

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

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to elections.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires the lieutenant governor to create a written conflict of interest avoidance plan;
- modifies provisions relating to filling an office vacancy;
- provides that if a vacancy in an elected office is filled by appointment, the appointee shall be a member of the same political party of which the prior officeholder was a member at the time the prior officeholder was last elected or appointed;
- establishes a process to fill a vacancy created by an officeholder who was not affiliated with a political party at the time the officeholder was last elected or appointed;
- provides a process for an election officer to independently determine whether a registered voter is a citizen of the United States;
- provides a process to challenge a determination of non-citizenship under 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 bifurcated ballot system, beginning on January 1, 2028, 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;

- 31       ▸ modifies voter registration list requirements in relation to the bifurcated ballot system;
- 32       ▸ subject to certain exceptions, provides that, when poll workers verify a voter's identity in  
33 relation to a ballot returned by mail, the poll workers are required to verify the signature  
34 on the affidavit in addition to the last four digits of an identification number;
- 35       ▸ modifies and recodifies provisions relating to:
  - 36           • the information in a voter registration record that is available to a person based on the  
37 capacity in which the person requests the information; and
  - 38           • the requirements to obtain additional privacy protection for a voter registration record;
- 39       ▸ provides that a voter's voter registration record that, before January 1, 2027, was  
40 classified as private without requiring a reason for the classification will be reclassified  
41 as a public voter registration record, unless the voter takes certain action to obtain  
42 additional protection for the voter's voter registration record;
- 43       ▸ requires an election officer to notify a voter whose voter registration is subject to  
44 reclassification as described in the preceding paragraph in order to give the voter an  
45 opportunity to apply for additional protection for the voter's voter registration record;
- 46       ▸ requires the assignment of new voter identification numbers;
- 47       ▸ modifies the voter registration form to reflect the changes made in this bill and to give a  
48 voter the option of opting into receiving electronic communications from a political  
49 party with which the voter affiliates;
- 50       ▸ provides for release to a political party of information relating to the number of at-risk  
51 voters in the state and in individual state House of Representatives districts;
- 52       ▸ establishes additional requirements to ensure the removal of deceased individuals from  
53 voter registration records;
- 54       ▸ modifies penalties that may be imposed in relation to the unlawful disclosure of a voter  
55 registration record;
- 56       ▸ places a cap on the fee that may be charged to obtain an electronic copy of the voter  
57 registration list;
- 58       ▸ requires the lieutenant governor to conduct an audit of voter registration records to  
59 determine whether the lieutenant governor or a county clerk has documentary proof of  
60 United States citizenship for each record and to notify registered voters for whom the  
61 lieutenant governor or a county clerk does not have documentary proof of United States  
62 citizenship;
- 63       ▸ modifies the number of signatures that a qualified political party candidate for a county  
64 office is required to collect to qualify for placement on the primary election ballot;

- modifies a provision relating to the frequency of an elections audit performed by the Office of the Legislative Auditor General;
- permits the use of campaign funds for certain goods or services relating to security; 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:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

99       **20A-2-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,  
100       448  
101       **20A-2-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448  
102       **20A-2-505 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,  
103       448  
104       **20A-3a-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,  
105       448  
106       **20A-3a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
107       Session, Chapter 6  
108       **20A-5-410 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 188,  
109       448  
110       **20A-6-105 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,  
111       448  
112       **20A-9-408 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Second Special  
113       Session, Chapter 2  
114       **20A-11-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 447  
115       **20A-11-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,  
116       448  
117       **20A-11-1303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,  
118       448  
119       **20A-11-1604 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,  
120       448  
121       **36-12-15.2 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 156  
122       **63G-2-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 188  
123       **63G-2-301 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special  
124       Session, Chapter 9  
125       **63G-2-302 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 172  
126       **63G-2-303 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 208

## ENACTS:

128       **20A-1-109 (Effective 05/06/26)**, Utah Code Annotated 1953  
129       **20A-2-508 (Effective 05/06/26)**, Utah Code Annotated 1953  
130       **20A-2-601 (Effective 05/06/26)**, Utah Code Annotated 1953  
131       **20A-2-602 (Effective 05/06/26)**, Utah Code Annotated 1953  
132       **20A-2-603 (Effective 01/01/27)**, Utah Code Annotated 1953

20A-2-603.5 (Effective 01/01/27), Utah Code Annotated 1953

20A-2-604 (Effective 01/01/27), Utah Code Annotated 1953

20A-2-605 (Effective 01/01/27), Utah Code Annotated 1953

20A-2-606 (Effective 01/01/27), Utah Code Annotated 1953

20A-2-607 (Effective 01/01/27), Utah Code Annotated 1953

20A-3a-201.5 (Effective 05/06/26), Utah Code Annotated 1953

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

Section 1. Section 17-69-202 is amended to read:

**17-69-202 (Effective 05/06/26). Qualifications for a county auditor in a county of the first class.**

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

- (a) certified public accountant;
- (b) certified internal auditor;
- (c) certified fraud examiner;
- (d) certified management accountant; or
- (e) certified information systems auditor.

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

Section 2. Section 17-70-403 is amended to read:

**17-70-403 (Effective 05/06/26). Campaign financial disclosure in county elections.**

(1) A county shall adopt an ordinance establishing campaign finance disclosure requirements for:

- (a) candidates for county office; and
- (b) candidates for local school board office who reside in that county.

(2) The ordinance required by Subsection (1) shall include:

- (a) a requirement that each candidate for county office or local school board office

report the candidate's itemized and total campaign contributions and expenditures at least once within the two weeks before the election and at least once within two months after the election;

- (b) a definition of "contribution" and "expenditure" that requires reporting of nonmonetary contributions such as in-kind contributions and contributions of tangible things;
- (c) a requirement that the financial reports identify:
  - (i) for each contribution, the name of the donor of the contribution, if known, and the amount of the contribution; and
  - (ii) for each expenditure, the name of the recipient and the amount of the expenditure;
- (d) a requirement that a candidate for county office or local school board office deposit a contribution in a separate campaign account into a financial institution;
- (e) a prohibition against a candidate for county office or local school board office depositing or mingling any contributions received into a personal or business account;
- (f) a requirement that a candidate for county office who receives a contribution that is cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is unknown, shall, within 30 days after receiving the contribution, disburse the amount of the contribution to:
  - (i) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or
  - (ii) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
- (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a county office or local school board office file the financial report described in Subsection (2)(c) with the county clerk:
  - (i) for a county office vacancy described in Subsection 20A-1-508(3)~~[(or (7))]~~ , (4), or (9), no later than three business days before the day on which the political party of the prior officeholder submits the candidate's name to the county legislative body as the individual the political party selects to fill the vacancy;
  - (ii) for a county or district attorney office vacancy described in Subsection 20A-1-509.1(5)(a), no later than three business days before the day on which the political party of the prior officeholder submits the candidate's name to the county legislative body as one of the three individuals the party nominates to fill the vacancy;

- 201 (iii) for a county or district attorney office vacancy described in Section 20A-1-509.2:
- 202 (A) no later than the deadline for the candidate to submit an application to fill the
- 203 vacancy under Subsection 20A-1-509.2(2)(c); and
- 204 (B) if, under Subsection 20A-1-509.2(3), more than three attorneys submit an
- 205 application to fill the vacancy, no later than three business days before the day
- 206 on which the political party of the prior officeholder submits the candidate's
- 207 name to the county legislative body as one of the three individuals the party
- 208 nominates to fill the vacancy; or
- 209 (iv) for a local school board office vacancy, no later than three business days before
- 210 the day on which the local school board meets to interview each candidate
- 211 interested in filling the vacancy in accordance with Section 20A-1-511; and
- 212 (h) a requirement that, upon receipt of the financial report described in Subsection (2)(g),
- 213 the county clerk immediately submit a copy of the report to the county legislative
- 214 body.
- 215 (3)(a) As used in this Subsection (3), "account" means an account in a financial
- 216 institution:
- 217 (i) that is not described in Subsection (2)(d); and
- 218 (ii) into which or from which a person who, as a candidate for an office, other than a
- 219 county office for which the person files a declaration of candidacy or federal
- 220 office, or as a holder of an office, other than a county office for which the person
- 221 files a declaration of candidacy or federal office, deposits a contribution or makes
- 222 an expenditure.
- 223 (b) The ordinance required by Subsection (1) shall include a requirement that a
- 224 candidate for county office or local school board office include on a financial report
- 225 filed in accordance with the ordinance a contribution deposited in or an expenditure
- 226 made from an account:
- 227 (i) since the last financial report was filed; or
- 228 (ii) that has not been reported under a statute or ordinance that governs the account.
- 229 (4) If any county fails to adopt a campaign finance disclosure ordinance described in
- 230 Subsection (1), candidates for county office, other than community council office, and
- 231 candidates for local school board office shall comply with the financial reporting
- 232 requirements contained in Subsections (5) through (10).
- 233 (5) A candidate for elective office in a county or local school board office:
- 234 (a) shall deposit a contribution into a separate campaign account in a financial

institution; and

(b) may not deposit or mingle any contributions received into a personal or business account.

(6) Each candidate for elective office in any county who is not required to submit a campaign financial statement to the lieutenant governor, and each candidate for local school board office, shall file a signed campaign financial statement with the county clerk:

(a) seven days before the date of the regular general election, reporting each contribution and each expenditure as of 10 days before the date of the regular general election; and

(b) no later than 30 days after the date of the regular general election.

(7)(a) The statement filed seven days before the regular general election shall include:

(i) a list of each contribution received by the candidate, and the name of the donor, if known; and

(ii) a list of each expenditure for political purposes made during the campaign period, and the recipient of each expenditure.

(b) The statement filed 30 days after the regular general election shall include:

(i) a list of each contribution received after the cutoff date for the statement filed seven days before the election, and the name of the donor; and

(ii) a list of all expenditures for political purposes made by the candidate after the cutoff date for the statement filed seven days before the election, and the recipient of each expenditure.

(8)(a) As used in this Subsection (8), "account" means an account in a financial institution:

(i) that is not described in Subsection (5)(a); and

(ii) into which or from which a person who, as a candidate for an office, other than a county office for which the person filed a declaration of candidacy or federal office, or as a holder of an office, other than a county office for which the person filed a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A county office candidate and a local school board office candidate shall include on any campaign financial statement filed in accordance with Subsection (6) or (7):

(i) a contribution deposited into an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the



- 269 account; or
- 270 (ii) an expenditure made from an account:
- 271 (A) since the last campaign finance statement was filed; or
- 272 (B) that has not been reported under a statute or ordinance that governs the
- 273 account.
- 274 (9) Within 30 days after receiving a contribution that is cash or a negotiable instrument,
- 275 exceeds \$50, and is from a donor whose name is unknown, a county office candidate
- 276 shall disburse the amount of the contribution to:
- 277 (a) the treasurer of the state or a political subdivision for deposit into the state's or
- 278 political subdivision's general fund; or
- 279 (b) an organization that is exempt from federal income taxation under Section 501(c)(3),
- 280 Internal Revenue Code.
- 281 (10) Candidates for elective office in any county, and candidates for local school board
- 282 office, who are eliminated at a primary election shall file a signed campaign financial
- 283 statement containing the information required by this section not later than 30 days after
- 284 the primary election.
- 285 (11)(a) A candidate seeking appointment to fill a midterm vacancy in a county office or
- 286 local school board office shall:
- 287 (i) comply with Subsections (5) and (9); and
- 288 (ii) file a signed campaign financial statement with the county clerk no later than the
- 289 deadline described in Subsection (2)(g).
- 290 (b) Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii),
- 291 the county clerk shall immediately submit a copy of the statement to the county
- 292 legislative body.
- 293 (12) Any individual who fails to comply with this section is guilty of an infraction.
- 294 (13)(a) Counties may, by ordinance, enact requirements that:
- 295 (i) require greater disclosure of campaign contributions and expenditures; and
- 296 (ii) impose additional penalties.
- 297 (b) The requirements described in Subsection (13)(a) apply to a local school board office
- 298 candidate who resides in that county.
- 299 (14) If a candidate fails to file an interim report due before the election, the county clerk:
- 300 (a) may send an electronic notice to the candidate and the political party of which the
- 301 candidate is a member, if any, that states:
- 302 (i) that the candidate failed to timely file the report; and

- 303 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for  
304 filing the report, the candidate will be disqualified and the political party will not  
305 be permitted to replace the candidate; and
- 306 (b) impose a fine of \$100 on the candidate.
- 307 (15)(a) The county clerk shall disqualify a candidate and inform the appropriate election  
308 officials that the candidate is disqualified if the candidate fails to file an interim  
309 report described in Subsection (14) within 24 hours after the deadline for filing the  
310 report.
- 311 (b) The political party of a candidate who is disqualified under Subsection (15)(a) may  
312 not replace the candidate.
- 313 (c) A candidate who is disqualified under Subsection (15)(a) shall file with the county  
314 clerk a complete and accurate campaign finance statement within 30 days after the  
315 day on which the candidate is disqualified.
- 316 (16) If a candidate is disqualified under Subsection (15)(a), the election official:
- 317 (a) shall:
- 318 (i) notify every opposing candidate for the county office that the candidate is  
319 disqualified;
- 320 (ii) send an email notification to each voter who is eligible to vote in the county  
321 election office race for whom the election official has an email address informing  
322 the voter that the candidate is disqualified and that votes cast for the candidate will  
323 not be counted;
- 324 (iii) post notice of the disqualification on the county's website; and
- 325 (iv) if practicable, remove the candidate's name from the ballot by blacking out the  
326 candidate's name before the ballots are delivered to voters; and
- 327 (b) may not count any votes for that candidate.
- 328 (17) An election official may fulfill the requirement described in Subsection (16)(a) in  
329 relation to a mailed ballot, including a military or overseas ballot, by including with the  
330 ballot a written notice directing the voter to the county's website to inform the voter  
331 whether a candidate on the ballot is disqualified.
- 332 (18) A candidate is not disqualified if:
- 333 (a) the candidate files the interim reports described in Subsection (14) no later than 24  
334 hours after the applicable deadlines for filing the reports;
- 335 (b) the reports are completed, detailing accurately and completely the information  
336 required by this section except for inadvertent omissions or insignificant errors or

337 inaccuracies; and

338 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the  
339 next scheduled report.

340 (19)(a) A report is considered timely filed if:

341 (i) the report is received in the county clerk's office no later than midnight, Mountain  
342 Time, at the end of the day on which the report is due;

343 (ii) the report is received in the county clerk's office with a United States Postal  
344 Service postmark three days or more before the date that the report was due; or

345 (iii) the candidate has proof that the report was mailed, with appropriate postage and  
346 addressing, three days before the report was due.

347 (b) For a county clerk's office that is not open until midnight at the end of the day on  
348 which a report is due, the county clerk shall permit a candidate to file the report via  
349 email or another electronic means designated by the county clerk.

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

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

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

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

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

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

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

367 Section 3. Section **20A-1-102** is amended to read:

368 **20A-1-102 (Effective 01/01/27). Definitions.**

369 As used in this title:

370 (1) "Active voter" means a registered voter who has not been classified as an inactive voter

371 by the county clerk.

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

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

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

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

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

380 (b) a constitutional amendment;

381 (c) an initiative;

382 (d) a referendum;

383 (e) a bond proposition;

384 (f) a judicial retention question;

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

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

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

390 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and  
391 20A-4-306 to canvass election returns.

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

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

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

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

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

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

404 (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 identify 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;

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

(j) other documents or methods of proving United States citizenship that are established

in accordance with the Immigration Reform and Control Act of 1986.

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

- (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project;
- (b) a person who is considered to be elected to a municipal office in accordance with Subsection 20A-1-206(1)(c)(ii); or
- (c) a person who is considered to be elected to a special district office in accordance with Subsection 20A-1-206(3)(b)(ii).

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

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

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

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

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

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

- (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
  - (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
  - (ii) the batch log described in Subsection 20A-3a-401.1(5);
- (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- (g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);
- (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- (i) the record of voter database access described in Subsection 20A-5-905(2);
- (j) the reports on military and overseas voters described in Section 20A-16-202;

- (k) scanned copies of return envelopes;
- (l) a copy of the final election results database described in Section 20A-5-802.5; and
- (m) the materials used in the programming of the automatic tabulating equipment.

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

- (a) the lieutenant governor, for all statewide ballots and elections;
- (b) the county clerk for:
  - (i) a county ballot and election; and
  - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
- (c) the municipal clerk for:
  - (i) a municipal ballot and election; and
  - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
- (d) the special district clerk or chief executive officer for:
  - (i) a special district ballot and election; and
  - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5; or
- (e) the business administrator or superintendent of a school district for:
  - (i) a school district ballot and election; and
  - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5.

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

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

- (a) for an election other than a bond election, the count of votes cast in the election and the election returns requested by the board of canvassers; or
- (b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all of the election returns that the board of canvassers may request.

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

- (a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an election;
- (b) a ballot image; and
- (c) other information related to a ballot that is adjudicated under Section 20A-4-105.

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

- (a) the pollbook;
- (b) the military and overseas absentee voter registration and voting certificates;
- (c) one of the tally sheets;
- (d) any unprocessed ballots;
- (e) all counted ballots;
- (f) all excess ballots;
- (g) all unused ballots;
- (h) all spoiled ballots;
- (i) all ballot disposition forms, including any provisional ballot disposition forms;
- (j) the final election results database described in Section 20A-5-802.5;
- (k) all return envelopes;
- (l) any provisional ballot envelopes; and
- (m) the total votes cast form.

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

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

~~[(32)]~~ (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).

~~[(33)]~~ (35) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under Subsection 20A-2-505(4)(c)(i) or (ii).

~~[(34)]~~ (36) "Judicial office" means the office filled by any judicial officer.

~~[(35)]~~ (37) "Judicial officer" means any justice or judge of a court of record or any county court judge.

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

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

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

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



541 document using a pen or other marking instrument.

542 [(40)] (42) "Mechanical ballot" means a record, including a paper record, electronic record,  
543 or mechanical record, that:

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

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

548 [(41)] (43) "Municipal executive" means:

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

550 (b) the mayor in the council-manager form of government defined in Subsection  
551 10-3b-103(6).

552 [(42)] (44) "Municipal general election" means the election held in municipalities and, as  
553 applicable, special districts on the first Tuesday after the first Monday in November of  
554 each odd-numbered year for the purposes established in Section 20A-1-202.

555 [(43)] (45) "Municipal legislative body" means the council of the city or town in any form  
556 of municipal government.

557 [(44)] (46) "Municipal office" means an elective office in a municipality.

558 [(45)] (47) "Municipal officers" means those municipal officers that are required by law to  
559 be elected.

560 [(46)] (48) "Municipal primary election" means an election held to nominate candidates for  
561 municipal office.

562 [(47)] (49) "Municipality" means a city or town.

563 [(48)] (50) "Official ballot" means the ballots distributed by the election officer for voters to  
564 record their votes.

565 [(49)] (51) "Official endorsement" means the information on the ballot that identifies:

566 (a) the ballot as an official ballot;

567 (b) the date of the election; and

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

570 (ii) for a ballot prepared by a county clerk, the words required by Subsection  
571 20A-6-301(1)(b)(iii).

572 [(50)] (52) "Official register" means the official record furnished to election officials by the  
573 election officer that contains the information required by Section 20A-5-401.

574 [(51)] (53) "Political party" means an organization of registered voters that has qualified to

participate in an election by meeting the requirements of Chapter 8, Political Party Formation and Procedures.

~~[(52)]~~ (54)(a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or counting votes.

(b) "Poll worker" includes election judges.

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

~~[(53)]~~ (55) "Pollbook" means a record of the names of voters in the order that the voters appear to cast votes.

~~[(54)]~~ (56) "Polling place" means a building where voting is conducted.

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

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

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

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

(a) is built into a voting machine; and

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

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

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

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

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

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

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

~~[(62)]~~ (64)(a) "Public figure" means an individual who, due to the individual being considered for, holding, or having held a position of prominence in a public or private capacity, or due to the individual's celebrity status, has an increased risk to the individual's safety.

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

609           ~~[(i) elected to public office; or]~~

610           ~~[(ii) appointed to fill a vacancy in an elected public office.]~~

611       (b) "Public figure" includes an individual who is elected to public office, appointed to  
612           fill a vacancy in an elected public office, or employed by a government entity if, in  
613           relation to the individual's service in public office or employment as an employee of  
614           a government entity, the individual has received a threat of harm to a person or  
615           property.

616   ~~[(63)]~~ (65) "Qualify" or "qualified" means to take the oath of office and begin performing  
617       the duties of the position for which the individual was elected.

618   ~~[(64)]~~ (66) "Receiving judge" means the poll worker that checks the voter's name in the  
619       official register at a polling place and provides the voter with a ballot.

620   ~~[(65)]~~ (67) "Registration form" means a form by which an individual may register to vote  
621       under this title.

622   ~~[(66)]~~ (68) "Regular ballot" means a ballot that is not a provisional ballot.

623   ~~[(67)]~~ (69) "Regular general election" means the election held throughout the state on the  
624       first Tuesday after the first Monday in November of each even-numbered year for the  
625       purposes established in Section 20A-1-201.

626   ~~[(68)]~~ (70) "Regular primary election" means the election, held on the date specified in  
627       Section 20A-1-201.5, to nominate candidates of political parties and candidates for  
628       nonpartisan local school board positions to advance to the regular general election.

629   ~~[(69)]~~ (71) "Resident" means a person who resides within a specific voting precinct in Utah.

630   ~~[(70)]~~ (72) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),  
631       provided to a voter with a manual ballot:

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

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

635   ~~[(71)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot,  
636       published as provided in Section 20A-5-405.

637   ~~[(72)]~~ (74) "Special district" means a local government entity under Title 17B, Limited  
638       Purpose Local Government Entities - Special Districts, and includes a special service  
639       district under Title 17D, Chapter 1, Special Service District Act.

640   ~~[(73)]~~ (75) "Special district officers" means those special district board members who are  
641       required by law to be elected.

642   ~~[(74)]~~ (76) "Special election" means an election held as authorized by Section 20A-1-203.

643     ~~[(75)]~~ (77) "Spoiled ballot" means each ballot that:

- 644         (a) is spoiled by the voter;
- 645         (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 646         (c) lacks the official endorsement.

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

649     ~~[(76)]~~ (79) "Statewide special election" means a special election called by the governor or  
650         the Legislature in which all registered voters in Utah may vote.

651     ~~[(77)]~~ (80) "Tabulation system" means a device or system designed for the sole purpose of  
652         tabulating votes cast by voters at an election.

653     ~~[(78)]~~ (81) "Ticket" means a list of:

- 654         (a) political parties;
- 655         (b) candidates for an office; or
- 656         (c) ballot propositions.

657     ~~[(79)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the  
658         counting center.

659     ~~[(80)]~~ (83) "Vacancy" means:

- 660         (a) except as provided in Subsection ~~[(80)(b)]~~ (83)(b), the absence of an individual to  
661             serve in a position created by state constitution or state statute, whether that absence  
662             occurs because of death, disability, disqualification, resignation, or other cause; or
- 663         (b) in relation to a candidate for a position created by state constitution or state statute,  
664             the removal of a candidate due to the candidate's death, resignation, or  
665             disqualification.

666     ~~[(81)]~~ (84) "Valid voter identification" means:

- 667         (a) a form of identification that bears the name and photograph of the voter which may  
668             include:
- 669             (i) a currently valid Utah driver license;
- 670             (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,  
671                 Identification Card Act;
- 672             (iii) a currently valid identification card that is issued by:
- 673                 (A) the state; or
- 674                 (B) a branch, department, or agency of the United States;
- 675             (iv) a currently valid Utah permit to carry a concealed weapon;
- 676             (v) a currently valid United States passport; or

- 677 (vi) a currently valid United States military identification card;
- 678 (b) one of the following identification cards, regardless of whether the card includes a
- 679 photograph of the voter:
- 680 (i) a valid tribal identification card;
- 681 (ii) a Bureau of Indian Affairs card; or
- 682 (iii) a tribal treaty card; or
- 683 (c) two forms of identification not listed under Subsection [~~(81)(a) or (b)~~] (84)(a) or (b)
- 684 but that bear the name of the voter and provide evidence that the voter resides in the
- 685 voting precinct, which may include:
- 686 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more
- 687 than 90 calendar days before the date of the election;
- 688 (ii) before January 1, 2029, an original or copy of a bank or other financial account
- 689 statement, dated no more than 90 calendar days before the date of the election;
- 690 (iii) a certified birth certificate;
- 691 (iv) a valid social security card;
- 692 (v) an original or copy of a check issued by the state or the federal government, dated
- 693 no more than 90 calendar days before the date of the election;
- 694 (vi) an original or copy of a paycheck from the voter's employer, dated no more than
- 695 90 calendar days before the date of the election;
- 696 (vii) a currently valid Utah hunting or fishing license;
- 697 (viii) certified naturalization documentation;
- 698 (ix) a currently valid license issued by an authorized agency of the United States;
- 699 (x) a certified copy of court records showing the voter's adoption or name change;
- 700 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- 701 (xii) a currently valid identification card issued by:
- 702 (A) a local government within the state;
- 703 (B) an employer for an employee; or
- 704 (C) a college, university, technical school, or professional school located within
- 705 the state; or
- 706 (xiii) a current Utah vehicle registration.

707 [~~(82)~~] (85) "Valid write-in candidate" means a candidate who has qualified as a write-in

708 candidate by following the procedures and requirements of this title.

709 [~~(83)~~] (86) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter,

710 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.

~~[(91)]~~ (94) "Write-in ballot" means a ballot containing any write-in votes.

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

Section 4. Section **20A-1-109** is enacted to read:

**20A-1-109 (Effective 05/06/26). Lieutenant governor conflict of interest avoidance plan -- Creation and presentation.**

(1) The lieutenant governor shall, before August 31, 2026, create a written conflict of interest risk avoidance plan that:

(a) identifies specific types of decisions or actions the lieutenant governor may take, in the course and scope of the duties or powers of the office of lieutenant governor, that could create a conflict of interest by influencing, or being perceived to influence, the lieutenant governor's candidacy for an office;

(b) for each type of decision or action identified under Subsection (1)(a), establishes

procedures and actions the lieutenant governor will take to mitigate or avoid the conflict, including:

(i) recusal from making the decision or taking the action; and

(ii) designating the person who will make the decision or take the action in the event of a recusal; and

(c) for each type of decision or action considered in relation to creating the plan that the lieutenant governor concludes does not constitute a conflict of interest:

(i) a description of the type of decision or action; and

(ii) an explanation of why the type of decision or action does not constitute a conflict of interest or the appearance of a conflict of interest.

(2) The lieutenant governor shall:

(a) forward a copy of the plan described in Subsection (1) to the Government Operations Interim Committee on or before September 1, 2026; and

(b) if requested by the chairs of the Government Operations Interim Committee, present the plan to the committee at a meeting of the committee specified by the chairs of the committee.

Section 5. Section **20A-1-502** is amended to read:

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

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

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

(i) a municipal general election;

(ii) a presidential primary election;

(iii) a regular primary election; or

(iv) a regular general election;

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

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

- 779 primary special congressional election described in Subsection (1)(b);
- 780 (d) provides each registered political party that is not a qualified political party at least
- 781 21 calendar days, but no more than 28 calendar days, to select one candidate, in a
- 782 manner determined by the registered political party, as a candidate for the registered
- 783 political party;
- 784 (e) for each qualified political party, provides at least 21 calendar days, but no more than
- 785 28 calendar days:
- 786 (i) for the qualified political party to select one candidate, using the convention
- 787 process described in Section 20A-9-407, as a candidate for the qualified political
- 788 party; and
- 789 (ii) for a member of the qualified political party to submit signatures to qualify as a
- 790 candidate for the qualified political party using the signature-gathering process
- 791 described in Section 20A-9-408;
- 792 (f) consistent with the requirements of this section, establishes the deadlines, time
- 793 frames, and procedures for filing a declaration of candidacy, giving notice of an
- 794 election, and other election requirements; and
- 795 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
- 796 Military and Overseas Voters Act.
- 797 (2)(a) The governor may set a date for a primary special congressional election or a
- 798 general special congressional election on a date other than a date described in
- 799 Subsection (1)(a) if:
- 800 (i) on the same day on which the governor issues the proclamation described in
- 801 Subsection (1) the governor calls a special session for the Legislature to
- 802 appropriate money to hold the election on a different day; or
- 803 (ii) if the governor issues the proclamation described in Subsection (1) on or after
- 804 January 1, but before the end of the general session of the Legislature, and
- 805 requests in the proclamation described in Subsection (1) that the Legislature
- 806 appropriate money to hold the election on a different day.
- 807 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
- 808 election on a different day, the proclamation described in Subsection (1) is void and
- 809 the governor shall, within seven calendar days after the day on which the Legislature
- 810 declines to appropriate money to hold the election on a different day, issue a
- 811 proclamation, in accordance with Subsection (1), that sets the special congressional
- 812 primary and general elections on dates described in Subsections (1)(a)(i) through (iv).



- (3) A special congressional election to fill a vacancy in the office of United States senator will not be held if:
- (a) the next regular general election that occurs after the day on which the vacancy occurs is the regular general election that occurs immediately before the six-year term for the senate office ends; and
  - (b) the vacancy occurs after August 1 of the year before the regular general election described in Subsection (3)(a).
- (4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the office of United States senator from one of three individuals nominated by the Legislature, each of whom ~~[is a member of the political party of which the prior officeholder was a member at the time the prior officeholder was elected.]~~ meets the qualifications for the office, as follows:
- (i) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, the individuals nominated by the Legislature shall be members of the registered political party of which the prior officeholder was a member when last elected or appointed; or
  - (ii) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, the individuals nominated by the Legislature may be members of any registered political party or unaffiliated with a registered political party.
- (b) The individual appointed under Subsection (4)(a) shall serve as United States senator until the earlier of the day on which:
- (i) the vacancy is filled by election under Subsection (1) or (2); or
  - (ii) the six-year term for the senate office ends.
- (5) An individual elected to fill a vacancy under this section shall serve until the end of the current term in which the vacancy filled by the election occurs.
- (6) A vacancy in the office of United States senator does not occur unless the senator:
- (a) has left the office; or
  - (b) submits an irrevocable letter of resignation to the governor or to the president of the United States Senate.

Section 6. Section **20A-1-503** is amended to read:

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

- (1) As used in this section:

- (a) "Filing deadline" means the final date for filing:
- (i) a declaration of candidacy as provided in Section 20A-9-202; and
  - (ii) a certificate of nomination as provided in Section 20A-9-503.
- (b) "Party liaison" means the political party officer designated to serve as a liaison with the lieutenant governor on all matters relating to the political party's relationship with the state as required by Section 20A-8-401.

(2) When a vacancy occurs for any reason in the office of representative in the Legislature, the governor shall fill the vacancy ~~[by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior representative.]~~ as follows:

- (a) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing the individual whose name is submitted by the party liaison of the same registered political party of which the prior officeholder was a member when last elected or appointed, if the individual meets the qualifications for office; or
- (b) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing one of three individuals, who meet the qualifications for office, nominated by the House of Representatives, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

(3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in the office of senator in the Legislature, ~~[it]~~ the vacancy shall be filled for the unexpired term at the next regular general election.

(b) The governor shall fill the vacancy until the next regular general election ~~[by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior senator.]~~ as follows:

- (i) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing the individual whose name is submitted by the party liaison of the same registered political party of which the prior officeholder was a member when last elected or appointed, if the individual meets the qualifications for office; or

(ii) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing one of three individuals, who meet the qualifications for office, nominated by the Senate, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

(4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but before August 31 of an even-numbered year in which the term of office does not expire, the lieutenant governor shall:

(i) establish a date and time, which is before the date for a candidate to be certified for the ballot under Section 20A-9-701 and no later than 21 calendar days after the day on which the vacancy occurred, by which a person intending to obtain a position on the ballot for the vacant office shall file:

(A) a declaration of candidacy; or

(B) a certificate of nomination; and

(ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):

(A) on the lieutenant governor's website; and

(B) to each registered political party.

(b) A person intending to obtain a position on the ballot for the vacant office shall:

(i) before the date and time specified in Subsection (4)(a)(i), file a declaration of candidacy or certificate of nomination according to the procedures and requirements of Chapter 9, Candidate Qualifications and Nominating Procedures; and

(ii) run in the regular general election if:

(A) nominated as a party candidate; or

(B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate Qualifications and Nominating Procedures.

(c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in Subsection 20A-9-202(1)(b) and before August 31, of an even-numbered year in which the term of office does not expire, a party liaison from each registered political party may submit a name of a person described in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for placement on the regular general election ballot.

(5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an

even-numbered year in which a term does not expire, the governor shall fill the vacancy for the unexpired term ~~[by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior senator.]~~ in accordance with Subsection (3)(b).

(6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill a vacancy described in this section shall, no later than the deadline for the individual to file an interim report under Subsection 20A-11-303(3)(a), make a complete conflict of interest disclosure on the website described in Section 20A-11-1602.5.

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

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

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

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

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

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

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

(a) has left the office; or

(b) submits an irrevocable letter of resignation to:

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

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

Section 7. Section **20A-1-504** is amended to read:

**20A-1-504 (Effective 05/06/26). Midterm vacancies in the offices of attorney general, state treasurer, state auditor, State Board of Education member, and lieutenant governor.**

(1)(a) When a vacancy occurs for any reason in the office of attorney general, state treasurer, state auditor, or State Board of Education member, the vacancy shall be

filled for the unexpired term at the next regular general election.

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

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

~~[(ii) for a State Board of Education vacancy, if the individual who is being replaced:]~~

~~[(A) was elected at a nonpartisan State Board of Education election, by appointing, with the advice and consent of the Senate, an individual who meets the qualifications and residency requirements for filling the vacancy described in Section 20A-14-103;]~~

~~[(B) was elected at a partisan State Board of Education election, but is not a member of a political party, by appointing, with the advice and consent of the Senate, an individual who meets the qualifications and residency requirements for filling the vacancy described in Section 20A-14-103; or]~~

~~[(C) was elected at a partisan State Board of Education election, and is a member of a political party, by appointing an individual who meets the qualifications for the office from three persons nominated by the state central committee of the same political party as the prior officeholder.]~~

(b) The governor shall fill a vacancy described in Subsection (1)(a) until the next general election, as follows:

(i) if the prior officeholder was a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by immediately appointing the individual whose name is submitted by the party liaison of the same registered political party of which the prior officeholder was a member when last elected or appointed, if the individual meets the qualifications for office; or

(ii) if the prior officeholder was not a member of a registered political party when the prior officeholder last took office, either by election or by appointment under this section, by appointing, with the advice and consent of the Senate, an individual who meets the qualifications for office, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

(2) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the advice and consent of the Senate, appoint a person to hold the office until the next

regular general election at which the governor stands for election.

(3)(a) Except as provided in Subsection (3)(b), an individual seeking appointment to fill a vacancy described in this section shall make a complete conflict of interest disclosure on the website described in Section 20A-11-1602.5:

(i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer, or state auditor, no later than the deadline for the individual to file an interim report under Subsection 20A-11-204(3)(a); or

(ii) for a vacancy in the office of State Board of Education member, no later than the deadline for the individual to file an interim report under Subsection 20A-11-1303(2)(a).

(b) An individual described in Subsection (3)(a) is not required to comply with Subsection (3)(a) if the individual:

(i) currently holds an office described in Subsection (1)(a) or (2);

(ii) already, that same year, filed a conflict of interest disclosure for the office described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and

(iii) no later than the deadline described in Subsection (3)(a), indicates, in a written statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii) is updated and accurate as of the date of the written statement.

(4) The lieutenant governor shall make each conflict of interest disclosure made by an individual described in Subsection (3)(a) available for public inspection in accordance with Subsection 20A-11-1603(4).

(5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the individual occupying the office:

(a) has left the office; or

(b) submits an irrevocable letter of resignation to the governor.

Section 8. Section **20A-1-508** is amended to read:

**20A-1-508 (Effective 05/06/26). Midterm vacancies in county elected offices --**

**Temporary manager -- Interim replacement.**

(1) As used in this section:

(a)(i) "County offices" includes the county executive, members of the county legislative body, the county treasurer, the county sheriff, the county clerk, the county auditor, the county recorder, the county surveyor, and the county assessor.

(ii) "County offices" does not include the office of county attorney, district attorney, or judge.

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

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

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

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

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

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

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

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

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

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

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

- 1051 (c) The temporary manager described in Subsection (2)(a) who temporarily discharges  
1052 the duties of a county office:
- 1053 (i) may not take an oath of office for the county office as a temporary manager;  
1054 (ii) shall comply with Title 17, Chapter 63, Fiscal Authority and Processes, and the  
1055 county's budget ordinances and policies;  
1056 (iii) unless approved by the county legislative body, may not change the  
1057 compensation of an employee;  
1058 (iv) unless approved by the county legislative body, may not promote or demote an  
1059 employee or change an employee's job title;  
1060 (v) may terminate an employee only if the termination is conducted in accordance  
1061 with:  
1062 (A) personnel rules described in Subsection 17-75-602(2) that are approved by the  
1063 county legislative body; and  
1064 (B) applicable law;  
1065 (vi) unless approved by the county legislative body, may not exceed by more than 5%  
1066 an expenditure that was planned before the county office for which the temporary  
1067 manager discharges duties was vacated;  
1068 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or  
1069 compensation; and  
1070 (viii) if approved by the county legislative body, may receive a performance award  
1071 after:  
1072 (A) the county legislative body appoints an interim replacement under Subsection  
1073 (3) or the governor appoints an interim replacement under Subsection (4); and  
1074 (B) the interim replacement is sworn into office.
- 1075 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative  
1076 body member.
- 1077 (3)(a) Until a replacement is selected as provided in this section and has qualified, the  
1078 county legislative body shall appoint an interim replacement to fill the vacant office  
1079 by following the procedures and requirements of this Subsection (3) through  
1080 Subsection (5).
- 1081 (b) In addition to this Subsection (3), or Subsection (4) as applicable, an interim  
1082 replacement appointed to the office of county auditor in a county of the first class is  
1083 subject to the requirements described in Section 17-69-202.
- 1084 (c)[(f)] To appoint an interim replacement, the county legislative body shall, within



1085 10 calendar days after the day on which the vacancy occurs, give notice of the  
1086 vacancy~~[-to]~~:

1087 ~~[(A)]~~ (i) to the county clerk; and

1088 ~~[(B) the party liaison of the same political party of the prior office holder.]~~

1089 (ii) if the prior officeholder was a member of a registered political party when the  
1090 prior officeholder last took office, either by election or by appointment under this  
1091 section, to the party liaison of that registered political party.

1092 ~~[(ii)]~~ (d) ~~[The]~~ If the prior officeholder was a member of a registered political party when  
1093 the prior officeholder last took office, either by election or by appointment under this  
1094 section:

1095 (i) the county legislative body shall invite the party liaison described in Subsection [  
1096 (3)(e)(i)(B)] (3)(c)(ii) to submit the name of an individual to fill the vacancy[-] ;

1097 ~~[(iii)]~~ (ii) ~~[The]~~ the party liaison described in Subsection (3)(c)(ii) shall, no later than 5  
1098 p.m. on the first business day that is at least 30 calendar days, after the day on  
1099 which the party liaison receives the notice described in Subsection [(3)(e)(i)(B)]  
1100 (3)(c)(ii), or if the party liaison does not receive the notice, no later than 5 p.m. on  
1101 the first business day that is at least 40 calendar days after the day on which the  
1102 vacancy occurs, submit to the county legislative body the name of an individual  
1103 who the party selects in accordance with the party's constitution or bylaws, and  
1104 who meets the qualifications for the office, to serve as the interim replacement[-] ;  
1105 and

1106 ~~[(iv)]~~ (iii) ~~[The]~~ the county legislative body shall, no later than seven calendar days  
1107 after the day on which a party liaison submits the name of [the] an individual who  
1108 meets the qualifications for office to serve as the interim replacement, appoint the  
1109 individual to serve out the unexpired term.

1110 (e) If the prior officeholder was not a member of a registered political party when the  
1111 prior officeholder last took office, either by election or by appointment under this  
1112 section, the county legislative body shall, no later than 5 p.m. on the first business  
1113 day that is at least 30 calendar days after the day on which the county legislative  
1114 body provides the notice described in Subsection (3)(c)(i), appoint an individual who  
1115 meets the qualifications for the office to serve as the interim replacement, regardless  
1116 of whether the individual is a member of a particular registered political party or is  
1117 unaffiliated with a registered political party.

1118 ~~[(d)]~~ (4)~~[(i)]~~ If the county legislative body fails to appoint an interim replacement to

fill the vacancy in accordance with Subsection ~~[(3)(e)(iv),]~~ (3)(d) or (e), as applicable:

(a) the county clerk shall, no later than seven calendar days after the day of the deadline described in Subsection ~~[(3)(e)(iv)]~~ (3)(d)(iii) or (e), as applicable, send to the governor a letter that:

~~[(A)]~~ (i) informs the governor that the county legislative body has failed to appoint a replacement within the statutory time period;~~[-and]~~

(ii) states whether the prior officeholder is an officeholder described in Subsection (3)(d) or (e); and

~~[(B)]~~ (iii) ~~[contains]~~ if the prior officeholder is an officeholder described in Subsection (3)(d), states the name of the individual submitted by the party liaison to fill the vacancy[-] ; and

~~[(ii)]~~ (b) ~~[The]~~ the governor shall, within 10 calendar days after the day on which the governor receives the letter described in Subsection ~~[(3)(d)(i),]~~ (4)(a):

(i) if the prior officeholder is an officeholder described in Subsection (3)(d), appoint the individual named by the party liaison as an interim replacement to fill the vacancy[-] , if the individual meets the qualifications for office; or

(ii) if the prior officeholder is an officeholder described in Subsection (3)(e), appoint an individual who meets the qualifications for the office to serve out the unexpired term, regardless of whether the individual is a member of a particular registered political party or is unaffiliated with a registered political party.

~~[(e)]~~ (5) An individual appointed as interim replacement under ~~[this Subsection (3)]~~

Subsection (3) or (4) shall hold office until a successor is elected and has qualified.

~~[(4)]~~ (6)(a) The requirements of this Subsection ~~[(4)]~~ (6) apply to all county offices that become vacant if:

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

(ii) the vacancy occurs after the election at which the officeholder was elected, or after the officeholder was appointed under this section, but before the first day of the declaration of candidacy filing period described in Section 20A-9-201.5.

(b)(i) When the conditions described in Subsection ~~[(4)(a)]~~ (6)(a) are met, the county clerk shall as soon as practicable, but no later than 180 calendar days before the next regular general election, notify the public and each registered political party that the vacancy exists.

(ii) An individual intending to become a party candidate for the vacant office shall

file a declaration of candidacy in accordance with:

(A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

and

(B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if applicable.

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

~~[(5)]~~ (7)(a) The requirements of this Subsection ~~[(5)]~~ (7) apply to all county offices that become vacant if:

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

(ii) the vacancy occurs on or after the first day of the declaration of candidacy filing period described in Section 20A-9-201.5, but more than 75 calendar days before the regular primary election.

(b) When the conditions described in Subsection ~~[(5)(a)]~~ (7)(a) are met, the county clerk shall as soon as practicable, but no later than 70 calendar days before the next regular primary election, notify the public and each registered political party:

(i) that the vacancy exists; and

(ii) of the deadlines described in Subsection ~~[(5)(e)(i)]~~ (7)(c)(i) and the deadlines established under Subsection ~~[(5)(d)(ii)]~~ (7)(d)(ii).

(c)(i) An individual intending to become a party candidate for a vacant office shall, no later than 5 p.m. on the first business day that is at least five calendar days after the day on which the notice is given, file a declaration of candidacy for the vacant office in accordance with:

(A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

(B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if applicable.

(ii) The county central committee of each party shall:

(A) select a candidate or candidates from among those qualified candidates who have filed declarations of candidacy; and

(B) certify the name of the candidate or candidates to the county clerk as soon as

practicable, but no later than 5 p.m. on the last business day that is at least 60 calendar days before the day of the regular primary election.

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

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

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

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

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

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

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

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

(i) that the vacancy exists; and

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

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

- 1221 (ii) Before the deadline that the county clerk establishes under Subsection [  
 1222 ~~(6)(d)(i)(B)~~] (8)(d)(i)(B), a candidate who does not wish to affiliate with a  
 1223 registered political party shall file a verified certificate of nomination described in  
 1224 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,  
 1225 Candidates not Affiliated with a Party.
- 1226 (iii) Before the deadline that the county clerk establishes under Subsection [  
 1227 ~~(6)(d)(i)(C)~~] (8)(d)(i)(C), a write-in candidate shall submit to the county clerk a  
 1228 declaration of candidacy described in Section 20A-9-601.
- 1229 (d)(i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines  
 1230 that are no later than 5 p.m. on the last business day that is at least 65 calendar  
 1231 days before the day of the next regular general election by which:
- 1232 (A) a registered political party is required to certify a name under Subsection [  
 1233 ~~(6)(e)(i)~~] (8)(c)(i);
- 1234 (B) an individual who does not wish to affiliate with a registered political party is  
 1235 required to submit a certificate of nomination under Subsection [~~(6)(e)(ii)~~]  
 1236 (8)(c)(ii); and
- 1237 (C) a write-in candidate is required to submit a declaration of candidacy under  
 1238 Subsection [~~(6)(e)(iii)~~] (8)(c)(iii).
- 1239 (ii) The county clerk shall establish deadlines under Subsection [~~(6)(d)(i)~~] (8)(d)(i) in  
 1240 a manner that gives an unaffiliated candidate or a write-in candidate an equal  
 1241 opportunity to access the regular general election ballot.
- 1242 (e) An individual who is certified as a party candidate for the vacant office, who  
 1243 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,  
 1244 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the  
 1245 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular  
 1246 general election.
- 1247 ~~[(7)]~~ (9)(a) The requirements of this Subsection ~~[(7)]~~ (9) apply to all county offices that  
 1248 become vacant:
- 1249 (i) if the vacant office has an unexpired term of less than two years; or  
 1250 (ii) if the vacant office has an unexpired term of two years or more but 65 calendar  
 1251 days or less remain before the day of the next regular general election.
- 1252 ~~[(b)(i) When the conditions described in Subsection (7)(a) are met, the county~~  
 1253 ~~legislative body shall as soon as practicable, but no later than 10 calendar days~~  
 1254 ~~after the day on which the vacancy occurs, give notice of the vacancy to:]~~

- 1255           ~~[(A) the county clerk; and]~~
- 1256           ~~[(B) the party liaison of the same political party as the prior office holder.]~~
- 1257       ~~[(ii) The county legislative body shall invite the party liaison described in Subsection~~
- 1258           ~~(7)(b)(i)(B) to submit the name of an individual to fill the vacancy.]~~
- 1259       ~~[(iii) The party liaison shall, no later than 5 p.m. on the first business day that is at~~
- 1260           ~~least 30 calendar days after the day on which the party liaison receives the notice~~
- 1261           ~~described in Subsection (7)(b)(i)(B), or if the party liaison does not receive the~~
- 1262           ~~notice, no later than 5 p.m. on the first business day that is at least 40 calendar~~
- 1263           ~~days after the day on which the vacancy occurs, submit to the county legislative~~
- 1264           ~~body the name of an individual to fill the vacancy.]~~
- 1265       ~~[(iv) The county legislative body shall, no later than seven calendar days after the day~~
- 1266           ~~on which a party liaison submits the name of the individual to fill the vacancy,~~
- 1267           ~~appoint the individual to serve out the unexpired term.]~~
- 1268       ~~[(e)(i) If the county legislative body fails to appoint an individual to fill the vacancy~~
- 1269           ~~in accordance with Subsection (7)(b)(iv), the county clerk shall send to the~~
- 1270           ~~governor a letter that:]~~
- 1271           ~~[(A) informs the governor that the county legislative body has failed to appoint an~~
- 1272           ~~individual to fill the vacancy within the statutory time period; and]~~
- 1273           ~~[(B) contains the name of the individual submitted by the party liaison to fill the~~
- 1274           ~~vacancy.]~~
- 1275       ~~[(ii) The governor shall, within 10 calendar days after the day on which the governor~~
- 1276           ~~receives the letter described in Subsection (7)(e)(i), appoint the individual named~~
- 1277           ~~by the party liaison to fill the vacancy.]~~
- 1278       ~~(b) When the conditions described in Subsection (9)(a) are met:~~
- 1279           ~~(i) the county legislative body shall fill the vacancy for the remainder of the term by~~
- 1280           ~~following the same procedures, described in Subsections (3)(b) through (e), as~~
- 1281           ~~required to appoint an interim replacement;~~
- 1282           ~~(ii) if the county legislative body fails to appoint an individual to fill the vacancy~~
- 1283           ~~under Subsection (9)(b)(i), the county clerk and the governor shall take the actions~~
- 1284           ~~described in Subsection (4) to fill the vacancy for the remainder of the term, using~~
- 1285           ~~the same procedures described in Subsection (4) for appointing an interim~~
- 1286           ~~replacement; and~~
- 1287       ~~[(d)] (iii) [An] an individual appointed to fill the vacancy under this Subsection [(7)] (9)~~
- 1288           ~~shall hold office until a successor is elected and has qualified.~~

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

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

[~~(10)~~] (12)(a) Each individual elected under Subsection [~~(4)~~, ~~(5)~~, or ~~(6)~~] (6), (7), or (8) to fill a vacancy in a county office shall serve for the remainder of the unexpired term of the individual who created the vacancy and until a successor is elected and qualified.

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

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

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

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

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

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

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

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

[~~(12)~~] (14)(a) The county clerk shall make each conflict of interest disclosure statement made by an individual described in Subsection [~~(11)~~](a) (13)(a) available for public inspection by posting an electronic copy of the statement on the county's website for at least 10 calendar days after the day on which[ ~~the county legislative body~~]:

(i) the county legislative body appoints an interim replacement under Subsection (3);[

or]

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

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

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

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

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

(a) has left the office; or

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

Section 9. Section **20A-1-509.1** is amended to read:

**20A-1-509.1 (Effective 05/06/26). Procedure for filling midterm vacancy in county or district with 15 or more attorneys.**

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

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

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

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

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

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

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

(ii) if nominated as a party candidate or qualified as an independent or write-in candidate under Chapter 9, Candidate Qualifications and Nominating Procedures, run in the regular general election; and

(iii) if elected, complete the unexpired term of the person who created the vacancy.



(d) If the vacancy occurs during the applicable declaration of candidacy filing period described in Section 20A-9-201.5:

(i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be extended until 5 p.m. on the first business day that is no later than seven calendar days after the last day of the applicable declaration of candidacy filing period described in Section 20A-9-201.5; and

(ii) the county clerk shall notify the public and each registered political party that the vacancy exists.

(3)(a) The requirements of this Subsection (3) apply when the office of county attorney or district attorney becomes vacant and:

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

(ii) the vacancy occurs after the third Thursday in March of the even-numbered year but more than 75 calendar days before the regular primary election.

(b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:

(i) notify the public and each registered political party that the vacancy exists; and

(ii) identify the date and time by which a person interested in becoming a candidate shall file a declaration of candidacy.

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

(i) no later than 5 p.m. on the first business day that is at least five calendar days after the day on which the county clerk gives the notice described in Subsection (3)(b)(i), file a declaration of candidacy for the vacant office as required by Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

(ii) if elected, complete the unexpired term of the person who created the vacancy.

(d) The county central committee of each party shall:

(i) select a candidate or candidates from among those qualified candidates who have filed declarations of candidacy; and

(ii) certify the name of the candidate or candidates to the county clerk:

(A) no later than 5 p.m. on the last business day that is at least 60 calendar days before the day of the regular primary election; or

(B) electronically, before midnight no later than 60 calendar days before the day of the regular primary election.

(4)(a) The requirements of this Subsection (4) apply when the office of county attorney or district attorney becomes vacant and:

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

- 1391 (ii) 75 calendar days or less remain before the regular primary election but more than  
1392 65 calendar days remain before the regular general election.
- 1393 (b) When the conditions established in Subsection (4)(a) are met, the county central  
1394 committees of each registered political party that wishes to submit a candidate for the  
1395 office shall, not later than five calendar days after the day on which the vacancy  
1396 occurs, certify the name of one candidate to the county clerk for placement on the  
1397 regular general election ballot.
- 1398 (c) The candidate elected shall complete the unexpired term of the person who created  
1399 the vacancy.
- 1400 (5)(a) The requirements of this Subsection (5) apply when the office of county attorney  
1401 or district attorney becomes vacant and:
- 1402 (i) the vacant office has an unexpired term of less than two years; or  
1403 (ii) the vacant office has an unexpired term of two years or more but 65 calendar days  
1404 or less remain before the next regular general election.
- 1405 (b) When the conditions established in Subsection (5)(a) are met, the county legislative  
1406 body shall give notice of the vacancy to:
- 1407 (i) the county clerk; and  
1408 ~~[(ii) the county central committee of the same political party of the prior officeholder.]~~  
1409 (ii) if the prior officeholder was a member of a registered political party when the  
1410 prior officeholder last took office, either by election or by appointment under this  
1411 section, the county central committee of that registered political party.
- 1412 (c) ~~[The]~~ If the prior officeholder was a member of a registered political party when the  
1413 prior officeholder last took office, either by election or appointment under this  
1414 section:
- 1415 (i) the county legislative body shall invite the committee described in Subsection [  
1416 (5)(b)(ii)] (5)(b)(ii) to submit the names of three nominees to fill the vacancy[-] ;  
1417 ~~[(d)]~~ (ii) [The] the county central committee shall, [within 30 calendar days after the  
1418 day on which the county legislative body gives the notice described in Subsection  
1419 (5)(b)(ii)] no later than 5 p.m. on the first business day that is at least 45 calendar  
1420 days after the day on which the county central committee receives the notice  
1421 described in Subsection (5)(b)(ii), submit to the county legislative body the names  
1422 of three nominees who meet the qualifications for the office to fill the vacancy[-] ;  
1423 and  
1424 ~~[(e)]~~ (iii) [The] the county legislative body shall, within 45 calendar days after the day

- 1425           on which the vacancy occurs, appoint one of those nominees to serve out the  
 1426           unexpired term.
- 1427       (d) If the prior officeholder was not a member of a registered political party when the  
 1428           prior officeholder last took office, either by election or appointment under this  
 1429           section, the county legislative body shall, no later than 5 p.m. on the first business  
 1430           day that is at least 45 calendar days after the day on which the county legislative  
 1431           body posts the notice described in Subsection (5)(b)(i), appoint an individual who  
 1432           meets the qualifications for the office to fill the vacancy, regardless of whether the  
 1433           individual is a member of a particular registered political party or is unaffiliated with  
 1434           a registered political party.
- 1435       ~~[(f)]~~ (e) If the county legislative body fails to appoint a person to fill the vacancy [within  
 1436           45 calendar days,] in accordance with Subsection (5)(c) or (d), as applicable:
- 1437           (i) the county clerk shall, no later than the deadline described in Subsection (5)(c)(iii)  
 1438           or (d), as applicable, send to the governor a letter that:
- 1439           ~~[(i)]~~ (A) informs the governor that the county legislative body has failed to appoint [  
 1440           a person] an individual to fill the vacancy within the statutory time period;[-and]  
 1441           (B) states whether the prior officeholder is an officeholder described in Subsection  
 1442           (5)(c) or (d); and
- 1443           ~~[(ii)]~~ (C) [contains] if the prior officeholder is an officeholder described in  
 1444           Subsection (5)(c), includes the [list] names of the nominees submitted by the  
 1445           party central committee[-]; and
- 1446       ~~[(g)]~~ (f) [The] the governor shall[-appoint a person to fill the vacancy from that list of  
 1447           nominees], within 30 calendar days after the day on which the governor receives the  
 1448           letter described in Subsection (5)(f)[-]:
- 1449           (i) if the prior officeholder is an officeholder described in Subsection (5)(c), appoint  
 1450           one of the nominees described in Subsection (5)(c)(ii) to fill the vacancy; or  
 1451           (ii) if the prior officeholder is an officeholder described in Subsection (5)(d), appoint  
 1452           an individual who meets the qualifications for the office to fill the vacancy,  
 1453           regardless of whether the individual is a member of a particular registered political  
 1454           party or is unaffiliated with a registered political party.
- 1455       ~~[(h)]~~ (g) [A person] An individual appointed to fill the vacancy under this Subsection (5)  
 1456           shall complete the unexpired term of the [person] individual who created the vacancy.
- 1457       (6) ~~[A person]~~ An individual seeking appointment to fill a vacancy described in Subsection [  
 1458           ~~(5)(a)]~~ (5) shall, no later than the deadline for the [person] individual to file a financial

report under Section 17-70-403:

- (a) complete a conflict of interest disclosure statement in accordance with Section 17-70-304; and
- (b) submit the conflict of interest disclosure statement to the county legislative body and the county clerk.

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

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

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

- (a) has left the office; or
- (b) submits an irrevocable letter of resignation to the county legislative body.

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

Section 10. Section **20A-1-509.2** is amended to read:

**20A-1-509.2 (Effective 05/06/26). Procedure for filling vacancy in county or district with fewer than 15 attorneys.**

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

(2) The county clerk shall send a letter to each attorney residing in the county or district who is a licensed, active member in good standing with the Utah State Bar and a registered voter that:

- (a) informs the attorney of the vacancy;
- (b) invites the attorney to apply for the vacancy; and
- (c) informs the attorney that if the attorney does not respond before 5 p.m. on the first business day that is at least 10 calendar days after the day on which the county clerk

1493 sends the letter, the attorney's candidacy to fill the vacancy will not be considered.

1494 ~~[(3)(a)(i) If, before the deadline described in Subsection (2)(c), more than three~~

1495 ~~attorneys who are licensed, active members in good standing with the Utah State~~

1496 ~~Bar and registered voters in the county or district have applied for the vacancy, the~~

1497 ~~county clerk shall, except as provided in Subsection (3)(a)(ii), submit the~~

1498 ~~applications to the county central committee of the same political party of the~~

1499 ~~prior officeholder.]~~

1500 ~~[(ii) In multicounty prosecution districts, the clerk shall submit the applications to the~~

1501 ~~county central committee of each county within the prosecution district.]~~

1502 ~~[(b) The central committee shall nominate three of the applicants and forward the~~

1503 ~~applicants' names to the county legislative body no later than 5 p.m. on the first~~

1504 ~~business day that is at least 20 calendar days after the day on which the county clerk~~

1505 ~~submits the applicants' names under Subsection (3)(a).]~~

1506 ~~[(c) The county legislative body shall appoint one of the nominees to fill the vacant~~

1507 ~~position.]~~

1508 ~~[(d) If the central committee of the political party fails to submit at least three names to~~

1509 ~~the county legislative body before the deadline described in Subsection (3)(b), the~~

1510 ~~county legislative body shall appoint one of the applicants to fill the vacant position.]~~

1511 ~~[(e) If the county legislative body fails to appoint a person to fill the vacancy within 120~~

1512 ~~calendar days after the day on which the vacancy occurs, the county clerk shall mail~~

1513 ~~to the governor:]~~

1514 ~~[(i) a letter informing the governor that the county legislative body has failed to~~

1515 ~~appoint a person to fill the vacancy; and]~~

1516 ~~[(ii)(A) the list of nominees, if any, submitted by the central committee of the~~

1517 ~~political party; or]~~

1518 ~~[(B) if the party central committee has not submitted a list of at least three~~

1519 ~~nominees within the required time, the names of the persons who submitted~~

1520 ~~applications for the vacant position to the county clerk.]]~~

1521 ~~[(f) The governor shall appoint, within 30 calendar days after the day on which the~~

1522 ~~governor receives the letter described in Subsection (3)(e), a person from the list to~~

1523 ~~fill the vacancy.]]~~

1524 (3) If, before the deadline described in Subsection (2)(c), more than three attorneys who are

1525 licensed, active members in good standing with the Utah State Bar and registered voters

1526 in the county or district have applied for the vacancy:

- 1527 (a) if the prior officeholder was a member of a registered political party when the prior  
1528 officeholder last took office, either by election or by appointment under this section:
- 1529 (i) the county clerk shall:
- 1530 (A) except as provided in Subsection (3)(a)(i)(B), submit the applications to the  
1531 county central committee of the same registered political party of which the  
1532 prior officeholder was a member when the prior officeholder last took office; or
- 1533 (B) for a multicounty prosecution district, submit the applications to the county  
1534 central committee of the same registered political party of which the prior  
1535 officeholder was a member when the prior officeholder last took office, for  
1536 each county within the multicounty prosecution district;
- 1537 (ii)(A) except as provided in Subsection (3)(a)(ii)(B), the county central  
1538 committee described in Subsection (3)(a)(i)(A) shall nominate three of the  
1539 applicants and forward the applicants' names to the county legislative body no  
1540 later than 5 p.m. on the first business day that is at least 20 calendar days after  
1541 the day on which the county clerk submits the applicants' names under  
1542 Subsection (3)(a)(i)(A); or
- 1543 (B) for a multicounty prosecution district, the county central committees described  
1544 in Subsection (3)(a)(i)(B) shall jointly nominate three of the applicants and  
1545 forward the applicants' names to the county legislative bodies in the  
1546 multicounty prosecution districts no later than 5 p.m. on the first business day  
1547 that is at least 20 calendar days after the day on which the county clerk submits  
1548 the applicants' names under Subsection (3)(a)(i)(B); and
- 1549 (iii)(A) except as provided in Subsection (3)(a)(iii)(B), the county legislative body  
1550 shall appoint one of the nominees to fill the vacant position; or
- 1551 (B) for a multicounty prosecution district, the county legislative bodies shall  
1552 jointly appoint one of the nominees to fill the vacant position; or
- 1553 (b) if the prior officeholder was not a member of a registered political party when the  
1554 prior officeholder last took office, either by election or by appointment under this  
1555 section:
- 1556 (i) the county clerk shall:
- 1557 (A) except as provided in Subsection (3)(b)(i)(B), submit the applications to the  
1558 county legislative body; or
- 1559 (B) for a multicounty prosecution district, submit the applications to the county  
1560 legislative bodies of each county within the multicounty prosecution district;

1561                   and

1562                   (ii)(A) except as provided in Subsection (3)(b)(ii)(B), the county legislative body  
1563                   described in Subsection (3)(b)(i)(A) shall appoint one of the applicants to fill  
1564                   the vacant position; or

1565                   (B) for a multicounty prosecution district, the county legislative bodies described  
1566                   in Subsection (3)(b)(i)(B) shall jointly appoint one of the applicants to fill the  
1567                   vacant position.

1568                   (4)(a) Except as provided in Subsection (4)(b), if the central committee described in  
1569                   Subsection (3)(a)(ii)(A) fails to submit at least three names to the county legislative  
1570                   body before the deadline described in Subsection (3)(a)(ii)(A), the county legislative  
1571                   body shall appoint one of the applicants to fill the vacant position.

1572                   (b) If the central committees described in Subsection (3)(a)(ii)(B) fail to jointly submit  
1573                   at least three names to the county legislative bodies before the deadline described in  
1574                   Subsection (3)(a)(ii)(B), the county legislative bodies shall jointly appoint one of the  
1575                   applicants to fill the vacant position.

1576                   (5) If, within 120 calendar days after the day on which the vacancy occurs, the county  
1577                   legislative body fails under Subsection (3)(a)(iii)(A) or (4)(a) to appoint an individual to  
1578                   fill the vacancy, or the county legislative bodies fail under Subsection (3)(a)(iii)(B) or  
1579                   (4)(b) to jointly appoint an individual to fill the vacancy, the county clerk shall send the  
1580                   governor notice that:

1581                   (a) states that the county legislative body or bodies have failed to timely appoint a  
1582                   person to fill the vacancy; and

1583                   (b) includes the following:

1584                   (i) for a vacancy where the prior officeholder was a member of a registered political  
1585                   party when the prior officeholder last took office:

1586                   (A) if the applicable central committee or applicable central committees timely  
1587                   submitted at least three nominees, the names of the nominees; or

1588                   (B) if the applicable central committee or applicable central committees failed to  
1589                   timely submit at least three nominees, the names of the applicants; or

1590                   (ii) for a vacancy where the prior officeholder was not a member of a political party  
1591                   when the prior officeholder last took office, the names of the applicants.

1592                   (6) The governor shall, within 30 calendar days after the day on which the governor  
1593                   receives the notice described in Subsection (5)(a), appoint an individual from the names  
1594                   provided under Subsection (5)(b), to fill the vacancy.

1595 [(4)] (7)(a) If, before the deadline described in Subsection (2)(c), three or fewer attorneys  
1596 who are licensed, active members in good standing with the Utah State Bar and  
1597 registered voters in the county or district have applied for the vacancy, the county  
1598 legislative body, or, for a prosecution district, the county legislative bodies jointly,  
1599 may:

- 1600 (i) appoint one of [them] the attorneys to be county or district attorney; or
- 1601 (ii) solicit additional applicants and appoint a county or district attorney as provided  
1602 in Subsection [(4)(b)] (7)(b).

1603 (b)(i) If three or fewer attorneys who are licensed members in good standing of the  
1604 Utah State Bar and registered voters in the county or district submit applications,  
1605 the county legislative body or county legislative bodies may publicly solicit and  
1606 accept additional applications for the position from licensed, active members in  
1607 good standing of the Utah State Bar who are not residents of the county or  
1608 prosecution district.

1609 (ii) The county legislative body or county legislative bodies shall consider the  
1610 applications submitted by the attorneys who are residents of and registered voters  
1611 in the county or prosecution district and the applications submitted by the  
1612 attorneys who are not residents of the county or prosecution district and shall  
1613 appoint one of the applicants to be county attorney or district attorney.

1614 (c) If the county legislative body [fails] or county legislative bodies fail to appoint [a  
1615 person] an attorney to fill the vacancy within 120 calendar days after the day on  
1616 which the vacancy occurs, the county clerk shall:

- 1617 (i) notify the governor that the county legislative body [has] or county legislative  
1618 bodies have failed to fill the vacancy within the required time period; and
- 1619 (ii) provide the governor with a list of all the applicants.

1620 (d) The governor shall appoint [a person] an attorney to fill the vacancy within 30  
1621 calendar days after the day on which the governor receives the notification described  
1622 in Subsection [(4)(e)] (7)(c).

1623 [(5)] (8) [The person] An attorney appointed to fill [the] a vacancy described in this section  
1624 shall serve for the unexpired term of the [person] attorney who created the vacancy.

1625 [(6)] (9) [A person] An attorney seeking appointment to fill a vacancy under this section  
1626 shall, no later than the deadline for the [person] attorney to file a financial report under  
1627 Section 17-70-403:

- 1628 (a) complete a conflict of interest disclosure statement in accordance with Section



1629 17-70-304; and

1630 (b) submit the conflict of interest disclosure statement to the county legislative body and  
1631 the county clerk.

1632 ~~[(7)]~~ (10)(a) The county clerk shall make each conflict of interest disclosure statement  
1633 made by ~~[a person]~~ an attorney described in Subsection ~~[(6)]~~ (9) available for public  
1634 inspection by posting an electronic copy of the statement on the county's website for  
1635 at least 10 calendar days after the day on which the county legislative body appoints [  
1636 ~~a person]~~ an attorney to fill the vacancy.

1637 (b) The county clerk shall post the electronic statement described in Subsection ~~[(7)]~~(a)  
1638 (10)(a) no later than two business days after the day on which the county clerk  
1639 receives the statement.

1640 ~~[(8)]~~ (11) A vacancy in the office described in Subsection (1) does not occur until the [  
1641 ~~person]~~ attorney occupying the office:

1642 (a) has left the office; or

1643 (b) submits an irrevocable letter of resignation to the county legislative body.

1644 Section 11. Section **20A-1-513** is amended to read:

1645 **20A-1-513 (Effective 05/06/26). Temporary absence in elected office of a political**  
1646 **subdivision for military service.**

1647 (1) As used in this section:

1648 (a)(i) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps,  
1649 Space Force, and Coast Guard.

1650 (ii) "Armed forces" includes the National Guard.

1651 (b)(i) "Elected official" means an individual who holds an office of a political  
1652 subdivision that is required by law to be filled by an election.

1653 (ii) "Elected official" includes an individual who is appointed to fill a vacancy in an  
1654 office described in Subsection (1)(b)(i).

1655 (c) "Elected official reservist" means an elected official who is:

1656 (i) a member of the armed forces reserves component;

1657 (ii) a member of the National Guard; or

1658 (iii) a retired member of the armed forces who may be called to active, full-time duty  
1659 in the armed forces under Title 10, U.S.C., Armed Forces.

1660 (d)(i) "Military leave" means the temporary absence from an office:

1661 (A) by an elected official reservist called to active, full-time duty in the armed  
1662 forces; and

- 1663 (B) for a period of time that exceeds 30 calendar days and does not exceed 400  
1664 calendar days.
- 1665 (ii) "Military leave" includes the time an individual on leave, as described in  
1666 Subsection (1)(d)(i), spends for:  
1667 (A) out processing;  
1668 (B) an administrative delay;  
1669 (C) accrued leave; and  
1670 (D) on rest and recuperation leave program of the armed forces.
- 1671 (e) "Political subdivision's governing body" means:  
1672 (i) for a county, city, or town, the legislative body of the county, city, or town;  
1673 (ii) for a special district, the board of trustees of the special district;  
1674 (iii) for a local school district, the local school board;  
1675 (iv) for a special service district:  
1676 (A) the legislative body of the county, city, or town that established the special  
1677 service district, if no administrative control board has been appointed under  
1678 Section 17D-1-301; or  
1679 (B) the administrative control board of the special service district, if an  
1680 administrative control board has been appointed under Section 17D-1-301; and  
1681 (v) for a political subdivision not listed in Subsections (1)(e)(i) through (iv), the body  
1682 that governs the affairs of the political subdivision.
- 1683 (f) "Temporary replacement" means the individual appointed by the political  
1684 subdivision's governing body in accordance with this section to exercise the powers  
1685 and duties of the office of an elected official reservist who takes military leave.
- 1686 (2) An elected official reservist who takes military leave in accordance with this section  
1687 does not create a vacancy in the elected official's office.
- 1688 (3)(a) An elected official reservist who is called to active, full-time duty in the armed  
1689 forces under Title 10, U.S.C., Armed Forces, shall notify the political subdivision's  
1690 governing body of the elected official's orders no later than 5 p.m. on the first  
1691 business day that is at least five calendar days after the day on which the elected  
1692 official receives the orders.
- 1693 (b) An elected official reservist described in Subsection (3)(a) may:  
1694 (i) if the period of active, full-time duty does not exceed 270 calendar days:  
1695 (A) continue to carry out the elected official's duties if possible while on active,  
1696 full-time duty; or

- 1697 (B) take military leave if the elected official submits to the political subdivision's  
1698 governing body written notice of the intent to take military leave and the  
1699 expected duration of the military leave; or
- 1700 (ii) if the period of active, full-time duty exceeds 270 calendar days but does not  
1701 exceed 400 calendar days, take military leave if the elected official submits to the  
1702 political subdivision's governing body:
- 1703 (A) written notice of the intent to take military leave and the expected duration of  
1704 the military leave; and
- 1705 (B) written certification that the secretary of the armed force of which the elected  
1706 official is a member granted the elected official permission under [U.S.] United  
1707 States Department of Defense Directive 1344.10 to continue to hold the elected  
1708 official's office while on active, full-time duty.
- 1709 (4)(a) An elected official reservist who chooses to continue to carry out the elected  
1710 official's duties under Subsection (3)(b)(i)(A) shall, no later than 10 calendar days  
1711 after the day of the elected official's deployment, confirm in writing to the political  
1712 subdivision's governing body that the elected official has the ability to carry out the  
1713 elected official's duties.
- 1714 (b) If an elected official reservist does not submit the confirmation to the political  
1715 subdivision's governing body before the deadline described in Subsection (4)(a), the  
1716 political subdivision's governing body shall:
- 1717 (i) place the elected official in military leave status; and
- 1718 (ii) appoint a temporary replacement in accordance with Subsection (8).
- 1719 (5)(a) An elected official reservist who chooses to take military leave under Subsection  
1720 (3)(b)(ii) shall, no later than 21 calendar days after the date of the elected official's  
1721 deployment, submit to the political subdivision's governing body the written notice  
1722 and certification described in Subsection (3)(b)(ii).
- 1723 (b) If an elected official reservist does not submit the notice and certification to the  
1724 political subdivision's governing body before the deadline described in Subsection  
1725 (5)(a):
- 1726 (i) the political subdivision's governing body may not appoint a temporary  
1727 replacement under Subsection (8); and
- 1728 (ii) the elected official reservist creates a vacancy in the elected official's office.
- 1729 (6) An elected official reservist who is called to active, full-time duty in the armed forces  
1730 under Title 10, U.S.C., Armed Forces, for a period of more than 400 calendar days

creates a vacancy in the elected official's office.

(7) An elected official reservist's military leave:

(a) begins:

(i) for an elected official reservist described in Subsection (3)(b)(i), the later of:

(A) the day after the day on which the elected official notifies the political subdivision's governing body of the intent to take military leave;

(B) 11 calendar days after the day of the elected official's deployment if no confirmation is received by the political subdivision's governing body in accordance with Subsection (4)(a); or

(C) the day on which the elected official begins active, full-time duty in the armed forces; or

(ii) for an elected official reservist described in Subsection (3)(b)(ii), the day after the day on which the elected official submits to the political subdivision's governing body the written notice and certification described in Subsection (3)(b)(ii); and

(b) ends the sooner of:

(i) the expiration of the elected official reservist's term of office; or

(ii) the day on which the elected official reservist ends active, full-time duty in the armed forces.

(8) A temporary replacement shall:

(a) meet the qualifications required to hold the office; and

(b) be appointed:

(i) when an elected official reservist:

(A) takes military leave under Subsection (3)(b)(i)(B) or (b)(ii); or

(B) is placed in military leave status under Subsection (4)(b)(i); and

(ii) by the political subdivision's governing body:

(A) if a registered political party nominated the elected official reservist as a candidate for the office, in the same manner as provided in Subsection 20A-1-508(3) or (4) for the appointment of an interim replacement; or

(B) if a registered political party did not nominate the elected official reservist as a candidate for the office, after submitting an application in accordance with Subsection (10)(b).

(9)(a) A temporary replacement shall exercise the powers and duties of the office for which the temporary replacement is appointed for the duration of the elected official reservist's military leave.

- (b) An elected reservist may not exercise the powers or duties of the office while on military leave.
- (c) If a temporary replacement is not appointed as required by Subsection (8)(b), no individual may exercise the powers and duties of the elected official reservist's office during the elected official's military leave.

(10) The political subdivision's governing body shall establish:

- (a) the distribution of the emoluments of the office between the elected official reservist and the temporary replacement; and
- (b) an application form and the date and time before which an individual shall submit the application to be considered by the political subdivision's governing body for appointment as a temporary replacement.

(11) This section does not apply to an elected official who is not an elected official reservist.

Section 12. Section **20A-2-101.1** is amended to read:

**20A-2-101.1 (Effective 01/01/27). Preregistering to vote.**

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

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

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

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

(3) An individual who preregisters to vote shall:

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

1799 (4)(a) A county clerk shall:

1800 (i) retain the voter registration form of an individual who meets the qualifications for  
1801 preregistration and who submits a completed voter registration form to the county  
1802 clerk under Subsection (3)(b);

1803 (ii) subject to Section 20A-3a-201.5, register the individual to vote in the next  
1804 election in which the individual will be eligible to vote, before the voter  
1805 registration deadline established in Section 20A-2-102.5 for that election; and

1806 (iii) send a notice to the individual that:

1807 (A) informs the individual that the individual's voter registration form has been  
1808 accepted as an application for preregistration;

1809 (B) informs the individual that the individual will be registered to vote in the next  
1810 election in which the individual will be eligible to vote; and

1811 (C) indicates in which election the individual will be registered to vote.

1812 (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is  
1813 considered to have applied for voter registration on the earlier of:

1814 (i) the day of the voter registration deadline immediately preceding the election day  
1815 on which the individual will be at least 18 years ~~[of age]~~ old; or

1816 (ii) the day on which the individual turns 18 years ~~[of age]~~ old.

1817 (c) A county clerk shall refer a voter registration form to the county attorney for  
1818 investigation and possible prosecution if the clerk or the clerk's designee believes the  
1819 individual is attempting to preregister to vote in an election in which the individual  
1820 will not be legally entitled to vote.

1821 (5)(a) The lieutenant governor or a county clerk shall classify the voter registration  
1822 record of an individual who preregisters to vote as a private record until the day on  
1823 which the individual turns 18 years ~~[of age]~~ old.

1824 (b) ~~[On]~~ Subject to Subsection 63G-2-301(2)(l), and except as otherwise provided in  
1825 Subsections 63G-2-302(1)(j) through (m), on the day on which the individual  
1826 described in Subsection (5)(a) turns 18 years [of age] old, the lieutenant governor or  
1827 county clerk shall classify the individual's voter registration record as a public record[  
1828 ~~in accordance with Subsection 63G-2-301(2)(l)~~].

1829 (6) If an individual who is at least 18 years ~~[of age]~~ old erroneously indicates on the voter  
1830 registration form that the individual is preregistering to vote, the county clerk shall  
1831 consider the form as a voter registration form and shall process the form in accordance  
1832 with this chapter.

Section 13. Section **20A-2-104** is amended to read:

**20A-2-104 (Effective 01/01/27). Voter registration form -- Registered voter lists**

**-- Fees for copies.**

~~[(1) As used in this section:]~~

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

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

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

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

~~[(b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and the federal Violence Against Women Act of 1994, as amended.]~~

~~[(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)]~~ (1)(a) An individual applying for voter registration, or an individual preregistering to vote, shall complete [a] the voter registration form~~[in substantially the following~~

~~form:]~~ described in this Subsection (1)(a).

(i) The first portion of the voter registration form shall contain the following:

—

# 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."

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

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

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

Name of Voter

First Middle Last

### Utah Driver License or Utah Identification Card

Number

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

Street Address of Principal Place of Residence

City County State Zip Code

Tribal Identification Number or Alien Registration Number (optional)

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

Email Address (optional)



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

• At the email address you provided above? Yes No

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

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 [I] 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] old 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, address, and year of birth. Your full date of birth, driver license number, state identification card number, and social security number are available only to an authorized government entity. Your email address and phone number are also only available to an authorized government entity, unless you have consented, above, to disclose them to the political party with which you choose to affiliate and candidates for that political party.

#### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

In addition to the protections provided above, you may request that your voter registration

record be withheld from public disclosure if you or someone you live with:

- is at risk of domestic violence;
- is a law enforcement officer;
- is a member of the military who is deployed away from home;
- is a public figure; or
- is protected by a court order.

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

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

\_\_\_\_\_

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)] (1)(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

2003           communications, by text, at the phone number you provided above?           Yes           No  
 2004           -----";  
 2005           and  
 2006           (ii) no later than November 5, 2025, the following, immediately after the question described in  
 2007           Subsection ~~[(2)(b)(i)]~~ (1)(b)(i):  
 2008           "Indicate below how you want to vote in upcoming elections:  
 2009           \_\_\_\_\_ Mail a ballot to me.  
 2010           \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."  
 2011           (c)(i) Except as provided under Subsection ~~[(2)(e)(ii)]~~ (1)(c)(ii), the county clerk shall  
 2012           retain a copy of each voter registration form in a permanent countywide  
 2013           alphabetical file, which may be electronic or some other recognized system.  
 2014           (ii) The county clerk may transfer a superseded voter registration form to the  
 2015           Division of Archives and Records Service created under Section 63A-12-101.  
 2016           ~~[(3)]~~ (d)~~[(a)]~~ (i) Each county clerk shall retain lists of currently registered voters.  
 2017           ~~[(b)]~~ (ii) The lieutenant governor shall maintain a list of registered voters in electronic  
 2018           form.  
 2019           ~~[(c)]~~ (iii) If there are any discrepancies between the two lists, the county clerk's list is  
 2020           the official list.  
 2021           ~~[(d)]~~ (iv) ~~[The]~~ Subject to Subsection (1)(d)(v), the lieutenant governor [and the  
 2022           county clerks] or a county clerk may charge the fees established under the  
 2023           authority of Subsection 63G-2-203(10) to [individuals who wish] a person who  
 2024           wishes to obtain a copy of the list of registered voters.  
 2025           (v) The fee to obtain an electronic copy of the list of registered voters may not exceed  
 2026           \$200.  
 2027           (e) The back of the voter registration form shall include the following statement:  
 2028           "Proof of United States citizenship may be established by one of the following  
 2029           methods:  
 2030           • a Utah driver license number that verifies United States citizenship;  
 2031           • a Utah state identification card number that verifies United States citizenship;  
 2032           • a legible copy of your birth certificate that verifies United States citizenship;  
 2033           • a legible copy of the pages of a United States passport that identifies you and  
 2034           your passport number;  
 2035           • an alien registration number that verifies United States citizenship;  
 2036           • a legible copy of your United States naturalization documents;

- a Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;
- a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs affidavit of birth;
- verification of citizenship from the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security; or
- other documents or methods of proving United States citizenship that are established in accordance with the Immigration Reform and Control Act of 1986."

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

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

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

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

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

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

[(vi) a candidate for public office, or an employee, independent contractor, or volunteer of a candidate for public office;]

[(vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a year of birth from the list of registered voters:]

[(A) provides the year of birth only to a person described in Subsections (4)(a)(i) through (vi);]

[(B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person described in Subsections (4)(a)(i) through (vi);]

[(C) ensures, using industry standard security measures, that the year of birth may not be accessed by a person other than a person described in Subsections (4)(a)(i) through (vi);]

[(D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to whom the person provides the year of birth will only use the year of birth to verify the accuracy of personal information submitted by an individual or to

confirm the identity of a person in order to prevent fraud, waste, or abuse;]  
[(E) verifies that each person described in Subsection (4)(a)(i) to whom the person  
provides the year of birth will only use the year of birth in the person's capacity  
as a government official or government employee; and]  
[(F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the  
person provides the year of birth will only use the year of birth for a political  
purpose of the political party or candidate for public office; or]  
[(viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining  
information under Subsection (4)(n) and (o);]  
[(A) provides the information only to another person described in Subsection  
(4)(a)(v) or (vi);]  
[(B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a  
person described in Subsection (4)(a)(v) or (vi);]  
[(C) ensures, using industry standard security measures, that the information may  
not be accessed by a person other than a person described in Subsection  
(4)(a)(v) or (vi); and]  
[(D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom  
the person provides the information will only use the information for a political  
purpose of the political party or candidate for public office.]  
[(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.]~~

[~~(e) 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 lieutenant governor or county clerk reasonably believes:]~~

[~~(A) is not a person described in Subsection (4)(a)(v) or (vi); or]~~

[~~(B) will provide or use the information in a manner prohibited by law.]~~

[~~(d) The lieutenant governor or a county clerk may not disclose the voter registration form of a person, or information included in the person's voter registration form, whose voter registration form is classified as private under Subsection (4)(h) to a person other than:]~~

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

[~~(ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for a political purpose.]~~

[~~(e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or information under Subsection (4)(d)(ii), the lieutenant governor or county clerk shall exclude the information described in Subsection 63G-2-302(1)(j), other than~~

- 2139 the year of birth.]
- 2140 [(ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the
- 2141 voter registration record of a protected individual, the lieutenant governor or
- 2142 county clerk shall comply with Subsections (4)(n) through (p).]
- 2143 [(f) The lieutenant governor or a county clerk may not disclose a withholding request
- 2144 form, described in Subsections (7) and (8), submitted by an individual, or information
- 2145 obtained from that form, to a person other than a government official or government
- 2146 employee acting in the government official's or government employee's capacity as a
- 2147 government official or government employee.]
- 2148 [(g) A person is guilty of a class A misdemeanor if the person:]
- 2149 [(i) obtains from the list of registered voters, under false pretenses, the year of birth
- 2150 of a registered voter or information described in Subsection (4)(n) or (o);]
- 2151 [(ii) uses or provides the year of birth of a registered voter, or information described
- 2152 in Subsection (4)(n) or (o), that is obtained from the list of registered voters in a
- 2153 manner that is not permitted by law;]
- 2154 [(iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)
- 2155 under false pretenses;]
- 2156 [(iv) uses or provides information obtained from a voter registration record described
- 2157 in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;]
- 2158 [(v) unlawfully discloses or obtains a voter registration record withheld under
- 2159 Subsection (7) or a withholding request form described in Subsections (7) and (8);
- 2160 or]
- 2161 [(vi) unlawfully discloses or obtains information from a voter registration record
- 2162 withheld under Subsection (7) or a withholding request form described in
- 2163 Subsections (7) and (8).]
- 2164 [(h) The lieutenant governor or a county clerk shall classify the voter registration record
- 2165 of a voter as a private record if the voter:]
- 2166 [(i) submits a written application, created by the lieutenant governor, requesting that
- 2167 the voter's voter registration record be classified as private;]
- 2168 [(ii) requests on the voter's voter registration form that the voter's voter registration
- 2169 record be classified as a private record; or]
- 2170 [(iii) submits a withholding request form described in Subsection (7) and any
- 2171 required verification.]
- 2172 [(i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a



2173 county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a  
2174 voter registration record, or information obtained from a voter registration record, if  
2175 the record is withheld under Subsection (7).]

2176 [(j) In addition to any criminal penalty that may be imposed under this section, the  
2177 lieutenant governor may impose a civil fine against a person who violates a provision  
2178 of this section, in an amount equal to the greater of:]

2179 [(i) the product of 30 and the square root of the total number of:]

2180 [(A) records obtained, provided, or used unlawfully, rounded to the nearest whole  
2181 dollar; or]

2182 [(B) records from which information is obtained, provided, or used unlawfully,  
2183 rounded to the nearest whole dollar; or]

2184 [(ii) \$200.]

2185 [(k) A qualified person may not obtain, provide, or use the year of birth of a registered  
2186 voter, if the year of birth is obtained from the list of registered voters or from a voter  
2187 registration record, unless the person:]

2188 [(i) is a government official or government employee who obtains, provides, or uses  
2189 the year of birth in the government official's or government employee's capacity  
2190 as a government official or government employee;]

2191 [(ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or  
2192 uses the year of birth only to verify the accuracy of personal information  
2193 submitted by an individual or to confirm the identity of a person in order to  
2194 prevent fraud, waste, or abuse;]

2195 [(iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,  
2196 provides, or uses the year of birth for a political purpose of the political party or  
2197 candidate for public office; or]

2198 [(iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or  
2199 uses the year of birth to provide the year of birth to another qualified person to  
2200 verify the accuracy of personal information submitted by an individual or to  
2201 confirm the identity of a person in order to prevent fraud, waste, or abuse.]

2202 [(l) The lieutenant governor or a county clerk may provide a year of birth to a member  
2203 of the media, in relation to an individual designated by the member of the media, in  
2204 order for the member of the media to verify the identity of the individual.]

2205 [(m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose  
2206 information from a voter registration record for a purpose other than a political

2207 purpose:]

2208 [(n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a

2209 county clerk shall, when providing the list of registered voters to a qualified person

2210 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose

2211 record is withheld under Subsection (7), the information described in Subsection

2212 (4)(o), if:]

2213 [(i) the lieutenant governor or a county clerk verifies the identity of the person and

2214 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and]

2215 [(ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document

2216 that includes the following:]

2217 [(A) the name, address, and telephone number of the person requesting the list of

2218 registered voters;]

2219 [(B) an indication of the type of qualified person that the person requesting the list

2220 claims to be;]

2221 [(C) a statement regarding the purpose for which the person desires to obtain the

2222 information;]

2223 [(D) a list of the purposes for which the qualified person may use the information;]

2224 [(E) a statement that the information may not be provided or used for a purpose

2225 other than a purpose described under Subsection (4)(n)(ii)(D);]

2226 [(F) a statement that if the person obtains the information under false pretenses, or

2227 provides or uses the information in a manner that is prohibited by law, the

2228 person is guilty of a class A misdemeanor and is subject to a civil fine;]

2229 [(G) an assertion from the person that the person will not provide or use the

2230 information in a manner that is prohibited by law; and]

2231 [(H) notice that if the person makes a false statement in the document, the person

2232 is punishable by law under Section 76-8-504.]

2233 [(o) Except as provided in Subsection (4)(p), the information that the lieutenant

2234 governor or a county clerk is required to provide, under Subsection (4)(n), from the

2235 record of a protected individual is:]

2236 [(i) a single hash code, generated from a string of data that includes both the voter's

2237 voter identification number and residential address;]

2238 [(ii) the voter's residential address;]

2239 [(iii) the voter's mailing address, if different from the voter's residential address;]

2240 [(iv) the party affiliation of the voter;]

2241           ~~[(v) the precinct number for the voter's residential address;]~~  
 2242           ~~[(vi) the voter's voting history; and]~~  
 2243           ~~[(vii) a designation of which age group, of the following age groups, the voter falls~~  
 2244                 ~~within:]~~  
 2245                 ~~[(A) 25 or younger;]~~  
 2246                 ~~[(B) 26 through 35;]~~  
 2247                 ~~[(C) 36 through 45;]~~  
 2248                 ~~[(D) 46 through 55;]~~  
 2249                 ~~[(E) 56 through 65;]~~  
 2250                 ~~[(F) 66 through 75; or]~~  
 2251                 ~~[(G) 76 or older.]~~  
 2252           ~~[(p) The lieutenant governor or a county clerk may not disclose:]~~  
 2253                 ~~[(i) information described in Subsection (4)(o) that, due to a small number of voters~~  
 2254                     ~~affiliated with a particular political party, or due to another reason, would likely~~  
 2255                     ~~reveal the identity of a voter if disclosed; or]~~  
 2256                 ~~[(ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the~~  
 2257                     ~~county clerk determines that the nature of the address would directly reveal~~  
 2258                     ~~sensitive information about the voter.]~~  
 2259           ~~[(q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain,~~  
 2260                 ~~provide, or use the information described in Subsection (4)(n) or (o), except to the~~  
 2261                 ~~extent that the qualified person uses the information for a political purpose of a~~  
 2262                 ~~political party or candidate for public office.]~~  
 2263           ~~[(5)]~~ (2) When political parties not listed on the voter registration form qualify as registered  
 2264           political parties under Chapter 8, Political Party Formation and Procedures, the  
 2265           lieutenant governor shall inform the county clerks of the name of the new political party  
 2266           and direct the county clerks to ensure that the voter registration form is modified to  
 2267           include that political party.  
 2268           ~~[(6)]~~ (3) Upon receipt of a voter registration form from an applicant, the county clerk or the  
 2269           clerk's designee shall:  
 2270                 (a) review each voter registration form for completeness and accuracy; and  
 2271                 (b) if the county clerk believes, based upon a review of the form, that an individual may  
 2272                     be seeking to register or preregister to vote who is not legally entitled to register or  
 2273                     preregister to vote, refer the form to the county attorney for investigation and  
 2274                     possible prosecution.

- ~~(4) Beginning on January 1, 2028, an individual who registers to vote using a federal voter registration form is limited to voting a federal ballot, unless the individual provides documentary proof of United States citizenship.~~
- ~~[(7) The lieutenant governor or a county clerk shall withhold from a person, other than a person described in Subsection (4)(a)(i), the voter registration record, and information obtained from the voter registration record, of a protected individual.]~~
- ~~[(8)(a) The lieutenant governor shall design and distribute a withholding request form for the purpose described in Subsections (1)(e)(i), (1)(e)(ii), (7), and this Subsection (8) to each election officer and to each agency that provides a voter registration form.]~~
- ~~[(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).]~~
- ~~[(9) An election officer or an employee of an election officer may not encourage an individual to submit, or discourage an individual from submitting, a withholding request form.]~~
- ~~[(10)(a) The lieutenant governor shall make and execute a plan to provide notice to registered voters who are protected individuals, that includes the following information:]~~
- ~~[(i) that the voter's classification of the record as private remains in effect;]~~
- ~~[(ii) that certain non-identifying information from the voter's voter registration record may, under certain circumstances, be released to political parties and candidates for public office;]~~
- ~~[(iii) that the voter's name, driver license or identification card number, social security number, email address, phone number, and the voter's day, month, and year of birth will remain private and will not be released to political parties or candidates for public office;]~~
- ~~[(iv) that a county clerk will only release the information to political parties and candidates in a manner that does not associate the information with a particular~~

- 2309 voter; and]
- 2310 [(v) that a county clerk may, under certain circumstances, withhold other information
- 2311 that the county clerk determines would reveal identifying information about the
- 2312 voter.]
- 2313 [(b) The lieutenant governor may include in the notice described in this Subsection (10)
- 2314 a statement that a voter may obtain additional information on the lieutenant
- 2315 governor's website.]
- 2316 [(c) The plan described in Subsection (10)(a) may include providing the notice described
- 2317 in Subsection (10)(a) by:]
- 2318 [(i) publication on the Utah Public Notice Website, created in Section 63A-16-601;]
- 2319 [(ii) publication on the lieutenant governor's website or a county's website;]
- 2320 [(iii) posting the notice in public locations;]
- 2321 [(iv) publication in a newspaper;]
- 2322 [(v) sending notification to the voters by electronic means;]
- 2323 [(vi) sending notice by other methods used by government entities to communicate
- 2324 with citizens; or]
- 2325 [(vii) providing notice by any other method.]
- 2326 [(d) The lieutenant governor shall provide the notice included in a plan described in this
- 2327 Subsection (10) before June 16, 2023.]

2328 Section 14. Section **20A-2-108** is amended to read:

2329 **20A-2-108 (Effective 01/01/27). Driver license or state identification card**

2330 **registration form -- Transmittal of information.**

- 2331 (1) As used in this section, "qualifying form" means:
- 2332 (a) a driver license application form; or
- 2333 (b) a state identification card application form.
- 2334 (2) The lieutenant governor and the Driver License Division shall design each qualifying
- 2335 form to include:
- 2336 (a)(i) the following question, which an applicant is required to answer: "Do you
- 2337 authorize the use of information in this form for voter registration purposes?
- 2338 YES\_\_\_\_ NO\_\_\_\_"; and
- 2339 (ii) no later than November 5, 2025, the following:
- 2340 "Indicate below how you want to vote in upcoming elections:
- 2341 \_\_\_\_\_ Mail a ballot to me.
- 2342 \_\_\_\_\_ 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, address, and year of birth. Your full date of birth, driver license number, state identification card number, and social security number are available only to an authorized government entity. Your email address and phone number are also only available to an authorized government entity, unless you have consented, above, to disclose them to the political party with which you choose to affiliate and candidates for that political party.

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

- is at risk of domestic violence;
- is a law enforcement officer;
- is a member of the military who is deployed away from home;
- is a public figure; or
- is protected by a court order.

To make this request for additional privacy protection, you must prove that you qualify by submitting an at-risk voter request form, and any required proof, to the county clerk."; and  
[Voter registration records contain some information that is available to the public, such as your name and address, some information that is available only to government entities, and some information that is available only to certain third parties in accordance with the requirements of law.

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 swear or 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[-] ;

(f) beginning on January 1, 2028, the following statement:

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

(g) on the back of the form, the statement described in Subsection 20A-2-104(1)(e).

Section 15. Section **20A-2-204** is amended to read:

**20A-2-204 (Effective 01/01/27). 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 vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a)(i) and completing the voter registration form.

(b) A citizen who is a program participant in the Safe at Home Program created in Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a), but is eligible to register to vote by any other means described in this part.

(3) The Driver License Division shall:

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

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

(c) on or before the first business day that is at least five calendar days after the day on which the division receives a voter registration form, electronically transmit the form



to the ~~[Office of the Lieutenant Governor]~~ lieutenant governor, including the following for the individual named on the form:

(i) the name, date of birth, driver license or state identification card number, last four digits of the social security number, Utah residential address, place of birth, and signature;

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

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

(iv) the desired political affiliation, if indicated;

~~[(v) an indication of whether the individual requested that the individual's voter registration record be classified as a private record under Subsection 20A-2-108(2)(b); and]~~

~~[(vi)]~~ (v) ~~[a withholding]~~ an at-risk voter request form described in ~~[Subsections 20A-2-104(7) and (8)]~~ Subsection 20A-2-606(5) and any verification submitted with the form~~[-]~~ ; and

(vi) an indication regarding whether the individual provided proof of United States citizenship.

(4) Upon receipt of an individual's voter registration form from the Driver License Division under Subsection (3), the lieutenant governor or county clerk shall:

(a) enter the information into the statewide voter registration database;~~[-and]~~

(b) make a record of the indication described in Subsection (3)(c)(vi); and

~~[(b)]~~ (c) if the individual ~~[requests on the individual's voter registration form that the individual's voter registration record be classified as a private record or the individual submits a withholding request form described in Subsections 20A-2-104(7) and (8)]~~ submits an at-risk voter request form described in Subsection 20A-2-606(5) and any required verification, classify the individual's voter registration record as a private record.

(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[-] ;

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

(iv) if the individual has not provided documentary proof of United States citizenship, notify the individual, in accordance with Subsection (8):

(A) that the individual has not provided proof of United States citizenship;

(B) that, beginning on January 1, 2028, if the individual fails to provide proof of United States citizenship, the individual will only be permitted to vote for federal offices; and

(C) of the methods by which the individual may provide 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) beginning on January 1, 2028, comply with Subsection 20A-2-304(3);

~~[(iii)]~~ (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.

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

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

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

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

Section 16. Section **20A-2-206** is amended to read:

**20A-2-206 (Effective 01/01/27). 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

- 2547 identification card number, and any other information determined to be necessary by  
2548 the lieutenant governor;
- 2549 (b) provide the information required by Section 20A-2-104, except that the applicant's  
2550 signature may be obtained in the manner described in Subsections (2)(d) and (5);
- 2551 (c) attest to the truth of the information provided; and
- 2552 (d) authorize the lieutenant governor's and county clerk's use of the applicant's:
- 2553 (i) driver license or identification card signature, obtained under Title 53, Chapter 3,  
2554 Uniform Driver License Act, for voter registration or preregistration purposes; or
- 2555 (ii) signature on file in the lieutenant governor's statewide voter registration database  
2556 developed under Section 20A-2-502, for voter registration or preregistration  
2557 purposes.
- 2558 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system described  
2559 in Subsection (1) is not required to complete a printed registration form.
- 2560 (4) A system created and maintained under this section shall provide to an individual who is  
2561 registering to vote the notices concerning a voter's presentation of identification  
2562 described in Subsection ~~[20A-2-104(2)]~~ 20A-2-104(1).
- 2563 (5) The lieutenant governor shall, in relation to an individual who is registering to vote:
- 2564 (a) obtain a digital copy of the applicant's driver license signature or identification card  
2565 signature from the Driver License Division; or
- 2566 (b) ensure that the applicant's signature is on file in the lieutenant governor's statewide  
2567 voter registration database developed under Section 20A-2-502.
- 2568 (6) The lieutenant governor shall send the information described in Subsections (2) and (5)  
2569 to the county clerk for the county in which the applicant's principal place of residence is  
2570 found for further action as required by Section 20A-2-304 after:
- 2571 (a) receiving all information from an applicant;~~and~~
- 2572 (b)~~[(+)]~~ receiving all information from the Driver License Division, if applicable; and
- 2573 ~~[(+)]~~ (c) ensuring that the applicant's signature is on file in the lieutenant governor's  
2574 statewide voter registration database developed under Section 20A-2-502.
- 2575 (7) The lieutenant governor may use additional security measures to ensure the accuracy  
2576 and integrity of information submitted electronically under this section.
- 2577 (8) If an individual applies to register under this section no later than 11 calendar days  
2578 before the date of an election, the county clerk shall:
- 2579 (a) accept and process the voter registration form;
- 2580 (b) unless the individual named in the form is preregistering to vote, and subject to

- 2581           Section 20A-3a-201.5:
- 2582           (i) enter the applicant's name on the list of registered voters for the voting precinct in
- 2583                 which the applicant resides; and
- 2584           (ii) notify the individual that the individual is registered to vote in the upcoming
- 2585                 election; and
- 2586           (c) if the individual named in the form is preregistering to vote, comply with Section
- 2587                 20A-2-101.1.
- 2588   (9) If an individual applies to register under this section after the deadline described in
- 2589         Subsection (8), the county clerk shall, unless the individual is preregistering to vote:
- 2590         (a) accept the application for registration; and
- 2591         (b) except as provided in Subsection 20A-2-207(6), and subject to Section 20A-3a-201.5,
- 2592                 if possible, promptly inform the individual that the individual will not be registered to
- 2593                 vote in the pending election, unless the individual registers to vote by provisional
- 2594                 ballot during the early voting period, if applicable, on election day, in accordance
- 2595                 with Section 20A-2-207.
- 2596   (10) The lieutenant governor shall provide a means by which a registered voter shall sign
- 2597         the application form.
- 2598   (11) For an individual who is registering to vote or is already registered to vote, the electronic
- 2599         system described in Subsection (1) shall include the following:
- 2600         "Indicate below how you want to vote in upcoming elections:
- 2601         \_\_\_\_\_ Mail a ballot to me.
- 2602         \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."
- 2603         Section 17. Section **20A-2-304** is amended to read:
- 2604         **20A-2-304 (Effective 01/01/27). County clerk's responsibilities -- Notice of**
- 2605         **disposition.**
- 2606         [Each] Subject to Section 20A-3a-201.5, a county clerk shall:
- 2607         (1) register to vote each individual who meets the requirements for registration and who:
- 2608                 (a) submits a completed voter registration form to the county clerk;
- 2609                 (b) submits a completed voter registration form, as defined in [~~Section 20A-2-204~~]
- 2610                 Subsection 20A-2-204(1), to the Driver License Division;
- 2611                 (c) submits a completed voter registration form to a public assistance agency or a
- 2612                 discretionary voter registration agency; or
- 2613                 (d) mails a completed voter registration form to the county clerk;[~~and~~]
- 2614         (2) within 30 calendar days after the day on which the county clerk processes a voter

registration form, send a notice to the individual who submits the form that:

- (a)(i) informs the individual that the individual's voter registration form has been accepted and that the individual is registered to vote;
  - (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) beginning on January 1, 2028, for each voter registration record of an individual who is limited to voting in a federal race only, indicate the limitation on the voter's voter registration record.

Section 18. Section **20A-2-502** is amended to read:

**20A-2-502 (Effective 05/06/26). Statewide voter registration system -- Maintenance and update of system -- Record security -- List of incarcerated felons -- Public document showing compliance by county clerks.**

(1) The lieutenant governor shall:

- (a) develop, manage, and maintain a statewide voter registration system to be used by county clerks to maintain an updated statewide voter registration database in accordance with this section and rules made under Section 20A-2-507;
- (b) except as provided in Subsection (2)(c), regularly update the system with information relevant to voter registration, as follows:
  - (i) on at least a weekly basis, information received from the Driver License Division in relation to:
    - (A) voter registration;
    - (B) a registered voter's change of address; or

- (C) a registered voter's change of name;
- (ii) on at least a weekly basis, the information described in Subsection 26B-8-114(11) from the state registrar, regarding deceased individuals;
- (iii) on at least a monthly basis, the information described in Subsection (3), received from the Department of Corrections regarding incarcerated individuals;
- (iv) on at least a monthly basis, information received from other states, including information received under an agreement described in Subsection (2); and
- (v) within 31 calendar days after the day on which the lieutenant governor receives information relevant to voter registration, other than the information described in Subsections (1)(b)(i) through (iv);
- (c) regularly monitor the system to ensure that each county clerk complies with the requirements of this part and rules made under Section 20A-2-507;
- (d) establish matching criteria and security measures for identifying a change described in Subsection (1)(b) to ensure the accuracy of a voter registration record;
- (e) on at least a monthly basis:
- (i) use the matching criteria and security measures described in Subsection (1)(d) to compare information in the database to identify duplicate data, contradictory data, and changes in data;
- (ii) notify the applicable county clerk of the data identified; and
- (iii) notify the county clerk of the county in which a voter's principal place of residence is located of a change in a registered voter's principal place of residence or name;
- (f) before April 1, 2026, develop a procedure to evaluate voter registration based on addresses to identify potential anomalies, including eight or more voters at a single-family home address;
- (g) develop procedures to investigate the validity of a voter registration when a ballot mailed by the county clerk is returned by the post office as undeliverable;
- (h) before June 1, 2026, register with the Systematic Alien Verification for Entitlements program, operated by the United States Department of Homeland Security; and
- (i) as part of maintaining the voter registration database, analyze the database at least 90 calendar days before the day of each regular primary election and each regular general election to ensure the accuracy of the voter registration record, and to inform county clerks of action needed, by identifying errors in the database, including errors based on:

- 2683 (i) change of incarceration status;  
2684 (ii) the death of a voter;  
2685 (iii) duplicate voters;  
2686 (iv) identical identification numbers used by multiple voters; or  
2687 (v) other reasons identified by the lieutenant governor that would render a voter  
2688 ineligible to vote.
- 2689 (2)(a) Subject to Subsection (2)(b), the lieutenant governor may cooperate or enter into  
2690 an agreement with a governmental entity or another state to share information and  
2691 increase the accuracy of the database.
- 2692 (b) For a record shared under Subsection (2)(a), the lieutenant governor shall ensure:  
2693 (i) that the record is only used to maintain the accuracy of the database;  
2694 (ii) compliance with Section 63G-2-206; and  
2695 (iii) that the record is secure from unauthorized use by employing data encryption or  
2696 another similar technology security system.
- 2697 (c) The lieutenant governor is not required to comply with an updating requirement  
2698 described in Subsection (1)(b) to the extent that the person responsible to provide the  
2699 information to the lieutenant governor fails to provide the information.
- 2700 (3)(a) The lieutenant governor shall maintain a current list of all incarcerated felons in  
2701 Utah.
- 2702 (b) The Department of Corrections shall provide the lieutenant governor's office with:  
2703 (i) the name and last-known address of each individual who:  
2704 (A) was convicted of a felony in a Utah state court; and  
2705 (B) is currently incarcerated for commission of a felony; and  
2706 (ii) the name of each convicted felon who has been released from incarceration.
- 2707 (4) The lieutenant governor shall seek to enter into an agreement with the federal courts to  
2708 provide that, in exchange for receiving information from the state's voter registration list  
2709 or from a list maintained by the Driver License Division to use in relation to federal  
2710 juries, the federal courts will notify the lieutenant governor or a county clerk when an  
2711 individual disclosed from one of the lists is disqualified from jury service due to a  
2712 conviction or non-citizenship.
- 2713 (5) The lieutenant governor shall maintain on the lieutenant governor's website a document  
2714 that:  
2715 (a) describes the utilities and tools within the system that a county clerk is required to  
2716 run;



- (b) describes the actions, if any, that a county clerk is required to take in relation to the results of running a utility or tool;
- (c) lists, by date, the recurring deadlines by which a county clerk must comply with Subsection (5)(a) or (b); and
- (d) indicates, by county:
  - (i) whether the county clerk timely complies with each deadline described in Subsection (5)(c); and
  - (ii) if the county clerk fails to timely comply with a deadline described in Subsection (5)(c), whether the county clerk subsequently complies with the deadline and the date on which the county clerk complies.

(6)(a) The lieutenant governor shall, before January 1, 2028, conduct an audit of all voter registration records, with the assistance of the county clerks if requested by the lieutenant governor, to determine whether the lieutenant governor or a county clerk has documentary proof of United States citizenship for each individual registered to vote in Utah.

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

- (i) that the lieutenant governor or county clerk does not have documentary proof of United States citizenship for the registered voter;
- (ii) that if the voter does not provide documentary proof of United States citizenship before January 1, 2028, the voter will only be permitted to vote for candidates for federal office, in elections held on or after January 1, 2028, until the voter provides documentary proof of United States citizenship; and
- (iii) of the methods by which an individual may provide documentary proof of United States citizenship.

Section 19. Section **20A-2-504** is amended to read:

**20A-2-504 (Effective 05/06/26). Removing names from the official register -- General requirements -- Deceased individuals.**

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

- 2751 (a) the voter dies and the requirements of Subsection [~~(3)~~] (4) are met;
- 2752 (b) the county clerk, after complying with the requirements of Section 20A-2-505,
- 2753 receives written confirmation from the voter that the voter no longer resides within
- 2754 the county clerk's county;
- 2755 (c)(i) the county clerk obtains evidence that the voter's residence has changed;
- 2756 (ii) the county clerk mails notice to the voter as required under Section 20A-2-505;
- 2757 (iii) the county clerk:
- 2758 (A) receives no response from the voter; or
- 2759 (B) does not receive information that confirms the voter's residence; and
- 2760 (iv) the voter does not vote or appear to vote in an election during the period
- 2761 beginning on the date of the notice described in Section 20A-2-505 and ending on
- 2762 the day after the date of the second regular general election occurring after the
- 2763 date of the notice;
- 2764 (d) the voter requests, in writing, that the voter's name be removed from the official
- 2765 register;
- 2766 (e) the county clerk receives notice that a voter has been convicted of any felony or a
- 2767 misdemeanor for an offense under this title and the voter's right to vote has not been
- 2768 restored as provided in Section 20A-2-101.3 or 20A-2-101.5; or
- 2769 (f) the county clerk receives notice that a voter has registered to vote in another state
- 2770 after the day on which the voter registered to vote in this state.
- 2771 (3) The lieutenant governor shall make available to a county clerk the United States Social
- 2772 Security Administration data received by the lieutenant governor regarding deceased
- 2773 individuals.
- 2774 [~~(3)~~] (4) The county clerk shall remove a voter's name from the official register within five
- 2775 business days after the day on which the county clerk[-] :
- 2776 (a) receives, from the lieutenant governor, the information described in Subsection (3) or
- 2777 26B-8-114(11) in relation to the voter; or
- 2778 (b) receives confirmation from the Office of Vital Records that the voter is deceased.
- 2779 [~~(4)~~] (5) No later than 90 calendar days before each primary election day and general
- 2780 election day[-] :
- 2781 (a) the county clerk shall update the official register by reviewing the official register
- 2782 and taking the actions permitted or required by law under this section, Section
- 2783 20A-2-503, and Section 20A-2-505[-] ; and
- 2784 (b) the lieutenant governor shall compare the records that the lieutenant governor

2785 receives under Subsections (3) and 26B-8-114(11) to the official register to ensure  
 2786 that each county clerk complies with Subsection (4).

2787 Section 20. Section **20A-2-505** is amended to read:

2788 **20A-2-505 (Effective 01/01/27). Removing names from the official register --**  
 2789 **Determining and confirming change of residence.**

2790 (1) A county clerk may not remove a voter's name from the official register on the grounds  
 2791 that the voter has changed residence unless the voter:

2792 (a) confirms in writing that the voter has changed residence to a place outside the  
 2793 county; or

2794 (b)(i) does not vote in an election during the period beginning on the date of the  
 2795 notice described in Subsection (3), and ending on the day after the date of the  
 2796 second regular general election occurring after the date of the notice; and

2797 (ii) does not respond to the notice described in Subsection (3).

2798 (2)(a) Within 31 calendar days after the day on which a county clerk obtains information  
 2799 that a voter's address has changed, if it appears that the voter still resides within the  
 2800 same county, the county clerk shall:

2801 (i) change the official register to show the voter's new address; and

2802 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

2803 (b) When a county clerk obtains information that a voter's address has changed and it  
 2804 appears that the voter now resides in a different county, the county clerk shall verify  
 2805 the changed residence by sending to the voter, by forwardable mail, the notice  
 2806 described in Subsection (3), printed on a postage prepaid, preaddressed return form.

2807 (3)(a) Each county clerk shall use substantially the following form to notify voters whose  
 2808 addresses have changed:

2809 "VOTER REGISTRATION NOTICE

2810 We have been notified that your residence has changed. Please read, complete, and  
 2811 return this form so that we can update our voter registration records. What is your current  
 2812 street address?

2813 \_\_\_\_\_  
 2814 Street City County State Zip

2815 What is your current phone number (optional)? \_\_\_\_\_

2816 What is your current email address (optional)? \_\_\_\_\_

2817 Do you consent to receive communications from the political party with which you  
 2818 affiliate, and candidates for that political party, as follows (optional):

• At the email address you provided above? Yes No

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

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

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

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

---

Signature of Voter

#### PRIVACY INFORMATION

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

#### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

• is at risk of domestic violence;

• is a law enforcement officer;

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

• is a public figure; or

• is protected by a court order.

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

~~[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." ]

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

(i) a section in substantially the following form:

"-----

#### BALLOT NOTIFICATIONS

2887

2888 Do you consent to receive communications about the status of your ballot and other official  
2889 communications, by text, at the phone number you provided above? Yes No

2890 -----";

2891 and

2892 (ii) no later than November 5, 2025, the following, immediately after the question described in  
2893 Subsection (3)(b)(i):

2894 "Indicate below how you want to vote in upcoming elections:

2895 \_\_\_\_\_ Mail a ballot to me.

2896 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

2897 (4)(a) Except as provided in Subsection (4)(b), the county clerk may not remove the  
2898 names of any voters from the official register during the 90 calendar days before a  
2899 regular primary election or the 90 calendar days before a regular general election.

2900 (b) The county clerk may remove the names of voters from the official register during  
2901 the 90 calendar days before a regular primary election or the 90 calendar days before  
2902 a regular general election if:

2903 (i) the voter requests, in writing, that the voter's name be removed; or

2904 (ii) the voter dies.

2905 (c)(i) After a county clerk mails a notice under this section, the county clerk shall,  
2906 unless otherwise prohibited by law, list that voter as inactive.

2907 (ii) If a county clerk receives a returned voter identification card, determines that  
2908 there was no clerical error causing the card to be returned, and has no further  
2909 information to contact the voter, the county clerk shall, unless otherwise  
2910 prohibited by law, list that voter as inactive.

2911 (iii) An inactive voter may vote, sign petitions, and have all other privileges of a  
2912 registered voter.

2913 (iv) A county is not required to:

2914 (A) send routine mailings to an inactive voter; or

2915 (B) count inactive voters when dividing precincts and preparing supplies.

2916 [~~(5) The lieutenant governor shall make available to a county clerk United States Social~~  
2917 ~~Security Administration data received by the lieutenant governor regarding deceased~~  
2918 ~~individuals.]~~

2919 [~~(6) A county clerk shall, within 10 business days after the day on which the county clerk~~  
2920 ~~receives the information described in Subsection (5) or Subsections 26B-8-114(11) and~~

2921 (12) relating to a decedent whose name appears on the official register, remove the  
 2922 decedent's name from the official register.]

2923 [(7) Ninety calendar days before each primary and general election the lieutenant governor  
 2924 shall compare the information the lieutenant governor has received under Subsection  
 2925 26B-8-114(11) with the official register of voters to ensure that all deceased voters have  
 2926 been removed from the official register.]

2927 Section 21. Section **20A-2-508** is enacted to read:

2928 **20A-2-508 (Effective 05/06/26). Independent investigation of citizenship --**  
 2929 **Identification of non-citizens -- Opportunity to challenge -- Provisional ballot option.**

2930 (1)(a) An election officer shall, to the extent that the review can be conducted in a  
 2931 uniform, nondiscriminatory manner, conduct a review of the voter registration  
 2932 records to independently determine whether an individual who is registered to vote is  
 2933 not a citizen of the United States.

2934 (b) To conduct the review described in Subsection (1)(a), the election officer:

2935 (i) except as provided in Subsection (3), may not require an individual who registers  
 2936 to vote only in a federal race to provide documentary proof of United States  
 2937 citizenship; and

2938 (ii) shall use any tools lawfully available to the election officer, including:

2939 (A) the Systematic Alien Verification for Entitlements program, operated by the  
 2940 United States Department of Homeland Security;

2941 (B) information received from the federal courts under Subsection 20A-2-502(4);  
 2942 and

2943 (C) data collected by a state agency.

2944 (2) If, in accordance with Subsection (1), an election officer determines that an individual  
 2945 who is registered to vote is not a citizen of the United States, the election officer shall:

2946 (a) notify the individual, in writing, of the determination and the reason for the  
 2947 determination;

2948 (b) give the individual an opportunity to refute the determination; and

2949 (c) if the individual fails to refute the determination within a reasonable time frame  
 2950 specified by the election officer in the notification described in Subsection (2)(a),  
 2951 remove the individual from the list of registered voters.

2952 (3) Except as provided in Subsection (4), an individual described in Subsection (2) may not  
 2953 vote in an election unless, before voting, the individual provides documentary proof of  
 2954 United States citizenship to the election officer.

- (4) An individual described in Subsection (2) may cast a provisional ballot pending the resolution of a dispute under Subsection (2).
- (5) An election officer may not count a provisional ballot cast by an individual under Subsection (4) unless, on or before the last business day before the day on which the applicable canvass occurs, the individual provides documentary proof of citizenship to the election officer.
- (6) An election officer shall comply with Subsection 20A-2-204(5)(b)(iv) if the election officer discovers a voter registration record for which:
- (a) the county clerk does not make the determination described in Subsection (2); and
  - (b) proof of United States citizenship has not been established, unless the individual has expressed an intent:
    - (i) to not provide proof of United States citizenship; or
    - (ii) to vote for federal offices only.
- (7) A county clerk who provides notice under Subsection (2) shall send the notice, in writing, to the individual:
- (a) by mail, at the most recent address the county clerk has for the individual; and
  - (b)(i) by email, if the county clerk has an email address for the individual; or
    - (ii) by text to a phone number, if the county clerk has a phone number for the individual and has received consent from the individual to send text messages to the phone number.

Section 22. Section **20A-2-601** is enacted to read:

**20A-2-601 (Effective 05/06/26). Definitions.**

As used in this part:

- (1)(a) "At-risk voter" means:
- (i) a voter who is designated as an at-risk voter under Subsection 20A-2-606(2) or (6), regardless of whether the voter files a subsequent voter registration form after receiving the designation, unless the voter loses status as an at-risk voter:
    - (A) under Subsection 20A-2-606(7)(b); or
    - (B) by requesting that the lieutenant governor or county clerk remove the voter's status as an at-risk voter; or
  - (ii) a preregistered voter.
- (b) "At-risk voter," until the lieutenant governor takes the action described in Subsection 20A-2-602(2), includes a voter with a segregated record.
- (2)(a) "Candidate for public office" means an individual:



- 2989           (i) who files a declaration of candidacy for a public office;  
2990           (ii) who files a notice of intent to gather signatures under Section 20A-9-408; or  
2991           (iii) who is employed by, under contract with, or a volunteer of, an individual  
2992           described in Subsection (2)(a)(i) or (ii), who is authorized to act on behalf of the  
2993           individual described in Subsection (2)(a)(i) or (ii) for political purposes.  
2994       (b) "Candidate for public office" does not include:  
2995           (i) an individual described in Subsection (2)(a)(i) or (ii) who is eliminated as a  
2996           candidate for:  
2997           (A) failure to qualify for the primary election ballot via signature gathering or  
2998           convention;  
2999           (B) failure to advance to the general election; or  
3000           (C) any other reason provided by law; or  
3001           (ii) an individual who is employed by, under contract with, or a volunteer of, an  
3002           individual described in Subsection (2)(b)(i).  
3003       (3) "Dating violence" means the same as that term is defined in Section 78B-7-102 and the  
3004           federal Violence Against Women Act of 1994, as amended.  
3005       (4) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the  
3006           federal Violence Against Women Act of 1994, as amended.  
3007       (5)(a) "Government entity" means:  
3008           (i) the state; or  
3009           (ii) a county, city, town, school district, special district, special service district, or  
3010           other political subdivision of the state.  
3011       (b) "Government entity" includes an agency, bureau, office, department, division, board,  
3012           commission, institution, laboratory, or other instrumentality of an entity described in  
3013           Subsection (5)(a).  
3014       (6) "Government official" means:  
3015           (a) an elected or appointed officer of a government entity; or  
3016           (b) an employee of a government entity.  
3017       (7) "Political party" means the same as that term is defined in Section 20A-1-102.  
3018       (8) "Public office" means the office of governor, lieutenant governor, attorney general, state  
3019           auditor, state treasurer, state senator, state representative, state school board member, or  
3020           an elective office of a local political subdivision.  
3021       (9) "Public registered voter" means a registered voter who is not an at-risk voter.  
3022       (10) "Qualified family member," when used in relation to a remotely-deployed member of

the armed forces, means an individual who:

(a) resides with the remotely-deployed member of the armed forces; or

(b) would reside with the remotely-deployed member of the armed forces, but for the deployment.

(11) "Remotely-deployed member of the armed forces" means a member of the armed forces, as defined in Section 20A-1-513, who is deployed to a location where the member of the armed forces would not live but for the deployment.

(12) "Segregated record" means a voter registration record that was classified as a private record by a voter:

(a) via the method that existed before May 12, 2020; or

(b) via a method that existed on or after May 12, 2020, other than the method of submitting a withholding request form.

(13) "Standard voter data" means the following information from a voter registration record:

(a) the voter's full legal name;

(b) the voter's voter identification number and federal information processing series geographic code;

(c) the voter's year of birth;

(d) the voter's complete residential address, including the unit type and number;

(e) the voter's county of residence;

(f) the voter's mailing address, including the city;

(g) the voter's precinct, congressional district, state House of Representatives district, state Senate district, state school board district, local school board district, county council district, and city council district;

(h) the voter's party affiliation or status as unaffiliated;

(i) the voter's status as active or inactive;

(j) beginning on January 1, 2028, whether the voter is restricted to vote a federal ballot only;

(k) the last day on which the voter's voter registration record was updated; and

(l) subject to the provisions of Section 20A-5-410, the voter's voting history record for the preceding eight years.

(14) "Withheld status" means the status granted, before January 1, 2027, to the voter registration record of a voter that prevented the disclosure of the voter registration record to a person other than an official or employee of a government entity acting in the official's or employee's capacity as an official or employee of a governmental entity.

Section 23. Section **20A-2-602** is enacted to read:

**20A-2-602 (Effective 05/06/26). Change of voter registration record privacy status -- Notice -- Redesignation of status -- New voter identification number.**

(1) The lieutenant governor shall, on or before January 1, 2027, mail to each voter who has a segregated record, at the last known address of the voter, a notice that includes the following information:

(a) that the privacy status of the voter's voter registration record will change on July 1, 2027, and, unless the voter applies for and receives designation as an at-risk voter before July 1, 2027, the voter will be redesignated as a public registered voter on that date;

(b) that, as a public registered voter, the following information from the voter's voter registration record is public:

(i) the voter's full legal name;

(ii) the voter's voter identification number and federal information processing series geographic code;

(iii) the voter's year of birth;

(iv) the voter's complete residential address, including the unit type and number;

(v) the voter's county of residence;

(vi) the voter's mailing address, including the city;

(vii) the voter's precinct, congressional district, state House of Representatives district, state Senate district, state school board district, local school board district, county council district, and city council district;

(viii) the voter's party affiliation or status as unaffiliated;

(ix) the voter's status as an active or inactive voter;

(x) beginning on January 1, 2028, whether the voter is restricted to vote a federal ballot only;

(xi) the last day on which the voter's voter registration record was updated; and

(xii) the voter's voting history for the preceding eight years;

(c) that:

(i) the voter may apply for designation as an at-risk voter in accordance with Section 20A-2-606; and

(ii) if the voter is designated as an at-risk voter under Section 20A-2-606, the voter's entire voter registration record will be withheld from all persons other than an authorized government entity;

- (d) instructions on how the voter may apply for designation as an at-risk voter; and  
(e) information on how the voter may obtain a copy of the at-risk voter request form,  
described in Section 20A-2-606, online or by mail.

(2) Unless, before July 1, 2027, a voter with a segregated record is designated as an at-risk voter under Section 20A-2-606, the lieutenant governor or a county clerk shall, on July 1, 2027, designate a voter who has a segregated record as a public registered voter.

(3) On July 1, 2027, each county clerk shall, under the direction of the lieutenant governor:

(a) assign a new voter identification number to each registered voter in Utah; and

(b) ensure that the new voter identification number:

(i) is not the same as a number previously assigned to the registered voter; and

(ii) cannot be used, by the number alone, to identify the voter.

Section 24. Section **20A-2-603** is enacted to read:

**20A-2-603 (Effective 01/01/27). General request for voter registration records.**

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

(1) shall disclose to the person the standard voter data from a public registered voter's voter registration record; and

(2) may not disclose to the person:

(a) information from a public registered voter's voter registration record that is not standard voter data; or

(b) any information from an at-risk voter's voter registration record.

Section 25. Section **20A-2-603.5** is enacted to read:

**20A-2-603.5 (Effective 01/01/27). Request by candidate for consensual disclosure of contact information.**

(1) As used in this section, "qualified candidate" means an individual who:

(a) is affiliated with a registered political party; and

(b) is a candidate who:

(i) is seeking the nomination of the registered political party with whom the candidate is affiliated; or

(ii) has obtained the nomination of the registered political party with whom the candidate is affiliated.

(2) Subject to Subsections (3) and (4), and except as provided in Subsection (5), the lieutenant governor or a county clerk shall, upon the request of a qualified candidate,

provide to the qualified candidate, for each public registered voter who is affiliated with the same registered political party as the qualified candidate:

(a) subject to Subsection (6), the voter's phone number; and

(b) subject to Subsection (6), the voter's email address.

(3) A qualified candidate that receives information under Subsection (2)(a) or (b), or an authorized agent of the qualified candidate:

(a) shall ensure, using industry standard security measures, that the information may not be accessed by a person other than the qualified candidate or an authorized agent of the qualified candidate;

(b) may only use the information to communicate with an individual in relation to the qualified candidate's candidacy or for a political purpose;

(c) may not:

(i) use or share the information for a purpose other than a purpose described in Subsection (3)(b); or

(ii) grant access to the information to a person other than an authorized agent of the qualified candidate; and

(d) notwithstanding Subsection (3)(a) or (b), may not grant access to the information or share the information with a person whom the qualified candidate or the agent of the qualified candidate believes:

(i) will use or share the information in a manner other than a manner described in Subsection (3)(b); or

(ii) will not comply with Subsection (3)(a), (b), or (c).

(4) Before providing the information described in Subsection (2)(a) or (b) to an individual claiming to be a qualified candidate:

(a) the lieutenant governor or county clerk shall verify that the individual requesting the information is a qualified candidate of the registered political party to which the information sought relates; and

(b) the qualified candidate requesting the information under Subsection (2)(a) shall sign a request form that includes:

(i) the name, address, and telephone number of the qualified candidate who is seeking the information;

(ii) the qualified candidate's name, address, and telephone number;

(iii) a statement that the qualified candidate is a qualified candidate for the registered political party to which the information sought relates and has presented to the

lieutenant governor or the county clerk valid verification that the qualified candidate is the qualified candidate whom the qualified candidate claims to be;

(iv) a statement that the qualified candidate will comply with the requirements described in Subsection (3);

(v) a statement that the qualified candidate, or an agent of the qualified candidate, will not provide or use the information in a manner that is prohibited by law;

(vi) a statement that obtaining the information under false pretenses, or providing or using the information in a manner that is prohibited by law, is punishable as a class A misdemeanor and by a civil fine; and

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

(5) The lieutenant governor or a county clerk may not disclose the information described in Subsection (2)(a) or (b) to an individual requesting the information under this section if the lieutenant governor or county clerk has probable cause to believe that the individual:

(a) is not a qualified candidate of the registered political party or an agent of the qualified candidate; or

(b) will use or share the information in a manner prohibited by law.

(6)(a) A qualified candidate who is affiliated with the same political party as the public registered voter to whom the information described in Subsection (2)(a) or (b) relates:

(i) will receive the public registered voter's phone number, under Subsection (2)(a), only if the voter consents, on the voter's voter registration form, to receive notifications from the political party and the political party's candidates by text to the phone number indicated on the form; and

(ii) will receive the public registered voter's email address, under Subsection (2)(b), only if the voter consents, on the voter's voter registration form, to receive notifications from the political party and the political party's candidates at the email address indicated on the form.

(b) If an at-risk voter consents, on the voter's voter registration form, to provide the political party with which the voter chooses to affiliate, and the party's candidates, with the voter's phone number or email address, the county clerk or the lieutenant governor:

(i) may not provide the phone number or email address to the qualified candidate; and

(ii) shall notify the at-risk voter that the voter must contact the political party, or a candidate of the political party, directly to provide the voter's phone number or

3193 email address to the political party or to the candidate or to consent to receive  
3194 communications from the political party or the candidate.

3195 Section 26. Section **20A-2-604** is enacted to read:

3196 **20A-2-604 (Effective 01/01/27). Request for voter registration records by**  
3197 **political party -- Confirmation of political party affiliation.**

3198 (1) Except as otherwise provided in this section or another express provision of law, upon  
3199 receiving a request from a political party for voter registration records, the lieutenant  
3200 governor or a county clerk:

3201 (a) for each public registered voter who is not affiliated with the political party:

3202 (i) shall provide to the political party the voter's standard voter data; and

3203 (ii) may not provide to the political party any information from the public registered  
3204 voter's voter registration record that is not standard voter data;

3205 (b) for each public registered voter who is affiliated with the political party:

3206 (i) shall, subject to Subsections (2) and (3), and except as provided in Subsection (4),  
3207 provide to the political party:

3208 (A) subject to Subsection (5), the voter's phone number;

3209 (B) subject to Subsection (5), the voter's email address; and

3210 (C) the voter's standard voter data; and

3211 (ii) may not provide to the political party any information relating to the voter other  
3212 than the information provided in accordance with Subsection (1)(b)(i);

3213 (c) may not provide to the political party any information from an at-risk voter's voter  
3214 registration record;

3215 (d) shall provide the following information to the political party:

3216 (i) for the entire state:

3217 (A) the total number of at-risk voters in the state; and

3218 (B) the total number of at-risk voters in the state who are affiliated with the  
3219 political party; and

3220 (ii) for each state House of Representatives district in the state:

3221 (A) the total number of at-risk voters in the district; and

3222 (B) the total number of at-risk voters in the district who are affiliated with the  
3223 political party.

3224 (2) A political party, or an agent of a political party, that receives information under  
3225 Subsection (1)(b)(i)(A) or (B):

3226 (a) shall ensure, using industry standard security measures, that the information may not

be accessed by a person other than the political party or an authorized agent of the political party;

(b) may only use the information:

(i) to communicate with an individual who is affiliated with the political party in relation to the business of the political party or for a political purpose;

(ii) to verify that the voter is a member of the political party; or

(iii) to conduct demographic or other analysis for a political purpose;

(c) may not:

(i) use or share the information for a purpose other than a purpose described in Subsection (2)(b); or

(ii) grant access to the information to a person other than an authorized agent of the political party;

(d) notwithstanding Subsection (2)(a) or (b), may not grant access to the information or share the information with a person whom the political party believes:

(i) will use or share the information in a manner other than a manner described in Subsection (2)(b); or

(ii) will not comply with Subsection (2)(a), (b), or (c); and

(e) may limit access by an authorized agent to only the portion of the information needed for the authorized agent to fulfill a purpose for which the authorized agent is:

(i) permitted by law to use the information; and

(ii) authorized by the state political party to use the information.

(3) Before providing the information described in Subsection (1)(b)(i)(A) or (B) to a political party:

(a) the lieutenant governor or county clerk shall verify that the individual requesting the information on behalf of the political party is an authorized agent of the political party; and

(b) the individual requesting the information under Subsection (3)(a) shall sign a request form that includes:

(i) the name, address, and telephone number of the political party that is seeking the information;

(ii) the individual's name, address, and telephone number;

(iii) a statement that the individual is an authorized agent of the political party and has presented to the lieutenant governor or the county clerk valid verification that the individual is an authorized agent of the political party;



- 3261           (iv) a statement that the political party and the individual will comply with the  
3262           requirements described in Subsection (2);
- 3263           (v) a statement that the political party, or an agent of the political party, will not  
3264           provide or use the information obtained from the list of registered voters in a  
3265           manner that is prohibited by law;
- 3266           (vi) a statement that obtaining the information under false pretenses, or providing or  
3267           using the information in a manner that is prohibited by law, is punishable as a  
3268           class A misdemeanor and by a civil fine; and
- 3269           (vii) notice that if a person makes a false statement in the request form, the person is  
3270           punishable by law under Section 76-8-504.
- 3271   (4) The lieutenant governor or a county clerk may not disclose the information described in  
3272   Subsection (1)(b)(i)(A) or (B) to a person requesting the information under this section  
3273   if the lieutenant governor or county clerk has probable cause to believe that the person:  
3274   (a) is not a political party or an agent of the political party; or  
3275   (b) will use or share the information in a manner prohibited by law.
- 3276   (5)(a) A political party with which a public registered voter chooses to affiliate:  
3277           (i) will receive the public registered voter's phone number, under Subsection  
3278           (1)(b)(i)(A), only if the voter consents, on the voter's voter registration form, to  
3279           receive notifications from the political party and candidates for that political party  
3280           by text to the phone number indicated on the form; and  
3281           (ii) will receive the public registered voter's email address, under Subsection  
3282           (1)(b)(i)(B), only if the voter consents, on the voter's voter registration form, to  
3283           receive notifications from the political party and candidates for that political party  
3284           at the email address indicated on the form.
- 3285   (b) If an at-risk voter consents, on the voter's voter registration form, to provide the  
3286   political party with which the voter chooses to affiliate with the voter's phone number  
3287   or email address, the county clerk or the lieutenant governor:  
3288           (i) may not provide the phone number or email address to the political party; and  
3289           (ii) shall notify the at-risk voter that the voter must contact the political party directly  
3290           to provide the voter's phone number or email address to the political party or to  
3291           consent to receive communications from the political party.
- 3292   (6) The lieutenant governor will provide a political party with the capability, on the  
3293   lieutenant governor's website, to verify that an individual is affiliated with the political  
3294   party by entering only the individual's name and address.

Section 27. Section **20A-2-605** is enacted to read:

**20A-2-605 (Effective 01/01/27). Request for voter registration records by a government official.**

- (1) Except as otherwise provided in this section or another express provision of law, upon request by a government official acting in the government official's capacity as a government official, the lieutenant governor or a county clerk:
- (a) shall disclose to the government official the information in a voter registration record necessary to permit the government official to fulfill an official duty imposed by law on the government official; and
- (b) may not disclose to the government official the information in a voter registration record that is not necessary to permit the government official to fulfill an official duty imposed by law on the government official.
- (2) A government official who receives information under Subsection (1)(a):
- (a) shall ensure, using industry standard security measures, that the information may not be accessed by a person other than the government official or the government entity that the government official represents;
- (b) may only use the information to the extent necessary to fulfill a duty of the government official; and
- (c) may not disclose the information to a person other than a person needing the information to fulfill a duty of the government official or the government entity that the government official represents.
- (3) Before providing the information described in Subsection (1)(a) to a government official:
- (a) the lieutenant governor or county clerk shall verify that:
- (i) the person requesting the information is a government official; and
- (ii) it is necessary to provide the information requested to permit the government official to fulfill an official duty imposed by law on the government official; and
- (b) the government official requesting the information shall sign a request form that includes:
- (i) the name, address, and telephone number of the government official;
- (ii) the government official's position or title;
- (iii) a description of the information requested;
- (iv) a description of the official duty imposed by law on the government official that requires the requested information;

- (v) a statement that the government official will ensure, using industry standard security measures, that the information may not be accessed by a person other than the government official or the government entity that the government official represents;
- (vi) a statement that the government official will only use the information to the extent necessary to fulfill an official duty imposed by law on the government official;
- (vii) an assertion that the government official will not provide or use the information obtained from the voter registration records in a manner that is prohibited by law;
- (viii) a statement that obtaining the information under false pretenses, or providing or using the information from the voter registration records in a manner that is prohibited by law, is punishable as a class A misdemeanor and a civil fine; and
- (ix) notice that if the person signing the request form makes a false statement in the request form, the person is punishable by law under Section 76-8-504.

(4) The lieutenant governor or a county clerk may not disclose the information under this section if the lieutenant governor or county clerk reasonably believes that the person:

- (a) is not a government official;
- (b) does not need the information requested to fulfill an official duty imposed by law on the government official; or
- (c) will provide or use the information in a manner prohibited by law.

Section 28. Section **20A-2-606** is enacted to read:

**20A-2-606 (Effective 01/01/27). At-risk registered voter -- Application --**

**Designation -- Change of status.**

- (1) Except to the extent expressly authorized in this part or otherwise expressly provided by law, the lieutenant governor or a county clerk may not disclose an at-risk voter's voter registration record, or any information from an at-risk voter's voter registration record.
- (2) On January 1, 2027, each county clerk shall designate as an at-risk voter each voter whose voter registration record had withheld status on December 31, 2026, for one of the following reasons:
  - (a) the voter:
    - (i) submitted a withholding request form:
      - (A) with the individual's voter registration record; or
      - (B) directly to the lieutenant governor or a county clerk; and
    - (ii) indicated on the form that the voter, or an individual who resides with the voter,

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

(b) the voter:

(i) submitted a withholding request form:

(A) with the individual's voter registration record;

(B) to the lieutenant governor; or

(C) to a county clerk; and

(ii) indicated on the form and provided verification that the voter, or an individual who resides with the voter, is a law enforcement officer, a member of the armed forces as defined in Section 20A-1-513, a public figure, or protected by a protective order or protection order.

(3)(a) The lieutenant governor shall design and distribute an at-risk voter request form to each election officer and to each agency that provides a voter registration form.

(b) The director of elections within the Office of the Lieutenant Governor may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for providing the proof described in Subsections (5)(a)(ii), (b)(ii), and (c)(ii).

(4) The following may not encourage an individual to submit, or discourage an individual from submitting, an at-risk voter request form:

(a) an election officer;

(b) an agency described in Subsection (3)(a); or

(c) an employee of a person described in Subsection (4)(a) or (b).

(5) A voter may apply for designation as an at-risk voter by submitting, either with the voter's voter registration form, or separately to the lieutenant governor or a county clerk:

(a)(i) an at-risk voter request form indicating that the voter, or an individual who resides with the voter, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence; and

(ii) in accordance with any rules made under Subsection (3)(b), proof of the indication described in Subsection (5)(a)(i) in the form of a sworn affidavit where the voter swears to the following statement: "I am applying for designation as an at-risk voter because either myself, or someone who resides with me, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence.";

(b)(i) an at-risk voter request form indicating that the voter, or an individual who

resides with the voter, is a law enforcement officer, a public figure, or protected by a protective order or protection order; and

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

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

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

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

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

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

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

(b) complies with Subsection (5).

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

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

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

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

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

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

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

Section 29. Section **20A-2-607** is enacted to read:

**20A-2-607 (Effective 01/01/27). Applicability and enforcement -- Transition.**

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

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

(b) for a government purpose relating to maintaining the voter registration list or the

administration of an election;

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

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

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

(2) It is unlawful for a person to:

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

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

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

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

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

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

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

(b) March 1, 2027.

Section 30. Section **20A-3a-201.5** is enacted to read:

**20A-3a-201.5 (Effective 05/06/26). Proof of citizenship required for state elections -- Separate federal ballots for registered voters who do not provide proof of citizenship.**

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

(a) an election officer shall:

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

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

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

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

(2) Beginning on January 1, 2028, a voter who has not, at the time of registration or before

voting, provided documentary proof of United States citizenship may cast a standard ballot as a provisional ballot, but an election officer may only count votes for federal office cast using the standard ballot unless the voter provides documentary proof of United States citizenship within 10 calendar days after the day of the election.

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

(a) an election officer may not require a voter to provide documentary proof of United 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 31. Section **20A-3a-202** is amended to read:

**20A-3a-202 (Effective 05/06/26). Conducting election in person and by mail -- Mailing ballots to voters -- Exceptions.**

(1)(a) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.

(b) An individual who did not provide valid voter identification at the time the voter registered to vote shall provide valid voter identification before voting.

(2) An election officer who administers an election:

(a) shall in accordance with Subsection (3), no sooner than 21 calendar days before election day and no later than seven calendar days before election day, mail to the applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to Subsection 20A-3a-202.5(4):

(i) a manual ballot;

(ii) a return envelope;

(iii) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;

(iv) information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information; and

(v) instructions on how a voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5;

(b) may not mail a ballot under this section to:

- 3499 (i) an inactive voter, unless the inactive voter requests a manual ballot;~~[-or]~~  
3500 (ii) a voter whom the election officer is prohibited from sending a ballot under  
3501 Subsection 20A-3a-202.5(4); or  
3502 (iii) for an election held on or after January 1, 2028, a voter who is only eligible to  
3503 vote a federal ballot, if the election does not include a race for federal office;  
3504 (c) shall, on the outside of the envelope in which the election officer mails the ballot,  
3505 include instructions for returning the ballot if the individual to whom the election  
3506 officer mails the ballot does not live at the address to which the ballot is sent;  
3507 (d) shall provide a method of accessible voting to a voter with a disability who is not  
3508 able to vote by mail; and  
3509 (e) shall include, on the election officer's website and with each ballot mailed,  
3510 instructions regarding how a voter described in Subsection (2)(d) may vote.  
3511 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the  
3512 manual ballot to the address:  
3513 (i) provided at the time of registration or updated by the voter after the time of  
3514 registration; or  
3515 (ii) if, at or after the time of registration, the voter files an alternate address request  
3516 form described in Subsection (3)(b), the alternate address indicated on the form.  
3517 (b) The lieutenant governor shall make available to voters an alternate address request  
3518 form that permits a voter to request that the election officer mail the voter's ballot to a  
3519 location other than the voter's residence.  
3520 (c) A voter shall provide the completed alternate address request form to the election  
3521 officer no later than 11 calendar days before the day of the election.  
3522 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall  
3523 include, with each ballot mailed to a voter, a separate paper document containing the following  
3524 statements:  
3525 "WARNING  
3526 If you have a valid Utah driver license or a valid Utah state identification card, failure to  
3527 provide the last four digits of the license or card number may result in your ballot not being  
3528 counted. You also have the option of providing the last four digits of your social security  
3529 number as identification. If you do not have any of these identification types, your ballot will  
3530 still be counted if your signature on the affidavit on this envelope matches your signature on  
3531 file with the election officer.  
3532 NOTICE



Beginning in 2029, you will not receive a ballot by mail unless you request to receive a ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource locator where the voter can make the request online]. If you are unable to make a request online, contact your county clerk's office at the following number for instructions on how to make the request in person or by mail [insert phone number here]."

- (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statement:

"WARNING

If you have a valid Utah driver license or a valid Utah state identification card, failure to provide the last four digits of your license or card number will result in your ballot not being counted.

If you do not have a license or card described above, you may enter the last four digits of your social security number as identification, or include a photocopy of one of the following in the return envelope:

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

If you do not have any of the forms of identification listed above, you must vote in person at a polling place, unless you qualify for an exemption from this requirement. You may obtain information regarding an exemption at [insert a uniform resource locator where the voter can view this information] or by calling [insert a phone number that a voter may call to access this information]."

- (4) The return envelope shall include:

(a) the name, official title, and post office address of the election officer on the front of the envelope;

(b) subject to Subsection (9), beginning on or before January 1, 2026, a place for the voter to enter the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;

- (c) the following statement:

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

(d) a space where a voter may write an email address and phone number by which the election officer may contact the voter if the voter's ballot is rejected; and

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

"County of \_\_\_\_ State of \_\_\_\_

I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct in \_\_\_\_ County, Utah and that I am entitled to vote in this election. I am not a convicted felon currently incarcerated for commission of a felony.

\_\_\_\_\_  
Signature of Voter

WARNING

The above affidavit must be signed by the voter to whom the ballot is addressed. It is a FELONY for any other individual to sign the above affidavit, even if the voter to whom the ballot is addressed gives permission for another to sign the affidavit for the voter."

(5) If the election officer determines that the voter has not yet provided valid voter identification with the voter's voter registration, the election officer may:

(a) mail a ballot to the voter;

(b) instruct the voter to enclose a copy of the voter's valid voter identification in the return envelope; and

(c) provide instructions to the voter on how the voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5.

(6) An election officer who administers an election shall:

(a)(i) before the election, obtain the signatures of each voter qualified to vote in the election; or

(ii) obtain the signature of each voter within the voting precinct from the county clerk; and

(b) maintain the signatures on file in the election officer's office.

(7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under Section 20A-3a-401.

(8) A county that administers an election:

(a) shall provide at least one election day voting center in accordance with Part 7, Election Day Voting Center, and at least one additional election day voting center for every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not receive a ballot by mail;

- (b) shall ensure that each election day voting center operated by the county has at least one voting device that is accessible, in accordance with the Help America Vote Act of 2002, Pub. L. No. 107-252, for individuals with disabilities;
- (c) may reduce the early voting period described in Section 20A-3a-601, if:
- (i) the county clerk conducts early voting on at least four days;
  - (ii) the early voting days are within the period beginning on the date that is 14 calendar days before the date of the election and ending on the day before the election; and
  - (iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604; and
- (d) is not required to pay return postage for a return envelope.
- (9) A return envelope shall be designed in a manner that the information described in Subsections (4)(b) and (d), and the voter's signature, is covered from view after the return envelope is sealed.
- (10) A county clerk shall, at least 90 calendar days before an election administered by the county clerk, contact local post offices to:
- (a) coordinate the handling of mail-in ballots for the upcoming election; and
  - (b) take measures to ensure that:
    - (i) ballots are clearly and properly postmarked, or otherwise marked in accordance with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was mailed; and
    - (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of ballots.

Section 32. Section **20A-3a-401** is amended to read:

**20A-3a-401 (Effective 05/06/26). 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:

- 3635 (a) for an election held before January 1, 2029:
- 3636 (i) [that] if the return envelope contains a four digit number on the portion of the
- 3637 return envelope for a voter to enter the last four digits of the voter's Utah driver
- 3638 license number, Utah state identification card number, or social security number,
- 3639 that the four digit number correctly identifies the last four digits of one of those
- 3640 numbers for the voter to whom the return envelope relates; [or]
- 3641 (ii) if the return envelope does not contain ~~[the digits described in Subsection (4)(a)(i)]~~
- 3642 a four digit number on the portion of the return envelope described in Subsection
- 3643 (4)(a)(i), that:
- 3644 (A) in accordance with the rules made under Subsection (13), the signature on the
- 3645 affidavit of the return envelope is reasonably consistent with the individual's
- 3646 signature in the voter registration records; or
- 3647 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
- 3648 signature is verified by alternative means; and
- 3649 (iii) if the return envelope contains the correct four digit number under Subsection
- 3650 (4)(a)(i), that:
- 3651 (A) in accordance with the rules made under Subsection (13), the signature on the
- 3652 affidavit of the return envelope is reasonably consistent with the individual's
- 3653 signature in the voter registration records; or
- 3654 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
- 3655 signature is verified by alternative means;
- 3656 (b) for an election held on or after January 1, 2029:
- 3657 (i)(A) that the return envelope contains the last four digits of the voter's Utah
- 3658 driver license number, Utah state identification card number, or social security
- 3659 number;
- 3660 ~~[(ii)]~~ (B) if the return envelope does not contain the digits described in Subsection
- 3661 (4)(b)(i), that the voter included in the return envelope a copy of the
- 3662 identification described in Subsection 20A-3a-204(2)(c)(ii); or
- 3663 ~~[(iii)]~~ (C) for a voter described in Subsection 20A-3a-301(7), that the voter
- 3664 complied with Subsection 20A-3a-301(7); and
- 3665 (ii) that:
- 3666 (A) in accordance with the rules made under Subsection (13), the signature on the
- 3667 affidavit of the return envelope is reasonably consistent with the individual's
- 3668 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;

(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)~~] (4)(a) or (b), the poll workers reject an individual's ballot because the poll workers determine, in accordance with rules made under Subsection (13), that the signature on the return envelope is not reasonably consistent with the individual's signature in the voter registration records, the election officer shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b)(i) contacts the individual;

- 3771 (ii) if the election officer has reason to believe that an individual, other than the voter  
3772 to whom the ballot was sent, signed the ballot affidavit, informs the individual that  
3773 it is unlawful to sign a ballot affidavit for another person, even if the person gives  
3774 permission;
- 3775 (iii) verifies the identity of the individual by:
- 3776 (A) requiring the individual to provide at least two types of personal identifying  
3777 information for the individual; and
- 3778 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records  
3779 relating to the individual that are in the possession or control of an election  
3780 officer; and
- 3781 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 3782 (A) the name and voter identification number of the individual contacted;
- 3783 (B) the name of the individual who conducts the verification;
- 3784 (C) the date and manner of the communication;
- 3785 (D) the type of personal identifying information provided by the individual;
- 3786 (E) a description of the records against which the personal identifying information  
3787 provided by the individual is compared and verified; and
- 3788 (F) other information required by the lieutenant governor.
- 3789 (10)(a) The election officer shall retain and preserve:
- 3790 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 3791 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection  
3792 20A-4-202(3).
- 3793 (b) If the election officer complies with Subsection (10)(a)(ii) by including the  
3794 documentation in the voter's voter registration record, the election officer shall make,  
3795 retain, and preserve a record of the name and voter identification number of each  
3796 voter contacted under Subsection (9)(b).
- 3797 (11)(a) The election officer shall record the following in the database used in the  
3798 verification process:
- 3799 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day  
3800 after the day on which the election officer rejects the ballot; and
- 3801 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business  
3802 day after the day on which the ballot rejection is resolved.
- 3803 (b) An election officer shall include, in the canvass report, a final report of the  
3804 disposition of all rejected and resolved ballots, including, for ballots rejected, the



- 3805 following:
- 3806 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 3807 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in
- 3808 records on file, do not correspond.
- 3809 (12) Willful failure to comply with this section constitutes willful neglect of duty under
- 3810 Section 20A-5-701.
- 3811 (13) The director of elections within the Office of the Lieutenant Governor shall make
- 3812 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
- 3813 establish:
- 3814 (a) criteria and processes for use by poll workers in determining if a signature
- 3815 corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);
- 3816 (b) training and certification requirements for election officers and employees of election
- 3817 officers regarding the criteria and processes described in Subsection (13)(a); and
- 3818 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.
- 3819 Secs. 12131 through 12165, an alternative means of verifying the identity of an
- 3820 individual who checks the box described in Subsection (7)(d)(v).
- 3821 (14)(a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may
- 3822 disclose the name and address of a voter whose ballot has been rejected and not yet
- 3823 resolved with:
- 3824 (i) a candidate in the election;
- 3825 (ii) an individual who represents the candidate's campaign;
- 3826 (iii) the sponsors of an initiative or referendum appearing on the ballot; or
- 3827 (iv) for a ballot proposition appearing on the ballot, an individual who represents a
- 3828 political issues committee, as defined in Section 20A-11-101, if the political
- 3829 issues committee supports or opposes the ballot proposition.
- 3830 (b) If an election officer discloses the information described in Subsection (14)(a), the
- 3831 election officer shall:
- 3832 (i) make the disclosure within two business days after the day on which the request is
- 3833 made;
- 3834 (ii) respond to each request in the order the requests were made; and
- 3835 (iii) make each disclosure in a manner, and within a period of time, that does not
- 3836 reflect favoritism to one requestor over another.
- 3837 (c)(i) ~~[A] Before January 1, 2027, a disclosure described in this Subsection (14) may~~
- 3838 ~~not include the name or address of a [protected individual, as defined in~~

3839 ~~Subsection 20A-2-104(1)] voter with a segregated record, as defined in Section~~  
 3840 ~~20A-2-601.~~

3841 (ii) Beginning on January 1, 2027, a disclosure described in this Subsection (14) may  
 3842 not include any information relating to an at-risk voter, as defined in Section  
 3843 20A-2-601.

3844 Section 33. Section **20A-5-410** is amended to read:

3845 **20A-5-410 (Effective 01/01/27). Election officer to provide voting history**  
 3846 **information and status -- Restrictions.**

3847 (1) As used in this section, "voting history record" means the following information relating  
 3848 to a registered voter:

3849 (a) the information ~~[in the voter's voter registration record]~~ described in Subsections  
 3850 20A-2-601(a) through (k), in relation to the voter, other than the information  
 3851 classified as private under Subsection 63G-2-302(1)(j);

3852 (b) the voter's privacy status;

3853 ~~[(e) the voter's status as active or inactive;]~~

3854 ~~[(d) the voter's voter identification number;]~~

3855 ~~[(e) the voter's federal information processing system code;]~~

3856 ~~[(f) the voter's precinct;]~~

3857 ~~[(g) each political district in which the voter is a resident;]~~

3858 ~~[(h)]~~ (c) a list of elections in which the voter voted;

3859 ~~[(i)]~~ (d) whether the voter voted in person on election day;

3860 ~~[(j)]~~ (e) whether the voter voted in person before election day;

3861 ~~[(k)]~~ (f) whether the voter returned a mailed ballot;

3862 ~~[(h)]~~ (g) whether the voter's ballot was mailed to an alternate address; and

3863 ~~[(m)]~~ (h) the date on which the voter voted or on which the voter returned a mailed ballot.

3864 (2)(a) Each election officer shall maintain, in the election officer's office, a voting  
 3865 history record of those voters registered to vote in the election officer's jurisdiction.

3866 (b) The voting history record is a public record under Title 63G, Chapter 2, Government  
 3867 Records Access and Management Act, except:

3868 (i) as it relates to a voter whose voter registration record is classified as private under  
 3869 Subsection 63G-2-302(1)(k) or (l);~~[-or]~~

3870 (ii) a record or information described in Subsection ~~[63G-2-302(1)(n).]~~

3871 63G-2-302(1)(m) or (n); or

3872 (iii) as provided in Subsection (3).

- (3)(a) When an election officer reports voting history for an election, the election officer shall, for each ~~[voter whose voter registration is classified as private under Subsection 20A-2-104(4)(h), report the following, for that election only,]~~ at-risk voter, as defined in Section 20A-2-601, without disclosing the identity of the at-risk voter, report, for that election only, only the following information:
- (i) for voting by mail, the information described in Subsection (4)(a);
  - (ii) for early voting, the date the individual voted; and
  - (iii) for voting on election day, the date the individual voted.
- (b) In relation to the information of ~~[a voter whose voter registration is classified as private under Subsection 20A-2-104(4)(h)]~~ an at-risk voter, as defined in Section 20A-2-601, a report described in Subsection (3)(a) may not disclose, by itself or in conjunction with any other public information, the identity or any other personal identifying information of the voter.
- (4) Subject to Subsection (5), the election officer shall ensure that the voting history record kept by the election officer for each voting precinct contains:
- (a) for voting by mail:
    - (i) the date that the manual ballot was mailed to the voter; and
    - (ii) the date that the voted manual ballot was received by the election officer;
  - (b) for early voting:
    - (i) the name and address of each individual who participated in early voting; and
    - (ii) the date the individual voted; and
  - (c) for voting on election day, the name and address of each individual who voted on election day.
- (5) Subsection (4) does not authorize the disclosure of the information described in Subsection (4) beyond the extent expressly provided in Subsections (2) and (3).
- (6)(a) Notwithstanding the time limits for response to a request for records under Section 63G-2-204 or the time limits for a request for records established in any ordinance, the election officer shall ensure that the information required to be disclosed under this section is recorded and made available to the public no later than one business day after the day on which the election officer receives the information.
- (b) Notwithstanding the fee requirements of Section 63G-2-203 or the fee requirements established in any ordinance, the election officer shall, subject to Subsection 20A-2-104(1)(c)(v), make copies of the voting history record available to the public, in accordance with this section, for the actual cost of production or copying.

Section 34. Section **20A-6-105** is amended to read:

**20A-6-105 (Effective 01/01/27). Provisional ballot envelopes.**

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

- (a)(i) the envelope shall include the following statement:

"AFFIRMATION

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

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

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

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

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

- (iii) the envelope shall include the following:

"Name of Voter \_\_\_\_\_

First Middle Last

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

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

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

Street Address of Principal Place of Residence

City County State Zip Code

Tribal Identification Number or Alien Registration Number (optional)

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

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

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

• At the email address you provided above? Yes No

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

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

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

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3942

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City	County	State	Zip Code
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3943

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

3944

I, (please print your full name) \_\_\_\_\_ do solemnly swear or

3945

affirm:

3946

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

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3949

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.

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Signed

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3955

Dated

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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.

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#### PRIVACY INFORMATION

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

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#### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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- is at risk of domestic violence;

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- is a law enforcement officer;

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

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- is a public figure; or

3973

- is protected by a court order.

3974

To make this request for additional privacy protection, you must prove that you qualify by

submitting an at-risk voter request form, and any required proof, to the county clerk.

[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

4009 Name:  
4010 Name at birth, if different:  
4011 Place of birth:  
4012 Date of birth:

4013 Date and place of naturalization (if applicable):

4014 I hereby swear [and] or affirm, under penalties for voting fraud set forth below, that I am  
4015 a citizen and that to the best of my knowledge and belief the information above is true and  
4016 correct.

4017 \_\_\_\_\_  
4018 Signature of Applicant

4019 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or  
4020 allowing yourself to be registered to vote if you know you are not entitled to register to vote is  
4021 up to one year in jail and a fine of up to \$2,500."; and

4022 (iv) on or with the form on the envelope, the statement described in Subsection  
4023 Subsection 20A-2-104(1)(e);

4024 (b) the following statement shall appear after the [~~statement described in~~] provisions required  
4025 under Subsection (1)(a):

4026 "BALLOT NOTIFICATIONS

4027 Do you consent to receive communications about the status of your ballot and other official  
4028 communications, by text, at the phone number you provided above? Yes No  
4029 "; and

4030 (c) no later than November 5, 2025, after the statement described in Subsection (1)(b), the  
4031 following:

4032 "Indicate below how you want to vote in upcoming elections:

4033 \_\_\_\_\_ Mail a ballot to me.

4034 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

4035 (2) The provisional ballot envelope shall include:

4036 (a) a unique number;

4037 (b) a detachable part that includes the unique number;

4038 (c) a telephone number, internet address, or other indicator of a means, in accordance  
4039 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was  
4040 counted; and

4041 (d) an insert containing written instructions on how a voter may sign up to receive ballot  
4042 status notifications via the ballot tracking system described in Section 20A-3a-401.5.

Section 35. Section **20A-9-408** is amended to read:

**20A-9-408 (Effective 01/01/27). Signature-gathering process to seek the nomination of a qualified political party -- Removal of signature.**

- (1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of the qualified political party for an elective office through the signature-gathering process described in this section.
- (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section 20A-9-408.5.
- (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election shall:
  - (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable declaration of candidacy filing period described in Section 20A-9-201.5, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:
    - (i) the name of the member who will attempt to become a candidate for a registered political party under this section;
    - (ii) the name of the registered political party for which the member is seeking nomination;
    - (iii) the office for which the member is seeking to become a candidate;
    - (iv) the address and telephone number of the member; and
    - (v) other information required by the lieutenant governor;
  - (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer during the applicable declaration of candidacy filing period described in Section 20A-9-201.5; and
  - (c) pay the filing fee.
- (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for the office of district attorney within a multicounty prosecution district that is to be filled at the next general election shall:



- 4077 (a) during the applicable declaration of candidacy filing period described in Section  
4078 20A-9-201.5, and before gathering signatures under this section, file with the filing  
4079 officer on a form approved by the lieutenant governor a notice of intent to gather  
4080 signatures for candidacy that includes:
- 4081 (i) the name of the member who will attempt to become a candidate for a registered  
4082 political party under this section;
- 4083 (ii) the name of the registered political party for which the member is seeking  
4084 nomination;
- 4085 (iii) the office for which the member is seeking to become a candidate;
- 4086 (iv) the address and telephone number of the member; and
- 4087 (v) other information required by the lieutenant governor;
- 4088 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in  
4089 person, with the filing officer during the applicable declaration of candidacy filing  
4090 period described in Section 20A-9-201.5; and
- 4091 (c) pay the filing fee.
- 4092 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who  
4093 files as the joint-ticket running mate of an individual who is nominated by a qualified  
4094 political party, under this section, for the office of governor shall, during the applicable  
4095 declaration of candidacy filing period described in Section 20A-9-201.5, file a  
4096 declaration of candidacy and submit a letter from the candidate for governor that names  
4097 the lieutenant governor candidate as a joint-ticket running mate.
- 4098 (6) The lieutenant governor shall ensure that the certification described in Subsection  
4099 20A-9-701(1) also includes the name of each candidate nominated by a qualified  
4100 political party under this section.
- 4101 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is  
4102 nominated by a qualified political party under this section, designate the qualified  
4103 political party that nominated the candidate.
- 4104 (8) A member of a qualified political party may seek the nomination of the qualified  
4105 political party for an elective office by:
- 4106 (a) complying with the requirements described in this section; and
- 4107 (b) collecting signatures, on a form approved by the lieutenant governor that complies  
4108 with Subsection 20A-9-405(3), during the period beginning on the day on which the  
4109 member files a notice of intent to gather signatures and ending at the applicable  
4110 deadline described in Subsection (12), in the following amounts:

- 4111 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
4112 permitted by the qualified political party to vote for the qualified political party's  
4113 candidates in a primary election;
- 4114 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000  
4115 signatures of registered voters who are residents of the congressional district and  
4116 are permitted by the qualified political party to vote for the qualified political  
4117 party's candidates in a primary election;
- 4118 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
4119 residents of the state Senate district and are permitted by the qualified political  
4120 party to vote for the qualified political party's candidates in a primary election;
- 4121 (iv) for a state House district race, 1,000 signatures of registered voters who are  
4122 residents of the state House district and are permitted by the qualified political  
4123 party to vote for the qualified political party's candidates in a primary election;
- 4124 (v) for a State Board of Education race, the lesser of:
- 4125 (A) 2,000 signatures of registered voters who are residents of the State Board of  
4126 Education district and are permitted by the qualified political party to vote for  
4127 the qualified political party's candidates in a primary election; or
- 4128 (B) 3% of the registered voters of the qualified political party who are residents of  
4129 the applicable State Board of Education district; and
- 4130 (vi) for a county office race, the lesser of:
- 4131 (A) 2,000 signatures of registered voters who are residents of the area permitted to  
4132 vote for the county office and are permitted by the qualified political party to  
4133 vote for the qualified political party's candidates in a primary election; or
- 4134 (B) signatures of [3%] 1.5% of the registered voters who are residents of the area  
4135 permitted to vote for the county office and are permitted by the qualified  
4136 political party to vote for the qualified political party's candidates in a primary  
4137 election.
- 4138 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 4139 (b) In order for a member of the qualified political party to qualify as a candidate for the  
4140 qualified political party's nomination for an elective office under this section, using  
4141 the manual candidate qualification process, the member shall:
- 4142 (i) collect the signatures on a form approved by the lieutenant governor, using the  
4143 same circulation and verification requirements described in Sections 20A-7-105  
4144 and 20A-7-204; and

- 4145 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election  
4146 officer before the applicable deadline described in Subsection (12).
- 4147 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in  
4148 accordance with Section 20A-9-408.3, the election officer shall, no later than the  
4149 earlier of 14 calendar days after the day on which the election officer receives the  
4150 signatures, or one day before the day on which the qualified political party holds the  
4151 convention to select a nominee for the elective office to which the signature packets  
4152 relate:
- 4153 (i) check the name of each individual who completes the verification for a signature  
4154 packet to determine whether each individual is at least 18 years old;
- 4155 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at  
4156 least 18 years old to the attorney general and the county attorney;
- 4157 (iii) with the assistance of the county clerk as applicable, determine whether each  
4158 signer is a registered voter who is qualified to sign the petition, using the same  
4159 method, described in Section 20A-1-1002, used to verify a signature on a petition;  
4160 and
- 4161 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
4162 signature packet.
- 4163 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)  
4164 may have the voter's signature removed from the form by, no later than 5 p.m.  
4165 three business days after the day on which the member submits the signature form  
4166 to the election officer, submitting to the election officer a statement requesting  
4167 that the voter's signature be removed.
- 4168 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements  
4169 described in Subsection 20A-1-1003(2).
- 4170 (iii) With the assistance of the county clerk as applicable, the election officer shall  
4171 use the procedures described in Subsection 20A-1-1003(3) to determine whether  
4172 to remove an individual's signature after receiving a timely, valid statement  
4173 requesting removal of the signature.
- 4174 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules  
4175 made under Section 20A-3a-106, conduct regular audits of signature comparisons  
4176 made between signatures gathered under this section and voter signatures  
4177 maintained by the election officer.
- 4178 (ii) An individual who conducts an audit of signature comparisons under this section

- 4179 may not audit the individual's own work.
- 4180 (iii) The election officer shall:
- 4181 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
- 4182 determine the accuracy of the comparisons made;
- 4183 (B) record the individuals who conducted the audit;
- 4184 (C) record the audit results;
- 4185 (D) provide additional training or staff reassignments, as needed, based on the
- 4186 results of an audit described in Subsection (9)(e)(i); and
- 4187 (E) record any remedial action taken.
- 4188 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 4189 (f) An election officer who certifies signatures under Subsection (9)(c) or
- 4190 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
- 4191 has reached the applicable signature threshold described in Subsection (8) or
- 4192 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the
- 4193 candidate in excess of the number of signatures required, until the election officer
- 4194 either:
- 4195 (i) certifies signatures equal to 110% of the applicable signature threshold; or
- 4196 (ii) has reviewed all signatures submitted for the candidate before reaching an
- 4197 amount equal to 110% of the applicable signature threshold.
- 4198 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
- 4199 process.
- 4200 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 4201 qualified political party's nomination for an elective office under this section, the
- 4202 member shall, before the deadline described in Subsection (12), collect signatures
- 4203 electronically:
- 4204 (i) in accordance with Section 20A-21-201; and
- 4205 (ii) using progressive screens, in a format approved by the lieutenant governor, that
- 4206 complies with Subsection 20A-9-405(4).
- 4207 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
- 4208 election officer shall, no later than the earlier of 14 calendar days after the day on
- 4209 which the election officer receives the signatures, or one day before the day on which
- 4210 the qualified political party holds the convention to select a nominee for the elective
- 4211 office to which the signature packets relate:
- 4212 (i) check the name of each individual who completes the verification for a signature

4213 to determine whether each individual is at least 18 years old; and

4214 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not  
4215 at least 18 years old to the attorney general and the county attorney.

4216 (11)(a) An individual may not gather signatures under this section until after the  
4217 individual files a notice of intent to gather signatures for candidacy described in this  
4218 section.

4219 (b) An individual who files a notice of intent to gather signatures for candidacy,  
4220 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the  
4221 individual files the notice of intent to gather signatures for candidacy:

4222 (i) required to comply with the reporting requirements that a candidate for office is  
4223 required to comply with; and

4224 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
4225 apply to a candidate for office in relation to the reporting requirements described  
4226 in Subsection (11)(b)(i).

4227 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or  
4228 Subsections (8) and (10)(b), the election officer shall, no later than the day before the  
4229 day on which the qualified political party holds the convention to select a nominee  
4230 for the elective office to which the signature packets relate, notify the qualified  
4231 political party and the lieutenant governor of the name of each member of the  
4232 qualified political party who qualifies as a nominee of the qualified political party,  
4233 under this section, for the elective office to which the convention relates.

4234 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this  
4235 section, the lieutenant governor shall post the notice of intent to gather signatures for  
4236 candidacy on the lieutenant governor's website in the same location that the  
4237 lieutenant governor posts a declaration of candidacy.

4238 (12) The deadline before which a member of a qualified political party must collect and  
4239 submit signatures to the election officer under this section is 5 p.m. on the last business  
4240 day that is at least 14 calendar days before the day on which the qualified political  
4241 party's convention for the office begins.

4242 (13) For the 2026 election year only, an individual who desires to gather signatures to seek  
4243 the nomination of a qualified political party for the office of United States representative  
4244 shall:

4245 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures  
4246 during the period beginning at 8 a.m. on the first business day of January and ending

at 5 p.m. on March 13, 2026; and

- (b) during the period beginning on the day on which the individual files the notice of intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form approved by the lieutenant governor that complies with Subsection 20A-9-405(3), collect 7,000 signatures of registered voters who are residents of the state and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.

Section 36. Section **20A-11-104** is amended to read:

**20A-11-104 (Effective 05/06/26). Personal use expenditure -- Authorized and prohibited uses of campaign funds -- Enforcement -- Penalties.**

(1)(a) As used in this chapter, "personal use expenditure" means an expenditure that:

- (i)(A) is not excluded from the definition of personal use expenditure by

- Subsection (2); and

- (B) primarily furthers a personal interest of a candidate or officeholder or a candidate's or officeholder's family, which interest is not connected with the performance of an activity as a candidate or an activity or duty of an officeholder; or

- (ii) would likely cause the candidate or officeholder to recognize the expenditure as taxable income under federal or state law.

(b) "Personal use expenditure" includes:

- (i) a mortgage, rent, utility, or vehicle payment;

- (ii) a household food item or supply;

- (iii) a clothing expense, except:

- (A) clothing bearing the candidate's name or campaign slogan or logo that is used in the candidate's campaign;

- (B) clothing bearing the logo or name of a jurisdiction, district, government organization, government entity, caucus, or political party that the officeholder represents or of which the officeholder is a member; or

- (C) repair or replacement of clothing that is damaged while the candidate or officeholder is engaged in an activity of a candidate or officeholder;

- (iv) an admission to a sporting, artistic, or recreational event or other form of entertainment;

- (v) dues, fees, or gratuities at a country club, health club, or recreational facility;

- (vi) a salary payment made to:

- 4281 (A) a candidate or officeholder; or  
 4282 (B) a person who has not provided a bona fide service to a candidate or  
 4283 officeholder;  
 4284 (vii) a vacation;  
 4285 (viii) a vehicle expense;  
 4286 (ix) a meal expense;  
 4287 (x) a travel expense;  
 4288 (xi) a payment of an administrative, civil, or criminal penalty;  
 4289 (xii) a satisfaction of a personal debt;  
 4290 (xiii) a personal service, including the service of an attorney, accountant, physician,  
 4291 or other professional person;  
 4292 (xiv) a membership fee for a professional or service organization; and  
 4293 (xv) a payment in excess of the fair market value of the item or service purchased.
- 4294 (2) As used in this chapter, "personal use expenditure" does not include an expenditure  
 4295 made:  
 4296 (a) for a political purpose;  
 4297 (b) for candidacy for public office;  
 4298 (c) to fulfill a duty or activity of an officeholder;  
 4299 (d) for a donation to a registered political party;  
 4300 (e) for a contribution to another candidate's campaign account, including sponsorship of  
 4301 or attendance at an event, the primary purpose of which is to solicit a contribution for  
 4302 another candidate's campaign account;  
 4303 (f) to return all or a portion of a contribution to a contributor;  
 4304 (g) for the following items, if made in connection with the candidacy for public office or  
 4305 an activity or duty of an officeholder:  
 4306 (i)(A) a mileage allowance at the rate established by the Division of Finance under  
 4307 Section 63A-3-107; or  
 4308 (B) for motor fuel or special fuel, as defined in Section 59-13-102;  
 4309 (ii) a food expense, including food or beverages:  
 4310 (A) served at a campaign event;  
 4311 (B) served at a charitable event;  
 4312 (C) consumed, or provided to others, by a candidate while the candidate is  
 4313 engaged in campaigning;  
 4314 (D) consumed, or provided to others, by an officeholder while the officeholder is

- 4315 acting in the capacity of an officeholder; or
- 4316 (E) provided as a gift to an individual who works on a candidate's campaign or
- 4317 who assists an officeholder in the officeholder's capacity as an officeholder;
- 4318 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to
- 4319 the candidate's campaign, including airfare, car rental, other transportation, hotel,
- 4320 or other expenses incidental to the travel;
- 4321 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of
- 4322 the travel by the individual is to assist the candidate with the candidate's
- 4323 campaign, including an expense described in Subsection (2)(g)(iii);
- 4324 (v) a travel expense of an officeholder, if the primary purpose of the travel is related
- 4325 to an activity or duty of the officeholder, including an expense described in
- 4326 Subsection (2)(g)(iii);
- 4327 (vi) a travel expense of an individual assisting an officeholder, if the primary purpose
- 4328 of the travel by the individual is to assist the officeholder in an activity or duty of
- 4329 an officeholder, including an expense described in Subsection (2)(g)(iii);
- 4330 (vii) a payment for a service provided by an attorney or accountant;
- 4331 (viii) a tuition payment or registration fee for participation in a meeting or conference;
- 4332 (ix) a gift;
- 4333 (x) a payment for the following items in connection with an office space:
- 4334 (A) rent;
- 4335 (B) utilities;
- 4336 (C) a supply; or
- 4337 (D) furnishing;
- 4338 (xi) a booth at a meeting or event;
- 4339 (xii) educational material; or
- 4340 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty
- 4341 of an officeholder;
- 4342 (h) to purchase or mail informational material, a survey, or a greeting card;
- 4343 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including
- 4344 admission to or sponsorship of an event, the primary purpose of which is charitable
- 4345 solicitation, as defined in Section 13-22-2;
- 4346 (j) to repay a loan a candidate makes from the candidate's personal account to the
- 4347 candidate's campaign account;
- 4348 (k) to pay membership dues to a national organization whose primary purpose is to



- 4349 address general public policy;
- 4350 (l) for admission to or sponsorship of an event, the primary purpose of which is to
- 4351 promote the social, educational, or economic well-being of the state or the candidate's
- 4352 or officeholder's community;
- 4353 (m) for one or more guests of an officeholder or candidate to attend an event, meeting,
- 4354 or conference described in this Subsection (2), including related travel expenses and
- 4355 other expenses, if attendance by the guest is for a primary purpose described in
- 4356 Subsection (2)(g)(iv) or (vi);~~or~~
- 4357 (n) to pay childcare expenses of:
- 4358 (i) a candidate while the candidate is engaging in campaign activity; or
- 4359 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder~~[-]~~ ;
- 4360 or
- 4361 (o) by a candidate or officeholder to purchase reasonably necessary goods, other than
- 4362 weapons, or services, for the purpose of protecting the security of the candidate or
- 4363 officeholder, the candidate's or officeholder's family, or the candidate's or
- 4364 officeholder's staff, which may include:
- 4365 (i) a security system for use at the candidate's or officeholder's home, place of
- 4366 business, or campaign office; or
- 4367 (ii) security services while the candidate or officeholder is traveling to or from, or
- 4368 attending:
- 4369 (A) a campaign event; or
- 4370 (B) for an officeholder, an event relating to an activity or duty of the officeholder.
- 4371 (3)(a) The lieutenant governor shall enforce this chapter prohibiting a personal use
- 4372 expenditure by:
- 4373 (i) evaluating a financial statement to identify a personal use expenditure; and
- 4374 (ii) commencing an informal adjudicative proceeding in accordance with Title 63G,
- 4375 Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable
- 4376 cause to believe a candidate or officeholder has made a personal use expenditure.
- 4377 (b) Following the proceeding, the lieutenant governor may issue a signed order requiring
- 4378 a candidate or officeholder who has made a personal use expenditure to:
- 4379 (i) remit an administrative penalty of an amount equal to 50% of the personal use
- 4380 expenditure to the lieutenant governor; and
- 4381 (ii) deposit the amount of the personal use expenditure in the campaign account from
- 4382 which the personal use expenditure was disbursed.

(c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) [in]  
into the General Fund.

Section 37. Section **20A-11-204** is amended to read:

**20A-11-204 (Effective 05/06/26). State office candidate and state officeholder --  
Financial reporting requirements -- Interim reports.**

(1) As used in this section:

(a) "Campaign account" means a separate campaign account required under Subsection  
20A-11-201(1)(a) or (c).

(b) "Received" means:

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

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

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

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

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

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

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

(2) Except as provided in Subsection (3), each state office candidate shall file an interim  
report at the following times in any year in which the candidate has filed a declaration of  
candidacy for a public office:

(a)(i) seven calendar days before the candidate's political convention; or

(ii) for an unaffiliated candidate, the fourth Saturday in March;

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

(c) September 30; and

(d) seven calendar days before the regular general election date.

(3) If a state office candidate is a state office candidate seeking appointment for a midterm  
vacancy, the state office candidate:

(a) shall file an interim report:

- (i) for a vacancy described in Subsection 20A-1-504(1)(b)(i), no later than three business days before the day on which the political party of the party for which the state office candidate seeks nomination meets to declare a nominee for the governor to appoint~~[in accordance with Subsection 20A-1-504(1)(a); or]~~ ;
- (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii), no later than three business days before the day on which the Senate meets to consider the governor's nomination; or
- ~~[(ii)]~~ (iii) if a state office candidate decides to seek the appointment with less than three business days before the ~~[day on which the political party meets]~~ applicable day described in Subsection (3)(a)(i) or (ii), or the political party or the Senate schedules the [meeting to declare a nominee] applicable meeting described in Subsection (3)(a)(i) or (ii) less than three business days before the day of the meeting, no later than 5 p.m. on the last day of business before the day on which the political party or the Senate meets; and

(b) is not required to file an interim report at the times described in Subsection (2).

(4) Each interim report shall include the following information:

- (a) the net balance of the last summary report, if any;
- (b) a single figure equal to the total amount of receipts reported on all prior interim reports, if any, during the calendar year in which the interim report is due;
- (c) a single figure equal to the total amount of expenditures reported on all prior interim reports, if any, filed during the calendar year in which the interim report is due;
- (d) a detailed listing of:
  - (i) for a state office candidate, each contribution received since the last summary report that has not been reported in detail on a prior interim report; or
  - (ii) for a state officeholder, each contribution and public service assistance received since the last summary report that has not been reported in detail on a prior interim report;
- (e) for each nonmonetary contribution:
  - (i) the fair market value of the contribution with that information provided by the contributor; and
  - (ii) a specific description of the contribution;
- (f) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on a prior interim report;

- 4451 (g) for each nonmonetary expenditure, the fair market value of the expenditure;  
4452 (h) a net balance for the year consisting of the net balance from the last summary report,  
4453 if any, plus all receipts since the last summary report minus all expenditures since the  
4454 last summary report;  
4455 (i) a summary page in the form required by the lieutenant governor that identifies:  
4456 (i) beginning balance;  
4457 (ii) total contributions and public service assistance received during the period since  
4458 the last statement;  
4459 (iii) total contributions and public service assistance received to date;  
4460 (iv) total expenditures during the period since the last statement; and  
4461 (v) total expenditures to date; and  
4462 (j) the name of a political action committee for which the state office candidate or state  
4463 officeholder is designated as an officer who has primary decision-making authority  
4464 under Section 20A-11-601.
- 4465 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as  
4466 of five calendar days before the required filing date of the report.
- 4467 (b) Any negotiable instrument or check received by a state office candidate or state  
4468 officeholder more than five calendar days before the required filing date of a report  
4469 required by this section shall be included in the interim report.
- 4470 Section 38. Section **20A-11-1303** is amended to read:
- 4471 **20A-11-1303 (Effective 05/06/26). School board office candidate and school**  
4472 **board officeholder -- Financial reporting requirements -- Interim reports.**
- 4473 (1)(a) As used in this section, "received" means:
- 4474 (i) for a cash contribution, that the cash is given to a school board office candidate or  
4475 a member of the school board office candidate's personal campaign committee;  
4476 (ii) for a contribution that is a check or other negotiable instrument, that the check or  
4477 other negotiable instrument is negotiated;  
4478 (iii) for a direct deposit made into a campaign account by a person not associated  
4479 with the campaign, the earlier of:  
4480 (A) the day on which the school board office candidate or a member of the school  
4481 board office candidate's personal campaign committee becomes aware of the  
4482 deposit and the source of the deposit;  
4483 (B) the day on which the school board office candidate or a member of the school  
4484 board office candidate's personal campaign committee receives notice of the

- 4485 deposit and the source of the deposit by mail, email, text, or similar means; or  
 4486 (C) 31 calendar days after the day on which the direct deposit occurs; or  
 4487 (iv) for any other type of contribution, that any portion of the contribution's benefit  
 4488 inures to the school board office candidate.
- 4489 (b) As used in this Subsection (1), "campaign account" means a separate campaign  
 4490 account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).
- 4491 (c) Except as provided in Subsection (2), each school board office candidate shall file an  
 4492 interim report at the following times in any year in which the candidate has filed a  
 4493 declaration of candidacy for a public office:  
 4494 (i) May 15;  
 4495 (ii) seven calendar days before the regular primary election date;  
 4496 (iii) September 30; and  
 4497 (iv) seven calendar days before the regular general election date.
- 4498 (2) If a school board office candidate is a school board office candidate seeking  
 4499 appointment for a midterm vacancy, the school board office candidate:  
 4500 (a) shall file an interim report:  
 4501 (i) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(A) or (B)~~]  
 4502 20A-1-504(1)(b)(ii), no later than three business days before the day on which the  
 4503 Senate meets to consider the school board office candidate's nomination; [~~or~~]  
 4504 (ii) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(C)~~]:  
 4505 20A-1-504(1)(b)(i),  
 4506 [~~(A)~~] no later than three business days before the day on which the political party  
 4507 of the party for which the school board office candidate seeks nomination  
 4508 meets to declare a nominee for the governor to appoint; or  
 4509 [~~(B)~~] (iii) if the school board office candidate decides to seek the appointment with  
 4510 less than three business days before the [day on which the political party meets]  
 4511 applicable day described in Subsection (2)(a)(i) or (ii), or the political party or the  
 4512 Senate schedules the [meeting to declare a nominee] applicable meeting described  
 4513 in Subsection (2)(a)(i) or (ii) less than three business days before the day of the  
 4514 meeting, no later than 5 p.m. on the last day of business before the day on which  
 4515 the political party or the Senate meets; and
- 4516 (b) is not required to file an interim report at the times described in Subsection (1)(c).
- 4517 (3) Each interim report shall include the following information:  
 4518 (a) the net balance of the last summary report, if any;

- 4519 (b) a single figure equal to the total amount of receipts reported on all prior interim  
4520 reports, if any, during the calendar year in which the interim report is due;
- 4521 (c) a single figure equal to the total amount of expenditures reported on all prior interim  
4522 reports, if any, filed during the calendar year in which the interim report is due;
- 4523 (d) a detailed listing of:
- 4524 (i) for a school board office candidate, each contribution received since the last  
4525 summary report that has not been reported in detail on a prior interim report; or
- 4526 (ii) for a school board officeholder, each contribution and public service assistance  
4527 received since the last summary report that has not been reported in detail on a  
4528 prior interim report;
- 4529 (e) for each nonmonetary contribution:
- 4530 (i) the fair market value of the contribution with that information provided by the  
4531 contributor; and
- 4532 (ii) a specific description of the contribution;
- 4533 (f) a detailed listing of each expenditure made since the last summary report that has not  
4534 been reported in detail on a prior interim report;
- 4535 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 4536 (h) a net balance for the year consisting of the net balance from the last summary report,  
4537 if any, plus all receipts since the last summary report minus all expenditures since the  
4538 last summary report;
- 4539 (i) a summary page in the form required by the lieutenant governor that identifies:
- 4540 (i) beginning balance;
- 4541 (ii) total contributions during the period since the last statement;
- 4542 (iii) total contributions to date;
- 4543 (iv) total expenditures during the period since the last statement; and
- 4544 (v) total expenditures to date; and
- 4545 (j) the name of a political action committee for which the school board office candidate  
4546 or school board officeholder is designated as an officer who has primary  
4547 decision-making authority under Section 20A-11-601.
- 4548 (4)(a) In preparing each interim report, all receipts and expenditures shall be reported as  
4549 of five calendar days before the required filing date of the report.
- 4550 (b) Any negotiable instrument or check received by a school board office candidate or  
4551 school board officeholder more than five calendar days before the required filing date  
4552 of a report required by this section shall be included in the interim report.

Section 39. Section **20A-11-1604** is amended to read:

**20A-11-1604 (Effective 05/06/26). Failure to disclose conflict of interest -- Failure to comply with reporting requirements.**

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

- 4587 (ii) if the legislator takes office after January 10, within 10 calendar days after the  
4588 day on which the legislator takes office; and
- 4589 (b) each time the legislator changes employment.
- 4590 (5) A member of the State Board of Education shall make a complete conflict of interest  
4591 disclosure on the website:
- 4592 (a)(i) no sooner than January 1 each year, and before January 11 each year; or  
4593 (ii) if the member takes office after January 10, within 10 calendar days after the day  
4594 on which the member takes office; and
- 4595 (b) each time the member changes employment.
- 4596 (6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall include:
- 4597 (a) the regulated officeholder's name;
- 4598 (b) subject to Subsection (7):
- 4599 (i) the name and address of each of the regulated officeholder's current employers and  
4600 each of the regulated officeholder's employers during the preceding year; and
- 4601 (ii) for each employer described in this Subsection (6)(b), a brief description of the  
4602 employment, including the regulated officeholder's occupation and, as applicable,  
4603 job title;
- 4604 (c) for each entity in which the regulated officeholder is an owner or officer, or was an  
4605 owner or officer during the preceding year:
- 4606 (i) the name of the entity;
- 4607 (ii) a brief description of the type of business or activity conducted by the entity; and
- 4608 (iii) the regulated officeholder's position in the entity;
- 4609 (d) in accordance with Subsection (8), for each individual from whom, or entity from  
4610 which, the regulated officeholder has received \$5,000 or more in income during the  
4611 preceding year:
- 4612 (i) the name of the individual or entity; and
- 4613 (ii) a brief description of the type of business or activity conducted by the individual  
4614 or entity;
- 4615 (e) for each entity in which the regulated officeholder holds any stocks or bonds having  
4616 a fair market value of \$5,000 or more as of the date of the disclosure form or during  
4617 the preceding year, but excluding funds that are managed by a third party, including  
4618 blind trusts, managed investment accounts, and mutual funds:
- 4619 (i) the name of the entity; and
- 4620 (ii) a brief description of the type of business or activity conducted by the entity;



- 4621 (f) for each entity not listed in Subsections (6)(c) through (e) in which the regulated  
4622 officeholder currently serves, or served in the preceding year, in a paid leadership  
4623 capacity or in a paid or unpaid position on a board of directors:
- 4624 (i) the name of the entity or organization;
  - 4625 (ii) a brief description of the type of business or activity conducted by the entity; and
  - 4626 (iii) the type of position held by the regulated officeholder;
- 4627 (g) at the option of the regulated officeholder, a description of any real property in which  
4628 the regulated officeholder holds an ownership or other financial interest that the  
4629 regulated officeholder believes may constitute a conflict of interest, including a  
4630 description of the type of interest held by the regulated officeholder in the property;
- 4631 (h) subject to Subsection (7):
- 4632 (i) the name of the regulated officeholder's spouse; and
  - 4633 (ii) the name of each of the regulated officeholder's spouse's current employers and  
4634 each of the regulated officeholder's spouse's employers during the preceding year,  
4635 if the regulated officeholder believes the employment may constitute a conflict of  
4636 interest;
  - 4637 (i) the name of any adult residing in the regulated officeholder's household who is not  
4638 related to the officeholder by blood;
  - 4639 (j) for each adult described in Subsection (6)(i), a brief description of the adult's  
4640 employment or occupation, if the regulated officeholder believes the adult's presence  
4641 in the regulated officeholder's household may constitute a conflict of interest;
  - 4642 (k) at the option of the regulated officeholder, a description of any other matter or  
4643 interest that the regulated officeholder believes may constitute a conflict of interest;
  - 4644 (l) the date the form was completed;
  - 4645 (m) a statement that the regulated officeholder believes that the form is true and accurate  
4646 to the best of the regulated officeholder's knowledge; and
  - 4647 (n) the signature of the regulated officeholder.
- 4648 (7)(a) In making the disclosure described in Subsection (6)(b) or (h), if a regulated  
4649 officeholder or regulated officeholder's spouse is an at-risk government employee, as  
4650 that term is defined in Subsection [63G-2-303(1)(a)] 63G-2-303(2)(a), the regulated  
4651 officeholder may request the filing officer to redact from the conflict of interest  
4652 disclosure:
- 4653 (i) the regulated officeholder's employment information under Subsection (6)(b); and
  - 4654 (ii) the regulated officeholder's spouse's name and employment information under

Subsection (6)(h).

(b) A filing officer who receives a redaction request under Subsection (7)(a) shall redact the disclosures made under Subsection (6)(b) or (h) before the filing officer makes the conflict of interest disclosure available for public inspection.

(8) In making the disclosure described in Subsection (6)(d), a regulated officeholder who provides goods or services to multiple customers or clients as part of a business or a licensed profession is only required to provide the information described in Subsection (6)(d) in relation to the entity or practice through which the regulated officeholder provides the goods or services and is not required to provide the information described in Subsection (6)(d) in relation to the regulated officeholder's individual customers or clients.

(9) The disclosure requirements described in this section do not prohibit a regulated officeholder from voting or acting on any matter.

(10) A regulated officeholder may amend a conflict of interest disclosure described in this part at any time.

(11) A regulated officeholder who violates the requirements of Subsection (1) is guilty of a class B misdemeanor.

(12)(a) A regulated officeholder who intentionally or knowingly violates a provision of this section, other than Subsection (1), is guilty of a class B misdemeanor.

(b) In addition to the criminal penalty described in Subsection (12)(a), the lieutenant governor shall impose a civil penalty of \$100 against a regulated officeholder who violates a provision of this section, other than Subsection (1).

Section 40. Section **36-12-15.2** is amended to read:

**36-12-15.2 (Effective 05/06/26). Elections audit.**

(1) As used in this section, "office" means the Office of the Legislative Auditor General.

(2) In addition to other audits performed by the office, the office shall, [each even-numbered year, in accordance with this section and under the direction of the Legislative Audit Subcommittee] as frequently as determined necessary by the office or the Legislative Audit Subcommittee, conduct a comprehensive performance audit of the state's election system and controls[.]:

(a) in accordance with this section; and

(b) under the direction of the Legislative Audit Subcommittee.

(3) The audit may include the entire election process for the elections held in an even-numbered year, including:

- 4689 (a) procedures and practices that occur before or after the beginning of the year to  
4690 prepare for the elections; and
- 4691 (b) procedures, practices, and standards relating to:
- 4692 (i) voter registration;
- 4693 (ii) candidate filing and selection;
- 4694 (iii) the preparation, printing, distribution, handling, examining, counting, and all  
4695 other handling of ballots; and
- 4696 (iv) the entire election process, including the regular primary election, the regular  
4697 general election, and the determination of election results.
- 4698 (4) The audit extends to the functions of all persons involved in the election process,  
4699 including the Office of the Lieutenant Governor, each county clerk's office, and each  
4700 board of canvassers.
- 4701 (5) At a minimum, the office shall conduct a survey to audit the work of the Office of the  
4702 Lieutenant Governor and each county election office.
- 4703 (6) Based on the results of the survey described in Subsection (5), the office shall conduct a  
4704 more comprehensive audit of the jurisdictions or practices that, in the opinion of the  
4705 office, present the highest risk.
- 4706 (7) In addition to auditing the jurisdictions and practices described in Subsection (6), the  
4707 office may audit any other jurisdictions or entities, or any practices or procedures, that  
4708 the office determines necessary to ensure the success of a comprehensive performance  
4709 audit of the election system.
- 4710 (8) To conduct an audit described in this section, the office has the full authority described  
4711 in Section 36-12-15, including:
- 4712 (a) full access to closely observe, examine, and copy all records, documents, recordings,  
4713 and other information the office determines to be useful in conducting an audit  
4714 described in this section;
- 4715 (b) full access to closely observe, examine, and copy ballots, ballot envelopes, vote  
4716 tallies, canvassing records, and voter registration records;
- 4717 (c) full access to closely observe and examine all facilities, storage areas, and  
4718 equipment, and to closely observe, examine, or copy all materials, that the office  
4719 determines to be useful in conducting an audit described in this section;
- 4720 (d) full access to all staff, including full-time, part-time, and volunteer staff;
- 4721 (e) full access to closely observe, examine, and copy all records and information relating  
4722 to election audits that are conducted by the Office of the Lieutenant Governor, a

- 4723 county clerk, or any other person;
- 4724 (f) the right to, within the scope of the audit, attend any meeting, including a closed  
4725 meeting;
- 4726 (g) the right to, within the scope of the audit, closely observe and examine any work or  
4727 other process; and
- 4728 (h) all other authority described in Section 36-12-15.
- 4729 (9) As with any audit conducted under the authority described in Section 36-12-15, all  
4730 officials and staff shall fully assist, and cooperate with, the office in conducting an audit  
4731 described in this section.
- 4732 (10) In conducting an audit described in this section, the office:
- 4733 (a) shall preserve the right of a voter to a secret ballot;
- 4734 (b) shall, when examining election returns, allow the election officer or a designee of the  
4735 election officer to be present to ensure the chain of custody of the election returns;  
4736 and
- 4737 (c) may not, while votes are being counted, communicate in any manner, directly or  
4738 indirectly, by word or sign, the progress of the vote, the current result of the vote  
4739 count, or any other information about the vote count.
- 4740 (11) An election officer, or an election officer's designee, who is present under Subsection  
4741 (10)(b) may not interfere with the performance of the audit.
- 4742 Section 41. Section **63G-2-202** is amended to read:
- 4743 **63G-2-202 (Effective 05/06/26). Access to private, controlled, and protected**  
4744 **documents.**
- 4745 (1) Except as provided in Subsection (11)(a), a governmental entity:
- 4746 (a) shall, upon request, disclose a private record to:
- 4747 (i) the subject of the record;
- 4748 (ii) the parent or legal guardian of an unemancipated minor who is the subject of the  
4749 record;
- 4750 (iii) the legal guardian of a legally incapacitated individual who is the subject of the  
4751 record;
- 4752 (iv) any other individual who:
- 4753 (A) has a power of attorney from the subject of the record;
- 4754 (B) submits a notarized release from the subject of the record or the individual's  
4755 legal representative dated no more than 90 days before the date the request is  
4756 made; or

- 4757 (C) if the record is a medical record described in Subsection 63G-2-302(1)(b), is a  
4758 health care provider, as defined in Section 26B-8-501, if releasing the record or  
4759 information in the record is consistent with normal professional practice and  
4760 medical ethics; or
- 4761 (v) any person to whom the record must be provided pursuant to:
- 4762 (A) court order as provided in Subsection (7); or
- 4763 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative  
4764 Subpoena Powers; and
- 4765 (b) may disclose a private record described in Subsections 63G-2-302(1)(j) through (n),  
4766 without complying with Section 63G-2-206, to another governmental entity for a  
4767 purpose related to administering:
- 4768 (i) the voter registration list; or
- 4769 (ii) ~~[the administration of]~~ an election.
- 4770 (2)(a) Upon request, a governmental entity shall disclose a controlled record to:
- 4771 (i) a physician, physician assistant, psychologist, certified social worker, insurance  
4772 provider or producer, or a government public health agency upon submission of:
- 4773 (A) a release from the subject of the record that is dated no more than 90 days [   
4774 ~~prior to~~] before the date the request is made; and
- 4775 (B) a signed acknowledgment of the terms of disclosure of controlled information  
4776 as provided by Subsection (2)(b); and
- 4777 (ii) any person to whom the record must be disclosed pursuant to:
- 4778 (A) a court order as provided in Subsection (7); or
- 4779 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative  
4780 Subpoena Powers.
- 4781 (b) A person who receives a record from a governmental entity in accordance with  
4782 Subsection (2)(a)(i) may not disclose controlled information from that record to any  
4783 person, including the subject of the record.
- 4784 (3) If there is more than one subject of a private or controlled record, the portion of the  
4785 record that pertains to another subject shall be segregated from the portion that the  
4786 requester is entitled to inspect.
- 4787 (4) Upon request, and except as provided in Subsection (11)(b), a governmental entity shall  
4788 disclose a protected record to:
- 4789 (a) the person that submitted the record;
- 4790 (b) any other individual who:

- 4791 (i) has a power of attorney from all persons, governmental entities, or political  
4792 subdivisions whose interests were sought to be protected by the protected  
4793 classification; or
- 4794 (ii) submits a notarized release from all persons, governmental entities, or political  
4795 subdivisions whose interests were sought to be protected by the protected  
4796 classification or from their legal representatives dated no more than 90 days [~~prior~~  
4797 ~~to~~] before the date the request is made;
- 4798 (c) any person to whom the record must be provided pursuant to:
- 4799 (i) a court order as provided in Subsection (7); or
- 4800 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
4801 Powers; or
- 4802 (d) the owner of a mobile home park, subject to the conditions of Subsection  
4803 41-1a-116(5).
- 4804 (5) Except as provided in Subsection (1)(b), a governmental entity may disclose a private,  
4805 controlled, or protected record to another governmental entity, political subdivision,  
4806 state, the United States, or a foreign government only as provided by Section 63G-2-206.
- 4807 (6) Before releasing a private, controlled, or protected record, the governmental entity shall  
4808 obtain evidence of the requester's identity.
- 4809 (7) A governmental entity shall disclose a record pursuant to the terms of a court order  
4810 signed by a judge from a court of competent jurisdiction, [~~provided that~~] if:
- 4811 (a) the record deals with a matter in controversy over which the court has jurisdiction;
- 4812 (b) the court has considered the merits of the request for access to the record;
- 4813 (c) the court has considered and, where appropriate, limited the requester's use and  
4814 further disclosure of the record in order to protect:
- 4815 (i) privacy interests in the case of private or controlled records;
- 4816 (ii) business confidentiality interests in the case of records protected under  
4817 Subsection 63G-2-305(1), (2), (40)(a)(ii), or (40)(a)(vi); and
- 4818 (iii) privacy interests or the public interest in the case of other protected records;
- 4819 (d) to the extent the record is properly classified private, controlled, or protected, the  
4820 interests favoring access, considering limitations thereon, are greater than or equal to  
4821 the interests favoring restriction of access; and
- 4822 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection  
4823 63G-2-201(3)(b), the court has authority independent of this chapter to order  
4824 disclosure.

- (8)(a) Except as provided in Subsection (8)(d), a governmental entity may disclose or authorize disclosure of private or controlled records for research purposes if the governmental entity:
- (i) determines that the research purpose cannot reasonably be accomplished without use or disclosure of the information to the researcher in individually identifiable form;
  - (ii) determines that:
    - (A) the proposed research is bona fide; and
    - (B) the value of the research is greater than or equal to the infringement upon personal privacy;
  - (iii)(A) requires the researcher to assure the integrity, confidentiality, and security of the records; and
  - (B) requires the removal or destruction of the individual identifiers associated with the records as soon as the purpose of the research project has been accomplished;
  - (iv) prohibits the researcher from:
    - (A) disclosing the record in individually identifiable form, except as provided in Subsection (8)(b); or
    - (B) using the record for purposes other than the research approved by the governmental entity; and
  - (v) secures from the researcher a written statement of the researcher's understanding of and agreement to the conditions of this Subsection (8) and the researcher's understanding that violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution under Section 63G-2-801.
- (b) A researcher may disclose a record in individually identifiable form if the record is disclosed for the purpose of auditing or evaluating the research program and no subsequent use or disclosure of the record in individually identifiable form will be made by the auditor or evaluator except as provided by this section.
- (c) A governmental entity may require indemnification as a condition of permitting research under this Subsection (8).
- (d) A governmental entity may not disclose or authorize disclosure of a private record for research purposes as described in this Subsection (8) if the private record is a record described in Subsection 63G-2-302(1)(x).
- (9)(a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity

may disclose to persons other than those specified in this section records that are:

- (i) private under Section 63G-2-302; or
- (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for business confidentiality has been made under Section 63G-2-309.

(b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the disclosure to persons other than those specified in this section of records that are:

- (i) private under Section 63G-2-302;
- (ii) controlled under Section 63G-2-304; or
- (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for business confidentiality has been made under Section 63G-2-309.

(c) Under Subsection 63G-2-404(7), the court may require the disclosure of records that are private under Section 63G-2-302, controlled under Section 63G-2-304, or protected under Section 63G-2-305 to persons other than those specified in this section.

(10)(a) A private record described in Subsection 63G-2-302(2)(f) may only be disclosed as provided in Subsection (1)(a)(v).

(b) A protected record described in Subsection 63G-2-305(43) may only be disclosed as provided in Subsection (4)(c) or Section 26B-6-212.

(11)(a) A private, protected, or controlled record described in Section 26B-1-506 shall be disclosed as required under:

- (i) Subsections 26B-1-506(1)(b) and (2); and
- (ii) Subsections 26B-1-507(1) and (6).

(b) A record disclosed under Subsection (11)(a) shall retain its character as private, protected, or controlled.

Section 42. Section **63G-2-301** is amended to read:

**63G-2-301 (Effective 01/01/27). Public records.**

(1) As used in this section:

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

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

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



- 4893 governmental agency.
- 4894 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 4895 (2) The following records are public except to the extent they contain information expressly  
4896 permitted to be treated confidentially under the provisions of Subsections  
4897 63G-2-201(3)(b) and (6)(a):
- 4898 (a) laws;
- 4899 (b) the name, gender, gross compensation, job title, job description, business address,  
4900 business email address, business telephone number, number of hours worked per pay  
4901 period, dates of employment, and relevant education, previous employment, and  
4902 similar job qualifications of a current or former employee or officer of the  
4903 governmental entity, excluding:
- 4904 (i) undercover law enforcement personnel; and
- 4905 (ii) investigative personnel if disclosure could reasonably be expected to impair the  
4906 effectiveness of investigations or endanger any individual's safety;
- 4907 (c) final opinions, including concurring and dissenting opinions, and orders that are  
4908 made by a governmental entity in an administrative, adjudicative, or judicial  
4909 proceeding except that if the proceedings were properly closed to the public, the  
4910 opinion and order may be withheld to the extent that they contain information that is  
4911 private, controlled, or protected;
- 4912 (d) final interpretations of statutes or rules by a governmental entity unless classified as  
4913 protected as provided in Subsection 63G-2-305(17) or (18);
- 4914 (e) information contained in or compiled from a transcript, minutes, or report of the open  
4915 portions of a meeting of a governmental entity as provided by Title 52, Chapter 4,  
4916 Open and Public Meetings Act, including the records of all votes of each member of  
4917 the governmental entity;
- 4918 (f) judicial records unless a court orders the records to be restricted under the rules of  
4919 civil or criminal procedure or unless the records are private under this chapter;
- 4920 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of  
4921 records filed with or maintained by county recorders, clerks, treasurers, surveyors,  
4922 zoning commissions, the Division of Forestry, Fire, and State Lands, the School and  
4923 Institutional Trust Lands Administration, the Division of Oil, Gas, and Mining, the  
4924 Division of Water Rights, or other governmental entities that give public notice of:
- 4925 (i) titles or encumbrances to real property;
- 4926 (ii) restrictions on the use of real property;

- 4927 (iii) the capacity of persons to take or convey title to real property; or  
4928 (iv) tax status for real and personal property;
- 4929 (h) records of the Department of Commerce that evidence incorporations, mergers, name  
4930 changes, and uniform commercial code filings;
- 4931 (i) data on individuals that would otherwise be private under this chapter if the  
4932 individual who is the subject of the record has given the governmental entity written  
4933 permission to make the records available to the public;
- 4934 (j) documentation of the compensation that a governmental entity pays to a contractor or  
4935 private provider;
- 4936 (k) summary data;
- 4937 ~~[(l) voter registration records, including an individual's voting history, except for a voter  
4938 registration record or those parts of a voter registration record that are classified as  
4939 private under Subsections 63G-2-302(1)(j) through (n) or withheld under Subsection  
4940 20A-2-104(7);]~~
- 4941 (l) standard voter data, as defined in Section 20A-2-601, in the voter registration record  
4942 of a public registered voter, as defined in Section 20A-2-601;
- 4943 (m) for an elected official, as defined in Section 11-47-102, a telephone number, if  
4944 available, and email address, if available, where that elected official may be reached  
4945 as required in Title 11, Chapter 47, Access to Elected Officials;
- 4946 (n) for a school community council member, a telephone number, if available, and email  
4947 address, if available, where that elected official may be reached directly as required  
4948 in Section 53G-7-1203;
- 4949 (o) annual audited financial statements of the Utah Educational Savings Plan described  
4950 in Section 53H-10-210; and
- 4951 (p) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as  
4952 defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 4953 (3) The following records are normally public, but to the extent that a record is expressly  
4954 exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b),  
4955 Section 63G-2-302, 63G-2-304, or 63G-2-305:
- 4956 (a) administrative staff manuals, instructions to staff, and statements of policy;
- 4957 (b) records documenting a contractor's or private provider's compliance with the terms  
4958 of a contract with a governmental entity;
- 4959 (c) records documenting the services provided by a contractor or a private provider to  
4960 the extent the records would be public if prepared by the governmental entity;

- 4961 (d) contracts entered into by a governmental entity;
- 4962 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds
- 4963 by a governmental entity;
- 4964 (f) records relating to government assistance or incentives publicly disclosed, contracted
- 4965 for, or given by a governmental entity, encouraging a person to expand or relocate a
- 4966 business in Utah, except as provided in Subsection 63G-2-305(35);
- 4967 (g) chronological logs and initial contact reports;
- 4968 (h) correspondence by and with a governmental entity in which the governmental entity
- 4969 determines or states an opinion upon the rights of the state, a political subdivision,
- 4970 the public, or any person;
- 4971 (i) empirical data contained in drafts if:
- 4972 (i) the empirical data is not reasonably available to the requester elsewhere in similar
- 4973 form; and
- 4974 (ii) the governmental entity is given a reasonable opportunity to correct any errors or
- 4975 make nonsubstantive changes before release;
- 4976 (j) drafts that are circulated to anyone other than:
- 4977 (i) a governmental entity;
- 4978 (ii) a political subdivision;
- 4979 (iii) a federal agency if the governmental entity and the federal agency are jointly
- 4980 responsible for implementation of a program or project that has been legislatively
- 4981 approved;
- 4982 (iv) a government-managed corporation; or
- 4983 (v) a contractor or private provider;
- 4984 (k) drafts that have never been finalized but were relied upon by the governmental entity
- 4985 in carrying out action or policy;
- 4986 (l) original data in a computer program if the governmental entity chooses not to
- 4987 disclose the program;
- 4988 (m) arrest warrants after issuance, except that, for good cause, a court may order
- 4989 restricted access to arrest warrants [~~prior to~~] before service;
- 4990 (n) search warrants after execution and filing of the return, except that a court, for good
- 4991 cause, may order restricted access to search warrants [~~prior to~~] before trial;
- 4992 (o) records that would disclose information relating to formal charges or disciplinary
- 4993 actions against a past or present governmental entity employee if:
- 4994 (i) the disciplinary action has been completed and all time periods for administrative

- 4995                    appeal have expired; and
- 4996                    (ii) the charges on which the disciplinary action was based were sustained;
- 4997                    (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and
- 4998                    Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that
- 4999                    evidence mineral production on government lands;
- 5000                    (q) final audit reports;
- 5001                    (r) occupational and professional licenses;
- 5002                    (s) business licenses;
- 5003                    (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar
- 5004                    records used to initiate proceedings for discipline or sanctions against persons
- 5005                    regulated by a governmental entity, but not including records that initiate employee
- 5006                    discipline; and
- 5007                    (u)(i) records that disclose a standard, regulation, policy, guideline, or rule regarding
- 5008                    the operation of a correctional facility or the care and control of inmates
- 5009                    committed to the custody of a correctional facility; and
- 5010                    (ii) records that disclose the results of an audit or other inspection assessing a
- 5011                    correctional facility's compliance with a standard, regulation, policy, guideline, or
- 5012                    rule described in Subsection (3)(u)(i).
- 5013                    (4) The list of public records in this section is not exhaustive and should not be used to limit
- 5014                    access to records.

5015                    Section 43. Section **63G-2-302** is amended to read:

5016                    **63G-2-302 (Effective 01/01/27). Private records.**

- 5017                    (1) The following records are private:
- 5018                    (a) records concerning an individual's eligibility for unemployment insurance benefits,
- 5019                    social services, welfare benefits, or the determination of benefit levels;
- 5020                    (b) records containing data on individuals describing medical history, diagnosis,
- 5021                    condition, treatment, evaluation, or similar medical data;
- 5022                    (c) records of publicly funded libraries that when examined alone or with other records
- 5023                    identify a patron;
- 5024                    (d) records received by or generated by or for:
- 5025                    (i) the Independent Legislative Ethics Commission, except for:
- 5026                    (A) the commission's summary data report that is required under legislative rule;
- 5027                    and
- 5028                    (B) any other document that is classified as public under legislative rule; or

- 5029 (ii) a Senate or House Ethics Committee in relation to the review of ethics  
 5030 complaints, unless the record is classified as public under legislative rule;
- 5031 (e) records received by, or generated by or for, the Independent Executive Branch Ethics  
 5032 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,  
 5033 Review of Executive Branch Ethics Complaints;
- 5034 (f) records received or generated for a Senate confirmation committee concerning  
 5035 character, professional competence, or physical or mental health of an individual:
- 5036 (i) if, ~~[prior to]~~ before the meeting, the chair of the committee determines release of  
 5037 the records:
- 5038 (A) reasonably could be expected to interfere with the investigation undertaken by  
 5039 the committee; or
- 5040 (B) would create a danger of depriving a person of a right to a fair proceeding or  
 5041 impartial hearing; and
- 5042 (ii) after the meeting, if the meeting was closed to the public;
- 5043 (g) employment records concerning a current or former employee of, or applicant for  
 5044 employment with, a governmental entity that would disclose that individual's home  
 5045 address, home telephone number, social security number, insurance coverage, marital  
 5046 status, or payroll deductions;
- 5047 (h) records or parts of records under Section 63G-2-303 that a current or former  
 5048 employee identifies as private according to the requirements of that section;
- 5049 (i) that part of a record indicating a person's social security number or federal employer  
 5050 identification number if provided under Section 31A-23a-104, 31A-25-202,  
 5051 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 5052 (j) that part of a voter registration record[-] :
- 5053 (i) identifying a voter's:
- 5054 [(+)] (A) driver license or identification card number;
- 5055 [(+)] (B) social security number, or last four digits of the social security number;
- 5056 [(+)] (C) email address;
- 5057 [(+)] (D) ~~[date]~~ day and month of birth; or
- 5058 [(+)] (E) phone number;
- 5059 (ii) submitted by the voter as proof of United States citizenship;
- 5060 (iii) indicating whether the voter has provided proof of United States citizenship; or
- 5061 (iv) indicating whether the voter is restricted to voting a federal ballot;
- 5062 (k) a voter registration record that is classified as a private record by the lieutenant

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

- 5097 involves homeland security;
- 5098 (t) electronic toll collection customer account information received or collected under
- 5099 Section 72-6-118 and customer information described in Section 17B-2a-815
- 5100 received or collected by a public transit district, including contact and payment
- 5101 information and customer travel data;
- 5102 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 5103 (v) a completed military-overseas ballot that is electronically transmitted under Title
- 5104 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 5105 (w) records received by or generated by or for the Political Subdivisions Ethics Review
- 5106 Commission established in Section 63A-15-201, except for:
- 5107 (i) the commission's summary data report that is required in Section 63A-15-202; and
- 5108 (ii) any other document that is classified as public in accordance with Title 63A,
- 5109 Chapter 15, Political Subdivisions Ethics Review Commission;
- 5110 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an
- 5111 incident or threat;
- 5112 (y) a criminal background check or credit history report conducted in accordance with
- 5113 Section 63A-3-201;
- 5114 (z) a record described in Subsection 53-5a-104(7);
- 5115 (aa) on a record maintained by a county for the purpose of administering property taxes,
- 5116 an individual's:
- 5117 (i) email address;
- 5118 (ii) phone number; or
- 5119 (iii) personal financial information related to a person's payment method;
- 5120 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 5121 exemption, deferral, abatement, or relief under:
- 5122 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 5123 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 5124 (cc) a record provided by the State Tax Commission in response to a request under
- 5125 Subsection 59-1-403(4)(y)(iii);
- 5126 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 5127 child welfare case, as described in Subsection 36-33-103(3);
- 5128 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 5129 63A-17-1004;
- 5130 (ff) a record relating to a request by a state elected official or state employee who has

- 5131           been threatened to the Division of Technology Services to remove personal  
5132           identifying information from the open web under Section 63A-16-109;
- 5133       (gg) a record including confidential information as that term is defined in Section  
5134           67-27-106; and
- 5135       (hh) a record or notice received or generated under Title 53, Chapter 30, Security  
5136           Improvements Act, relating to:
- 5137           (i) an application for certification described in Section 53-30-201; or  
5138           (ii) a security improvement, including a building permit application or building  
5139           permit for a security improvement described in Section 53-30-301.
- 5140   (2) The following records are private if properly classified by a governmental entity:
- 5141       (a) records concerning a current or former employee of, or applicant for employment  
5142           with a governmental entity, including performance evaluations and personal status  
5143           information such as race, religion, or disabilities, but not including records that are  
5144           public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under  
5145           Subsection (1)(b);
- 5146       (b) records describing an individual's finances, except that the following are public:
- 5147           (i) records described in Subsection 63G-2-301(2);  
5148           (ii) information provided to the governmental entity for the purpose of complying  
5149           with a financial assurance requirement; or
- 5150           (iii) records that must be disclosed in accordance with another statute;
- 5151       (c) records of independent state agencies if the disclosure of those records would  
5152           conflict with the fiduciary obligations of the agency;
- 5153       (d) other records containing data on individuals the disclosure of which constitutes a  
5154           clearly unwarranted invasion of personal privacy;
- 5155       (e) records provided by the United States or by a government entity outside the state that  
5156           are given with the requirement that the records be managed as private records, if the  
5157           providing entity states in writing that the record would not be subject to public  
5158           disclosure if retained by it;
- 5159       (f) any portion of a record in the custody of the Division of Aging and Adult Services,  
5160           created in Section 26B-6-102, that may disclose, or lead to the discovery of, the  
5161           identity of a person who made a report of alleged abuse, neglect, or exploitation of a  
5162           vulnerable adult; and
- 5163       (g) audio and video recordings created by a body-worn camera, as defined in Section  
5164           77-7a-103, that record sound or images inside a home or residence except for



recordings that:

- (i) depict the commission of an alleged crime;
- (ii) record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon;
- (iii) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;
- (iv) contain an officer-involved critical incident as defined in Subsection 76-2-408(1)(f); or
- (v) have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording.

(3)(a) As used in this Subsection (3), "medical records" means medical reports, records, statements, history, diagnosis, condition, treatment, and evaluation.

(b) Medical records in the possession of the University of Utah Hospital, its clinics, doctors, or affiliated entities are not private records or controlled records under Section 63G-2-304 when the records are sought:

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

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

Section 44. Section **63G-2-303** is amended to read:

**63G-2-303 (Effective 01/01/27). Private information concerning certain government employees.**

(1) As used in this section:

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

- 5199 (vii) law enforcement official as defined in Section 53-5a-311;
- 5200 (viii) prosecutor authorized by Title 39A, Chapter 5, Utah Code of Military Justice; or
- 5201 (ix) state or local government employee who, because of the unique nature of the
- 5202 employee's regular work assignments or because of one or more recent credible
- 5203 threats directed to or against the employee, would be at immediate and substantial
- 5204 risk of physical harm if the employee's personal information is disclosed.
- 5205 (b) "Family member" means the spouse, child, sibling, parent, or grandparent of an
- 5206 at-risk government employee who is living with the employee.
- 5207 (c) "Personal information" means the employee's or the employee's family member's
- 5208 home address, home telephone number, personal mobile telephone number, personal
- 5209 pager number, personal email address, social security number, insurance coverage,
- 5210 marital status, or payroll deductions.
- 5211 (2)(a) Pursuant to Subsection 63G-2-302(1)(h), an at-risk government employee may
- 5212 file a written application that:
- 5213 (i) gives notice of the employee's status as an at-risk government employee to each
- 5214 agency of a government entity holding a record or a part of a record that would
- 5215 disclose the employee's personal information; and
- 5216 (ii) requests that the government agency classify those records or parts of records as
- 5217 private.
- 5218 (b) An at-risk government employee desiring to file an application under this section
- 5219 may request assistance from the government agency to identify the individual records
- 5220 containing personal information.
- 5221 (c) Each government agency shall develop a form that:
- 5222 (i) requires the at-risk government employee to designate each specific record or part
- 5223 of a record containing the employee's personal information that the applicant
- 5224 desires to be classified as private;
- 5225 (ii) affirmatively requests that the government entity holding those records classify
- 5226 them as private;
- 5227 (iii) informs the employee that by submitting a completed form the employee may
- 5228 not receive official announcements affecting the employee's property, including
- 5229 notices about proposed municipal annexations, incorporations, or zoning
- 5230 modifications; and
- 5231 (iv) contains a place for the signature required under Subsection (2)(d).
- 5232 (d) A form submitted by an employee under Subsection (2)(c) shall be signed by the

- 5233 highest ranking elected or appointed official in the employee's chain of command  
5234 certifying that the employee submitting the form is an at-risk government employee.
- 5235 (3) A county recorder, county treasurer, county auditor, or a county tax assessor may fully  
5236 satisfy the requirements of this section by:
- 5237 (a) providing a method for the assessment roll and index and the tax roll and index that  
5238 will block public access to the home address, home telephone number, situs address,  
5239 and ~~[Social Security]~~ social security number; and
- 5240 (b) providing the at-risk government employee requesting the classification with a  
5241 disclaimer informing the employee that the employee may not receive official  
5242 announcements affecting the employee's property, including notices about proposed  
5243 annexations, incorporations, or zoning modifications.
- 5244 (4) A government agency holding records of an at-risk government employee classified as  
5245 private under this section may release the record or part of the record if:
- 5246 (a) the employee or former employee gives written consent;
- 5247 (b) a court orders release of the records; or
- 5248 (c) the government agency receives a certified death certificate for the employee or  
5249 former employee~~[-or]~~ .
- 5250 ~~[(d) as it relates to the employee's voter registration record:]~~
- 5251 ~~[(i) the person to whom the record or part of the record is released is a qualified~~  
5252 ~~person under Subsection 20A-2-104(4)(n); and]~~
- 5253 ~~[(ii) the government agency's release of the record or part of the record complies with~~  
5254 ~~the requirements of Subsection 20A-2-104(4)(o).]~~
- 5255 (5)(a) If the government agency holding the private record receives a subpoena for the  
5256 records, the government agency shall attempt to notify the at-risk government  
5257 employee or former employee by mailing a copy of the subpoena to the employee's  
5258 last-known mailing address together with a request that the employee either:
- 5259 (i) authorize release of the record; or
- 5260 (ii) within 10 days of the date that the copy and request are mailed, deliver to the  
5261 government agency holding the private record a copy of a motion to quash filed  
5262 with the court who issued the subpoena.
- 5263 (b) The government agency shall comply with the subpoena if the government agency  
5264 has:
- 5265 (i) received permission from the at-risk government employee or former employee to  
5266 comply with the subpoena;

- 5267 (ii) not received a copy of a motion to quash within 10 days of the date that the copy  
5268 of the subpoena was mailed; or  
5269 (iii) received a court order requiring release of the records.
- 5270 (6)(a) Except as provided in Subsection (6)(b), a form submitted under this section  
5271 remains in effect until the earlier of:
- 5272 (i) four years after the date the employee signs the form, regardless of whether ~~[or not]~~  
5273 the employee's employment terminates before the end of the four-year period; and  
5274 (ii) one year after the government agency receives official notice of the death of the  
5275 employee.
- 5276 (b) A form submitted under this section may be rescinded at any time by:
- 5277 (i) the at-risk government employee who submitted the form; or  
5278 (ii) if the at-risk government employee is deceased, a member of the employee's  
5279 immediate family.

5280 Section 45. **Effective Date.**

- 5281 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.
- 5282 (2) The actions affecting the following sections take effect on January 1, 2027:
- 5283 (a) Section 20A-1-102 (Effective 01/01/27);
- 5284 (b) Section 20A-2-101.1 (Effective 01/01/27);
- 5285 (c) Section 20A-2-104 (Effective 01/01/27);
- 5286 (d) Section 20A-2-108 (Effective 01/01/27);
- 5287 (e) Section 20A-2-204 (Effective 01/01/27);
- 5288 (f) Section 20A-2-206 (Effective 01/01/27);
- 5289 (g) Section 20A-2-304 (Effective 01/01/27);
- 5290 (h) Section 20A-2-505 (Effective 01/01/27);
- 5291 (i) Section 20A-2-603 (Effective 01/01/27);
- 5292 (j) Section 20A-2-603.5 (Effective 01/01/27);
- 5293 (k) Section 20A-2-604 (Effective 01/01/27);
- 5294 (l) Section 20A-2-605 (Effective 01/01/27);
- 5295 (m) Section 20A-2-606 (Effective 01/01/27);
- 5296 (n) Section 20A-2-607 (Effective 01/01/27);
- 5297 (o) Section 20A-5-410 (Effective 01/01/27);
- 5298 (p) Section 20A-6-105 (Effective 01/01/27);
- 5299 (q) Section 20A-9-408 (Effective 01/01/27);
- 5300 (r) Section 63G-2-301 (Effective 01/01/27);

- 5301        (s) Section 63G-2-302 (Effective 01/01/27); and
- 5302        (t) Section 63G-2-303 (Effective 01/01/27).