

**Effective 5/12/2015**

**Partial Sunset 1/1/2017**

**20A-2-205 Registration at voter registration agencies.**

- (1) As used in this section:
  - (a) "Discretionary voter registration agency" means the same as that term is defined in Section 20A-2-300.5.
  - (b) "Public assistance agency" means each office in Utah that provides:
    - (i) public assistance; or
    - (ii) state funded programs primarily engaged in providing services to people with disabilities.
- (2) An individual may obtain and complete a by-mail registration form at a public assistance agency or discretionary voter registration agency.
- (3) Each public assistance agency and discretionary voter registration agency shall provide, either as part of existing forms or on a separate form, the following information in substantially the following form:

**"REGISTERING TO VOTE**

If you are not registered to vote where you live now, would you like to apply to register or preregister to vote here today? (The decision of whether to register or preregister to vote will not affect the amount of assistance that you will be provided by this agency.) Yes\_\_\_\_\_ No\_\_\_\_\_ IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER OR PREREGISTER TO VOTE AT THIS TIME. If you would like help in filling out the voter registration form, we will help you. The decision about whether to seek or accept help is yours. You may fill out the application form in private. If you believe that someone has interfered with your right to register or preregister or to decline to register or preregister to vote, your right to privacy in deciding whether to register or preregister, or in applying to register or preregister to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Office of the Lieutenant Governor, State Capitol Building, Salt Lake City, Utah 84114. (The phone number of the Office of the Lieutenant Governor)."
- (4) Unless a person applying for service or assistance from a public assistance agency or discretionary voter registration agency declines, in writing, to register or preregister to vote, each public assistance agency and discretionary voter registration agency shall:
  - (a) distribute a by-mail voter registration form with each application for service or assistance provided by the agency or office;
  - (b) assist applicants in completing the voter registration form unless the applicant refuses assistance;
  - (c) accept completed forms for transmittal to the appropriate election official; and
  - (d) transmit a copy of each voter registration form to the appropriate election official within five days after it is received by the division.
- (5) A person in a public assistance agency or a discretionary voter registration agency that helps a person complete the voter registration form may not:
  - (a) seek to influence an applicant's political preference or party registration;
  - (b) display any political preference or party allegiance;
  - (c) make any statement to an applicant or take any action that has the purpose or effect of discouraging the applicant from registering to vote; or
  - (d) make any statement to an applicant or take any action that has the purpose or effect of leading the applicant to believe that a decision of whether to register or preregister has any bearing upon the availability of services or benefits.

- (6) Upon receipt of a correctly completed voter registration form, the county clerk shall, unless the individual named in the form is preregistering to vote:
  - (a) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
  - (b) notify the applicant of registration.
- (7)
  - (a) Except as provided in Subsection 20A-4-108(8), if the county clerk receives a correctly completed voter registration form that is dated after the voter registration deadline, the county clerk shall, unless the individual named in the form is preregistering to vote:
    - (i) register the applicant after the next election; and
    - (ii) if possible, promptly phone or mail a notice to the applicant before the election, informing the applicant that his registration will not be effective until after the election.
  - (b) When the county clerk receives a correctly completed voter registration form at least seven days before an election that is dated on or before the voter registration deadline, the county clerk shall:
    - (i) process the voter registration form; and
    - (ii) record the new voter in the official register.
- (8) If the county clerk determines that a voter registration form received from a public assistance agency or discretionary voter registration agency is incorrect because of an error or because it is incomplete, the county clerk shall mail notice to the individual attempting to register or preregister to vote, stating that the individual has not been registered or preregistered to vote because of an error or because the form is incomplete.