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Election Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor:

2

LONG TITLE

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General Description:

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This bill amends provisions relating to elections.

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Highlighted Provisions:

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This bill:

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- ▶ 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;

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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;

65 ▸ modifies a provision relating to the frequency of an elections audit performed by the
66 Office of the Legislative Auditor General;
67 ▸ permits the use of campaign funds for certain goods or services relating to security; and
68 ▸ makes technical and conforming changes.

69 **Money Appropriated in this Bill:**

70 None

71 **Other Special Clauses:**

72 This bill provides a special effective date.

73 **Utah Code Sections Affected:**

74 **AMENDS:**

75 **17-69-202 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,

76 First Special Session, Chapter 13

77 **17-70-403 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,

78 First Special Session, Chapter 13

79 **20A-1-102 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special

80 Session, Chapter 6

81 **20A-1-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

82 **20A-1-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

83 **20A-1-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 90

84 **20A-1-508 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
85 Session, Chapter 16

86 **20A-1-509.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second

87 Special Session, Chapter 2

88 **20A-1-509.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special

89 Session, Chapter 16

90 **20A-1-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

91 **20A-2-101.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 448

92 **20A-2-104 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,
93 448

94 **20A-2-108 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381

95 **20A-2-204 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,
96 448

97 **20A-2-206 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381

98 **20A-2-304 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 448

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

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

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

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

20A-3a-401 (Effective 05/06/26), as last amended by Laws of Utah 2025, First Special Session, Chapter 6

20A-5-410 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 188, 448

20A-6-105 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapters 381, 448

20A-9-408 (Effective 01/01/27), as last amended by Laws of Utah 2025, Second Special Session, Chapter 2

20A-11-104 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 447

20A-11-204 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 90, 448

20A-11-1303 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 90, 448

20A-11-1604 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapters 90, 448

36-12-15.2 (Effective 05/06/26), as enacted by Laws of Utah 2023, Chapter 156

63G-2-202 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 188

63G-2-301 (Effective 01/01/27), as last amended by Laws of Utah 2025, First Special Session, Chapter 9

63G-2-302 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 172

63G-2-303 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 208

ACTS:

20A-1-109 (Effective 05/06/26), Utah Code Annotated 1953

20A-2-508 (Effective 05/06/26), Utah Code Annotated 1953

20A-2-601 (Effective 05/06/26), Utah Code Annotated 1953

20A-2-602 (Effective 05/06/26), Utah Code Annotated 1953

20A-2-603 (Effective 01/01/27), Utah Code Annotated 1953

133 **20A-2-603.5 (Effective 01/01/27)**, Utah Code Annotated 1953
134 **20A-2-604 (Effective 01/01/27)**, Utah Code Annotated 1953
135 **20A-2-605 (Effective 01/01/27)**, Utah Code Annotated 1953
136 **20A-2-606 (Effective 01/01/27)**, Utah Code Annotated 1953
137 **20A-2-607 (Effective 01/01/27)**, Utah Code Annotated 1953
138 **20A-3a-201.5 (Effective 05/06/26)**, Utah Code Annotated 1953

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

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

142 **17-69-202 (Effective 05/06/26). Qualifications for a county auditor in a county of**
143 **the first class.**

144 (1) In a county of the first class, in addition to the requirements described in Section
145 17-66-201, an individual filing a declaration of candidacy for the office of county
146 auditor, an individual elected to the office of county auditor, or an interim replacement
147 appointed under Subsection 20A-1-508(3) or (4), shall have one or more of the
148 following professional certifications active and in good standing:
149 (a) certified public accountant;
150 (b) certified internal auditor;
151 (c) certified fraud examiner;
152 (d) certified management accountant; or
153 (e) certified information systems auditor.

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

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

160 **17-70-403 (Effective 05/06/26). Campaign financial disclosure in county elections.**

161 (1) A county shall adopt an ordinance establishing campaign finance disclosure
162 requirements for:
163 (a) candidates for county office; and
164 (b) candidates for local school board office who reside in that county.
165 (2) The ordinance required by Subsection (1) shall include:
166 (a) a requirement that each candidate for county office or local school board office

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

170 (b) a definition of "contribution" and "expenditure" that requires reporting of
171 nonmonetary contributions such as in-kind contributions and contributions of
172 tangible things;

173 (c) a requirement that the financial reports identify:
174 (i) for each contribution, the name of the donor of the contribution, if known, and the
175 amount of the contribution; and
176 (ii) for each expenditure, the name of the recipient and the amount of the expenditure;

177 (d) a requirement that a candidate for county office or local school board office deposit a
178 contribution in a separate campaign account into a financial institution;

179 (e) a prohibition against a candidate for county office or local school board office
180 depositing or mingling any contributions received into a personal or business account;

181 (f) a requirement that a candidate for county office who receives a contribution that is
182 cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is
183 unknown, shall, within 30 days after receiving the contribution, disburse the amount
184 of the contribution to:
185 (i) the treasurer of the state or a political subdivision for deposit into the state's or
186 political subdivision's general fund; or
187 (ii) an organization that is exempt from federal income taxation under Section
188 501(c)(3), Internal Revenue Code;

189 (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a
190 county office or local school board office file the financial report described in
191 Subsection (2)(c) with the county clerk:
192 (i) for a county office vacancy described in Subsection 20A-1-508(3)~~(7)~~ (4), or
193 (9), no later than three business days before the day on which the political party of
194 the prior officeholder submits the candidate's name to the county legislative body
195 as the individual the political party selects to fill the vacancy;
196 (ii) for a county or district attorney office vacancy described in Subsection
197 20A-1-509.1(5)(a), no later than three business days before the day on which the
198 political party of the prior officeholder submits the candidate's name to the county
199 legislative body as one of the three individuals the party nominates to fill the
200 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

235 institution; and

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

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

242 (a) seven days before the date of the regular general election, reporting each contribution
243 and each expenditure as of 10 days before the date of the regular general election; and
244 (b) no later than 30 days after the date of the regular general election.

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

246 (i) a list of each contribution received by the candidate, and the name of the donor, if
247 known; and
248 (ii) a list of each expenditure for political purposes made during the campaign period,
249 and the recipient of each expenditure.

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

251 (i) a list of each contribution received after the cutoff date for the statement filed
252 seven days before the election, and the name of the donor; and
253 (ii) a list of all expenditures for political purposes made by the candidate after the
254 cutoff date for the statement filed seven days before the election, and the recipient
255 of each expenditure.

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

257 institution:

258 (i) that is not described in Subsection (5)(a); and
259 (ii) into which or from which a person who, as a candidate for an office, other than a
260 county office for which the person filed a declaration of candidacy or federal
261 office, or as a holder of an office, other than a county office for which the person
262 filed a declaration of candidacy or federal office, deposits a contribution or makes
263 an expenditure.

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

266 (i) a contribution deposited into an account:

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

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

account; or

(ii) an expenditure made from 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 account.

Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is unknown, a county office candidate shall disburse the amount of the contribution to:

- the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or
- an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

Candidates for elective office in any county, and candidates for local school board office, who are eliminated at a primary election shall file a signed campaign financial statement containing the information required by this section not later than 30 days after the primary election.

A candidate seeking appointment to fill a midterm vacancy in a county office or local school board office shall:

- (i) comply with Subsections (5) and (9); and
- (ii) file a signed campaign financial statement with the county clerk no later than the deadline described in Subsection (2)(g).

Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii), the county clerk shall immediately submit a copy of the statement to the county legislative body.

Any individual who fails to comply with this section is guilty of an infraction.

Counties may, by ordinance, enact requirements that:

- (i) require greater disclosure of campaign contributions and expenditures; and
- (ii) impose additional penalties.

The requirements described in Subsection (13)(a) apply to a local school board office candidate who resides in that county.

If a candidate fails to file an interim report due before the election, the county clerk may send an electronic notice to the candidate and the political party of which the candidate is a member, if any, that states:

- (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

inaccuracies; and

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

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

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

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

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

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

(20)(a) Any private party in interest may bring an action in a court with jurisdiction

under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of this section or any ordinance adopted under this section.

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

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

(a) make each campaign finance statement filed by a candidate available for public

inspection and copying no later than one business day after the statement is filed, and

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

inspection by:

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

(ii) In order to meet the requirements of Subsection 20A-11-105(4)(b)(ii), providing the lieutenant governor with a link to the electronic posting described in Subsection (21)(b)(i) no later than two business days after the day the statement is filed.

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

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

As used in this title:

(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

405 interlocal agreement with a provider election officer.

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

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

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

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

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

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

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

418 (b) does not include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

440 [~~(20)~~] (21) "Elected official" means:

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

447 [~~(21)~~] (22) "Election" means a regular general election, a municipal general election, a
448 statewide special election, a local special election, a regular primary election, a
449 municipal primary election, and a special district election.

450 [~~(22)~~] (23) "Election Assistance Commission" means the commission established by the
451 Help America Vote Act of 2002, Pub. L. No. 107-252.

452 [~~(23)~~] (24) "Election cycle" means the period beginning on the first day on which
453 individuals are eligible to file declarations of candidacy and ending when the canvass is
454 completed.

455 [~~(24)~~] (25) "Election judge" means a poll worker that is assigned to:

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

459 [~~(25)~~] (26) "Election material" includes:

- 460 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 461 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 462 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 463 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
 - 464 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
 - 465 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 466 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 467 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 468 (g) the physical and electronic log of replicated ballots described in Subsection
469 20A-4-104(3);
- 470 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 471 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 472 (j) the reports on military and overseas voters described in Section 20A-16-202;

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

476 [~~26~~] (27) "Election officer" means:

477 (a) the lieutenant governor, for all statewide ballots and elections;
478 (b) the county clerk for:
479 (i) a county ballot and election; and
480 (ii) a ballot and election as a provider election officer as provided in Section
481 20A-5-400.1 or 20A-5-400.5;
482 (c) the municipal clerk for:
483 (i) a municipal ballot and election; and
484 (ii) a ballot and election as a provider election officer as provided in Section
485 20A-5-400.1 or 20A-5-400.5;
486 (d) the special district clerk or chief executive officer for:
487 (i) a special district ballot and election; and
488 (ii) a ballot and election as a provider election officer as provided in Section
489 20A-5-400.1 or 20A-5-400.5; or
490 (e) the business administrator or superintendent of a school district for:
491 (i) a school district ballot and election; and
492 (ii) a ballot and election as a provider election officer as provided in Section
493 20A-5-400.1 or 20A-5-400.5.

494 [~~27~~] (28) "Election official" means any election officer, election judge, or poll worker.

495 [~~28~~] (29) "Election results" means:

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

500 [~~29~~] (30) "Election results database" means the following information generated by voting
501 equipment:

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

506 [~~30~~] (31) "Election returns" means:

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

520 [~~(31)~~] (32) "Electronic signature" means an electronic sound, symbol, or process attached to
521 or logically associated with a record and executed or adopted by a person with the intent
522 to sign the record.

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

525 [~~(32)~~] (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).

526 [~~(33)~~] (35) "Inactive voter" means a registered voter who is listed as inactive by a county
527 clerk under Subsection 20A-2-505(4)(c)(i) or (ii).

528 [~~(34)~~] (36) "Judicial office" means the office filled by any judicial officer.

529 [~~(35)~~] (37) "Judicial officer" means any justice or judge of a court of record or any county
530 court judge.

531 [~~(36)~~] (38) "Local election" means a regular county election, a regular municipal election, a
532 municipal primary election, a local special election, a special district election, and a
533 bond election.

534 [~~(37)~~] (39) "Local political subdivision" means a county, a municipality, a special district, or
535 a local school district.

536 [~~(38)~~] (40) "Local special election" means a special election called by the governing body of
537 a local political subdivision in which all registered voters of the local political
538 subdivision may vote.

539 [~~(39)~~] (41) "Manual ballot" means a paper document produced by an election officer on
540 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

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

577 [(52)] (54)(a) "Poll worker" means a person assigned by an election official to assist with
578 an election, voting, or counting votes.

579 (b) "Poll worker" includes election judges.

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

581 [(53)] (55) "Pollbook" means a record of the names of voters in the order that the voters
582 appear to cast votes.

583 [(54)] (56) "Polling place" means a building where voting is conducted.

584 [(55)] (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
585 in which the voter marks the voter's choice.

586 [(56)] (58) "Presidential Primary Election" means the election established in Chapter 9, Part
587 8, Presidential Primary Election.

588 [(57)] (59) "Primary convention" means the political party conventions held during the year
589 of the regular general election.

590 [(58)] (60) "Protective counter" means a separate counter, which cannot be reset, that:

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

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

593 [(59)] (61) "Provider election officer" means an election officer who enters into a contract or
594 interlocal agreement with a contracting election officer to conduct an election for the
595 contracting election officer's local political subdivision in accordance with Section
596 20A-5-400.1.

597 [(60)] (62) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

601 [(61)] (63) "Provisional ballot envelope" means an envelope printed in the form required by
602 Section 20A-6-105 that is used to identify provisional ballots and to provide information
603 to verify a person's legal right to vote.

604 [(62)] (64)(a) "Public figure" means an individual who, due to the individual being
605 considered for, holding, or having held a position of prominence in a public or
606 private capacity, or due to the individual's celebrity status, has an increased risk to the
607 individual's safety.

608 [(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 [643] (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 [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 [649] (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 [651] (80) "Tabulation system" means a device or system designed for the sole purpose of
652 tabulating votes cast by voters at an election.

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

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

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

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

- 660 (a) except as provided in Subsection [660](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 [666] (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:

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

713 [(84)] (87) "Voter" means an individual who:

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

718 [(85)] (88) "Voter registration deadline" means the registration deadline provided in Section
719 20A-2-102.5.

720 [(86)] (89) "Voting area" means the area within six feet of the voting booths, voting
721 machines, and ballot box.

722 [(87)] (90) "Voting booth" means:

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

726 [(88)] (91) "Voting device" means any device provided by an election officer for a voter to
727 vote a mechanical ballot.

728 [(89)] (92) "Voting precinct" means the smallest geographical voting unit, established under
729 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

730 [(90)] (93) "Watcher" means an individual who complies with the requirements described in
731 Section 20A-3a-801 to become a watcher for an election.

732 [(91)] (94) "Write-in ballot" means a ballot containing any write-in votes.

733 [(92)] (95) "Write-in vote" means a vote cast for an individual, whose name is not printed on
734 the ballot, in accordance with the procedures established in this title.

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

736 **20A-1-109 (Effective 05/06/26). Lieutenant governor conflict of interest**
737 **avoidance plan -- Creation and presentation.**

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

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

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

745 procedures and actions the lieutenant governor will take to mitigate or avoid the
746 conflict, including:
747 (i) recusal from making the decision or taking the action; and
748 (ii) designating the person who will make the decision or take the action in the event
749 of a recusal; and
750 (c) for each type of decision or action considered in relation to creating the plan that the
751 lieutenant governor concludes does not constitute a conflict of interest:
752 (i) a description of the type of decision or action; and
753 (ii) an explanation of why the type of decision or action does not constitute a conflict
754 of interest or the appearance of a conflict of interest.

755 (2) The lieutenant governor shall:

756 (a) forward a copy of the plan described in Subsection (1) to the Government Operations
757 Interim Committee on or before September 1, 2026; and
758 (b) if requested by the chairs of the Government Operations Interim Committee, present
759 the plan to the committee at a meeting of the committee specified by the chairs of the
760 committee.

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

762 **20A-1-502 (Effective 05/06/26). Midterm vacancy in office of United States**

763 **senator.**

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

768 (a) sets a date for a primary congressional special election, and a later date for a general
769 congressional special election, on the same day as one of the following elections:
770 (i) a municipal general election;
771 (ii) a presidential primary election;
772 (iii) a regular primary election; or
773 (iv) a regular general election;
774 (b) sets the date of the primary congressional special election on the same day as the
775 next election described in Subsections (1)(a)(i) through (iv) that is more than 90
776 calendar days after the day on which the governor issues the proclamation;
777 (c) sets the date of the general special congressional election on the same day as the next
778 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).

813 (3) A special congressional election to fill a vacancy in the office of United States senator
814 will not be held if:
815 (a) the next regular general election that occurs after the day on which the vacancy
816 occurs is the regular general election that occurs immediately before the six-year term
817 for the senate office ends; and
818 (b) the vacancy occurs after August 1 of the year before the regular general election
819 described in Subsection (3)(a).

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

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

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

834 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator
835 until the earlier of the day on which:
836 (i) the vacancy is filled by election under Subsection (1) or (2); or
837 (ii) the six-year term for the senate office ends.

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

840 (6) A vacancy in the office of United States senator does not occur unless the senator:
841 (a) has left the office; or
842 (b) submits an irrevocable letter of resignation to the governor or to the president of the
843 United States Senate.

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

845 **20A-1-503 (Effective 05/06/26). Midterm vacancies in the Legislature.**

846 (1) As used in this section:

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

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

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

850 (b) "Party liaison" means the political party officer designated to serve as a liaison with

851 the lieutenant governor on all matters relating to the political party's relationship with

852 the state as required by Section 20A-8-401.

853 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,

854 the governor shall fill the vacancy [by immediately appointing the person whose name

855 was submitted by the party liaison of the same political party as the prior representative.]

856 as follows:

857 (a) if the prior officeholder was a member of a registered political party when the prior

858 officeholder last took office, either by election or by appointment under this section,

859 by immediately appointing the individual whose name is submitted by the party

860 liaison of the same registered political party of which the prior officeholder was a

861 member when last elected or appointed, if the individual meets the qualifications for

862 office; or

863 (b) if the prior officeholder was not a member of a registered political party when the

864 prior officeholder last took office, either by election or by appointment under this

865 section, by immediately appointing one of three individuals, who meet the

866 qualifications for office, nominated by the House of Representatives, regardless of

867 whether the individual is a member of a particular registered political party or is

868 unaffiliated with a registered political party.

869 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in

870 the office of senator in the Legislature, [it] the vacancy shall be filled for the

871 unexpired term at the next regular general election.

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

873 immediately appointing the person whose name was submitted by the party liaison of

874 the same political party as the prior senator.] as follows:

875 (i) if the prior officeholder was a member of a registered political party when the

876 prior officeholder last took office, either by election or by appointment under this

877 section, by immediately appointing the individual whose name is submitted by the

878 party liaison of the same registered political party of which the prior officeholder

879 was a member when last elected or appointed, if the individual meets the

880 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

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

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

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

- 925 (i)(A) currently holds the office of senator and is seeking appointment as a
926 representative; or
- 927 (B) currently holds the office of representative and is seeking appointment as a
928 senator;
- 929 (ii) already, that same year, filed a conflict of interest disclosure for the office
930 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 931 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
932 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
933 is updated and accurate as of the date of the written statement.

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

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

- 939 (a) has left the office; or
- 940 (b) submits an irrevocable letter of resignation to:
 - 941 (i) for a senator, the president of the Senate; or
 - 942 (ii) for a representative, the speaker of the House of Representatives.

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

944 **20A-1-504 (Effective 05/06/26). Midterm vacancies in the offices of attorney
945 general, state treasurer, state auditor, State Board of Education member, and lieutenant
946 governor.**

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

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

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

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

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

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

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

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

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

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

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

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

983 regular general election at which the governor stands for election.

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

987 (i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer,
988 or state auditor, no later than the deadline for the individual to file an interim
989 report under Subsection 20A-11-204(3)(a); or
990 (ii) for a vacancy in the office of State Board of Education member, no later than the
991 deadline for the individual to file an interim report under Subsection
992 20A-11-1303(2)(a).

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

995 (i) currently holds an office described in Subsection (1)(a) or (2);
996 (ii) already, that same year, filed a conflict of interest disclosure for the office
997 described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and
998 (iii) no later than the deadline described in Subsection (3)(a), indicates, in a written
999 statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii)
1000 is updated and accurate as of the date of the written statement.

1001 (4) The lieutenant governor shall make each conflict of interest disclosure made by an
1002 individual described in Subsection (3)(a) available for public inspection in accordance
1003 with Subsection 20A-11-1603(4).

1004 (5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the
1005 individual occupying the office:

1006 (a) has left the office; or
1007 (b) submits an irrevocable letter of resignation to the governor.

1008 Section 8. Section **20A-1-508** is amended to read:

1009 **20A-1-508 (Effective 05/06/26). Midterm vacancies in county elected offices --**

1010 **Temporary manager -- Interim replacement.**

1011 (1) As used in this section:

1012 (a)(i) "County offices" includes the county executive, members of the county
1013 legislative body, the county treasurer, the county sheriff, the county clerk, the
1014 county auditor, the county recorder, the county surveyor, and the county assessor.
1015 (ii) "County offices" does not include the office of county attorney, district attorney,
1016 or judge.

1017 (b) "Party liaison" means the political party officer designated to serve as a liaison with
1018 each county legislative body on all matters relating to the political party's relationship
1019 with a county as required by Section 20A-8-401.

1020 (2)(a) Except as provided in Subsection (2)(d), until a county legislative body appoints
1021 an interim replacement to fill a vacant county office under Subsection (3), or the
1022 governor appoints an interim replacement under Subsection (4), the following shall
1023 temporarily discharge the duties of the county office as a temporary manager:
1024 (i) for a county office with one chief deputy, the chief deputy;
1025 (ii) for a county office with more than one chief deputy:
1026 (A) the chief deputy with the most cumulative time served as a chief deputy for
1027 the county office; or
1028 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer
1029 vacates the office, the county officer files with the county clerk a written
1030 statement designating one of the county officer's chief deputies to discharge the
1031 duties of the county office in the event the county officer vacates the office, the
1032 designated chief deputy; or
1033 (iii) for a county office without a chief deputy:
1034 (A) if one management-level employee serving under the county office has a
1035 higher-seniority management level than any other employee serving under the
1036 county office, that management-level employee;
1037 (B) if two or more management-level employees serving under the county office
1038 have the same and highest-seniority management level, the highest-seniority
1039 management-level employee with the most cumulative time served in the
1040 employee's current position; or
1041 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county
1042 officer vacates the office, the county officer files with the county clerk a
1043 written statement designating one of the county officer's employees to
1044 discharge the county officer's duties in the event the county officer vacates the
1045 office, the designated employee.

1046 (b) Except as provided in Subsection (2)(c), a temporary manager described in
1047 Subsection (2)(a) who temporarily discharges the duties of a county office holds the
1048 powers and duties of the county office until the county legislative body appoints an
1049 interim replacement under Subsection (3) or the governor appoints an interim
1050 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

1119 fill the vacancy in accordance with Subsection [(3)(e)(iv)] (3)(d) or (e), as
1120 applicable:

1121 (a) the county clerk shall, no later than seven calendar days after the day of the deadline
1122 described in Subsection [(3)(e)(iv)] (3)(d)(iii) or (e), as applicable, send to the
1123 governor a letter that:

1124 [A] (i) informs the governor that the county legislative body has failed to appoint a
1125 replacement within the statutory time period; [and]

1126 (ii) states whether the prior officeholder is an officeholder described in Subsection
1127 (3)(d) or (e); and

1128 [B] (iii) [contains] if the prior officeholder is an officeholder described in Subsection
1129 (3)(d), states the name of the individual submitted by the party liaison to fill the
1130 vacancy[.] ; and

1131 [(ii)] (b) [The] the governor shall, within 10 calendar days after the day on which the
1132 governor receives the letter described in Subsection [(3)(d)(i),] (4)(a):

1133 (i) if the prior officeholder is an officeholder described in Subsection (3)(d), appoint
1134 the individual named by the party liaison as an interim replacement to fill the
1135 vacancy[.] , if the individual meets the qualifications for office; or

1136 (ii) if the prior officeholder is an officeholder described in Subsection (3)(e), appoint
1137 an individual who meets the qualifications for the office to serve out the unexpired
1138 term, regardless of whether the individual is a member of a particular registered
1139 political party or is unaffiliated with a registered political party.

1140 [(e)] (5) An individual appointed as interim replacement under [this Subseetion (3)]
1141 Subsection (3) or (4) shall hold office until a successor is elected and has qualified.

1142 [(4)] (6)(a) The requirements of this Subsection [(4)] (6) apply to all county offices that
1143 become vacant if:

1144 (i) the vacant office has an unexpired term of two years or more; and
1145 (ii) the vacancy occurs after the election at which the officeholder was elected, or
1146 after the officeholder was appointed under this section, but before the first day of
1147 the declaration of candidacy filing period described in Section 20A-9-201.5.

1148 (b)(i) When the conditions described in Subsection [(4)(a)] (6)(a) are met, the county
1149 clerk shall as soon as practicable, but no later than 180 calendar days before the
1150 next regular general election, notify the public and each registered political party
1151 that the vacancy exists.

1152 (ii) An individual intending to become a party candidate for the vacant office shall

1153 file a declaration of candidacy in accordance with:

1154 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

1155 and

1156 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if
1157 applicable.

1158 (iii) An individual who is nominated as a party candidate, who qualifies as an
1159 unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not
1160 Affiliated with a Party, or who qualifies as a write-in candidate for the vacant
1161 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
1162 general election.

1163 [(5)] (7)(a) The requirements of this Subsection [(5)] (7) apply to all county offices that
1164 become vacant if:

1165 (i) the vacant office has an unexpired term of two years or more; and

1166 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing
1167 period described in Section 20A-9-201.5, but more than 75 calendar days before
1168 the regular primary election.

1169 (b) When the conditions described in Subsection [(5)(a)] (7)(a) are met, the county clerk
1170 shall as soon as practicable, but no later than 70 calendar days before the next regular
1171 primary election, notify the public and each registered political party:

1172 (i) that the vacancy exists; and

1173 (ii) of the deadlines described in Subsection [(5)(e)(i)] (7)(c)(i) and the deadlines
1174 established under Subsection [(5)(d)(ii)] (7)(d)(ii).

1175 (c)(i) An individual intending to become a party candidate for a vacant office shall,
1176 no later than 5 p.m. on the first business day that is at least five calendar days after
1177 the day on which the notice is given, file a declaration of candidacy for the vacant
1178 office in accordance with:

1179 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
1180 and

1181 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if
1182 applicable.

1183 (ii) The county central committee of each party shall:

1184 (A) select a candidate or candidates from among those qualified candidates who
1185 have filed declarations of candidacy; and

1186 (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.

1289 [({8})] (10) Except as otherwise provided by law, the county legislative body may appoint
1290 replacements to fill all vacancies that occur in those offices filled by appointment of the
1291 county legislative body.

1292 [({9})] (11) Nothing in this section prohibits a candidate that does not wish to affiliate with a
1293 political party from filing a certificate of nomination for a vacant office within the same
1294 time limits as a candidate that is affiliated with a political party.

1295 [({10})] (12)(a) Each individual elected under Subsection [({4}), ({5}), or ({6})] (6), (7), or (8) to
1296 fill a vacancy in a county office shall serve for the remainder of the unexpired term of
1297 the individual who created the vacancy and until a successor is elected and qualified.

1298 (b) ~~[Nothing in this section may be construed to]~~ This section does not contradict or alter
1299 the provisions of Section 17-66-202.

1300 [({11})] (13)(a) Except as provided in Subsection [({11})(b)] (13)(b), for an individual
1301 seeking appointment to fill a vacancy described in Subsection [({3}) or ({7})] (3), (4), or
1302 (9), the individual shall, no later than the deadline for the individual to file a financial
1303 report under Section 17-70-403:

1304 (i) complete a conflict of interest disclosure statement in accordance with Section
1305 17-70-304; and

1306 (ii) submit the conflict of interest disclosure statement to the county legislative body
1307 and the county clerk.

1308 (b) An individual described in Subsection [({11})(a)] (13)(a) is not required to comply with
1309 Subsection [({11})(a)] (13)(a) if the individual:

1310 (i) currently holds an office described in Subsection (1)(a)(i);

1311 (ii) already, that same year, filed a conflict of interest disclosure statement for the
1312 office described in Subsection [({11})(b)(i)] (13)(b)(i), in accordance with Section
1313 17-70-509; and

1314 (iii) no later than the deadline described in Subsection [({11})(a)] (13)(a), indicates, in a
1315 written notice submitted to the county clerk, that the conflict of interest disclosure
1316 statement described in Subsection [({11})(b)(ii)] (13)(b)(ii) is updated and accurate
1317 as of the date of the written notice.

1318 [({12})] (14)(a) The county clerk shall make each conflict of interest disclosure statement
1319 made by an individual described in Subsection [({11})(a)] (13)(a) available for public
1320 inspection by posting an electronic copy of the statement on the county's website for
1321 at least 10 calendar days after the day on which~~[the county legislative body]~~:

1322 (i) the county legislative body appoints an interim replacement under Subsection (3);[

1323 or]

1324 (ii) the governor appoints an interim replacement under Subsection (4);
1325 [(ii)] (iii) the county legislative body appoints an individual to fill a vacancy under
1326 Subsection (9)(b)(i); or
1327 (iv) the governor appoints an individual to fill a vacancy under Subsection [7]
1328 (9)(b)(ii).

1329 (b) The county clerk shall post the electronic statement described in Subsection [(12)(a)]
1330 (14)(a) no later than two business days after the day on which the county clerk
1331 receives the statement.

1332 [(13)] (15) A vacancy in a county office does not occur unless the individual occupying the
1333 office:

1334 (a) has left the office; or
1335 (b) submits an irrevocable letter of resignation to the county legislative body.

1336 Section 9. Section **20A-1-509.1** is amended to read:

1337 **20A-1-509.1 (Effective 05/06/26). Procedure for filling midterm vacancy in**
1338 **county or district with 15 or more attorneys.**

1339 (1) When a vacancy occurs in the office of county or district attorney in a county or district
1340 having 15 or more attorneys who are licensed active members in good standing with the
1341 Utah State Bar and registered voters, the vacancy shall be filled as provided in this
1342 section.

1343 (2)(a) The requirements of this Subsection (2) apply when the office of county attorney
1344 or district attorney becomes vacant and:

1345 (i) the vacant office has an unexpired term of two years or more; and
1346 (ii) the vacancy occurs before the first day of the applicable declaration of candidacy
1347 filing period described in Section 20A-9-201.5.

1348 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
1349 notify the public and each registered political party that the vacancy exists.

1350 (c) All persons intending to become candidates for the vacant office shall:

1351 (i) file a declaration of candidacy according to the procedures and requirements of
1352 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
1353 (ii) if nominated as a party candidate or qualified as an independent or write-in
1354 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures,
1355 run in the regular general election; and
1356 (iii) if elected, complete the unexpired term of the person who created the vacancy.

1357 (d) If the vacancy occurs during the applicable declaration of candidacy filing period
1358 described in Section 20A-9-201.5:
1359 (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be
1360 extended until 5 p.m. on the first business day that is no later than seven calendar
1361 days after the last day of the applicable declaration of candidacy filing period
1362 described in Section 20A-9-201.5; and
1363 (ii) the county clerk shall notify the public and each registered political party that the
1364 vacancy exists.

1365 (3)(a) The requirements of this Subsection (3) apply when the office of county attorney
1366 or district attorney becomes vacant and:

1367 (i) the vacant office has an unexpired term of two years or more; and
1368 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year
1369 but more than 75 calendar days before the regular primary election.
1370 (b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:
1371 (i) notify the public and each registered political party that the vacancy exists; and
1372 (ii) identify the date and time by which a person interested in becoming a candidate
1373 shall file a declaration of candidacy.

1374 (c) All persons intending to become candidates for the vacant office shall:

1375 (i) no later than 5 p.m. on the first business day that is at least five calendar days after
1376 the day on which the county clerk gives the notice described in Subsection (3)(b)(i),
1377 file a declaration of candidacy for the vacant office as required by Chapter 9, Part
1378 2, Candidate Qualifications and Declarations of Candidacy; and
1379 (ii) if elected, complete the unexpired term of the person who created the vacancy.

1380 (d) The county central committee of each party shall:

1381 (i) select a candidate or candidates from among those qualified candidates who have
1382 filed declarations of candidacy; and
1383 (ii) certify the name of the candidate or candidates to the county clerk:
1384 (A) no later than 5 p.m. on the last business day that is at least 60 calendar days
1385 before the day of the regular primary election; or
1386 (B) electronically, before midnight no later than 60 calendar days before the day
1387 of the regular primary election.

1388 (4)(a) The requirements of this Subsection (4) apply when the office of county attorney
1389 or district attorney becomes vacant and:

1390 (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 Subseection~~
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 vacaney 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

1459 report under Section 17-70-403:

1460 (a) complete a conflict of interest disclosure statement in accordance with Section
1461 17-70-304; and
1462 (b) submit the conflict of interest disclosure statement to the county legislative body and
1463 the county clerk.

1464 (7)(a) The county clerk shall make each conflict of interest disclosure statement made by [
1465 a person] an individual described in Subsection (6) available for public inspection by
1466 posting an electronic copy of the statement on the county's website for at least 10
1467 calendar days after the day on which the county legislative body appoints [a person]
1468 the individual to fill the vacancy.

1469 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no
1470 later than two business days after the day on which the county clerk receives the
1471 statement.

1472 (8) A vacancy in the office described in Subsection (1) does not occur unless the [person]
1473 individual occupying the office:

1474 (a) has left the office; or
1475 (b) submits an irrevocable letter of resignation to the county legislative body.

1476 (9) Nothing in this section prevents or prohibits independent candidates from filing a
1477 declaration of candidacy for the office within the required time limits.

1478 Section 10. Section **20A-1-509.2** is amended to read:

1479 **20A-1-509.2 (Effective 05/06/26). Procedure for filling vacancy in county or
1480 district with fewer than 15 attorneys.**

1481 (1) When a vacancy occurs in the office of county or district attorney, including a vacancy
1482 created by the failure of a person to file as a candidate for the office of county or district
1483 attorney in an election, in a county or district having fewer than 15 attorneys who are
1484 licensed, active members in good standing with the Utah State Bar and registered voters,
1485 the vacancy shall be filled as provided in this section.

1486 (2) The county clerk shall send a letter to each attorney residing in the county or district
1487 who is a licensed, active member in good standing with the Utah State Bar and a
1488 registered voter that:

1489 (a) informs the attorney of the vacancy;
1490 (b) invites the attorney to apply for the vacancy; and
1491 (c) informs the attorney that if the attorney does not respond before 5 p.m. on the first
1492 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 [~~(f) 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 multicity 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 multicity 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 multicity 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 multicity 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 multicity 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 multicity prosecution district, submit the applications to the county
1560 legislative bodies of each county within the multicity 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

1731 creates a vacancy in the elected official's office.

1732 (7) An elected official reservist's military leave:

1733 (a) begins:

1734 (i) for an elected official reservist described in Subsection (3)(b)(i), the later of:

1735 (A) the day after the day on which the elected official notifies the political
1736 subdivision's governing body of the intent to take military leave;

1737 (B) 11 calendar days after the day of the elected official's deployment if no
1738 confirmation is received by the political subdivision's governing body in
1739 accordance with Subsection (4)(a); or

1740 (C) the day on which the elected official begins active, full-time duty in the armed
1741 forces; or

1742 (ii) for an elected official reservist described in Subsection (3)(b)(ii), the day after the
1743 day on which the elected official submits to the political subdivision's governing
1744 body the written notice and certification described in Subsection (3)(b)(ii); and

1745 (b) ends the sooner of:

1746 (i) the expiration of the elected official reservist's term of office; or

1747 (ii) the day on which the elected official reservist ends active, full-time duty in the
1748 armed forces.

1749 (8) A temporary replacement shall:

1750 (a) meet the qualifications required to hold the office; and

1751 (b) be appointed:

1752 (i) when an elected official reservist:

1753 (A) takes military leave under Subsection (3)(b)(i)(B) or (b)(ii); or

1754 (B) is placed in military leave status under Subsection (4)(b)(i); and

1755 (ii) by the political subdivision's governing body:

1756 (A) if a registered political party nominated the elected official reservist as a
1757 candidate for the office, in the same manner as provided in Subsection

1758 20A-1-508(3) or (4) for the appointment of an interim replacement; or

1759 (B) if a registered political party did not nominate the elected official reservist as a
1760 candidate for the office, after submitting an application in accordance with
1761 Subsection (10)(b).

1762 (9)(a) A temporary replacement shall exercise the powers and duties of the office for
1763 which the temporary replacement is appointed for the duration of the elected official
1764 reservist's military leave.

1765 (b) An elected reservist may not exercise the powers or duties of the office while on
1766 military leave.
1767 (c) If a temporary replacement is not appointed as required by Subsection (8)(b), no
1768 individual may exercise the powers and duties of the elected official reservist's office
1769 during the elected official's military leave.

1770 (10) The political subdivision's governing body shall establish:
1771 (a) the distribution of the emoluments of the office between the elected official reservist
1772 and the temporary replacement; and
1773 (b) an application form and the date and time before which an individual shall submit
1774 the application to be considered by the political subdivision's governing body for
1775 appointment as a temporary replacement.

1776 (11) This section does not apply to an elected official who is not an elected official reservist.
1777 Section 12. Section **20A-2-101.1** is amended to read:

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

1779 (1) [An] Subject to Section 20A-3a-201.5, an individual may preregister to vote if the
1780 individual:
1781 (a) is 16 or 17 years [of age] old;
1782 (b) is not eligible to register to vote because the individual does not comply with the age
1783 requirements described in Subsection 20A-2-101(1)(c);
1784 (c) is a citizen of the United States;
1785 (d) has been a resident of Utah for at least 30 calendar days; and
1786 (e) currently resides within the voting district or precinct in which the individual
1787 preregisters to vote.

1788 (2) An individual described in Subsection (1) may not vote in an election and is not
1789 registered to vote until:
1790 (a) the individual is otherwise eligible to register to vote because the individual complies
1791 with the age requirements described in Subsection 20A-2-101(1)(c); and
1792 (b) the county clerk registers the individual to vote under Subsection (4).

1793 (3) An individual who preregisters to vote shall:
1794 (a) complete a voter registration form, including an indication that the individual is
1795 preregistering to vote; and
1796 (b) submit the voter registration form to a county clerk in person, by mail, or in any
1797 other manner authorized by this chapter for the submission of a voter registration
1798 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.]

[e) "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:]

[11) 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~~

1867 form:] described in this Subsection (1)(a).

1868 (i) The first portion of the voter registration form shall contain the following:

1869 "

1870 -----

1871 UTAH ELECTION REGISTRATION FORM

1872 Are you a citizen of the United States of America? Yes No

1873 If you checked "no" to the above question, do not complete this form.

1874 Will you be 18 years [of age] old on or before election day? Yes No

1875 If you checked "no" to the above question, are you 16 or 17 years [of age] old and
1876 preregistering to vote? Yes No

1877 If you checked "no" to both of the prior two questions, do not complete this form."

1878 (ii) Beginning on January 1, 2028, the voter registration form shall contain the
1879 following, immediately after the portion of the form described in Subsection
1880 (1)(a)(i) and immediately before the portion of the form described in Subsection
1881 (1)(a)(iii):

1882 "You must be a United States citizen to vote. If you fail to provide proof of
1883 United States citizenship, you will only be permitted to vote for federal offices.
1884 Information on how to provide proof of citizenship is included on the back of this
1885 form."

1886 (iii) Except as provided in Subsection (1)(a)(ii), immediately after the portion of the voter
1887 registration form described in Subsection (1)(a)(i), the form shall contain the following:

1888 "Name of Voter

1889 -----

1890 First Middle Last

1891 Utah Driver License or Utah Identification Card

1892 Number _____

1893 Date of Birth _____

1894 Street Address of Principal Place of Residence

1895 -----

1896 City County State Zip Code

1897 Tribal Identification Number or Alien Registration Number (optional)

1898 -----

1899 Telephone Number (optional) _____

1900 Email Address (optional) _____

1901 Do you consent to receive communications from the political party with which you
1902 affiliate, and candidates for that political party, as follows (optional):

1903 • At the email address you provided above? Yes No
1904 • By text or phone call, at the phone number you provided above? Yes No

1905 Last four digits of Social Security Number _____

1906 Last former address at which I was registered to vote (if
1907 known) _____

1909 City County State Zip Code

1910 Political Party

1911 (a listing of each registered political party, as defined in Section 20A-8-101 and
1912 maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded
1913 by a checkbox)

1914 Unaffiliated (no political party preference) Other (Please
1915 specify) _____

1916 I do swear [] or affirm [], subject to penalty of law for false statements, that the
1917 information contained in this form is true, and that I am a citizen of the United States and a
1918 resident of the state of Utah, residing at the above address. [-] Unless I have indicated above
1919 that I am preregistering to vote in a later election, I will be at least 18 years [of age] old and
1920 will have resided in Utah for 30 calendar days immediately before the next election. I am not
1921 a convicted felon currently incarcerated for commission of a felony.

1922 Signed and sworn

1923 _____

1924 Voter's Signature

1925 _____ (month/day/year).

1926 PRIVACY INFORMATION

1927 Voter registration records contain some information that is available to the public, such
1928 as your name, address, and year of birth. Your full date of birth, driver license number, state
1929 identification card number, and social security number are available only to an authorized
1930 government entity. Your email address and phone number are also only available to an
1931 authorized government entity, unless you have consented, above, to disclose them to the
1932 political party with which you choose to affiliate and candidates for that political party.

1933 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1934 In addition to the protections provided above, you may request that your voter registration

1935 record be withheld from public disclosure if you or someone you live with:

1936 • is at risk of domestic violence;
1937 • is a law enforcement officer;
1938 • is a member of the military who is deployed away from home;
1939 • is a public figure; or
1940 • is protected by a court order.

1941 To make this request for additional privacy protection, you must prove that you qualify by
1942 submitting an at-risk voter request form, and any required proof, to the county clerk.

1943 [Voter registration records contain some information that is available to the public, such as
1944 your name and address, some information that is available only to government entities, and
1945 some information that is available only to certain third parties in accordance with the
1946 requirements of law.

1947 Your driver license number, identification card number, social security number, email
1948 address, full date of birth, and phone number are available only to government entities. Your
1949 year of birth is available to political parties, candidates for public office, certain third parties,
1950 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1951 You may request that all information on your voter registration records be withheld
1952 from all persons other than government entities, political parties, candidates for public office,
1953 and their contractors, employees, and volunteers, by indicating here:

1954 _____ Yes, I request that all information on my voter registration records be withheld
1955 from all persons other than government entities, political parties, candidates for public office,
1956 and their contractors, employees, and volunteers.

1957 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

1958 In addition to the protections provided above, you may request that identifying
1959 information on your voter registration records be withheld from all political parties, candidates
1960 for public office, and their contractors, employees, and volunteers, by submitting a
1961 withholding request form, and any required verification, as described in the following
1962 paragraphs.

1963 A person may request that identifying information on the person's voter registration
1964 records be withheld from all political parties, candidates for public office, and their
1965 contractors, employees, and volunteers, by submitting a withholding request form with this
1966 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
1967 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
1968 violence.

1969 A person may request that identifying information on the person's voter registration
1970 records be withheld from all political parties, candidates for public office, and their
1971 contractors, employees, and volunteers, by submitting a withholding request form and any
1972 required verification with this registration form, or to the lieutenant governor or a county clerk,
1973 if the person is, or resides with a person who is, a law enforcement officer, a member of the
1974 armed forces, a public figure, or protected by a protective order or a protection order.]

1975 CITIZENSHIP AFFIDAVIT

1976 Name:

1977 Name at birth, if different:

1978 Place of birth:

1979 Date of birth:

1980 Date and place of naturalization (if applicable):

1981 I hereby swear [and] or affirm, under penalties for voting fraud set forth below, that I am
1982 a citizen and that to the best of my knowledge and belief the information above is true and
1983 correct.

1984 _____
1985 Signature of Applicant

1986 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1987 allowing yourself to be registered or preregistered to vote if you know you are not entitled to
1988 register or preregister to vote is up to one year in jail and a fine of up to \$2,500.

1989 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID
1990 VOTER IDENTIFICATION TO THE POLL WORKER, IN ACCORDANCE WITH THE
1991 REQUIREMENTS OF LAW.

1992 FOR OFFICIAL USE ONLY

1993 Type of I.D. _____

1994 Voting Precinct _____

1995 Voting I.D. Number _____

1996 _____
1997 ".

1998 (b) The voter registration form described in Subsection [(2)(a)] (1)(a) shall include:

1999 (i) a section in substantially the following form:

2000 "_____

2001 BALLOT NOTIFICATIONS

2002 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 [(e)] (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;

- 2037 • a Bureau of Indian Affairs card number, tribal treaty card number, or tribal
2038 enrollment number;
- 2039 • a legible copy of a certificate of degree of Indian blood or a Bureau of Indian
2040 Affairs affidavit of birth;
- 2041 • verification of citizenship from the Systematic Alien Verification for Entitlements
2042 program, operated by the United States Department of Homeland Security; or
- 2043 • other documents or methods of proving United States citizenship that are
2044 established in accordance with the Immigration Reform and Control Act of 1986."

2045 [§(4)(a) As used in this Subsection (4), "qualified person" means:
2046 [§(i) a government official or government employee acting in the government official's
2047 or government employee's capacity as a government official or a government
2048 employee;
2049 [§(ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee,
2050 or independent contractor of a health care provider;
2051 [§(iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee,
2052 or independent contractor of an insurance company;
2053 [§(iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or
2054 independent contractor of a financial institution;
2055 [§(v) a political party, or an agent, employee, or independent contractor of a political
2056 party;
2057 [§(vi) a candidate for public office, or an employee, independent contractor, or
2058 volunteer of a candidate for public office;
2059 [§(vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a
2060 year of birth from the list of registered voters:
2061 [§(A) provides the year of birth only to a person described in Subsections (4)(a)(i)
2062 through (vi);
2063 [§(B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person
2064 described in Subsections (4)(a)(i) through (vi);
2065 [§(C) ensures, using industry standard security measures, that the year of birth may
2066 not be accessed by a person other than a person described in Subsections
2067 (4)(a)(i) through (vi);
2068 [§(D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to
2069 whom the person provides the year of birth will only use the year of birth to
2070 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 Subsektion 63G-2-302(1)(j)(iv), and except as provided in Subsektion 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk, 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.]

2105 [(E) a statement that the year of birth of a registered voter that is obtained from the
2106 list of registered voters may not be provided or used for a purpose other than a
2107 purpose described under Subsection (4)(b)(ii)(D);]
2108 [(F) a statement that if the person obtains the year of birth of a registered voter
2109 from the list of registered voters under false pretenses, or provides or uses the
2110 year of birth of a registered voter that is obtained from the list of registered
2111 voters in a manner that is prohibited by law, is guilty of a class A misdemeanor
2112 and is subject to a civil fine;]
2113 [(G) an assertion from the person that the person will not provide or use the year
2114 of birth of a registered voter that is obtained from the list of registered voters in
2115 a manner that is prohibited by law; and]
2116 [(H) notice that if the person makes a false statement in the document, the person
2117 is punishable by law under Section 76-8-504.]

2118 [(e) The lieutenant governor or a county clerk:]

2119 [(i) may not disclose the year of birth of a registered voter to a person that the
2120 lieutenant governor or county clerk reasonably believes:]
2121 [(A) is not a qualified person or a person described in Subsection (4)(l); or]
2122 [(B) will provide or use the year of birth in a manner prohibited by law; and]
2123 [(ii) may not disclose information under Subsections (4)(n) or (o) to a person that the
2124 lieutenant governor or county clerk reasonably believes:]
2125 [(A) is not a person described in Subsection (4)(a)(v) or (vi); or]
2126 [(B) will provide or use the information in a manner prohibited by law.]

2127 [(d) The lieutenant governor or a county clerk may not disclose the voter registration
2128 form of a person, or information included in the person's voter registration form,
2129 whose voter registration form is classified as private under Subsection (4)(h) to a
2130 person other than:]
2131 [(i) a government official or government employee acting in the government official's
2132 or government employee's capacity as a government official or government
2133 employee; or]
2134 [(ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for
2135 a political purpose.]

2136 [(e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or
2137 information under Subsection (4)(d)(ii), the lieutenant governor or county clerk
2138 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)(e), 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.

2275 (4) Beginning on January 1, 2028, an individual who registers to vote using a federal voter
2276 registration form is limited to voting a federal ballot, unless the individual provides
2277 documentary proof of United States citizenship.

2278 [(7) The lieutenant governor or a county clerk shall withhold from a person, other than a
2279 person described in Subsection (4)(a)(i), the voter registration record, and information
2280 obtained from the voter registration record, of a protected individual.]

2281 [(8)(a) The lieutenant governor shall design and distribute a withholding request form
2282 for the purpose described in Subsections (1)(e)(i), (1)(e)(ii), (7), and this Subsection
2283 (8) to each election officer and to each agency that provides a voter registration form.]

2284 [(b) An individual described in Subsection (1)(e)(i) is not required to provide
2285 verification, other than the individual's attestation and signature on the withholding
2286 request form, that the individual, or an individual who resides with the individual, is a
2287 victim of domestic violence or dating violence or is likely to be a victim of domestic
2288 violence or dating violence.]

2289 [(e) The director of elections within the Office of the Lieutenant Governor shall make
2290 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
2291 establishing requirements for providing the verification described in Subsection
2292 (1)(e)(ii).]

2293 [(9) An election officer or an employee of an election officer may not encourage an
2294 individual to submit, or discourage an individual from submitting, a withholding request
2295 form.]

2296 [(10)(a) The lieutenant governor shall make and execute a plan to provide notice to
2297 registered voters who are protected individuals, that includes the following
2298 information:]

2299 [(i) that the voter's classification of the record as private remains in effect;]
2300 [(ii) that certain non-identifying information from the voter's voter registration record
2301 may, under certain circumstances, be released to political parties and candidates
2302 for public office;]
2303 [(iii) that the voter's name, driver license or identification card number, social
2304 security number, email address, phone number, and the voter's day, month, and
2305 year of birth will remain private and will not be released to political parties or
2306 candidates for public office;]
2307 [(iv) that a county clerk will only release the information to political parties and
2308 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 [({e}) 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.";

2343 (b) the following statement:

2344 "PRIVACY INFORMATION

2345 Voter registration records contain some information that is available to the public, such
2346 as your name, address, and year of birth. Your full date of birth, driver license number, state
2347 identification card number, and social security number are available only to an authorized
2348 government entity. Your email address and phone number are also only available to an
2349 authorized government entity, unless you have consented, above, to disclose them to the
2350 political party with which you choose to affiliate and candidates for that political party.

2351 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2352 In addition to the protections provided above, you may request that your voter registration
2353 record be withheld from public disclosure if you or someone you live with:

2354 • is at risk of domestic violence;
2355 • is a law enforcement officer;
2356 • is a member of the military who is deployed away from home;
2357 • is a public figure; or
2358 • is protected by a court order.

2359 To make this request for additional privacy protection, you must prove that you qualify by
2360 submitting an at-risk voter request form, and any required proof, to the county clerk."; and
2361 [Voter registration records contain some information that is available to the public, such as
2362 your name and address, some information that is available only to government entities, and
2363 some information that is available only to certain third parties in accordance with the
2364 requirements of law.

2365 Your driver license number, identification card number, social security number, email
2366 address, full date of birth, and phone number are available only to government entities. Your
2367 year of birth is available to political parties, candidates for public office, certain third parties,
2368 and their contractors, employees, and volunteers, in accordance with the requirements of law.

2369 You may request that all information on your voter registration records be withheld
2370 from all persons other than government entities, political parties, candidates for public office,
2371 and their contractors, employees, and volunteers, by indicating here:

2372 _____ Yes, I request that all information on my voter registration records be withheld
2373 from all persons other than government entities, political parties, candidates for public office,
2374 and their contractors, employees, and volunteers.

2375 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2376 In addition to the protections provided above, you may request that identifying

2377 information on your voter registration records be withheld from all political parties, candidates
2378 for public office, and their contractors, employees, and volunteers, by submitting a
2379 withholding request form, and any required verification, as described in the following
2380 paragraphs.

2381 A person may request that identifying information on the person's voter registration
2382 records be withheld from all political parties, candidates for public office, and their
2383 contractors, employees, and volunteers, by submitting a withholding request form with this
2384 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
2385 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
2386 violence.

2387 A person may request that identifying information on the person's voter registration
2388 records be withheld from all political parties, candidates for public office, and their
2389 contractors, employees, and volunteers, by submitting a withholding request form and any
2390 required verification with this registration form, or to the lieutenant governor or a county clerk,
2391 if the person is, or resides with a person who is, a law enforcement officer, a member of the
2392 armed forces, a public figure, or protected by a protective order or a protection order. "; and]

2393 (c) a section in substantially the following form:

2394 "-----

BALLOT NOTIFICATIONS

2395 Do you consent to receive communications about the status of your ballot and other official
2396 communications, by text, at the phone number you provided above? Yes No
2397 -----".

2398 (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying
2399 form contains:

2400 (a) a place for an individual to swear or affirm the individual's citizenship, voting
2401 eligibility, and Utah residency, and that the information provided in the form is true;
2402 (b) a records disclosure that is similar to the records disclosure on a voter registration
2403 form described in Section 20A-2-104;
2404 (c) a statement that if an applicant declines to register or preregister to vote, the fact that
2405 the applicant has declined to register or preregister will remain confidential and will
2406 be used only for voter registration purposes;
2407 (d) a statement that if an applicant does register or preregister to vote, the office at which
2408 the applicant submits a voter registration application will remain confidential and will
2409 be used only for voter registration purposes;[and]

2411 (e) if the applicant answers "yes" to the question described in Subsection [(2)(a)] (2)(a)(i),
2412 a space where an individual may, if desired:

2413 (i) indicate the individual's desired political affiliation from a listing of each
2414 registered political party, as defined in Section 20A-8-101;
2415 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the
2416 individual desires to affiliate; or
2417 (iii) indicate that the individual does not wish to affiliate with a political party[.];

2418 (f) beginning on January 1, 2028, the following statement:

2419 "You must be a United States citizen to vote. If you fail to provide proof of United
2420 States citizenship, you will only be permitted to vote for federal offices. Information
2421 on how to provide proof of citizenship is included on the back of this form."; and

2422 (g) on the back of the form, the statement described in Subsection 20A-2-104(1)(e).

2423 Section 15. Section **20A-2-204** is amended to read:

2424 **20A-2-204 (Effective 01/01/27). Registering to vote when applying for or**
2425 **renewing a driver license or other qualifying form.**

2426 (1) As used in this section, "voter registration form" means, when an individual named on a
2427 qualifying form, as defined in Section 20A-2-108, answers "yes" to the question
2428 described in Subsection 20A-2-108(2)(a)(i), the information on the qualifying form that
2429 can be used for voter registration purposes.

2430 (2)(a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may
2431 register to vote, and a citizen who is qualified to preregister to vote may preregister to
2432 vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a)(i)
2433 and completing the voter registration form.

2434 (b) A citizen who is a program participant in the Safe at Home Program created in
2435 Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a),
2436 but is eligible to register to vote by any other means described in this part.

2437 (3) The Driver License Division shall:

2438 (a) assist an individual in completing the voter registration form unless the individual
2439 refuses assistance;

2440 (b) electronically transmit each address change to the lieutenant governor on or before
2441 the first business day that is at least five calendar days after the day on which the
2442 division receives the address change; and

2443 (c) on or before the first business day that is at least five calendar days after the day on
2444 which the division receives a voter registration form, electronically transmit the form

2445 to the [Office of the Lieutenant Governor] lieutenant governor, including the
2446 following for the individual named on the form:
2447 (i) the name, date of birth, driver license or state identification card number, last four
2448 digits of the social security number, Utah residential address, place of birth, and
2449 signature;
2450 (ii) a mailing address, if different from the individual's Utah residential address;
2451 (iii) an email address and phone number, if available;
2452 (iv) the desired political affiliation, if indicated;
2453 [(v) an indication of whether the individual requested that the individual's voter
2454 registration record be classified as a private record under Subsection
2455 20A-2-108(2)(b); and]
2456 [(vi) (v) [a withholding] an at-risk voter request form described in [Subsections
2457 20A-2-104(7) and (8)] Subsection 20A-2-606(5) and any verification submitted
2458 with the form[.] ; and
2459 (vi) an indication regarding whether the individual provided proof of United States
2460 citizenship.

2461 (4) Upon receipt of an individual's voter registration form from the Driver License Division
2462 under Subsection (3), the lieutenant governor or county clerk shall:
2463 (a) enter the information into the statewide voter registration database;[and]
2464 (b) make a record of the indication described in Subsection (3)(c)(vi); and
2465 [(b)] (c) if the individual [requests on the individual's voter registration form that the
2466 individual's voter registration record be classified as a private record or the individual
2467 submits a withholding request form described in Subsections 20A-2-104(7) and (8)]
2468 submits an at-risk voter request form described in Subsection 20A-2-606(5) and any
2469 required verification, classify the individual's voter registration record as a private
2470 record.

2471 (5) The county clerk of an individual whose information is entered into the statewide voter
2472 registration database under Subsection (4) shall:
2473 (a) ensure that the individual meets the qualifications to be registered or preregistered to
2474 vote; and
2475 (b)(i) if the individual meets the qualifications to be registered to vote:
2476 (A) ensure that the individual is assigned to the proper voting precinct; and
2477 (B) send the individual the notice described in Section 20A-2-304;[or]
2478 (ii) if the individual meets the qualifications to be preregistered to vote, process the

2479 form in accordance with the requirements of Section 20A-2-101.1[];
2480 (iii) determine whether the individual has provided documentary proof of United
2481 States citizenship; and
2482 (iv) if the individual has not provided documentary proof or United States
2483 citizenship, notify the individual, in accordance with Subsection (8):
2484 (A) that the individual has not provided proof of United States citizenship;
2485 (B) that, beginning on January 1, 2028, if the individual fails to provide proof of
2486 United States citizenship, the individual will only be permitted to vote for
2487 federal offices; and
2488 (C) of the methods by which the individual may provide documentary proof of
2489 United States citizenship.

2490 (6)(a) When the county clerk receives a correctly completed voter registration form
2491 under this section, the clerk shall:

- 2492 (i) comply with the applicable provisions of this Subsection (6); or
- 2493 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.

2494 (b) If the county clerk receives a correctly completed voter registration form under this
2495 section no later than 5 p.m. or, if submitting the form electronically, midnight, 11
2496 calendar days before the date of an election, the county clerk shall:

- 2497 (i) accept the voter registration form;[and]
- 2498 (ii) beginning on January 1, 2028, comply with Subsection 20A-2-304(3);
- 2499 [(iii)] (iii) unless the individual is preregistering to vote, and subject to Section
2500 20A-3a-201.5:
- 2501 (A) enter the individual's name on the list of registered voters for the voting
2502 precinct in which the individual resides; and
- 2503 (B) notify the individual that the individual is registered to vote in the upcoming
2504 election; and
- 2505 [(iii)] (iv) if the individual named in the form is preregistering to vote, comply with
2506 Section 20A-2-101.1.

2507 (c) If the county clerk receives a correctly completed voter registration form under this
2508 section after the deadline described in Subsection (6)(b), the county clerk shall,
2509 unless the individual named in the form is preregistering to vote, and subject to
2510 Section 20A-3a-201.5:

- 2511 (i) accept the application for registration of the individual;
- 2512 (ii) process the voter registration form; and

2513 (iii) unless the individual is preregistering to vote, and except as provided in
2514 Subsection 20A-2-207(6), inform the individual that the individual will not be
2515 registered to vote in the pending election, unless the individual registers to vote by
2516 provisional ballot during the early voting period, if applicable, or on election day,
2517 in accordance with Section 20A-2-207.

2518 (7)(a) If the county clerk determines that an individual's voter registration form received
2519 from the Driver License Division is incorrect because of an error, because the form is
2520 incomplete, or because the individual does not meet the qualifications to be registered
2521 to vote, the county clerk shall mail notice to the individual stating that the individual
2522 has not been registered or preregistered because of an error, because the registration
2523 form is incomplete, or because the individual does not meet the qualifications to be
2524 registered to vote.

2525 (b) If a county clerk believes, based upon a review of a voter registration form, that an
2526 individual, who knows that the individual is not legally entitled to register or
2527 preregister to vote, may be intentionally seeking to register or preregister to vote, the
2528 county clerk shall refer the form to the county attorney for investigation and possible
2529 prosecution.

2530 (8) A county clerk who provides notice under Subsection (5)(b)(iv) shall send the notice, in
2531 writing, to the individual:

2532 (a) by mail, at the most recent address the county clerk has for the individual; and
2533 (b)(i) by email, if the county clerk has an email address for the individual;
2534 (ii) by text to a phone number, if the county clerk has a phone number for the
2535 individual and has received consent from the individual to send text messages to
2536 the phone number.

2537 Section 16. Section **20A-2-206** is amended to read:

2538 **20A-2-206 (Effective 01/01/27). Electronic registration -- Requesting to receive a**
2539 **ballot by mail.**

2540 (1) The lieutenant governor shall create and maintain an electronic system that is publicly
2541 available on the [Internet] internet for an individual to:
2542 (a) apply for voter registration or preregistration; or
2543 (b) [beginning no later than July 1, 2025,] request to receive a ballot by mail.

2544 (2) The electronic system described in Subsection (1) shall require, to register to vote, the
2545 applicant to:
2546 (a) enter the applicant's name, address, date of birth, driver license number or state

identification card number, and any other information determined to be necessary by the lieutenant governor;

(b) provide the information required by Section 20A-2-104, except that the applicant's signature may be obtained in the manner described in Subsections (2)(d) and (5);

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

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

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

(ii) signature on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-502, for voter registration or preregistration purposes.

(3) Notwithstanding Section 20A-2-104, an applicant using the electronic system described in Subsection (1) is not required to complete a printed registration form.

(4) A system created and maintained under this section shall provide to an individual who is registering to vote the notices concerning a voter's presentation of identification described in Subsection [20A-2-104(2)] 20A-2-104(1).

(5) The lieutenant governor shall, in relation to an individual who is registering to vote:

(a) obtain a digital copy of the applicant's driver license signature or identification card signature from the Driver License Division; or

(b) ensure that the applicant's signature is on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-502.

(6) The lieutenant governor shall send the information described in Subsections (2) and (5) to the county clerk for the county in which the applicant's principal place of residence is found for further action as required by Section 20A-2-304 after:

(a) receiving all information from an applicant;[-and]

(b)[(i)] receiving all information from the Driver License Division, if applicable; and

[(ii)] (c) ensuring that the applicant's signature is on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-502.

(7) The lieutenant governor may use additional security measures to ensure the accuracy and integrity of information submitted electronically under this section.

(8) If an individual applies to register under this section no later than 11 calendar days before the date of an election, the county clerk shall:

(a) accept and process the voter registration form;

(b) unless the individual named in the form is preregistering to vote, and subject to

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

2615 registration form, send a notice to the individual who submits the form that:

2616 (a)(i) informs the individual that the individual's voter registration form has been
2617 accepted and that the individual is registered to vote;

2618 (ii) informs the individual of the procedure for designating or changing the
2619 individual's political affiliation;

2620 (iii) informs the individual of the procedure to cancel a voter registration;

2621 (iv) provides instructions to the voter on how the voter may sign up to receive
2622 electronic ballot status notifications via the ballot tracking system described in
2623 Section 20A-3a-401.5; and

2624 (v) confirms that the individual has chosen to receive electronic ballot status
2625 notifications if the individual opted to receive electronic ballot status notifications
2626 on the voter registration form;

2627 (b) informs the individual that the individual's voter registration form has been rejected
2628 and the reason for the rejection; or

2629 (c)(i) informs the individual that the individual's voter registration form is being
2630 returned to the individual for further action because the form is incomplete; and

2631 (ii) gives instructions to the individual on how to properly complete the form[.] ; and

2632 (3) beginning on January 1, 2028, for each voter registration record of an individual who is
2633 limited to voting in a federal race only, indicate the limitation on the voter's voter
2634 registration record.

2635 Section 18. Section **20A-2-502** is amended to read:

2636 **20A-2-502 (Effective 05/06/26). Statewide voter registration system --**

2637 **Maintenance and update of system -- Record security -- List of incarcerated felons --**

2638 **Public document showing compliance by county clerks.**

2639 (1) The lieutenant governor shall:

2640 (a) develop, manage, and maintain a statewide voter registration system to be used by
2641 county clerks to maintain an updated statewide voter registration database in
2642 accordance with this section and rules made under Section 20A-2-507;

2643 (b) except as provided in Subsection (2)(c), regularly update the system with
2644 information relevant to voter registration, as follows:

2645 (i) on at least a weekly basis, information received from the Driver License Division
2646 in relation to:
2647 (A) voter registration;
2648 (B) a registered voter's change of address; or

2649 (C) a registered voter's change of name;

2650 (ii) on at least a weekly basis, the information described in Subsection 26B-8-114(11)

2651 from the state registrar, regarding deceased individuals;

2652 (iii) on at least a monthly basis, the information described in Subsection (3), received

2653 from the Department of Corrections regarding incarcerated individuals;

2654 (iv) on at least a monthly basis, information received from other states, including

2655 information received under an agreement described in Subsection (2); and

2656 (v) within 31 calendar days after the day on which the lieutenant governor receives

2657 information relevant to voter registration, other than the information described in

2658 Subsections (1)(b)(i) through (iv);

2659 (c) regularly monitor the system to ensure that each county clerk complies with the

2660 requirements of this part and rules made under Section 20A-2-507;

2661 (d) establish matching criteria and security measures for identifying a change described

2662 in Subsection (1)(b) to ensure the accuracy of a voter registration record;

2663 (e) on at least a monthly basis:

2664 (i) use the matching criteria and security measures described in Subsection (1)(d) to

2665 compare information in the database to identify duplicate data, contradictory data,

2666 and changes in data;

2667 (ii) notify the applicable county clerk of the data identified; and

2668 (iii) notify the county clerk of the county in which a voter's principal place of

2669 residence is located of a change in a registered voter's principal place of residence

2670 or name;

2671 (f) before April 1, 2026, develop a procedure to evaluate voter registration based on

2672 addresses to identify potential anomalies, including eight or more voters at a

2673 single-family home address;

2674 (g) develop procedures to investigate the validity of a voter registration when a ballot

2675 mailed by the county clerk is returned by the post office as undeliverable;

2676 (h) before June 1, 2026, register with the Systematic Alien Verification for Entitlements

2677 program, operated by the United States Department of Homeland Security; and

2678 (i) as part of maintaining the voter registration database, analyze the database at least 90

2679 calendar days before the day of each regular primary election and each regular

2680 general election to ensure the accuracy of the voter registration record, and to inform

2681 county clerks of action needed, by identifying errors in the database, including errors

2682 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;

2717 (b) describes the actions, if any, that a county clerk is required to take in relation to the
2718 results of running a utility or tool;

2719 (c) lists, by date, the recurring deadlines by which a county clerk must comply with
2720 Subsection (5)(a) or (b); and

2721 (d) indicates, by county:

2722 (i) whether the county clerk timely complies with each deadline described in
2723 Subsection (5)(c); and

2724 (ii) if the county clerk fails to timely comply with a deadline described in Subsection
2725 (5)(c), whether the county clerk subsequently complies with the deadline and the
2726 date on which the county clerk complies.

2727 (6)(a) The lieutenant governor shall, before January 1, 2028, conduct an audit of all
2728 voter registration records, with the assistance of the county clerks if requested by the
2729 lieutenant governor, to determine whether the lieutenant governor or a county clerk
2730 has documentary proof of United States citizenship for each individual registered to
2731 vote in Utah.

2732 (b) If the lieutenant governor discovers a voter registration record for which the
2733 lieutenant governor or a county clerk does not have documentary proof of United
2734 States citizenship, the lieutenant governor or a county clerk shall send written notice
2735 to the registered voter, at the most recent address that the lieutenant governor has for
2736 the voter:

2737 (i) that the lieutenant governor or county clerk does not have documentary proof of
2738 United States citizenship for the registered voter;

2739 (ii) that if the voter does not provide documentary proof of United States citizenship
2740 before January 1, 2028, the voter will only be permitted to vote for candidates for
2741 federal office, in elections held on or after January 1, 2028, until the voter
2742 provides documentary proof of United States citizenship; and

2743 (iii) of the methods by which an individual may provide documentary proof of United
2744 States citizenship.

2745 Section 19. Section **20A-2-504** is amended to read:

2746 **20A-2-504 (Effective 05/06/26). Removing names from the official register --**

2747 **General requirements -- Deceased individuals.**

2748 (1) The county clerk may not remove a voter's name from the official register solely
2749 because the voter has failed to vote in an election.

2750 (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?

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):

2819 • At the email address you provided above? Yes No

2820 • By text or phone call, at the phone number you provided above? Yes No

2821 If you have not changed your residence, or have moved but stayed within the same county,
2822 you must complete and return this form to the county clerk so that it is received by the county
2823 clerk before 5 p.m. no later than 30 calendar days before the date of the election. If you fail to
2824 return this form within that time:

2825 - you may be required to show evidence of your address to the poll worker before being
2826 allowed to vote in either of the next two regular general elections; or

2827 - if you fail to vote at least once, from the date this notice was mailed until the passing of
2828 two regular general elections, you will no longer be registered to vote. If you have changed
2829 your residence and have moved to a different county in Utah, you may register to vote by
2830 contacting the county clerk in your county.

2831 _____
2832 Signature of Voter

PRIVACY INFORMATION

2833 Voter registration records contain some information that is available to the public, such
2834 as your name, address, and year of birth. Your full date of birth, driver license number, state
2835 identification card number, and social security number are available only to an authorized
2836 government entity. Your email address and phone number are also only available to an
2837 authorized government entity, unless you have consented, above, to disclose them to the
2838 political party with which you choose to affiliate and candidates for that political party.

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2839 In addition to the protections provided above, you may request that your voter registration
2840 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.

2841 To make this request for additional privacy protection, you must prove that you qualify by
2842 submitting an at-risk voter request form, and any required proof, to the county clerk."

2843 [Voter registration records contain some information that is available to the public, such as
2844 your name and address, some information that is available only to government entities, and
2845 some information that is available only to certain third parties in accordance with the

2853 requirements of law.

2854 Your driver license number, identification card number, social security number, email
2855 address, full date of birth, and phone number are available only to government entities. Your
2856 year of birth is available to political parties, candidates for public office, certain third parties,
2857 and their contractors, employees, and volunteers, in accordance with the requirements of law.

2858 You may request that all information on your voter registration records be withheld
2859 from all persons other than government entities, political parties, candidates for public office,
2860 and their contractors, employees, and volunteers, by indicating here:

2861 _____ Yes, I request that all information on my voter registration records be withheld
2862 from all persons other than government entities, political parties, candidates for public office,
2863 and their contractors, employees, and volunteers.

2864 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2865 In addition to the protections provided above, you may request that identifying
2866 information on your voter registration records be withheld from all political parties, candidates
2867 for public office, and their contractors, employees, and volunteers, by submitting a
2868 withholding request form, and any required verification, as described in the following
2869 paragraphs.

2870 A person may request that identifying information on the person's voter registration
2871 records be withheld from all political parties, candidates for public office, and their
2872 contractors, employees, and volunteers, by submitting a withholding request form with this
2873 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
2874 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
2875 violence.

2876 A person may request that identifying information on the person's voter registration
2877 records be withheld from all political parties, candidates for public office, and their
2878 contractors, employees, and volunteers, by submitting a withholding request form and any
2879 required verification with this registration form, or to the lieutenant governor or a county clerk,
2880 if the person is, or resides with a person who is, a law enforcement officer, a member of the
2881 armed forces, a public figure, or protected by a protective order or a protection order."]

2882 (b) The form described in Subsection (3)(a) shall also include:

2883 (i) a section in substantially the following form:

2884 "-----

2885 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.

2955 (4) An individual described in Subsection (2) may cast a provisional ballot pending the
2956 resolution of a dispute under Subsection (2).

2957 (5) An election officer may not count a provisional ballot cast by an individual under
2958 Subsection (4) unless, on or before the last business day before the day on which the
2959 applicable canvass occurs, the individual provides documentary proof of citizenship to
2960 the election officer.

2961 (6) An election officer shall comply with Subsection 20A-2-204(5)(b)(iv) if the election
2962 officer discovers a voter registration record for which:

2963 (a) the county clerk does not make the determination described in Subsection (2); and

2964 (b) proof of United States citizenship has not been established, unless the individual has
2965 expressed an intent:

2966 (i) to not provide proof of United States citizenship; or

2967 (ii) to vote for federal offices only.

2968 (7) A county clerk who provides notice under Subsection (2) shall send the notice, in
2969 writing, to the individual:

2970 (a) by mail, at the most recent address the county clerk has for the individual; and

2971 (b)(i) by email, if the county clerk has an email address for the individual; or

2972 (ii) by text to a phone number, if the county clerk has a phone number for the
2973 individual and has received consent from the individual to send text messages to
2974 the phone number.

2975 Section 22. Section **20A-2-601** is enacted to read:

2976 **20A-2-601 (Effective 05/06/26). Definitions.**

2977 As used in this part:

2978 (1)(a) "At-risk voter" means:

2979 (i) a voter who is designated as an at-risk voter under Subsection 20A-2-606(2) or (6),
2980 regardless of whether the voter files a subsequent voter registration form after
2981 receiving the designation, unless the voter loses status as an at-risk voter:

2982 (A) under Subsection 20A-2-606(7)(b); or

2983 (B) by requesting that the lieutenant governor or county clerk remove the voter's
2984 status as an at-risk voter; or

2985 (ii) a preregistered voter.

2986 (b) "At-risk voter," until the lieutenant governor takes the action described in Subsection
2987 20A-2-602(2), includes a voter with a segregated record.

2988 (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

3023 the armed forces, means an individual who:

3024 (a) resides with the remotely-deployed member of the armed forces; or

3025 (b) would reside with the remotely-deployed member of the armed forces, but for the
3026 deployment.

3027 (11) "Remotely-deployed member of the armed forces" means a member of the armed
3028 forces, as defined in Section 20A-1-513, who is deployed to a location where the
3029 member of the armed forces would not live but for the deployment.

3030 (12) "Segregated record" means a voter registration record that was classified as a private
3031 record by a voter:

3032 (a) via the method that existed before May 12, 2020; or

3033 (b) via a method that existed on or after May 12, 2020, other than the method of
3034 submitting a withholding request form.

3035 (13) "Standard voter data" means the following information from a voter registration record:

3036 (a) the voter's full legal name;

3037 (b) the voter's voter identification number and federal information processing series
3038 geographic code;

3039 (c) the voter's year of birth;

3040 (d) the voter's complete residential address, including the unit type and number;

3041 (e) the voter's county of residence;

3042 (f) the voter's mailing address, including the city;

3043 (g) the voter's precinct, congressional district, state House of Representatives district,
3044 state Senate district, state school board district, local school board district, county
3045 council district, and city council district;

3046 (h) the voter's party affiliation or status as unaffiliated;

3047 (i) the voter's status as active or inactive;

3048 (j) beginning on January 1, 2028, whether the voter is restricted to vote a federal ballot
3049 only;

3050 (k) the last day on which the voter's voter registration record was updated; and

3051 (l) subject to the provisions of Section 20A-5-410, the voter's voting history record for
3052 the preceding eight years.

3053 (14) "Withheld status" means the status granted, before January 1, 2027, to the voter
3054 registration record of a voter that prevented the disclosure of the voter registration
3055 record to a person other than an official or employee of a government entity acting in the
3056 official's or employee's capacity as an official or employee of a governmental entity.

3057 Section 23. Section **20A-2-602** is enacted to read:

3058 **20A-2-602 (Effective 05/06/26). Change of voter registration record privacy**

3059 **status -- Notice -- Redesignation of status -- New voter identification number.**

3060 (1) The lieutenant governor shall, on or before January 1, 2027, mail to each voter who has
3061 a segregated record, at the last known address of the voter, a notice that includes the
3062 following information:

3063 (a) that the privacy status of the voter's voter registration record will change on July 1,
3064 2027, and, unless the voter applies for and receives designation as an at-risk voter
3065 before July 1, 2027, the voter will be redesignated as a public registered voter on that
3066 date;

3067 (b) that, as a public registered voter, the following information from the voter's voter
3068 registration record is public:

3069 (i) the voter's full legal name;

3070 (ii) the voter's voter identification number and federal information processing series
3071 geographic code;

3072 (iii) the voter's year of birth;

3073 (iv) the voter's complete residential address, including the unit type and number;

3074 (v) the voter's county of residence;

3075 (vi) the voter's mailing address, including the city;

3076 (vii) the voter's precinct, congressional district, state House of Representatives
3077 district, state Senate district, state school board district, local school board district,
3078 county council district, and city council district;

3079 (viii) the voter's party affiliation or status as unaffiliated;

3080 (ix) the voter's status as an active or inactive voter;

3081 (x) beginning on January 1, 2028, whether the voter is restricted to vote a federal
3082 ballot only;

3083 (xi) the last day on which the voter's voter registration record was updated; and

3084 (xii) the voter's voting history for the preceding eight years;

3085 (c) that:

3086 (i) the voter may apply for designation as an at-risk voter in accordance with Section
3087 20A-2-606; and

3088 (ii) if the voter is designated as an at-risk voter under Section 20A-2-606, the voter's
3089 entire voter registration record will be withheld from all persons other than an
3090 authorized government entity;

3091 (d) instructions on how the voter may apply for designation as an at-risk voter; and
3092 (e) information on how the voter may obtain a copy of the at-risk voter request form,
3093 described in Section 20A-2-606, online or by mail.

3094 (2) Unless, before July 1, 2027, a voter with a segregated record is designated as an at-risk
3095 voter under Section 20A-2-606, the lieutenant governor or a county clerk shall, on July
3096 1, 2027, designate a voter who has a segregated record as a public registered voter.

3097 (3) On July 1, 2027, each county clerk shall, under the direction of the lieutenant governor:

3098 (a) assign a new voter identification number to each registered voter in Utah; and

3099 (b) ensure that the new voter identification number:

3100 (i) is not the same as a number previously assigned to the registered voter; and

3101 (ii) cannot be used, by the number alone, to identify the voter.

3102 Section 24. Section **20A-2-603** is enacted to read:

3103 **20A-2-603 (Effective 01/01/27). General request for voter registration records.**

3104 Except as otherwise provided in this section or another express provision of law, upon
3105 receiving a request from a person for voter registration records, the lieutenant governor or a
3106 county clerk:

3107 (1) shall disclose to the person the standard voter data from a public registered voter's voter
3108 registration record; and

3109 (2) may not disclose to the person:

3110 (a) information from a public registered voter's voter registration record that is not
3111 standard voter data; or

3112 (b) any information from an at-risk voter's voter registration record.

3113 Section 25. Section **20A-2-603.5** is enacted to read:

3114 **20A-2-603.5 (Effective 01/01/27). Request by candidate for consensual disclosure**
3115 **of contact information.**

3116 (1) As used in this section, "qualified candidate" means an individual who:

3117 (a) is affiliated with a registered political party; and

3118 (b) is a candidate who:

3119 (i) is seeking the nomination of the registered political party with whom the candidate
3120 is affiliated; or

3121 (ii) has obtained the nomination of the registered political party with whom the
3122 candidate is affiliated.

3123 (2) Subject to Subsections (3) and (4), and except as provided in Subsection (5), the
3124 lieutenant governor or a county clerk shall, upon the request of a qualified candidate,

3125 provide to the qualified candidate, for each public registered voter who is affiliated with
3126 the same registered political party as the qualified candidate:

3127 (a) subject to Subsection (6), the voter's phone number; and
3128 (b) subject to Subsection (6), the voter's email address.

3129 (3) A qualified candidate that receives information under Subsection (2)(a) or (b), or an
3130 authorized agent of the qualified candidate:

3131 (a) shall ensure, using industry standard security measures, that the information may not
3132 be accessed by a person other than the qualified candidate or an authorized agent of
3133 the qualified candidate;

3134 (b) may only use the information to communicate with an individual in relation to the
3135 qualified candidate's candidacy or for a political purpose;

3136 (c) may not:

3137 (i) use or share the information for a purpose other than a purpose described in
3138 Subsection (3)(b); or

3139 (ii) grant access to the information to a person other than an authorized agent of the
3140 qualified candidate; and

3141 (d) notwithstanding Subsection (3)(a) or (b), may not grant access to the information or
3142 share the information with a person whom the qualified candidate or the agent of the
3143 qualified candidate believes:

3144 (i) will use or share the information in a manner other than a manner described in
3145 Subsection (3)(b); or

3146 (ii) will not comply with Subsection (3)(a), (b), or (c).

3147 (4) Before providing the information described in Subsection (2)(a) or (b) to an individual
3148 claiming to be a qualified candidate:

3149 (a) the lieutenant governor or county clerk shall verify that the individual requesting the
3150 information is a qualified candidate of the registered political party to which the
3151 information sought relates; and

3152 (b) the qualified candidate requesting the information under Subsection (2)(a) shall sign
3153 a request form that includes:

3154 (i) the name, address, and telephone number of the qualified candidate who is seeking
3155 the information;

3156 (ii) the qualified candidate's name, address, and telephone number;

3157 (iii) a statement that the qualified candidate is a qualified candidate for the registered
3158 political party to which the information sought relates and has presented to the

3159 lieutenant governor or the county clerk valid verification that the qualified
3160 candidate is the qualified candidate whom the qualified candidate claims to be;
3161 (iv) a statement that the qualified candidate will comply with the requirements
3162 described in Subsection (3);
3163 (v) a statement that the qualified candidate, or an agent of the qualified candidate,
3164 will not provide or use the information in a manner that is prohibited by law;
3165 (vi) a statement that obtaining the information under false pretenses, or providing or
3166 using the information in a manner that is prohibited by law, is punishable as a
3167 class A misdemeanor and by a civil fine; and
3168 (vii) notice that if a person makes a false statement in the request form, the person is
3169 punishable by law under Section 76-8-504.

3170 (5) The lieutenant governor or a county clerk may not disclose the information described in
3171 Subsection (2)(a) or (b) to an individual requesting the information under this section if
3172 the lieutenant governor or county clerk has probable cause to believe that the individual:
3173 (a) is not a qualified candidate of the registered political party or an agent of the
3174 qualified candidate; or
3175 (b) will use or share the information in a manner prohibited by law.

3176 (6)(a) A qualified candidate who is affiliated with the same political party as the public
3177 registered voter to whom the information described in Subsection (2)(a) or (b) relates:
3178 (i) will receive the public registered voter's phone number, under Subsection (2)(a),
3179 only if the voter consents, on the voter's voter registration form, to receive
3180 notifications from the political party and the political party's candidates by text to
3181 the phone number indicated on the form; and
3182 (ii) will receive the public registered voter's email address, under Subsection (2)(b),
3183 only if the voter consents, on the voter's voter registration form, to receive
3184 notifications from the political party and the political party's candidates at the
3185 email address indicated on the form.

3186 (b) If an at-risk voter consents, on the voter's voter registration form, to provide the
3187 political party with which the voter chooses to affiliate, and the party's candidates,
3188 with the voter's phone number or email address, the county clerk or the lieutenant
3189 governor:
3190 (i) may not provide the phone number or email address to the qualified candidate; and
3191 (ii) shall notify the at-risk voter that the voter must contact the political party, or a
3192 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

3227 be accessed by a person other than the political party or an authorized agent of the
3228 political party;

3229 (b) may only use the information:

- 3230 (i) to communicate with an individual who is affiliated with the political party in
3231 relation to the business of the political party or for a political purpose;
- 3232 (ii) to verify that the voter is a member of the political party; or
- 3233 (iii) to conduct demographic or other analysis for a political purpose;

3234 (c) may not:

- 3235 (i) use or share the information for a purpose other than a purpose described in
3236 Subsection (2)(b); or
- 3237 (ii) grant access to the information to a person other than an authorized agent of the
3238 political party;
- 3239 (d) notwithstanding Subsection (2)(a) or (b), may not grant access to the information or
3240 share the information with a person whom the political party believes:
- 3241 (i) will use or share the information in a manner other than a manner described in
3242 Subsection (2)(b); or
- 3243 (ii) will not comply with Subsection (2)(a), (b), or (c); and
- 3244 (e) may limit access by an authorized agent to only the portion of the information
3245 needed for the authorized agent to fulfill a purpose for which the authorized agent is:
- 3246 (i) permitted by law to use the information; and
- 3247 (ii) authorized by the state political party to use the information.

3248 (3) Before providing the information described in Subsection (1)(b)(i)(A) or (B) to a
3249 political party:

- 3250 (a) the lieutenant governor or county clerk shall verify that the individual requesting the
3251 information on behalf of the political party is an authorized agent of the political
3252 party; and
- 3253 (b) the individual requesting the information under Subsection (3)(a) shall sign a request
3254 form that includes:
- 3255 (i) the name, address, and telephone number of the political party that is seeking the
3256 information;
- 3257 (ii) the individual's name, address, and telephone number;
- 3258 (iii) a statement that the individual is an authorized agent of the political party and
3259 has presented to the lieutenant governor or the county clerk valid verification that
3260 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.

3295 Section 27. Section **20A-2-605** is enacted to read:

3296 **20A-2-605 (Effective 01/01/27). Request for voter registration records by a**
3297 **government official.**

3298 (1) Except as otherwise provided in this section or another express provision of law, upon
3299 request by a government official acting in the government official's capacity as a
3300 government official, the lieutenant governor or a county clerk:

3301 (a) shall disclose to the government official the information in a voter registration record
3302 necessary to permit the government official to fulfill an official duty imposed by law
3303 on the government official; and

3304 (b) may not disclose to the government official the information in a voter registration
3305 record that is not necessary to permit the government official to fulfill an official duty
3306 imposed by law on the government official.

3307 (2) A government official who receives information under Subsection (1)(a):

3308 (a) shall ensure, using industry standard security measures, that the information may not
3309 be accessed by a person other than the government official or the government entity
3310 that the government official represents;

3311 (b) may only use the information to the extent necessary to fulfill a duty of the
3312 government official; and

3313 (c) may not disclose the information to a person other than a person needing the
3314 information to fulfill a duty of the government official or the government entity that
3315 the government official represents.

3316 (3) Before providing the information described in Subsection (1)(a) to a government
3317 official:

3318 (a) the lieutenant governor or county clerk shall verify that:

3319 (i) the person requesting the information is a government official; and

3320 (ii) it is necessary to provide the information requested to permit the government
3321 official to fulfill an official duty imposed by law on the government official; and

3322 (b) the government official requesting the information shall sign a request form that
3323 includes:

3324 (i) the name, address, and telephone number of the government official;

3325 (ii) the government official's position or title;

3326 (iii) a description of the information requested;

3327 (iv) a description of the official duty imposed by law on the government official that
3328 requires the requested information;

3329 (v) a statement that the government official will ensure, using industry standard
3330 security measures, that the information may not be accessed by a person other
3331 than the government official or the government entity that the government official
3332 represents;

3333 (vi) a statement that the government official will only use the information to the
3334 extent necessary to fulfill an official duty imposed by law on the government
3335 official;

3336 (vii) an assertion that the government official will not provide or use the information
3337 obtained from the voter registration records in a manner that is prohibited by law;

3338 (viii) a statement that obtaining the information under false pretenses, or providing or
3339 using the information from the voter registration records in a manner that is
3340 prohibited by law, is punishable as a class A misdemeanor and a civil fine; and

3341 (ix) notice that if the person signing the request form makes a false statement in the
3342 request form, the person is punishable by law under Section 76-8-504.

3343 (4) The lieutenant governor or a county clerk may not disclose the information under this
3344 section if the lieutenant governor or county clerk reasonably believes that the person:
3345 (a) is not a government official;
3346 (b) does not need the information requested to fulfill an official duty imposed by law on
3347 the government official; or
3348 (c) will provide or use the information in a manner prohibited by law.

3349 Section 28. Section **20A-2-606** is enacted to read:

3350 **20A-2-606 (Effective 01/01/27). At-risk registered voter -- Application --**

3351 **Designation -- Change of status.**

3352 (1) Except to the extent expressly authorized in this part or otherwise expressly provided by
3353 law, the lieutenant governor or a county clerk may not disclose an at-risk voter's voter
3354 registration record, or any information from an at-risk voter's voter registration record.

3355 (2) On January 1, 2027, each county clerk shall designate as an at-risk voter each voter
3356 whose voter registration record had withheld status on December 31, 2026, for one of
3357 the following reasons:

3358 (a) the voter:
3359 (i) submitted a withholding request form:
3360 (A) with the individual's voter registration record; or
3361 (B) directly to the lieutenant governor or a county clerk; and
3362 (ii) indicated on the form that the voter, or an individual who resides with the voter,

3363 is a victim of domestic violence or dating violence or is likely to be a victim of
3364 domestic violence or dating violence; or

3365 (b) the voter:

3366 (i) submitted a withholding request form:

3367 (A) with the individual's voter registration record;

3368 (B) to the lieutenant governor; or

3369 (C) to a county clerk; and

3370 (ii) indicated on the form and provided verification that the voter, or an individual
3371 who resides with the voter, is a law enforcement officer, a member of the armed
3372 forces as defined in Section 20A-1-513, a public figure, or protected by a
3373 protective order or protection order.

3374 (3)(a) The lieutenant governor shall design and distribute an at-risk voter request form to
3375 each election officer and to each agency that provides a voter registration form.

3376 (b) The director of elections within the Office of the Lieutenant Governor may make
3377 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
3378 establishing requirements for providing the proof described in Subsections (5)(a)(ii),
3379 (b)(ii), and (c)(ii).

3380 (4) The following may not encourage an individual to submit, or discourage an individual
3381 from submitting, an at-risk voter request form:

3382 (a) an election officer;

3383 (b) an agency described in Subsection (3)(a); or

3384 (c) an employee of a person described in Subsection (4)(a) or (b).

3385 (5) A voter may apply for designation as an at-risk voter by submitting, either with the
3386 voter's voter registration form, or separately to the lieutenant governor or a county clerk:

3387 (a)(i) an at-risk voter request form indicating that the voter, or an individual who
3388 resides with the voter, is a victim of domestic violence or dating violence or is
3389 likely to be a victim of domestic violence or dating violence; and

3390 (ii) in accordance with any rules made under Subsection (3)(b), proof of the
3391 indication described in Subsection (5)(a)(i) in the form of a sworn affidavit where
3392 the voter swears to the following statement: "I am applying for designation as an
3393 at-risk voter because either myself, or someone who resides with me, is a victim
3394 of domestic violence or dating violence or is likely to be a victim of domestic
3395 violence or dating violence.":

3396 (b)(i) an at-risk voter request form indicating that the voter, or an individual who

3397 resides with the voter, is a law enforcement officer, a public figure, or protected
3398 by a protective order or protection order; and
3399 (ii) in accordance with any rules made under Subsection (3)(b), proof of the
3400 indication described in Subsection (5)(b)(i); or
3401 (c)(i) an at-risk voter request form indicating that the voter is, or is a qualified family
3402 member of, a remotely-deployed member of the armed forces; and
3403 (ii) in accordance with any rules made under Subsection (3)(b), proof of the
3404 indication described in Subsection (5)(c)(i).

3405 (6) Beginning on January 1, 2027, a county clerk or the lieutenant governor shall, in
3406 addition to the voters designated as at-risk voters under Subsection (2), designate a voter
3407 as an at-risk voter if the voter:
3408 (a)(i) is a victim of domestic violence or dating violence or is likely to be a victim of
3409 domestic violence or dating violence;
3410 (ii) is, or resides with an individual who is, a law enforcement officer, a public figure,
3411 or protected by a protective order or protection order; or
3412 (iii) is, or is a qualified family member of, a remotely-deployed member of the armed
3413 forces; and
3414 (b) complies with Subsection (5).

3415 (7) A county clerk shall, beginning in 2030, and every five years after 2030, before July 15:
3416 (a) mail to each voter who, for at least the last year, has been designated as an at-risk
3417 voter:
3418 (i) notice that the voter is designated as an at-risk voter and the grounds for the
3419 designation;
3420 (ii) a list of the grounds for designating a voter as an at-risk voter;
3421 (iii) an inquiry regarding whether the voter still qualifies as an at-risk voter; and
3422 (iv) a self-addressed envelope, with postage prepaid, for the voter to mail the voter's
3423 response to the inquiry described in Subsection (7)(a)(iii); and
3424 (b) remove the designation of a voter as an at-risk voter if the voter responds that the
3425 voter no longer qualifies as an at-risk voter.

3426 Section 29. Section **20A-2-607** is enacted to read:

3427 **20A-2-607 (Effective 01/01/27). Applicability and enforcement -- Transition.**

3428 (1) This part does not govern or restrict the release of a voter registration record:
3429 (a) to an election officer or an employee of an election officer;
3430 (b) for a government purpose relating to maintaining the voter registration list or the

3431 administration of an election;
3432 (c) to the federal government to comply with, or verify compliance with, the
3433 requirements of law;
3434 (d) pursuant to an order of a court with jurisdiction; or
3435 (e) to a federal, state, or local law enforcement agency for a legitimate law enforcement
3436 purpose.

3437 (2) It is unlawful for a person to:

3438 (a) obtain information from the list of registered voters under false pretenses;
3439 (b) obtain or use information from the list of registered voters in a manner that is not
3440 permitted by law; or
3441 (c) knowingly disclose information from the list of registered voters in a manner that is
3442 not permitted by law.

3443 (3)(a) A violation of Subsection (2)(a) is a class A misdemeanor.

3444 (b) A violation of Subsection (2)(b) or (c) is a class B misdemeanor.

3445 (4) Beginning on January 1, 2027, and ending on March 1, 2027, a response to a request for
3446 the voter registration list, a voter registration record, or information from the list or
3447 record, may be delayed until the earlier of:

3448 (a) the first business day after the day on which the new software system that will be
3449 implemented by the lieutenant governor on January 1, 2027, is fully functioning; or
3450 (b) March 1, 2027.

3451 Section 30. Section **20A-3a-201.5** is enacted to read:

3452 **20A-3a-201.5 (Effective 05/06/26). Proof of citizenship required for state**
3453 **elections -- Separate federal ballots for registered voters who do not provide proof of**
3454 **citizenship.**

3455 (1) Except as provided in Subsection (2), beginning on January 1, 2028, for an election that
3456 includes a race for federal office:

3457 (a) an election officer shall:

3458 (i) for each precinct, produce a standard ballot; and
3459 (ii) for each congressional district, produce a federal ballot;

3460 (b) only a voter who has, at the time of voter registration or before voting, provided
3461 documentary proof of United States citizenship may vote a standard ballot; and

3462 (c) a voter who has not provided documentary proof of United States citizenship, at the
3463 time of voter registration or before voting, may only vote a federal ballot.

3464 (2) Beginning on January 1, 2028, a voter who has not, at the time of registration or before

3465 voting, provided documentary proof of United States citizenship may cast a standard
3466 ballot as a provisional ballot, but an election officer may only count votes for federal
3467 office cast using the standard ballot unless the voter provides documentary proof of
3468 United States citizenship within 10 calendar days after the day of the election.

3469 (3) Beginning on January 1, 2028, except as otherwise provided in Section 20A-2-508:

3470 (a) an election officer may not require a voter to provide documentary proof of United
3471 States citizenship to vote a federal ballot; and
3472 (b) a voter who has previously provided documentary proof of United States citizenship
3473 to an election officer is not required to provide documentary proof of citizenship
3474 when the voter subsequently registers to vote.

3475 Section 31. Section **20A-3a-202** is amended to read:

3476 **20A-3a-202 (Effective 05/06/26). Conducting election in person and by mail --**

3477 **Mailing ballots to voters -- Exceptions.**

3478 (1)(a) Except as otherwise provided for an election conducted entirely by mail under
3479 Section 20A-7-609.5, an election officer shall administer an election primarily by
3480 mail, in accordance with this section.
3481 (b) An individual who did not provide valid voter identification at the time the voter
3482 registered to vote shall provide valid voter identification before voting.

3483 (2) An election officer who administers an election:

3484 (a) shall in accordance with Subsection (3), no sooner than 21 calendar days before
3485 election day and no later than seven calendar days before election day, mail to the
3486 applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to
3487 Subsection 20A-3a-202.5(4):
3488 (i) a manual ballot;
3489 (ii) a return envelope;
3490 (iii) instructions for returning the ballot that include an express notice about any
3491 relevant deadlines that the voter must meet in order for the voter's vote to be
3492 counted;
3493 (iv) information regarding the location and hours of operation of any election day
3494 voting center at which the voter may vote or a website address where the voter
3495 may view this information; and
3496 (v) instructions on how a voter may sign up to receive electronic ballot status
3497 notifications via the ballot tracking system described in Section 20A-3a-401.5;
3498 (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

3533 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a
3534 ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource
3535 locator where the voter can make the request online]. If you are unable to make a request
3536 online, contact your county clerk's office at the following number for instructions on how to
3537 make the request in person or by mail [insert phone number here].".

3538 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a
3539 voter, a separate paper document containing the following statement:

3540 "WARNING

3541 If you have a valid Utah driver license or a valid Utah state identification card, failure to
3542 provide the last four digits of your license or card number will result in your ballot not being
3543 counted.

3544 If you do not have a license or card described above, you may enter the last four digits of
3545 your social security number as identification, or include a photocopy of one of the following in
3546 the return envelope:

- 3547 • a currently valid identification card that is issued by the state or a branch, department, or
3548 agency of the United States;
- 3549 • a currently valid Utah permit to carry a concealed weapon;
- 3550 • a currently valid United States passport;
- 3551 • a currently valid United States military identification card; or
- 3552 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty
3553 card.

3554 If you do not have any of the forms of identification listed above, you must vote in person
3555 at a polling place, unless you qualify for an exemption from this requirement. You may obtain
3556 information regarding an exemption at [insert a uniform resource locator where the voter can
3557 view this information] or by calling [insert a phone number that a voter may call to access this
3558 information]."

3559 (4) The return envelope shall include:

- 3560 (a) the name, official title, and post office address of the election officer on the front of
3561 the envelope;
- 3562 (b) subject to Subsection (9), beginning on or before January 1, 2026, a place for the
3563 voter to enter the last four digits of the voter's Utah driver license number, Utah state
3564 identification card number, or social security number;

3565 (c) the following statement:

3566 "IMPORTANT: See the warning and notice enclosed with your ballot.";

3567 (d) a space where a voter may write an email address and phone number by which the
3568 election officer may contact the voter if the voter's ballot is rejected; and

3569 (e) a printed affidavit in substantially the following form:

3570 "County of ____ State of ____

3571 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct
3572 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
3573 currently incarcerated for commission of a felony.

3574 _____
3575 Signature of Voter

3576 **WARNING**

3577 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a
3578 **FELONY** for any other individual to sign the above affidavit, even if the voter to whom the
3579 ballot is addressed gives permission for another to sign the affidavit for the voter."

3580 (5) If the election officer determines that the voter has not yet provided valid voter
3581 identification with the voter's voter registration, the election officer may:

3582 (a) mail a ballot to the voter;

3583 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the
3584 return envelope; and

3585 (c) provide instructions to the voter on how the voter may sign up to receive electronic
3586 ballot status notifications via the ballot tracking system described in Section
3587 20A-3a-401.5.

3588 (6) An election officer who administers an election shall:

3589 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
3590 election; or

3591 (ii) obtain the signature of each voter within the voting precinct from the county
3592 clerk; and

3593 (b) maintain the signatures on file in the election officer's office.

3594 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot
3595 under Section 20A-3a-401.

3596 (8) A county that administers an election:

3597 (a) shall provide at least one election day voting center in accordance with Part 7,
3598 Election Day Voting Center, and at least one additional election day voting center for
3599 every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not
3600 receive a ballot by mail;

3601 (b) shall ensure that each election day voting center operated by the county has at least
3602 one voting device that is accessible, in accordance with the Help America Vote Act
3603 of 2002, Pub. L. No. 107-252, for individuals with disabilities;

3604 (c) may reduce the early voting period described in Section 20A-3a-601, if:
3605 (i) the county clerk conducts early voting on at least four days;
3606 (ii) the early voting days are within the period beginning on the date that is 14
3607 calendar days before the date of the election and ending on the day before the
3608 election; and
3609 (iii) the county clerk provides notice of the reduced early voting period in accordance
3610 with Section 20A-3a-604; and
3611 (d) is not required to pay return postage for a return envelope.

3612 (9) A return envelope shall be designed in a manner that the information described in
3613 Subsections (4)(b) and (d), and the voter's signature, is covered from view after the
3614 return envelope is sealed.

3615 (10) A county clerk shall, at least 90 calendar days before an election administered by the
3616 county clerk, contact local post offices to:
3617 (a) coordinate the handling of mail-in ballots for the upcoming election; and
3618 (b) take measures to ensure that:
3619 (i) ballots are clearly and properly postmarked, or otherwise marked in accordance
3620 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was
3621 mailed; and
3622 (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of
3623 ballots.

3624 Section 32. Section **20A-3a-401** is amended to read:

3625 **20A-3a-401 (Effective 05/06/26). Custody of voted ballots mailed or deposited in
3626 a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.**

3627 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal
3628 means.

3629 (2) Poll workers shall process return envelopes containing manual ballots that are in the
3630 custody of the poll workers in accordance with this section.

3631 (3) Poll workers shall examine a return envelope to make the determinations described in
3632 Subsection (4).

3633 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers
3634 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) [If] 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

3703 clerk, that meets the requirements described in Subsection (7)(d).

3704 (b) If, under Subsection [(4)(a)(ii)(A)] (4)(a) or (b), the poll workers reject an individual's
3705 ballot because the poll workers determine, in accordance with rules made under
3706 Subsection (13), that the signature on the return envelope is not reasonably consistent
3707 with the individual's signature in the voter registration records, the election officer
3708 shall:

3709 (i) contact the individual in accordance with Subsection (8); and
3710 (ii) inform the individual:
3711 (A) that the individual's signature is in question;
3712 (B) how the individual may resolve the issue; and
3713 (C) that, in order for the ballot to be counted, the individual is required to deliver
3714 to the election officer a correctly completed affidavit, provided by the county
3715 clerk, that meets the requirements described in Subsection (7)(d).

3716 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b)
3717 includes:
3718 (i) when communicating the notice by mail, a printed copy of the affidavit described
3719 in Subsection (7)(d) and a courtesy reply envelope;
3720 (ii) when communicating the notice electronically, a link to a copy of the affidavit
3721 described in Subsection (7)(d) or information on how to obtain a copy of the
3722 affidavit; or
3723 (iii) when communicating the notice by phone, either during a direct conversation
3724 with the voter or in a voicemail, arrangements for the voter to receive a copy of
3725 the affidavit described in Subsection (7)(d), either in person from the clerk's
3726 office, by mail, or electronically.

3727 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
3728 (i) an attestation that the individual voted the ballot;
3729 (ii) a space for the individual to enter the individual's name, date of birth, and driver
3730 license number or the last four digits of the individual's social security number;
3731 (iii) a space for the individual to sign the affidavit;
3732 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant
3733 governor's and county clerk's use of the information in the affidavit and the
3734 individual's signature on the affidavit for voter identification purposes; and
3735 (v) a check box accompanied by language in substantially the following form: "I am
3736 a voter with a qualifying disability under the Americans with Disabilities Act that

3737 impacts my ability to sign my name consistently. I can provide appropriate
3738 documentation upon request. To discuss accommodations, I can be contacted at
3739 _____".

3740 (e) In order for an individual described in Subsection (7)(a) or (b) to have the
3741 individual's ballot counted, the individual shall deliver the affidavit described in
3742 Subsection (7)(d) to the election officer.

3743 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall
3744 immediately:

3745 (i) scan the signature on the affidavit electronically and keep the signature on file in
3746 the statewide voter registration database developed under Section 20A-2-502;

3747 (ii) if the election officer receives the affidavit no later than noon on the last business
3748 day before the day on which the canvass begins, count the individual's ballot; and

3749 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the
3750 rules described in Subsection (13)(c).

3751 (8)(a) The election officer shall, within two business days after the day on which an
3752 individual's ballot is rejected, notify the individual of the rejection and the reason for
3753 the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:

3754 (i) the ballot is cured within one business day after the day on which the ballot is
3755 rejected; or

3756 (ii) the ballot is rejected because the ballot is received late or for another reason that
3757 cannot be cured.

3758 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the
3759 election officer shall notify the individual of the rejection and the reason for the
3760 rejection by phone, mail, email, or, if consent is obtained, text message, within the
3761 later of:

3762 (i) 30 calendar days after the day of the rejection; or

3763 (ii) 30 calendar days after the day of the election.

3764 (c) The election officer may, when notifying an individual by phone under this
3765 Subsection (8), use auto-dial technology.

3766 (9) An election officer may not count the ballot of an individual whom the election officer
3767 contacts under Subsection (7) or (8) unless, no later than noon on the last business day
3768 before the day on which the canvass begins, the election officer:

3769 (a) receives a signed affidavit from the individual under Subsection (7); or

3770 (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 [(l) (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).

3873 (3)(a) When an election officer reports voting history for an election, the election officer
3874 shall, for each [voter whose voter registration is classified as private under
3875 Subsektion 20A-2-104(4)(h), report the following, for that election only,] at-risk
3876 voter, as defined in Section 20A-2-601, without disclosing the identity of the at-risk
3877 voter, report, for that election only, only the following information:
3878 (i) for voting by mail, the information described in Subsection (4)(a);
3879 (ii) for early voting, the date the individual voted; and
3880 (iii) for voting on election day, the date the individual voted.

3881 (b) In relation to the information of [a voter whose voter registration is classified as
3882 private under Subsection 20A-2-104(4)(h)] an at-risk voter, as defined in Section
3883 20A-2-601, a report described in Subsection (3)(a) may not disclose, by itself or in
3884 conjunction with any other public information, the identity or any other personal
3885 identifying information of the voter.

3886 (4) Subject to Subsection (5), the election officer shall ensure that the voting history record
3887 kept by the election officer for each voting precinct contains:

3888 (a) for voting by mail:

3889 (i) the date that the manual ballot was mailed to the voter; and
3890 (ii) the date that the voted manual ballot was received by the election officer;

3891 (b) for early voting:

3892 (i) the name and address of each individual who participated in early voting; and
3893 (ii) the date the individual voted; and

3894 (c) for voting on election day, the name and address of each individual who voted on
3895 election day.

3896 (5) Subsection (4) does not authorize the disclosure of the information described in
3897 Subsection (4) beyond the extent expressly provided in Subsections (2) and (3).

3898 (6)(a) Notwithstanding the time limits for response to a request for records under
3899 Section 63G-2-204 or the time limits for a request for records established in any
3900 ordinance, the election officer shall ensure that the information required to be
3901 disclosed under this section is recorded and made available to the public no later than
3902 one business day after the day on which the election officer receives the information.

3903 (b) Notwithstanding the fee requirements of Section 63G-2-203 or the fee requirements
3904 established in any ordinance, the election officer shall, subject to Subsection
3905 20A-2-104(1)(c)(v), make copies of the voting history record available to the public,
3906 in accordance with this section, for the actual cost of production or copying.

3907 Section 34. Section **20A-6-105** is amended to read:

3908 **20A-6-105 (Effective 01/01/27). Provisional ballot envelopes.**

3909 (1) Each election officer shall ensure that provisional ballot envelopes are printed in
3910 substantially the following form:

3911 (a)(i) the envelope shall include the following statement:

3912 **"AFFIRMATION**

3913 Are you a citizen of the United States of America? Yes No

3914 Will you be 18 years old on or before election day? Yes No

3915 If you checked "no" in response to either of the two above questions, do not complete
3916 this form.";

3917 (ii) beginning on January 1, 2028, the envelope shall include the following statement:

3918 You must be a United States citizen to vote. If you fail to provide proof of
3919 United States citizenship, you will only be permitted to vote for federal offices.
3920 Information on how to provide proof of citizenship is included on or with this
3921 form.";

3922 (iii) the envelope shall include the following:

3923 Name of Voter _____

3924 First Middle Last

3925 Driver License or Identification Card Number _____

3926 State of Issuance of Driver License or Identification Card Number _____

3927 Date of Birth _____

3928 Street Address of Principal Place of Residence
3929 _____

3930 City County State Zip Code

3931 Tribal Identification Number or Alien Registration Number (optional)
3932 _____

3933 Telephone Number (optional) _____

3934 Email Address (optional) _____

3935 Do you consent to receive communications from the political party with which you
3936 affiliate, and candidates for that political party, as follows (optional):

3937 • At the email address you provided above? Yes No

3938 • By text or phone call, at the phone number you provided above? Yes No

3939 Last four digits of Social Security Number _____

3940 Last former address at which I was registered to vote (if known)

3941

3942

City	County	State	Zip Code
------	--------	-------	----------

3943

Voting Precinct (if known) _____

3944

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

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.

3953

Signed

3954

Dated

3956

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.

3959

PRIVACY INFORMATION

3960

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.

3966

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

3967

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:

3969

• is at risk of domestic violence;

3970

• is a law enforcement officer;

3971

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

3972

• 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

3975 submitting an at-risk voter request form, and any required proof, to the county clerk.

3976 [Voter registration records contain some information that is available to the public, such as
3977 your name and address, some information that is available only to government entities, and
3978 some information that is available only to certain third parties in accordance with the
3979 requirements of law.

3980 Your driver license number, identification card number, social security number, email
3981 address, full date of birth, and phone number are available only to government entities. Your
3982 year of birth is available to political parties, candidates for public office, certain third parties,
3983 and their contractors, employees, and volunteers, in accordance with the requirements of law.

3984 You may request that all information on your voter registration records be withheld
3985 from all persons other than government entities, political parties, candidates for public office,
3986 and their contractors, employees, and volunteers, by indicating here:

3987 _____ Yes, I request that all information on my voter registration records be withheld
3988 from all persons other than government entities, political parties, candidates for public office,
3989 and their contractors, employees, and volunteers.

3990 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

3991 In addition to the protections provided above, you may request that identifying
3992 information on your voter registration records be withheld from all political parties, candidates
3993 for public office, and their contractors, employees, and volunteers, by submitting a
3994 withholding request form, and any required verification, as described in the following
3995 paragraphs.

3996 A person may request that identifying information on the person's voter registration
3997 records be withheld from all political parties, candidates for public office, and their
3998 contractors, employees, and volunteers, by submitting a withholding request form with this
3999 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
4000 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
4001 violence.

4002 A person may request that identifying information on the person's voter registration
4003 records be withheld from all political parties, candidates for public office, and their
4004 contractors, employees, and volunteers, by submitting a withholding request form and any
4005 required verification with this registration form, or to the lieutenant governor or a county clerk,
4006 if the person is, or resides with a person who is, a law enforcement officer, a member of the
4007 armed forces, a public figure, or protected by a protective order or a protection order.]

4008 **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.

4043 Section 35. Section **20A-9-408** is amended to read:

4044 **20A-9-408 (Effective 01/01/27). Signature-gathering process to seek the**
4045 **nomination of a qualified political party -- Removal of signature.**

4046 (1) This section describes the requirements for a member of a qualified political party who
4047 is seeking the nomination of the qualified political party for an elective office through
4048 the signature-gathering process described in this section.

4049 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
4050 for a member of a qualified political party who is nominated by, or who is seeking the
4051 nomination of, the qualified political party under this section shall be substantially as
4052 described in Section 20A-9-408.5.

4053 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
4054 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
4055 the nomination of the qualified political party for an elective office that is to be filled at
4056 the next general election shall:

4057 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
4058 declaration of candidacy filing period described in Section 20A-9-201.5, and before
4059 gathering signatures under this section, file with the filing officer on a form approved
4060 by the lieutenant governor a notice of intent to gather signatures for candidacy that
4061 includes:

4062 (i) the name of the member who will attempt to become a candidate for a registered
4063 political party under this section;

4064 (ii) the name of the registered political party for which the member is seeking
4065 nomination;

4066 (iii) the office for which the member is seeking to become a candidate;

4067 (iv) the address and telephone number of the member; and

4068 (v) other information required by the lieutenant governor;

4069 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
4070 person, with the filing officer during the applicable declaration of candidacy filing
4071 period described in Section 20A-9-201.5; and

4072 (c) pay the filing fee.

4073 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
4074 who, under this section, is seeking the nomination of the qualified political party for the
4075 office of district attorney within a multicounty prosecution district that is to be filled at
4076 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 reassessments, 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

4247 at 5 p.m. on March 13, 2026; and

4248 (b) during the period beginning on the day on which the individual files the notice of
4249 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
4250 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
4251 collect 7,000 signatures of registered voters who are residents of the state and are
4252 permitted by the qualified political party to vote for the qualified political party's
4253 candidates in a primary election.

4254 Section 36. Section **20A-11-104** is amended to read:

4255 **20A-11-104 (Effective 05/06/26). Personal use expenditure -- Authorized and**
4256 **prohibited uses of campaign funds -- Enforcement -- Penalties.**

4257 (1)(a) As used in this chapter, "personal use expenditure" means an expenditure that:
4258 (i)(A) is not excluded from the definition of personal use expenditure by
4259 Subsection (2); and
4260 (B) primarily furthers a personal interest of a candidate or officeholder or a
4261 candidate's or officeholder's family, which interest is not connected with the
4262 performance of an activity as a candidate or an activity or duty of an
4263 officeholder; or
4264 (ii) would likely cause the candidate or officeholder to recognize the expenditure as
4265 taxable income under federal or state law.

4266 (b) "Personal use expenditure" includes:
4267 (i) a mortgage, rent, utility, or vehicle payment;
4268 (ii) a household food item or supply;
4269 (iii) a clothing expense, except:
4270 (A) clothing bearing the candidate's name or campaign slogan or logo that is used
4271 in the candidate's campaign;
4272 (B) clothing bearing the logo or name of a jurisdiction, district, government
4273 organization, government entity, caucus, or political party that the officeholder
4274 represents or of which the officeholder is a member; or
4275 (C) repair or replacement of clothing that is damaged while the candidate or
4276 officeholder is engaged in an activity of a candidate or officeholder;
4277 (iv) an admission to a sporting, artistic, or recreational event or other form of
4278 entertainment;
4279 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
4280 (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

acting in the capacity of an officeholder; or

- (E) provided as a gift to an individual who works on a candidate's campaign or who assists an officeholder in the officeholder's capacity as an officeholder;
-) a travel expense of a candidate, if the primary purpose of the travel is related to the candidate's campaign, including airfare, car rental, other transportation, hotel, or other expenses incidental to the travel;
-) a travel expense of an individual assisting a candidate, if the primary purpose of the travel by the individual is to assist the candidate with the candidate's campaign, including an expense described in Subsection (2)(g)(iii);
- a travel expense of an officeholder, if the primary purpose of the travel is related to an activity or duty of the officeholder, including an expense described in Subsection (2)(g)(iii);
-) a travel expense of an individual assisting an officeholder, if the primary purpose of the travel by the individual is to assist the officeholder in an activity or duty of an officeholder, including an expense described in Subsection (2)(g)(iii);
- i) a payment for a service provided by an attorney or accountant;
- ii) a tuition payment or registration fee for participation in a meeting or conference;
-) a gift;
- a payment for the following items in connection with an office space:
 - (A) rent;
 - (B) utilities;
 - (C) a supply; or
 - (D) furnishing;
-) a booth at a meeting or event;
- i) educational material; or
- ii) an item purchased for a purpose related to a campaign or to an activity or duty of an officeholder;
- purchase or mail informational material, a survey, or a greeting card;
- a donation to a charitable organization, as defined by Section 13-22-2, including a mission to or sponsorship of an event, the primary purpose of which is charitable solicitation, as defined in Section 13-22-2;
- repay a loan a candidate makes from the candidate's personal account to the candidate's campaign account;
- pay membership dues to a national organization whose primary purpose is to

address general public policy;

- (l) for admission to or sponsorship of an event, the primary purpose of which is to promote the social, educational, or economic well-being of the state or the candidate's or officeholder's community;
- (m) for one or more guests of an officeholder or candidate to attend an event, meeting, or conference described in this Subsection (2), including related travel expenses and other expenses, if attendance by the guest is for a primary purpose described in Subsection (2)(g)(iv) or (vi);[~~or~~]
- (n) to pay childcare expenses of:
 - (i) a candidate while the candidate is engaging in campaign activity; or
 - (ii) an officeholder while the officeholder is engaging in the duties of an officeholder[.] ;
or
- (o) by a candidate or officeholder to purchase reasonably necessary goods, other than weapons, or services, for the purpose of protecting the security of the candidate or officeholder, the candidate's or officeholder's family, or the candidate's or officeholder's staff, which may include:
 - (i) a security system for use at the candidate's or officeholder's home, place of business, or campaign office; or
 - (ii) security services while the candidate or officeholder is traveling to or from, or attending:
 - (A) a campaign event; or
 - (B) for an officeholder, an event relating to an activity or duty of the officeholder.

(3)(a) The lieutenant governor shall enforce this chapter prohibiting a personal use expenditure by:

- (i) evaluating a financial statement to identify a personal use expenditure; and
- (ii) commencing an informal adjudicative proceeding in accordance with Title 63G, Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable cause to believe a candidate or officeholder has made a personal use expenditure.

(b) Following the proceeding, the lieutenant governor may issue a signed order requiring a candidate or officeholder who has made a personal use expenditure to:

- (i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the lieutenant governor; and
- (ii) deposit the amount of the personal use expenditure in the campaign account from which the personal use expenditure was disbursed.

4383 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) [in]
4384 into the General Fund.

4385 Section 37. Section **20A-11-204** is amended to read:

4386 **20A-11-204 (Effective 05/06/26). State office candidate and state officeholder --**

4387 **Financial reporting requirements -- Interim reports.**

4388 (1) As used in this section:

4389 (a) "Campaign account" means a separate campaign account required under Subsection
4390 20A-11-201(1)(a) or (c).

4391 (b) "Received" means:

4392 (i) for a cash contribution, that the cash is given to a state office candidate or a
4393 member of the state office candidate's personal campaign committee;
4394 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
4395 instrument or check is negotiated;
4396 (iii) for a direct deposit made into a campaign account by a person not associated
4397 with the campaign, the earlier of:
4398 (A) the day on which the state office candidate or a member of the state office
4399 candidate's personal campaign committee becomes aware of the deposit and
4400 the source of the deposit;
4401 (B) the day on which the state office candidate or a member of the state office
4402 candidate's personal campaign committee receives notice of the deposit and the
4403 source of the deposit by mail, email, text, or similar means; or
4404 (C) 31 calendar days after the day on which the direct deposit occurs; or
4405 (iv) for any other type of contribution, that any portion of the contribution's benefit
4406 inures to the state office candidate.

4407 (2) Except as provided in Subsection (3), each state office candidate shall file an interim
4408 report at the following times in any year in which the candidate has filed a declaration of
4409 candidacy for a public office:

4410 (a)(i) seven calendar days before the candidate's political convention; or
4411 (ii) for an unaffiliated candidate, the fourth Saturday in March;
4412 (b) seven calendar days before the regular primary election date;
4413 (c) September 30; and
4414 (d) seven calendar days before the regular general election date.

4415 (3) If a state office candidate is a state office candidate seeking appointment for a midterm
4416 vacancy, the state office candidate:

4417 (a) shall file an interim report:

4418 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(i), no later than three
4419 business days before the day on which the political party of the party for which
4420 the state office candidate seeks nomination meets to declare a nominee for the
4421 governor to appoint[in accordance with Subsection 20A-1-504(1)(a); or] ;

4422 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii), no later than three
4423 business days before the day on which the Senate meets to consider the governor's
4424 nomination; or

4425 [(iii)] (iii) if a state office candidate decides to seek the appointment with less than
4426 three business days before the [day on which the political party meets] applicable
4427 day described in Subsection (3)(a)(i) or (ii), or the political party or the Senate
4428 schedules the [meeting to declare a nominee] applicable meeting described in
4429 Subsection (3)(a)(i) or (ii) less than three business days before the day of the
4430 meeting, no later than 5 p.m. on the last day of business before the day on which
4431 the political party or the Senate meets; and

4432 (b) is not required to file an interim report at the times described in Subsection (2).

4433 (4) Each interim report shall include the following information:

4434 (a) the net balance of the last summary report, if any;

4435 (b) a single figure equal to the total amount of receipts reported on all prior interim
4436 reports, if any, during the calendar year in which the interim report is due;

4437 (c) a single figure equal to the total amount of expenditures reported on all prior interim
4438 reports, if any, filed during the calendar year in which the interim report is due;

4439 (d) a detailed listing of:

4440 (i) for a state office candidate, each contribution received since the last summary
4441 report that has not been reported in detail on a prior interim report; or

4442 (ii) for a state officeholder, each contribution and public service assistance received
4443 since the last summary report that has not been reported in detail on a prior
4444 interim report;

4445 (e) for each nonmonetary contribution:

4446 (i) the fair market value of the contribution with that information provided by the
4447 contributor; and

4448 (ii) a specific description of the contribution;

4449 (f) a detailed listing of each expenditure made since the last summary report that has not
4450 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.

4553 Section 39. Section **20A-11-1604** is amended to read:

4554 **20A-11-1604 (Effective 05/06/26). Failure to disclose conflict of interest -- Failure**
4555 **to comply with reporting requirements.**

4556 (1)(a) Before or during the execution of any order, settlement, declaration, contract, or
4557 any other official act of office in which a state constitutional officer has actual
4558 knowledge that the state constitutional officer has a conflict of interest that is not
4559 stated in the conflict of interest disclosure, the state constitutional officer shall
4560 publicly declare that the state constitutional officer may have a conflict of interest
4561 and what that conflict of interest is.

4562 (b) Before or during any vote on legislation or any legislative matter in which a
4563 legislator has actual knowledge that the legislator has a conflict of interest that is not
4564 stated in the conflict of interest disclosure, the legislator shall orally declare to the
4565 committee or body before which the matter is pending that the legislator may have a
4566 conflict of interest and what that conflict is.

4567 (c) Before or during any vote on any rule, resolution, order, or any other board matter in
4568 which a member of the State Board of Education has actual knowledge that the
4569 member has a conflict of interest that is not stated in the conflict of interest
4570 disclosure, the member shall orally declare to the board that the member may have a
4571 conflict of interest and what that conflict of interest is.

4572 (2) Any public declaration of a conflict of interest that is made under Subsection (1) shall
4573 be noted:

4574 (a) on the official record of the action taken, for a state constitutional officer;

4575 (b) in the minutes of the committee meeting or in the Senate or House Journal, as
4576 applicable, for a legislator; or

4577 (c) in the minutes of the meeting or on the official record of the action taken, for a
4578 member of the State Board of Education.

4579 (3) A state constitutional officer shall make a complete conflict of interest disclosure on the
4580 website:

4581 (a)(i) no sooner than January 1 each year, and before January 11 each year; or

4582 (ii) if the state constitutional officer takes office after January 10, within 10 calendar
4583 days after the day on which the state constitutional officer takes office; and

4584 (b) each time the state constitutional officer changes employment.

4585 (4) A legislator shall make a complete conflict of interest disclosure on the website:

4586 (a)(i) no sooner than January 1 each year, and before January 11 each year; or

- (ii) if the legislator takes office after January 10, within 10 calendar days after the day on which the legislator takes office; and
- (b) each time the legislator changes employment.

(5) A member of the State Board of Education 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 member takes office after January 10, within 10 calendar days after the day on which the member takes office; and

- (b) each time the member changes employment.

(6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall include:

- (a) the regulated officeholder's name;
- (b) subject to Subsection (7):
 - (i) the name and address of each of the regulated officeholder's current employers and each of the regulated officeholder's employers during the preceding year; and
 - (ii) for each employer described in this Subsection (6)(b), a brief description of the employment, including the regulated officeholder's occupation and, as applicable, job title;
- (c) for each entity in which the regulated officeholder is an owner or officer, or was an owner or officer during the preceding year:
 - (i) the name of the entity;
 - (ii) a brief description of the type of business or activity conducted by the entity; and
 - (iii) the regulated officeholder's position in the entity;
- (d) in accordance with Subsection (8), for each individual from whom, or entity from which, the regulated officeholder has received \$5,000 or more in income during the preceding year:
 - (i) the name of the individual or entity; and
 - (ii) a brief description of the type of business or activity conducted by the individual or entity;
- (e) for each entity in which the regulated officeholder holds any stocks or bonds having a fair market value of \$5,000 or more as of the date of the disclosure form or during the preceding year, but excluding funds that are managed by a third party, including blind trusts, managed investment accounts, and mutual funds:
 - (i) the name of the entity; and
 - (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

4655 Subsection (6)(h).

4656 (b) A filing officer who receives a redaction request under Subsection (7)(a) shall redact
4657 the disclosures made under Subsection (6)(b) or (h) before the filing officer makes
4658 the conflict of interest disclosure available for public inspection.

4659 (8) In making the disclosure described in Subsection (6)(d), a regulated officeholder who
4660 provides goods or services to multiple customers or clients as part of a business or a
4661 licensed profession is only required to provide the information described in Subsection
4662 (6)(d) in relation to the entity or practice through which the regulated officeholder
4663 provides the goods or services and is not required to provide the information described
4664 in Subsection (6)(d) in relation to the regulated officeholder's individual customers or
4665 clients.

4666 (9) The disclosure requirements described in this section do not prohibit a regulated
4667 officeholder from voting or acting on any matter.

4668 (10) A regulated officeholder may amend a conflict of interest disclosure described in this
4669 part at any time.

4670 (11) A regulated officeholder who violates the requirements of Subsection (1) is guilty of a
4671 class B misdemeanor.

4672 (12)(a) A regulated officeholder who intentionally or knowingly violates a provision of
4673 this section, other than Subsection (1), is guilty of a class B misdemeanor.

4674 (b) In addition to the criminal penalty described in Subsection (12)(a), the lieutenant
4675 governor shall impose a civil penalty of \$100 against a regulated officeholder who
4676 violates a provision of this section, other than Subsection (1).

4677 Section 40. Section **36-12-15.2** is amended to read:

4678 **36-12-15.2 (Effective 05/06/26). Elections audit.**

4679 (1) As used in this section, "office" means the Office of the Legislative Auditor General.

4680 (2) In addition to other audits performed by the office, the office shall, [each
4681 even-numbered year, in accordance with this section and under the direction of the
4682 Legislative Audit Subcommittee] as frequently as determined necessary by the office or
4683 the Legislative Audit Subcommittee, conduct a comprehensive performance audit of the
4684 state's election system and controls[.] :

4685 (a) in accordance with this section; and

4686 (b) under the direction of the Legislative Audit Subcommittee.

4687 (3) The audit may include the entire election process for the elections held in an
4688 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 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.

4825 (8)(a) Except as provided in Subsection (8)(d), a governmental entity may disclose or
4826 authorize disclosure of private or controlled records for research purposes if the
4827 governmental entity:
4828 (i) determines that the research purpose cannot reasonably be accomplished without
4829 use or disclosure of the information to the researcher in individually identifiable
4830 form;
4831 (ii) determines that:
4832 (A) the proposed research is bona fide; and
4833 (B) the value of the research is greater than or equal to the infringement upon
4834 personal privacy;
4835 (iii)(A) requires the researcher to assure the integrity, confidentiality, and security
4836 of the records; and
4837 (B) requires the removal or destruction of the individual identifiers associated
4838 with the records as soon as the purpose of the research project has been
4839 accomplished;
4840 (iv) prohibits the researcher from:
4841 (A) disclosing the record in individually identifiable form, except as provided in
4842 Subsection (8)(b); or
4843 (B) using the record for purposes other than the research approved by the
4844 governmental entity; and
4845 (v) secures from the researcher a written statement of the researcher's understanding
4846 of and agreement to the conditions of this Subsection (8) and the researcher's
4847 understanding that violation of the terms of this Subsection (8) may subject the
4848 researcher to criminal prosecution under Section 63G-2-801.

4849 (b) A researcher may disclose a record in individually identifiable form if the record is
4850 disclosed for the purpose of auditing or evaluating the research program and no
4851 subsequent use or disclosure of the record in individually identifiable form will be
4852 made by the auditor or evaluator except as provided by this section.

4853 (c) A governmental entity may require indemnification as a condition of permitting
4854 research under this Subsection (8).

4855 (d) A governmental entity may not disclose or authorize disclosure of a private record
4856 for research purposes as described in this Subsection (8) if the private record is a
4857 record described in Subsection 63G-2-302(1)(x).

4858 (9)(a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity

4859 may disclose to persons other than those specified in this section records that are:

4860 (i) private under Section 63G-2-302; or

4861 (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for

4862 business confidentiality has been made under Section 63G-2-309.

4863 (b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the

4864 disclosure to persons other than those specified in this section of records that are:

4865 (i) private under Section 63G-2-302;

4866 (ii) controlled under Section 63G-2-304; or

4867 (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for

4868 business confidentiality has been made under Section 63G-2-309.

4869 (c) Under Subsection 63G-2-404(7), the court may require the disclosure of records that

4870 are private under Section 63G-2-302, controlled under Section 63G-2-304, or

4871 protected under Section 63G-2-305 to persons other than those specified in this

4872 section.

4873 (10)(a) A private record described in Subsection 63G-2-302(2)(f) may only be disclosed

4874 as provided in Subsection (1)(a)(v).

4875 (b) A protected record described in Subsection 63G-2-305(43) may only be disclosed as

4876 provided in Subsection (4)(c) or Section 26B-6-212.

4877 (11)(a) A private, protected, or controlled record described in Section 26B-1-506 shall

4878 be disclosed as required under:

4879 (i) Subsections 26B-1-506(1)(b) and (2); and

4880 (ii) Subsections 26B-1-507(1) and (6).

4881 (b) A record disclosed under Subsection (11)(a) shall retain its character as private,

4882 protected, or controlled.

4883 Section 42. Section **63G-2-301** is amended to read:

4884 **63G-2-301 (Effective 01/01/27). Public records.**

4885 (1) As used in this section:

4886 (a) "Business address" means a single address of a governmental agency designated for

4887 the public to contact an employee or officer of the governmental agency.

4888 (b) "Business email address" means a single email address of a governmental agency

4889 designated for the public to contact an employee or officer of the governmental

4890 agency.

4891 (c) "Business telephone number" means a single telephone number of a governmental

4892 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 [(i)] (A) driver license or identification card number;
5055 [(ii)] (B) social security number, or last four digits of the social security number;
5056 [(iii)] (C) email address;
5057 [(iv)] (D) date day and month of birth; or
5058 [(v)] (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 Subseetion 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 [Subseetions 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

5165 recordings that:

- 5166 (i) depict the commission of an alleged crime;
- 5167 (ii) record any encounter between a law enforcement officer and a person that results
- 5168 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 5169 (iii) record any encounter that is the subject of a complaint or a legal proceeding
- 5170 against a law enforcement officer or law enforcement agency;
- 5171 (iv) contain an officer-involved critical incident as defined in Subsection
- 5172 76-2-408(1)(f); or
- 5173 (v) have been requested for reclassification as a public record by a subject or
- 5174 authorized agent of a subject featured in the recording.

5175 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,

5176 statements, history, diagnosis, condition, treatment, and evaluation.

5177 (b) Medical records in the possession of the University of Utah Hospital, its clinics,

5178 doctors, or affiliated entities are not private records or controlled records under

5179 Section 63G-2-304 when the records are sought:

- 5180 (i) in connection with any legal or administrative proceeding in which the patient's
- 5181 physical, mental, or emotional condition is an element of any claim or defense; or
- 5182 (ii) after a patient's death, in any legal or administrative proceeding in which any
- 5183 party relies upon the condition as an element of the claim or defense.

5184 (c) Medical records are subject to production in a legal or administrative proceeding

5185 according to state or federal statutes or rules of procedure and evidence as if the

5186 medical records were in the possession of a nongovernmental medical care provider.

5187 Section 44. Section **63G-2-303** is amended to read:

5188 **63G-2-303 (Effective 01/01/27). Private information concerning certain**

5189 **government employees.**

5190 (1) As used in this section:

5191 (a) "At-risk government employee" means a current or former:

- 5192 (i) peace officer as specified in Section 53-13-102;
- 5193 (ii) state or federal judge of an appellate, district, justice, or juvenile court, or court
- 5194 commissioner;
- 5195 (iii) judge authorized by Title 39A, Chapter 5, Utah Code of Military Justice;
- 5196 (iv) judge authorized by Armed Forces, Title 10, United States Code;
- 5197 (v) federal prosecutor;
- 5198 (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] the employee's employment terminates before the end of the four-year period; and
5273 (ii) one year after the government agency receives official notice of the death of the
5274 employee.

5275 (b) A form submitted under this section may be rescinded at any time by:

5276 (i) the at-risk government employee who submitted the form; or
5277 (ii) if the at-risk government employee is deceased, a member of the employee's
5278 immediate family.

5279 **Section 45. Effective Date.**

5280 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

5281 (2) The actions affecting the following sections take effect on January 1, 2027:

5282 (a) Section 20A-1-102 (Effective 01/01/27);
5283 (b) Section 20A-2-101.1 (Effective 01/01/27);
5284 (c) Section 20A-2-104 (Effective 01/01/27);
5285 (d) Section 20A-2-108 (Effective 01/01/27);
5286 (e) Section 20A-2-204 (Effective 01/01/27);
5287 (f) Section 20A-2-206 (Effective 01/01/27);
5288 (g) Section 20A-2-304 (Effective 01/01/27);
5289 (h) Section 20A-2-505 (Effective 01/01/27);
5290 (i) Section 20A-2-603 (Effective 01/01/27);
5291 (j) Section 20A-2-603.5 (Effective 01/01/27);
5292 (k) Section 20A-2-604 (Effective 01/01/27);
5293 (l) Section 20A-2-605 (Effective 01/01/27);
5294 (m) Section 20A-2-606 (Effective 01/01/27);
5295 (n) Section 20A-2-607 (Effective 01/01/27);
5296 (o) Section 20A-5-410 (Effective 01/01/27);
5297 (p) Section 20A-6-105 (Effective 01/01/27);
5298 (q) Section 20A-9-408 (Effective 01/01/27);
5299 (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).