

**20A-3-104.5 Voting -- Regular primary election and Western States Presidential Primary.**

- (1)
  - (a) Any registered voter desiring to vote at the regular primary election or Utah's Western States Presidential Primary shall give the voter's name, the name of the registered political party whose ballot the voter wishes to vote, and, if requested, the voter's residence, to one of the poll workers.
  - (b) The voter shall present valid voter identification to one of the poll workers.
  - (c)
    - (i) The poll worker shall follow the procedures and requirements of Section 20A-3-105.5 if:
      - (A) the poll worker is not satisfied that the voter presented valid voter identification; or
      - (B) the voter's right to vote is challenged under Section 20A-3-202.
    - (ii) The poll worker shall notify a voter casting a provisional ballot under Section 20A-3-105.5 because of failure to present valid voter identification that the voter has until the close of normal office hours on Monday after the day of the election to:
      - (A) present valid voter identification to the county clerk at the county clerk's office; or
      - (B) an election officer who is administering the election.
- (2)
  - (a)
    - (i) If the voter is properly identified, the poll worker in charge of the official register shall check the official register to determine:
      - (A) whether or not the person is registered to vote; and
      - (B) whether or not the voter's party affiliation designation in the official register allows the voter to vote the ballot that the voter requested.
    - (ii) If the official register does not affirmatively identify the voter as being affiliated with a registered political party or if the official register identifies the voter as being "unaffiliated," the voter shall be considered to be "unaffiliated."
  - (b)
    - (i) Except as provided in Subsection (2)(b)(ii), if the voter's name is not found on the official register, the poll worker shall follow the procedures and requirements of Section 20A-3-105.5.
    - (ii)
      - (A) If it is not unduly disruptive of the election process, the poll worker shall attempt to contact the county clerk's office to request oral verification of the voter's registration.
      - (B) If oral verification is received from the county clerk's office, the poll worker shall:
        - (I) record the verification on the official register;
        - (II) determine the voter's party affiliation and the ballot that the voter is qualified to vote; and
        - (III) perform the other administrative steps required by Subsection (3).
  - (c)
    - (i) Except as provided in Subsection (2)(c)(ii), if the voter's political party affiliation listed in the official register does not allow the voter to vote the ballot that the voter requested, the poll worker shall inform the voter of that fact and inform the voter of the ballot or ballots that the voter's party affiliation does allow the voter to vote.
    - (ii)
      - (A) If the voter is listed in the official register as "unaffiliated," or if the official register does not affirmatively identify the voter as either "unaffiliated" or affiliated with a registered political party, and the voter, as an "unaffiliated" voter, is not authorized to vote the ballot that the voter requests, the poll worker shall ask the voter if the voter wishes to vote another

registered political party ballot that the voter, as "unaffiliated," is authorized to vote, or remain "unaffiliated."

- (B) If the voter wishes to vote another registered political party ballot that the unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection (3).
  - (C) If the voter wishes to remain unaffiliated and does not wish to vote another ballot that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the voter may not vote.
- (3) If the poll worker determines that the voter is registered and eligible, under Subsection (2), to vote the ballot that the voter requested and:
- (a) if the ballot is a paper ballot or a ballot sheet:
    - (i) the poll worker in charge of the official register shall:
      - (A) write the ballot number and the name of the registered political party whose ballot the voter voted opposite the name of the voter in the official register; and
      - (B) direct the voter to sign the voter's name in the election column in the official register;
    - (ii) another poll worker shall list the ballot number and voter's name in the pollbook; and
    - (iii) the poll worker having charge of the ballots shall:
      - (A) endorse the voter's initials on the stub;
      - (B) check the name of the voter on the pollbook list with the number of the stub;
      - (C) hand the voter the ballot for the registered political party that the voter requested and for which the voter is authorized to vote; and
      - (D) allow the voter to enter the voting booth; or
  - (b) if the ballot is an electronic ballot:
    - (i) the poll worker in charge of the official register shall direct the voter to sign the voter's name in the official register;
    - (ii) another poll worker shall list the voter's name in the pollbook; and
    - (iii) the poll worker having charge of the ballots shall:
      - (A) provide the voter access to the electronic ballot for the registered political party that the voter requested and for which the voter is authorized to vote; and
      - (B) allow the voter to vote the electronic ballot.
- (4) Whenever the election officer is required to furnish more than one kind of official ballot to the voting precinct, the poll workers of that voting precinct shall give the registered voter the kind of ballot that the voter is qualified to vote.

Amended by Chapter 335, 2011 General Session