

Part 1 General Voter Registration Requirements

20A-2-101 Eligibility for registration.

- (1) Except as provided in Subsection (2), an individual may register to vote in an election who:
 - (a) is a citizen of the United States;
 - (b) has been a resident of Utah for at least the 30 days immediately before the election;
 - (c) will be:
 - (i) at least 18 years of age on the day of the election; or
 - (ii) if the election is a regular primary election, a municipal primary election, or a presidential primary election:
 - (A) 17 years of age on or before the day of the regular primary election, municipal primary election, or presidential primary election; and
 - (B) 18 years of age on or before the day of the general election that immediately follows the regular primary election, municipal primary election, or presidential primary election; and
 - (d) currently resides within the voting district or precinct in which the individual applies to register to vote.
- (2)
 - (a)
 - (i) An individual who is involuntarily confined or incarcerated in a jail, prison, or other facility within a voting precinct is not a resident of that voting precinct and may not register to vote in that voting precinct unless the individual was a resident of that voting precinct before the confinement or incarceration.
 - (ii) An individual who is involuntarily confined or incarcerated in a jail or prison is a resident of the voting precinct in which the individual resided before the confinement or incarceration.
 - (b) An individual who has been convicted of a felony or a misdemeanor for an offense under this title may not register to vote or remain registered to vote unless the individual's right to vote has been restored as provided in Section 20A-2-101.3 or 20A-2-101.5.
 - (c) An individual whose right to vote has been restored, as provided in Section 20A-2-101.3 or 20A-2-101.5, is eligible to register to vote.
- (3) An individual who is eligible to vote and who resides within the geographic boundaries of the entity in which the election is held may register to vote in a:
 - (a) regular general election;
 - (b) regular primary election;
 - (c) municipal general election;
 - (d) municipal primary election;
 - (e) statewide special election;
 - (f) local special election;
 - (g) local district election;
 - (h) bond election; and
 - (i) presidential primary election.

Amended by Chapter 433, 2019 General Session

20A-2-101.1 Preregistering to vote.

- (1) An individual may preregister to vote if the individual:
 - (a) is 16 or 17 years of age;

- (b) is not eligible to register to vote because the individual does not comply with the age requirements described in Subsection 20A-2-101(1)(c);
 - (c) is a citizen of the United States;
 - (d) has been a resident of Utah for at least 30 days; and
 - (e) currently resides within the voting district or precinct in which the individual preregisters to vote.
- (2) An individual described in Subsection (1) may not vote in an election and is not registered to vote until:
- (a) the individual is otherwise eligible to register to vote because the individual complies with the age requirements described in Subsection 20A-2-101(1)(c); and
 - (b) the county clerk registers the individual to vote under Subsection (4).
- (3) An individual who preregisters to vote shall:
- (a) complete a voter registration form, including an indication that the individual is preregistering to vote; and
 - (b) submit the voter registration form to a county clerk in person, by mail, or in any other manner authorized by this chapter for the submission of a voter registration form.
- (4)
- (a) A county clerk shall:
 - (i) retain the voter registration form of an individual who meets the qualifications for preregistration and who submits a completed voter registration form to the county clerk under Subsection (3)(b);
 - (ii) register the individual to vote in the next election in which the individual will be eligible to vote, before the voter registration deadline established in Section 20A-2-102.5 for that election; and
 - (iii) send a notice to the individual that:
 - (A) informs the individual that the individual's voter registration form has been accepted as an application for preregistration;
 - (B) informs the individual that the individual will be registered to vote in the next election in which the individual will be eligible to vote; and
 - (C) indicates in which election the individual will be registered to vote.
 - (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is considered to have applied for voter registration on the earlier of:
 - (i) the day of the voter registration deadline immediately preceding the election day on which the individual will be at least 18 years of age; or
 - (ii) the day on which the individual turns 18 years of age.
 - (c) A county clerk shall refer a voter registration form to the county attorney for investigation and possible prosecution if the clerk or the clerk's designee believes the individual is attempting to preregister to vote in an election in which the individual will not be legally entitled to vote.
- (5)
- (a) The lieutenant governor or a county clerk shall classify the voter registration record of an individual who preregisters to vote as a private record until the day on which the individual turns 18 years of age.
 - (b) On the day on which the individual described in Subsection (5)(a) turns 18 years of age, the lieutenant governor or county clerk shall classify the individual's voter registration record as a public record in accordance with Subsection 63G-2-301(2)(l).
- (6) If an individual who is at least 18 years of age erroneously indicates on the voter registration form that the individual is preregistering to vote, the county clerk shall consider the form as a voter registration form and shall process the form in accordance with this chapter.

Amended by Chapter 223, 2018 General Session

20A-2-101.3 Convicted misdemeanants -- Restoration of right to vote or hold office.

- (1) As used in this section, "misdemeanant" means a person convicted of a misdemeanor for an offense under this title.
- (2) A misdemeanant's right to register to vote and to vote in an election is restored when the misdemeanant:
 - (a) is sentenced to probation; or
 - (b) has successfully completed the term of incarceration to which the misdemeanant was sentenced.
- (3) A misdemeanant's right to hold elective office is restored when:
 - (a) the misdemeanor for an offense under this title is expunged as provided in Title 77, Chapter 40a, Expungement; or
 - (b)
 - (i) five years have passed since the date of the misdemeanant's most recent misdemeanor conviction of an offense under this title;
 - (ii) the misdemeanant has paid all court-ordered restitution and fines; and
 - (iii) for each misdemeanor conviction that has not been expunged, the misdemeanant has:
 - (A) completed probation in relation to the misdemeanor; or
 - (B) successfully completed the term of incarceration associated with the misdemeanor.

Enacted by Chapter 395, 2011 General Session

20A-2-101.5 Convicted felons -- Restoration of right to vote and right to hold office.

- (1) As used in this section, "convicted felon" means a person convicted of a felony in any state or federal court of the United States.
- (2) Each convicted felon's right to register to vote and to vote in an election is restored when:
 - (a) the felon is sentenced to probation;
 - (b) the felon is granted parole; or
 - (c) the felon has successfully completed the term of incarceration to which the felon was sentenced.
- (3) Except as provided by Subsection (4), a convicted felon's right to hold elective office is restored when:
 - (a) all of the felon's felony convictions have been expunged; or
 - (b)
 - (i) 10 years have passed since the date of the felon's most recent felony conviction;
 - (ii) the felon has paid all court-ordered restitution and fines; and
 - (iii) for each felony conviction that has not been expunged, the felon has:
 - (A) completed probation in relation to the felony;
 - (B) been granted parole in relation to the felony; or
 - (C) successfully completed the term of incarceration associated with the felony.
- (4) An individual who has been convicted of a grievous sexual offense, as defined in Section 76-1-101.5, against a child, may not hold the office of State Board of Education member or local school board member.

Amended by Chapter 430, 2022 General Session

20A-2-102 Registration a prerequisite to voting.

- (1) Except as provided in Subsection (2), a person may not vote at any election unless that person is registered to vote as required by this chapter.
- (2) A person may vote a provisional ballot for an election as provided in Section 20A-2-307.

Amended by Chapter 231, 2014 General Session

20A-2-102.5 Voter registration deadline.

- (1) Except as otherwise provided in Chapter 16, Uniform Military and Overseas Voters Act, an individual who fails to timely submit a correctly completed voter registration form may not vote in the election.
- (2) The voter registration deadline is as follows:
 - (a) the voter registration must be received by the county clerk no later than 5 p.m. 11 calendar days before the date of the election, if the individual registers to vote:
 - (i) at the office of the county clerk, in accordance with Section 20A-2-201;
 - (ii) by mail, in accordance with Section 20A-2-202;
 - (iii) via an application for a driver license, in accordance with Section 20A-2-204;
 - (iv) via a public assistance agency or a discretionary voter registration agency, in accordance with Section 20A-2-205; or
 - (v) via electronic registration, in accordance with Section 20A-2-206;
 - (b) before the polls close on the last day of early voting, described in Section 20A-3a-601, if the individual registers by casting a provisional ballot at an early voting location in accordance with Section 20A-2-207; or
 - (c) before polls close on the date of the election, if the individual registers to vote on the date of the election by casting a provisional ballot, in accordance with Section 20A-2-207.

Amended by Chapter 31, 2020 General Session

20A-2-103 Special elections -- Lists of voters.

- (1)
 - (a) A special registration of voters is not required for a statewide or local special election.
 - (b) The last official or revised register is the register for the statewide or local special election.
- (2) If a statewide or local special election is held at the same time and place as a regular general election, a municipal general election, or a primary, persons qualified to vote at those elections may also vote in the statewide or local special election.
- (3) If a statewide or local special election is held on a date other than the date of a regular or municipal general election, the county clerk of each county in which the municipality or entity is wholly or partly located shall register persons to vote in that election during regular office hours in accordance with the requirements of this chapter.
- (4) The county clerk of each county in which the entity holding the statewide or local special election is located shall make registration lists or copies of those lists available at each polling place for use by registered voters entitled to use those polling places.

Amended by Chapter 264, 2006 General Session

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

- (1)
 - (a) As used in this section:

- (i) "Candidate for public office" means an individual:
 - (A) who files a declaration of candidacy for a public office;
 - (B) who files a notice of intent to gather signatures under Section 20A-9-408; or
 - (C) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i)(A) or (B) for political campaign purposes.
- (ii) "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.
- (iii) "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.
- (b) An individual applying for voter registration, or an individual preregistering to vote, shall complete a voter registration form in substantially the following form:

UTAH ELECTION REGISTRATION FORM

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

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

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

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

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

Name of Voter

First	Middle	Last
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Utah Driver License or Utah Identification Card Number _____

Date of Birth _____

Street Address of Principal Place of Residence

City	County	State	Zip Code
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Telephone Number (optional) _____

Email Address (optional) _____

Last four digits of Social Security Number _____

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

City	County	State	Zip Code
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Political Party

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

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

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

Signed and sworn

Voter's Signature

_____ (month/day/year).

PRIVACY INFORMATION

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

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

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

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

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

Signature of Applicant

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

NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND PHOTOGRAPH; OR TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND CURRENT ADDRESS.
FOR OFFICIAL USE ONLY

Type of I.D. _____
Voting Precinct _____
Voting I.D. Number _____

- (c) Beginning May 1, 2022, the voter registration form described in Subsection (1)(b) shall include a section in substantially the following form:

BALLOT NOTIFICATIONS

If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box, by indicating here:

_____ Yes, I would like to receive electronic notifications regarding the status of my ballot.

- (2)
- (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy of each voter registration form in a permanent countywide alphabetical file, which may be electronic or some other recognized system.
 - (b) The county clerk may transfer a superseded voter registration form to the Division of Archives and Records Service created under Section 63A-12-101.
- (3)
- (a) Each county clerk shall retain lists of currently registered voters.
 - (b) The lieutenant governor shall maintain a list of registered voters in electronic form.
 - (c) If there are any discrepancies between the two lists, the county clerk's list is the official list.
 - (d) The lieutenant governor and the county clerks may charge the fees established under the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy of the list of registered voters.
- (4)
- (a) As used in this Subsection (4), "qualified person" means:
 - (i) a government official or government employee acting in the government official's or government employee's capacity as a government official or a government employee;
 - (ii) a health care provider, as defined in Section 26-33a-102, or an agent, employee, or independent contractor of a health care provider;
 - (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or independent contractor of an insurance company;
 - (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or independent contractor of a financial institution;
 - (v) a political party, or an agent, employee, or independent contractor of a political party;
 - (vi) a candidate for public office, or an employee, independent contractor, or volunteer of a candidate for public office; or
 - (vii) a person, or an agent, employee, or independent contractor of the person, who:

- (A) provides the year of birth of a registered voter that is obtained from the list of registered voters only to a person who is a qualified person;
 - (B) verifies that a person, described in Subsection (4)(a)(vii)(A), to whom a year of birth that is obtained from the list of registered voters is provided, is a qualified person;
 - (C) ensures, using industry standard security measures, that the year of birth of a registered voter that is obtained from the list of registered voters may not be accessed by a person other than a qualified person;
 - (D) verifies that each qualified person, other than a qualified person described in Subsection (4)(a)(i), (v), or (vi), to whom the person provides the year of birth of a registered voter that is obtained from the list of registered voters, will only use the year of birth to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;
 - (E) verifies that each qualified person described in Subsection (4)(a)(i), to whom the person provides the year of birth of a registered voter that is obtained from the list of registered voters, will only use the year of birth in the qualified person's capacity as a government official or government employee; and
 - (F) verifies that each qualified person described in Subsection (4)(a)(v) or (vi), to whom the person provides the year of birth of a registered voter that is obtained from the list of registered voters, will only use the year of birth for a political purpose of the political party or candidate for public office.
- (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall, when providing the list of registered voters to a qualified person under this section, include, with the list, the years of birth of the registered voters, if:
- (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a qualified person; and
 - (ii) the qualified person signs a document that includes the following:
 - (A) the name, address, and telephone number of the person requesting the list of registered voters;
 - (B) an indication of the type of qualified person that the person requesting the list claims to be;
 - (C) a statement regarding the purpose for which the person desires to obtain the years of birth;
 - (D) a list of the purposes for which the qualified person may use the year of birth of a registered voter that is obtained from the list of registered voters;
 - (E) a statement that the year of birth of a registered voter that is obtained from the list of registered voters may not be provided or used for a purpose other than a purpose described under Subsection (4)(b)(ii)(D);
 - (F) a statement that if the person obtains the year of birth of a registered voter from the list of registered voters under false pretenses, or provides or uses the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law, is guilty of a class A misdemeanor and is subject to a civil fine;
 - (G) an assertion from the person that the person will not provide or use the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law; and
 - (H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.

- (c) The lieutenant governor or a county clerk may not disclose the year of birth of a registered voter to a person that the lieutenant governor or county clerk reasonably believes:
 - (i) is not a qualified person or a person described in Subsection (4)(l); or
 - (ii) will provide or use the year of birth in a manner prohibited by law.
- (d) The lieutenant governor or a county clerk may not disclose the voter registration form of a person, or information included in the person's voter registration form, whose voter registration form is classified as private under Subsection (4)(h) to a person other than:
 - (i) a government official or government employee acting in the government official's or government employee's capacity as a government official or government employee; or
 - (ii) except as provided in Subsection (7) and subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for a political purpose.
- (e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant governor or county clerk shall exclude the information described in Subsection 63G-2-302(1)(j), other than the year of birth.
- (f) The lieutenant governor or a county clerk may not disclose a withholding request form, described in Subsections (7) and (8), submitted by an individual, or information obtained from that form, to a person other than a government official or government employee acting in the government official's or government employee's capacity as a government official or government employee.
- (g) A person is guilty of a class A misdemeanor if the person:
 - (i) obtains the year of birth of a registered voter from the list of registered voters under false pretenses;
 - (ii) uses or provides the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is not permitted by law;
 - (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under false pretenses;
 - (iv) uses or provides information obtained from a voter registration record described in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;
 - (v) unlawfully discloses or obtains a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8); or
 - (vi) unlawfully discloses or obtains information from a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8).
- (h) The lieutenant governor or a county clerk shall classify the voter registration record of a voter as a private record if the voter:
 - (i) submits a written application, created by the lieutenant governor, requesting that the voter's voter registration record be classified as private;
 - (ii) requests on the voter's voter registration form that the voter's voter registration record be classified as a private record; or
 - (iii) submits a withholding request form described in Subsection (7) and any required verification.
- (i) The lieutenant governor or a county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a voter registration record, or information obtained from a voter registration record, if the record is withheld under Subsection (7).
- (j) In addition to any criminal penalty that may be imposed under this section, the lieutenant governor may impose a civil fine against a person who violates a provision of this section, in an amount equal to the greater of:
 - (i) the product of 30 and the square root of the total number of:
 - (A) records obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or

- (B) records from which information is obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or
- (ii) \$200.
- (k) A qualified person may not obtain, provide, or use the year of birth of a registered voter, if the year of birth is obtained from the list of registered voters or from a voter registration record, unless the person:
 - (i) is a government official or government employee who obtains, provides, or uses the year of birth in the government official's or government employee's capacity as a government official or government employee;
 - (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or uses the year of birth only to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;
 - (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains, provides, or uses the year of birth for a political purpose of the political party or candidate for public office; or
 - (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or uses the year of birth to provide the year of birth to another qualified person to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse.
- (l) The lieutenant governor or a county clerk may provide a year of birth to a member of the media, in relation to an individual designated by the member of the media, in order for the member of the media to verify the identity of the individual.
- (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose information from a voter registration record for a purpose other than a political purpose.
- (5) When political parties not listed on the voter registration form qualify as registered political parties under Title 20A, Chapter 8, Political Party Formation and Procedures, the lieutenant governor shall inform the county clerks of the name of the new political party and direct the county clerks to ensure that the voter registration form is modified to include that political party.
- (6) Upon receipt of a voter registration form from an applicant, the county clerk or the clerk's designee shall:
 - (a) review each voter registration form for completeness and accuracy; and
 - (b) if the county clerk believes, based upon a review of the form, that an individual may be seeking to register or preregister to vote who is not legally entitled to register or preregister to vote, refer the form to the county attorney for investigation and possible prosecution.
- (7) The lieutenant governor or a county clerk shall withhold from a person, other than a person described in Subsection (4)(a)(i), the voter registration record, and information obtained from the voter registration record, of an individual:
 - (a) who submits a withholding request form, with the voter registration record or to the lieutenant governor or a county clerk, if:
 - (i) 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; or
 - (ii) the individual indicates on the form and provides verification that the individual, or an individual who resides with the individual, is:
 - (A) a law enforcement officer;
 - (B) a member of the armed forces, as defined in Section 20A-1-513;
 - (C) a public figure; or
 - (D) protected by a protective order or protection order; or

- (b) whose voter registration record was classified as a private record at the request of the individual before May 12, 2020.
- (8)
 - (a) The lieutenant governor shall design and distribute the withholding request form described in Subsection (7) to each election officer and to each agency that provides a voter registration form.
 - (b) An individual described in Subsection (7)(a)(i) is not required to provide verification, other than the individual's attestation and signature on the withholding request form, that the individual, or an individual who resides with the individual, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence.
 - (c) The director of elections within the Office of the Lieutenant Governor shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for providing the verification described in Subsection (7)(a)(ii).
- (9) An election officer or an employee of an election officer may not encourage an individual to submit, or discourage an individual from submitting, a withholding request form.

Amended by Chapter 100, 2021 General Session

20A-2-105 Determining residency.

- (1) As used in this section:
 - (a) "Principal place of residence" means the single location where a person's habitation is fixed and to which, whenever the person is absent, the person has the intention of returning.
 - (b) "Resident" means a person whose principal place of residence is within a specific voting precinct in Utah.
- (2) Election officials and judges shall apply the standards and requirements of this section when determining whether a person is a resident for purposes of interpreting this title or the Utah Constitution.
- (3)
 - (a) A person resides in Utah if:
 - (i) the person's principal place of residence is within Utah; and
 - (ii) the person has a present intention to maintain the person's principal place of residence in Utah permanently or indefinitely.
 - (b) A person resides within a particular voting precinct if, as of the date of registering to vote, the person's principal place of residence is in that voting precinct.
 - (c) A person's principal place of residence does not change solely because the person is present in Utah, present in a voting precinct, absent from Utah, or absent from the person's voting precinct because the person is:
 - (i) employed in the service of the United States or of Utah;
 - (ii) a student at an institution of learning;
 - (iii) incarcerated in prison or jail; or
 - (iv) residing upon an Indian or military reservation.
 - (d)
 - (i) A member of the armed forces of the United States is not a resident of Utah merely because that member is stationed at a military facility within Utah.
 - (ii) In order to be a resident of Utah, a member of the armed forces described in this Subsection (3)(d) shall meet the other requirements of this section.
 - (e)

- (i) Except as provided in Subsection (3)(e)(ii) or (iii), a person has not lost the person's principal place of residence in Utah or a precinct if that person moves to a foreign country, another state, or another voting precinct within Utah, for temporary purposes with the intention of returning.
 - (ii) If a person leaves the state or a voting precinct and votes in another state or voting precinct, the person is no longer a resident of the state or voting precinct that the person left.
 - (iii) A person loses the person's principal place of residence in Utah or in a precinct, if, after the person moves to another state or another precinct under Subsection (3)(e)(i), the person forms the intent of making the other state or precinct the person's principal place of residence.
- (f) A person is not a resident of a county or voting precinct if that person comes for temporary purposes and does not intend to make that county or voting precinct the person's principal place of residence.
- (g) A person loses the person's principal place of residence in Utah or in a precinct if the person moves to another state or precinct with the intention of making the other state or precinct the person's principal place of residence.
- (h) If a person moves to another state or precinct with the intent of remaining there for an indefinite time as the person's principal place of residence, the person loses the person's residence in Utah, or in the precinct, even though the person intends to return at some future time.
- (4) An election official or judge shall, in determining a person's principal place of residence, consider the following factors, to the extent that the election official or judge determines the factors to be relevant:
- (a) where the person's family resides;
 - (b) whether the person is single, married, separated, or divorced;
 - (c) the age of the person;
 - (d) where the person usually sleeps;
 - (e) where the person's minor children attend school;
 - (f) the location of the person's employment, income sources, or business pursuits;
 - (g) the location of real property owned by the person;
 - (h) the person's residence for purposes of taxation or tax exemption; and
 - (i) other relevant factors.
- (5)
- (a) A person has changed the person's principal place of residence if the person:
 - (i) acts affirmatively to move from the state or a precinct in the state; and
 - (ii) has the intent to remain in another state or precinct.
 - (b) A person may not have more than one principal place of residence.
 - (c) A person does not lose the person's principal place of residence until the person establishes another principal place of residence.
- (6) In computing the period that a person is a resident, a person shall:
- (a) include the day on which the person establishes the person's principal place of residence; and
 - (b) exclude the day of the next election.
- (7)
- (a) Except as provided in Subsection (10), there is a rebuttable presumption that a person's principal place of residence is in Utah and in the voting precinct claimed by the person if the person makes an oath or affirmation upon a registration application form or declaration of candidacy that the person's principal place of residence is in Utah and in the voting precinct claimed by the person.

- (b) Except as provided in Subsection (10), the election officers and election officials shall allow a person described in Subsection (7)(a) to register and vote, or accept the person's declaration of candidacy, unless, upon a challenge by a registrar or some other person, it is shown by law or by clear and convincing evidence that:
 - (i) the person's principal place of residence is not in Utah; or
 - (ii) the person is incarcerated in prison or jail and did not, before the person was incarcerated in prison or jail, establish the person's principal place of residence in the voting precinct.
- (8)
 - (a) The criteria described in this section for establishing a person's principal place of residence for voting purposes do not apply in relation to the person's location while the person is incarcerated in prison or jail.
 - (b) For voting registration purposes, the principal place of residence of a person incarcerated in prison or jail is the state and voting precinct where the person's principal place of residence was located before incarceration.
- (9) If a person's principal place of residence is a residential parcel of one acre in size or smaller that is divided by the boundary line between two or more counties, that person shall be considered a resident of the county in which a majority of the residential parcel lies.
- (10)
 - (a) If an individual seeking to become a candidate for a political office that includes a durational residency requirement has been absent from the state for a period of more than 180 consecutive days during the applicable residency period, the individual may, at the time that the candidate files a declaration of candidacy, submit evidence to the filing officer to show that the individual intended to return to the state during the time of the individual's absence from the state.
 - (b) There is a rebuttable presumption that an individual described in Subsection (10)(a) intended to return to the state during the individual's absence if:
 - (i) the individual submits evidence of the individual's intent to the filing officer at the time that the individual files a declaration of candidacy; or
 - (ii) the individual was absent from the state because the individual was:
 - (A) employed in the service of the United States or of Utah;
 - (B) a student at an institution of learning; or
 - (C) engaged solely in religious, missionary, philanthropic, or humanitarian activities.
 - (c) If a valid written objection to an individual's declaration of candidacy is filed, there is a rebuttable presumption that an individual described in Subsection (10)(a) did not intend to return to the state during the individual's absence if:
 - (i) the individual did not submit evidence of the individual's intent to the filing officer at the time that the individual filed a declaration of candidacy; and
 - (ii) the individual's absence from the state was not for one of the reasons described in Subsection (10)(b)(ii).
 - (d) An individual must rebut the presumption described in this Subsection (10) by clear and convincing evidence.

Amended by Chapter 183, 2021 General Session

20A-2-107 Designating or changing party affiliation -- Times permitted.

- (1) The county clerk shall:
 - (a) except as provided in Subsection (3) or 20A-2-107.5(1)(c), record the party affiliation designated by the voter on the voter registration form as the voter's party affiliation; or

- (b) if no political party affiliation is designated by the voter on the voter registration form:
 - (i) except as provided in Subsection (1)(b)(ii), record the voter's party affiliation as the party that the voter designated the last time that the voter designated a party on a voter registration form, unless the voter more recently registered as "unaffiliated"; or
 - (ii) record the voter's party affiliation as "unaffiliated" if the voter:
 - (A) did not previously designate a party;
 - (B) most recently designated the voter's party affiliation as "unaffiliated"; or
 - (C) did not previously register.
- (2)
 - (a) Any registered voter may designate or change the voter's political party affiliation by complying with the procedures and requirements of this Subsection (2).
 - (b) A registered voter may designate or change the voter's political party affiliation by filing a signed form with the county clerk that identifies the registered political party with which the voter chooses to affiliate.
 - (c) Except as provided in Subsection (2)(d), a signed form designating or changing a voter's political party affiliation takes effect when the county clerk receives the signed form.
 - (d) In an even-numbered year, a form described in Subsection (2)(c) received by the county clerk after March 31 takes effect on the day after that year's regular primary election if the form changes a registered voter's affiliation with one political party to affiliate with another political party.
 - (e) Any part of a form described in Subsection (2)(d), other than the voter's designation or change of political party affiliation, takes effect when the county clerk receives the signed form.
 - (f) For purposes of Subsection (2)(d), a signed form described in Subsection (2)(c) is received by the county clerk on or before March 31 if:
 - (i) the individual submits the form in person at the county clerk's office no later than 5 p.m. on the last business day before April 1;
 - (ii) the individual submits the form electronically through the system described in Section 20A-2-206, at or before 11:59 p.m. on March 31; or
 - (iii) the individual's form is clearly postmarked on or before March 31.
 - (g) Subsection (2)(d) does not apply to the party affiliation designated by a voter on the voter registration form if:
 - (i) the voter has not previously been registered to vote in the state; or
 - (ii) the voter's most recent party affiliation was changed to "unaffiliated" by a county clerk under Subsection (3).
- (3) If the most recent party affiliation designated by a voter is for a political party that is no longer a registered political party, the county clerk shall:
 - (a) change the voter's party affiliation to "unaffiliated"; and
 - (b) notify the voter electronically or by mail:
 - (i) that the voter's affiliation has been changed to "unaffiliated" because the most recent party affiliation designated by the voter is for a political party that is no longer a registered political party; and
 - (ii) of the methods and deadlines for changing the voter's party affiliation.

Amended by Chapter 170, 2022 General Session

20A-2-107.5 Designating or changing party affiliation -- Regular primary election and presidential primary election.

- (1) At any regular primary election or presidential primary election:
 - (a) each county clerk shall provide change of party affiliation forms to the poll workers for each voting precinct within the county;
 - (b) except as provided in Subsection (1)(c), a registered voter who is classified as "unaffiliated" may affiliate with a political party by completing the form and giving it to the poll worker; and
 - (c) for an unaffiliated voter who was affiliated with a political party at any time between April 1 and the date of the regular primary election, a form described in Subsection (1)(a) takes effect on the day after the regular primary election.
- (2) An unaffiliated voter who affiliates with a political party as provided in Subsection (1)(b) may vote in that party's primary election.

Amended by Chapter 430, 2021 General Session

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

- (1) As used in this section, "qualifying form" means:
 - (a) a driver license application form; or
 - (b) a state identification card application form.
- (2) The lieutenant governor and the Driver License Division shall design each qualifying form to include:
 - (a) the following question, which an applicant is required to answer: "Do you authorize the use of information in this form for voter registration purposes? YES____ NO____";
 - (b) the following statement:

"PRIVACY INFORMATION

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

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

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

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

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

(c) beginning May 1, 2022, a section in substantially the following form:

BALLOT NOTIFICATIONS

If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box, by indicating here:

_____ Yes, I would like to receive electronic notifications regarding the status of my ballot.

-
- (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form contains:
- (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and Utah residency, and that the information provided in the form is true;
 - (b) a records disclosure that is similar to the records disclosure on a voter registration form described in Section 20A-2-104;
 - (c) a statement that if an applicant declines to register or preregister to vote, the fact that the applicant has declined to register or preregister will remain confidential and will be used only for voter registration purposes;
 - (d) a statement that if an applicant does register or preregister to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and
 - (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a space where an individual may, if desired:
 - (i) indicate the individual's desired political affiliation from a listing of each registered political party, as defined in Section 20A-8-101;
 - (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires to affiliate; or
 - (iii) indicate that the individual does not wish to affiliate with a political party.

Amended by Chapter 100, 2021 General Session

20A-2-109 Statewide voter registration database -- Lieutenant governor to create -- Counties to participate -- Maintenance of database -- Cooperation with governmental entities -- Record security -- List of incarcerated felons.

- (1)
- (a)
 - (i) The lieutenant governor shall develop a statewide voter registration database.
 - (ii)
 - (A) The lieutenant governor may compare the information in the statewide voter registration database with information submitted by a registered voter to a state agency to identify a change in a registered voter's principal place of residence or name.

- (B) The lieutenant governor shall establish matching criteria and security measures for identifying a change described in Subsection (1)(a)(ii)(A) to ensure the accuracy of a voter registration record.
- (C) The lieutenant governor shall notify the county clerk of the county in which the voter's principal place of residence is located of the change in the registered voter's principal place of residence or name.
- (b) Each county clerk shall utilize the statewide voter registration database when recording or modifying voter registration records.
- (2)
 - (a) The lieutenant governor shall establish and implement a procedure to maintain the accuracy of the statewide voter registration database by using information available from:
 - (i) a voter;
 - (ii) a governmental entity, as defined by Section 63G-2-103; or
 - (iii) another state.
 - (b) Subject to Subsection (2)(c), the lieutenant governor may cooperate or enter into an agreement with a governmental entity or another state to share information to implement the procedure established under Subsection (2)(a).
 - (c) For a record shared under Subsection (2)(b), the lieutenant governor shall ensure:
 - (i) that the record is only used to maintain the accuracy of a voter registration database;
 - (ii) compliance with Section 63G-2-206; and
 - (iii) that the record is secure from unauthorized use by employing data encryption or another similar technology security system.
- (3)
 - (a) The lieutenant governor shall maintain a current list of all incarcerated felons in Utah.
 - (b)
 - (i) The Department of Corrections shall provide the lieutenant governor's office with a list of the name and last-known address of each person who:
 - (A) was convicted of a felony in a Utah state court; and
 - (B) is currently incarcerated for commission of a felony.
 - (ii) The lieutenant governor shall establish the frequency of receipt of the information and the method of transmitting the information after consultation with the Department of Corrections.
 - (c)
 - (i) The Department of Corrections shall provide the lieutenant governor's office with a list containing the name of each convicted felon who has been released from incarceration.
 - (ii) The lieutenant governor shall establish the frequency of receipt of the information and the method of transmitting the information after consultation with the Department of Corrections.

Amended by Chapter 19, 2018 General Session