

Voting Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: A. Cory Maloy

Senate Sponsor: Ronald M. Winterton

LONG TITLE**General Description:**

This bill amends provisions relating to voting.

Highlighted Provisions:

This bill:

- defines terms;
- provides a process for an election officer to independently determine whether a registered voter is not a citizen of the United States;
- provides a process to challenge a determination described in the preceding paragraph;
- prohibits an individual from voting if an election officer independently determines that the voter is not a citizen of the United States and the individual does not successfully dispute the determination;
- creates a phased-in, bifurcated ballot system where:
 - a voter chooses whether to provide documentary proof of United States citizenship when registering to vote or before voting; and
 - a voter who does not provide documentary proof of United States citizenship may only vote in races for federal office;
- modifies voter registration forms and requirements consistent with the bifurcated ballot system;
- establishes procedures for administration of the bifurcated ballot system;
- modifies voter registration list requirements in relation to the bifurcated ballot system; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

31 **20A-1-102**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6
32 **20A-2-101.1**, as last amended by Laws of Utah 2025, Chapter 448
33 **20A-2-104**, as last amended by Laws of Utah 2025, Chapters 381, 448
34 **20A-2-108**, as last amended by Laws of Utah 2025, Chapter 381
35 **20A-2-204**, as last amended by Laws of Utah 2025, Chapters 381, 448
36 **20A-2-206**, as last amended by Laws of Utah 2025, Chapter 381
37 **20A-2-304**, as last amended by Laws of Utah 2025, Chapter 448
38 **20A-3a-401**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6
39 **20A-6-105**, as last amended by Laws of Utah 2025, Chapters 381, 448
40 **63G-2-301**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9
41 **63G-2-302**, as last amended by Laws of Utah 2025, Chapter 172

42 ENACTS:

43 **20A-2-508**, Utah Code Annotated 1953
44 **20A-3a-201.5**, Utah Code Annotated 1953

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

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

48 **20A-1-102 . Definitions.**

49 As used in this title:

- 50 (1) "Active voter" means a registered voter who has not been classified as an inactive voter
51 by the county clerk.
- 52 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
53 counts votes recorded on ballots and tabulates the results.
- 54 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
55 storage medium, that records an individual voter's vote.
- 56 (b) "Ballot" does not include a record to tally multiple votes.
- 57 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
58 the ballot for their approval or rejection including:
- 59 (a) an opinion question specifically authorized by the Legislature;
- 60 (b) a constitutional amendment;
- 61 (c) an initiative;
- 62 (d) a referendum;
- 63 (e) a bond proposition;
- 64 (f) a judicial retention question;

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

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

(5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples or another means in at least three places across the top of the paper in the blank space reserved for securing the paper.

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

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

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

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

(10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday, a business day, or any other type of day.

(11) "Canvass" means the review of election returns and the official declaration of election results by the board of canvassers.

(12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.

(13) "Contracting election officer" means an election officer who enters into a contract or interlocal agreement with a provider election officer.

(14) "Convention" means the political party convention at which party officers and delegates are selected.

(15) "Counting center" means one or more locations selected by the election officer in charge of the election for the automatic counting of ballots.

(16) "Counting judge" means a poll worker designated to count the ballots during election day.

(17) "Counting room" means a suitable and convenient private place or room for use by the poll workers and counting judges to count ballots.

(18) "County officers" means those county officers that are required by law to be elected.

(19) "Date of the election" or "election day" or "day of the election":

(a) means the day that is specified in the calendar year as the day on which the election occurs; and

(b) does not include:

(i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or

(ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.

(20) "Documentary proof of United States citizenship" means:

(a) a Utah driver license number that verifies United States citizenship;

(b) a Utah state identification card number that verifies United States citizenship;

(c) a legible copy of an individual's birth certificate that verifies United States citizenship;

(d) a legible copy of the pages of an individual's United States passport that identifies the individual and the individual's passport number;

(e) an alien registration number that verifies United States citizenship;

(f) a legible copy of the voter's United States naturalization documents;

(g) a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;

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

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

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

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

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

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

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

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

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

133 ~~[(24)]~~ (25) "Election judge" means a poll worker that is assigned to:

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

137 ~~[(25)]~~ (26) "Election material" includes:

- 138 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 139 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 140 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 141 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
 - 142 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
 - 143 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 144 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 145 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 146 (g) the physical and electronic log of replicated ballots described in Subsection
- 147 20A-4-104(3);
- 148 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 149 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 150 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 151 (k) scanned copies of return envelopes;
- 152 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 153 (m) the materials used in the programming of the automatic tabulating equipment.

154 ~~[(26)]~~ (27) "Election officer" means:

- 155 (a) the lieutenant governor, for all statewide ballots and elections;
- 156 (b) the county clerk for:
 - 157 (i) a county ballot and election; and
 - 158 (ii) a ballot and election as a provider election officer as provided in Section
 - 159 20A-5-400.1 or 20A-5-400.5;
- 160 (c) the municipal clerk for:
 - 161 (i) a municipal ballot and election; and
 - 162 (ii) a ballot and election as a provider election officer as provided in Section
 - 163 20A-5-400.1 or 20A-5-400.5;
- 164 (d) the special district clerk or chief executive officer for:
 - 165 (i) a special district ballot and election; and
 - 166 (ii) a ballot and election as a provider election officer as provided in Section

167 20A-5-400.1 or 20A-5-400.5; or

168 (e) the business administrator or superintendent of a school district for:

169 (i) a school district ballot and election; and

170 (ii) a ballot and election as a provider election officer as provided in Section

171 20A-5-400.1 or 20A-5-400.5.

172 ~~[(27)]~~ (28) "Election official" means any election officer, election judge, or poll worker.

173 ~~[(28)]~~ (29) "Election results" means:

174 (a) for an election other than a bond election, the count of votes cast in the election and
175 the election returns requested by the board of canvassers; or

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

178 ~~[(29)]~~ (30) "Election results database" means the following information generated by voting
179 equipment:

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

182 (b) a ballot image; and

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

184 ~~[(30)]~~ (31) "Election returns" means:

185 (a) the pollbook;

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

187 (c) one of the tally sheets;

188 (d) any unprocessed ballots;

189 (e) all counted ballots;

190 (f) all excess ballots;

191 (g) all unused ballots;

192 (h) all spoiled ballots;

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

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

195 (k) all return envelopes;

196 (l) any provisional ballot envelopes; and

197 (m) the total votes cast form.

198 ~~[(31)]~~ (32) "Electronic signature" means an electronic sound, symbol, or process attached to
199 or logically associated with a record and executed or adopted by a person with the intent
200 to sign the record.

201 (33) "Federal ballot" means a ballot that includes only the federal races that are to be
202 presented for a vote in a particular election.

203 [(32)] (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
204 [(33)] (35) "Inactive voter" means a registered voter who is listed as inactive by a county
205 clerk under Subsection 20A-2-505(4)(c)(i) or (ii).

206 [(34)] (36) "Judicial office" means the office filled by any judicial officer.
207 [(35)] (37) "Judicial officer" means any justice or judge of a court of record or any county
208 court judge.

209 [(36)] (38) "Local election" means a regular county election, a regular municipal election, a
210 municipal primary election, a local special election, a special district election, and a
211 bond election.

212 [(37)] (39) "Local political subdivision" means a county, a municipality, a special district, or
213 a local school district.

214 [(38)] (40) "Local special election" means a special election called by the governing body of
215 a local political subdivision in which all registered voters of the local political
216 subdivision may vote.

217 [(39)] (41) "Manual ballot" means a paper document produced by an election officer on
218 which an individual records an individual's vote by directly placing a mark on the paper
219 document using a pen or other marking instrument.

220 [(40)] (42) "Mechanical ballot" means a record, including a paper record, electronic record,
221 or mechanical record, that:
222 (a) is created via electronic or mechanical means; and
223 (b) records an individual voter's vote cast via a method other than an individual directly
224 placing a mark, using a pen or other marking instrument, to record an individual
225 voter's vote.

226 [(41)] (43) "Municipal executive" means:
227 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
228 (b) the mayor in the council-manager form of government defined in Subsection
229 10-3b-103(6).

230 [(42)] (44) "Municipal general election" means the election held in municipalities and, as
231 applicable, special districts on the first Tuesday after the first Monday in November of
232 each odd-numbered year for the purposes established in Section 20A-1-202.

233 [(43)] (45) "Municipal legislative body" means the council of the city or town in any form
234 of municipal government.

235 ~~[(44)]~~ (46) "Municipal office" means an elective office in a municipality.
236 ~~[(45)]~~ (47) "Municipal officers" means those municipal officers that are required by law to
237 be elected.
238 ~~[(46)]~~ (48) "Municipal primary election" means an election held to nominate candidates for
239 municipal office.
240 ~~[(47)]~~ (49) "Municipality" means a city or town.
241 ~~[(48)]~~ (50) "Official ballot" means the ballots distributed by the election officer for voters to
242 record their votes.
243 ~~[(49)]~~ (51) "Official endorsement" means the information on the ballot that identifies:
244 (a) the ballot as an official ballot;
245 (b) the date of the election; and
246 (c)(i) for a ballot prepared by an election officer other than a county clerk, the
247 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
248 (ii) for a ballot prepared by a county clerk, the words required by Subsection
249 20A-6-301(1)(b)(iii).
250 ~~[(50)]~~ (52) "Official register" means the official record furnished to election officials by the
251 election officer that contains the information required by Section 20A-5-401.
252 ~~[(51)]~~ (53) "Political party" means an organization of registered voters that has qualified to
253 participate in an election by meeting the requirements of Chapter 8, Political Party
254 Formation and Procedures.
255 ~~[(52)]~~ (54)(a) "Poll worker" means a person assigned by an election official to assist with
256 an election, voting, or counting votes.
257 (b) "Poll worker" includes election judges.
258 (c) "Poll worker" does not include a watcher.
259 ~~[(53)]~~ (55) "Pollbook" means a record of the names of voters in the order that the voters
260 appear to cast votes.
261 ~~[(54)]~~ (56) "Polling place" means a building where voting is conducted.
262 ~~[(55)]~~ (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
263 in which the voter marks the voter's choice.
264 ~~[(56)]~~ (58) "Presidential Primary Election" means the election established in Chapter 9, Part
265 8, Presidential Primary Election.
266 ~~[(57)]~~ (59) "Primary convention" means the political party conventions held during the year
267 of the regular general election.
268 ~~[(58)]~~ (60) "Protective counter" means a separate counter, which cannot be reset, that:

269 (a) is built into a voting machine; and
270 (b) records the total number of movements of the operating lever.

271 ~~[(59)]~~ (61) "Provider election officer" means an election officer who enters into a contract or
272 interlocal agreement with a contracting election officer to conduct an election for the
273 contracting election officer's local political subdivision in accordance with Section
274 20A-5-400.1.

275 ~~[(60)]~~ (62) "Provisional ballot" means a ballot voted provisionally by a person:
276 (a) whose name is not listed on the official register at the polling place;
277 (b) whose legal right to vote is challenged as provided in this title; or
278 (c) whose identity was not sufficiently established by a poll worker.

279 ~~[(61)]~~ (63) "Provisional ballot envelope" means an envelope printed in the form required by
280 Section 20A-6-105 that is used to identify provisional ballots and to provide information
281 to verify a person's legal right to vote.

282 ~~[(62)]~~ (64)(a) "Public figure" means an individual who, due to the individual being
283 considered for, holding, or having held a position of prominence in a public or
284 private capacity, or due to the individual's celebrity status, has an increased risk to the
285 individual's safety.
286 (b) "Public figure" does not include an individual:
287 (i) elected to public office; or
288 (ii) appointed to fill a vacancy in an elected public office.

289 ~~[(63)]~~ (65) "Qualify" or "qualified" means to take the oath of office and begin performing
290 the duties of the position for which the individual was elected.

291 ~~[(64)]~~ (66) "Receiving judge" means the poll worker that checks the voter's name in the
292 official register at a polling place and provides the voter with a ballot.

293 ~~[(65)]~~ (67) "Registration form" means a form by which an individual may register to vote
294 under this title.

295 ~~[(66)]~~ (68) "Regular ballot" means a ballot that is not a provisional ballot.

296 ~~[(67)]~~ (69) "Regular general election" means the election held throughout the state on the
297 first Tuesday after the first Monday in November of each even-numbered year for the
298 purposes established in Section 20A-1-201.

299 ~~[(68)]~~ (70) "Regular primary election" means the election, held on the date specified in
300 Section 20A-1-201.5, to nominate candidates of political parties and candidates for
301 nonpartisan local school board positions to advance to the regular general election.

302 ~~[(69)]~~ (71) "Resident" means a person who resides within a specific voting precinct in Utah.

303 ~~[(70)]~~ (72) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
304 provided to a voter with a manual ballot:

305 (a) into which the voter places the manual ballot after the voter has voted the manual
306 ballot in order to preserve the secrecy of the voter's vote; and

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

308 ~~[(71)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot,
309 published as provided in Section 20A-5-405.

310 ~~[(72)]~~ (74) "Special district" means a local government entity under Title 17B, Limited
311 Purpose Local Government Entities - Special Districts, and includes a special service
312 district under Title 17D, Chapter 1, Special Service District Act.

313 ~~[(73)]~~ (75) "Special district officers" means those special district board members who are
314 required by law to be elected.

315 ~~[(74)]~~ (76) "Special election" means an election held as authorized by Section 20A-1-203.

316 ~~[(75)]~~ (77) "Spoiled ballot" means each ballot that:

317 (a) is spoiled by the voter;

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

319 (c) lacks the official endorsement.

320 (78) "Standard ballot" means a ballot that includes all races and ballot propositions that are
321 to be presented for a vote in a particular election.

322 ~~[(76)]~~ (79) "Statewide special election" means a special election called by the governor or
323 the Legislature in which all registered voters in Utah may vote.

324 ~~[(77)]~~ (80) "Tabulation system" means a device or system designed for the sole purpose of
325 tabulating votes cast by voters at an election.

326 ~~[(78)]~~ (81) "Ticket" means a list of:

327 (a) political parties;

328 (b) candidates for an office; or

329 (c) ballot propositions.

330 ~~[(79)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the
331 counting center.

332 ~~[(80)]~~ (83) "Vacancy" means:

333 (a) except as provided in Subsection ~~[(80)(b)]~~ (83)(b), the absence of an individual to
334 serve in a position created by state constitution or state statute, whether that absence
335 occurs because of death, disability, disqualification, resignation, or other cause; or

336 (b) in relation to a candidate for a position created by state constitution or state statute,

the removal of a candidate due to the candidate's death, resignation, or disqualification.

~~[(81)]~~ (84) "Valid voter identification" means:

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

(i) a currently valid Utah driver license;

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

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

(A) the state; or

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

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

(v) a currently valid United States passport; or

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

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

(i) a valid tribal identification card;

(ii) a Bureau of Indian Affairs card; or

(iii) a tribal treaty card; or

(c) two forms of identification not listed under Subsection ~~[(81)(a) or (b)]~~ (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:

(i) before January 1, 2029, an original or copy of a current utility bill, dated no more than 90 calendar days before the date of the election;

(ii) before January 1, 2029, an original or copy of a bank or other financial account statement, dated no more than 90 calendar days before the date of the election;

(iii) a certified birth certificate;

(iv) a valid social security card;

(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;

(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;

(vii) a currently valid Utah hunting or fishing license;

(viii) certified naturalization documentation;

- (ix) a currently valid license issued by an authorized agency of the United States;
- (x) a certified copy of court records showing the voter's adoption or name change;
- (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- (xii) a currently valid identification card issued by:

- (A) a local government within the state;
- (B) an employer for an employee; or
- (C) a college, university, technical school, or professional school located within the state; or

(xiii) a current Utah vehicle registration.

~~[(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.

~~[(83)]~~ (86) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

- (a) mailing the ballot to the location designated in the mailing; or
- (b) depositing the ballot in a ballot drop box designated by the election officer.

~~[(84)]~~ (87) "Voter" means an individual who:

- (a) meets the requirements for voting in an election;
- (b) meets the requirements of election registration;
- (c) is registered to vote; and
- (d) is listed in the official register.

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

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

~~[(87)]~~ (90) "Voting booth" means:

- (a) the space or compartment within a polling place that is provided for the preparation of ballots, including the voting enclosure or curtain; or
- (b) a voting device that is free standing.

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

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

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

405 [(91)] (94) "Write-in ballot" means a ballot containing any write-in votes.
406 [(92)] (95) "Write-in vote" means a vote cast for an individual, whose name is not printed on
407 the ballot, in accordance with the procedures established in this title.

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

409 **20A-2-101.1 . Preregistering to vote.**

410 (1) [An] Subject to Section 20A-3a-201.5, an individual may preregister to vote if the
411 individual:

- 412 (a) is 16 or 17 years [of age] old;
- 413 (b) is not eligible to register to vote because the individual does not comply with the age
414 requirements described in Subsection 20A-2-101(1)(c);
- 415 (c) is a citizen of the United States;
- 416 (d) has been a resident of Utah for at least 30 calendar days; and
- 417 (e) currently resides within the voting district or precinct in which the individual
418 preregisters to vote.

419 (2) An individual described in Subsection (1) may not vote in an election and is not
420 registered to vote until:

- 421 (a) the individual is otherwise eligible to register to vote because the individual complies
422 with the age requirements described in Subsection 20A-2-101(1)(c); and
- 423 (b) the county clerk registers the individual to vote under Subsection (4).

424 (3) An individual who preregisters to vote shall:

- 425 (a) complete a voter registration form, including an indication that the individual is
426 preregistering to vote; and
- 427 (b) submit the voter registration form to a county clerk in person, by mail, or in any
428 other manner authorized by this chapter for the submission of a voter registration
429 form.

430 (4)(a) A county clerk shall:

- 431 (i) retain the voter registration form of an individual who meets the qualifications for
432 preregistration and who submits a completed voter registration form to the county
433 clerk under Subsection (3)(b);
- 434 (ii) subject to Section 20A-3a-201.5, register the individual to vote in the next
435 election in which the individual will be eligible to vote, before the voter
436 registration deadline established in Section 20A-2-102.5 for that election; and
- 437 (iii) send a notice to the individual that:
438 (A) informs the individual that the individual's voter registration form has been

- 439 accepted as an application for preregistration;
- 440 (B) informs the individual that the individual will be registered to vote in the next
- 441 election in which the individual will be eligible to vote; and
- 442 (C) indicates in which election the individual will be registered to vote.
- 443 (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is
- 444 considered to have applied for voter registration on the earlier of:
- 445 (i) the day of the voter registration deadline immediately preceding the election day
- 446 on which the individual will be at least 18 years ~~[of age]~~ old; or
- 447 (ii) the day on which the individual turns 18 years ~~[of age]~~ old.
- 448 (c) A county clerk shall refer a voter registration form to the county attorney for
- 449 investigation and possible prosecution if the clerk or the clerk's designee believes the
- 450 individual is attempting to preregister to vote in an election in which the individual
- 451 will not be legally entitled to vote.
- 452 (5)(a) The lieutenant governor or a county clerk shall classify the voter registration
- 453 record of an individual who preregisters to vote as a private record until the day on
- 454 which the individual turns 18 years ~~[of age]~~ old.
- 455 (b) On the day on which the individual described in Subsection (5)(a) turns 18 years ~~[of~~
- 456 ~~age]~~ old, the lieutenant governor or county clerk shall classify the individual's voter
- 457 registration record as a public record in accordance with Subsection 63G-2-301(2)(l).
- 458 (6) If an individual who is at least 18 years ~~[of age]~~ old erroneously indicates on the voter
- 459 registration form that the individual is preregistering to vote, the county clerk shall
- 460 consider the form as a voter registration form and shall process the form in accordance
- 461 with this chapter.

462 Section 3. Section **20A-2-104** is amended to read:

463 **20A-2-104 . Voter registration form -- Registered voter lists -- Fees for copies.**

- 464 (1) As used in this section:
- 465 (a) "Candidate for public office" means an individual:
- 466 (i) who files a declaration of candidacy for a public office;
- 467 (ii) who files a notice of intent to gather signatures under Section 20A-9-408; or
- 468 (iii) employed by, under contract with, or a volunteer of, an individual described in
- 469 Subsection (1)(a)(i) or (ii) for political campaign purposes.
- 470 (b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and
- 471 the federal Violence Against Women Act of 1994, as amended.
- 472 (c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and

the federal Violence Against Women Act of 1994, as amended.

(d) "Hash Code" means a code generated by applying an algorithm to a set of data to produce a code that:

- (i) uniquely represents the set of data;
- (ii) is always the same if the same algorithm is applied to the same set of data; and
- (iii) cannot be reversed to reveal the data applied to the algorithm.

(e) "Protected individual" means an individual:

- (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;
- (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
- (iii) whose voter registration record was classified as a private record at the request of the individual before May 12, 2020.

(2)(a) An individual applying for voter registration, or an individual preregistering to vote, shall complete a voter registration form in substantially the following form:

UTAH ELECTION REGISTRATION FORM

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

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

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

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

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

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

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

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

Name of Voter

First Middle Last

Utah Driver License or Utah Identification Card

Number _____

Date of Birth _____

Street Address of Principal Place of Residence

City County State Zip Code

Telephone Number (optional) _____

Email Address (optional) _____

Last four digits of Social Security Number _____

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

City County State Zip Code

Political Party

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

☐ Unaffiliated (no political party preference) ☐ Other (Please

specify)_____

I do swear (or affirm), subject to penalty of law for false statements, that the information contained in this form is true, and that I am a citizen of the United States and a resident of the state of Utah, residing at the above address. Unless I have indicated above that I am preregistering to vote in a later election, I will be at least 18 years of age and will have resided in Utah for 30 calendar days immediately before the next election. I am not a convicted felon currently incarcerated for commission of a felony.

Signed and sworn

Voter's Signature

_____(month/day/year).

PRIVACY INFORMATION

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

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

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

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

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

A person may request that identifying information on the person's voter registration records be withheld from all political parties, candidates for public office, and their

contractors, employees, and volunteers, by submitting a withholding request form with this registration record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

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

CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

Signature of Applicant

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

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

FOR OFFICIAL USE ONLY

Type of I.D. _____

Voting Precinct _____

Voting I.D. Number _____

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

(i) a section in substantially the following form:

"-----"

BALLOT NOTIFICATIONS

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

-----";

and

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

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

_____ Mail a ballot to me.

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

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

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

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

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

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

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

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

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

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

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

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

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

- 643 party;
- 644 (vi) a candidate for public office, or an employee, independent contractor, or
- 645 volunteer of a candidate for public office;
- 646 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a
- 647 year of birth from the list of registered voters:
- 648 (A) provides the year of birth only to a person described in Subsections (4)(a)(i)
- 649 through (vi);
- 650 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person
- 651 described in Subsections (4)(a)(i) through (vi);
- 652 (C) ensures, using industry standard security measures, that the year of birth may
- 653 not be accessed by a person other than a person described in Subsections
- 654 (4)(a)(i) through (vi);
- 655 (D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to
- 656 whom the person provides the year of birth will only use the year of birth to
- 657 verify the accuracy of personal information submitted by an individual or to
- 658 confirm the identity of a person in order to prevent fraud, waste, or abuse;
- 659 (E) verifies that each person described in Subsection (4)(a)(i) to whom the person
- 660 provides the year of birth will only use the year of birth in the person's capacity
- 661 as a government official or government employee; and
- 662 (F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 663 person provides the year of birth will only use the year of birth for a political
- 664 purpose of the political party or candidate for public office; or
- 665 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining
- 666 information under Subsection (4)(n) and (o):
- 667 (A) provides the information only to another person described in Subsection
- 668 (4)(a)(v) or (vi);
- 669 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a
- 670 person described in Subsection (4)(a)(v) or (vi);
- 671 (C) ensures, using industry standard security measures, that the information may
- 672 not be accessed by a person other than a person described in Subsection
- 673 (4)(a)(v) or (vi); and
- 674 (D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 675 person provides the information will only use the information for a political
- 676 purpose of the political party or candidate for public office.

- (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:
- (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a qualified person; and
 - (ii) the qualified person signs a document that includes the following:
 - (A) the name, address, and telephone number of the person requesting the list of registered voters;
 - (B) an indication of the type of qualified person that the person requesting the list claims to be;
 - (C) a statement regarding the purpose for which the person desires to obtain the years of birth;
 - (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;
 - (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);
 - (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;
 - (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
 - (H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.
- (c) The lieutenant governor or a county clerk:
- (i) may not disclose the year of birth of a registered voter to a person that the lieutenant governor or county clerk reasonably believes:
 - (A) is not a qualified person or a person described in Subsection (4)(l); or
 - (B) will provide or use the year of birth in a manner prohibited by law; and
 - (ii) may not disclose information under Subsections (4)(n) or (o) to a person that the

- 711 lieutenant governor or county clerk reasonably believes:
- 712 (A) is not a person described in Subsection (4)(a)(v) or (vi); or
- 713 (B) will provide or use the information in a manner prohibited by law.
- 714 (d) The lieutenant governor or a county clerk may not disclose the voter registration
- 715 form of a person, or information included in the person's voter registration form,
- 716 whose voter registration form is classified as private under Subsection (4)(h) to a
- 717 person other than:
- 718 (i) a government official or government employee acting in the government official's
- 719 or government employee's capacity as a government official or government
- 720 employee; or
- 721 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for
- 722 a political purpose.
- 723 (e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or
- 724 information under Subsection (4)(d)(ii), the lieutenant governor or county clerk
- 725 shall exclude the information described in Subsection 63G-2-302(1)(j), other than
- 726 the year of birth.
- 727 (ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the
- 728 voter registration record of a protected individual, the lieutenant governor or
- 729 county clerk shall comply with Subsections (4)(n) through (p).
- 730 (f) The lieutenant governor or a county clerk may not disclose a withholding request
- 731 form, described in Subsections ~~[(7) and]~~(8) and (9), submitted by an individual, or
- 732 information obtained from that form, to a person other than a government official or
- 733 government employee acting in the government official's or government employee's
- 734 capacity as a government official or government employee.
- 735 (g) A person is guilty of a class A misdemeanor if the person:
- 736 (i) obtains from the list of registered voters, under false pretenses, the year of birth of
- 737 a registered voter or information described in Subsection (4)(n) or (o);
- 738 (ii) uses or provides the year of birth of a registered voter, or information described in
- 739 Subsection (4)(n) or (o), that is obtained from the list of registered voters in a
- 740 manner that is not permitted by law;
- 741 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)
- 742 under false pretenses;
- 743 (iv) uses or provides information obtained from a voter registration record described
- 744 in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;

- 745 (v) unlawfully discloses or obtains a voter registration record withheld under
746 Subsection [(7)] (8) or a withholding request form described in [Subsections (7)
747 and (8)] Subsection (9); or
- 748 (vi) unlawfully discloses or obtains information from a voter registration record
749 withheld under Subsection [(7)] (8) or a withholding request form described in [
750 Subsections (7) and (8)] Subsection (9).
- 751 (h) The lieutenant governor or a county clerk shall classify the voter registration record
752 of a voter as a private record if the voter:
- 753 (i) submits a written application, created by the lieutenant governor, requesting that
754 the voter's voter registration record be classified as private;
- 755 (ii) requests on the voter's voter registration form that the voter's voter registration
756 record be classified as a private record; or
- 757 (iii) submits a withholding request form described in Subsection [(7)] (9) and any
758 required verification.
- 759 (i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a
760 county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a
761 voter registration record, or information obtained from a voter registration record, if
762 the record is withheld under Subsection [(7)] (8).
- 763 (j) In addition to any criminal penalty that may be imposed under this section, the
764 lieutenant governor may impose a civil fine against a person who violates a provision
765 of this section, in an amount equal to the greater of:
- 766 (i) the product of 30 and the square root of the total number of:
- 767 (A) records obtained, provided, or used unlawfully, rounded to the nearest whole
768 dollar; or
- 769 (B) records from which information is obtained, provided, or used unlawfully,
770 rounded to the nearest whole dollar; or
- 771 (ii) \$200.
- 772 (k) A qualified person may not obtain, provide, or use the year of birth of a registered
773 voter, if the year of birth is obtained from the list of registered voters or from a voter
774 registration record, unless the person:
- 775 (i) is a government official or government employee who obtains, provides, or uses
776 the year of birth in the government official's or government employee's capacity
777 as a government official or government employee;
- 778 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or

- 779 uses the year of birth only to verify the accuracy of personal information
780 submitted by an individual or to confirm the identity of a person in order to
781 prevent fraud, waste, or abuse;
- 782 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,
783 provides, or uses the year of birth for a political purpose of the political party or
784 candidate for public office; or
- 785 (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or
786 uses the year of birth to provide the year of birth to another qualified person to
787 verify the accuracy of personal information submitted by an individual or to
788 confirm the identity of a person in order to prevent fraud, waste, or abuse.
- 789 (l) The lieutenant governor or a county clerk may provide a year of birth to a member of
790 the media, in relation to an individual designated by the member of the media, in
791 order for the member of the media to verify the identity of the individual.
- 792 (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose
793 information from a voter registration record for a purpose other than a political
794 purpose.
- 795 (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a
796 county clerk shall, when providing the list of registered voters to a qualified person
797 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose
798 record is withheld under Subsection ~~[(7)]~~ (8), the information described in Subsection
799 (4)(o), if:
- 800 (i) the lieutenant governor or a county clerk verifies the identity of the person and
801 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and
- 802 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document
803 that includes the following:
- 804 (A) the name, address, and telephone number of the person requesting the list of
805 registered voters;
- 806 (B) an indication of the type of qualified person that the person requesting the list
807 claims to be;
- 808 (C) a statement regarding the purpose for which the person desires to obtain the
809 information;
- 810 (D) a list of the purposes for which the qualified person may use the information;
- 811 (E) a statement that the information may not be provided or used for a purpose
812 other than a purpose described under Subsection (4)(n)(ii)(D);

- 813 (F) a statement that if the person obtains the information under false pretenses, or
814 provides or uses the information in a manner that is prohibited by law, the
815 person is guilty of a class A misdemeanor and is subject to a civil fine;
- 816 (G) an assertion from the person that the person will not provide or use the
817 information in a manner that is prohibited by law; and
- 818 (H) notice that if the person makes a false statement in the document, the person is
819 punishable by law under Section 76-8-504.
- 820 (o) Except as provided in Subsection (4)(p), the information that the lieutenant governor
821 or a county clerk is required to provide, under Subsection (4)(n), from the record of a
822 protected individual is:
- 823 (i) a single hash code, generated from a string of data that includes both the voter's
824 voter identification number and residential address;
- 825 (ii) the voter's residential address;
- 826 (iii) the voter's mailing address, if different from the voter's residential address;
- 827 (iv) the party affiliation of the voter;
- 828 (v) the precinct number for the voter's residential address;
- 829 (vi) the voter's voting history; and
- 830 (vii) a designation of which age group, of the following age groups, the voter falls
831 within:
- 832 (A) 25 or younger;
- 833 (B) 26 through 35;
- 834 (C) 36 through 45;
- 835 (D) 46 through 55;
- 836 (E) 56 through 65;
- 837 (F) 66 through 75; or
- 838 (G) 76 or older.
- 839 (p) The lieutenant governor or a county clerk may not disclose:
- 840 (i) information described in Subsection (4)(o) that, due to a small number of voters
841 affiliated with a particular political party, or due to another reason, would likely
842 reveal the identity of a voter if disclosed; or
- 843 (ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the
844 county clerk determines that the nature of the address would directly reveal
845 sensitive information about the voter.
- 846 (q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain, provide,

or use the information described in Subsection (4)(n) or (o), except to the extent that the qualified person uses the information for a political purpose of a political party or candidate for public office.

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

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

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

(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.

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

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

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

(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.

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

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

884 ~~[(10)]~~ (11)(a) The lieutenant governor shall make and execute a plan to provide notice to
885 registered voters who are protected individuals, that includes the following
886 information:

- 887 (i) that the voter's classification of the record as private remains in effect;
- 888 (ii) that certain non-identifying information from the voter's voter registration record
889 may, under certain circumstances, be released to political parties and candidates
890 for public office;
- 891 (iii) that the voter's name, driver license or identification card number, social security
892 number, email address, phone number, and the voter's day, month, and year of
893 birth will remain private and will not be released to political parties or candidates
894 for public office;
- 895 (iv) that a county clerk will only release the information to political parties and
896 candidates in a manner that does not associate the information with a particular
897 voter; and
- 898 (v) that a county clerk may, under certain circumstances, withhold other information
899 that the county clerk determines would reveal identifying information about the
900 voter.

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

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

- 906 (i) publication on the Utah Public Notice Website, created in Section 63A-16-601;
- 907 (ii) publication on the lieutenant governor's website or a county's website;
- 908 (iii) posting the notice in public locations;
- 909 (iv) publication in a newspaper;
- 910 (v) sending notification to the voters by electronic means;
- 911 (vi) sending notice by other methods used by government entities to communicate
912 with citizens; or
- 913 (vii) providing notice by any other method.

914 (d) The lieutenant governor shall provide the notice included in a plan described in this

Subsection ~~[(10)]~~ (11) before June 16, 2023.

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

20A-2-108 . Driver license or state identification card registration form --

Transmittal of information.

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

(a) a driver license application form; or

(b) a state identification card application form.

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

(a)(i) the following question, which an applicant is required to answer: "Do you authorize the use of information in this form for voter registration purposes?

YES____ NO____"; and

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

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

____ Mail a ballot to me.

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

(b) the following statement:

"PRIVACY INFORMATION

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

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

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

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

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

In addition to the protections provided above, you may request that identifying

information on your voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form, and any required verification, as described in the following paragraphs.

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

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

(c) a section in substantially the following form:

"-----

BALLOT NOTIFICATIONS

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

-----".

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

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

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

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

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

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

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

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

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

(f) the following statement:

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

If you desire to vote for a race for an office other than federal office, or if you

desire to vote for a ballot proposition, you are required to provide one of the

following as proof that you are a citizen of the United States:

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

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

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

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

• an alien registration number that verifies United States citizenship;

• a legible copy of your United States naturalization documents;

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

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

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

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

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

(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.

(2)(a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may
register to vote, and a citizen who is qualified to preregister to vote may preregister to

- 1017 vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a)(i)
 1018 and completing the voter registration form.
- 1019 (b) A citizen who is a program participant in the Safe at Home Program created in
 1020 Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a),
 1021 but is eligible to register to vote by any other means described in this part.
- 1022 (3) The Driver License Division shall:
- 1023 (a) assist an individual in completing the voter registration form unless the individual
 1024 refuses assistance;
- 1025 (b) electronically transmit each address change to the lieutenant governor on or before
 1026 the first business day that is at least five calendar days after the day on which the
 1027 division receives the address change; and
- 1028 (c) on or before the first business day that is at least five calendar days after the day on
 1029 which the division receives a voter registration form, electronically transmit the form
 1030 to the ~~[Office of the Lieutenant Governor]~~ lieutenant governor, including the
 1031 following for the individual named on the form:
- 1032 (i) the name, date of birth, driver license or state identification card number, last four
 1033 digits of the social security number, Utah residential address, place of birth, and
 1034 signature;
- 1035 (ii) a mailing address, if different from the individual's Utah residential address;
- 1036 (iii) an email address and phone number, if available;
- 1037 (iv) the desired political affiliation, if indicated;
- 1038 (v) an indication of whether the individual requested that the individual's voter
 1039 registration record be classified as a private record under Subsection
 1040 20A-2-108(2)(b);~~[-and]~~
- 1041 (vi) a withholding request form described in Subsections ~~[20A-2-104(7) and (8)]~~
 1042 20A-2-104(8) and (9) and any verification submitted with the form~~[-]~~ ; and
- 1043 (vii) a copy of any documentary proof of United States citizenship submitted by the
 1044 individual.
- 1045 (4) Upon receipt of an individual's voter registration form from the Driver License Division
 1046 under Subsection (3), the lieutenant governor shall:
- 1047 (a) enter the information into the statewide voter registration database;~~[-and]~~
- 1048 (b) retain a copy of the documentary proof of United States citizenship submitted by the
 1049 individual; and
- 1050 ~~[(b)]~~ (c) if the individual requests on the individual's voter registration form that the

individual's voter registration record be classified as a private record or the individual submits a withholding request form described in Subsections ~~[20A-2-104(7) and (8)]~~ 20A-2-104(8) and (9) and any required verification, classify the individual's voter registration record as a private record.

(5) The county clerk of an individual whose information is entered into the statewide voter registration database under Subsection (4) shall:

(a) ensure that the individual meets the qualifications to be registered or preregistered to vote; and

(b)(i) if the individual meets the qualifications to be registered to vote:

(A) ensure that the individual is assigned to the proper voting precinct; and

(B) send the individual the notice described in Section 20A-2-304;~~[-or]~~

(ii) if the individual meets the qualifications to be preregistered to vote, process the form in accordance with the requirements of Section 20A-2-101.1~~[-]~~ ; and

(iii) determine whether the individual has provided documentary proof of United States citizenship.

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

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

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

(b) If the county clerk receives a correctly completed voter registration form under this section no later than 5 p.m. or, if submitting the form electronically, midnight, 11 calendar days before the date of an election, the county clerk shall:

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

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

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

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

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

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

(c) If the county clerk receives a correctly completed voter registration form under this

section after the deadline described in Subsection (6)(b), the county clerk shall, unless the individual named in the form is preregistering to vote, and subject to Section 20A-3a-201.5:

- (i) accept the application for registration of the individual;
- (ii) process the voter registration form; and
- (iii) unless the individual is preregistering to vote, and except as provided in Subsection 20A-2-207(6), inform the individual that the individual will not be registered to vote in the pending election, unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207.

(7)(a) If the county clerk determines that an individual's voter registration form received from the Driver License Division is incorrect because of an error, because the form is incomplete, or because the individual does not meet the qualifications to be registered to vote, the county clerk shall mail notice to the individual stating that the individual has not been registered or preregistered because of an error, because the registration form is incomplete, or because the individual does not meet the qualifications to be registered to vote.

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

Section 6. Section **20A-2-206** is amended to read:

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

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

- (a) apply for voter registration or preregistration; or
- (b) [~~beginning no later than July 1, 2025,~~] request to receive a ballot by mail.

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

- (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;
- (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);
- (c) attest to the truth of the information provided; and
- (d) authorize the lieutenant governor's and county clerk's use of the applicant's:
- (i) driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver License Act, for voter registration or preregistration purposes; or
- (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.
- (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.
- (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).
- (5) The lieutenant governor shall, in relation to an individual who is registering to vote:
- (a) obtain a digital copy of the applicant's driver license signature or identification card signature from the Driver License Division; or
- (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.
- (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:
- (a) receiving all information from an applicant;~~[-and]~~
- (b)~~[(+)]~~ receiving all information from the Driver License Division, if applicable; and
- ~~[(+)]~~ (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.
- (7) The lieutenant governor may use additional security measures to ensure the accuracy and integrity of information submitted electronically under this section.
- (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:
- (a) accept and process the voter registration form;
- (b) unless the individual named in the form is preregistering to vote, and subject to Section 20A-3a-201.5:
- (i) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and

- 1153 (ii) notify the individual that the individual is registered to vote in the upcoming
 1154 election; and
- 1155 (c) if the individual named in the form is preregistering to vote, comply with Section
 1156 20A-2-101.1.
- 1157 (9) If an individual applies to register under this section after the deadline described in
 1158 Subsection (8), the county clerk shall, unless the individual is preregistering to vote:
 1159 (a) accept the application for registration; and
 1160 (b) except as provided in Subsection 20A-2-207(6), and subject to Section 20A-3a-201.5,
 1161 if possible, promptly inform the individual that the individual will not be registered to
 1162 vote in the pending election, unless the individual registers to vote by provisional
 1163 ballot during the early voting period, if applicable, on election day, in accordance
 1164 with Section 20A-2-207.
- 1165 (10) The lieutenant governor shall provide a means by which a registered voter shall sign
 1166 the application form.
- 1167 (11) For an individual who is registering to vote or is already registered to vote, the electronic
 1168 system described in Subsection (1) shall include the following:
 1169 "Indicate below how you want to vote in upcoming elections:
 1170 _____ Mail a ballot to me.
 1171 _____ Do not mail a ballot to me. I will vote in person."
- 1172 Section 7. Section **20A-2-304** is amended to read:
 1173 **20A-2-304 . County clerk's responsibilities -- Notice of disposition.**
 1174 [Each] Subject to Section 20A-3a-201.5, a county clerk shall:
 1175 (1) register to vote each individual who meets the requirements for registration and who:
 1176 (a) submits a completed voter registration form to the county clerk;
 1177 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to the
 1178 Driver License Division;
 1179 (c) submits a completed voter registration form to a public assistance agency or a
 1180 discretionary voter registration agency; or
 1181 (d) mails a completed voter registration form to the county clerk;[~~and~~]
 1182 (2) within 30 calendar days after the day on which the county clerk processes a voter
 1183 registration form, send a notice to the individual who submits the form that:
 1184 (a)(i) informs the individual that the individual's voter registration form has been
 1185 accepted and that the individual is registered to vote;
 1186 (ii) informs the individual of the procedure for designating or changing the

- individual's political affiliation;
- (iii) informs the individual of the procedure to cancel a voter registration;
- (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
- (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
- (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
- (ii) gives instructions to the individual on how to properly complete the form[-] ; and
- (3) for each voter registration record of an individual who is limited to voting in a federal race only, indicate the limitation on the voter's voter registration record.
- Section 8. Section **20A-2-508** is enacted to read:
- 20A-2-508 . Independent investigation of citizenship -- Identification of non-citizens -- Opportunity to challenge -- Provisional ballot option.**
- (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.
- (b) To conduct the review described in Subsection (1)(a), the election officer:
- (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
- (ii) shall use any tools lawfully available to the election officer, including:
- (A) the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security;
- (B) information received from the federal courts under Subsection 20A-2-502(4);
- and
- (C) data collected by a state agency.
- (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:

- 1221 (a) notify the individual, in writing, of the determination and the reason for the
1222 determination;
- 1223 (b) give the individual an opportunity to dispute the determination; and
- 1224 (c) if the individual fails to refute the determination within a reasonable time-frame
1225 specified by the election officer in the notification described in Subsection (2)(a),
1226 remove the individual from the list of registered voters.
- 1227 (3) Except as provided in Subsection (4), an individual described in Subsection (2) may not
1228 vote in an election unless, before voting, the individual provides documentary proof of
1229 United States citizenship to the election officer.
- 1230 (4) An individual described in Subsection (2) may cast a provisional ballot pending the
1231 resolution of a dispute under Subsection (2)(c).
- 1232 (5) An election officer may not count a provisional ballot cast by an individual under
1233 Subsection (4) unless, within 10 days after the day of the election, the individual
1234 provides documentary proof of citizenship to the election officer.

1235 Section 9. Section **20A-3a-201.5** is enacted to read:

1236 **20A-3a-201.5 . Proof of citizenship required for state elections -- Separate federal**
1237 **ballots for registered voters who do not provide proof of citizenship.**

- 1238 (1) Except as provided in Subsection (2), for an election that includes a race for federal
1239 office:
- 1240 (a) an election officer shall:
- 1241 (i) for each precinct, produce a standard ballot; and
- 1242 (ii) for each congressional district, produce a federal ballot;
- 1243 (b) only a voter who has, at the time of voter registration or before voting, provided
1244 documentary proof of United States citizenship may vote a standard ballot; and
- 1245 (c) a voter who has not provided documentary proof of United States citizenship, at the
1246 time of voter registration or before voting, may only vote a federal ballot.
- 1247 (2) A voter who has not, at the time of registration or before voting, provided documentary
1248 proof of United States citizenship may cast a standard ballot as a provisional ballot, but
1249 an election officer may only count votes for federal office cast using the standard ballot
1250 unless the voter provides documentary proof of United States citizenship within 10 days
1251 after the day of the election.
- 1252 (3) Except as otherwise provided in Section 20A-2-508:
- 1253 (a) an election officer may not require a voter to provide documentary proof of United
1254 States citizenship to vote a federal ballot; and

(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.

Section 10. Section **20A-3a-401** is amended to read:

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

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

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

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

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

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

(i) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;
or

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

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

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

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

(i) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;

(ii) if the return envelope does not contain the digits described in Subsection (4)(b)(i), that the voter included in the return envelope a copy of the identification described in Subsection 20A-3a-204(2)(c)(ii); or

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

(c) that the affidavit is sufficient;

- (d) that the voter is registered to vote in the correct precinct;
- (e) that the voter's right to vote the ballot has not been challenged;
- (f) that the voter has not already voted in the election; and
- (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.

(5)(a) [Hf] 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:

- (i) remove the manual ballot from the return envelope in a manner that does not destroy the affidavit on the return envelope;
- (ii) ensure that the ballot is not examined in connection with the return envelope; and
- (iii) place the ballot with the other ballots to be counted.

(b) If the poll workers do not make all of the findings described in Subsection (4), the poll workers shall:

- (i) disallow the vote;
- (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
- (iii) except as provided in Subsection (6), place the return envelope, unopened, with the other rejected return envelopes.

(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).

(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:

- (i) contact the individual in accordance with Subsection (8); and
- (ii) inform the individual:
 - (A) that the identification information provided on the return envelope is in question;
 - (B) how the individual may resolve the issue; and
 - (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer a correctly completed affidavit, provided by the county clerk, that meets the requirements described in Subsection (7)(d).

(b) If, under Subsection (4)(a)(ii)(A), the poll workers reject an individual's ballot because the poll workers determine, in accordance with rules made under Subsection

(13), that the signature on the return envelope is not reasonably consistent with the individual's signature in the voter registration records, the election officer shall:

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

(ii) inform the individual:

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

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

(C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer a correctly completed affidavit, provided by the county clerk, that meets the requirements described in Subsection (7)(d).

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

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

(ii) when communicating the notice electronically, a link to a copy of the affidavit described in Subsection (7)(d) or information on how to obtain a copy of the affidavit; or

(iii) when communicating the notice by phone, either during a direct conversation with the voter or in a voicemail, arrangements for the voter to receive a copy of the affidavit described in Subsection (7)(d), either in person from the clerk's office, by mail, or electronically.

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

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

(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;

(iii) a space for the individual to sign the affidavit;

(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

(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 _____".

(e) In order for an individual described in Subsection (7)(a) or (b) to have the

1357 individual's ballot counted, the individual shall deliver the affidavit described in
1358 Subsection (7)(d) to the election officer.

1359 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall
1360 immediately:

1361 (i) scan the signature on the affidavit electronically and keep the signature on file in
1362 the statewide voter registration database developed under Section 20A-2-502;

1363 (ii) if the election officer receives the affidavit no later than noon on the last business
1364 day before the day on which the canvass begins, count the individual's ballot; and

1365 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the
1366 rules described in Subsection (13)(c).

1367 (8)(a) The election officer shall, within two business days after the day on which an
1368 individual's ballot is rejected, notify the individual of the rejection and the reason for
1369 the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:

1370 (i) the ballot is cured within one business day after the day on which the ballot is
1371 rejected; or

1372 (ii) the ballot is rejected because the ballot is received late or for another reason that
1373 cannot be cured.

1374 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the
1375 election officer shall notify the individual of the rejection and the reason for the
1376 rejection by phone, mail, email, or, if consent is obtained, text message, within the
1377 later of:

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

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

1380 (c) The election officer may, when notifying an individual by phone under this
1381 Subsection (8), use auto-dial technology.

1382 (9) An election officer may not count the ballot of an individual whom the election officer
1383 contacts under Subsection (7) or (8) unless, no later than noon on the last business day
1384 before the day on which the canvass begins, the election officer:

1385 (a) receives a signed affidavit from the individual under Subsection (7); or

1386 (b)(i) contacts the individual;

1387 (ii) if the election officer has reason to believe that an individual, other than the voter
1388 to whom the ballot was sent, signed the ballot affidavit, informs the individual that
1389 it is unlawful to sign a ballot affidavit for another person, even if the person gives
1390 permission;

- 1391 (iii) verifies the identity of the individual by:
- 1392 (A) requiring the individual to provide at least two types of personal identifying
- 1393 information for the individual; and
- 1394 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records
- 1395 relating to the individual that are in the possession or control of an election
- 1396 officer; and
- 1397 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 1398 (A) the name and voter identification number of the individual contacted;
- 1399 (B) the name of the individual who conducts the verification;
- 1400 (C) the date and manner of the communication;
- 1401 (D) the type of personal identifying information provided by the individual;
- 1402 (E) a description of the records against which the personal identifying information
- 1403 provided by the individual is compared and verified; and
- 1404 (F) other information required by the lieutenant governor.
- 1405 (10)(a) The election officer shall retain and preserve:
- 1406 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 1407 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection
- 1408 20A-4-202(3).
- 1409 (b) If the election officer complies with Subsection (10)(a)(ii) by including the
- 1410 documentation in the voter's voter registration record, the election officer shall make,
- 1411 retain, and preserve a record of the name and voter identification number of each
- 1412 voter contacted under Subsection (9)(b).
- 1413 (11)(a) The election officer shall record the following in the database used in the
- 1414 verification process:
- 1415 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day
- 1416 after the day on which the election officer rejects the ballot; and
- 1417 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business
- 1418 day after the day on which the ballot rejection is resolved.
- 1419 (b) An election officer shall include, in the canvass report, a final report of the
- 1420 disposition of all rejected and resolved ballots, including, for ballots rejected, the
- 1421 following:
- 1422 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 1423 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in
- 1424 records on file, do not correspond.

- 1425 (12) Willful failure to comply with this section constitutes willful neglect of duty under
1426 Section 20A-5-701.
- 1427 (13) The director of elections within the Office of the Lieutenant Governor shall make
1428 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
1429 establish:
- 1430 (a) criteria and processes for use by poll workers in determining if a signature
1431 corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);
- 1432 (b) training and certification requirements for election officers and employees of election
1433 officers regarding the criteria and processes described in Subsection (13)(a); and
- 1434 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.
1435 Secs. 12131 through 12165, an alternative means of verifying the identity of an
1436 individual who checks the box described in Subsection (7)(d)(v).
- 1437 (14)(a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may
1438 disclose the name and address of a voter whose ballot has been rejected and not yet
1439 resolved with:
- 1440 (i) a candidate in the election;
- 1441 (ii) an individual who represents the candidate's campaign;
- 1442 (iii) the sponsors of an initiative or referendum appearing on the ballot; or
- 1443 (iv) for a ballot proposition appearing on the ballot, an individual who represents a
1444 political issues committee, as defined in Section 20A-11-101, if the political
1445 issues committee supports or opposes the ballot proposition.
- 1446 (b) If an election officer discloses the information described in Subsection (14)(a), the
1447 election officer shall:
- 1448 (i) make the disclosure within two business days after the day on which the request is
1449 made;
- 1450 (ii) respond to each request in the order the requests were made; and
- 1451 (iii) make each disclosure in a manner, and within a period of time, that does not
1452 reflect favoritism to one requestor over another.
- 1453 (c) A disclosure described in this Subsection (14) may not include the name or address
1454 of a protected individual, as defined in Subsection 20A-2-104(1).
- 1455 Section 11. Section **20A-6-105** is amended to read:
- 1456 **20A-6-105 . Provisional ballot envelopes.**
- 1457 (1) Each election officer shall ensure that provisional ballot envelopes are printed in
1458 substantially the following form:

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

1460 "AFFIRMATION

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

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

1463 If you checked "no" in response to either of the two above questions, do not complete
1464 this form.

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

1466 If you desire to vote for a race for an office other than federal office, or if you desire to vote
1467 for a ballot proposition, you are required to provide one of the following as proof that you are
1468 a citizen of the United States:

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

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

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

1472 • a legible copy of the pages of a United States passport that identifies you and your passport
1473 number;

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

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

1476 • a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment
1477 number;

1478 • a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs
1479 affidavit of birth; or

1480 • other documents or methods of proving United States citizenship that are established in
1481 accordance with the Immigration Reform and Control Act of 1986.

1482 Name of Voter _____

1483 First Middle Last

1484 Driver License or Identification Card Number _____

1485 State of Issuance of Driver License or Identification Card Number _____

1486 Date of Birth _____

1487 Street Address of Principal Place of Residence

1488 _____

1489 City County State Zip Code

1490 Telephone Number (optional) _____

1491 Email Address (optional) _____

1492 Last four digits of Social Security Number _____

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

City County State Zip Code

Voting Precinct (if known) _____

I, (please print your full name)_____do solemnly swear or
affirm:

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

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

Signed

Dated

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

PRIVACY INFORMATION

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

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

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

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

1527 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1528 In addition to the protections provided above, you may request that identifying
1529 information on your voter registration records be withheld from all political parties, candidates
1530 for public office, and their contractors, employees, and volunteers, by submitting a
1531 withholding request form, and any required verification, as described in the following
1532 paragraphs.

1533 A person may request that identifying information on the person's voter registration
1534 records be withheld from all political parties, candidates for public office, and their
1535 contractors, employees, and volunteers, by submitting a withholding request form with this
1536 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
1537 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
1538 violence.

1539 A person may request that identifying information on the person's voter registration
1540 records be withheld from all political parties, candidates for public office, and their
1541 contractors, employees, and volunteers, by submitting a withholding request form and any
1542 required verification with this registration form, or to the lieutenant governor or a county clerk,
1543 if the person is, or resides with a person who is, a law enforcement officer, a member of the
1544 armed forces, a public figure, or protected by a protective order or a protection order.

1545 CITIZENSHIP AFFIDAVIT

1546 Name:

1547 Name at birth, if different:

1548 Place of birth:

1549 Date of birth:

1550 Date and place of naturalization (if applicable):

1551 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
1552 citizen and that to the best of my knowledge and belief the information above is true and
1553 correct.

1554 _____
1555 Signature of Applicant

1556 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1557 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
1558 up to one year in jail and a fine of up to \$2,500.";

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

1560 "BALLOT NOTIFICATIONS

1561 Do you consent to receive communications about the status of your ballot and other official
 1562 communications, by text, at the phone number you provided above? Yes No

1563 "; and

1564 (c) no later than November 5, 2025, after the statement described in Subsection (1)(b), the
 1565 following:

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

1567 _____ Mail a ballot to me.

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

1569 (2) The provisional ballot envelope shall include:

1570 (a) a unique number;

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

1572 (c) a telephone number, internet address, or other indicator of a means, in accordance
 1573 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was
 1574 counted; and

1575 (d) an insert containing written instructions on how a voter may sign up to receive ballot
 1576 status notifications via the ballot tracking system described in Section 20A-3a-401.5.

1577 Section 12. Section **63G-2-301** is amended to read:

1578 **63G-2-301 . Public records.**

1579 (1) As used in this section:

1580 (a) "Business address" means a single address of a governmental agency designated for
 1581 the public to contact an employee or officer of the governmental agency.

1582 (b) "Business email address" means a single email address of a governmental agency
 1583 designated for the public to contact an employee or officer of the governmental
 1584 agency.

1585 (c) "Business telephone number" means a single telephone number of a governmental
 1586 agency designated for the public to contact an employee or officer of the
 1587 governmental agency.

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

1589 (2) The following records are public except to the extent they contain information expressly
 1590 permitted to be treated confidentially under the provisions of Subsections

1591 63G-2-201(3)(b) and (6)(a):

1592 (a) laws;

1593 (b) the name, gender, gross compensation, job title, job description, business address,
 1594 business email address, business telephone number, number of hours worked per pay

- 1595 period, dates of employment, and relevant education, previous employment, and
1596 similar job qualifications of a current or former employee or officer of the
1597 governmental entity, excluding:
- 1598 (i) undercover law enforcement personnel; and
 - 1599 (ii) investigative personnel if disclosure could reasonably be expected to impair the
1600 effectiveness of investigations or endanger any individual's safety;
- 1601 (c) final opinions, including concurring and dissenting opinions, and orders that are
1602 made by a governmental entity in an administrative, adjudicative, or judicial
1603 proceeding except that if the proceedings were properly closed to the public, the
1604 opinion and order may be withheld to the extent that they contain information that is
1605 private, controlled, or protected;
- 1606 (d) final interpretations of statutes or rules by a governmental entity unless classified as
1607 protected as provided in Subsection 63G-2-305(17) or (18);
- 1608 (e) information contained in or compiled from a transcript, minutes, or report of the open
1609 portions of a meeting of a governmental entity as provided by Title 52, Chapter 4,
1610 Open and Public Meetings Act, including the records of all votes of each member of
1611 the governmental entity;
- 1612 (f) judicial records unless a court orders the records to be restricted under the rules of
1613 civil or criminal procedure or unless the records are private under this chapter;
- 1614 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of
1615 records filed with or maintained by county recorders, clerks, treasurers, surveyors,
1616 zoning commissions, the Division of Forestry, Fire, and State Lands, the School and
1617 Institutional Trust Lands Administration, the Division of Oil, Gas, and Mining, the
1618 Division of Water Rights, or other governmental entities that give public notice of:
- 1619 (i) titles or encumbrances to real property;
 - 1620 (ii) restrictions on the use of real property;
 - 1621 (iii) the capacity of persons to take or convey title to real property; or
 - 1622 (iv) tax status for real and personal property;
- 1623 (h) records of the Department of Commerce that evidence incorporations, mergers, name
1624 changes, and uniform commercial code filings;
- 1625 (i) data on individuals that would otherwise be private under this chapter if the
1626 individual who is the subject of the record has given the governmental entity written
1627 permission to make the records available to the public;
- 1628 (j) documentation of the compensation that a governmental entity pays to a contractor or

- 1629 private provider;
- 1630 (k) summary data;
- 1631 (l) voter registration records, including an individual's voting history, except for a voter
1632 registration record or those parts of a voter registration record that are classified as
1633 private under Subsections 63G-2-302(1)(j) through (n) or withheld under Subsection [
1634 20A-2-104(7)] 20A-2-104(8);
- 1635 (m) for an elected official, as defined in Section 11-47-102, a telephone number, if
1636 available, and email address, if available, where that elected official may be reached
1637 as required in Title 11, Chapter 47, Access to Elected Officials;
- 1638 (n) for a school community council member, a telephone number, if available, and email
1639 address, if available, where that elected official may be reached directly as required
1640 in Section 53G-7-1203;
- 1641 (o) annual audited financial statements of the Utah Educational Savings Plan described
1642 in Section 53H-10-210; and
- 1643 (p) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as
1644 defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 1645 (3) The following records are normally public, but to the extent that a record is expressly
1646 exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b),
1647 Section 63G-2-302, 63G-2-304, or 63G-2-305:
- 1648 (a) administrative staff manuals, instructions to staff, and statements of policy;
- 1649 (b) records documenting a contractor's or private provider's compliance with the terms
1650 of a contract with a governmental entity;
- 1651 (c) records documenting the services provided by a contractor or a private provider to
1652 the extent the records would be public if prepared by the governmental entity;
- 1653 (d) contracts entered into by a governmental entity;
- 1654 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds
1655 by a governmental entity;
- 1656 (f) records relating to government assistance or incentives publicly disclosed, contracted
1657 for, or given by a governmental entity, encouraging a person to expand or relocate a
1658 business in Utah, except as provided in Subsection 63G-2-305(35);
- 1659 (g) chronological logs and initial contact reports;
- 1660 (h) correspondence by and with a governmental entity in which the governmental entity
1661 determines or states an opinion upon the rights of the state, a political subdivision,
1662 the public, or any person;

- 1663 (i) empirical data contained in drafts if:
- 1664 (i) the empirical data is not reasonably available to the requester elsewhere in similar
- 1665 form; and
- 1666 (ii) the governmental entity is given a reasonable opportunity to correct any errors or
- 1667 make nonsubstantive changes before release;
- 1668 (j) drafts that are circulated to anyone other than:
- 1669 (i) a governmental entity;
- 1670 (ii) a political subdivision;
- 1671 (iii) a federal agency if the governmental entity and the federal agency are jointly
- 1672 responsible for implementation of a program or project that has been legislatively
- 1673 approved;
- 1674 (iv) a government-managed corporation; or
- 1675 (v) a contractor or private provider;
- 1676 (k) drafts that have never been finalized but were relied upon by the governmental entity
- 1677 in carrying out action or policy;
- 1678 (l) original data in a computer program if the governmental entity chooses not to
- 1679 disclose the program;
- 1680 (m) arrest warrants after issuance, except that, for good cause, a court may order
- 1681 restricted access to arrest warrants prior to service;
- 1682 (n) search warrants after execution and filing of the return, except that a court, for good
- 1683 cause, may order restricted access to search warrants prior to trial;
- 1684 (o) records that would disclose information relating to formal charges or disciplinary
- 1685 actions against a past or present governmental entity employee if:
- 1686 (i) the disciplinary action has been completed and all time periods for administrative
- 1687 appeal have expired; and
- 1688 (ii) the charges on which the disciplinary action was based were sustained;
- 1689 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and
- 1690 Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that
- 1691 evidence mineral production on government lands;
- 1692 (q) final audit reports;
- 1693 (r) occupational and professional licenses;
- 1694 (s) business licenses;
- 1695 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar
- 1696 records used to initiate proceedings for discipline or sanctions against persons

1697 regulated by a governmental entity, but not including records that initiate employee
1698 discipline; and
1699 (u)(i) records that disclose a standard, regulation, policy, guideline, or rule regarding
1700 the operation of a correctional facility or the care and control of inmates
1701 committed to the custody of a correctional facility; and
1702 (ii) records that disclose the results of an audit or other inspection assessing a
1703 correctional facility's compliance with a standard, regulation, policy, guideline, or
1704 rule described in Subsection (3)(u)(i).

1705 (4) The list of public records in this section is not exhaustive and should not be used to limit
1706 access to records.

1707 Section 13. Section **63G-2-302** is amended to read:

1708 **63G-2-302 . Private records.**

1709 (1) The following records are private:

- 1710 (a) records concerning an individual's eligibility for unemployment insurance benefits,
1711 social services, welfare benefits, or the determination of benefit levels;
1712 (b) records containing data on individuals describing medical history, diagnosis,
1713 condition, treatment, evaluation, or similar medical data;
1714 (c) records of publicly funded libraries that when examined alone or with other records
1715 identify a patron;
1716 (d) records received by or generated by or for:
1717 (i) the Independent Legislative Ethics Commission, except for:
1718 (A) the commission's summary data report that is required under legislative rule;
1719 and
1720 (B) any other document that is classified as public under legislative rule; or
1721 (ii) a Senate or House Ethics Committee in relation to the review of ethics
1722 complaints, unless the record is classified as public under legislative rule;
1723 (e) records received by, or generated by or for, the Independent Executive Branch Ethics
1724 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,
1725 Review of Executive Branch Ethics Complaints;
1726 (f) records received or generated for a Senate confirmation committee concerning
1727 character, professional competence, or physical or mental health of an individual:
1728 (i) if, prior to the meeting, the chair of the committee determines release of the
1729 records:
1730 (A) reasonably could be expected to interfere with the investigation undertaken by

- 1731 the committee; or
- 1732 (B) would create a danger of depriving a person of a right to a fair proceeding or
- 1733 impartial hearing; and
- 1734 (ii) after the meeting, if the meeting was closed to the public;
- 1735 (g) employment records concerning a current or former employee of, or applicant for
- 1736 employment with, a governmental entity that would disclose that individual's home
- 1737 address, home telephone number, social security number, insurance coverage, marital
- 1738 status, or payroll deductions;
- 1739 (h) records or parts of records under Section 63G-2-303 that a current or former
- 1740 employee identifies as private according to the requirements of that section;
- 1741 (i) that part of a record indicating a person's social security number or federal employer
- 1742 identification number if provided under Section 31A-23a-104, 31A-25-202,
- 1743 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 1744 (j) that part of a voter registration record[-] :
- 1745 (i) identifying a voter's:
- 1746 [(i)] (A) driver license or identification card number;
- 1747 [(ii)] (B) social security number, or last four digits of the social security number;
- 1748 [(iii)] (C) email address;
- 1749 [(iv)] (D) date of birth; or
- 1750 [(v)] (E) phone number; or
- 1751 (ii) submitted by the voter as proof of United States citizenship;
- 1752 (k) a voter registration record that is classified as a private record by the lieutenant
- 1753 governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or [
- 1754 ~~20A-2-204(4)(b)] 20A-2-204(4)(c);~~
- 1755 (l) a voter registration record that is withheld under Subsection [20A-2-104(7)]
- 1756 20A-2-104(8);
- 1757 (m) a withholding request form described in Subsections [~~20A-2-104(7) and (8)]~~
- 1758 20A-2-104(8) and (9) and any verification submitted in support of the form;
- 1759 (n) a record or information regarding whether a voter returned a ballot with postage
- 1760 attached;
- 1761 (o) a record that:
- 1762 (i) contains information about an individual;
- 1763 (ii) is voluntarily provided by the individual; and
- 1764 (iii) goes into an electronic database that:

- 1765 (A) is designated by and administered under the authority of the [~~Chief~~
1766 ~~Information Officer~~] chief information officer; and
- 1767 (B) acts as a repository of information about the individual that can be
1768 electronically retrieved and used to facilitate the individual's online interaction
1769 with a state agency;
- 1770 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance
1771 under:
- 1772 (i) Subsection 31A-23a-115(3)(a);
1773 (ii) Subsection 31A-23a-302(4); or
1774 (iii) Subsection 31A-26-210(4);
- 1775 (q) information obtained through a criminal background check under Title 11, Chapter 40,
1776 Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 1777 (r) information provided by an offender that is:
- 1778 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and
1779 Child Abuse Offender Registry; and
- 1780 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 1781 (s) a statement and any supporting documentation filed with the attorney general in
1782 accordance with Section 34-45-107, if the federal law or action supporting the filing
1783 involves homeland security;
- 1784 (t) electronic toll collection customer account information received or collected under
1785 Section 72-6-118 and customer information described in Section 17B-2a-815
1786 received or collected by a public transit district, including contact and payment
1787 information and customer travel data;
- 1788 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 1789 (v) a completed military-overseas ballot that is electronically transmitted under Title
1790 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 1791 (w) records received by or generated by or for the Political Subdivisions Ethics Review
1792 Commission established in Section 63A-15-201, except for:
- 1793 (i) the commission's summary data report that is required in Section 63A-15-202; and
1794 (ii) any other document that is classified as public in accordance with Title 63A,
1795 Chapter 15, Political Subdivisions Ethics Review Commission;
- 1796 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an
1797 incident or threat;
- 1798 (y) a criminal background check or credit history report conducted in accordance with

- 1799 Section 63A-3-201;
- 1800 (z) a record described in Subsection 53-5a-104(7);
- 1801 (aa) on a record maintained by a county for the purpose of administering property taxes,
- 1802 an individual's:
- 1803 (i) email address;
- 1804 (ii) phone number; or
- 1805 (iii) personal financial information related to a person's payment method;
- 1806 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 1807 exemption, deferral, abatement, or relief under:
- 1808 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 1809 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 1810 (cc) a record provided by the State Tax Commission in response to a request under
- 1811 Subsection 59-1-403(4)(y)(iii);
- 1812 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 1813 child welfare case, as described in Subsection 36-33-103(3);
- 1814 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 1815 63A-17-1004;
- 1816 (ff) a record relating to a request by a state elected official or state employee who has
- 1817 been threatened to the Division of Technology Services to remove personal
- 1818 identifying information from the open web under Section 63A-16-109;
- 1819 (gg) a record including confidential information as that term is defined in Section
- 1820 67-27-106; and
- 1821 (hh) a record or notice received or generated under Title 53, Chapter 30, Security
- 1822 Improvements Act, relating to:
- 1823 (i) an application for certification described in Section 53-30-201; or
- 1824 (ii) a security improvement, including a building permit application or building
- 1825 permit for a security improvement described in Section 53-30-301.
- 1826 (2) The following records are private if properly classified by a governmental entity:
- 1827 (a) records concerning a current or former employee of, or applicant for employment
- 1828 with a governmental entity, including performance evaluations and personal status
- 1829 information such as race, religion, or disabilities, but not including records that are
- 1830 public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under
- 1831 Subsection (1)(b);
- 1832 (b) records describing an individual's finances, except that the following are public:

- 1833 (i) records described in Subsection 63G-2-301(2);
- 1834 (ii) information provided to the governmental entity for the purpose of complying
- 1835 with a financial assurance requirement; or
- 1836 (iii) records that must be disclosed in accordance with another statute;
- 1837 (c) records of independent state agencies if the disclosure of those records would
- 1838 conflict with the fiduciary obligations of the agency;
- 1839 (d) other records containing data on individuals the disclosure of which constitutes a
- 1840 clearly unwarranted invasion of personal privacy;
- 1841 (e) records provided by the United States or by a government entity outside the state that
- 1842 are given with the requirement that the records be managed as private records, if the
- 1843 providing entity states in writing that the record would not be subject to public
- 1844 disclosure if retained by it;
- 1845 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
- 1846 created in Section 26B-6-102, that may disclose, or lead to the discovery of, the
- 1847 identity of a person who made a report of alleged abuse, neglect, or exploitation of a
- 1848 vulnerable adult; and
- 1849 (g) audio and video recordings created by a body-worn camera, as defined in Section
- 1850 77-7a-103, that record sound or images inside a home or residence except for
- 1851 recordings that:
- 1852 (i) depict the commission of an alleged crime;
- 1853 (ii) record any encounter between a law enforcement officer and a person that results
- 1854 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 1855 (iii) record any encounter that is the subject of a complaint or a legal proceeding
- 1856 against a law enforcement officer or law enforcement agency;
- 1857 (iv) contain an officer-involved critical incident as defined in Subsection
- 1858 76-2-408(1)(f); or
- 1859 (v) have been requested for reclassification as a public record by a subject or
- 1860 authorized agent of a subject featured in the recording.
- 1861 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,
- 1862 statements, history, diagnosis, condition, treatment, and evaluation.
- 1863 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
- 1864 doctors, or affiliated entities are not private records or controlled records under
- 1865 Section 63G-2-304 when the records are sought:
- 1866 (i) in connection with any legal or administrative proceeding in which the patient's

1867 physical, mental, or emotional condition is an element of any claim or defense; or
1868 (ii) after a patient's death, in any legal or administrative proceeding in which any
1869 party relies upon the condition as an element of the claim or defense.

1870 (c) Medical records are subject to production in a legal or administrative proceeding
1871 according to state or federal statutes or rules of procedure and evidence as if the
1872 medical records were in the possession of a nongovernmental medical care provider.

1873 Section 14. **Effective Date.**

1874 This bill takes effect:

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

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

1877 (a) upon approval by the governor;

1878 (b) without the governor's signature, the day following the constitutional time limit of
1879 Utah Constitution, Article VII, Section 8; or

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