

Chapter 5 Election Administration

Part 1 Election Notices and Instructions

20A-5-101 Notice of election.

- (1) On or before November 15 in the year before each regular general election year, the lieutenant governor shall prepare and transmit a written notice to each county clerk that:
 - (a) designates the offices to be filled at the next year's regular general election;
 - (b) identifies the dates for filing a declaration of candidacy, and for submitting and certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407, and 20A-9-408 for those offices; and
 - (c) contains a description of any ballot propositions to be decided by the voters that have qualified for the ballot as of that date.
- (2)
 - (a) No later than seven business days after the day on which the lieutenant governor transmits the written notice described in Subsection (1), each county clerk shall provide notice for the county, as a class A notice under Section 63G-30-102, for seven days before the day of the election and in accordance with Subsection (3).
 - (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a), showing a copy of the notice and the places where the notice was posted.
- (3) The notice described in Subsection (2) shall:
 - (a) designate the offices to be voted on in that election; and
 - (b) identify the dates for filing a declaration of candidacy for those offices.
- (4) Except as provided in Subsection (6), before each election, the election officer shall give printed notice of the following information:
 - (a) the date of election;
 - (b) the hours during which the polls will be open;
 - (c) the polling places for each voting precinct, early voting polling place, and election day voting center;
 - (d) the address of the Statewide Electronic Voter Information Website and, if available, the address of the election officer's website, with a statement indicating that the election officer will post on the website any changes to the location of a polling place and the location of any additional polling place;
 - (e) a phone number that a voter may call to obtain information regarding the location of a polling place;
 - (f) the qualifications for persons to vote in the election: and
 - (g) instructions regarding how an individual with a disability, who is not able to vote a manual ballot by mail, may obtain information on voting in an accessible manner.
- (5) The election officer shall provide the notice described in Subsection (4) for the jurisdiction, as a class A notice under Section 63G-30-102, for at least seven days before the day of the election.
- (6) Instead of including the information described in Subsection (4) in the notice, the election officer may give printed notice that:
 - (a) is entitled "Notice of Election";

- (b) includes the following: "A [indicate election type] will be held in [indicate the jurisdiction] on [indicate date of election]. Information relating to the election, including polling places, polling place hours, and qualifications of voters may be obtained from the following sources:"; and
- (c) specifies the following sources where an individual may view or obtain the information described in Subsection (4):
 - (i) if the jurisdiction has a website, the jurisdiction's website;
 - (ii) the physical address of the jurisdiction offices; and
 - (iii) a mailing address and telephone number.

Amended by Chapter 45, 2023 General Session
Amended by Chapter 56, 2023 General Session
Amended by Chapter 106, 2023 General Session
Amended by Chapter 297, 2023 General Session
Amended by Chapter 435, 2023 General Session

20A-5-102 Voting instructions.

- (1) Each election officer shall:
 - (a) print instructions for voters;
 - (b) ensure that the instructions are printed in English, and any other language required under the Voting Rights Act of 1965, as amended, in large clear type; and
 - (c) ensure that the instructions inform voters:
 - (i) about how to obtain ballots for voting;
 - (ii) about special political party affiliation requirements for voting in a regular primary election or presidential primary election;
 - (iii) about how to prepare ballots for deposit in the ballot box;
 - (iv) about how to record write-in votes;
 - (v) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
 - (vi) about how to obtain assistance in marking ballots;
 - (vii) about obtaining a new ballot if the voter's ballot is defaced;
 - (viii) that identification marks or the spoiling or defacing of a ballot will make it invalid;
 - (ix) about how to obtain and vote a provisional ballot;
 - (x) about whom to contact to report election fraud;
 - (xi) about applicable federal and state laws regarding:
 - (A) voting rights and the appropriate official to contact if the voter alleges that the voter's rights have been violated; and
 - (B) prohibitions on acts of fraud and misrepresentation;
 - (xii) about procedures governing mail-in registrants and first-time voters; and
 - (xiii) about the date of the election and the hours that the polls are open on election day.
- (2) Each election officer shall:
 - (a) provide the election judges of each voting precinct with sufficient instruction cards to instruct voters in the preparation of the voters' ballots; and
 - (b) direct the election judges to post:
 - (i) general voting instructions in each voting booth;
 - (ii) at least three instruction cards at other locations in the polling place; and
 - (iii) at least one sample ballot at the polling place.

Amended by Chapter 18, 2022 General Session
Amended by Chapter 170, 2022 General Session

20A-5-103 Constitutional amendments -- Posting.

- (1) Whenever a constitutional amendment is submitted to a vote of the people for their approval or rejection, the county clerk shall:
 - (a) cause the original section of the constitution to be printed on cards in large clear type with the changes to it indicated by bracketing and interlining any language proposed to be repealed and underlining any new language proposed to be inserted; and
 - (b) place the question as it appears upon the official ballot after the original section.
- (2) If there is more than one amendment submitted, the clerk shall ensure that the proposed amendments are placed upon the cards in columns in the same order as they will appear upon the official ballot.
- (3) Each county clerk shall:
 - (a) provide the election judges for each voting precinct with two constitutional amendment cards; and
 - (b) direct the election judges to post the two constitutional amendment cards in and about the polling place.

Amended by Chapter 183, 1997 General Session

**Part 2
Administration in General**

20A-5-204 Duplicate registration.

- (1) Upon finding duplicate registration, the county clerk shall first check for errors in the record.
- (2) If duplicate registration does exist, the clerk shall:
 - (a) eliminate one registration entry; and
 - (b) change the date of voter registration on the voter's file to the most recent registration date.

Amended by Chapter 3, 1996 Special Session 2

Amended by Chapter 3, 1996 Special Session 2

20A-5-205 Delivery of official register.

- (1) Before delivering the official register to the poll workers, the county clerk shall verify the accuracy and completeness of the official register.
- (2) The county clerk shall, before the polls open at an early voting center or any other polling place:
 - (a) deliver the official register to each polling place; and
 - (b) provide verification of the official register's accuracy and completeness.
- (3) This section does not prohibit a county clerk from updating an official register as necessary.

Amended by Chapter 31, 2020 General Session

20A-5-206 Change of precinct boundaries -- Revising list.

- (1) Whenever the boundaries of any voting precinct are changed, or a new voting precinct is created, the county clerk shall ensure that the names of all voters residing within the territory affected by the change are updated in the official register.

- (2) Any registered voter whose name has been erroneously updated in the official register, or erroneously not updated in the official register, may vote in the voting precinct in which the voter resides if the voter uses a provisional ballot.

Amended by Chapter 31, 2020 General Session

20A-5-207 Donated funding prohibited.

An election officer may not solicit, accept, or use any funds for an election if those funds are donated by any person other than a government entity.

Enacted by Chapter 156, 2022 General Session

Enacted by Chapter 299, 2022 General Session

Part 3
Duties of the County and Municipal Legislative Bodies

20A-5-301 Combined voting precincts -- Municipalities.

- (1)
- (a) The municipal legislative body of a city of the first or second class may combine up to four regular county voting precincts into one municipal voting precinct for purposes of a municipal election if they designate the location and address of each of those combined voting precincts.
 - (b) The polling place shall be within the combined voting precinct or within 1/2 mile of the boundaries of the voting precinct.
- (2)
- (a) The municipal legislative body of a city of the third, fourth, or fifth class, a town, or a metro township may combine two or more regular county voting precincts into one municipal voting precinct for purposes of an election if it designates the location and address of that combined voting precinct.
 - (b) If only two precincts are combined, the polling place shall be within the combined precinct or within 1/2 mile of the boundaries of the combined voting precinct.
 - (c) If more than two precincts are combined, the polling place should be as near as practical to the middle of the combined precinct.

Amended by Chapter 176, 2016 General Session

20A-5-302 Automated voting system.

- (1)
- (a) Any county or municipal legislative body or special district board may:
 - (i) adopt, experiment with, acquire by purchase, lease, or otherwise, or abandon any automated voting system that meets the requirements of this section; and
 - (ii) use that system in any election, in all or a part of the voting precincts within its boundaries, or in combination with manual ballots.
 - (b) Nothing in this title shall be construed to require the use of electronic voting devices in local special elections, municipal primary elections, or municipal general elections.
- (2) Each automated voting system shall:

- (a) provide for voting in secrecy, except in the case of voters who have received assistance as authorized by Section 20A-3a-208;
 - (b) permit each voter at any election to:
 - (i) vote for all persons and offices for whom and for which that voter is lawfully entitled to vote;
 - (ii) vote for as many persons for an office as that voter is entitled to vote; and
 - (iii) vote for or against any ballot proposition upon which that voter is entitled to vote;
 - (c) permit each voter, at presidential elections, by one mark, to vote for the candidates of that party for president, vice president, and for their presidential electors;
 - (d) at elections other than primary elections, permit each voter to vote for the nominees of one or more parties and for independent candidates;
 - (e) at primary elections:
 - (i) permit each voter to vote for candidates of the political party of the voter's choice; and
 - (ii) reject any votes cast for candidates of another party;
 - (f) prevent the voter from voting for the same person more than once for the same office;
 - (g) provide the opportunity for each voter to change the ballot and to correct any error before the voter casts the ballot in compliance with the Help America Vote Act of 2002, Pub. L. No. 107-252;
 - (h) include automatic tabulating equipment that rejects choices recorded on a voter's ballot if the number of the voter's recorded choices is greater than the number which the voter is entitled to vote for the office or on the measure;
 - (i) be of durable construction, suitably designed so that it may be used safely, efficiently, and accurately in the conduct of elections and counting ballots;
 - (j) when properly operated, record correctly and count accurately each vote cast;
 - (k) for voting equipment certified after January 1, 2005, produce a permanent paper record that:
 - (i) shall be available as an official record for any recount or election contest conducted with respect to an election where the voting equipment is used;
 - (ii)
 - (A) shall be available for the voter's inspection prior to the voter leaving the polling place; and
 - (B) shall permit the voter to inspect the record of the voter's selections independently only if reasonably practicable commercial methods permitting independent inspection are available at the time of certification of the voting equipment by the lieutenant governor;
 - (iii) shall include, at a minimum, human readable printing that shows a record of the voter's selections;
 - (iv) may also include machine readable printing which may be the same as the human readable printing; and
 - (v) allows a watcher to observe the election process to ensure the integrity of the election process; and
 - (l) meet the requirements of Section 20A-5-802.
- (3) For the purposes of a recount or an election contest, if the permanent paper record contains a conflict or inconsistency between the human readable printing and the machine readable printing, the human readable printing shall supercede the machine readable printing when determining the intent of the voter.
- (4) Notwithstanding any other provisions of this section, the election officers shall ensure that the ballots to be counted by means of electronic or electromechanical devices are of a size, layout, texture, and printed in a type of ink or combination of inks that will be suitable for use in the counting devices in which they are intended to be placed.

Amended by Chapter 15, 2023 General Session

20A-5-303 Establishing, dividing, abolishing, and changing voting precincts -- Common polling places -- Combined voting precincts.

- (1)
 - (a) After receiving recommendations from the county clerk, the county legislative body may establish, divide, abolish, and change voting precincts.
 - (b) Within 30 days after the establishment, division, abolition, or change of a voting precinct under this section, the county legislative body shall file with the Utah Geospatial Resource Center, created under Section 63A-16-505, a notice describing the action taken and specifying the resulting boundaries of each voting precinct affected by the action.
- (2)
 - (a) The county legislative body shall alter or divide voting precincts so that each voting precinct contains not more than 1,250 active voters.
 - (b) The county legislative body shall:
 - (i) identify those precincts that may reach the limit of active voters in a precinct under Subsection (2)(a) or that becomes too large to facilitate the election process; and
 - (ii) except as provided by Subsection (3), divide those precincts on or before January 1 of a general election year.
- (3) A county legislative body shall divide a precinct identified under Subsection (2)(b)(i) on or before January 31 of a regular general election year that immediately follows the calendar year in which the Legislature divides the state into districts in accordance with Utah Constitution, Article IX, Section 1.
- (4) Notwithstanding Subsection (2)(a) and except as provided by Subsection (5), the county legislative body may not:
 - (a) establish or abolish any voting precinct after January 1 of a regular general election year;
 - (b) alter or change the boundaries of any voting precinct after January 1 of a regular general election year; or
 - (c) establish, divide, abolish, alter, or change a voting precinct between January 1 of a year immediately preceding the year in which an enumeration is required by the United States Constitution and the day on which the Legislature divides the state into districts in accordance with Utah Constitution, Article IX, Section 1.
- (5) A county legislative body may establish, divide, abolish, alter, or change a voting precinct on or before January 31 of a regular general election year that immediately follows the calendar year in which the Legislature divides the state into districts in accordance with Utah Constitution, Article IX, Section 1.
- (6)
 - (a) For the purpose of voting in an election, the county legislative body may establish a common polling place for two or more whole voting precincts.
 - (b) At least 90 days before the election, the county legislative body shall designate:
 - (i) the voting precincts that will vote at the common polling place; and
 - (ii) the location of the common polling place.
 - (c) A county may use one set of election judges for the common polling place under this Subsection (6).
- (7) Each county shall have at least two polling places open for voting on the date of the election.
- (8) Each common polling place shall have at least one voting device that is accessible for individuals with disabilities in accordance with Public Law 107-252, the Help America Vote Act of 2002.

Amended by Chapter 162, 2021 General Session
Amended by Chapter 345, 2021 General Session

Part 4 Election Officer's Duties

20A-5-400.1 Contracting with an election officer to conduct elections -- Fees -- Contracts and interlocal agreements -- Private providers.

- (1)
 - (a) In accordance with this section, a local political subdivision may enter into a contract or interlocal agreement as provided in Title 11, Chapter 13, Interlocal Cooperation Act, with a provider election officer to conduct an election.
 - (b) If the boundaries of a local political subdivision holding the election extend beyond a single local political subdivision, the local political subdivision may have more than one provider election officer conduct an election.
 - (c) Upon approval by the lieutenant governor, a municipality may enter into a contract or agreement under Subsection (1)(a) with any local political subdivision in the state, regardless of whether the municipality is located in, next to, or near, the local political subdivision, to conduct an election during which the municipality is participating in the Municipal Alternate Voting Methods Pilot Project.
 - (d) If a municipality enters into a contract or agreement, under Subsection (1)(c), with a local political subdivision other than a county within which the municipality exists, the municipality, the local political subdivision, and the county within which the municipality exists shall enter into a cooperative agreement to ensure the proper functioning of the election.
- (2) A provider election officer shall conduct an election:
 - (a) under the direction of the contracting election officer; and
 - (b) in accordance with a contract or interlocal agreement.
- (3) A provider election officer shall establish fees for conducting an election for a contracting election officer that:
 - (a) are consistent with the contract or interlocal agreement; and
 - (b) do not exceed the actual costs incurred by the provider election officer.
- (4) The contract or interlocal agreement under this section may specify that a contracting election officer request, within a specified number of days before the election, that the provider election officer conduct the election to allow adequate preparations by the provider election officer.
- (5) An election officer conducting an election may appoint or employ an agent or professional service to assist in conducting the election.

Amended by Chapter 101, 2021 General Session

20A-5-400.5 Election officer for bond and leeway elections.

- (1) When a voted leeway or bond election is held on the regular general election date, the county clerk shall serve as the provider election officer to conduct that election.
- (2)
 - (a) When a voted leeway or bond election is held on the municipal general election date or any other election date permitted for special elections under Section 20A-1-204, and the local political subdivision calling the election is entirely within the boundaries of the unincorporated

county, the county clerk shall serve as the provider election officer to conduct that election subject to Subsection (3).

- (b) When a voted leeway or bond election is held on the municipal general election date or any other election date permitted for special elections under Section 20A-1-204, and the local political subdivision calling the election is entirely within the boundaries of a municipality, the municipal clerk for that municipality shall, except as provided in Subsection (3), serve as the provider election officer to conduct that election.
- (c) When a voted leeway or bond election is held on the municipal general election date or any other election date permitted for special elections under Section 20A-1-204, and the local political subdivision calling the election extends beyond the boundaries of a single municipality:
 - (i) except as provided in Subsection (3), the municipal clerk shall serve as the provider election officer to conduct the election for those portions of the local political subdivision where the municipal general election or other election is being held; and
 - (ii) except as provided in Subsection (3), the county clerk shall serve as the provider election officer to conduct the election for the unincorporated county and for those portions of any municipality where no municipal general election or other election is being held.
- (3) When a voted leeway or bond election is held on a date when no other election, other than another voted leeway or bond election, is being held in the entire area comprising the local political subdivision calling the voted leeway or bond election:
 - (a) the clerk or chief executive officer of a special district or the business administrator or superintendent of the school district, as applicable, shall serve as the election officer to conduct the bond election for those portions of the local political subdivision in which no other election, other than another voted leeway or bond election, is being held, unless the special district or school district has contracted with a provider election officer; and
 - (b) the county clerk, municipal clerk, or both, as determined by the local political subdivision holding the bond election, shall serve as the provider election officer to conduct the bond election for those portions of the local political subdivision in which another election, other than another voted leeway or bond election, is being held.
- (4) A provider election officer required by this section to conduct an election for a local political subdivision shall comply with Section 20A-5-400.1.

Amended by Chapter 15, 2023 General Session

20A-5-401 Official register -- Preparation -- Contents.

- (1)
 - (a) Before the registration days for each regular general, municipal general, regular primary, municipal primary, or presidential primary election, each county clerk shall prepare an official register of all voters that will participate in the election.
 - (b) The county clerk shall ensure that the official register is prepared and contains the following for each registered voter:
 - (i) name;
 - (ii) party affiliation;
 - (iii) an entry field for a voter challenge, including the name of the individual making the challenge and the grounds for the challenge;
 - (iv) election name and date;
 - (v) date of birth;
 - (vi) place of current residence;

- (vii) street address of current residence;
 - (viii) zip code;
 - (ix) identification and provisional ballot information as required under Subsection (1)(d); and
 - (x) space for the voter to sign the voter's name for the election.
- (c) When preparing the official register for the presidential primary election, the county clerk shall include:
- (i) an entry field to record the name of the political party whose ballot the voter voted; and
 - (ii) an entry field for the poll worker to record changes in the voter's party affiliation.
- (d) When preparing the official register for any regular general election, municipal general election, statewide special election, local special election, regular primary election, municipal primary election, special district election, or election for federal office, the county clerk shall include:
- (i) an entry field for the poll worker to record the type of identification provided by the voter;
 - (ii) a space for the poll worker to record the provisional envelope ballot number for voters who receive a provisional ballot; and
 - (iii) a space for the poll worker to record the type of identification that was provided by voters who receive a provisional ballot.
- (2)
- (a)
- (i) For regular and municipal elections, primary elections, regular municipal elections, special district elections, and bond elections, the county clerk shall make an official register only for voting precincts affected by the primary, municipal, special district, or bond election.
 - (ii) If a polling place to be used in a bond election serves both voters residing in the local political subdivision calling the bond election and voters residing outside of that local political subdivision, the official register shall designate whether each voter resides in or outside of the local political subdivision.
 - (iii) Each county clerk, with the assistance of the clerk of each affected special district, shall provide a detailed map or an indication on the registration list or other means to enable a poll worker to determine the voters entitled to vote at an election of special district officers.
- (b) Municipalities shall pay the costs of making the official register for municipal elections.

Amended by Chapter 15, 2023 General Session

20A-5-403 Polling places -- Booths -- Ballot boxes -- Inspections -- Arrangements.

- (1) Except as provided in Section 20A-7-609.5, each election officer shall:
- (a) designate polling places for each voting precinct in the jurisdiction; and
 - (b) obtain the approval of the county or municipal legislative body or special district governing board for those polling places.
- (2)
- (a) For each polling place, the election officer shall provide:
- (i) an American flag;
 - (ii) a sufficient number of voting booths or compartments;
 - (iii) the voting devices, voting booths, ballots, ballot boxes, and any other records and supplies necessary to enable a voter to vote;
 - (iv) the constitutional amendment cards required by Part 1, Election Notices and Instructions;
 - (v) the instructions required by Section 20A-5-102; and

- (vi) a sign, to be prominently displayed in the polling place, indicating that valid voter identification is required for every voter before the voter may vote and listing the forms of identification that constitute valid voter identification.
 - (b) Each election officer shall ensure that:
 - (i) each voting booth is at a convenient height for writing, and is arranged so that the voter can prepare the voter's ballot screened from observation;
 - (ii) there are a sufficient number of voting booths or voting devices to accommodate the voters at that polling place; and
 - (iii) there is at least one voting booth or voting device that is configured to accommodate persons with disabilities.
 - (c) Each county clerk shall provide a ballot box for each polling place that is large enough to properly receive and hold the ballots to be cast.
- (3)
- (a) All polling places shall be physically inspected by each county clerk to ensure access by a person with a disability.
 - (b) Any issues concerning inaccessibility to polling places by a person with a disability discovered during the inspections referred to in Subsection (3)(a) or reported to the county clerk shall be:
 - (i) forwarded to the Office of the Lieutenant Governor; and
 - (ii) within six months of the time of the complaint, the issue of inaccessibility shall be either:
 - (A) remedied at the particular location by the county clerk;
 - (B) the county clerk shall designate an alternative accessible location for the particular precinct; or
 - (C) if no practical solution can be identified, file with the Office of the Lieutenant Governor a written explanation identifying the reasons compliance cannot reasonably be met.
- (4)
- (a) The municipality in which the election is held shall pay the cost of conducting each municipal election, including the cost of printing and supplies.
 - (b)
 - (i) Costs assessed by a county clerk to a municipality under this section may not exceed the actual costs incurred by the county clerk.
 - (ii) The actual costs shall include:
 - (A) costs of or rental fees associated with the use of election equipment and supplies; and
 - (B) reasonable and necessary administrative costs.
- (5) The county clerk shall make detailed entries of all proceedings had under this chapter.
- (6)
- (a) Each county clerk shall, to the extent possible, ensure that the amount of time that an individual waits in line before the individual can vote at a polling place in the county does not exceed 30 minutes.
 - (b) The lieutenant governor may require a county clerk to submit a line management plan before the next election if an individual waits in line at a polling place in the county longer than 30 minutes before the individual can vote.
 - (c) The lieutenant governor may consider extenuating circumstances in deciding whether to require the county clerk to submit a plan described in Subsection (6)(b).
 - (d) The lieutenant governor shall review each plan submitted under Subsection (6)(b) and consult with the county clerk submitting the plan to ensure, to the extent possible, that the amount of time an individual waits in line before the individual can vote at a polling place in the county does not exceed 30 minutes.

Amended by Chapter 15, 2023 General Session

20A-5-403.5 Ballot drop boxes -- Notice.

- (1)
 - (a) An election officer:
 - (i) shall designate at least one ballot drop box in each municipality and reservation located in the jurisdiction to which the election relates;
 - (ii) may designate additional ballot drop boxes for the election officer's jurisdiction;
 - (iii) shall clearly mark each ballot drop box as an official ballot drop box for the election officer's jurisdiction;
 - (iv) shall provide 24-hour recorded video surveillance, without audio, of each unattended ballot drop box;
 - (v) shall post a sign on or near each unattended ballot drop box indicating that the ballot drop box is under 24-hour video surveillance; and
 - (vi) shall ensure that a camera, a video, or a recording of a video described in Subsection (1)(a)(iv) may only be accessed:
 - (A) by the election officer;
 - (B) by a custodian of the camera, video, or recording;
 - (C) by the lieutenant governor;
 - (D) by the legislative auditor general, when performing an audit; or
 - (E) by, or pursuant to an order of, a court of competent jurisdiction.
 - (b) An individual may not view a video, or a recording of a video, described in Subsection (1)(a)(iv), unless the individual:
 - (i) is an individual described in Subsection (1)(a)(vi); and
 - (ii) views the video to the extent necessary to:
 - (A) ensure compliance with Subsection (1)(a)(iv), (1)(a)(vi), or (1)(c); or
 - (B) investigate a concern relating to ballots or the ballot box.
 - (c) The election officer, or the custodian of the recording, shall keep a recording described in Subsection (1)(a)(iv) until the later of:
 - (i) the end of the calendar year in which the election was held; or
 - (ii) if the election is contested, when the contest is resolved.
- (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer shall, at least 28 days before the date of the election, provide notice of the location of each ballot drop box designated under Subsection (1), by publishing notice for the jurisdiction holding the election, as a class A notice under Section 63G-30-102, for at least 28 days before the day of the election.
- (3) Instead of including the location of ballot drop boxes, a notice required under Subsection (2) may specify the following sources where a voter may view or obtain a copy of all ballot drop box locations:
 - (a) the jurisdiction's website;
 - (b) the physical address of the jurisdiction's offices; and
 - (c) a mailing address and telephone number.
- (4) The election officer shall include in the notice described in Subsection (2):
 - (a) the address of the Statewide Electronic Voter Information Website and, if available, the address of the election officer's website, with a statement indicating that the election officer will post on the website the location of each ballot drop box, including any changes to the location of a ballot drop box and the location of additional ballot drop boxes; and

- (b) a phone number that a voter may call to obtain information regarding the location of a ballot drop box.
- (5)
 - (a) Except as provided in Section 20A-1-308, the election officer may, after the deadline described in Subsection (2):
 - (i) if necessary, change the location of a ballot drop box; or
 - (ii) if the election officer determines that the number of ballot drop boxes is insufficient due to the number of registered voters who are voting, designate additional ballot drop boxes.
 - (b) Except as provided in Section 20A-1-308, if an election officer changes the location of a ballot box or designates an additional ballot drop box location, the election officer shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or the additional ballot drop box location:
 - (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;
 - (ii) by posting the information on the website of the election officer, if available; and
 - (iii) by posting notice:
 - (A) for a change in the location of a ballot drop box, at the new location and, if possible, the old location; and
 - (B) for an additional ballot drop box location, at the additional ballot drop box location.
- (6) An election officer may, at any time, authorize two or more poll workers to remove a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.
- (7)
 - (a) At least two poll workers must be present when a poll worker collects ballots from a ballot drop box and delivers the ballots to the location where the ballots will be opened and counted.
 - (b) An election officer shall ensure that the chain of custody of ballots placed in a ballot box are recorded and tracked from the time the ballots are removed from the ballot box until the ballots are delivered to the location where the ballots will be opened and counted.

Amended by Chapter 45, 2023 General Session
Amended by Chapter 297, 2023 General Session
Amended by Chapter 435, 2023 General Session

20A-5-404 Election forms -- Preparation and contents.

- (1)
 - (a) For each election, the election officer shall prepare, for each polling place:
 - (i) forms for poll workers to record and verify security seals, ballots cast, and the number of voters who voted; and
 - (ii) an official register or pollbook.
 - (b) For each election, the election officer shall:
 - (i) provide a copy of each form to each of those precincts using paper ballots; and
 - (ii) provide a copy of the ballot disposition form and a pollbook to each of those voting precincts using an automated voting system.
- (2) The election officer shall ensure that the forms described in Subsection (1)(a)(i) include:
 - (a) a space for the judges to identify:
 - (i) the number of ballots voted;
 - (ii) the number of registered voters listed in the official register or pollbook; and
 - (iii) the total number of voters voting according to the official register or pollbook; and
 - (b) a certification, in substantially the following form:

"We, the undersigned, judges of an election held at _____ voting precinct, in _____ County, state of Utah, on _____ (month\day\year), having first been sworn according to law, certify that the information in this form is a true statement of the number and names of the individuals voting in the voting precinct at the election, and that the total number of individuals voting at the election was _____.

Judges of Election".

- (3) The election officer shall ensure that the official register or pollbook:
 - (a) identifies the voting precinct number on the face of the official register or pollbook; and
 - (b) contains:
 - (i) a section to record individuals voting on election day; and
 - (ii) a section in which to record voters who are challenged.

Amended by Chapter 31, 2020 General Session

20A-5-405 Election officer to provide ballots -- Notice of sample ballot.

- (1) An election officer shall:
 - (a) provide ballots for every election of public officers in which the voters, or any of the voters, within the election officer's jurisdiction participate;
 - (b) cause the name of every candidate whose nomination has been certified to or filed with the election officer in the manner provided by law to be included on each ballot;
 - (c) cause any ballot proposition that has qualified for the ballot as provided by law to be included on each ballot;
 - (d) ensure that the ballots are prepared and in the possession of the election officer at least seven days before the commencement of early voting as described in Section 20A-3a-601;
 - (e) allow candidates and their agents and the sponsors of ballot propositions that have qualified for the official ballot to inspect the ballots;
 - (f) no later than 45 days before the day of the election, make sample ballots available for inspection, in the same form as official ballots and that contain the same information as official ballots, by:
 - (i) posting a copy of the sample ballot in the election officer's office;
 - (ii) sending a copy of the sample ballot to:
 - (A) each candidate listed on the ballot; and
 - (B) the lieutenant governor; and
 - (iii) providing a copy of the sample ballot for the jurisdiction holding the election, as a class A notice under Section 63G-30-102, for at least seven days;
 - (g) deliver a copy of the sample ballot to poll workers for each polling place and direct the poll workers to post the sample ballot as required by Section 20A-5-102; and
 - (h) print and deliver, at the expense of the jurisdiction conducting the election, enough ballots, sample ballots, and instructions to meet the voting demands of the qualified voters in each voting precinct.

- (2) Instead of posting the entire sample ballot under Subsection (1)(f)(iii), the election officer may post a statement that:
 - (a) is entitled, "sample ballot";
 - (b) includes the following: "A sample ballot for [indicate name of jurisdiction] for the upcoming [indicate type and date of election] may be obtained from the following sources:"; and
 - (c) specifies the following sources where an individual may view or obtain a copy of the sample ballot:
 - (i) if the jurisdiction has a website, the jurisdiction's website;
 - (ii) the physical address of the jurisdiction's offices; and
 - (iii) a mailing address and telephone number.
- (3)
 - (a) Each election officer shall, without delay, correct any error discovered in any ballot, if the correction can be made without interfering with the timely distribution of the ballots.
 - (b)
 - (i) If the election officer discovers an error or omission in a manual ballot, and it is not possible to correct the error or omission, the election officer shall direct the poll workers to make the necessary corrections on the manual ballots before the ballots are distributed.
 - (ii) If the election officer discovers an error or omission in an electronic ballot and it is not possible to correct the error or omission by revising the electronic ballot, the election officer shall direct the poll workers to post notice of each error or omission with instructions on how to correct each error or omission in a prominent position at each polling booth.
- (4)
 - (a) If the election officer refuses or fails to correct an error or omission in a ballot, a candidate or a candidate's agent may file a verified petition with the district court asserting that:
 - (i) an error or omission has occurred in:
 - (A) the publication of the name or description of a candidate;
 - (B) the preparation or display of an electronic ballot; or
 - (C) the posting of sample ballots or the printing of official manual ballots; and
 - (ii) the election officer has failed to correct or provide for the correction of the error or omission.
 - (b) The district court shall issue an order requiring correction of any error in a ballot or an order to show cause why the error should not be corrected if it appears to the court that the error or omission has occurred and the election officer has failed to correct or provide for the correction of the error or omission.
 - (c) A party aggrieved by the district court's decision may appeal the matter to the Utah Supreme Court within five days after the day on which the district court enters the decision.

Amended by Chapter 45, 2023 General Session
Amended by Chapter 435, 2023 General Session

20A-5-406 Delivery of ballots.

- (1) An election officer shall deliver manual ballots to the poll workers of each voting precinct in the election officer's jurisdiction in an amount sufficient to meet voting needs during the voting period.
- (2) For mechanical ballots, an election officer shall:
 - (a) deliver the voting devices and mechanical ballots before voting commences at the polling place;
 - (b) ensure that the voting devices, equipment, and mechanical ballots are properly secured before commencement of voting;

- (c) when mechanical ballots or voting devices containing mechanical ballots are delivered to a polling place, ensure that security procedures, developed by the election officer, are followed to document chain of custody and to prevent unauthorized access; and
- (d) repair or provide substitute voting devices, equipment, or electronic ballots, if available, if any poll worker reports that:
 - (i) the voting devices or equipment were not delivered on time;
 - (ii) the voting devices or equipment do not contain the appropriate electronic ballot information;
 - (iii) the safety devices on the voting devices, equipment, or electronic ballots appear to have been tampered with;
 - (iv) the voting devices or equipment do not appear to be functioning properly; or
 - (v) after delivery, the voting devices, equipment, or electronic ballots were destroyed or stolen.

Amended by Chapter 18, 2022 General Session

20A-5-407 Election officer to provide ballot boxes.

- (1) Except as provided in Subsection (3), an election officer shall:
 - (a) provide one ballot box with a lock and key for each polling place; and
 - (b) deliver the ballot boxes, locks, and keys to the polling place before the polls open.
- (2) An election officer for a municipality or special district may obtain ballot boxes from the county clerk's office.
- (3) If locks and keys are unavailable, the election officer shall ensure that the ballot box lid is secured by tape.

Amended by Chapter 15, 2023 General Session

20A-5-408 Disposition of election returns.

- (1) Each election officer shall produce the packages containing the election returns before the board of canvassers.
- (2) As soon as the returns are canvassed, the election officer shall file the election returns and papers produced before the board as required by Section 20A-4-202.

Amended by Chapter 31, 2020 General Session

20A-5-409 Certification of candidates to county clerks.

No later than August 31 of each regular general election year, the lieutenant governor shall certify to each county clerk the name of each candidate qualified to be printed on the regular general election ballot for that county clerk's county.

Amended by Chapter 327, 2011 General Session

20A-5-410 Election officer to provide voting history information and status.

- (1) As used in this section, "voting history record" means the information about the existence and status of absentee ballot requests required by this section.
- (2)
 - (a) Each election officer shall maintain, in the election officer's office, a voting history record of those voters registered to vote in the election officer's jurisdiction.

- (b) Except as it relates to a voter whose voter registration record is classified as private under Subsection 63G-2-302(1)(k), the voting history record is a public record under Title 63G, Chapter 2, Government Records Access and Management Act.
- (3)
 - (a) When an election officer reports voting history for an election, the election officer shall, for each voter whose voter registration is classified as private under Subsection 20A-2-104(4)(h), report the following, for that election only, without disclosing the identity of the voter:
 - (i) for voting by mail, the information described in Subsection (4)(a);
 - (ii) for early voting, the date the individual voted; and
 - (iii) for voting on election day, the date the individual voted.
 - (b) In relation to the information of a voter whose voter registration is classified as private under Subsection 20A-2-104(4)(h), a report described in Subsection (3)(a) may not disclose, by itself or in conjunction with any other public information, the identity or any other personal identifying information of the voter.
- (4) The election officer shall ensure that the voting history record for each voting precinct contains:
 - (a) for voting by mail:
 - (i) the date that the manual ballot was mailed to the voter; and
 - (ii) the date that the voted manual ballot was received by the election officer;
 - (b) for early voting:
 - (i) the name and address of each individual who participated in early voting; and
 - (ii) the date the individual voted; and
 - (c) for voting on election day, the name and address of each individual who voted on election day.
- (5)
 - (a) Notwithstanding the time limits for response to a request for records under Section 63G-2-204 or the time limits for a request for records established in any ordinance, the election officer shall ensure that the information required by this section is recorded and made available to the public no later than one business day after its receipt in the election officer's office.
 - (b) Notwithstanding the fee requirements of Section 63G-2-203 or the fee requirements established in any ordinance, the election officer shall make copies of the voting history record available to the public for the actual cost of production or copying.

Amended by Chapter 248, 2022 General Session

Part 6 Poll Workers

20A-5-601 Appointment of poll workers in elections where candidates are distinguished by registered political parties.

- (1)
 - (a) This section governs appointment of poll workers in elections where candidates are distinguished by registered political parties.
 - (b) On or before March 1 of each even-numbered year, an election officer shall provide to the county chair of each registered political party a list of the number of poll workers that the party must nominate for each polling place.

- (c) On or before April 1 of each even-numbered year, the county chair and secretary of each registered political party shall file a list with the election officer containing the names of individuals in the county who are willing to serve as poll workers, who are qualified to serve as poll workers in accordance with this section, and who are competent and trustworthy.
- (d) The county chair and secretary shall submit names equal in number to the number required by the election officer, plus one.
- (2) Each election officer shall provide for the appointment of individuals to serve as poll workers at each election.
- (3)
 - (a) For each election, each election officer shall provide for the appointment of at least three registered voters, or one individual who is 16 or 17 years old and two registered voters, one of whom is at least 21 years old, from the list to serve as poll workers.
 - (b) An election officer may appoint additional poll workers, as needed.
- (4) For each set of three poll workers appointed for a polling place for an election, the election officer shall ensure that:
 - (a) two poll workers are appointed from the political party that cast the highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the jurisdiction holding the election at the last regular general election before the appointment of the poll workers; and
 - (b) one poll worker is appointed from the political party that cast the second highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the county, city, or special district, as applicable, at the last regular general election before the appointment of the poll workers.
- (5) The election officer shall provide for the appointment of any qualified county voter as a poll worker when:
 - (a) a political party fails to file the poll worker list by the filing deadline; or
 - (b) the list is incomplete.
- (6) A registered voter of the county may serve as a poll worker at any polling place in the county, municipality, or district, as applicable.
- (7) An election officer may not appoint a candidate's parent, sibling, spouse, child, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law to serve as a poll worker in a polling place where the candidate appears on the ballot.
- (8) The election officer shall fill all poll worker vacancies.
- (9) If a conflict arises over the right to certify the poll worker lists for any political party, the election officer may decide between conflicting lists, but may only select names from a properly submitted list.
- (10) The clerk shall establish compensation for poll workers.
- (11) The election officer may appoint additional poll workers to serve in the polling place as needed.

Amended by Chapter 15, 2023 General Session

20A-5-602 Appointment of poll workers in elections where candidates are not distinguished by registered political parties.

- (1)
 - (a) This section governs appointment of poll workers in elections where candidates are not distinguished by registered political parties.

- (b) An election officer shall appoint the poll worker at least 15 days before the date of the local election.
- (2)
 - (a) The election officer shall appoint, or provide for the appointment of, at least three poll workers as follows:
 - (i) three registered voters; or
 - (ii) two registered voters, one of whom is at least 21 years old, and one individual who is 16 or 17 years old.
 - (b) The election officer may appoint additional poll workers to serve in the polling place as needed.
- (3) The election officer may not appoint any candidate's parent, sibling, spouse, child, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law to serve as a poll worker at a polling place where the candidate appears on the ballot.
- (4)
 - (a) The clerk shall compensate poll workers for their services.
 - (b) The clerk of a municipality or special district may not compensate poll workers at a rate higher than that paid by the county to the county's poll workers.

Amended by Chapter 15, 2023 General Session

20A-5-603 Vacancies -- Removal of poll workers.

- (1)
 - (a) If a poll worker or alternate is unable to serve, that poll worker or alternate shall immediately notify the election officer, who shall fill the vacancy as provided in this section.
 - (b) The election officer may fill a vacancy occurring under this section by appointing the alternate to serve or, if that is impossible, by appointing some other qualified person to fill the vacancy.
- (2) The election officer shall summarily remove any poll worker who:
 - (a) neglects the poll worker's duty;
 - (b) commits or encourages fraud in connection with any election;
 - (c) violates any election law;
 - (d) knowingly permits any person to violate any election law;
 - (e) has been convicted of a felony;
 - (f) commits any act that interferes or tends to interfere with a fair and honest election; or
 - (g) is incapable of performing the duties of a poll worker.

Amended by Chapter 31, 2020 General Session

20A-5-605 Duties of poll workers.

- (1) Poll workers shall:
 - (a) arrive at the polling place at a time determined by the election officer; and
 - (b) remain until the official election returns are prepared for delivery.
- (2) The election officer may designate the title and duties of each poll worker.
- (3) Upon arriving to open the polls, the poll workers shall:
 - (a) display the United States flag;
 - (b) examine the voting devices to see that they are in proper working order and that security devices have not been tampered with;
 - (c) place the voting devices, voting booths, and the ballot box in plain view of those poll workers and watchers that are present;

- (d) check the ballots, supplies, records, and forms;
 - (e) if directed by the election officer:
 - (i) make any necessary corrections to the official ballots before the ballots are distributed at the polls;
 - (ii) post any necessary notice of errors in ballots before voting commences; and
 - (iii) post a sample ballot, instructions to voters, and constitutional amendments, if any;
 - (f) open the ballot box in the presence of those assembled, turn the ballot box upside down to empty the ballot box of anything; and
 - (g) immediately before the polls open, lock the ballot box or, if locks and keys are not available, tape the ballot box securely.
- (4)
- (a) If any poll worker fails to appear on the morning of the election, or fails or refuses to act:
 - (i) at least six qualified electors who are present at the polling place at the hour designated by law for the opening of the polls shall fill the vacancy by appointing another qualified individual from the voting precinct who is a member of the same political party as the poll worker who is being replaced to act as a poll worker; or
 - (ii) the election officer shall appoint a qualified individual to act as a poll worker.
 - (b) If a majority of the poll workers are present, the poll workers shall open the polls, even though a poll worker has not arrived.
- (5)
- (a) If it is impossible or inconvenient to hold an election at the polling place designated, the poll workers, after having assembled at or as near as practicable to the designated place, and before receiving any vote, may move to the nearest convenient place for holding the election.
 - (b) If the poll workers move to a new polling place, the poll workers shall display a proclamation of the change and station a peace officer or some other proper individual at the original polling place to notify voters of the location of the new polling place.
- (6) If, for any reason, the official ballots are not ready for distribution at a polling place or, if the supply of ballots is exhausted before the polls are closed, the poll workers may use unofficial ballots, made as nearly as possible in the form of the official ballot, until the election officer provides additional ballots.
- (7) When it is time to open the polls, one of the poll workers shall announce that the polls are open as required by Section 20A-1-302, or in the case of early voting, Section 20A-3a-602.
- (8)
- (a) The poll workers shall comply with the voting procedures and requirements of Chapter 3a, Voting, in allowing people to vote.
 - (b) The poll workers may not allow an individual, other than election officials and those admitted to vote, within six feet of voting devices, voting booths, or the ballot box.
 - (c) Besides the poll workers and watchers, the poll workers may not allow more than four voters in excess of the number of voting booths provided within six feet of voting devices, voting booths, or the ballot box.
 - (d) If necessary, the poll workers shall instruct each voter permitted to use a voting device how to operate the voting device before the voter enters the voting booth.
 - (e)
 - (i) If the voter requests additional instructions after entering the voting booth, two poll workers may, if necessary, enter the booth and give the voter additional instructions.
 - (ii) In regular general elections and regular primary elections, the two poll workers who enter the voting booth to assist the voter shall be of different political parties.

Amended by Chapter 170, 2022 General Session

20A-5-606 Closing the polls -- Preparation and delivery of election returns.

The election judges shall close the polls and prepare and deliver the election returns as provided in Chapter 4, Election Returns and Election Contests.

Amended by Chapter 2, 1994 General Session

Part 7
Offenses Involving Election Administration

20A-5-701 Willful neglect of duty or corrupt conduct -- Penalty.

- (1) It is unlawful for an election officer or poll worker to willfully neglect the election officer's or poll worker's duty or to willfully act corruptly in discharging the election officer's or poll worker's duty.
- (2) An election officer or poll worker who violates this section is guilty of a third degree felony.

Amended by Chapter 106, 2023 General Session

20A-5-702 Destroying or concealing ballots.

- (1) It is unlawful for any person, or officer having charge of official ballots, to destroy, suppress, or conceal them, except authorized by this title.
- (2) Any person who violates this section is guilty of a third degree felony.

Amended by Chapter 253, 2013 General Session

20A-5-703 Neglect or refusal to deliver ballots or returns.

- (1) It is unlawful for any person or officer who has undertaken to deliver official ballots or election returns to any voting precinct or to any poll worker or election officer to neglect, refuse, or fail to do so.
- (2) Any person who violates this subsection is guilty of a class A misdemeanor and shall be imprisoned for not less than six months, and fined not less than \$250.

Amended by Chapter 75, 2007 General Session

20A-5-705 Officer or watcher revealing vote.

- (1) It is unlawful for any election official or watcher to reveal to any other person the name of any candidate for whom a voter has voted, or to communicate to another the election official's or watcher's opinion, belief, or impression as to how or for whom a voter has voted.
- (2) A person who violates this section is guilty of a class A misdemeanor.

Amended by Chapter 253, 2013 General Session

20A-5-706 Damage, alteration, or theft of election equipment -- Penalty.

- (1) It is unlawful for any person to intentionally or knowingly damage, modify, steal, tamper with, or destroy a voting device, voting equipment, or an automated voting system.
- (2) Any person who violates this section is guilty of a third degree felony.

Enacted by Chapter 326, 2006 General Session

Part 8

Voting Equipment Selection and Certification

20A-5-801 Definitions.

As used in this part:

- (1) "New voting equipment system" means voting equipment that is operated in a materially different way or that functions in a materially different way than the equipment being replaced.
- (2) "Voting equipment" means the following equipment used for an election:
 - (a) automatic tabulating equipment;
 - (b) a voting device; or
 - (c) a voting machine.

Amended by Chapter 31, 2020 General Session

20A-5-802 Certification of voting equipment.

- (1) For the voting equipment used in the jurisdiction over which an election officer has authority, the election officer shall:
 - (a) before each election, use logic and accuracy tests to ensure that the voting equipment performs the voting equipment's functions accurately;
 - (b) develop and implement a procedure to protect the physical security of the voting equipment; and
 - (c) ensure that the voting equipment is certified by the lieutenant governor under Subsection (2) as having met the requirements of this section.
- (2)
 - (a) Except as provided in Subsection (2)(b)(ii):
 - (i) the lieutenant governor shall ensure that all voting equipment used in the state is independently tested using security testing protocols and standards that:
 - (A) are generally accepted in the industry at the time the lieutenant governor reviews the voting equipment for certification; and
 - (B) meet the requirements of Subsection (2)(a)(ii);
 - (ii) the testing protocols and standards described in Subsection (2)(a)(i) shall require that a voting system:
 - (A) is accurate and reliable;
 - (B) possesses established and maintained access controls;
 - (C) has not been fraudulently manipulated or tampered with;
 - (D) is able to identify fraudulent or erroneous changes to the voting equipment; and
 - (E) protects the secrecy of a voter's ballot; and
 - (iii) The lieutenant governor may comply with the requirements of Subsection (2)(a) by certifying voting equipment that has been certified by:
 - (A) the United States Election Assistance Commission; or
 - (B) a laboratory that has been accredited by the United States Election Assistance Commission to test voting equipment.
 - (b)

- (i) Voting equipment used in the state may include technology that allows for ranked-choice voting.
- (ii) The lieutenant governor may, for voting equipment used for ranked-choice voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, certify voting equipment that has been successfully used within the United States or a territory of the United States for ranked-choice voting for a race for federal office.

Amended by Chapter 305, 2019 General Session

20A-5-803 Voting Equipment Selection Committee.

- (1) Before selecting or purchasing a new voting equipment system, the lieutenant governor shall:
 - (a) appoint a Voting Equipment Selection Committee; and
 - (b) ensure that the committee includes persons having experience in:
 - (i) election procedures and administration;
 - (ii) computer technology;
 - (iii) data security;
 - (iv) auditing; and
 - (v) access for persons with disabilities.
- (2) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (3) The lieutenant governor shall select a chair from the committee membership.
- (4) The lieutenant governor may fill any vacancies that occur on the committee.
- (5) The Office of the Lieutenant Governor shall provide staffing for the committee.
- (6) The Voting Equipment Selection Committee shall:
 - (a) evaluate new voting equipment systems proposed for purchase by the state; and
 - (b) provide information and recommendations to assist the lieutenant governor with the purchase of new voting equipment systems.
- (7) The lieutenant governor may designate individuals, including committee members, to inspect and review proprietary software as part of an evaluation of new voting equipment systems under consideration for purchase.
- (8) Before making any selection or purchase, the lieutenant governor shall provide for a period of public review and comment on new voting equipment systems under consideration for purchase by the state.

Renumbered and Amended by Chapter 32, 2017 General Session

**Part 9
Election Security**

20A-5-901 Voter registration audit.

- (1) The lieutenant governor shall, on at least an annual basis, conduct an audit of the voter registration database.
- (2) The audit shall include:

- (a) a random selection of at least .02% of the active registered voters statewide; and
 - (b) at least one active registered voter from each county.
- (3) For each voter selected for the audit, the auditor shall:
- (a) verify that the voter is eligible for registration;
 - (b) verify that the voter's registration information is accurate and supported by the documentation on file;
 - (c) verify that there is a signature on file for the voter;
 - (d) check for duplicate voter registrations; and
 - (e) search available resources to determine whether the voter is deceased.
- (4) The audit report shall identify areas of concern or training needed in response to the audit findings.
- (5) The lieutenant governor shall:
- (a) share the audit results with the county clerks and verify that the county clerks address the concerns and fulfill the training identified under Subsection (4); and
 - (b) beginning in 2023, report biennially to the Government Operations Interim Committee on the results of the audits conducted under this section.

Amended by Chapter 45, 2023 General Session

20A-5-902 Security of election equipment.

- (1) Except when divesting election equipment as surplus property or providing for maintenance, an election officer may not permit an individual, other than an election official, access to election equipment.
- (2) An election officer shall keep a record of service work done on voting equipment, including:
- (a) a designation of the specific equipment serviced;
 - (b) the date of service;
 - (c) the names of all individuals who perform or supervise the service;
 - (d) the name of each vendor that performs the service; and
 - (e) a description of the service performed.

Enacted by Chapter 156, 2022 General Session

20A-5-903 Cyber security.

- (1) An election officer shall ensure that the following election equipment is never connected to the Internet:
- (a) tabulation servers;
 - (b) tabulation equipment;
 - (c) ballot scanners, including central, precinct, and mobile scanners; and
 - (d) ballot marking devices.
- (2) This section does not prohibit Internet connection of equipment used for voting if the equipment's use of voting is solely for the purpose of:
- (a) complying with Title 20A, Chapter 16, Uniform Military and Overseas Voters Act; or
 - (b) administering the Internet Voting Pilot Project, described in Section 20A-6-103.

Enacted by Chapter 156, 2022 General Session

20A-5-904 Voter fraud.

An election officer shall:

- (1) check available resources to determine whether an individual registers to vote, or votes, in more than one state or precinct; and
- (2) report the information to law enforcement or a prosecutor if the election officer has reason to believe that an individual has intentionally committed election fraud.

Enacted by Chapter 156, 2022 General Session

20A-5-905 Software validation -- Database security.

- (1) Before November 2022, 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 software validation procedures that an election officer is required to comply with to verify that voting system files have not been tampered with.
- (2) The lieutenant governor and each county clerk shall ensure that a record is made, and stored for at least 22 months, of each time a voter database is accessed by a person, including:
 - (a) the name of the person accessing the voter database;
 - (b) the date and time of the access; and
 - (c) any changes made to the voter database.

Enacted by Chapter 156, 2022 General Session