

**Representative Kraig Powell** proposes the following substitute bill:

**VOTER REGISTRATION AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kraig Powell**

Senate Sponsor: Peter C. Knudson

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**LONG TITLE**

**General Description:**

This bill amends provisions in Title 20A, Election Code, relating to voter registration.

**Highlighted Provisions:**

This bill:

- ▶ requires the removal of a voter from the official register:
  - upon notification that a voter has subsequently registered to vote in another state; and
  - upon notice of a criminal conviction that prohibits a person from voting;
- ▶ requires the county clerk to send a notice to a voter who fails to vote in two consecutive regular general elections; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-2-304.5**, as enacted by Laws of Utah 2010, Chapter 304



26           **20A-2-305**, as last amended by Laws of Utah 1997, Chapter 183

27 \_\_\_\_\_

28 *Be it enacted by the Legislature of the state of Utah:*

29           Section 1. Section **20A-2-304.5** is amended to read:

30           **20A-2-304.5. County clerk's responsibilities -- Updating voter registration.**

31           (1) A county clerk who receives notification from the lieutenant governor, as provided  
32 in Subsection 20A-2-109(1), of a change in a registered voter's principal place of residence or  
33 name may verify the change with the registered voter.

34           (2) Unless the county clerk verifies that a change described in Subsection (1) is  
35 incorrect, the county clerk shall:

36           (a) change the voter registration record to show the registered voter's current name and  
37 address; and

38           (b) notify the registered voter of the change to the voter registration record.

39           (3) (a) If a voter does not vote in any election during the period beginning on the date  
40 of any regular general election and ending on the day after the date of the next regular general  
41 election, the county clerk shall send to the voter a preaddressed return form in substantially the  
42 following form:

43           "VOTER REGISTRATION ADDRESS"

44           To ensure the address on your voter registration is correct, please complete and return  
45 this form if your address has changed. What is your current street address?

46 \_\_\_\_\_

<u>Street</u>	<u>City</u>	<u>County</u>	<u>State</u>	<u>ZIP</u>
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49 Signature of Voter

50           (b) The county clerk shall mail the form described in Subsection (3)(b) with a postal  
51 service that will notify the county clerk if the voter has changed the voter's address.

52           Section 2. Section **20A-2-305** is amended to read:

53           **20A-2-305. Removing names from the official register -- General requirements.**

54           (1) The county clerk may not remove a voter's name from the official register because  
55 the voter has failed to vote in an election.

56           (2) The county clerk [~~may~~] shall remove a voter's name from the official register [~~only~~]

- 57 ~~[when]~~ if:
- 58 (a) the voter dies and the requirements of Subsection (3) are met;
- 59 (b) the county clerk, after complying with the requirements of Section 20A-2-306,  
60 receives written confirmation from the voter that the voter no longer resides within the county  
61 clerk's county;
- 62 (c) the county clerk has:
- 63 (i) obtained evidence that the voter's residence has changed~~[, has]~~;
- 64 (ii) mailed notice to the voter as required by Section 20A-2-306 ~~[and]~~;
- 65 (iii) received no response from the voter~~[-]~~; and
- 66 (iv) the voter has failed to vote or appear to vote in ~~[either of the next two]~~ an election  
67 during the period beginning on the date of the notice and ending on the day after the date of the  
68 second regular general ~~[elections following]~~ election occurring after the date of the notice;
- 69 (d) the voter requests, in writing, that ~~[his]~~ the voter's name be removed from the  
70 official register; ~~[or]~~
- 71 (e) the county clerk receives a returned voter identification card, determines that there  
72 was no clerical error causing the card to be returned, and has no further information to contact  
73 the voter~~[-]~~;
- 74 (f) the county clerk receives notice that a voter has been convicted of any felony or a  
75 misdemeanor for an offense under this title and the voter's right to vote has not been restored as  
76 provided in Section 20A-2-101.3 or 20A-2-101.5; or
- 77 (g) the county clerk receives notice that a voter has registered to vote in another state  
78 after the day on which the voter registered to vote in this state.
- 79 (3) The county clerk ~~[may]~~ shall remove a voter's name from the registration list upon  
80 the annual receipt of a listing of all deceased residents from the Department of Health's Bureau  
81 of Vital Records.