

26 or renews the individual's driver license or state identification card;

27 ▶ allows any individual to request that the individual's voter registration record be
28 classified as a private record;

29 ▶ allows certain information in a driver license or state identification card application
30 form to be used for voter registration purposes;

31 ▶ amends provisions relating to the process by which a voter may request that the
32 voter's voter registration record be classified as a private record;

33 ▶ requires a county clerk to send certain information to an individual who registers to
34 vote;

35 ▶ provides certain requirements for conducting an election by absentee ballot;

36 ▶ requires a county that conducts ~~§~~ **→ [om]** an ~~←§~~ election by absentee ballot to provide a
36a certain

37 number of polling places on the date of an election; and

38 ▶ makes technical and conforming changes.

39 Money Appropriated in this Bill:

40 None

41 Other Special Clauses:

42 This bill provides a coordination clause.

43 Utah Code Sections Affected:

44 AMENDS:

45 **20A-2-102.5**, as last amended by Laws of Utah 2014, Chapters 98 and 231

46 **20A-2-104**, as last amended by Laws of Utah 2015, Chapter 130

47 **20A-2-108**, as last amended by Laws of Utah 2015, Chapter 130

48 **20A-2-201**, as last amended by Laws of Utah 2015, Chapters 130 and 394

49 **20A-2-202**, as last amended by Laws of Utah 2015, Chapter 130

50 **20A-2-204**, as last amended by Laws of Utah 2015, Chapter 130

51 **20A-2-205**, as last amended by Laws of Utah 2015, Chapter 130

52 **20A-2-206**, as last amended by Laws of Utah 2015, Chapter 130

53 **20A-2-304**, as last amended by Laws of Utah 2017, Chapter 91

54 **20A-2-306**, as last amended by Laws of Utah 2017, Chapter 52

55 **20A-2-307**, as last amended by Laws of Utah 2015, Chapter 79

56 **20A-3-302**, as last amended by Laws of Utah 2017, Chapters 235, 327 and last

57 amended by Coordination Clause, Laws of Utah 2017, Chapter 327
 58 [20A-3-304](#), as last amended by Laws of Utah 2015, Chapter 394
 59 [20A-3-306](#), as last amended by Laws of Utah 2015, Chapter 124
 60 [20A-3-601](#), as last amended by Laws of Utah 2017, Chapter 58
 61 [20A-3-605](#), as last amended by Laws of Utah 2013, Chapter 320
 62 [20A-4-107](#), as last amended by Laws of Utah 2014, Chapters 98, 231 and last amended
 63 by Coordination Clause, Laws of Utah 2014, Chapter 231
 64 [20A-6-105](#), as last amended by Laws of Utah 2014, Chapter 373
 65 [63G-2-302](#), as last amended by Laws of Utah 2017, Chapters 168 and 282

66 ENACTS:

67 [20A-2-207](#), Utah Code Annotated 1953

68 **Utah Code Sections Affected by Coordination Clause:**

69 ~~§→ [—[20A-2-104](#), as last amended by Laws of Utah 2015, Chapter 130] ←§~~

70 [20A-3-601](#), as last amended by Laws of Utah 2017, Chapter 58

71 [20A-4-107](#), as last amended by Laws of Utah 2014, Chapters 98, 231 and last amended
 72 by Coordination Clause, Laws of Utah 2014, Chapter 231



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

75 Section 1. Section [20A-2-102.5](#) is amended to read:

76 **[20A-2-102.5](#). Voter registration deadline.**

77 (1) Except as provided in Section [20A-2-201](#), [20A-2-204](#), [20A-2-206](#), [20A-2-207](#), or

78 [20A-4-107](#) ~~§→ [f] ←§~~ , ~~§→ [f] ←§~~ or Chapter 16, Uniform Military and Overseas Voters Act, a
 78a person who fails to

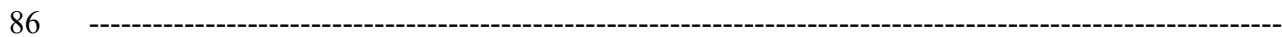
79 submit a correctly completed voter registration form on or before the voter registration deadline
 80 may not vote in the election.

81 (2) The voter registration deadline is 30 calendar days before the date of the election.

82 Section 2. Section [20A-2-104](#) is amended to read:

83 **[20A-2-104](#). Voter registration form -- Registered voter lists -- Fees for copies.**

84 (1) An individual applying for voter registration, or an individual preregistering to
 85 vote, shall complete a voter registration form in substantially the following form:



87 UTAH ELECTION REGISTRATION FORM

460 of the voter registration deadline, or is otherwise marked by the post office as received by the
 461 post office on or before the voter registration deadline, the county clerk shall:

462 ~~[(i)]~~ (a) process the by-mail voter registration form; and

463 ~~[(ii)]~~ (b) record the new voter in the official register.

464 ~~[(4)]~~ (5) If the county clerk determines that a registration form received by mail or
 465 otherwise is incorrect because of an error or because it is incomplete, the county clerk shall
 466 mail notice to the person attempting to register or preregister, stating that the person has not
 467 been registered or preregistered because of an error or because the form is incomplete.

468 Section 6. Section **20A-2-204** is amended to read:

469 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

470 (1) As used in this section, "voter registration form" means ~~[the driver license~~
 471 ~~application/voter registration form and the driver license renewal/voter registration form~~
 472 ~~required by Section 20A-2-108]~~, when an individual named on a qualifying form, as defined in
 473 Section 20A-2-108, answers "yes" to the question described in Subsection 20A-2-108(2)(a), the
 474 information on the qualifying form that can be used for voter registration purposes.

475 (2) ~~§→ [(a)] ←§~~ ~~[Any]~~ A citizen who is qualified to vote may register to vote, and ~~[any]~~ a
 475a citizen

476 who is qualified to preregister to vote may preregister to vote, by answering "yes" to the
 477 question described in Subsection 20A-2-108(2)(a) and completing the voter registration form.

478 (3) The Driver License Division shall:

479 (a) assist ~~[applicants]~~ an individual in completing the voter registration form unless the
 480 ~~[applicant]~~ individual refuses assistance;

481 ~~[(b) accept a completed voter registration form and transmit the form to the county~~
 482 ~~clerk of the county in which the applicant resides within five days after the day on which the~~
 483 ~~division receives the form;]~~

484 ~~[(c)]~~ (b) electronically transmit each address change to the lieutenant governor within
 485 five days after the day on which the division receives the address change; and

486 ~~[(d) transmit electronically to the lieutenant governor's office the name, address, birth~~
 487 ~~date, and driver license number of each individual who answers "yes" to a question described~~
 488 ~~in Subsection 20A-2-108(1), and indicate whether the individual is registering or preregistering~~
 489 ~~to vote.]~~

490 ~~[(4)(a) Upon receipt of a correctly completed voter registration form from an~~

522 ~~[(5) (a) If the county clerk receives a correctly completed voter registration form that is~~
 523 ~~dated after the voter registration deadline, the county clerk shall, unless]~~
 524 ~~[the individual named in the form is preregistering to vote: (i)]~~
 525 ~~[register the applicant after the next election; and]~~
 526 ~~[(ii) if possible, promptly phone or mail a notice to the applicant before the election,~~
 527 ~~informing the applicant that his]~~
 528 ~~[registration will not be effective until after the election.]~~

529 ~~[(b) When the county clerk receives a correctly completed voter registration form at~~
 530 ~~least seven days before an election that is dated on or before the voter registration deadline, the~~
 531 ~~county clerk shall, unless the individual named in the form is preregistering to vote:]~~

532 ~~[(i) process the voter registration form; and]~~
 533 ~~[(ii) record the new voter in the official register.]~~

534 ~~§→ [(6) An individual shall submit the application and evidence described in Subsection~~
 535 ~~(5)(c)(i)(B) to the county clerk within 30 days after the day on which the county clerk sends the~~
 536 ~~notice described in Subsection (5)(c)(i):~~

537 ~~—— (7)] (6) ←§ (a) When the county clerk receives a correctly completed voter registration form~~
 538 ~~under this section, the clerk shall:~~

539 ~~(i) comply with the applicable provisions of this Subsection §→ [(7)] (6) ←§ ; or~~
 540 ~~(ii) if the individual is preregistering to vote, comply with Section [20A-2-101.1](#).~~

541 ~~(b) If the county clerk receives a correctly completed voter registration form under this~~
 542 ~~section during the period beginning on the date after the voter registration deadline and ending~~
 543 ~~on the date that is 15 calendar days before the date of an election, the county clerk shall:~~

544 ~~(i) accept the voter registration form; and~~
 545 ~~(ii) unless the individual is preregistering to vote, inform the individual that the~~
 546 ~~individual is registered to vote in the pending election.~~

547 ~~(c) If the county clerk receives a correctly completed voter registration form under this~~
 548 ~~section during the period beginning on the date that is 14 calendar days before the election and~~
 549 ~~ending on the date that is seven calendar days before the election, the county clerk shall:~~

550 ~~(i) accept the voter registration form; and~~
 551 ~~(ii) unless the individual is preregistering to vote, inform the individual that:~~
 552 ~~(A) the individual is registered to vote in the pending election; and~~

553 (B) for the pending election, the individual must vote on the day of the election or by
 554 provisional ballot, under Section 20A-2-207, during the early voting period described in
 555 Section 20A-3-601 because the individual registered late.

556 (d) If the county clerk receives a correctly completed voter registration form under this
 557 section during the six calendar days before an election, the county clerk shall:

558 (i) accept the application for registration ~~§~~ → [if] of ← ~~§~~ the individual; and

559 (ii) unless the individual is preregistering to vote, inform the individual:

560 (A) of each manner still available to the individual to timely register to vote in the
 561 current election; and

562 (B) that, if the individual does not timely register in a manner described in Subsection
 563 (7)(d)(ii)(A), the individual is registered to vote but may not vote in the pending election
 564 because the individual registered late.

565 ~~[(6)]~~ ~~§~~ → ~~[(8)]~~ (7) ← ~~§~~ (a) If the county clerk determines that ~~[a]~~ an individual's voter
 565a registration

566 form received from the Driver License Division is incorrect because of an error [or], because
 567 [it] the form is incomplete, or because the individual does not meet the qualifications to be
 568 registered to vote, the county clerk shall mail notice to the individual [attempting to register or
 569 preregister to vote,] stating that the individual has not been registered or preregistered because
 570 of an error [or], because the form is incomplete, or because the individual does not meet the
 571 qualifications to be registered to vote.

572 (b) If a county clerk believes, based upon a review of a voter registration form, that an
 573 individual, who knows that the individual is not legally entitled to register or preregister to
 574 vote, may be intentionally seeking to register or preregister to vote, the county clerk shall refer
 575 the form to the county attorney for investigation and possible prosecution.

576 Section 7. Section 20A-2-205 is amended to read:

577 **20A-2-205. Registration at voter registration agencies.**

578 (1) As used in this section:

579 (a) "Discretionary voter registration agency" means the same as that term is defined in
 580 Section 20A-2-300.5.

581 (b) "Public assistance agency" means each office in Utah that provides:

582 (i) public assistance; or

583 (ii) state funded programs primarily engaged in providing services to people with

1235 Street Address of Principal Place of Residence

1236 _____

1237 City County State Zip Code

1238 Telephone Number (optional) _____

1239 Last four digits of Social Security Number _____

1240 Last former address at which I was registered to vote (if known)

1241 _____

1242 City County State Zip Code

1243 Voting Precinct (if known)

1244 _____

1245 I, (please print your full name) _____ do solemnly swear or

1246 affirm:

1247 That I ~~Ŝ→~~ [am currently registered to vote in the state of Utah and] ~~←Ŝ~~ am eligible to vote

1247a in this

1248 election; that I have not voted in this election in any other precinct; that I am eligible to vote in

1249 this precinct; and that I request that I be permitted to vote in this precinct; and

1250 Subject to penalty of law for false statements, that the information contained in this

1251 form is true, and that I am a citizen of the United States and a resident of Utah, residing at the

1252 above address; and that I am at least 18 years old and have resided in Utah for the 30 days

1253 immediately before this election.

1254 Signed _____

1255 Dated _____

1256 In accordance with Section 20A-3-506, wilfully providing false information above is a
1257 class B misdemeanor under Utah law and is punishable by imprisonment and by fine."

1258 "The portion of a voter registration form that lists a person's driver license or
1259 identification card number, social security number, and email address is a private record. The
1260 portion of a voter registration form that lists a person's date of birth is a private record, the use
1261 of which is restricted to government officials, government employees, political parties, or
1262 certain other persons.

1263 [~~If you believe that disclosure of any information contained in this voter registration
1264 form to a person other than a government official or government employee is likely to put you
1265 or a member of your household's life or safety at risk, or to put you or a member of your~~

1390 (g) audio and video recordings created by a body-worn camera, as defined in Section
 1391 77-7a-103, that record sound or images inside a home or residence except for recordings that:

1392 (i) depict the commission of an alleged crime;

1393 (ii) record any encounter between a law enforcement officer and a person that results in
 1394 death or bodily injury, or includes an instance when an officer fires a weapon;

1395 (iii) record any encounter that is the subject of a complaint or a legal proceeding
 1396 against a law enforcement officer or law enforcement agency;

1397 (iv) contain an officer involved critical incident as defined in Section 76-2-408(1)(d);

1398 or

1399 (v) have been requested for reclassification as a public record by a subject or
 1400 authorized agent of a subject featured in the recording.

1401 (3) (a) As used in this Subsection (3), "medical records" means medical reports,
 1402 records, statements, history, diagnosis, condition, treatment, and evaluation.

1403 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
 1404 doctors, or affiliated entities are not private records or controlled records under Section
 1405 63G-2-304 when the records are sought:

1406 (i) in connection with any legal or administrative proceeding in which the patient's
 1407 physical, mental, or emotional condition is an element of any claim or defense; or

1408 (ii) after a patient's death, in any legal or administrative proceeding in which any party
 1409 relies upon the condition as an element of the claim or defense.

1410 (c) Medical records are subject to production in a legal or administrative proceeding
 1411 according to state or federal statutes or rules of procedure and evidence as if the medical
 1412 records were in the possession of a nongovernmental medical care provider.

1413 ~~§→ [Section 21. Coordinating H.B. 218 with S.B. 74 -- Substantive amendments.~~

1414 ~~—— If this H.B. 218 and S.B. 74, Voter Privacy Amendments, both pass and become law, it~~
 1415 ~~is the intent of the Legislature that, when the Office of Legislative Research and General~~
 1416 ~~Counsel prepares the Utah Code database for publication, Subsection 20A-2-104(6) in S.B. 74,~~
 1417 ~~is amended to read:~~

1418 ~~—— "(6) (a) The lieutenant governor or a county clerk shall classify the voter registration~~
 1419 ~~record of a voter as a private record if the voter submits a written application, created by the~~

1420 ~~lieutenant governor, requesting that the voter's voter registration record be classified as private.~~Ⓢ

1421 ~~Ⓢ(b) The lieutenant governor or a county clerk may not disclose the voter registration~~
 1422 ~~form of an individual, or information included in the individual's voter registration form, whose~~
 1423 ~~voter registration form is classified as private under Subsection (6)(a) to a person, other than a~~
 1424 ~~government official or government employee acting in the government official's or government~~
 1425 ~~employee's capacity as a government official or government employee. "] ←§~~

1426 Section 22. **Coordinating H.B. 218 with S.B. 17 -- Technical amendments.**

1427 If this H.B. 218 and S.B. 17, Election Law Modifications, both pass and become law, it
 1428 is the intent of the Legislature that the amendments to Section [20A-4-107](#) in this H.B. 218
 1429 supersede the amendments to Section [20A-4-107](#) in S.B. 17, when the Office of Legislative
 1430 Research and General Counsel prepares the Utah Code database for publication.

1431 Section 23. **Coordinating H.B. 218 with S.B. 116 -- Technical amendments.**

1432 If this H.B. 218 and S.B. 116, Revisor's Technical Corrections to Utah Code, both pass
 1433 and become law, it is the intent of the Legislature that the amendments to Sections [20A-3-601](#)
 1434 and [20A-4-107](#) in this H.B. 218 supersede the amendments to Sections [20A-3-601](#) and
 1435 [20A-4-107](#) in S.B. 116, when the Office of Legislative Research and General Counsel prepares
 1436 the Utah Code database for publication.

1437 Section 24. **Coordinating H.B. 218 with H.B. 141 -- Technical amendments.**

1438 If this H.B. 218 and H.B. 141, Early Voting Amendments, both pass and become law, it
 1439 is the intent of the Legislature that the amendments to Subsection [20A-3-601](#)(1) in this H.B.
 1440 218 supersede the amendments to Subsection [20A-3-601](#)(1) in H.B. 141, when the Office of
 1441 Legislative Research and General Counsel prepares the Utah Code database for publication.