

Effective 5/12/2020

Chapter 3a Voting

Part 1 General Voting Provisions

20A-3a-102 Residency and age requirements of voters.

- (1) An individual may vote in any regular general election or statewide special election if that individual has registered to vote in accordance with Chapter 2, Voter Registration.
- (2) An individual may vote in the presidential primary election or a regular primary election if:
 - (a) that individual has registered to vote in accordance with Chapter 2, Voter Registration; and
 - (b) that individual's political party affiliation, or unaffiliated status, allows the person to vote in the election.
- (3) An individual may vote in a municipal general election, municipal primary election, local special election, special district election, and bond election if that individual:
 - (a) has registered to vote in accordance with Chapter 2, Voter Registration; and
 - (b) is a resident of a voting district or precinct within the local entity that is holding the election.

Amended by Chapter 15, 2023 General Session

20A-3a-103 Age requirements for primary elections -- 17-year-olds may vote.

An individual who is 17 years of age may vote in a regular primary election, a municipal primary election, or a presidential primary election, if:

- (1) the individual will be 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;
- (2) the individual is registered to vote in accordance with Chapter 2, Voter Registration;
- (3) the individual's political party affiliation, or unaffiliated status, allows the individual to vote in the election; and
- (4) the individual otherwise complies with the requirements to vote in the primary election.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-104 Voting by secret ballot.

All voting at each regular and municipal general election, at each statewide or local special election, at each primary election, at each special district election, and at each bond election shall be by secret ballot.

Amended by Chapter 15, 2023 General Session

20A-3a-105 Employee's right to time off for election.

- (1)
 - (a) Each employer shall allow any voter to be absent from service or employment on election day for not more than two hours between the time the polls open and close.
 - (b) The voter shall apply for a leave of absence before election day.
 - (c)

- (i) The employer may specify the hours during which the employee may be absent.
- (ii) If the employee requests the leave of absence at the beginning or end of the work shift, the employer shall grant that request.
- (d) The employer may not deduct from an employee's usual salary or wages because of the absence.
- (2) This section does not apply to an employee who has three or more hours between the time polls open and close during which the employee is not employed on the job.
- (3) Any employer who violates this section is guilty of a class B misdemeanor.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-106 Rulemaking authority relating to conducting an election.

The director of elections, within the Office of the Lieutenant Governor, may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements for:

- (1) a return envelope, to ensure uniformity and security of the envelopes;
- (2) complying with the signature comparison audit requirements described in Section 20A-3a-402.5;
- (3) conducting and documenting the identity verification process described in Subsection 20A-3a-401(7)(b); or
- (4) establishing specific requirements and procedures for an election officer to:
 - (a) perform the signature comparison audits described in Subsection 20A-9-408(9)(e); or
 - (b) fulfill the chain of custody requirements described in Section 20A-9-408.3.

Amended by Chapter 381, 2025 General Session

Amended by Chapter 448, 2025 General Session

Part 2
Voting Procedures

20A-3a-201 Voting methods.

- (1) A voter may vote as follows:
 - (a) by mail;
 - (b) at a polling place during early voting hours;
 - (c) at a polling place on election day when the polls are open;
 - (d) if the voter is an individual with a disability, by voting remotely, via a mechanical ballot or via electronic means if approved by the election officer;
 - (e) electronically or via a federal write-in absentee ballot if the voter is a covered voter, as defined in Section 20A-16-102; or
 - (f) by emergency ballot, in accordance with Part 3, Emergency Ballots.
- (2) A voter may not vote at a polling place if the voter voted by mail or in a manner described in Subsections (1)(d) through (f).

Amended by Chapter 381, 2025 General Session

20A-3a-201.5 Proof of citizenship required for state elections -- Separate federal ballots for registered voters who do not provide proof of citizenship.

- (1) Except as provided in Subsection (2), for an election held on or after November 1, 2026, that includes a race for federal office:
 - (a) an election officer shall:
 - (i) for each precinct, produce a standard ballot; and
 - (ii) for each congressional district, produce a federal ballot;
 - (b) only a voter who has, at the time of voter registration or before voting, provided documentary proof of United States citizenship may vote a standard ballot; and
 - (c) a voter who has not provided documentary proof of United States citizenship, at the time of voter registration or before voting, may only vote a federal ballot.
- (2) A voter who has not, at the time of registration or before voting, provided documentary proof of United States citizenship may cast a standard ballot as a provisional ballot, but an election officer may only count votes for federal office cast using the standard ballot unless the voter provides documentary proof of United States citizenship before noon on the last business day before the day of the applicable canvass.
- (3) Except as otherwise provided in Section 20A-2-508:
 - (a) an election officer may not require a voter to provide documentary proof of United States citizenship to vote a federal ballot; and
 - (b) a voter who has previously provided documentary proof of United States citizenship to an election officer is not required to provide documentary proof of citizenship when the voter subsequently registers to vote.
- (4) If, due to marriage or another legally-recognized method of changing an individual's name, a voter's name has changed from the name appearing on the voter's documentary proof of United States citizenship, the voter may provide documentary proof of the name change, together with the voter's documentary proof of United States citizenship, to establish that the voter is a United States citizen.

Enacted by Chapter 408, 2026 General Session

20A-3a-202 Conducting election in person and by mail -- Mailing ballots to voters -- Exceptions.

- (1)
 - (a) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.
 - (b) An individual who did not provide valid voter identification at the time the voter registered to vote shall provide valid voter identification before voting.
- (2) An election officer who administers an election:
 - (a) shall, in accordance with Subsection (3), no sooner than 21 calendar days before election day and no later than seven calendar days before election day, mail to the applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to Subsection 20A-3a-202.5(4):
 - (i) a manual ballot;
 - (ii) a return envelope;
 - (iii) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;

- (iv) information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information; and
 - (v) instructions on how a voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5;
 - (b) may not mail a ballot under this section to:
 - (i) an inactive voter, unless the inactive voter requests a manual ballot;
 - (ii) a voter whom the election officer is prohibited from sending a ballot under Subsection 20A-3a-202.5(4); or
 - (iii) for an election held on or after November 1, 2026, a voter who is only eligible to vote a federal ballot, if the election does not include a race for federal office;
 - (c) shall, on the outside of the envelope in which the election officer mails the ballot, include instructions for returning the ballot if the individual to whom the election officer mails the ballot does not live at the address to which the ballot is sent;
 - (d) shall provide a method of accessible voting to a voter with a disability who is not able to vote by mail; and
 - (e) shall include, on the election officer's website and with each ballot mailed, instructions regarding how a voter described in Subsection (2)(d) may vote.
- (3)
- (a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to the address:
 - (i) provided at the time of registration or updated by the voter after the time of registration; or
 - (ii) if, at or after the time of registration, the voter files an alternate address request form described in Subsection (3)(b), the alternate address indicated on the form.
 - (b) The lieutenant governor shall make available to voters an alternate address request form that permits a voter to request that the election officer mail the voter's ballot to a location other than the voter's residence.
 - (c) A voter shall provide the completed alternate address request form to the election officer no later than 11 calendar days before the day of the election.
 - (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statements:

"WARNING

If you have a valid Utah driver license or a valid Utah state identification card, failure to provide the last four digits of the license or card number may result in your ballot not being counted. You also have the option of providing the last four digits of your social security number as identification. If you do not have any of these identification types, your ballot will still be counted if your signature on the affidavit on this envelope matches your signature on file with the election officer.

NOTICE

Beginning in 2029, you will not receive a ballot by mail unless you request to receive a ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource locator where the voter can make the request online]. If you are unable to make a request online, contact your county clerk's office at the following number for instructions on how to make the request in person or by mail [insert phone number here]."
 - (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a voter, a separate paper document containing the following statement:

"WARNING

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

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

a currently valid identification card that is issued by the state or a branch, department, or agency of the United States;

a currently valid Utah permit to carry a concealed weapon;

a currently valid United States passport;

a currently valid United States military identification card; or

a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card.

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

(4) The return envelope:

(a) shall include:

(i)

(A) before January 1, 2027, the name, official title, and post office address of the election officer on the front of the envelope; or

(B) beginning on January 1, 2027, the official title and post office address of the election officer on the front of the envelope;

(ii) subject to Subsection (9), a place for the voter to enter the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;

(iii) the following statement:

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

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

(v) a printed affidavit in substantially the following form:

"County of ____ State of ____

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

Signature of Voter

WARNING

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

(b) beginning on January 1, 2027, may not include the name of the election officer on the envelope.

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

(a) mail a ballot to the voter;

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

- (c) provide instructions to the voter on how the voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5.
- (6) An election officer who administers an election shall:
 - (a)
 - (i) before the election, obtain the signatures of each voter qualified to vote in the election; or
 - (ii) obtain the signature of each voter within the voting precinct from the county clerk; and
 - (b) maintain the signatures on file in the election officer's office.
- (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under Section 20A-3a-401.
- (8) A county that administers an election:
 - (a) shall provide at least one election day voting center in accordance with Part 7, Election Day Voting Center, and at least one additional election day voting center for every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not receive a ballot by mail;
 - (b) shall ensure that each election day voting center operated by the county has at least one voting device that is accessible, in accordance with the Help America Vote Act of 2002, Pub. L. No. 107-252, for individuals with disabilities;
 - (c) may reduce the early voting period described in Section 20A-3a-601, if:
 - (i) the county clerk conducts early voting on at least four days;
 - (ii) the early voting days are within the period beginning on the date that is 14 calendar days before the date of the election and ending on the day before the election; and
 - (iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604; and
 - (d) is not required to pay return postage for a return envelope.
- (9) A return envelope shall be designed in a manner that the information described in Subsections (4)(a)(ii) and (iv), and the voter's signature, is covered from view after the return envelope is sealed.
- (10) A county clerk shall, at least 90 calendar days before an election administered by the county clerk, contact local post offices to:
 - (a) coordinate the handling of mail-in ballots for the upcoming election; and
 - (b) take measures to ensure that ballots are delivered in an expeditious manner to optimize the timely receipt of ballots.

Amended by Chapter 408, 2026 General Session

20A-3a-202.5 Receiving a ballot by mail -- Making a request -- Termination or expiration of a request -- Renewing a request.

- (1) As used in this section, "request to receive a ballot by mail" means to make a request as described in Subsection (2).
- (2) An individual may request to receive a ballot by mail by:
 - (a) making the request on a voter registration form;
 - (b) making the request when the individual applies for or renews the individual's driver license or state identification card;
 - (c) making the request via the electronic system described in Section 20A-2-206; or
 - (d) making the request when the voter votes in person.
- (3) An election officer shall, when mailing ballots to voters under Section 20A-3a-202, mail a ballot to each registered voter who:
 - (a) for an election held before January 1, 2029, is an active voter, unless the voter requests to stop receiving a ballot by mail; or

- (b) except as provided in Subsection (4), for an election held on or after January 1, 2029:
 - (i) is an active voter; and
 - (ii) has, in accordance with Subsection (2), made a request to receive a ballot by mail.
- (4) For an election held on or after January 1, 2029, an election officer may not mail a ballot to an individual who:
 - (a) following the individual's most recent request to receive a ballot by mail:
 - (i) requests to stop receiving ballots by mail; or
 - (ii) does not vote in an election during a period that includes two consecutive regular general elections; or
 - (b) has not, within eight years before the day on which the election officer mails the bulk of the ballots for an election, made a request to receive a ballot by mail.
- (5) This section may not be applied in a manner that conflicts with Chapter 16, Uniform Military and Overseas Voters Act.

Enacted by Chapter 381, 2025 General Session

20A-3a-203 Voting at a polling place.

- (1) A registered voter may vote at a polling place in an election in accordance with this section.
- (2)
 - (a) The voter shall give the voter's name, 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, as follows:
 - (i) the voter shall present a currently valid Utah driver license or Utah state identification card;
 - (ii) if the voter does not have the type of identification described in Subsection (2)(b)(i), the voter shall present:
 - (A) a currently valid identification card issued by the state, or a branch, department, or agency of the United States;
 - (B) a currently valid Utah permit to carry a concealed weapon;
 - (C) a currently valid United States passport;
 - (D) a currently valid United States military identification card; or
 - (E) a valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card; or
 - (iii) if the voter does not have the type of identification described in Subsection (2)(b)(i) or (ii), the voter shall present other valid voter identification.
 - (c) If the poll worker is not satisfied that the voter has presented valid voter identification in accordance with Subsection (2)(b), the poll worker shall:
 - (i) indicate on the official register that the voter was not properly identified;
 - (ii) issue the voter a provisional ballot;
 - (iii) notify the voter that the voter will have until noon on the last business day before the day of the applicable canvass, to present valid voter identification:
 - (A) to the county clerk at the county clerk's office; or
 - (B) to an election officer who is administering the election; and
 - (iv) follow the procedures and requirements of Section 20A-3a-205.
 - (d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll worker shall follow the procedures and requirements of Section 20A-3a-205.
- (3) A poll worker shall check the official register to determine:
 - (a) whether a voter is registered to vote; and

- (b) if the election is a regular primary election or a presidential primary election, whether a voter's party affiliation designation in the official register allows the voter to vote the ballot that the voter requests.
- (4)
 - (a) Except as provided in Subsection (5), if the voter's name is not found on the official register, the poll worker shall follow the procedures and requirements of Section 20A-3a-205.
 - (b) If, in a regular primary election or a presidential primary election, 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."
- (5) In a regular primary election or a presidential primary election:
 - (a) if a voter's name is not found on the official register, and if it is not unduly disruptive to the election process, the poll worker may attempt to contact the county clerk's office to request oral verification of the voter's registration; and
 - (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) except as provided in Subsection (6), comply with Subsection (3).
- (6)
 - (a) Except as provided in Subsection (6)(b), if, in a regular primary election or a presidential primary election, 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.
 - (b) If, in a regular primary election or a presidential primary election, 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:
 - (i) 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; and
 - (ii)
 - (A) 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); or
 - (B) 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.
- (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of Subsection (6), if the poll worker determines that the voter is registered, a poll worker shall:
 - (a) direct the voter to sign the voter's name in the official register;
 - (b) provide to the voter the ballot that the voter is qualified to vote; and
 - (c) allow the voter to enter the voting booth.
- (8)
 - (a) The official register shall include the statement described in Subsection (8)(b):
 - (i) at the top of each page of the register where a voter signs the register; or
 - (ii) adjacent to the place where each voter signs the register.
 - (b) The statement described in Subsection (8)(a) shall appear as follows:
AFFIDAVIT

By signing this register I am signing an affidavit where, UNDER PENALTY OF PERJURY, I affirm that the identification I presented to the poll worker is valid voter identification that accurately identifies me as the person indicated.

- (9) A voter who votes at a polling place may submit a request to a poll worker that a ballot be mailed to the voter in upcoming elections.

Amended by Chapter 408, 2026 General Session

20A-3a-204 Marking a manual ballot -- Returning a ballot by mail, at an election officer's office, or via a ballot drop box -- Depositing a ballot received by mail at a polling place.

(1) To vote a manual ballot:

- (a) except as provided in Subsection (7), the voter shall prepare the voter's manual ballot by marking the appropriate space with a mark opposite the name of each candidate of the voter's choice for each office to be filled;
- (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the appropriate space with a mark opposite the answer the voter intends to make;
- (c) except as provided in Subsection (7), the voter shall record a write-in vote in accordance with Subsection 20A-3a-206(1); and
- (d) except as provided in Subsection (7), a mark is not required opposite the name of a write-in candidate.

(2) Before returning a ballot mailed to the voter, the voter shall:

- (a) complete and sign the affidavit on the return envelope;
- (b) enter the last four digits of the voter's Utah driver license or Utah state identification card;
- (c) beginning on January 1, 2029, if the voter does not have a Utah driver license or Utah state identification card:
 - (i) write the last four digits of the voter's social security card on the return envelope; or
 - (ii) include in the return envelope a photocopy of one of the following forms of identification for the voter:
 - (A) a currently valid identification card issued by the state, or a branch, department, or agency of the United States;
 - (B) a currently valid Utah permit to carry a concealed weapon;
 - (C) a currently valid United States passport;
 - (D) a currently valid United States military identification card; or
 - (E) a valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card;
- (d) place the voted ballot in the return envelope;
- (e) if required by the election officer because the voter has not yet provided valid voter identification with the voter's voter registration record, include a copy of the voter's valid voter identification with the ballot inside the return envelope;
- (f) securely seal the return envelope; and
- (g) if returning the ballot by mail, attach postage, if necessary, and deposit the return envelope in the mail.

(3)

- (a) Except as otherwise provided in Section 20A-16-404, to be valid, a ballot that is mailed must be received by the election officer on or before 8 p.m. on election day.
- (b) Except as provided in Subsection (3)(c), to be valid, a ballot returned by a method other than by mail shall, before 8 p.m. on election day, be:
 - (i) deposited in a ballot box at a polling place;

- (ii) deposited in a ballot drop box designated by an election officer for the jurisdiction to which the ballot relates; or
 - (iii) otherwise received by the election officer.
- (c) An election officer may, but is not required to, forward a ballot deposited in a ballot drop box in the wrong jurisdiction to the correct jurisdiction.
- (d) An election officer shall ensure that a voter who is, at or before 8 p.m. on election day:
 - (i) in line at a ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, is allowed to deposit the ballot in the ballot drop box; or
 - (ii) in line at a polling place, is allowed to vote.
- (4)
 - (a) Except as provided in Subsection (6), to vote at a polling place the voter shall, after complying with Subsections (1)(a) through (d):
 - (i) sign the official register or pollbook; and
 - (ii) place the ballot in the ballot box; or
 - (b) If the ballot that a voter votes at a polling place is a provisional ballot, the voter shall place the ballot in the provisional ballot envelope, complete the information printed on the provisional ballot envelope, and deposit the provisional ballot envelope in the provisional ballot box.
- (5)
 - (a) An individual with a disability may vote a mechanical ballot at a polling place.
 - (b) An individual other than an individual with a disability may vote a mechanical ballot at a polling place if permitted by the election officer.
- (6) To vote a mechanical ballot, the voter shall:
 - (a) make the selections according to the instructions provided for the voting device; and
 - (b) subject to Subsection (7), record a write-in vote by:
 - (i) selecting the appropriate position for entering a write-in candidate; and
 - (ii) using the voting device to enter the name of the valid write-in candidate for whom the voter wishes to vote.
- (7) To vote in an instant runoff voting race under Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, a voter:
 - (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's first preference for the office; and
 - (b) may indicate, as directed on the ballot, the names of the remaining candidates in order of the voter's preference.
- (8) A voter who votes at a polling place:
 - (a) shall mark and cast or deposit the ballot without delay and shall leave the voting area after voting; and
 - (b) may not:
 - (i) occupy a voting booth occupied by another, except as provided in Section 20A-3a-208;
 - (ii) remain within the voting area more than 10 minutes; or
 - (iii) occupy a voting booth for more than five minutes if all booths are in use and other voters are waiting to occupy a voting booth.
- (9) If the official register shows any voter as having voted, that voter may not reenter the voting area during that election unless that voter is an election official or watcher.
- (10) A poll worker may not, at a polling place, allow more than four voters more than the number of voting booths into the voting area at one time unless those excess voters are:
 - (a) election officials;
 - (b) watchers; or
 - (c) assisting voters with a disability.

Amended by Chapter 381, 2025 General Session

20A-3a-205 Manner of voting -- Provisional ballot.

- (1) The poll workers shall follow the procedures and requirements of this section when:
 - (a) the individual's right to vote is challenged as provided in Section 20A-3a-803 or 20A-3a-805;
 - (b) the individual's name is not found on the official register; or
 - (c) the poll worker is not satisfied that the voter has provided valid voter identification.
- (2) When faced with one of the circumstances described in Subsection (1)(a) or (b), the poll worker shall:
 - (a) request that the individual provide valid voter identification; and
 - (b) review the identification provided by the individual.
- (3) If the poll worker is satisfied that the individual has provided valid voter identification that establishes the individual's identity and residence in the voting precinct:
 - (a) the poll worker in charge of the official register shall:
 - (i) record in the official register the type of identification that established the individual's identity and place of residence;
 - (ii) record the provisional ballot envelope number in association with the name of the individual; and
 - (iii) direct the individual to sign the individual's name in the official register or pollbook; and
 - (b) the poll worker having charge of the ballots shall:
 - (i) give the individual a provisional ballot; and
 - (ii) allow the individual to enter the voting booth.
- (4) If the poll worker is not satisfied that the individual has provided valid voter identification that establishes the individual's identity and residence in the voting precinct:
 - (a) the poll worker in charge of the official register shall:
 - (i) record in the official register that the voter did not provide valid voter identification;
 - (ii) record in the official register the type of identification that was provided by the individual, if any;
 - (iii) record the provisional ballot envelope number in association with the name of the individual; and
 - (iv) direct the individual to sign the individual's name in the official register or pollbook; and
 - (b) the poll worker having charge of the ballots shall:
 - (i) give the individual a provisional ballot; and
 - (ii) allow the individual to enter the voting booth.
- (5) When, at a polling place, the election officer is required to furnish more than one version of a ballot, the poll workers at that polling place shall give the registered voter the version of the ballot that the voter is qualified to vote.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-206 Writing in names -- Effect of unnecessary marking of cross.

- (1)
 - (a) A voter may cast a write-in vote (a) on a manual ballot by writing the name of a valid write-in candidate in the blank write-in section of the ballot.
 - (b) A voter may not cast a write-in vote on a manual ballot by affixing a sticker or label with the name of a write-in candidate in the blank write-in section of the ballot.
- (2) A voter may cast a write-in vote on a mechanical ballot by:

- (a) marking the appropriate position opposite the area for entering a write-in candidate for the office sought by the candidate for whom the voter wishes to vote; and
- (b) entering the name of a valid write-in candidate in the write-in selection area.

Renumbered and Amended by Chapter 31, 2020 General Session
Amended by Chapter 49, 2020 General Session, (Coordination Clause)
Amended by Chapter 49, 2020 General Session

20A-3a-207 Spoiled ballots.

- (1) If any voter spoils a ballot, the voter may successively obtain others, one at a time, not exceeding three in all, upon returning each spoiled one.
- (2) If any ballot is spoiled by the printer or a poll worker, the poll worker shall give the voter a new ballot.
- (3) The poll worker shall:
 - (a) immediately write the word "spoiled" across the face of the ballot; and
 - (b) place the ballot in the envelope for spoiled ballots.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-208 Assisting disabled, illiterate, or blind voters.

- (1) Any voter who has a disability, or is blind, unable to read or write, unable to read or write the English language, or is physically unable to enter a polling place, may be given assistance by an individual of the voter's choice.
- (2) The individual giving assistance under this section shall inform a poll worker of the individual's name and the reason the individual is providing assistance.
- (3) The individual providing assistance may not be:
 - (a) the voter's employer;
 - (b) an agent of the employer;
 - (c) an officer or agent of the voter's union; or
 - (d) a candidate.
- (4) The person providing assistance may not request, persuade, or otherwise induce the voter to vote for or vote against any particular candidate or issue or release any information regarding the voter's selection.

Amended by Chapter 381, 2025 General Session

20A-3a-209 Instructions to voters.

- (1) If any voter, after entering a voting booth, asks for further instructions concerning the manner of voting, two poll workers, each from a different political party, shall instruct the voter.
- (2) After instructing the voter, and before the voter casts a vote, the poll worker shall leave the voting booth so that the voter may vote in secret.
- (3) A poll worker instructing a voter about the voting process may not request, suggest, or seek to persuade or induce the voter to vote for or against any particular ticket, any particular candidate, or for or against any ballot proposition.

Renumbered and Amended by Chapter 31, 2020 General Session

Part 3 Emergency Ballots

20A-3a-301 Emergency ballots -- Hospitalized voter returning ballot my mail without standard identification.

- (1) As used in this section, "hospitalized voter" means a registered voter who:
 - (a) is:
 - (i) hospitalized;
 - (ii) confined in hospice care, a treatment facility, or a long-term care institution facility; or
 - (iii) due to age or illness, is restricted in the ability to travel from the voter's permanent or temporary residence; and
 - (b) is able to vote a manual ballot.
- (2) A hospitalized voter who has not received a ballot by mail, or does not have possession of a ballot sent to the voter by mail may, in accordance with this section, obtain a manual ballot to use as an emergency ballot and vote at any time after the election officer mails manual ballots to the majority of voters and before the close of polls on election day.
- (3) An individual may obtain an emergency ballot application, a manual ballot, and a return envelope from the election officer on behalf of a hospitalized voter by:
 - (a) requesting a ballot and application in person at the election officer's office during business hours;
 - (b) presenting valid voter identification for the individual requesting the ballot on the hospitalized voter's behalf; and
 - (c) signing a statement, created by the lieutenant governor, where the individual, under penalty of perjury:
 - (i) identifies the individual;
 - (ii) identifies the hospitalized voter and explains the reason the hospitalized voter qualifies as an exempt voter; and
 - (iii) states that the individual:
 - (A) is obtaining the ballot at the request of the hospitalized voter;
 - (B) will not request, persuade, or otherwise induce the voter to vote for or vote against any particular candidate or issue;
 - (C) will not release any information regarding the voter's votes; and
 - (D) will not alter the voter's votes.
- (4) To vote, a hospitalized voter described in Subsection (2) shall:
 - (a) complete the emergency ballot application and enclose the application in the return envelope;
 - (b) complete, and sign the affidavit on, the return envelope;
 - (c) mark the voter's votes on the manual ballot;
 - (d) if the voter did not provide the last four digits of the voter's Utah driver license, Utah state identification card, or social security number:
 - (i) include in the return envelope a photocopy of a type of identification described in Subsection 20A-3a-204(2)(c)(ii); or
 - (ii) if the voter does not have a type of identification described in Subsection 20A-3a-204(2)(c)(ii), include in the return envelope another type of valid voter identification;
 - (e) place the manual ballot into the envelope; and
 - (f) seal the envelope unless a different method is authorized under Section 20A-1-308.

- (5) For a ballot described in Subsection (4) to be counted, the emergency voter application and the sealed manual ballot envelope must be returned to the election officer's office in accordance with the requirements of this chapter.
- (6) An election officer shall design an emergency ballot application and ensure that the application includes the check box and statement described in Subsection 20A-3a-401(7)(d)(v).
- (7) Beginning on January 1, 2029, a hospitalized voter who receives a ballot by mail may, if the voter is unable to provide the digits described in Subsection 20A-3a-401(4)(b)(i), return the ballot by mail by including in the return envelope:
 - (a) a photocopy of a type of identification described in Subsection 20A-3a-204(2)(c)(ii); or
 - (b) if the voter does not have a type of identification described in Subsection 20A-3a-204(2)(c)(ii):
 - (i) a photocopy of another type of valid voter identification; and
 - (ii) a document showing that the voter is a hospitalized voter.

Amended by Chapter 381, 2025 General Session

Part 4

Disposition of Ballots

20A-3a-401 Custody of voted ballots mailed or deposited in a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.

- (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal means.
- (2) Poll workers shall process return envelopes containing manual ballots that are in the custody of the poll workers in accordance with this section.
- (3) Poll workers shall examine a return envelope to make the determinations described in Subsection (4).
- (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers determine:
 - (a) for an election held before January 1, 2029:
 - (i) if the return envelope contains a four digit number on the portion of the return envelope for a voter to enter the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number, that the four digit number correctly identifies the last four digits of one of those numbers for the voter to whom the return envelope relates;
 - (ii) if the return envelope does not contain a four digit number on the portion of the return envelope described in Subsection (4)(a)(i), that:
 - (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's 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; and
 - (iii) if the return envelope contains the correct four digit number under Subsection (4)(a)(i), that:
 - (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's 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;

- (b) for an election held on or after January 1, 2029:
 - (i)
 - (A) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;
 - (B) if the return envelope does not contain the digits described in Subsection (4)(b)(i), that the voter included in the return envelope a copy of the identification described in Subsection 20A-3a-204(2)(c)(ii); or
 - (C) for a voter described in Subsection 20A-3a-301(7), that the voter complied with Subsection 20A-3a-301(7); and
 - (ii) that:
 - (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's 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) Subject to Sections 20A-2-508 and 20A-3a-201.5, if the poll workers make all of the findings described in Subsection (4), the poll workers shall:
 - (i) remove the manual ballot from the return envelope in a manner that does not destroy the affidavit on the return envelope;
 - (ii) ensure that the ballot is not examined in connection with the return envelope; and
 - (iii) place the ballot with the other ballots to be counted.
 - (b) If the poll workers do not make all of the findings described in Subsection (4), the poll workers shall:
 - (i) disallow the vote;
 - (ii) except as provided in Subsection (6), without opening the return envelope, record the ballot as "rejected" and state the reason for the rejection; and
 - (iii) except as provided in Subsection (6), place the return envelope, unopened, with the other rejected return envelopes.
- (6) A poll worker may open a return envelope, if necessary, to determine compliance with Subsection (4)(b)(ii), (4)(b)(iii), or (4)(g).
- (7)
- (a) If the poll workers reject an individual's ballot because the poll workers determine that the return envelope does not comply with Subsection (4), the election officer shall:
 - (i) contact the individual in accordance with Subsection (8); and
 - (ii) inform the individual:
 - (A) that the identification information provided on the return envelope is in question;
 - (B) how the individual may resolve the issue; and
 - (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer a correctly completed affidavit, provided by the county clerk, that meets the requirements described in Subsection (7)(d).

- (b) If, under Subsection (4)(a) or (b), the poll workers reject an individual's ballot because the poll workers determine, in accordance with rules made under Subsection (13), that the signature on the return envelope is not reasonably consistent with the individual's signature in the voter registration records, the election officer shall:
- (i) contact the individual in accordance with Subsection (8); and
 - (ii) inform the individual:
 - (A) that the individual's signature is in question;
 - (B) how the individual may resolve the issue; and
 - (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer a correctly completed affidavit, provided by the county clerk, that meets the requirements described in Subsection (7)(d).
- (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b) includes:
- (i) when communicating the notice by mail, a printed copy of the affidavit described in Subsection (7)(d) and a courtesy reply envelope;
 - (ii) when communicating the notice electronically, a link to a copy of the affidavit described in Subsection (7)(d) or information on how to obtain a copy of the affidavit; or
 - (iii) when communicating the notice by phone, either during a direct conversation with the voter or in a voicemail, arrangements for the voter to receive a copy of the affidavit described in Subsection (7)(d), either in person from the clerk's office, by mail, or electronically.
- (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- (i) an attestation that the individual voted the ballot;
 - (ii) a space for the individual to enter the individual's name, date of birth, and driver license number or the last four digits of the individual's social security number;
 - (iii) a space for the individual to sign the affidavit;
 - (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant governor's and county clerk's use of the information in the affidavit and the individual's signature on the affidavit for voter identification purposes; and
 - (v) a check box accompanied by language in substantially the following form: "I am a voter with a qualifying disability under the Americans with Disabilities Act that impacts my ability to sign my name consistently. I can provide appropriate documentation upon request. To discuss accommodations, I can be contacted at _____".
- (e) In order for an individual described in Subsection (7)(a) or (b) to have the individual's ballot counted, the individual shall deliver the affidavit described in Subsection (7)(d) to the election officer.
- (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall immediately:
- (i) scan the signature on the affidavit electronically and keep the signature on file in the statewide voter registration database developed under Section 20A-2-502;
 - (ii) if the election officer receives the affidavit no later than noon on the last business day before the day of the applicable canvass, count the individual's ballot; and
 - (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the rules described in Subsection (13)(c).
- (8)
- (a) The election officer shall, within two business days after the day on which an individual's ballot is rejected, notify the individual of the rejection and the reason for the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:
- (i) the ballot is cured within one business day after the day on which the ballot is rejected; or
 - (ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.

- (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the election officer shall notify the individual of the rejection and the reason for the rejection by phone, mail, email, or, if consent is obtained, text message, within the later of:
 - (i) 30 calendar days after the day of the rejection; or
 - (ii) 30 calendar days after the day of the election.
 - (c) The election officer may, when notifying an individual by phone under this Subsection (8), use auto-dial technology.
- (9) An election officer may not count the ballot of an individual whom the election officer contacts under Subsection (7) or (8) unless, no later than noon on the last business day before the day on which the canvass begins, the election officer:
- (a) receives a signed affidavit from the individual under Subsection (7); or
 - (b)
 - (i) contacts the individual;
 - (ii) if the election officer has reason to believe that an individual, other than the voter to whom the ballot was sent, signed the ballot affidavit, informs the individual that it is unlawful to sign a ballot affidavit for another person, even if the person gives permission;
 - (iii) verifies the identity of the individual by:
 - (A) requiring the individual to provide at least two types of personal identifying information for the individual; and
 - (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records relating to the individual that are in the possession or control of an election officer; and
 - (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
 - (A) the name and voter identification number of the individual contacted;
 - (B) the name of the individual who conducts the verification;
 - (C) the date and manner of the communication;
 - (D) the type of personal identifying information provided by the individual;
 - (E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and
 - (F) other information required by the lieutenant governor.
- (10)
- (a) The election officer shall retain and preserve:
 - (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
 - (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection 20A-4-202(3).
 - (b) If the election officer complies with Subsection (10)(a)(ii) by including the documentation in the voter's voter registration record, the election officer shall make, retain, and preserve a record of the name and voter identification number of each voter contacted under Subsection (9)(b).
- (11)
- (a) The election officer shall record the following in the database used in the verification process:
 - (i) any initial rejection of a ballot under Subsection (5)(b), within one business day after the day on which the election officer rejects the ballot; and
 - (ii) any resolution of a rejection of a ballot under Subsection (9), within one business day after the day on which the ballot rejection is resolved.
 - (b) An election officer shall include, in the canvass report, a final report of the disposition of all rejected and resolved ballots, including, for ballots rejected, the following:
 - (i) the number of ballots rejected because the voter did not sign the voter's ballot; and

- (ii) the number of ballots rejected because the voter's signatures on the ballot, and in records on file, do not correspond.
- (12) Willful failure to comply with this section constitutes willful neglect of duty under Section 20A-5-701.
- (13) 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, to establish:
 - (a) criteria and processes for use by poll workers in determining if a signature corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);
 - (b) training and certification requirements for election officers and employees of election officers regarding the criteria and processes described in Subsection (13)(a); and
 - (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Secs. 12131 through 12165, an alternative means of verifying the identity of an individual who checks the box described in Subsection (7)(d)(v).
- (14)
 - (a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may disclose the name and address of a voter whose ballot has been rejected and not yet resolved with:
 - (i) a candidate in the election;
 - (ii) an individual who represents the candidate's campaign;
 - (iii) the sponsors of an initiative or referendum appearing on the ballot; or
 - (iv) for a ballot proposition appearing on the ballot, an individual who represents a political issues committee, as defined in Section 20A-11-101, if the political issues committee supports or opposes the ballot proposition.
 - (b) If an election officer discloses the information described in Subsection (14)(a), the election officer shall:
 - (i) make the disclosure within two business days after the day on which the request is made;
 - (ii) respond to each request in the order the requests were made; and
 - (iii) make each disclosure in a manner, and within a period of time, that does not reflect favoritism to one requestor over another.
 - (c) A disclosure described in this Subsection (14) may not include any information relating to an at-risk voter, as defined in Section 20A-2-601.

Amended by Chapter 408, 2026 General Session

20A-3a-401.1 Ballot chain of custody.

- (1) As used in this section:
 - (a) "Batch" means a grouping of a specified number of ballots:
 - (i) that is assembled by poll workers, and given a number to distinguish the grouping from other groupings, when the ballots are first received for processing;
 - (ii) that is kept together in the same grouping, and kept separate from other groupings, throughout ballot processing; and
 - (iii) for which a log is kept to document the chain of custody of the grouping.
 - (b) "Processed" means an action taken in relation to a batch, a ballot in a batch, or a return envelope that a poll worker has not separated from a ballot, as follows:
 - (i) starting with receiving the ballot;
 - (ii) each step taken in relation to a ballot as part of conducting an election; and
 - (iii) ending after the ballots are counted and stored.
- (2) An election officer shall preserve the chain of custody of all ballots in accordance with this section.

- (3) An election officer shall maintain an accurate, updated count of the number of ballots that the election officer:
 - (a) mails or otherwise provides to a voter;
 - (b) receives from a voter;
 - (c) counts;
 - (d) rejects;
 - (e) resolves after rejecting; or
 - (f) does not resolve after rejecting.
- (4) Upon receiving ballots cast by voters, the election officer shall ensure that poll workers immediately count the number of ballots received and divide the ballots into batches.
- (5) The election officer shall ensure that:
 - (a) ballots in each batch are kept separate from the ballots in other batches;
 - (b) a ballot is not separated from a batch, except as necessary to the election process;
 - (c) if a ballot is separated from a batch, the batch log indicates:
 - (i) the ballot number;
 - (ii) the date and time of removal;
 - (iii) the identity of the individual who removes the ballot; and
 - (iv) the reason the ballot is removed;
 - (d) poll workers shall keep for each batch a log that includes:
 - (i) a unique identifying code or number for the batch;
 - (ii) the number of ballots in the batch;
 - (iii) the date that the ballots were received; and
 - (iv) for each occasion that the batches, or any of the ballots in the batches, are handled:
 - (A) the date and time that the ballots are handled;
 - (B) a description of what is done with the ballots;
 - (C) the identity of the poll workers who handle the ballots; and
 - (D) any other information required by rule under Subsection (9);
 - (e) an election official who performs a ballot processing function performs the function in the presence of at least one other election official;
 - (f) to the extent reasonably possible, the poll workers who perform a ballot processing function for a batch complete performing that function for the entire batch; and
 - (g) each part of the processing of all ballots is monitored by recorded video, without audio.
- (6) An election officer:
 - (a) shall keep the video recordings described in Subsection (5)(g) until at least the later of:
 - (i) the last day of the calendar year in which the election was held; or
 - (ii) if the election is contested, when the contest is resolved;
 - (b) may keep the video recordings described in Subsection (5)(g) indefinitely; and
 - (c) shall ensure that a camera, a video, or a recording of a video described in Subsection (5)(g) may only be accessed by:
 - (i) the election officer;
 - (ii) a custodian of the camera, video, or recording;
 - (iii) the lieutenant governor;
 - (iv) the legislative auditor general, when performing an audit;
 - (v) a court of competent jurisdiction, by or pursuant to an order of the court; or
 - (vi) subject to Subsection (7)(b), and except as provided in Subsection (7)(c):
 - (A) a candidate for an office that appears on a ballot, or an individual representing the candidate's campaign;

- (B) for a federal, statewide, or multicounty race, the chair of the state political party whose member is a candidate described in Subsection (6)(c)(vi)(A);
 - (C) for a race where the officeholder is selected by voters entirely within one county, the chair of the county political party whose member is a candidate described in Subsection (6)(c)(vi)(A); or
 - (D) the designee of a political party chair described in Subsection (6)(c)(vi)(B) or (C).
- (7)
- (a) An individual may not view a video recording described in Subsection (5)(g):
 - (i) unless the individual is an individual described in Subsection (6)(c); and
 - (ii) the individual views the video to the extent necessary to:
 - (A) ensure compliance with Subsection (5)(g) or (6)(a); or
 - (B) investigate a concern relating to the processing of ballots.
 - (b) If an individual described in Subsection (6)(c)(vi) seeks to view a video recording described in Subsection (5)(g), the election officer may require the individual to view the video recording at the election officer's office during regular business hours.
 - (c) An individual described in Subsection (6)(c)(vi) may not view a video recording described in Subsection (5)(g) after the time period for contesting the election to which the video recording relates ends.
- (8) An election officer shall retain and preserve all chain of custody documentation in the manner provided under Subsection 20A-4-202(3) for the retention and preservation of election material.
- (9) The director of elections within the Office of the Lieutenant Governor may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing specific requirements and procedures for an election officer or poll worker to:
- (a) fulfill the chain of custody requirements described in this section; and
 - (b) perform the signature verification audits described in Section 20A-3a-402.5.

Amended by Chapter 6, 2025 Special Session 1

20A-3a-401.5 Ballot tracking system.

- (1) As used in this section:
- (a) "Ballot tracking system" means the system described in this section to track and confirm the status of trackable ballots.
 - (b) "Change in the status" includes:
 - (i) when a trackable ballot is mailed to a voter;
 - (ii) when an election official receives a voted trackable ballot; and
 - (iii) when a voted trackable ballot is counted.
 - (c) "Trackable ballot" means a manual ballot that is:
 - (i) mailed to a voter in accordance with Section 20A-3a-202;
 - (ii) cast at a polling place in accordance with Section 20A-3a-203;
 - (iii) returned to a polling place in accordance with Section 20A-3a-204;
 - (iv) returned to a ballot drop box in accordance with Section 20A-3a-204;
 - (v) returned to an election officer's office in accordance with Section 20A-3a-204; or
 - (vi) returned by mail in accordance with Section 20A-3a-401.
 - (d) "Voter registration database" means the database, as defined in Section 20A-2-501.
- (2) The lieutenant governor shall operate and maintain a statewide or locally based system to track and confirm when there is a change in the status of a trackable ballot.

- (3) If a voter elects to receive electronic notifications regarding the status of the voter's trackable ballot, the ballot tracking system shall, when there is a change in the status of the voter's trackable ballot:
 - (a) send a text message notification to the voter if the voter's information in the voter registration database includes a mobile telephone number;
 - (b) send an email notification to the voter if the voter's information in the voter registration database includes an email address; and
 - (c) send a notification by another electronic means directed by the lieutenant governor.
- (4) The lieutenant governor shall ensure that the ballot tracking system and the state-provided website described in Section 20A-7-801 automatically share appropriate information to ensure that a voter is able to confirm the status of the voter's trackable ballot via the state-provided website free of charge.
- (5) The ballot tracking system shall include a toll-free telephone number or other offline method by which a voter can confirm the status of the voter's trackable ballot.
- (6) The lieutenant governor shall ensure that the ballot tracking system:
 - (a) is secure from unauthorized use by employing data encryption or other security measures; and
 - (b) is only used for the purposes described in this section.

Amended by Chapter 381, 2025 General Session

20A-3a-402 Custody of ballots voted at a polling place -- Disposition -- Counting ballots -- Release of tally.

- (1) For ballots voted at a polling place:
 - (a) the election officer shall deliver all return envelopes containing valid ballots and valid provisional ballots that are in the election officer's custody to the counting center before noon on the day of the official canvass following the election;
 - (b) valid ballots, including valid provisional ballots, may be processed and counted:
 - (i) by the election officer, or poll workers acting under the supervision of the election officer, before the date of the canvass; and
 - (ii) at the canvass, by the election officer or poll workers, acting under the supervision of the official canvassers of the election;
 - (c) when processing ballots, the election officer and poll workers shall comply with the procedures and requirements of this part in opening envelopes, verifying signatures if applicable, confirming eligibility of the ballots, and depositing ballots in preparation for counting; and
 - (d) all valid ballots, including valid provisional ballots have been deposited, the ballots shall be counted in the usual manner.
- (2)
 - (a) After the polls close on the date of the election, the election officer shall publicly release the results of all ballots, including provisional ballots, that have been counted on or before the date of the election.
 - (b) Except as provided in Subsection (2)(c), on each day, beginning on the day after the date of the election and ending on the day before the date of the canvass, the election officer shall publicly release the results of all ballots, including provisional ballots, counted on that day.
 - (c)
 - (i) If complying with Subsection (2)(b) on a particular day will likely result in disclosing a vote cast by an individual voter, the election officer shall request permission from the lieutenant

governor to delay compliance for the minimum number of days necessary to protect against disclosure of the voter's vote.

- (ii) The lieutenant governor shall grant a request made under Subsection (2)(c)(i) if the lieutenant governor finds that the delay is necessary to protect against disclosure of a voter's vote.
- (d) On the date of the canvass, the election officer shall provide a tally of all ballots, including provisional ballots, counted, and the resulting tally shall be added to the official canvass of the election.

Amended by Chapter 381, 2025 General Session

20A-3a-402.5 Signature verification audits.

- (1) An election officer shall, in accordance with this section and rules made under Section 20A-3a-106, conduct regular audits of signature comparisons made between signatures on envelopes and voter signatures maintained by the election officer.
- (2) An individual who conducts an audit of signature comparisons may not audit the individual's own work.
- (3) Before separating ballots from return envelopes, the election officer shall:
 - (a) audit 1% of all signature comparisons of the envelopes to be separated to determine the accuracy of the comparisons made; and
 - (b) provide additional training or staff reassignments, as needed, based on the results of the audit.
- (4) An election officer shall submit to the lieutenant governor and the board of canvassers a record of:
 - (a) the audits performed under this section;
 - (b) the results of the audits; and
 - (c) any remedial action taken.

Enacted by Chapter 297, 2023 General Session

20A-3a-403 Frauds and malfeasance in voting -- Penalty.

- (1)
 - (a) It is unlawful for any person to willfully falsify the voter affidavits required by this part.
 - (b) Any person violating this Subsection (1) is guilty of perjury and may be prosecuted and punished as provided in Title 76, Chapter 8, Part 5, Falsification in Official Matters.
- (2)
 - (a) It is unlawful for any election officer to:
 - (i) refuse or neglect to perform any of the duties required by this part; or
 - (ii) violate any of the provisions of this part.
 - (b) Any person who violates this Subsection (2) is guilty of a class B misdemeanor.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-404 Rules regarding ballot security -- Affidavit of compliance.

- (1) 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 election officials regarding ballot security, including the custody, documentation of custody, handling, processing, disposition, and tabulation of ballots.

- (2) Beginning in November 2022, an election officer shall include, with all election returns provided to a board of canvassers, an affidavit, signed by the election officer, certifying:
- (a) compliance with the rules described in Subsection (1); and
 - (b) that the county clerk maintains the voter registration database in accordance with federal and state laws and rules.

Enacted by Chapter 156, 2022 General Session

20A-3a-405 Ballot statistics.

- (1) Except as provided in Subsection (3), an election officer shall post and update the data described in Subsection (2) on the election officer's website, on the following days, after the election officer finishes processing ballots on that day:
- (a) the day after the day of the election;
 - (b) each Monday, Wednesday, and Friday after the day described in Subsection (1)(a), until the final posting described in Subsection (1)(c); and
 - (c) the last day of the election canvass.
- (2) The data that an election officer is required to post under Subsection (1) includes:
- (a) the total number of active registered voters as of the Friday before the election;
 - (b) an estimate of the total number of ballots received by the election officer; and
 - (c) of the number described in Subsection (2)(b), a subtotal for each of the following:
 - (i) the number of ballots counted;
 - (ii) the number of ballots that have not been counted;
 - (iii) the number of ballots the election officer rejected that are curable but have not yet been cured; and
 - (iv) the number of ballots the election officer rejected because the ballots could not legally be cured.
- (3) An election officer is not required to post the data described in Subsection (2) on a day described in Subsection (1)(b) if the most recent data posted by the election officer on a day described in Subsection (1)(b) has not changed.

Amended by Chapter 6, 2025 Special Session 1

**Part 5
Voting Offenses**

20A-3a-501 Prohibited conduct at polling place -- Other prohibited activities.

- (1) As used in this section:
- (a) "electioneering" includes any oral, printed, or written attempt to persuade persons to refrain from voting or to vote for or vote against any candidate or issue; and
 - (b) "polling place" means the physical place where ballots are cast and includes the physical place where a ballot drop box is located.
- (2)
- (a) An individual may not, within a polling place or in any public area within 150 feet of the building where a polling place is located:
 - (i) do any electioneering;
 - (ii) circulate cards or handbills of any kind;

- (iii) solicit signatures to any kind of petition; or
- (iv) engage in any practice that interferes with the freedom of voters to vote or disrupts the administration of the polling place.
- (b) A county, municipality, school district, or special district may not prohibit electioneering that occurs more than 150 feet from the building where a polling place is located, but may regulate the place and manner of that electioneering to protect the public safety.
- (3)
 - (a) An individual may not obstruct the doors or entries to a building in which a polling place is located or prevent free access to and from any polling place.
 - (b) A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the obstruction of the entrance to a polling place and may arrest an individual creating an obstruction.
- (4) An individual may not solicit any voter to show the voter's ballot.
- (5)
 - (a) An individual may not knowingly possess or control another individual's voted manual ballot, unless:
 - (i) the individual is an election official or postal worker acting in the capacity of an election official or postal worker;
 - (ii) the individual possesses or controls the voted ballot in accordance with Section 20A-3a-301, relating to emergency ballots;
 - (iii) the possession or control is authorized in order to deliver a military-overseas ballot in accordance with Chapter 16, Uniform Military and Overseas Voters Act;
 - (iv) subject to Section 20A-3a-208, the individual is authorized by a voter to possess or control the voter's voted ballot if the voter needs assistance delivering the ballot due to the voter's age, illness, or disability; or
 - (v) the individual resides in the same household as the voter.
 - (b) A violation of Subsection (5)(a) does not invalidate the ballot.
- (6) An individual who violates any provision of this section is, in addition to the penalties described in Subsections 20A-1-609(2) and (3), guilty of a class A misdemeanor.
- (7) A political subdivision may not prohibit political signs that are located more than 150 feet away from a polling place, but may regulate their placement to protect public safety.

Amended by Chapter 15, 2023 General Session

20A-3a-502 Intimidation -- Undue influence.

- (1) It is unlawful for a person to induce or compel an individual to vote or refrain from voting at an election provided by law or to vote or refrain from voting for a particular individual or measure at an election provided by law, directly or indirectly, by:
 - (a) using force, violence, or restraint;
 - (b) inflicting or threatening to inflict injury, damage, harm, or loss; or
 - (c) by intimidation.
- (2) It is unlawful for a person to, by abduction, force, or fraud, impede, prevent, or otherwise interfere with the free exercise of the elective franchise of any voter, either in voting at any election provided by law or voting or refraining from voting for a particular individual or measure at an election provided by law.
- (3) It is unlawful for a person to:
 - (a) enclose in the salary or wage envelopes of an employee of the person, political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinion, views, or action of the employee; or

- (b) within 90 calendar days before the day of an election provided by law, post or otherwise exhibit, in a location where the person's employees may be working or may be present in the course of employment, any handbill, notice, or placard containing any threat, notice, or information, that if any particular ticket or candidate is or is not elected:
 - (i) work performed by the person's employees will cease in whole or in part;
 - (ii) the workplace will close;
 - (iii) wages of workforce will be reduced; or
 - (iv) other adverse consequences, under the control of the person, will result.
- (4) Violation of this section is a class B misdemeanor.

Amended by Chapter 448, 2025 General Session

20A-3a-503 Influencing employee's vote.

- (1) It is unlawful for any corporation, or any officer or agent of any corporation, to influence, or attempt to influence, induce, or compel by force, violence, or restraint, or by inflicting or threatening to inflict any injury, damage, harm, or loss, or by discharging from employment or promoting in employment, or by intimidation, or in any manner whatever, any employee to vote or refrain from voting at any election provided by law, or to vote or refrain from voting for any particular person or measure at that election.
- (2)
 - (a) Any corporation or any officer or agent of that corporation who violates any of the provisions of this section is guilty of a class B misdemeanor.
 - (b) Any corporation violating any of the provisions of this section shall forfeit its charter and right to do business in this state in addition to any other penalties imposed by law.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-504 Violations -- Penalties.

- (1) Except as provided in Subsection (3) or Section 20A-3a-208, an individual is guilty of a class C misdemeanor if the individual:
 - (a) allows the individual's ballot to be seen by another with the intent to reveal how the individual is about to vote;
 - (b) states falsely that the individual is unable to mark the individual's ballot;
 - (c) interferes or attempts to interfere with any individual who is inside the voting booth or who is marking a ballot;
 - (d) induces or attempts to induce any voter who is inside a voting booth or who is marking a ballot to vote to show how the voter marked the voter's ballot; or
 - (e) takes a photograph of a ballot, other than the individual's own ballot, at a polling place.
- (2) The election judges and clerks shall report any individual who violates this section to the county attorney or district attorney having state criminal jurisdiction for prosecution.
- (3) Subsection (1) does not prohibit an individual from transferring a photograph of the individual's own ballot in a manner that allows the photograph to be viewed by the individual or another.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-505 False impersonation -- Double voting.

- (1)
 - (a) An individual may not:

- (i) apply for a ballot in the name of another individual, regardless of whether the other individual is living or dead, or is a fictitious person;
 - (ii) after having voted once at an election, apply again at the same election for a ballot in the individual's own name or any other name; or
 - (iii) sign the affidavit on a return envelope for another individual.
- (b) An individual who violates Subsection (1)(a) is guilty of a third degree felony.
- (2)
- (a) An individual may not aid, assist, counsel, or procure another individual to commit the felony described in Subsection (1)(a).
 - (b) An individual who violates Subsection (2)(a) is guilty of a class A misdemeanor.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-506 False information on provisional ballot envelope.

- (1) An individual may not wilfully falsify information on a provisional ballot envelope.
- (2) An individual who violates this section is guilty of a class B misdemeanor.

Renumbered and Amended by Chapter 31, 2020 General Session

**Part 6
Early Voting**

20A-3a-601 Early voting.

- (1)
 - (a) An individual who is registered to vote may vote at a polling place before the election date in accordance with this section.
 - (b) Except as provided in Subsection 20A-2-207(6), an individual who is not registered to vote may register to vote and vote at a polling place before the election date in accordance with this section if the individual:
 - (i) is otherwise legally entitled to vote the ballot; and
 - (ii) casts a provisional ballot in accordance with Section 20A-2-207.
- (2) Except as provided in Section 20A-1-308 or Subsection (3), the early voting period:
 - (a) begins on the date that is 14 calendar days before the date of the election; and
 - (b) continues through the Friday before the election if the election date is a Tuesday.
- (3)
 - (a) An election officer may extend the end of the early voting period to the day before the election date if the election officer provides notice of the extension in accordance with Section 20A-3a-604.
 - (b) For a municipal election, the municipal clerk may reduce the early voting period described in this section if:
 - (i) the municipal clerk conducts early voting on at least four days;
 - (ii) the early voting days are within the period beginning on the date that is 14 calendar days before the date of the election and ending on the day before the election; and
 - (iii) the municipal clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604.

- (c) For a county election, the county clerk may reduce the early voting period described in this section if:
 - (i) the county clerk conducts early voting on at least four days;
 - (ii) the early voting days are within the period beginning on the date that is 14 calendar days before the date of the election and ending on the day before the election; and
 - (iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604.
- (4) Except as provided in Section 20A-1-308, during the early voting period, the election officer:
 - (a) for a local special election, a municipal primary election, and a municipal general election:
 - (i) shall conduct early voting on a minimum of four days during each week of the early voting period; and
 - (ii) shall conduct early voting on the last day of the early voting period; and
 - (b) for all other elections:
 - (i) shall conduct early voting on each weekday; and
 - (ii) may elect to conduct early voting on a Saturday, Sunday, or holiday.
- (5) Except as specifically provided in this Part 6, Early Voting, or Section 20A-1-308, early voting shall be administered in accordance with the requirements of this title.

Amended by Chapter 381, 2025 General Session

Amended by Chapter 448, 2025 General Session

20A-3a-602 Hours for early voting.

- (1) Except as provided in Section 20A-1-308, the election officer shall determine the times for opening and closing the polls for each day of early voting provided that voting is open for a minimum of four hours during each day that polls are open during the early voting period.
- (2) Except as provided in Section 20A-1-308, each registered voter who arrives at the polls before the time scheduled for closing of the polls shall be allowed to vote.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-603 Early voting polling places.

- (1) Except as provided in Section 20A-1-308, the election officer shall designate one or more polling places for early voting, as follows:
 - (a) at least one polling place shall be open on each day that polls are open during the early voting period;
 - (b) each polling place shall comply with the requirements for polling places under Chapter 5, Election Administration;
 - (c) for all elections other than local special elections, municipal primary elections, and municipal general elections, at least 10% of the voting devices at a polling place shall be accessible for individuals with disabilities in accordance with Public Law 107-252, the Help America Vote Act of 2002; and
 - (d) each polling place shall be located in a government building or office, unless the election officer determines that, in the area designated by the election officer, there is no government building or office available that:
 - (i) can be scheduled for use during early voting hours;
 - (ii) has the physical facilities necessary to accommodate early voting requirements;
 - (iii) has adequate space for voting equipment, poll workers, and voters; and
 - (iv) has adequate security, public accessibility, and parking.

- (2)
 - (a) Except as provided in Section 20A-1-308, the election officer may, after the deadline described in Section 20A-3a-604:
 - (i) if necessary, change the location of an early voting place; or
 - (ii) if the election officer determines that the number of early voting polling places is insufficient due to the number of registered voters who are voting, designate additional polling places during the early voting period.
 - (b) Except as provided in Section 20A-1-308, if an election officer changes the location of an early voting polling place or designates an additional early voting polling place, the election officer shall, as soon as is reasonably possible, give notice of the dates, times, and location of the changed early voting polling place or the additional early voting polling place:
 - (i) in accordance with Section 20A-3a-604; and
 - (ii) by posting notice:
 - (A) for a change in the location of an early voting polling place, at the new location and, if possible, the old location; and
 - (B) for an additional early voting polling place, at the additional early voting polling place.
- (3) Except as provided in Section 20A-1-308, for each regular general election and regular primary election, counties of the first class shall ensure that the early voting polling places are approximately proportionately distributed based on population within the county.

Amended by Chapter 329, 2026 General Session

20A-3a-604 Notice of time and place of early voting.

Except as provided in Section 20A-1-308, and subject to Subsection 20A-3a-603(2), the election officer shall provide notice of the dates, times, and locations of early voting, and any changes to the dates, times, and locations of early voting, on the websites, at the phone number, and at the address disclosed in the notice described in Section 20A-5a-102.

Amended by Chapter 329, 2026 General Session

20A-3a-605 Exemptions from early voting.

- (1)
 - (a) This part does not apply to an election of a board member of a special district.
 - (b) Notwithstanding Subsection (1)(a), a special district may, in the special district's discretion, provide early voting in accordance with this part for election of a board member.
- (2) Notwithstanding the requirements of Section 20A-3a-601, a municipality of the fifth class or a town as described in Section 10-2-301 may provide early voting as provided under this part for:
 - (a) a municipal primary election; or
 - (b) a municipal general election.
- (3) A municipality is not required to conduct early voting for the election.

Amended by Chapter 15, 2023 General Session

**Part 7
Election Day Voting Center**

20A-3a-701 Definitions.

As used in this part:

- (1) "Election day voting center" means a polling place designated by an election officer to provide for voting on election day for an individual who:
 - (a) is eligible to vote; and
 - (b) resides within the political subdivision holding the election.
- (2) "Voting center ballot" means a regular ballot that:
 - (a) is provided at an election day voting center; and
 - (b) may be retrieved by the election official during the canvass if the voter cast a ballot at another location or before election day.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-702 Election day voting center -- Hours of operation -- Compliance with Election Code.

- (1) Except as provided in Section 20A-7-609.5, an election officer may operate an election day voting center in one or more locations designated under Section 20A-3a-703.
- (2) An election officer shall provide for voting at an election day voting center by:
 - (a) regular ballot if:
 - (i)
 - (A) the election day voting center is designated under Section 20A-5-403 as the polling place for the voting precinct in which the voter resides; and
 - (B) the voter is eligible to vote a regular ballot at the election day voting center in accordance with this title; or
 - (ii)
 - (A) the voter resides within the political subdivision holding the election;
 - (B) the voter is otherwise eligible to vote a regular ballot in accordance with this title; and
 - (C) the jurisdiction holding the election uses a method that confirms that the voter has not voted previously in the election;
 - (b) voting center ballot if:
 - (i) the election day voting center is not designated under Section 20A-5-403 as the polling place for the voting precinct in which the voter resides;
 - (ii) the voter resides within the political subdivision holding the election; and
 - (iii) the voter is otherwise eligible to vote a regular ballot in accordance with this title; or
 - (c) provisional ballot if the voter is only eligible to vote using a provisional ballot in accordance with this title.
- (3) An election officer shall ensure that an election day voting center:
 - (a) is open on election day during the time period specified under Section 20A-1-302;
 - (b) allows an eligible voter to vote if the voter:
 - (i) resides within the political subdivision holding an election; and
 - (ii) arrives at the election day voting center by the designated closing time in accordance with Section 20A-1-302; and
 - (c) is administered according to the requirements of this title.
- (4) An individual may submit a completed manual ballot at an election day voting center for the political subdivision in which the individual resides.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-703 Election day voting centers as polling places -- Location -- Notification.

- (1) The election officer may designate one or more polling places as an election day voting center if:
- (a) except as provided in Subsection (2), the election officer notifies the lieutenant governor of the designation and location of the election day voting center at least 15 calendar days before the election;
 - (b) the polling place meets the requirements for a polling place under Chapter 5, Election Administration; and
 - (c) the polling place is located in a government building or office, unless the election officer determines that there is no government building or office available, in the area designated by the election officer, that:
 - (i) can be scheduled for use during election day voting hours;
 - (ii) has the physical facilities necessary to accommodate election day voting requirements;
 - (iii) has adequate space for voting equipment, poll workers, and voters; and
 - (iv) has adequate security, public accessibility, and parking.
- (2)
- (a) The election officer may, after the deadline described in Subsection (1)(a):
 - (i) if necessary, change the location of an election day voting center; or
 - (ii) if the election officer determines that the number of election day voting centers is insufficient due to the number of registered voters who are voting, designate additional election day voting centers.
 - (b) Except as provided in Section 20A-1-308, if an election officer changes the location of an election day voting center or designates an additional election day voting center, the election officer shall, as soon as is reasonably possible, give notice of the dates, times, and location of the changed election day voting center or the additional election day voting center:
 - (i) to the lieutenant governor, for posting on the Statewide Electronic Voter Information Website;
 - (ii) by posting the information on the website of the election officer, if available; and
 - (iii) by posting notice:
 - (A) of a change in the location of an election day voting center, at the new location and, if possible, the old location; and
 - (B) of an additional election day voting center, at the additional election day voting center.

Amended by Chapter 448, 2025 General Session

**Part 8
Watchers**

20A-3a-801 Watchers.

- (1) As used in this section:
- (a) "Administering election officer" means:
 - (i) the election officer; or
 - (ii) if the election officer is the lieutenant governor, the county clerk of the county in which an individual will act as a watcher.
 - (b) "Candidate signature packet" means the same as that term is defined in Section 20A-9-401.1.
 - (c) "Election process" means each process of an election, including a process described in Subsections (4) and (5).

- (2)
 - (a) Any individual who is registered or preregistered to vote in Utah may, at any time, become a watcher of any election process in relation to an election by registering as a watcher with the administering election officer.
 - (b) An individual who registers under Subsection (2)(a) is not required to be certified by a person under Subsection (3) in order to act as a watcher.
 - (c) An individual who registers as a watcher shall notify the administering election officer of the dates, times, and locations that the individual intends to act as a watcher.
 - (d) An election official may not prohibit a watcher from performing a function described in Subsection (4) because the watcher did not provide the notice described in Subsection (2)(c).
 - (e) An administering election officer shall provide a copy of this section, or instructions on how to access an electronic copy of this section, to a watcher at the time the watcher registers under this Subsection (2).
- (3)
 - (a) A person that is a candidate whose name will appear on the ballot, a qualified write-in candidate for the election, a registered political party, or a political issues committee may certify an individual as an official watcher for the person:
 - (i) by filing an affidavit with the administering election officer responsible to designate an individual as an official watcher for the certifying person; and
 - (ii) if the individual registers as a watcher under Subsection (2)(a).
 - (b) A watcher who is certified by a person under Subsection (3)(a) may not perform the same function described in Subsection (4) at the same time and in the same location as another watcher who is certified by that person.
 - (c) A watcher who is certified by a person under Subsection (3)(a) may designate another individual to serve in the watcher's stead during the watcher's temporary absence by filing with a poll worker an affidavit that designates the individual as a temporary replacement.
- (4) A watcher may:
 - (a) observe the setup or takedown of a polling place;
 - (b) observe a voter checking in at a polling place;
 - (c) observe the collection, receipt, and processing of a ballot, including a provisional ballot or a ballot cast by a covered voter as defined in Section 20A-16-102;
 - (d) observe the transport or transmission of a ballot that is in an election official's custody;
 - (e) observe the opening and inspection of a manual ballot;
 - (f) observe ballot replication;
 - (g) observe the conduct of logic and accuracy testing described in Section 20A-5-802;
 - (h) observe ballot tabulation;
 - (i) observe the process of storing and securing a ballot;
 - (j) observe a post-election audit;
 - (k) observe a canvassing board meeting described in Chapter 4, Part 3, Canvassing Returns;
 - (l) observe the certification of the results of an election;
 - (m) observe a recount; or
 - (n) observe signature verification:
 - (i) of signatures on a return envelope containing a ballot; or
 - (ii) relating to a candidate signature packet.
- (5) To observe signature verification relating to a candidate signature packet, a watcher may observe:
 - (a) the receipt, initial review, and processing that occurs at the time an individual submits a candidate signature packet to an election officer;

- (b) all subsequent processing, handling, and securing of a candidate signature packet;
 - (c) verification of signatures in a candidate signature packet;
 - (d) the processing, handling, and securing of a written request to remove a signature from a candidate signature packet;
 - (e) verification of a signature on a written request to remove a signature from a candidate signature packet; or
 - (f) the removal of a signature from a candidate signature packet.
- (6) An administering election officer shall:
- (a) permit uniform, nondiscriminatory access for a watcher to observe each stage of an election process;
 - (b) establish locations for a watcher to observe an event described in Subsection (4) or (5), other than an event described in Subsection (4)(d) or (k), from no further than six feet away; and
 - (c) except for a county of the fourth, fifth, or sixth class, for any ballot adjudication, or upload of votes from a voting machine or scanner, that is conducted on a computer screen, project the activity onto a screen that is large enough to be viewed by each watcher.
- (7)
- (a) A watcher may not:
 - (i) record an activity described in Subsection (4) if the recording would reveal a vote, violate a voter's right to cast a secret ballot, or otherwise violate a voter's privacy;
 - (ii) record an activity described in Subsection (5), except that a watcher may take notes that do not include the name or other personal identifying information of an individual who signs a candidate signature packet or a written request to remove a signature from a candidate signature packet;
 - (iii) interfere with an activity described in Subsection (4) or (5), except to challenge an individual's eligibility to vote under Section 20A-3a-803;
 - (iv) divulge information related to the number of votes counted, tabulated, or cast for a candidate or ballot proposition until after the election officer makes the information public; or
 - (v) divulge information related to:
 - (A) the number of signatures collected to qualify a candidate for placement on a primary election ballot; or
 - (B) the names or other personal identifying information of an individual who signs a candidate signature packet or a written request to remove a signature from a candidate signature packet.
 - (b) A person who violates Subsection (7)(a)(iv) or (v) is guilty of a third degree felony.
- (8)
- (a) Notwithstanding Subsection (2)(a), (4), or (5), in order to maintain a safe working environment for an election official or to protect the safety or security of a ballot, an administering election officer may take reasonable action to:
 - (i) limit the number of watchers at a single location;
 - (ii) remove a watcher for violating a provision of this section;
 - (iii) remove a watcher for interfering with an activity described in Subsection (4) or (5);
 - (iv) designate areas for a watcher to reasonably observe the activities described in Subsection (4) or (5); or
 - (v) ensure that a voter's ballot secrecy is protected throughout the watching process.
 - (b) If an administering election officer limits the number of watchers at a single location under Subsection (8)(a)(i), the administering election officer shall give preferential access to the location to a watcher designated under Subsection (3).

- (c) An administering election officer may provide a watcher a badge that identifies the watcher and require the watcher to wear the badge while acting as a watcher.

Amended by Chapter 448, 2025 General Session

20A-3a-802 Definitions.

As used in this part:

- (1) "Challenged voter" means an individual whose right to vote is challenged as provided in this part.
- (2) "Filer" means an individual who files a written statement challenging another individual's right to vote as provided in Section 20A-3a-804.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-803 Challenges to a voter's eligibility -- Basis for challenge -- Procedures.

- (1) An individual may challenge another individual's eligibility to vote on any of the following grounds:
 - (a) the individual is not the individual in whose name the individual tries to vote;
 - (b) the individual is not a resident of Utah;
 - (c) the individual is not a citizen of the United States;
 - (d) the individual has not or will not have resided in Utah for 30 calendar days immediately before the date of the election;
 - (e) the individual's principal place of residence is not in the voting precinct that the individual claims;
 - (f) the individual's principal place of residence is not in the geographic boundaries of the election area;
 - (g) the individual has already voted in the election;
 - (h) the individual is not at least the minimum age required to vote in the election;
 - (i) the individual has been convicted of a misdemeanor for an offense under this title and the individual's right to vote in an election has not been restored under Section 20A-2-101.3;
 - (j) the individual is a convicted felon and the voter's right to vote in an election has not been restored under Section 20A-2-101.5; or
 - (k) in a regular primary election or presidential primary election, the individual does not meet the political party affiliation requirements for the ballot the individual seeks to vote.
- (2) An individual who challenges another individual's right to vote in an election shall make the challenge in accordance with:
 - (a) Section 20A-3a-804, for a challenge that is not made in person at the time an individual votes; or
 - (b) Section 20A-3a-805, for challenges made in person at the time an individual votes.

Amended by Chapter 448, 2025 General Session

20A-3a-804 Pre-election challenges to a voter's eligibility in writing -- Procedure -- Form of challenge.

- (1)
 - (a) An individual may challenge an individual's eligibility to vote by filing a written statement with the election officer in accordance with Subsection (1)(b) that:
 - (i) lists the name and address of the individual filing the challenge;

- (ii) for each individual who is challenged:
 - (A) identifies the name of the challenged individual;
 - (B) lists the last known address or telephone number of the challenged individual;
 - (C) provides the basis for the challenge, as provided under Section 20A-3a-803;
 - (D) provides facts and circumstances supporting the basis provided; and
 - (E) may include supporting documents, affidavits, or other evidence; and
- (iii) includes a signed affidavit, which is subject to penalties of perjury, swearing that:
 - (A) the filer exercised due diligence to personally verify the facts and circumstances establishing the basis for the challenge; and
 - (B) according to the filer's personal knowledge and belief, the basis for the challenge under Section 20A-3a-803 for each challenged individual is valid.
- (b) An individual who files a written statement under Subsection (1)(a) shall file the written statement during the election officer's regular business hours:
 - (i) at least 45 calendar days before the day of the election; or
 - (ii) if the challenge is to an individual who registered to vote between the day that is 45 calendar days before the election and the day of the election:
 - (A) on or before the day of the election; and
 - (B) before the individual's ballot is removed from a ballot envelope or otherwise separated from any information that could be used to identify the ballot as the individual's ballot.
- (c) The challenge may not be based on unsupported allegations or allegations by an anonymous individual.
- (d) An election officer may require an individual who files a challenge under this section to file the challenge on a form provided by the election officer that meets the requirements of this section.
- (2) If the challenge is not in the proper form, is incomplete, or if the basis for the challenge does not meet the requirements of this part, the election officer shall dismiss the challenge and notify the filer in writing of the reasons for the dismissal.
- (3)
 - (a) Upon receipt of a challenge that meets the requirements for filing under this section, the election officer shall attempt to notify each challenged individual in accordance with Subsection (3)(b):
 - (i) at least 28 calendar days before the date of the election, if the election officer receives the challenge under Subsection (1)(b)(i); or
 - (ii) within one business day, if the election officer receives the challenge under Subsection (1)(b)(ii).
 - (b) The election officer shall attempt to notify each challenged individual:
 - (i) that a challenge has been filed against the challenged individual;
 - (ii) that the challenged individual may be required to cast a provisional ballot at the time the individual votes if the individual votes in person;
 - (iii) that if the individual votes by mail, the individual's ballot will be treated as a provisional ballot unless the challenge is resolved;
 - (iv) of the basis for the challenge, which may include providing a copy of the challenge the filer filed with the election officer; and
 - (v) that the challenged individual may submit information, a sworn statement, supporting documents, affidavits, or other evidence supporting the challenged individual's eligibility to vote in the election to the election officer no later than:
 - (A) 21 calendar days before the date of the election, if the election officer receives the challenge under Subsection (1)(b)(i); or

- (B) five calendar days before the day on which the canvass is held, if the election officer receives the challenge under Subsection (1)(b)(ii).
- (4)
- (a) The election officer shall determine whether each challenged individual is eligible to vote before the day on which:
- (i) early voting commences, if the election officer receives the challenge under Subsection (1)(b)(i); or
- (ii) the canvass is held, if the election officer receives the challenge under Subsection (1)(b)(ii).
- (b)
- (i) The filer has the burden to prove, by clear and convincing evidence, that the basis for challenging the individual's eligibility to vote is valid.
- (ii) The election officer shall resolve the challenge based on the available facts and information submitted, which may include voter registration records and other documents or information available to the election officer.
- (5) An individual who files a challenge in accordance with the requirements of this section is subject to criminal penalties for false statements as provided under Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.
- (6)
- (a) A challenged individual may appeal an election officer's decision regarding the individual's eligibility to vote to the district court having jurisdiction over the location where the challenge was filed.
- (b) The district court shall uphold the decision of the election officer unless the district court determines that the decision was arbitrary, capricious, or unlawful.
- (c) In making the district court's determination, the district court's review is limited to:
- (i) the information filed under Subsection (1)(a) by the filer;
- (ii) the information submitted under Subsection (3)(b)(v) by the challenged individual; and
- (iii) any additional facts and information used by the election official to determine whether the challenged individual is eligible to vote, as indicated by the election official.
- (7) A challenged individual may register to vote or change the location of the individual's voter registration if otherwise permitted by law.
- (8) A document pertaining to a challenge filed under this section is a public record.

Amended by Chapter 448, 2025 General Session

20A-3a-805 Challenges to a voter's eligibility at polling place -- Procedure.

- (1)
- (a) A poll worker, a watcher, or an individual who resides in the jurisdiction to which the election relates may, at a polling place, challenge an individual's eligibility to vote a particular ballot or to vote in that election if:
- (i) the individual making the challenge and the challenged individual are both present at the polling place at the time the challenge is made; and
- (ii) the challenge is made before the challenged individual applies for a ballot.
- (b) An individual may make a challenge by orally stating the challenged individual's name and the basis for the challenge, as provided under Section 20A-3a-803.
- (2) The poll worker shall record a challenge in the official register or on the challenge sheets in the pollbook, including:
- (a) the name of the challenged individual;
- (b) the name of the individual making the challenge; and

(c) the basis upon which the challenge is made.

(3) If an individual's eligibility to vote is challenged under this section, the poll worker shall follow the procedures and requirements of Section 20A-3a-205.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-806 Election official or watcher revealing vote.

(1) It is unlawful for an election official or watcher to reveal to another person the name of a candidate or ballot proposition for whom a voter has voted or to communicate to another person the election official or watcher's opinion, belief, or impression regarding for whom or what a voter has voted.

(2) A person who violates this section is guilty of a class A misdemeanor.

Renumbered and Amended by Chapter 31, 2020 General Session

20A-3a-807 Notification of ballot processes.

(1) As used in this section, "ballot process" includes:

- (a) signature verification;
- (b) opening ballots;
- (c) scanning ballots;
- (d) adjudicating ballots;
- (e) replicating damaged or defective ballots; or
- (f) tabulating votes.

(2) A county clerk shall:

- (a) beginning at least three calendar days before the day on which the county clerk begins mailing ballots for an election, and ending on the first day of the canvass, post on the county clerk's website a schedule of the hours, over the next three calendar days, during which the county clerk plans to conduct one or more ballot processes; and
- (b) update any changes to the schedule at least 24 hours before the clerk modifies the hours.

Amended by Chapter 448, 2025 General Session