosure, the legislator shall orally declare to the committee or body before which the matter is pending that the legislator may have a conflict of interest and what that conflict is.
- 4613 (c) Before or during any vote on any rule, resolution, order, or any other board matter in which a member of the State Board of Education has actual knowledge that the member has a conflict of interest that is not stated in the conflict of interest disclosure, the member shall orally declare to the board that the member may have a conflict of interest and what that conflict of interest is.
- 4618 (2) Any public declaration of a conflict of interest that is made under Subsection (1) shall be noted:
- 4620 (a) on the official record of the action taken, for a state constitutional officer;
- 4621 (b) in the minutes of the committee meeting or in the Senate or House Journal, as applicable, for a legislator; or
- 4623 (c) in the minutes of the meeting or on the official record of the action taken, for a member of the State Board of Education.
- 4625 (3) A state constitutional officer shall make a complete conflict of interest disclosure on the website:
- 4627 (a)
- 4628 (i) no sooner than January 1 each year, and before January 11 each year; or
- 4630 (ii) if the state constitutional officer takes office after January 10, within 10 calendar days after the day on which the state constitutional officer takes office; and
- 4631 (b) each time the state constitutional officer changes employment.
- 4631 (4) A legislator shall make a complete conflict of interest disclosure on the website:
- 4632 (a)
- 4633 (i) no sooner than January 1 each year, and before January 11 each year; or
- 4635 (ii) if the legislator takes office after January 10, within 10 calendar days after the day on which the legislator takes office; and
- 4635 (b) each time the legislator changes employment.
- 4636 (5) A member of the State Board of Education shall make a complete conflict of interest disclosure on the website:
- 4638 (a)
- 4639 (i) no sooner than January 1 each year, and before January 11 each year; or

SB0194S01 compared with SB0194S06

- (ii) if the member takes office after January 10, within 10 calendar days after the day on which the member takes office; and
- 4641 (b) each time the member changes employment.
- 4642 (6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall include:
- 4643 (a) the regulated officeholder's name;
- 4644 (b) subject to Subsection (7):
- 4645 (i) the name and address of each of the regulated officeholder's current employers and each of the regulated officeholder's employers during the preceding year; and
- 4647 (ii) for each employer described in this Subsection (6)(b), a brief description of the employment, including the regulated officeholder's occupation and, as applicable, job title;
- 4650 (c) for each entity in which the regulated officeholder is an owner or officer, or was an owner or officer during the preceding year:
- 4652 (i) the name of the entity;
- 4653 (ii) a brief description of the type of business or activity conducted by the entity; and
- 4654 (iii) the regulated officeholder's position in the entity;
- 4655 (d) in accordance with Subsection (8), for each individual from whom, or entity from which, the regulated officeholder has received \$5,000 or more in income during the preceding year:
- 4658 (i) the name of the individual or entity; and
- 4659 (ii) a brief description of the type of business or activity conducted by the individual or entity;
- 4661 (e) for each entity in which the regulated officeholder holds any stocks or bonds having a fair market value of \$5,000 or more as of the date of the disclosure form or during the preceding year, but excluding funds that are managed by a third party, including blind trusts, managed investment accounts, and mutual funds:
- 4665 (i) the name of the entity; and
- 4666 (ii) a brief description of the type of business or activity conducted by the entity;
- 4667 (f) for each entity not listed in Subsections (6)(c) through (e) in which the regulated officeholder currently serves, or served in the preceding year, in a paid leadership capacity or in a paid or unpaid position on a board of directors:
- 4670 (i) the name of the entity or organization;
- 4671 (ii) a brief description of the type of business or activity conducted by the entity; and
- 4672 (iii) the type of position held by the regulated officeholder;

SB0194S01 compared with SB0194S06

- 4673 (g) at the option of the regulated officeholder, a description of any real property in which the regulated officeholder holds an ownership or other financial interest that the regulated officeholder believes may constitute a conflict of interest, including a description of the type of interest held by the regulated officeholder in the property;
- 4677 (h) subject to Subsection (7):
- 4678 (i) the name of the regulated officeholder's spouse; and
- 4679 (ii) the name of each of the regulated officeholder's spouse's current employers and each of the regulated officeholder's spouse's employers during the preceding year, if the regulated officeholder believes the employment may constitute a conflict of interest;
- 4683 (i) the name of any adult residing in the regulated officeholder's household who is not related to the officeholder by blood;
- 4685 (j) for each adult described in Subsection (6)(i), a brief description of the adult's employment or occupation, if the regulated officeholder believes the adult's presence in the regulated officeholder's household may constitute a conflict of interest;
- 4688 (k) at the option of the regulated officeholder, a description of any other matter or interest that the regulated officeholder believes may constitute a conflict of interest;
- 4690 (l) the date the form was completed;
- 4691 (m) a statement that the regulated officeholder believes that the form is true and accurate to the best of the regulated officeholder's knowledge; and
- 4693 (n) the signature of the regulated officeholder.
- 4694 (7)
- (a) In making the disclosure described in Subsection (6)(b) or (h), if a regulated officeholder or regulated officeholder's spouse is an at-risk government employee, as that term is defined in Subsection [63G-2-303(1)(a)] 63G-2-303(2)(a), the regulated officeholder may request the filing officer to redact from the conflict of interest disclosure:
- 4699 (i) the regulated officeholder's employment information under Subsection (6)(b); and
- 4700 (ii) the regulated officeholder's spouse's name and employment information under Subsection (6)(h).
- 4702 (b) A filing officer who receives a redaction request under Subsection (7)(a) shall redact the disclosures made under Subsection (6)(b) or (h) before the filing officer makes the conflict of interest disclosure available for public inspection.

SB0194S01 compared with SB0194S06

- 4705 (8) In making the disclosure described in Subsection (6)(d), a regulated officeholder who provides goods or services to multiple customers or clients as part of a business or a licensed profession is only required to provide the information described in Subsection (6)(d) in relation to the entity or practice through which the regulated officeholder provides the goods or services and is not required to provide the information described in Subsection (6)(d) in relation to the regulated officeholder's individual customers or clients.
- 4712 (9) The disclosure requirements described in this section do not prohibit a regulated officeholder from voting or acting on any matter.
- 4714 (10) A regulated officeholder may amend a conflict of interest disclosure described in this part at any time.
- 4716 (11) A regulated officeholder who violates the requirements of Subsection (1) is guilty of a class B misdemeanor.
- 4718 (12)
- (a) A regulated officeholder who intentionally or knowingly violates a provision of this section, other than Subsection (1), is guilty of a class B misdemeanor.
- 4720 (b) In addition to the criminal penalty described in Subsection (12)(a), the lieutenant governor shall impose a civil penalty of \$100 against a regulated officeholder who violates a provision of this section, other than Subsection (1).

1300 Section 17. Section 20A-21-101 is amended to read:

1301 **20A-21-101. Definitions.**

As used in this chapter:

- 1303 (1) "Approved device" means a device described in Subsection 20A-21-201(4).
- 1304 [~~(2) "Candidate qualification process" means the process, described in Section 20A-9-403 or 20A-9-408, of gathering signatures to seek the nomination of a registered political party.]~~
- 1307 [~~(3) "Electronic candidate qualification process" means the same as that term is defined in Section 20A-9-101.]~~
- 1309 [~~(4)~~ (2) "Electronic initiative process" means the same as that term is defined in Section 20A-7-101.
- 1311 [~~(5)~~ (3) "Electronic referendum process" means the same as that term is defined in Section 20A-7-101.
- 1313 [~~(6) "Manual candidate qualification process" means the same as that term is defined in Section 20A-9-101.]~~
- 1315 [~~(7)~~ (4) "Petition" means:

SB0194S01 compared with SB0194S06

- 1316 (a) as it relates to the electronic initiative process or the electronic referendum process, the electronic record that an individual signs to indicate the individual is in favor of placing the initiative or referendum on the ballot; or
- 1319 (b) as it relates to electronic candidate qualification process, the electronic record that an individual signs to indicate the individual is in favor of placing an individual's name on the ballot to run for a particular elective office.
- 1322 [(8)] (5) "Signature" means:
- 1323 (a) as it relates to a signature gathered for an initiative or referendum, the same as that term is defined in Section 20A-7-101; or
- 1325 (b) as it relates to a signature gathered for the candidate qualification process, the same as that term is defined in Section 20A-9-101.
- 1327 [(9)] (6) "Website" means:
- 1328 (a) as it relates to the electronic initiative process or the electronic referendum process, the website designated by the lieutenant governor for collecting the signatures and other information relating to the electronic initiative process or the electronic referendum process; or
- 1332 (b) as it relates to the electronic candidate qualification process, a website designated by the lieutenant governor for collecting the signatures and other information relating to the electronic candidate qualification process.
- 4723 ~~{Section 41. Section 36-12-15.2 is amended to read: }~~
- 4724 **36-12-15.2. Elections audit.**
- 4725 (1) As used in this section, "office" means the Office of the Legislative Auditor General.
- 4726 (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]~~ as frequently as determined necessary by the office or the Legislative Audit Subcommittee, conduct a comprehensive performance audit of the state's election system and controls[:] :
- 4731 (a) in accordance with this section; and
- 4732 (b) under the direction of the Legislative Audit Subcommittee.
- 4733 (3) The audit may include the entire election process for the elections held in an even-numbered year, including:
- 4735 (a) procedures and practices that occur before or after the beginning of the year to prepare for the elections; and

SB0194S01 compared with SB0194S06

- 4737 (b) procedures, practices, and standards relating to:
- 4738 (i) voter registration;
- 4739 (ii) candidate filing and selection;
- 4740 (iii) the preparation, printing, distribution, handling, examining, counting, and all other handling of
ballots; and
- 4742 (iv) the entire election process, including the regular primary election, the regular general election, and
the determination of election results.
- 4744 (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.
- 4747 (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.
- 4749 (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.
- 4752 (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.
- 4756 (8) To conduct an audit described in this section, the office has the full authority described in Section
36-12-15, including:
- 4758 (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;
- 4761 (b) full access to closely observe, examine, and copy ballots, ballot envelopes, vote tallies, canvassing
records, and voter registration records;
- 4763 (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;
- 4766 (d) full access to all staff, including full-time, part-time, and volunteer staff;
- 4767 (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;
- 4770 (f) the right to, within the scope of the audit, attend any meeting, including a closed meeting;

SB0194S01 compared with SB0194S06

- 4772 (g) the right to, within the scope of the audit, closely observe and examine any work or other process;
and
- 4774 (h) all other authority described in Section 36-12-15.
- 4775 (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.
- 4778 (10) In conducting an audit described in this section, the office:
- 4779 (a) shall preserve the right of a voter to a secret ballot;
- 4780 (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
- 4783 (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.
- 4786 (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.
- 4788 ~~{Section 42. Section 63G-2-202 is amended to read: }~~
- 4789 **63G-2-202. Access to private, controlled, and protected documents.**
- 4791 (1) Except as provided in Subsection (11)(a), a governmental entity:
- 4792 (a) shall, upon request, disclose a private record to:
- 4793 (i) the subject of the record;
- 4794 (ii) the parent or legal guardian of an unemancipated minor who is the subject of the record;
- 4796 (iii) the legal guardian of a legally incapacitated individual who is the subject of the record;
- 4798 (iv) any other individual who:
- 4799 (A) has a power of attorney from the subject of the record;
- 4800 (B) submits a notarized release from the subject of the record or the individual's legal representative
dated no more than 90 days before the date the request is made; or
- 4803 (C) if the record is a medical record described in Subsection 63G-2-302(1)(b), is a health care provider,
as defined in Section 26B-8-501, if releasing the record or information in the record is consistent
with normal professional practice and medical ethics; or
- 4807 (v) any person to whom the record must be provided pursuant to:
- 4808 (A) court order as provided in Subsection (7); or
- 4809 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena Powers; and

SB0194S01 compared with SB0194S06

- 4811 (b) may disclose a private record described in Subsections 63G-2-302(1)(j) through (n), without
complying with Section 63G-2-206, to another governmental entity for a purpose related to
administering:
- 4814 (i) the voter registration list; or
- 4815 (ii) [~~the administration of~~]an election.
- 4816 (2)
- (a) Upon request, a governmental entity shall disclose a controlled record to:
- 4817 (i) a physician, physician assistant, psychologist, certified social worker, insurance provider or
producer, or a government public health agency upon submission of:
- 4819 (A) a release from the subject of the record that is dated no more than 90 days [~~prior to~~] before the date
the request is made; and
- 4821 (B) a signed acknowledgment of the terms of disclosure of controlled information as provided by
Subsection (2)(b); and
- 4823 (ii) any person to whom the record must be disclosed pursuant to:
- 4824 (A) a court order as provided in Subsection (7); or
- 4825 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena Powers.
- 4827 (b) A person who receives a record from a governmental entity in accordance with Subsection (2)(a)(i)
may not disclose controlled information from that record to any person, including the subject of the
record.
- 4830 (3) If there is more than one subject of a private or controlled record, the portion of the record that
pertains to another subject shall be segregated from the portion that the requester is entitled to
inspect.
- 4833 (4) Upon request, and except as provided in Subsection (11)(b), a governmental entity shall disclose a
protected record to:
- 4835 (a) the person that submitted the record;
- 4836 (b) any other individual who:
- 4837 (i) has a power of attorney from all persons, governmental entities, or political subdivisions whose
interests were sought to be protected by the protected classification; or
- 4840 (ii) submits a notarized release from all persons, governmental entities, or political subdivisions
whose interests were sought to be protected by the protected classification or from their legal
representatives dated no more than 90 days [~~prior to~~] before the date the request is made;

SB0194S01 compared with SB0194S06

- 4844 (c) any person to whom the record must be provided pursuant to:
- 4845 (i) a court order as provided in Subsection (7); or
- 4846 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena Powers; or
- 4848 (d) the owner of a mobile home park, subject to the conditions of Subsection 41-1a-116(5).
- 4850 (5) Except as provided in Subsection (1)(b), a governmental entity may disclose a private, controlled, or protected record to another governmental entity, political subdivision, state, the United States, or a foreign government only as provided by Section 63G-2-206.
- 4853 (6) Before releasing a private, controlled, or protected record, the governmental entity shall obtain evidence of the requester's identity.
- 4855 (7) A governmental entity shall disclose a record pursuant to the terms of a court order signed by a judge from a court of competent jurisdiction, [~~provided that~~] if:
- 4857 (a) the record deals with a matter in controversy over which the court has jurisdiction;
- 4858 (b) the court has considered the merits of the request for access to the record;
- 4859 (c) the court has considered and, where appropriate, limited the requester's use and further disclosure of the record in order to protect:
- 4861 (i) privacy interests in the case of private or controlled records;
- 4862 (ii) business confidentiality interests in the case of records protected under Subsection 63G-2-305(1), (2), (40)(a)(ii), or (40)(a)(vi); and
- 4864 (iii) privacy interests or the public interest in the case of other protected records;
- 4865 (d) to the extent the record is properly classified private, controlled, or protected, the interests favoring access, considering limitations thereon, are greater than or equal to the interests favoring restriction of access; and
- 4868 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection 63G-2-201(3)(b), the court has authority independent of this chapter to order disclosure.
- 4871 (8)
- (a) Except as provided in Subsection (8)(d), a governmental entity may disclose or authorize disclosure of private or controlled records for research purposes if the governmental entity:
- 4874 (i) determines that the research purpose cannot reasonably be accomplished without use or disclosure of the information to the researcher in individually identifiable form;
- 4877 (ii) determines that:
- 4878 (A) the proposed research is bona fide; and

SB0194S01 compared with SB0194S06

- 4879 (B) the value of the research is greater than or equal to the infringement upon personal privacy;
4881 (iii)
- (A) requires the researcher to assure the integrity, confidentiality, and security of the records; and
4883 (B) requires the removal or destruction of the individual identifiers associated with the records as soon as the purpose of the research project has been accomplished;
- 4886 (iv) prohibits the researcher from:
- 4887 (A) disclosing the record in individually identifiable form, except as provided in Subsection (8)(b); or
4889 (B) using the record for purposes other than the research approved by the governmental entity; and
4891 (v) secures from the researcher a written statement of the researcher's understanding of and agreement to the conditions of this Subsection (8) and the researcher's understanding that violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution under Section 63G-2-801.
- 4895 (b) A researcher may disclose a record in individually identifiable form if the record is disclosed for the purpose of auditing or evaluating the research program and no subsequent use or disclosure of the record in individually identifiable form will be made by the auditor or evaluator except as provided by this section.
- 4899 (c) A governmental entity may require indemnification as a condition of permitting research under this Subsection (8).
- 4901 (d) A governmental entity may not disclose or authorize disclosure of a private record for research purposes as described in this Subsection (8) if the private record is a record described in Subsection 63G-2-302(1)(x).
- 4904 (9)
- (a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity may disclose to persons other than those specified in this section records that are:
- 4906 (i) private under Section 63G-2-302; or
4907 (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for business confidentiality has been made under Section 63G-2-309.
- 4909 (b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the disclosure to persons other than those specified in this section of records that are:
- 4911 (i) private under Section 63G-2-302;
4912 (ii) controlled under Section 63G-2-304; or

SB0194S01 compared with SB0194S06

- 4913 (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for business
confidentiality has been made under Section 63G-2-309.
- 4915 (c) Under Subsection 63G-2-404(7), the court may require the disclosure of records that are private
under Section 63G-2-302, controlled under Section 63G-2-304, or protected under Section
63G-2-305 to persons other than those specified in this section.
- 4919 (10)
- (a) A private record described in Subsection 63G-2-302(2)(f) may only be disclosed as provided in
Subsection (1)(a)(v).
- 4921 (b) A protected record described in Subsection 63G-2-305(43) may only be disclosed as provided in
Subsection (4)(c) or Section 26B-6-212.
- 4923 (11)
- (a) A private, protected, or controlled record described in Section 26B-1-506 shall be disclosed as
required under:
- 4925 (i) Subsections 26B-1-506(1)(b) and (2); and
- 4926 (ii) Subsections 26B-1-507(1) and (6).
- 4927 (b) A record disclosed under Subsection (11)(a) shall retain its character as private, protected, or
controlled.
- 4929 ~~{Section 43. Section 63G-2-301 is amended to read: }~~
- 4930 **63G-2-301. Public records.**
- 4931 (1) As used in this section:
- 4932 (a) "Business address" means a single address of a governmental agency designated for the public to
contact an employee or officer of the governmental agency.
- 4934 (b) "Business email address" means a single email address of a governmental agency designated for the
public to contact an employee or officer of the governmental agency.
- 4937 (c) "Business telephone number" means a single telephone number of a governmental agency
designated for the public to contact an employee or officer of the governmental agency.
- 4940 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 4941 (2) The following records are public except to the extent they contain information expressly permitted
to be treated confidentially under the provisions of Subsections 63G-2-201(3)(b) and (6)(a):
- 4944 (a) laws;
- 4945

SB0194S01 compared with SB0194S06

- (b) the name, gender, gross compensation, job title, job description, business address, business email address, business telephone number, number of hours worked per pay period, dates of employment, and relevant education, previous employment, and similar job qualifications of a current or former employee or officer of the governmental entity, excluding:
- 4950 (i) undercover law enforcement personnel; and
- 4951 (ii) investigative personnel if disclosure could reasonably be expected to impair the effectiveness of investigations or endanger any individual's safety;
- 4953 (c) final opinions, including concurring and dissenting opinions, and orders that are made by a governmental entity in an administrative, adjudicative, or judicial proceeding except that if the proceedings were properly closed to the public, the opinion and order may be withheld to the extent that they contain information that is private, controlled, or protected;
- 4958 (d) final interpretations of statutes or rules by a governmental entity unless classified as protected as provided in Subsection 63G-2-305(17) or (18);
- 4960 (e) information contained in or compiled from a transcript, minutes, or report of the open portions of a meeting of a governmental entity as provided by Title 52, Chapter 4, Open and Public Meetings Act, including the records of all votes of each member of the governmental entity;
- 4964 (f) judicial records unless a court orders the records to be restricted under the rules of civil or criminal procedure or unless the records are private under this chapter;
- 4966 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of records filed with or maintained by county recorders, clerks, treasurers, surveyors, zoning commissions, the Division of Forestry, Fire, and State Lands, the School and Institutional Trust Lands Administration, the Division of Oil, Gas, and Mining, the Division of Water Rights, or other governmental entities that give public notice of:
- 4971 (i) titles or encumbrances to real property;
- 4972 (ii) restrictions on the use of real property;
- 4973 (iii) the capacity of persons to take or convey title to real property; or
- 4974 (iv) tax status for real and personal property;
- 4975 (h) records of the Department of Commerce that evidence incorporations, mergers, name changes, and uniform commercial code filings;
- 4977

SB0194S01 compared with SB0194S06

- (i) data on individuals that would otherwise be private under this chapter if the individual who is the subject of the record has given the governmental entity written permission to make the records available to the public;
- 4980 (j) documentation of the compensation that a governmental entity pays to a contractor or private provider;
- 4982 (k) summary data;
- 4983 [~~(l) voter registration records, including an individual's voting history, except for a voter registration record or those parts of a voter registration record that are classified as private under Subsections 63G-2-302(1)(j) through (n) or withheld under Subsection 20A-2-104(7);]~~
- 4987 (l) standard voter data, as defined in Section 20A-2-601, in the voter registration record of a public registered voter, as defined in Section 20A-2-601;
- 4989 (m) for an elected official, as defined in Section 11-47-102, a telephone number, if available, and email address, if available, where that elected official may be reached as required in Title 11, Chapter 47, Access to Elected Officials;
- 4992 (n) for a school community council member, a telephone number, if available, and email address, if available, where that elected official may be reached directly as required in Section 53G-7-1203;
- 4995 (o) annual audited financial statements of the Utah Educational Savings Plan described in Section 53H-10-210; and
- 4997 (p) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 4999 (3) The following records are normally public, but to the extent that a record is expressly exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b), Section 63G-2-302, 63G-2-304, or 63G-2-305:
 - 5002 (a) administrative staff manuals, instructions to staff, and statements of policy;
 - 5003 (b) records documenting a contractor's or private provider's compliance with the terms of a contract with a governmental entity;
 - 5005 (c) records documenting the services provided by a contractor or a private provider to the extent the records would be public if prepared by the governmental entity;
 - 5007 (d) contracts entered into by a governmental entity;
 - 5008 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds by a governmental entity;

SB0194S01 compared with SB0194S06

- 5010 (f) records relating to government assistance or incentives publicly disclosed, contracted for, or given by a governmental entity, encouraging a person to expand or relocate a business in Utah, except as provided in Subsection 63G-2-305(35);
- 5013 (g) chronological logs and initial contact reports;
- 5014 (h) correspondence by and with a governmental entity in which the governmental entity determines or states an opinion upon the rights of the state, a political subdivision, the public, or any person;
- 5017 (i) empirical data contained in drafts if:
- 5018 (i) the empirical data is not reasonably available to the requester elsewhere in similar form; and
- 5020 (ii) the governmental entity is given a reasonable opportunity to correct any errors or make nonsubstantive changes before release;
- 5022 (j) drafts that are circulated to anyone other than:
- 5023 (i) a governmental entity;
- 5024 (ii) a political subdivision;
- 5025 (iii) a federal agency if the governmental entity and the federal agency are jointly responsible for implementation of a program or project that has been legislatively approved;
- 5028 (iv) a government-managed corporation; or
- 5029 (v) a contractor or private provider;
- 5030 (k) drafts that have never been finalized but were relied upon by the governmental entity in carrying out action or policy;
- 5032 (l) original data in a computer program if the governmental entity chooses not to disclose the program;
- 5034 (m) arrest warrants after issuance, except that, for good cause, a court may order restricted access to arrest warrants [~~prior to~~] before service;
- 5036 (n) search warrants after execution and filing of the return, except that a court, for good cause, may order restricted access to search warrants [~~prior to~~] before trial;
- 5038 (o) records that would disclose information relating to formal charges or disciplinary actions against a past or present governmental entity employee if:
- 5040 (i) the disciplinary action has been completed and all time periods for administrative appeal have expired; and
- 5042 (ii) the charges on which the disciplinary action was based were sustained;
- 5043

SB0194S01 compared with SB0194S06

(p) records maintained by the Division of Forestry, Fire, and State Lands, the School and Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that evidence mineral production on government lands;

5046 (q) final audit reports;

5047 (r) occupational and professional licenses;

5048 (s) business licenses;

5049 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar records used to initiate proceedings for discipline or sanctions against persons regulated by a governmental entity, but not including records that initiate employee discipline; and

5053 (u)

(i) records that disclose a standard, regulation, policy, guideline, or rule regarding the operation of a correctional facility or the care and control of inmates committed to the custody of a correctional facility; and

5056 (ii) records that disclose the results of an audit or other inspection assessing a correctional facility's compliance with a standard, regulation, policy, guideline, or rule described in Subsection (3)(u)(i).

5059 (4) The list of public records in this section is not exhaustive and should not be used to limit access to records.

5061 {Section 44. Section ~~63G-2-302~~ is amended to read: }

5062 **63G-2-302. Private records.**

5063 (1) The following records are private:

5064 (a) records concerning an individual's eligibility for unemployment insurance benefits, social services, welfare benefits, or the determination of benefit levels;

5066 (b) records containing data on individuals describing medical history, diagnosis, condition, treatment, evaluation, or similar medical data;

5068 (c) records of publicly funded libraries that when examined alone or with other records identify a patron;

5070 (d) records received by or generated by or for:

5071 (i) the Independent Legislative Ethics Commission, except for:

5072 (A) the commission's summary data report that is required under legislative rule; and

5074 (B) any other document that is classified as public under legislative rule; or

5075

SB0194S01 compared with SB0194S06

- (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints, unless the record is classified as public under legislative rule;
- 5077 (e) records received by, or generated by or for, the Independent Executive Branch Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review of Executive Branch Ethics Complaints;
- 5080 (f) records received or generated for a Senate confirmation committee concerning character, professional competence, or physical or mental health of an individual:
- 5082 (i) if, [~~prior to~~] before the meeting, the chair of the committee determines release of the records:
- 5084 (A) reasonably could be expected to interfere with the investigation undertaken by the committee; or
- 5086 (B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and
- 5088 (ii) after the meeting, if the meeting was closed to the public;
- 5089 (g) employment records concerning a current or former employee of, or applicant for employment with, a governmental entity that would disclose that individual's home address, home telephone number, social security number, insurance coverage, marital status, or payroll deductions;
- 5093 (h) records or parts of records under Section 63G-2-303 that a current or former employee identifies as private according to the requirements of that section;
- 5095 (i) that part of a record indicating a person's social security number or federal employer identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 5098 (j) that part of a voter registration record[-] :
- 5099 (i) identifying a voter's:
- 5100 [(i)] (A) driver license or identification card number;
- 5101 [(ii)] (B) social security number, or last four digits of the social security number;
- 5102 [(iii)] (C) email address;
- 5103 [(iv)] (D) [~~date~~] day and month of birth; or
- 5104 [(v)] (E) phone number;
- 5105 (ii) submitted by the voter as proof of United States citizenship;
- 5106 (iii) indicating whether the voter has provided proof of United States citizenship; or
- 5107 (iv) indicating whether the voter is restricted to voting a federal ballot;
- 5108

SB0194S01 compared with SB0194S06

- (k) a voter registration record that is classified as a private record by the lieutenant governor or a county clerk under Subsection 20A-2-101.1(5)(a)[, ~~20A-2-104(4)(h), or 20A-2-204(4)(b)~~] or 20A-2-204(4)(c);
- 5111 (l) a voter registration record [~~that is withheld under Subsection 20A-2-104(7)~~] of an at-risk voter, as defined in Section 20A-2-601;
- 5113 (m) the following forms and supporting verification:
- 5114 (i) a withholding request form used, before January 1, 2027, to request that a voter's voter registration be withheld as a private record, and any verification submitted in support of the form; and
- 5117 (ii) an at-risk voter request form described in [Subsections 20A-2-104(7) and (8)] Subsection 20A-2-606(5) and any verification submitted in support of the form;
- 5119 (n) a record or information regarding whether a voter returned a ballot with postage attached;
- 5121 (o) a record that:
- 5122 (i) contains information about an individual;
- 5123 (ii) is voluntarily provided by the individual; and
- 5124 (iii) goes into an electronic database that:
- 5125 (A) is designated by and administered under the authority of the [~~Chief Information Officer~~] chief information officer; and
- 5127 (B) acts as a repository of information about the individual that can be electronically retrieved and used to facilitate the individual's online interaction with a state agency;
- 5130 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance under:
- 5132 (i) Subsection 31A-23a-115(3)(a);
- 5133 (ii) Subsection 31A-23a-302(4); or
- 5134 (iii) Subsection 31A-26-210(4);
- 5135 (q) information obtained through a criminal background check under Title 11, Chapter 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 5137 (r) information provided by an offender that is:
- 5138 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and Child Abuse Offender Registry; and
- 5140 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 5141 (s) a statement and any supporting documentation filed with the attorney general in accordance with Section 34-45-107, if the federal law or action supporting the filing involves homeland security;

SB0194S01 compared with SB0194S06

- 5144 (t) electronic toll collection customer account information received or collected under Section 72-6-118 and customer information described in Section 17B-2a-815 received or collected by a public transit district, including contact and payment information and customer travel data;
- 5148 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 5149 (v) a completed military-overseas ballot that is electronically transmitted under Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 5151 (w) records received by or generated by or for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201, except for:
- 5153 (i) the commission's summary data report that is required in Section 63A-15-202; and
- 5154 (ii) any other document that is classified as public in accordance with Title 63A, Chapter 15, Political Subdivisions Ethics Review Commission;
- 5156 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an incident or threat;
- 5158 (y) a criminal background check or credit history report conducted in accordance with Section 63A-3-201;
- 5160 (z) a record described in Subsection 53-5a-104(7);
- 5161 (aa) on a record maintained by a county for the purpose of administering property taxes, an individual's:
- 5163 (i) email address;
- 5164 (ii) phone number; or
- 5165 (iii) personal financial information related to a person's payment method;
- 5166 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an exemption, deferral, abatement, or relief under:
- 5168 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 5169 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 5170 (cc) a record provided by the State Tax Commission in response to a request under Subsection 59-1-403(4)(y)(iii);
- 5172 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual child welfare case, as described in Subsection 36-33-103(3);
- 5174 (ee) a record relating to drug or alcohol testing of a state employee under Section 63A-17-1004;
- 5176

SB0194S01 compared with SB0194S06

- (ff) a record relating to a request by a state elected official or state employee who has been threatened to the Division of Technology Services to remove personal identifying information from the open web under Section 63A-16-109;
- 5179 (gg) a record including confidential information as that term is defined in Section 67-27-106; and
- 5181 (hh) a record or notice received or generated under Title 53, Chapter 30, Security Improvements Act, relating to:
- 5183 (i) an application for certification described in Section 53-30-201; or
- 5184 (ii) a security improvement, including a building permit application or building permit for a security improvement described in Section 53-30-301.
- 5186 (2) The following records are private if properly classified by a governmental entity:
- 5187 (a) records concerning a current or former employee of, or applicant for employment with a governmental entity, including performance evaluations and personal status information such as race, religion, or disabilities, but not including records that are public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);
- 5192 (b) records describing an individual's finances, except that the following are public:
- 5193 (i) records described in Subsection 63G-2-301(2);
- 5194 (ii) information provided to the governmental entity for the purpose of complying with a financial assurance requirement; or
- 5196 (iii) records that must be disclosed in accordance with another statute;
- 5197 (c) records of independent state agencies if the disclosure of those records would conflict with the fiduciary obligations of the agency;
- 5199 (d) other records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy;
- 5201 (e) records provided by the United States or by a government entity outside the state that are given with the requirement that the records be managed as private records, if the providing entity states in writing that the record would not be subject to public disclosure if retained by it;
- 5205 (f) any portion of a record in the custody of the Division of Aging and Adult Services, created in Section 26B-6-102, that may disclose, or lead to the discovery of, the identity of a person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and
- 5209 (g) audio and video recordings created by a body-worn camera, as defined in Section 77-7a-103, that record sound or images inside a home or residence except for recordings that:

SB0194S01 compared with SB0194S06

- 5212 (i) depict the commission of an alleged crime;
- 5213 (ii) record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon;
- 5215 (iii) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;
- 5217 (iv) contain an officer-involved critical incident as defined in Subsection 76-2-408(1)(f); or
- 5219 (v) have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording.
- 5221 (3)
- (a) As used in this Subsection (3), "medical records" means medical reports, records, statements, history, diagnosis, condition, treatment, and evaluation.
- 5223 (b) Medical records in the possession of the University of Utah Hospital, its clinics, doctors, or affiliated entities are not private records or controlled records under Section 63G-2-304 when the records are sought:
- 5226 (i) in connection with any legal or administrative proceeding in which the patient's physical, mental, or emotional condition is an element of any claim or defense; or
- 5228 (ii) after a patient's death, in any legal or administrative proceeding in which any party relies upon the condition as an element of the claim or defense.
- 5230 (c) Medical records are subject to production in a legal or administrative proceeding according to state or federal statutes or rules of procedure and evidence as if the medical records were in the possession of a nongovernmental medical care provider.

5233 ~~{Section 45. Section 63G-2-303 is amended to read: }~~

5234 **63G-2-303. Private information concerning certain government employees.**

- 5236 (1) As used in this section:
- 5237 (a) "At-risk government employee" means a current or former:
- 5238 (i) peace officer as specified in Section 53-13-102;
- 5239 (ii) state or federal judge of an appellate, district, justice, or juvenile court, or court commissioner;
- 5241 (iii) judge authorized by Title 39A, Chapter 5, Utah Code of Military Justice;
- 5242 (iv) judge authorized by Armed Forces, Title 10, United States Code;
- 5243 (v) federal prosecutor;
- 5244 (vi) prosecutor appointed pursuant to Armed Forces, Title 10, United States Code;

SB0194S01 compared with SB0194S06

- 5245 (vii) law enforcement official as defined in Section 53-5a-311;
- 5246 (viii) prosecutor authorized by Title 39A, Chapter 5, Utah Code of Military Justice; or
- 5247 (ix) state or local government employee who, because of the unique nature of the employee's regular work assignments or because of one or more recent credible threats directed to or against the employee, would be at immediate and substantial risk of physical harm if the employee's personal information is disclosed.
- 5251 (b) "Family member" means the spouse, child, sibling, parent, or grandparent of an at-risk government employee who is living with the employee.
- 5253 (c) "Personal information" means the employee's or the employee's family member's home address, home telephone number, personal mobile telephone number, personal pager number, personal email address, social security number, insurance coverage, marital status, or payroll deductions.
- 5257 (2)
- (a) Pursuant to Subsection 63G-2-302(1)(h), an at-risk government employee may file a written application that:
- 5259 (i) gives notice of the employee's status as an at-risk government employee to each agency of a government entity holding a record or a part of a record that would disclose the employee's personal information; and
- 5262 (ii) requests that the government agency classify those records or parts of records as private.
- 5264 (b) An at-risk government employee desiring to file an application under this section may request assistance from the government agency to identify the individual records containing personal information.
- 5267 (c) Each government agency shall develop a form that:
- 5268 (i) requires the at-risk government employee to designate each specific record or part of a record containing the employee's personal information that the applicant desires to be classified as private;
- 5271 (ii) affirmatively requests that the government entity holding those records classify them as private;
- 5273 (iii) informs the employee that by submitting a completed form the employee may not receive official announcements affecting the employee's property, including notices about proposed municipal annexations, incorporations, or zoning modifications; and
- 5277 (iv) contains a place for the signature required under Subsection (2)(d).
- 5278

SB0194S01 compared with SB0194S06

- (d) A form submitted by an employee under Subsection (2)(c) shall be signed by the highest ranking elected or appointed official in the employee's chain of command certifying that the employee submitting the form is an at-risk government employee.
- 5281 (3) A county recorder, county treasurer, county auditor, or a county tax assessor may fully satisfy the requirements of this section by:
- 5283 (a) providing a method for the assessment roll and index and the tax roll and index that will block public access to the home address, home telephone number, situs address, and [Social Security] social security number; and
- 5286 (b) providing the at-risk government employee requesting the classification with a disclaimer informing the employee that the employee may not receive official announcements affecting the employee's property, including notices about proposed annexations, incorporations, or zoning modifications.
- 5290 (4) A government agency holding records of an at-risk government employee classified as private under this section may release the record or part of the record if:
- 5292 (a) the employee or former employee gives written consent;
- 5293 (b) a court orders release of the records; or
- 5294 (c) the government agency receives a certified death certificate for the employee or former employee[; or] .
- 5296 [~~(d) as it relates to the employee's voter registration record;~~]
- 5297 [~~(i) the person to whom the record or part of the record is released is a qualified person under Subsection 20A-2-104(4)(n); and~~]
- 5299 [~~(ii) the government agency's release of the record or part of the record complies with the requirements of Subsection 20A-2-104(4)(o).]~~]
- 5301 (5)
- (a) If the government agency holding the private record receives a subpoena for the records, the government agency shall attempt to notify the at-risk government employee or former employee by mailing a copy of the subpoena to the employee's last-known mailing address together with a request that the employee either:
- 5305 (i) authorize release of the record; or
- 5306 (ii) within 10 days of the date that the copy and request are mailed, deliver to the government agency holding the private record a copy of a motion to quash filed with the court who issued the subpoena.

SB0194S01 compared with SB0194S06

- 5309 (b) The government agency shall comply with the subpoena if the government agency has:
- 5311 (i) received permission from the at-risk government employee or former employee to comply with the subpoena;
- 5313 (ii) not received a copy of a motion to quash within 10 days of the date that the copy of the subpoena was mailed; or
- 5315 (iii) received a court order requiring release of the records.
- 5316 (6)
- (a) Except as provided in Subsection (6)(b), a form submitted under this section remains in effect until the earlier of:
- 5318 (i) four years after the date the employee signs the form, regardless of whether ~~[or not]~~ the employee's employment terminates before the end of the four-year period; and
- 5320 (ii) one year after the government agency receives official notice of the death of the employee.
- 5322 (b) A form submitted under this section may be rescinded at any time by:
- 5323 (i) the at-risk government employee who submitted the form; or
- 5324 (ii) if the at-risk government employee is deceased, a member of the employee's immediate family.

Section 18. Section 63G-2-305 is amended to read:

63G-2-305. Protected records.

The following records are protected if properly classified by a governmental entity:

- 1338 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has provided the governmental entity with the information specified in Section 63G-2-309;
- 1340 (2) commercial information or nonindividual financial information obtained from a person if:
- 1342 (a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;
- 1345 (b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and
- 1347 (c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309;
- 1349 (3) commercial or financial information acquired or prepared by a governmental entity to the extent that disclosure would lead to financial speculations in currencies, securities, or commodities that will

SB0194S01 compared with SB0194S06

- interfere with a planned transaction by the governmental entity or cause substantial financial injury to the governmental entity or state economy;
- 1353 (4) records, the disclosure of which could cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, a commercial project entity as defined in Subsection 11-13-103(4);
- 1356 (5) test questions and answers to be used in future license, certification, registration, employment, or academic examinations;
- 1358 (6) records, the disclosure of which would impair governmental procurement proceedings or give an unfair advantage to any person proposing to enter into a contract or agreement with a governmental entity, except, subject to Subsections (1) and (2), that this Subsection (6) does not restrict the right of a person to have access to, after the contract or grant has been awarded and signed by all parties:
- 1363 (a) a bid, proposal, application, or other information submitted to or by a governmental entity in response to:
- 1365 (i) an invitation for bids;
- 1366 (ii) a request for proposals;
- 1367 (iii) a request for quotes;
- 1368 (iv) a grant; or
- 1369 (v) other similar document; or
- 1370 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 1371 (7) information submitted to or by a governmental entity in response to a request for information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict the right of a person to have access to the information, after:
- 1374 (a) a contract directly relating to the subject of the request for information has been awarded and signed by all parties; or
- 1376 (b)
- (i) a final determination is made not to enter into a contract that relates to the subject of the request for information; and
- 1378 (ii) at least two years have passed after the day on which the request for information is issued;
- 1380 (8) records that would identify real property or the appraisal or estimated value of real or personal property, including intellectual property, under consideration for public acquisition before any rights to the property are acquired unless:

SB0194S01 compared with SB0194S06

- 1383 (a) public interest in obtaining access to the information is greater than or equal to the governmental
entity's need to acquire the property on the best terms possible;
- 1385 (b) the information has already been disclosed to persons not employed by or under a duty of
confidentiality to the entity;
- 1387 (c) in the case of records that would identify property, potential sellers of the described property have
already learned of the governmental entity's plans to acquire the property;
- 1390 (d) in the case of records that would identify the appraisal or estimated value of property, the potential
sellers have already learned of the governmental entity's estimated value of the property; or
- 1393 (e) the property under consideration for public acquisition is a single family residence and the
governmental entity seeking to acquire the property has initiated negotiations to acquire the property
as required under Section 78B-6-505;
- 1396 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated transaction
of real or personal property including intellectual property, which, if disclosed prior to completion
of the transaction, would reveal the appraisal or estimated value of the subject property, unless:
- 1400 (a) the public interest in access is greater than or equal to the interests in restricting access, including the
governmental entity's interest in maximizing the financial benefit of the transaction; or
- 1403 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of the value of
the subject property have already been disclosed to persons not employed by or under a duty of
confidentiality to the entity;
- 1406 (10) records created or maintained for civil, criminal, or administrative enforcement purposes or audit
purposes, or for discipline, licensing, certification, or registration purposes, if release of the records:
- 1409 (a) reasonably could be expected to interfere with investigations undertaken for enforcement, discipline,
licensing, certification, or registration purposes;
- 1411 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement proceedings;
- 1413 (c) would create a danger of depriving a person of a right to a fair trial or impartial hearing;
- 1415 (d) reasonably could be expected to disclose the identity of a source who is not generally known outside
of government and, in the case of a record compiled in the course of an investigation, disclose
information furnished by a source not generally known outside of government if disclosure would
compromise the source; or

1419

SB0194S01 compared with SB0194S06

- (e) reasonably could be expected to disclose investigative or audit techniques, procedures, policies, or orders not generally known outside of government if disclosure would interfere with enforcement or audit efforts;
- 1422 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 1423 (12) records the disclosure of which would jeopardize the security of governmental property, governmental programs, or governmental recordkeeping systems from damage, theft, or other appropriation or use contrary to law or public policy;
- 1426 (13) records that, if disclosed, would jeopardize the security or safety of a correctional facility, or records relating to incarceration, treatment, probation, or parole, that would interfere with the control and supervision of an offender's incarceration, treatment, probation, or parole;
- 1430 (14) records that, if disclosed, would reveal recommendations made to the Board of Pardons and Parole by an employee of or contractor for the Department of Corrections, the Board of Pardons and Parole, or the Department of Health and Human Services that are based on the employee's or contractor's supervision, diagnosis, or treatment of any person within the board's jurisdiction;
- 1435 (15) records and audit workpapers that identify audit, collection, and operational procedures and methods used by the State Tax Commission, if disclosure would interfere with audits or collections;
- 1438 (16) records of a governmental audit agency relating to an ongoing or planned audit until the final audit is released;
- 1440 (17) records that are subject to the attorney client privilege;
- 1441 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer, employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial, quasi-judicial, or administrative proceeding;
- 1444 (19)
 - (a)
 - (i) personal files of a state legislator, including personal correspondence to or from a member of the Legislature; and
 - 1446 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of legislative action or policy may not be classified as protected under this section; and
 - (b)
 - 1449 (i) an internal communication that is part of the deliberative process in connection with the preparation of legislation between:

SB0194S01 compared with SB0194S06

- 1451 (A) members of a legislative body;
- 1452 (B) a member of a legislative body and a member of the legislative body's staff; or
- 1453 (C) members of a legislative body's staff; and
- 1454 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of legislative action or
policy may not be classified as protected under this section;
- 1456 (20)
- (a) records in the custody or control of the Office of Legislative Research and General Counsel, that,
if disclosed, would reveal a particular legislator's contemplated legislation or contemplated course
of action before the legislator has elected to support the legislation or course of action, or made the
legislation or course of action public; and
- 1461 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the Office of
Legislative Research and General Counsel is a public document unless a legislator asks that the
records requesting the legislation be maintained as protected records until such time as the legislator
elects to make the legislation or course of action public;
- 1466 (21) a research request from a legislator to a legislative staff member and research findings prepared in
response to the request;
- 1468 (22) drafts, unless otherwise classified as public;
- 1469 (23) records concerning a governmental entity's strategy about:
- 1470 (a) collective bargaining; or
- 1471 (b) imminent or pending litigation;
- 1472 (24) records of investigations of loss occurrences and analyses of loss occurrences that may be covered
by the Risk Management Fund, the Employers' Reinsurance Fund, the Uninsured Employers' Fund,
or similar divisions in other governmental entities;
- 1475 (25) records, other than personnel evaluations, that contain a personal recommendation concerning
an individual if disclosure would constitute a clearly unwarranted invasion of personal privacy, or
disclosure is not in the public interest;
- 1478 (26) records that reveal the location of historic, prehistoric, paleontological, or biological resources
that if known would jeopardize the security of those resources or of valuable historic, scientific,
educational, or cultural information;
- 1481 (27) records of independent state agencies if the disclosure of the records would conflict with the
fiduciary obligations of the agency;

SB0194S01 compared with SB0194S06

- 1483 (28) records of an institution of higher education defined in Section 53H-1-101 regarding tenure evaluations, appointments, applications for admissions, retention decisions, and promotions, which could be properly discussed in a meeting closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final decisions about tenure, appointments, retention, promotions, or those students admitted, may not be classified as protected under this section;
- 1489 (29) records of the governor's office, including budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the governor's contemplated policies or contemplated courses of action before the governor has implemented or rejected those policies or courses of action or made them public;
- 1493 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;
- 1496 (31) records provided by the United States or by a government entity outside the state that are given to the governmental entity with a requirement that they be managed as protected records if the providing entity certifies that the record would not be subject to public disclosure if retained by it;
- 1500 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a public body except as provided in Section 52-4-206;
- 1502 (33) records that would reveal the contents of settlement negotiations but not including final settlements or empirical data to the extent that they are not otherwise exempt from disclosure;
- 1505 (34) memoranda prepared by staff and used in the decision-making process by an administrative law judge, a member of the Board of Pardons and Parole, or a member of any other body charged by law with performing a quasi-judicial function;
- 1508 (35) records that would reveal negotiations regarding assistance or incentives offered by or requested from a governmental entity for the purpose of encouraging a person to expand or locate a business in Utah, but only if disclosure would result in actual economic harm to the person or place the governmental entity at a competitive disadvantage, but this section may not be used to restrict access to a record evidencing a final contract;
- 1513 (36) materials to which access must be limited for purposes of securing or maintaining the governmental entity's proprietary protection of intellectual property rights including patents, copyrights, and trade secrets;

SB0194S01 compared with SB0194S06

- 1516 (37) the name of a donor or a prospective donor to a governmental entity, including an institution of
higher education defined in Section 53H-1-101, and other information concerning the donation that
could reasonably be expected to reveal the identity of the donor, provided that:
- 1520 (a) the donor requests anonymity in writing;
- 1521 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be classified
protected by the governmental entity under this Subsection (37); and
- 1523 (c) except for an institution of higher education defined in Section 53H-1-101, the governmental unit
to which the donation is made is primarily engaged in educational, charitable, or artistic endeavors,
and has no regulatory or legislative authority over the donor, a member of the donor's immediate
family, or any entity owned or controlled by the donor or the donor's immediate family;
- 1528 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 1529 (39) a notification of workers' compensation insurance coverage described in Section 34A-2-205;
- 1531 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher education
defined in Section 53H-1-101, which have been developed, discovered, disclosed to, or received by
or on behalf of faculty, staff, employees, or students of the institution:
- 1535 (a) unpublished lecture notes;
- 1536 (b) unpublished notes, data, and information:
- 1537 (i) relating to research; and
- 1538 (ii) of:
- 1539 (A) the institution of higher education defined in Section 53H-1-101; or
- 1540 (B) a sponsor of sponsored research;
- 1541 (c) unpublished manuscripts;
- 1542 (d) creative works in process;
- 1543 (e) scholarly correspondence; and
- 1544 (f) confidential information contained in research proposals;
- 1545 (g) this Subsection (40) may not be construed to prohibit disclosure of public information required
pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 1547 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 1548 (41)

SB0194S01 compared with SB0194S06

- (a) records in the custody or control of the Office of the Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit prior to the date that audit is completed and made public; and
- 1551 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the Office of the Legislative Auditor General is a public document unless the legislator asks that the records in the custody or control of the Office of the Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit be maintained as protected records until the audit is completed and made public;
- 1557 (42) records that provide detail as to the location of an explosive, including a map or other document that indicates the location of:
- 1559 (a) a production facility; or
- 1560 (b) a magazine;
- 1561 (43) information contained in the statewide database of the Division of Aging and Adult Services created by Section 26B-6-210;
- 1563 (44) information contained in the Licensing Information System described in Title 80, Chapter 2, Child Welfare Services;
- 1565 (45) information regarding National Guard operations or activities in support of the National Guard's federal mission;
- 1567 (46) records provided by any pawn or secondhand business to a law enforcement agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand Merchandise, and Catalytic Converter Transaction Information Act;
- 1570 (47) information regarding food security, risk, and vulnerability assessments performed by the Department of Agriculture and Food;
- 1572 (48) except to the extent that the record is exempt from this chapter pursuant to Section 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or prepared or maintained by the Division of Emergency Management, and the disclosure of which would jeopardize:
- 1576 (a) the safety of the general public; or
- 1577 (b) the security of:
- 1578 (i) governmental property;
- 1579 (ii) governmental programs; or

SB0194S01 compared with SB0194S06

- 1580 (iii) the property of a private person who provides the Division of Emergency Management
information;
- 1582 (49) records of the Department of Agriculture and Food that provides for the identification, tracing, or
control of livestock diseases, including any program established under Title 4, Chapter 24, Utah
Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control of Animal Disease;
- 1586 (50) as provided in Section 26B-2-709:
- 1587 (a) information or records held by the Department of Health and Human Services related to a complaint
regarding a provider, program, or facility which the department is unable to substantiate; and
- 1590 (b) information or records related to a complaint received by the Department of Health and Human
Services from an anonymous complainant regarding a provider, program, or facility;
- 1593 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided under
Section 41-1a-116, an individual's home address, home telephone number, or personal mobile phone
number, if:
- 1596 (a) the individual is required to provide the information in order to comply with a law, ordinance, rule,
or order of a government entity; and
- 1598 (b) the subject of the record has a reasonable expectation that this information will be kept confidential
due to:
- 1600 (i) the nature of the law, ordinance, rule, or order; and
- 1601 (ii) the individual complying with the law, ordinance, rule, or order;
- 1602 (52) the portion of the following documents that contains a candidate's residential or mailing address,
if the candidate provides to the filing officer another address or phone number where the candidate
may be contacted:
- 1605 (a) a declaration of candidacy~~[, a nomination petition,]~~ or a certificate of nomination, described in
Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, ~~[20A-9-405, 20A-9-408,]~~20A-9-408.5,
20A-9-502, or 20A-9-601; or
- 1608 (b) an affidavit of impecuniosity, described in Section 20A-9-201~~[-or]~~ ;
- 1609 ~~[(e) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;]~~
- 1610 (53) the name, home address, work addresses, and telephone numbers of an individual that is engaged
in, or that provides goods or services for, medical or scientific research that is:
- 1612 (a) conducted within the state system of higher education, as described in Section 53H-1-102; and
- 1614 (b) conducted using animals;

SB0194S01 compared with SB0194S06

- 1615 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance Evaluation Commission concerning an individual commissioner's vote, in relation to whether a judge meets or exceeds minimum performance standards under Subsection 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 1619 (55) information collected and a report prepared by the Judicial Performance Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public, the information or report;
- 1623 (56) records provided or received by the Public Lands Policy Coordinating Office in furtherance of any contract or other agreement made in accordance with Section 63L-11-202;
- 1626 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 1627 (58) in accordance with Section 73-10-33:
- 1628 (a) a management plan for a water conveyance facility in the possession of the Division of Water Resources or the Board of Water Resources; or
- 1630 (b) an outline of an emergency response plan in possession of the state or a county or municipality;
- 1632 (59) the following records in the custody or control of the Office of Inspector General of Medicaid Services, created in Section 63A-13-201:
- 1634 (a) records that would disclose information relating to allegations of personal misconduct, gross mismanagement, or illegal activity of a person if the information or allegation cannot be corroborated by the Office of Inspector General of Medicaid Services through other documents or evidence, and the records relating to the allegation are not relied upon by the Office of Inspector General of Medicaid Services in preparing a final investigation report or final audit report;
- 1640 (b) records and audit workpapers to the extent they would disclose the identity of a person who, during the course of an investigation or audit, communicated the existence of any Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or regulation adopted under the laws of this state, a political subdivision of the state, or any recognized entity of the United States, if the information was disclosed on the condition that the identity of the person be protected;
- 1647 (c) before the time that an investigation or audit is completed and the final investigation or final audit report is released, records or drafts circulated to a person who is not an employee or head of a governmental entity for the person's response or information;
- 1650 (d) records that would disclose an outline or part of any investigation, audit survey plan, or audit program; or

SB0194S01 compared with SB0194S06

- 1652 (e) requests for an investigation or audit, if disclosure would risk circumvention of an investigation or
audit;
- 1654 (60) records that reveal methods used by the Office of Inspector General of Medicaid Services, the
fraud unit, or the Department of Health and Human Services, to discover Medicaid fraud, waste, or
abuse;
- 1657 (61) information provided to the Department of Health and Human Services or the Division of
Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections 58-68-304(3) and
(4);
- 1660 (62) a record described in Section 63G-12-210;
- 1661 (63) captured plate data that is obtained through an automatic license plate reader system used by a
governmental entity as authorized in Section 41-6a-2003;
- 1663 (64) an audio or video recording created by a body-worn camera, as that term is defined in Section
77-7a-103, that records sound or images inside a hospital or health care facility as those terms are
defined in Section 78B-3-403, inside a clinic of a health care provider, as that term is defined in
Section 78B-3-403, or inside a human service program as that term is defined in Section 26B-2-101,
except for recordings that:
- 1668 (a) depict the commission of an alleged crime;
- 1669 (b) record any encounter between a law enforcement officer and a person that results in death or bodily
injury, or includes an instance when an officer fires a weapon;
- 1671 (c) record any encounter that is the subject of a complaint or a legal proceeding against a law
enforcement officer or law enforcement agency;
- 1673 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f); or
- 1675 (e) have been requested for reclassification as a public record by a subject or authorized agent of a
subject featured in the recording;
- 1677 (65) a record pertaining to the search process for a president of an institution of higher education
described in Section 53H-3-302;
- 1679 (66) an audio recording that is:
- 1680 (a) produced by an audio recording device that is used in conjunction with a device or piece of
equipment designed or intended for resuscitating an individual or for treating an individual with a
life-threatening condition;
- 1683

SB0194S01 compared with SB0194S06

(b) produced during an emergency event when an individual employed to provide law enforcement, fire protection, paramedic, emergency medical, or other first responder service:

1686 (i) is responding to an individual needing resuscitation or with a life-threatening condition; and

1688 (ii) uses a device or piece of equipment designed or intended for resuscitating an individual or for treating an individual with a life-threatening condition; and

1690 (c) intended and used for purposes of training emergency responders how to improve their response to an emergency situation;

1692 (67) records submitted by or prepared in relation to an applicant seeking a recommendation by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the Legislative Audit Subcommittee, established under Section 36-12-8, for an employment position with the Legislature;

1696 (68) work papers as defined in Section 31A-2-204;

1697 (69) a record made available to Adult Protective Services or a law enforcement agency under Section 61-1-206;

1699 (70) a record submitted to the Insurance Department in accordance with Section 31A-37-201;

1701 (71) a record described in Section 31A-37-503;

1702 (72) any record created by the Division of Professional Licensing as a result of Subsection 58-37f-304(5) or 58-37f-702(2)(a)(ii);

1704 (73) a record described in Section 72-16-306 that relates to the reporting of an injury involving an amusement ride;

1706 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a political petition, or on a request to withdraw a signature from a political petition, including a petition or request described in the following titles:

1709 (a) Title 10, Utah Municipal Code;

1710 (b) Title 17, Counties;

1711 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;

1712 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and

1713 (e) Title 20A, Election Code;

1714 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a voter registration record;

1716

SB0194S01 compared with SB0194S06

- (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature described in Subsection (74) or (75), in the custody of the lieutenant governor or a local political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 1719 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5, Victims
Guidelines for Prosecutors Act;
- 1721 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 1722 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is prohibited
under Section 63G-26-103;
- 1724 (80) an image taken of an individual during the process of booking the individual into jail, unless:
- 1726 (a) the individual is convicted of a criminal offense based upon the conduct for which the individual
was incarcerated at the time the image was taken;
- 1728 (b) a law enforcement agency releases or disseminates the image:
- 1729 (i) after determining that the individual is a fugitive or an imminent threat to an individual or to
public safety and releasing or disseminating the image will assist in apprehending the individual or
reducing or eliminating the threat; or
- 1732 (ii) to a potential witness or other individual with direct knowledge of events relevant to a criminal
investigation or criminal proceeding for the purpose of identifying or locating an individual in
connection with the criminal investigation or criminal proceeding;
- 1736 (c) a judge orders the release or dissemination of the image based on a finding that the release or
dissemination is in furtherance of a legitimate law enforcement interest; or
- 1738 (d) the image is displayed to a person who is permitted to view the image under Section 17-72-802;
- 1740 (81) a record:
- 1741 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 1742 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative
from another state or the federal government as provided in Section 63M-14-205; and
- 1745 (c) the disclosure of which would:
- 1746 (i) reveal a legal strategy relating to the state's claim to the use of the water in the Colorado River
system;
- 1748 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to negotiate the best
terms and conditions regarding the use of water in the Colorado River system; or
- 1751

SB0194S01 compared with SB0194S06

- (iii) give an advantage to another state or to the federal government in negotiations regarding the use of water in the Colorado River system;
- 1753 (82) any part of an application described in Section 63N-16-201 that the Governor's Office of Economic Opportunity determines is nonpublic, confidential information that if disclosed would result in actual economic harm to the applicant, but this Subsection (82) may not be used to restrict access to a record evidencing a final contract or approval decision;
- 1758 (83) the following records of a drinking water or wastewater facility:
 - 1759 (a) an engineering or architectural drawing of the drinking water or wastewater facility; and
 - 1761 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the drinking water or wastewater facility uses to secure, or prohibit access to, the records described in Subsection (83)(a);
- 1764 (84) a statement that an employee of a governmental entity provides to the governmental entity as part of the governmental entity's personnel or administrative investigation into potential misconduct involving the employee if the governmental entity:
 - 1767 (a) requires the statement under threat of employment disciplinary action, including possible termination of employment, for the employee's refusal to provide the statement; and
 - 1770 (b) provides the employee assurance that the statement cannot be used against the employee in any criminal proceeding;
- 1772 (85) any part of an application for a Utah Fits All Scholarship account described in Section 53F-6-402 or other information identifying a scholarship student as defined in Section 53F-6-401;
- 1775 (86) a record:
 - 1776 (a) concerning a claim to the use of waters in the Great Salt Lake;
 - 1777 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a person concerning the claim, including a representative from another state or the federal government; and
 - 1780 (c) the disclosure of which would:
 - 1781 (i) reveal a legal strategy relating to the state's claim to the use of the water in the Great Salt Lake;
 - 1783 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms and conditions regarding the use of water in the Great Salt Lake; or
 - 1785 (iii) give an advantage to another person including another state or to the federal government in negotiations regarding the use of water in the Great Salt Lake;
- 1787 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is reclassified as public as described in Subsection 13-2-11(4);

SB0194S01 compared with SB0194S06

- 1789 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 1790 (a) concerning a claim to the use of waters;
- 1791 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative
from another state, a tribe, the federal government, or other government entity as provided in Title
73, Chapter 10g, Part 7, Utah Water Agent; and
- 1795 (c) the disclosure of which would:
- 1796 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 1797 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions regarding the use
of water; or
- 1799 (iii) give an advantage to another state, a tribe, the federal government, or other government entity in
negotiations regarding the use of water; and
- 1801 (89) a record created or maintained for an investigation of the Prosecutor Conduct Commission, created
in Section 63M-7-1102, that contains any personal identifying information of a prosecuting attorney,
including:
- 1804 (a) a complaint, or a document that is submitted or created for a complaint, received by the Prosecutor
Conduct Commission; or
- 1806 (b) a finding by the Prosecutor Conduct Commission.

1807 Section 19. **Repealer.**

This Bill Repeals:

- 1808 This bill repeals:
- 1809 Section **20A-9-405, Nomination petitions for regular primary elections.**
- 1810 Section **20A-9-406, Qualified political party -- Requirements and exemptions.**
- 1811 Section **20A-9-408, Signature-gathering process to seek the nomination of a qualified**
- 1812 **political party -- Removal of signature.**
- 1813 Section **20A-9-408.1, Candidate nomination document -- Access - Limitations -- Storage.**
- 1814 Section **20A-9-408.2, Tracking signatures on candidate nomination petition.**
- 1815 Section **20A-9-408.3, Submission of candidate signature packet -- Requirements for**
- 1816 **submission -- Signature packet chain of custody and storage.**
- 1817 Section **20A-9-410, Rulemaking authority.**
- 1818 Section **20A-9-411, Signing multiple nomination petitions.**
- 1819 Section 20. **Effective date.**

SB0194S01 compared with SB0194S06

Effective Date.

- 5327 (1) ~~{ Except as provided in Subsection (2), this }~~ This bill takes effect on May 6, 2026.
- 5328 ~~{ (2) { The actions affecting the following sections take effect on January 1, 2027; } }~~
- 5329 ~~{ (a) { Section 20A-1-102 (Effective 01/01/27); } }~~
- 5330 ~~{ (b) { Section 20A-2-101.1 (Effective 01/01/27); } }~~
- 5331 ~~{ (c) { Section 20A-2-104 (Effective 01/01/27); } }~~
- 5332 ~~{ (d) { Section 20A-2-108 (Effective 01/01/27); } }~~
- 5333 ~~{ (e) { Section 20A-2-204 (Effective 01/01/27); } }~~
- 5334 ~~{ (f) { Section 20A-2-206 (Effective 01/01/27); } }~~
- 5335 ~~{ (g) { Section 20A-2-304 (Effective 01/01/27); } }~~
- 5336 ~~{ (h) { Section 20A-2-505 (Effective 01/01/27); } }~~
- 5337 ~~{ (i) { Section 20A-2-603 (Effective 01/01/27); } }~~
- 5338 ~~{ (j) { Section 20A-2-603.5 (Effective 01/01/27); } }~~
- 5339 ~~{ (k) { Section 20A-2-604 (Effective 01/01/27); } }~~
- 5340 ~~{ (l) { Section 20A-2-605 (Effective 01/01/27); } }~~
- 5341 ~~{ (m) { Section 20A-2-606 (Effective 01/01/27); } }~~
- 5342 ~~{ (n) { Section 20A-2-607 (Effective 01/01/27); } }~~
- 5343 ~~{ (o) { Section 20A-5-410 (Effective 01/01/27); } }~~
- 5344 ~~{ (p) { Section 20A-6-105 (Effective 01/01/27); } }~~
- 5345 ~~{ (q) { Section 20A-9-408 (Effective 01/01/27); } }~~
- 5346 ~~{ (r) { Section 63G-2-301 (Effective 01/01/27); } }~~
- 5347 ~~{ (s) { Section 63G-2-302 (Effective 01/01/27); and } }~~
- 5348 ~~{ (t) { Section 63G-2-303 (Effective 01/01/27); } }~~

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