

HB0253S01 compared with HB0253

~~{deleted text}~~ shows text that was in HB0253 but was deleted in HB0253S01.

inserted text shows text that was not in HB0253 but was inserted into HB0253S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Kraig Powell proposes the following substitute bill:

VOTER REGISTRATION AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

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 ~~{notification}~~ notice of a criminal conviction that prohibits a person from voting; ~~{and}~~

~~{~~ ~~• after two consecutive regular general elections following a notice to which the voter fails to respond;~~

- ~~}~~ ▶ requires the county clerk to send a notice to a voter who fails to vote in two

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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

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

~~{ 20A-2-306, as last amended by Laws of Utah 2011, Chapter 297~~

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

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

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

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

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

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

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

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

"VOTER REGISTRATION ADDRESS"

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

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Street

City

County

State

ZIP

Signature of Voter

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

Section ~~{1}~~2. Section **20A-2-305** is amended to read:

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

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

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

(a) the voter dies and the requirements of Subsection (3) are met;

(b) the county clerk, after complying with the requirements of Section 20A-2-306, receives written confirmation from the voter that the voter no longer resides within the county clerk's county;

(c) the county clerk has:

(i) obtained evidence that the voter's residence has changed[~~, has~~];

(ii) mailed notice to the voter as required by Section 20A-2-306 [~~and~~];

(iii) received no response from the voter[~~;~~]; and

(iv) the voter has failed to vote or appear to vote in [~~either of {} the next two consecutive} the next two] an election during the period beginning on the date of the notice and ending on the day after the date of the second regular general [~~elections following] election occurring after~~ the date of the notice;~~

~~{(d) (i) the county clerk has mailed notice to the voter as required by Subsection 20A-2-306(4)(d);~~

~~—— (ii) the county clerk received no response from the voter; and~~

~~—— (iii) the voter has failed to vote or appear to vote in the next two consecutive regular general elections following the date of the notice;~~

~~—— [(d) (e)] (d) the voter requests, in writing, that [~~his~~] the voter's name be removed from the official register; [~~or~~]~~

~~{(e) {} (f)}~~ the county clerk receives a returned voter identification card,

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determines that there was no clerical error causing the card to be returned, and has no further information to contact the voter[-];

~~(f)(f)~~ the county clerk receives notice that a voter has been convicted of ~~fa~~any felony or a misdemeanor for an offense under this title and the voter's right to vote has not been restored as provided in Section 20A-2-101.3 or 20A-2-101.5; or

~~(fh)(g)~~ the county clerk receives notice that a voter has registered to vote in another state after the day on which the voter registered to vote in this state.

(3) The county clerk ~~[may]~~ shall remove a voter's name from the registration list upon the annual receipt of a listing of all deceased residents from the Department of Health's Bureau of Vital Records.

~~{~~ ~~Section 2. Section 20A-2-306 is amended to read:~~

~~20A-2-306. Removing names from the official register -- Determining and confirming change of residence:~~

~~(1) A county clerk may not remove a voter's name from the official register on the grounds that the voter has changed residence unless the voter:~~

~~(a) confirms in writing that the voter has changed residence to a place outside the county; or~~

~~(b) (i) has not voted in an election during the period beginning on the date of the notice required by Subsection (3), and ending on the day after the date of the second regular general election occurring after the date of the notice; and~~

~~(ii) has failed to respond to the notice required by Subsection (3).~~

~~(2) (a) When a county clerk obtains information that a voter's address has changed and it appears that the voter still resides within the same county, the county clerk shall:~~

~~(i) change the official register to show the voter's new address; and~~

~~(ii) send to the voter, by forwardable mail, the notice required by Subsection (3) printed on a postage prepaid, preaddressed return form.~~

~~(b) When a county clerk obtains information that a voter's address has changed and it appears that the voter now resides in a different county, the county clerk shall verify the changed residence by sending to the voter, by forwardable mail, the notice required by Subsection (3) printed on a postage prepaid, preaddressed return form.~~

~~(3) Each county clerk shall use substantially the following form to notify voters whose~~

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~~addresses have changed:~~

~~—————"VOTER REGISTRATION NOTICE~~

~~—————We have been notified that your residence has changed or you have not voted or appeared to vote in the previous two regular general elections. Please read, complete, and return this form so that we can update our voter registration records. What is your current street address?~~

~~—————
—————
Street _____ City _____ County _____ State _____ Zip _____~~

~~—————If you have not changed your residence or have moved but stayed within the same county, you must complete and return this form to the county clerk so that it is received by the county clerk no later than 30 days before the date of the election. If you fail to return this form within that time:~~

~~————— - you may be required to show evidence of your address to the poll worker before being allowed to vote in either of the next two regular general elections; or~~

~~————— - if you fail to vote at least once from the date this notice was mailed until the passing of two regular general elections, you will no longer be registered to vote. If you have changed your residence and have moved to a different county in Utah, you may register to vote by contacting the county clerk in your county.~~

~~—————
—————
Signature of Voter"~~

~~—————(4) (a) Except as provided in Subsection (4)(b), the county clerk may not remove the names of any voters from the official register during the 90 days before a regular primary election and the 90 days before a regular general election.~~

~~—————(b) The county clerk may remove the names of voters from the official register during the 90 days before a regular primary election and the 90 days before a regular general election if:~~

~~—————(i) the voter requests, in writing, that the voter's name be removed; or~~

~~—————(ii) the voter has died.~~

~~—————(c) (i) After a county clerk mails a notice as required in this section, the clerk may list that voter as inactive.~~

~~—————(ii) An inactive voter shall be allowed to vote, sign petitions, and have all other~~

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~~privileges of a registered voter.~~

~~—— (iii) A county is not required to send routine mailings to inactive voters and is not required to count inactive voters when dividing precincts and preparing supplies.~~

~~—— (d) A county clerk shall send the notice described in Subsection (3) to a voter who does not vote in two consecutive regular general elections.~~

~~Legislative Review Note~~

~~—— as of 12-21-11 6:46 AM~~

~~————— Office of Legislative Research and General Counsel~~