

MODIFICATIONS TO ELECTION LAW

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca Chavez-Houck

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill amends provisions of the Election Code.

Highlighted Provisions:

This bill:

- ▶ amends definitions;
- ▶ provides that an otherwise eligible voter may register to vote, and vote, by casting a provisional ballot on election day or during the early voting period;
- ▶ amends provisions relating to voter registration deadlines and the information provided to applicants for voter registration;
- ▶ changes the deadline for filing an absentee ballot application and for casting an absentee ballot in person;
- ▶ amends provisions for removing a voter from the absentee ballot list;
- ▶ requires the lieutenant governor to report to the Government Operations Interim Committee regarding implementation of the provisions of this bill;
- ▶ simplifies the process by which an individual may register to vote when the individual applies for or renews the individual's driver license or state identification card;
- ▶ allows an individual to register as an absentee voter when the individual applies for or renews the individual's driver license or state identification card;
- ▶ allows any individual to request that the individual's voter registration record be classified as a private record;
- ▶ 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 an election by absentee ballot to provide a 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-3-601**, as last amended by Laws of Utah 2017, Chapter 58
 70 **20A-4-107**, as last amended by Laws of Utah 2014, Chapters 98, 231 and last amended
 71 by Coordination Clause, Laws of Utah 2014, Chapter 231



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

74 Section 1. Section **20A-2-102.5** is amended to read:

75 **20A-2-102.5. Voter registration deadline.**

76 (1) Except as provided in Section **20A-2-201**, **20A-2-204**, **20A-2-206**, **20A-2-207**, or
 77 **20A-4-107**, or Chapter 16, Uniform Military and Overseas Voters Act, a person who fails to
 78 submit a correctly completed voter registration form on or before the voter registration deadline
 79 may not vote in the election.

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

81 Section 2. Section **20A-2-104** is amended to read:

82 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

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

85 -----

86 UTAH ELECTION REGISTRATION FORM

87 Are you a citizen of the United States of America? Yes No

88 If you checked "no" to the above question, do not complete this form.

89 Will you be 18 years of age on or before election day? Yes No

90 If you checked "no" to the above question, are you 16 or 17 years of age and preregistering to
91 vote? Yes No

92 If you checked "no" to both of the prior two questions, do not complete this form.

93 Name of Voter

94 _____

95 First Middle Last

96 Utah Driver License or Utah Identification Card Number _____

97 Date of Birth _____

98 Street Address of Principal Place of Residence

99 _____

100 City County State Zip Code

101 Telephone Number (optional) _____

102 Last four digits of Social Security Number _____

103 Last former address at which I was registered to vote (if
104 known) _____

105 _____

106 City County State Zip Code

107 Political Party

108 (a listing of each registered political party, as defined in Section 20A-8-101 and maintained by
109 the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)

110 Unaffiliated (no political party preference) Other (Please specify) _____

111 I do swear (or affirm), subject to penalty of law for false statements, that the
112 information contained in this form is true, and that I am a citizen of the United States and a
113 resident of the state of Utah, residing at the above address. Unless I have indicated above that I

114 am preregistering to vote in a later election, I will be at least 18 years of age and will have
115 resided in Utah for 30 days immediately before the next election. I am not a convicted felon
116 currently incarcerated for commission of a felony.

117 Signed and sworn

118 _____

119 Voter's Signature

120 _____ (month/day/year).

121 "The portion of a voter registration form that lists a person's driver license or
122 identification card number, Social Security number, and email address is a private record. The
123 portion of a voter registration form that lists a person's date of birth is a private record, the use
124 of which is restricted to government officials, government employees, political parties, or
125 certain other persons.

126 ~~[If you believe that disclosure of any information contained in this voter registration~~
127 ~~form to a person other than a government official or government employee is likely to put you~~
128 ~~or a member of your household's life or safety at risk, or to put you or a member of your~~
129 ~~household at risk of being stalked or harassed, you]~~ You may apply to the lieutenant governor
130 or your county clerk to have your entire voter registration record classified as private."

131 CITIZENSHIP AFFIDAVIT

132 Name:

133 Name at birth, if different:

134 Place of birth:

135 Date of birth:

136 Date and place of naturalization (if applicable):

137 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
138 citizen and that to the best of my knowledge and belief the information above is true and
139 correct.

140 _____

141 Signature of Applicant

142 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
143 allowing yourself to be registered or preregistered to vote if you know you are not entitled to
144 register or preregister to vote is up to one year in jail and a fine of up to \$2,500.

145 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID
146 VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST
147 BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND
148 PHOTOGRAPH; OR
149 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND
150 CURRENT ADDRESS.

151 FOR OFFICIAL USE ONLY

152 Type of I.D. _____

153 Voting Precinct _____

154 Voting I.D. Number _____

155 -----

156 (2) (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy
157 of each voter registration form in a permanent countywide alphabetical file, which may be
158 electronic or some other recognized system.

159 (b) The county clerk may transfer a superseded voter registration form to the Division
160 of Archives and Records Service created under Section 63A-12-101.

161 (3) (a) Each county clerk shall retain lists of currently registered voters.

162 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.

163 (c) If there are any discrepancies between the two lists, the county clerk's list is the
164 official list.

165 (d) The lieutenant governor and the county clerks may charge the fees established
166 under the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy of
167 the list of registered voters.

168 (4) (a) As used in this Subsection (4), "qualified person" means:

169 (i) a government official or government employee acting in the government official's or

170 government employee's capacity as a government official or a government employee;

171 (ii) a health care provider, as defined in Section 26-33a-102, or an agent, employee, or

172 independent contractor of a health care provider;

173 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or

174 independent contractor of an insurance company;

175 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or

176 independent contractor of a financial institution;

177 (v) a political party, or an agent, employee, or independent contractor of a political

178 party; or

179 (vi) a person, or an agent, employee, or independent contractor of the person, who:

180 (A) provides the date of birth of a registered voter that is obtained from the list of

181 registered voters only to a person who is a qualified person;

182 (B) verifies that a person, described in Subsection (4)(a)(vi)(A), to whom a date of

183 birth that is obtained from the list of registered voters is provided, is a qualified person;

184 (C) ensures, using industry standard security measures, that the date of birth of a

185 registered voter that is obtained from the list of registered voters may not be accessed by a

186 person other than a qualified person;

187 (D) verifies that each qualified person, other than a qualified person described in

188 Subsection (4)(a)(i) or (v), to whom the person provides the date of birth of a registered voter

189 that is obtained from the list of registered voters, will only use the date of birth to verify the

190 accuracy of personal information submitted by an individual or to confirm the identity of a

191 person in order to prevent fraud, waste, or abuse;

192 (E) verifies that each qualified person described in Subsection (4)(a)(i), to whom the

193 person provides the date of birth of a registered voter that is obtained from the list of registered

194 voters, will only use the date of birth in the qualified person's capacity as a government official

195 or government employee; and

196 (F) verifies that each qualified person described in Subsection (4)(a)(v), to whom the

197 person provides the date of birth of a registered voter that is obtained from the list of registered

198 voters, will only use the date of birth for a political purpose.

199 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in
200 Subsection 63G-2-302(1)(k), the lieutenant governor or a county clerk shall, when providing
201 the list of registered voters to a qualified person under this section, include, with the list, the
202 dates of birth of the registered voters, if:

203 (i) the lieutenant governor or a county clerk verifies the identity of the person and that
204 the person is a qualified person; and

205 (ii) the qualified person signs a document that includes the following:

206 (A) the name, address, and telephone number of the person requesting the list of
207 registered voters;

208 (B) an indication of the type of qualified person that the person requesting the list
209 claims to be;

210 (C) a statement regarding the purpose for which the person desires to obtain the dates
211 of birth;

212 (D) a list of the purposes for which the date of birth of a registered voter that is
213 obtained from the list of registered voters may be used;

214 (E) a statement that the date of birth of a registered voter that is obtained from the list
215 of registered voters may not be provided or used for a purpose other than a purpose described
216 under Subsection (4)(b)(ii)(D);

217 (F) a statement that if the person obtains the date of birth of a registered voter from the
218 list of registered voters under false pretenses, or provides or uses the date of birth of a
219 registered voter that is obtained from the list of registered voters in a manner that is prohibited
220 by law, is guilty of a class A misdemeanor and is subject to a civil fine;

221 (G) an assertion from the person that the person will not provide or use the date of birth
222 of a registered voter that is obtained from the list of registered voters in a manner that is
223 prohibited by law; and

224 (H) notice that if the person makes a false statement in the document, the person is
225 punishable by law under Section 76-8-504.

226 (c) The lieutenant governor or a county clerk may not disclose the date of birth of a
227 registered voter to a person that the lieutenant governor or county clerk reasonably believes:

- 228 (i) is not a qualified person or a person described in Subsection (4)~~(k)~~(j); or
- 229 (ii) will provide or use the date of birth in a manner prohibited by law.

230 (d) The lieutenant governor or a county clerk may not disclose the voter registration
231 form of a person, or information included in the person's voter registration form, whose voter
232 registration form is classified as private under Subsection (4)(f) to a person other than a
233 government official or government employee acting in the government official's or government
234 employee's capacity as a government official or government employee.

235 (e) A person is guilty of a class A misdemeanor if the person:

- 236 (i) obtains the date of birth of a registered voter from the list of registered voters under
237 false pretenses; or
- 238 (ii) uses or provides the date of birth of a registered voter that is obtained from the list
239 of registered voters, in a manner that is not permitted by law.

240 (f) The lieutenant governor or a county clerk shall classify the voter registration record
241 of a voter as a private record if the voter submits~~:(i)~~ a written application, created by the
242 lieutenant governor, requesting that the voter's voter registration record be classified as
243 private~~;~~ and].

244 ~~[(ii) provides evidence to the lieutenant governor or a county clerk establishing that
245 release of the information on the voter's voter registration record is likely to put the voter or a
246 member of the voter's household's life or safety at risk, or to put the voter or a member of the
247 voter's household at risk of being stalked or harassed.]~~

248 ~~[(g) The evidence described in Subsection (4)(f) may include:]~~

249 ~~[(i) a protective order;]~~

250 ~~[(ii) a police report; or]~~

251 ~~[(iii) other evidence designated by rule, made in accordance with Title 63G, Chapter 3,
252 Utah Administrative Rulemaking Act, by the director of elections within the Office of the
253 Lieutenant Governor.]~~

254 ~~[(h)]~~ (g) In addition to any criminal penalty that may be imposed under this section, the
255 lieutenant governor may impose a civil fine against a person who obtains the date of birth of a
256 registered voter from the list of registered voters under false pretenses, or provides or uses a
257 date of birth of a registered voter that is obtained from the list of registered voters in a manner
258 that is not permitted by law, in an amount equal to the greater of:

259 (i) the product of 30 and the square root of the total number of dates of birth obtained,
260 provided, or used unlawfully, rounded to the nearest whole dollar; or

261 (ii) \$200.

262 ~~[(+)]~~ (h) A qualified person may not obtain, provide, or use the date of birth of a
263 registered voter, if the date of birth is obtained from the list of registered voters or from a voter
264 registration record, unless the person:

265 (i) is a government official or government employee who obtains, provides, or uses the
266 date of birth in the government official's or government employee's capacity as a government
267 official or government employee;

268 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or
269 uses the date of birth only to verify the accuracy of personal information submitted by an
270 individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;

271 (iii) is a qualified person described in Subsection (4)(a)(v) and obtains, provides, or
272 uses the date of birth for a political purpose; or

273 (iv) is a qualified person described in Subsection (4)(a)(vi) and obtains, provides, or
274 uses the date of birth to provide the date of birth to another qualified person to verify the
275 accuracy of personal information submitted by an individual or to confirm the identity of a
276 person in order to prevent fraud, waste, or abuse.

277 ~~[(+)]~~ (i) A person who is not a qualified person may not obtain, provide, or use the date
278 of birth of a registered voter, if the date of birth is obtained from the list of registered voters or
279 from a voter registration record, unless the person:

280 (i) is a candidate for public office and uses the date of birth only for a political purpose;
281 or

282 (ii) obtains the date of birth from a political party or a candidate for public office and
283 uses the date of birth only for the purpose of assisting the political party or candidate for public
284 office to fulfill a political purpose.

285 ~~[(k)]~~ (j) The lieutenant governor or a county clerk may provide a date of birth to a
286 member of the media, in relation to an individual designated by the member of the media, in
287 order for the member of the media to verify the identity of the individual.

288 (5) When political parties not listed on the voter registration form qualify as registered
289 political parties under Title 20A, Chapter 8, Political Party Formation and Procedures, the
290 lieutenant governor shall inform the county clerks about the name of the new political party
291 and direct the county clerks to ensure that the voter registration form is modified to include that
292 political party.

293 (6) Upon receipt of a voter registration form from an applicant, the county clerk or the
294 clerk's designee shall:

- 295 (a) review each voter registration form for completeness and accuracy; and
- 296 (b) if the county clerk believes, based upon a review of the form, that an individual
297 may be seeking to register or preregister to vote who is not legally entitled to register or
298 preregister to vote, refer the form to the county attorney for investigation and possible
299 prosecution.

300 Section 3. Section **20A-2-108** is amended to read:

301 **20A-2-108. Driver license or state identification card registration form --**
302 **Transmittal of information.**

303 (1) As used in this section, "qualifying form" means:

- 304 (a) a driver license application form; or
- 305 (b) a state identification card application form.

306 ~~[(H)]~~ (2) The lieutenant governor and the Driver License Division shall design [the
307 driver license application and renewal forms to include the following questions:] each
308 qualifying form to include:

- 309 (a) the following question, which an applicant is required to answer: "Do you authorize

310 the use of information in this form for voter registration purposes? YES NO ";

311 (b) the following question, which an applicant is required to answer if the applicant
312 answers "yes" to the question described in Subsection (2)(a): "Any voter may register as an
313 absentee voter to receive ballots by mail. A voter may change this designation at any time.

314 Would you like to be registered as an absentee voter to receive your ballots by mail? YES
315 NO "; and

316 (c) the following statement: "You may request that your voter registration record be
317 classified as a private record by indicating here: Yes, I would like to request that my voter
318 registration record be classified as a private record."

319 ~~[(a) "If you are not registered to vote where you live now, would you like to register to~~
320 ~~vote today?"; and]~~

321 ~~[(b) "If you are 16 or 17 years of age, and will not be 18 years of age before the date of~~
322 ~~the next election, would you like to preregister to vote today?"]~~

323 ~~[(2) (a) The lieutenant governor and the Driver License Division shall design a motor~~
324 ~~voter registration form to be used in conjunction with driver license application and renewal~~
325 ~~forms.]~~

326 ~~[(b) Each driver license application and renewal form shall contain:]~~

327 ~~[(i) a place for the applicant to decline to register or preregister to vote;]~~

328 ~~[(ii) an eligibility statement in substantially the following form:]~~

329 ~~["I do swear (or affirm), subject to penalty of law for false statements, that the~~
330 ~~information contained in this form is true, and that I am a citizen of the United States and a~~
331 ~~resident of the state of Utah, residing at the above address. Unless I have indicated above that I~~
332 ~~am preregistering to vote in a later election, I will be at least 18 years of age and will have~~
333 ~~resided in Utah for 30 days immediately before the next election.]~~

334 ~~[Signed and sworn]~~

335 ~~[_____]~~

336 ~~[Voter's Signature]~~

337 ~~[_____(month\day\year)";]~~

338 ~~[(iii) a citizenship affidavit in substantially the following form:]~~

339 ~~["CITIZENSHIP AFFIDAVIT]~~

340 ~~[Name:]~~

341 ~~[Name at birth, if different:]~~

342 ~~[Place of birth:]~~

343 ~~[Date of birth:]~~

344 ~~[Date and place of naturalization (if applicable):]~~

345 ~~[I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a~~
346 ~~citizen and that to the best of my knowledge and belief the information above is true and~~
347 ~~correct.]~~

348 ~~[_____]~~

349 ~~[Signature of Applicant]~~

350 ~~[In accordance with Section [20A-2-401](#), the penalty for willfully causing, procuring, or~~
351 ~~allowing yourself to be registered or preregistered to vote if you know you are not entitled to~~
352 ~~register or preregister to vote is up to one year in jail and a fine of up to \$2,500";]~~

353 (3) The lieutenant governor and the Driver License Division shall ensure that a
354 qualifying form contains:

355 (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and
356 Utah residency, and that the information provided in the form is true;

357 (b) a records disclosure that is similar to the records disclosure on a voter registration
358 form described in Section [20A-2-104](#);

359 ~~[(iv)]~~ (c) a statement that if an applicant declines to register or preregister to vote, the
360 fact that the applicant has declined to register or preregister will remain confidential and will be
361 used only for voter registration purposes;

362 ~~[(v)]~~ (d) a statement that if an applicant does register or preregister to vote, the office at
363 which the applicant submits a voter registration application will remain confidential and will be
364 used only for voter registration purposes; and

365 (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a space

366 where an individual may, if desired:

367 (i) indicate the individual's desired political affiliation from a listing of each registered
 368 political party, as defined in Section [20A-8-101](#);

369 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the
 370 individual desires to affiliate; or

371 (iii) indicate that the individual does not wish to affiliate with a political party.

372 ~~[(vi) the following statement:]~~

373 ~~["The portion of a voter registration form that lists a person's driver license or~~
 374 ~~identification card number, Social Security number, and email address is a private record. The~~
 375 ~~portion of a voter registration form that lists a person's date of birth is a private record, the use~~
 376 ~~of which is restricted to government officials, government employees, political parties, or~~
 377 ~~certain other persons:]~~

378 ~~[If you believe that disclosure of any information contained in this voter registration~~
 379 ~~form to a person other than a government official or government employee is likely to put you~~
 380 ~~or a member of your household's life or safety at risk, or to put you or a member of your~~
 381 ~~household at risk of being stalked or harassed, you may apply to the lieutenant governor or your~~
 382 ~~county clerk to have your entire voter registration record classified as private."]~~

383 ~~[(3) Upon receipt of a voter registration form from an applicant, the county clerk or the~~
 384 ~~clerk's designee shall:]~~

385 ~~[(a) review the voter registration form for completeness and accuracy; and]~~

386 ~~[(b) if the county clerk believes, based upon a review of the form, that a person may be~~
 387 ~~seeking to register or preregister to vote who is not legally entitled to register or preregister to~~
 388 ~~vote, refer the form to the county attorney for investigation and possible prosecution.]~~

389 Section 4. Section **20A-2-201** is amended to read:

390 **20A-2-201. Registering to vote at office of county clerk.**

391 (1) Except as provided in Subsection (3), the county clerk shall register to vote each
 392 individual who registers in person at the county clerk's office during designated office hours if
 393 the individual will, on the date of the election, be legally eligible to vote in a voting precinct in

394 the county in accordance with Section [20A-2-101](#).

395 (2) If an individual who is registering to vote submits a registration form in person at
396 the office of the county clerk during designated office hours, during the period beginning on
397 the date after the voter registration deadline and ending on the date that is 15 calendar days
398 before the date of the election, the county clerk shall:

399 (a) accept the form if the individual, on the date of the election, will be legally
400 qualified and entitled to vote in a voting precinct in the county; and

401 (b) inform the individual that the individual will be registered to vote in the pending
402 election.

403 (3) If an individual who is registering to vote and who will be legally qualified and
404 entitled to vote in a voting precinct in the county on the date of an election appears in person,
405 during designated office hours, and submits a registration form on the date of the election or
406 during the 14 calendar days before an election, the county clerk shall:

407 (a) accept the registration form; and

408 (b) (i) if ~~[it is]~~ the individual submits the registration form seven or more calendar days
409 before the date of an election, inform the individual that:

410 (A) ~~[inform the individual that]~~ the individual is registered to vote in the pending
411 election; and

412 (B) for the pending election, the individual must vote on the day of the election ~~[and is~~
413 ~~not eligible to vote using early voting under Chapter 3, Part 6, Early Voting]~~ or by provisional
414 ballot, under Section [20A-2-207](#), during the early voting period described in Section
415 [20A-3-601](#), because the individual registered [too] late; or

416 (ii) ~~[except as provided in Subsection [20A-4-108\(5\)](#), if it is]~~ if the individual submits
417 the registration form on the date of an election or during the six calendar days before an
418 election, inform the individual ~~[that the individual]~~:

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

421 (B) that, if the individual does not timely register in a manner described in Subsection

422 (3)(b)(ii)(A), the individual will be registered to vote but may not vote in the pending election
 423 because the individual registered [~~too~~] late.

424 Section 5. Section **20A-2-202** is amended to read:

425 **20A-2-202. Registration by mail.**

426 (1) (a) A citizen who will be qualified to vote at the next election may register by mail.

427 (b) To register by mail, a citizen shall complete and sign the by-mail registration form
 428 and mail or deliver it to the county clerk of the county in which the citizen resides.

429 (c) In order to register to vote in a particular election, the citizen shall:

430 (i) address the by-mail voter registration form to the county clerk; and

431 (ii) ensure that [~~it~~] the by-mail voter registration form is postmarked on or before the
 432 voter registration deadline or is otherwise marked by the post office as received by the post
 433 office on or before the voter registration deadline.

434 (d) The citizen has effectively registered to vote under this section only when the
 435 county clerk's office has received a correctly completed by-mail voter registration form.

436 (2) Upon receipt of a correctly completed by-mail voter registration form, the county
 437 clerk shall, unless the individual named in the form is preregistering to vote:

438 (a) enter the applicant's name on the list of registered voters for the voting precinct in
 439 which the applicant resides; and

440 (b) mail confirmation of registration to the newly registered voter after entering the
 441 applicant's voting precinct number on that copy.

442 (3) [~~(a)~~] If the county clerk receives a correctly completed by-mail voter registration
 443 form that is postmarked after the voter registration deadline, and is not otherwise marked by
 444 the post office as received by the post office before the voter registration deadline, the county
 445 clerk shall[~~, unless~~]:

446 (a) if the individual named in the form is preregistering to vote[~~:(†)~~], comply with
 447 Section 20A-2-101.1; or

448 (b) (i) unless the individual timely registers to vote in the current election in a manner
 449 that permits registration after the voter registration deadline, register the [~~applicant~~] individual

450 after the next election; and

451 (ii) if possible, promptly ~~[phone or]~~ mail a notice to, or otherwise notify, the
 452 ~~[applicant]~~ individual before the election, informing the ~~[applicant that his]~~ individual:

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

455 (B) that, if the individual does not timely register in a manner described in Subsection
 456 (3)(b)(ii)(A), the individual's registration will not be effective until after the election.

457 ~~[(b)]~~ (4) When the county clerk receives a correctly completed by-mail voter
 458 registration form at least seven days before an election that is postmarked on or before the date
 459 of the voter registration deadline, or is otherwise marked by the post office as received by the
 460 post office on or before the voter registration deadline, the county clerk shall:

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

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

463 ~~[(4)]~~ (5) If the county clerk determines that a registration form received by mail or
 464 otherwise is incorrect because of an error or because it is incomplete, the county clerk shall
 465 mail notice to the person attempting to register or preregister, stating that the person has not
 466 been registered or preregistered because of an error or because the form is incomplete.

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

468 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

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

474 (2) ~~[Any]~~ A citizen who is qualified to vote may register to vote, and ~~[any]~~ a citizen
 475 who is qualified to preregister to vote may preregister to vote, by answering "yes" to the
 476 question described in Subsection 20A-2-108(2)(a) and completing the voter registration form.

477 (3) The Driver License Division shall:

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

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

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

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

489 ~~[(4) (a) Upon receipt of a correctly completed voter registration form from an~~
490 ~~individual who is registering to vote, the county clerk shall:]~~

491 ~~[(i) enter the applicant's name on the list of registered voters for the voting precinct in~~
492 ~~which the applicant resides; and]~~

493 ~~[(ii) notify the applicant of registration.]~~

494 ~~[(b) Upon receipt of a correctly completed voter registration form from an individual~~
495 ~~who is preregistering to vote, the county clerk shall]~~

496 (c) within five days after the day on which the division receives a voter registration
497 form, electronically transmit the form to the Office of the Lieutenant Governor, including the
498 following for the individual named on the form:

499 (i) the name, date of birth, driver license or state identification card number, last four
500 digits of the social security number, Utah residential address, place of birth, and signature;

501 (ii) a mailing address, if different from the individual's Utah residential address;

502 (iii) an email address and phone number, if available;

503 (iv) the desired political affiliation, if indicated; and

504 (v) an indication of whether the individual requested that the individual's voter
505 registration record be classified as a private record under Subsection 20A-2-108(2)(c).

506 (4) Upon receipt of an individual's voter registration form from the Driver License
 507 Division under Subsection (3), the lieutenant governor shall:

508 (a) enter the information into the statewide voter registration database; and
 509 (b) if the individual requests on the individual's voter registration form that the
 510 individual's voter registration record be classified as a private record, classify the individual's
 511 voter registration record as a private record.

512 (5) The county clerk of an individual whose information is entered into the statewide
 513 voter registration database under Subsection (4) shall:

514 (a) ensure that the individual meets the qualifications to be registered or preregistered
 515 to vote; and

516 (b) (i) if the individual meets the qualifications to be registered to vote:
 517 (A) ensure that the individual is assigned to the proper voting precinct; and
 518 (B) send the individual the notice described in Section [20A-2-304](#); or
 519 (ii) if the individual meets the qualifications to be preregistered to vote, process the
 520 form in accordance with the requirements of Section [20A-2-101.1](#).

521 ~~[(5) (a) If the county clerk receives a correctly completed voter registration form that is~~
 522 ~~dated after the voter registration deadline, the county clerk shall, unless]~~

523 ~~[the individual named in the form is preregistering to vote: (i)]~~

524 ~~[register the applicant after the next election; and]~~

525 ~~[(ii) if possible, promptly phone or mail a notice to the applicant before the election,~~
 526 ~~informing the applicant that his]~~

527 ~~[registration will not be effective until after the election.]~~

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

531 ~~[(i) process the voter registration form; and]~~

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

533 (6) (a) When the county clerk receives a correctly completed voter registration form

534 under this section, the clerk shall:

535 (i) comply with the applicable provisions of this Subsection (6); or

536 (ii) if the individual is preregistering to vote, comply with Section [20A-2-101.1](#).

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

540 (i) accept the voter registration form; and

541 (ii) unless the individual is preregistering to vote, inform the individual that the
542 individual is registered to vote in the pending election.

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

546 (i) accept the voter registration form; and

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

548 (A) the individual is registered to vote in the pending election; and

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

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

554 (i) accept the application for registration of the individual; and

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

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

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

561 ~~[(6)]~~ (7) (a) If the county clerk determines that [a] an individual's voter registration

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

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

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

573 **20A-2-205. Registration at voter registration agencies.**

574 (1) As used in this section:

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

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

578 (i) public assistance; or

579 (ii) state funded programs primarily engaged in providing services to people with
 580 disabilities.

581 (2) An individual may obtain and complete a by-mail registration form at a public
 582 assistance agency or discretionary voter registration agency.

583 (3) Each public assistance agency and discretionary voter registration agency shall
 584 provide, either as part of existing forms or on a separate form, the following information in
 585 substantially the following form:

586 "REGISTERING TO VOTE

587 If you are not registered to vote where you live now, would you like to apply to register
 588 or preregister to vote here today? (The decision of whether to register or preregister to vote will
 589 not affect the amount of assistance that you will be provided by this agency.) Yes _____ No _____

590 IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE
591 DECIDED NOT TO REGISTER OR PREREGISTER TO VOTE AT THIS TIME. If you
592 would like help in filling out the voter registration form, we will help you. The decision about
593 whether to seek or accept help is yours. You may fill out the application form in private. If
594 you believe that someone has interfered with your right to register or preregister or to decline to
595 register or preregister to vote, your right to privacy in deciding whether to register or
596 preregister, or in applying to register or preregister to vote, or your right to choose your own
597 political party or other political preference, you may file a complaint with the Office of the
598 Lieutenant Governor, State Capitol Building, Salt Lake City, Utah 84114. (The phone number
599 of the Office of the Lieutenant Governor)."

600 (4) Unless a person applying for service or assistance from a public assistance agency
601 or discretionary voter registration agency declines, in writing, to register or preregister to vote,
602 each public assistance agency and discretionary voter registration agency shall:

603 (a) distribute a by-mail voter registration form with each application for service or
604 assistance provided by the agency or office;

605 (b) assist applicants in completing the voter registration form unless the applicant
606 refuses assistance;

607 (c) accept completed forms for transmittal to the appropriate election official; and

608 (d) transmit a copy of each voter registration form to the appropriate election official
609 within five days after it is received by the division.

610 (5) A person in a public assistance agency or a discretionary voter registration agency
611 that helps a person complete the voter registration form may not:

612 (a) seek to influence an applicant's political preference or party registration;

613 (b) display any political preference or party allegiance;

614 (c) make any statement to an applicant or take any action that has the purpose or effect
615 of discouraging the applicant from registering to vote; or

616 (d) make any statement to an applicant or take any action that has the purpose or effect
617 of leading the applicant to believe that a decision of whether to register or preregister has any

618 bearing upon the availability of services or benefits.

619 (6) Upon receipt of a correctly completed voter registration form, the county clerk
 620 shall, unless the individual named in the form is preregistering to vote:

621 (a) enter the applicant's name on the list of registered voters for the voting precinct in
 622 which the applicant resides; and

623 (b) notify the applicant of registration.

624 (7) ~~[(a)]~~ If the county clerk receives a correctly completed voter registration form that
 625 is dated after the voter registration deadline, the county clerk shall~~[-unless]:~~

626 (a) if the individual named in the form is preregistering to vote~~[-(i)]~~, comply with
 627 Section 20A-2-101.1; or

628 (b) (i) unless the individual timely registers to vote in the current election in a manner
 629 that permits registration after the voter registration deadline, register the [applicant] individual
 630 after the next election; and

631 (ii) if possible, promptly phone or mail a notice to the [applicant] individual before the
 632 election, informing the ~~[applicant that his]~~ individual:

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

635 (B) that, if the individual does not timely register in a manner described in Subsection
 636 (7)(b)(ii)(A), the individual's registration will not be effective until after the election.

637 ~~[(b)]~~ (8) When the county clerk receives a correctly completed voter registration form
 638 at least seven days before an election that is dated on or before the voter registration deadline,
 639 the county clerk shall:

640 ~~[(i)]~~ (a) process the voter registration form; and

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

642 ~~[(8)]~~ (9) If the county clerk determines that a voter registration form received from a
 643 public assistance agency or discretionary voter registration agency is incorrect because of an
 644 error or because it is incomplete, the county clerk shall mail notice to the individual attempting
 645 to register or preregister to vote, stating that the individual has not been registered or

646 preregistered to vote because of an error or because the form is incomplete.

647 Section 8. Section **20A-2-206** is amended to read:

648 **20A-2-206. Electronic registration -- Requests for absentee ballot application.**

649 (1) The lieutenant governor may create and maintain an electronic system that is
650 publicly available on the Internet for an individual to apply for voter registration or
651 preregistration and for an individual to request an absentee ballot.

652 (2) An electronic system for voter registration or preregistration shall require:

653 (a) that an applicant have a valid driver license or identification card, issued under Title
654 53, Chapter 3, Uniform Driver License Act, that reflects the applicant's current principal place
655 of residence;

656 (b) that the applicant provide the information required by Section **20A-2-104**, except
657 that the applicant's signature may be obtained in the manner described in Subsections (2)(d)
658 and (4);

659 (c) that the applicant attest to the truth of the information provided; and

660 (d) that the applicant authorize the lieutenant governor's and county clerk's use of the
661 applicant's:

662 (i) driver license or identification card signature, obtained under Title 53, Chapter 3,
663 Uniform Driver License Act, for voter registration purposes; or

664 (ii) signature on file in the lieutenant governor's statewide voter registration database
665 developed under Section **20A-2-109**.

666 (3) Notwithstanding Section **20A-2-104**, an applicant using the electronic system for
667 voter registration or preregistration created under this section is not required to complete a
668 printed registration form.

669 (4) A system created and maintained under this section shall provide the notices
670 concerning a voter's presentation of identification contained in Subsection **20A-2-104**(1).

671 (5) The lieutenant governor shall:

672 (a) obtain a digital copy of the applicant's driver license or identification card signature
673 from the Driver License Division; or

674 (b) ensure that the applicant's signature is already on file in the lieutenant governor's
675 statewide voter registration database developed under Section 20A-2-109.

676 (6) The lieutenant governor shall send the information to the county clerk for the
677 county in which the applicant's principal place of residence is found for further action as
678 required by Section 20A-2-304 after:

679 (a) receiving all information from an applicant; and

680 (b) (i) receiving all information from the Driver License Division; or

681 (ii) ensuring that the applicant's signature is already on file in the lieutenant governor's
682 statewide voter registration database developed under Section 20A-2-109.

683 (7) The lieutenant governor may use additional security measures to ensure the
684 accuracy and integrity of an electronically submitted voter registration.

685 (8) ~~(a)~~ If an individual applies to register under this section during the period
686 beginning on the date after the voter registration deadline and ending on the date that is 15
687 calendar days before the date of an election, the county clerk shall, unless the individual is
688 preregistering to vote:

689 ~~(i)~~ (a) accept the application for registration if the individual, on the date of the
690 election, will be legally qualified and entitled to vote in a voting precinct in the state; and

691 ~~(ii)~~ (b) inform the individual that the individual is registered to vote in the pending
692 election.

693 ~~(b)~~ (9) If an individual applies to register under this section during the period
694 beginning on the date that is 14 calendar days before the election and ending on the date that is
695 seven calendar days before the election, the county clerk shall, unless the individual is
696 preregistering to vote:

697 ~~(i)~~ (a) accept the application for registration if the individual, on the date of the
698 election, will be legally qualified and entitled to vote in a voting precinct in the state; and

699 ~~(ii)~~ (b) inform the individual that:

700 ~~(A)~~ (i) the individual is registered to vote in the pending election; and

701 ~~(B)~~ (ii) for the pending election, the individual must vote on the day of the election

702 [~~and is not eligible to vote using early voting under Chapter 3, Part 6, Early Voting, because the~~
 703 ~~individual registered too late~~] or by provisional ballot, under Section 20A-2-207, during the
 704 early voting period described in Section 20A-3-601 because the individual registered late.

705 ~~[(c)]~~ (10) If an individual applies to register under this section during the six calendar
 706 days before an election, the county clerk shall ~~[, unless]:~~

707 (a) if the individual is preregistering to vote~~[(t)]~~, comply with Section 20A-2-101.1;

708 or

709 (b) (i) accept the application for registration if the individual, on the date of the
 710 election, will be legally qualified and entitled to vote in a voting precinct in the state; and

711 (ii) unless the individual timely registers to vote in the current election in a manner that
 712 permits registration after the voter registration deadline, inform the individual ~~[that the~~
 713 ~~individual]:~~

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

716 (B) that, if the individual does not timely register in a manner described in Subsection
 717 (10)(b)(ii)(A), the individual is registered to vote but may not vote in the pending election
 718 because the individual registered ~~[too]~~ late.

719 ~~[(9)]~~ (11) (a) A registered voter may file an application for an absentee ballot in
 720 accordance with Section 20A-3-304 on the electronic system for voter registration established
 721 under this section.

722 (b) The lieutenant governor shall provide a means by which a registered voter shall
 723 sign the application form as provided in Section 20A-3-304.

724 Section 9. Section 20A-2-207 is enacted to read:

725 **20A-2-207. Registration by provisional ballot.**

726 (1) An individual who is not registered to vote may register to vote, and vote, on
 727 election day or during the early voting period described in Section 20A-3-601, by voting a
 728 provisional ballot, if:

729 (a) the individual is otherwise legally entitled to vote the ballot;

730 (b) the ballot is identical to the ballot for the precinct in which the individual resides;
731 (c) the information on the provisional ballot form is complete; and
732 (d) the individual provides valid voter identification and proof of residence to the poll
733 worker.

734 (2) If a provisional ballot and the individual who voted the ballot comply with the
735 requirements described in Subsection (1), the election officer shall:

736 (a) consider the provisional ballot a voter registration form;
737 (b) place the ballot with the absentee ballots, to be counted with those ballots at the
738 canvass; and
739 (c) as soon as reasonably possible, register the individual to vote.

740 (3) Except as provided in Subsection (4), the election officer shall retain a provisional
741 ballot form, uncounted, for the period specified in Section [20A-4-202](#), if the election officer
742 determines that the individual who voted the ballot:

743 (a) is not registered to vote and is not eligible for registration under this section; or
744 (b) is not legally entitled to vote the ballot that the individual voted.

745 (4) Subsection (3) does not apply if a court orders the election officer to produce or
746 count the provisional ballot.

747 (5) The lieutenant governor shall report to the Government Operations Interim
748 Committee on or before October 31, 2018, and on or before October 31, 2020, regarding:

749 (a) implementation of registration by provisional ballot, as described in this section, on
750 a statewide basis;

751 (b) any difficulties resulting from the implementation described in Subsection (5)(a);

752 (c) the effect of registration by provisional ballot on voter participation in Utah;

753 (d) the number of ballots cast by voters who registered by provisional ballot:

754 (i) during the early voting period described in Section [20A-3-601](#); and

755 (ii) on election day; and

756 (e) suggested changes in the law relating to registration by provisional ballot.

757 Section 10. Section **20A-2-304** is amended to read:

758 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**

759 Each county clerk shall:

760 (1) register to vote each ~~[applicant for registration]~~ individual who meets the
761 requirements for registration and who:762 (a) submits a completed voter registration form to the county clerk ~~[on or before the~~
763 ~~voter registration deadline]~~;764 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to
765 the Driver License Division~~[-]~~;766 (c) submits a completed voter registration form to a public assistance agency[-] or a
767 discretionary voter registration agency [on or before the voter registration deadline]; or768 ~~[(c)]~~ (d) mails a completed by-mail voter registration form to the county clerk [on or
769 ~~before the voter registration deadline]; and~~770 (2) within 30 days after the day on which the county clerk processes a voter registration
771 ~~[application]~~ form, send a notice to the individual who submits the ~~[application]~~ form that:772 (a) (i) informs the individual that the individual's [application for] voter registration
773 form has been accepted and that the individual is registered to vote;774 (ii) informs the individual of the procedure for designating or changing the individual's
775 political affiliation; and776 (iii) informs the individual of the procedure to cancel a voter registration;777 (b) informs the individual that the individual's ~~[application for]~~ voter registration form
778 has been rejected and the reason for the rejection; or779 (c) (i) informs the individual that the ~~[application for]~~ individual's voter registration
780 form is being returned to the individual for further action because the ~~[application]~~ form is
781 incomplete; and782 (ii) gives instructions to the individual on how to properly complete the ~~[application]~~
783 form.784 Section 11. Section **20A-2-306** is amended to read:785 **20A-2-306. Removing names from the official register -- Determining and**

786 **confirming change of residence.**

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

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

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

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

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

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

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

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

804 (3) Each county clerk shall use substantially the following form to notify voters whose
805 addresses have changed:

806 "VOTER REGISTRATION NOTICE

807 We have been notified that your residence has changed. Please read, complete, and
808 return this form so that we can update our voter registration records. What is your current
809 street address?

810 _____
811 Street City County State Zip

812 If you have not changed your residence or have moved but stayed within the same
813 county, you must complete and return this form to the county clerk so that it is received by the

814 county clerk no later than 30 days before the date of the election. If you fail to return this form
815 within that time:

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

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

822 _____
823 Signature of Voter"

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

829 ~~[If you believe that disclosure of any information contained in this voter registration~~
830 ~~form to a person other than a government official or government employee is likely to put you~~
831 ~~or a member of your household's life or safety at risk, or to put you or a member of your~~
832 ~~household at risk of being stalked or harassed, you] You may apply to the lieutenant governor~~
833 or your county clerk to have your entire voter registration record classified as private."

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

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

- 840 (i) the voter requests, in writing, that the voter's name be removed; or
- 841 (ii) the voter has died.

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

844 (ii) If a county clerk receives a returned voter identification card, determines that there
845 was no clerical error causing the card to be returned, and has no further information to contact
846 the voter, the county clerk may list that voter as inactive.

847 (iii) An inactive voter shall be allowed to vote, sign petitions, and have all other
848 privileges of a registered voter.

849 (iv) A county is not required to send routine mailings to an inactive voter and is not
850 required to count inactive voters when dividing precincts and preparing supplies.

851 Section 12. Section **20A-2-307** is amended to read:

852 **20A-2-307. County clerks' instructions to election judges.**

853 (1) Each county clerk shall instruct election judges to allow a voter to vote a regular
854 ballot if:

855 (a) the voter has moved from one address within a voting precinct to another address
856 within the same voting precinct; and

857 (b) the voter affirms the change of address orally or in writing before the election
858 judges.

859 (2) Each county clerk shall instruct election judges to allow [~~a person~~] an individual to
860 vote a provisional ballot if:

861 (a) the individual is not registered to vote, but is otherwise legally entitled to vote
862 under Section [20A-2-207](#);

863 [~~(a)~~] (b) the voter's name does not appear on the official register; or

864 [~~(b)~~] (c) the voter is challenged as provided in Section [20A-3-202](#).

865 Section 13. Section **20A-3-302** is amended to read:

866 **20A-3-302. Conducting election by absentee ballot.**

867 (1) (a) Notwithstanding Section [17B-1-306](#), an election officer may administer an
868 election [~~entirely~~] by absentee ballot under this section.

869 (b) An election officer who administers an election [~~entirely~~] by absentee ballot, except

870 for an election conducted under Section [20A-7-609.5](#), shall, before the following dates, notify
871 the lieutenant governor that the election will be administered [~~entirely~~] by absentee ballot:

872 (i) February 1 of an even-numbered year if the election is a regular general election; or

873 (ii) May 1 of an odd-numbered year if the election is a municipal general election.

874 (2) [~~If the~~] An election officer [~~decides to administer~~] who administers an election
875 [~~entirely~~] by absentee ballot[~~;~~ ~~the election officer~~]:

876 (a) shall mail to each [~~registered~~] active voter within [~~that~~] a voting precinct:

877 [~~(a)~~] (i) an absentee ballot;

878 [~~(b)~~] (ii) for an election administered by a county clerk, information regarding the
879 location and hours of operation of any election day voting center at which the voter may vote;

880 [~~(c)~~] (iii) a courtesy reply mail envelope;

881 [~~(d)~~] (iv) instructions for returning the ballot that include an express notice about any
882 relevant deadlines that the voter must meet in order for the voter's vote to be counted; and

883 [~~(e)~~] (v) for an election administered by an election officer other than a county clerk, if
884 the election officer does not operate a polling location or an election day voting center, a
885 warning, on a separate page of colored paper in bold face print, indicating that if the voter fails
886 to follow the instructions included with the absentee ballot, the voter will be unable to vote in
887 that election because there will be no polling place in the voting precinct on the day of the
888 election[~~;~~]; and

889 (b) may not mail an absentee ballot under this section to:

890 (i) an inactive voter; or

891 (ii) a voter whom the election officer is prohibited from sending an absentee ballot
892 under Subsection (8)(c)(ii).

893 (3) A voter who votes by absentee ballot under this section is not required to apply for
894 an absentee ballot as required by this part.

895 (4) An election officer who administers an election [~~entirely~~] by absentee ballot shall:

896 (a) (i) obtain, in person, the signatures of each voter within that voting precinct before
897 the election; or

898 (ii) obtain the signature of each voter within the voting precinct from the county clerk;
 899 and

900 (b) maintain the signatures on file in the election officer's office.

901 (5) Upon receipt of a returned absentee ballot, the election officer shall review and
 902 process the ballot under Section [20A-3-308](#).

903 (6) A county that administers an election [~~entirely~~] by absentee ballot:

904 (a) shall provide at least one election day voting center in accordance with Title 20A,
 905 Chapter 3, Part 7, Election Day Voting Center, for every 5,000 active voters in the county who
 906 will not receive an absentee ballot, but not fewer than one election day voting center;

907 (b) shall ensure that [~~an~~] each election day voting center operated by the county has at
 908 least one voting device that is accessible, in accordance with the Help America Vote Act of
 909 2002, Pub. L. No. 107-252, for individuals with disabilities;

910 (c) may reduce the early voting period described in Section [20A-6-301](#), if:

911 (i) the county clerk conducts early voting on at least four days;

912 (ii) the early voting days are within the period beginning on the date that is 14 days
 913 before the date of the election and ending on the day before the election; and

914 (iii) the county clerk provides notice of the reduced early voting period in accordance
 915 with Section [20A-3-604](#);

916 [~~e~~] (d) is not required to pay return postage for an absentee ballot; and

917 [~~d~~] (e) is subject to an audit conducted under Subsection (7).

918 (7) (a) The lieutenant governor shall:

919 (i) develop procedures for conducting an audit of affidavit signatures on ballots cast in
 920 an election conducted under this section; and

921 (ii) after each primary, general, or special election conducted under this section, select
 922 a number of ballots, in varying jurisdictions, to audit in accordance with the procedures
 923 developed under Subsection (7)(a)(i).

924 (b) The lieutenant governor shall post the results of an audit conducted under this
 925 Subsection (7) on the lieutenant governor's website.

926 (8) (a) An individual in a jurisdiction that conducts an election by absentee ballot may
 927 request that the election officer not send the individual a ballot by mail in the next and
 928 subsequent elections by submitting a written request to the election officer.

929 (b) An individual shall submit the request described in Subsection (8)(a) to the election
 930 officer at least 60 days before an election if the individual does not wish to receive an absentee
 931 ballot in that election.

932 (c) An election officer who receives a request from an individual under Subsection
 933 (8)(a):

934 (i) shall remove the individual's name from the list of voters who will receive an
 935 absentee ballot; and

936 (ii) may not send the individual an absentee ballot for:

937 (A) the next election, if the individual submits the request described in Subsection
 938 (8)(a) before the deadline described in Subsection (8)(b); or

939 (B) an election after the election described in Subsection (8)(c)(ii)(A).

940 (d) An individual who submits a request under Subsection (8)(a) may resume the
 941 individual's receipt of an absentee ballot in an election conducted under this section by filing an
 942 absentee ballot request under Section [20A-3-304](#).

943 Section 14. Section **20A-3-304** is amended to read:

944 **20A-3-304. Application for absentee ballot -- Time for filing and voting.**

945 (1) (a) [~~Any~~] A registered voter who wishes to vote an absentee ballot may [~~either:(i)~~]
 946 file an absentee ballot application:

947 [~~(A)~~] (i) on the electronic system maintained by the lieutenant governor under Section
 948 [20A-2-206](#); [~~or~~]

949 [~~(B)~~] (ii) with the appropriate election officer for an official absentee ballot as provided
 950 in this section; or

951 (iii) by answering "yes" to the question described in Subsection [20A-2-108\(2\)\(a\)](#) when
 952 registering to vote while filing a driver license or state identification card application.

953 [~~(ii)~~] (b) An absentee voter may vote in person at the office of the appropriate election

954 officer as provided in Section 20A-3-306.

955 ~~[(b)]~~ (c) A person that collects a completed absentee ballot application from a
956 registered voter shall file the completed absentee ballot application with the appropriate
957 election official before the earlier of:

958 (i) 14 days after the day on which the registered voter signed the absentee ballot form;

959 or

960 (ii) the ~~[Thursday]~~ Tuesday before the next election.

961 (2) As it relates to an absentee ballot application to be filled out entirely by the voter:

962 (a) except as provided in Subsection (2)(b), the lieutenant governor or election officer
963 shall approve an application form for absentee ballot applications:

964 (i) in substantially the following form:

965 "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah
966 apply for an official absentee ballot to be voted by me at the election.

967 Date _____ (month\day\year) Signed _____

968 _____
Voter"; and

969 (ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter
970 status:

971 (A) until the voter requests otherwise at a future date; or

972 (B) until a date specified by the voter in the application form; and

973 (b) the lieutenant governor or election officer shall approve an application form for
974 regular primary elections and for the Western States Presidential Primary:

975 (i) in substantially the following form:

976 "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah
977 apply for an official absentee ballot for the _____ political party to be voted by me
978 at the primary election.

979 I understand that I must be affiliated with or authorized to vote the political party's
980 ballot that I request.

981 Dated _____ (month\day\year) _____ Signed _____

982 Voter"; and

983 (ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter

984 status:

985 (A) until the voter requests otherwise at a future date; or

986 (B) until a date specified by the voter in the application form.

987 (3) If requested by the applicant, the election officer shall:

988 (a) mail or fax the application form to the absentee voter; or

989 (b) deliver the application form to any voter who personally applies for it at the office

990 of the election officer.

991 (4) As it relates to an absentee ballot application to be filled out for, and finished and

992 signed by, a voter:

993 (a) except as provided in Subsection (4)(b), the lieutenant governor or election officer

994 shall approve an application form for absentee ballot applications:

995 (i) in substantially the following form:

996 "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah

997 apply for an official absentee ballot to be voted by me at the election.

998 I understand that a person that collects this absentee ballot application is required to file

999 it with the appropriate election official before the earlier of fourteen days after the day on

1000 which I sign the application or the [~~Thursday~~ Tuesday] before the next election.

1001 This form is provided by (insert name of person or organization).

1002 I have verified that the information on this application is correct.

1003 I understand that I will receive a ballot at the following address: (insert address and an

1004 adjacent check box);

1005 OR

1006 I request that the ballot be mailed to the following address: (insert blank space for an

1007 address and an adjacent check box).

1008 Date _____ (month\day\year) Signed _____

1009 Voter"; and

1010 (ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter
1011 status:

1012 (A) until the voter requests otherwise at a future date; or

1013 (B) until a date specified by the voter in the application form; and

1014 (b) the lieutenant governor or election officer shall approve an application form for
1015 regular primary elections and for the Western States Presidential Primary:

1016 (i) in substantially the following form:

1017 "I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah
1018 apply for an official absentee ballot for the _____ political party to be voted by me
1019 at the primary election.

1020 I understand that I must be affiliated with or authorized to vote the political party's
1021 ballot that I request. I understand that a person that collects this absentee ballot application is
1022 required to file it with the appropriate election official before the earlier of fourteen days after
1023 the day on which I sign the application or the [~~Thursday~~] Tuesday before the next primary
1024 election.

1025 This form is provided by (insert name of person or organization).

1026 I have verified that the information on this application is correct.

1027 I understand that I will receive a ballot at the following address: (insert address and an
1028 adjacent check box);

1029 OR

1030 I request that the ballot be mailed to the following address: (insert blank space for an
1031 address and an adjacent check box).

1032 Dated _____ (month\day\year) _____ Signed _____

1033 Voter"; and

1034 (ii) that asks the voter to indicate whether the voter wishes to maintain absentee voter
1035 status:

1036 (A) until the voter requests otherwise at a future date; or

1037 (B) until a date specified by the voter in the application form.

1038 (5) The forms described in Subsections (2) and (4) shall contain instructions on how a
1039 voter may cancel an absentee ballot application.

1040 (6) Except as provided in Subsection [20A-3-306\(2\)\(a\)](#), a voter who wishes to vote by
1041 absentee ballot shall file the application for an absentee ballot with the lieutenant governor or
1042 appropriate election officer no later than the [~~Thursday~~] Tuesday before election day.

1043 (7) (a) A county clerk shall establish an absentee voter list containing the name of each
1044 voter who:

- 1045 (i) requests absentee voter status; and
- 1046 (ii) meets the requirements of this section.

1047 (b) A county clerk may not remove a voter's name from the list described in Subsection
1048 (7)(a) unless:

- 1049 (i) the voter is no longer listed in the official register;
- 1050 (ii) the voter cancels the voter's absentee status; [~~or~~]
- 1051 (iii) the voter's name is removed on the date specified by the voter on the absentee
1052 ballot application form[~~;~~]; or

1053 (iv) the county clerk is required to remove the voter's name from the list under
1054 Subsection (7)(c) or [20A-3-302\(8\)\(c\)\(ii\)](#).

1055 (c) A county clerk shall remove a voter's name from the list described in Subsection
1056 (7)(a) if the voter fails to vote in two consecutive regular general elections.

1057 [~~(e)~~] (d) (i) Each year, the clerk shall mail a questionnaire to each voter whose name is
1058 on the absentee voter list.

1059 (ii) The questionnaire shall allow the voter to:

- 1060 (A) verify the voter's residence; or
- 1061 (B) cancel the voter's absentee status.

1062 [~~(d)~~] (e) The clerk shall provide a copy of the absentee voter list to election officers for
1063 use in elections.

1064 Section 15. Section **20A-3-306** is amended to read:

1065 **20A-3-306. Voting ballot -- Returning ballot.**

1066 (1) (a) Except as provided by Section 20A-1-308, to vote a mail-in absentee ballot, the
1067 absentee voter shall:

1068 (i) complete and sign the affidavit on the envelope;

1069 (ii) mark the votes on the absentee ballot;

1070 (iii) place the voted absentee ballot in the envelope;

1071 (iv) securely seal the envelope; and

1072 (v) attach postage, unless voting in accordance with Section 20A-3-302, and deposit

1073 the envelope in the mail or deliver it in person to the election officer from whom the ballot was
1074 obtained.

1075 (b) Except as provided by Section 20A-1-308, to vote an absentee ballot in person at
1076 the office of the election officer, the absent voter shall:

1077 (i) complete and sign the affidavit on the envelope;

1078 (ii) mark the votes on the absent-voter ballot;

1079 (iii) place the voted absent-voter ballot in the envelope;

1080 (iv) securely seal the envelope; and

1081 (v) give the ballot and envelope to the election officer.

1082 (2) Except as provided by Section 20A-1-308, an absentee ballot is not valid unless:

1083 (a) in the case of an absentee ballot that is voted in person, the ballot is:

1084 (i) applied for and cast in person at the office of the appropriate election officer no later
1085 than the [~~Thursday~~] Tuesday before election day; or

1086 (ii) submitted on election day at a polling location in the political subdivision where
1087 the absentee voter resides;

1088 (b) in the case of an absentee ballot that is submitted by mail, the ballot is:

1089 (i) clearly postmarked before election day, or otherwise clearly marked by the post
1090 office as received by the post office before election day; and

1091 (ii) received in the office of the election officer before noon on the day of the official
1092 canvass following the election; or

1093 (c) in the case of a military-overseas ballot, the ballot is submitted in accordance with

1094 Section [20A-16-404](#).

1095 (3) An absentee voter may submit a completed absentee ballot at a polling location in a
1096 political subdivision holding the election, if the absentee voter resides in the political
1097 subdivision.

1098 (4) An absentee voter may submit an incomplete absentee ballot at a polling location
1099 for the voting precinct where the voter resides, request that the ballot be declared spoiled, and
1100 vote in person.

1101 Section 16. Section **20A-3-601** is amended to read:

1102 **20A-3-601. Early voting.**

1103 (1) (a) An individual who is registered to vote may vote before the election date in
1104 accordance with this section.

1105 (b) An individual who is not registered to vote may register to vote and vote before the
1106 election date in accordance with this section if the individual:

1107 (i) is otherwise legally entitled to vote the ballot [~~in a jurisdiction that is approved by~~
1108 ~~the lieutenant governor to participate in the pilot project described in Section [20A-4-108](#)]; and~~

1109 (ii) casts a provisional ballot in accordance with Section [~~20A-4-108~~] [20A-2-207](#).

1110 (2) Except as provided in Section [20A-1-308](#) or Subsection (3), the early voting period
1111 shall:

1112 (a) begin on the date that is 14 days before the date of the election; and

1113 (b) continue through the Friday before the election if the election date is a Tuesday.

1114 (3) An election officer may extend the end of the early voting period to the day before
1115 the election date if the election officer provides notice of the extension in accordance with
1116 Section [20A-3-604](#).

1117 (4) Except as provided in Section [20A-1-308](#), during the early voting period, the
1118 election officer:

1119 (a) for a local special election, a municipal primary election, and a municipal general
1120 election:

1121 (i) shall conduct early voting on a minimum of four days during each week of the early

1122 voting period; and

1123 (ii) shall conduct early voting on the last day of the early voting period; and

1124 (b) for all other elections:

1125 (i) shall conduct early voting on each weekday; and

1126 (ii) may elect to conduct early voting on a Saturday, Sunday, or holiday.

1127 (5) Except as specifically provided in this Part 6, Early Voting, or Section 20A-1-308,

1128 early voting shall be administered according to the requirements of this title.

1129 Section 17. Section 20A-3-605 is amended to read:

1130 **20A-3-605. Exemptions from early voting.**

1131 (1) (a) This part does not apply to an election of a board member of a local district.

1132 (b) Notwithstanding Subsection (1)(a), a local district may, at its discretion, provide
1133 early voting in accordance with this part for an election of a board member.

1134 (2) Notwithstanding the requirements of Section 20A-3-601, a municipality of the fifth
1135 class or a town as described in Section 10-2-301 may provide early voting as provided under
1136 this part for:

1137 (a) a municipal primary election; or

1138 (b) a municipal general election.

1139 (3) A municipality [~~or county~~] that administers an election entirely by absentee ballot,
1140 in accordance with Section 20A-3-302, is not required to conduct early voting for the election.

1141 Section 18. Section 20A-4-107 is amended to read:

1142 **20A-4-107. Review and disposition of provisional ballot envelopes.**

1143 (1) As used in this section, a person is "legally entitled to vote" if:

1144 (a) the person:

1145 (i) is registered to vote in the state;

1146 (ii) votes the ballot for the voting precinct in which the person resides; and

1147 (iii) provides valid voter identification to the poll worker;

1148 (b) the person:

1149 (i) is registered to vote in the state;

1150 (ii) (A) provided valid voter identification to the poll worker; or
1151 (B) either failed to provide valid voter identification or the documents provided as
1152 valid voter identification were inadequate and the poll worker recorded that fact in the official
1153 register but the county clerk verifies the person's identity and residence through some other
1154 means; and
1155 (iii) did not vote in the person's precinct of residence, but the ballot that the person
1156 voted was from the person's county of residence and includes one or more candidates or ballot
1157 propositions on the ballot voted in the person's precinct of residence; or
1158 (c) the person:
1159 (i) is registered to vote in the state;
1160 (ii) either failed to provide valid voter identification or the documents provided as
1161 valid voter identification were inadequate and the poll worker recorded that fact in the official
1162 register; and
1163 (iii) (A) the county clerk verifies the person's identity and residence through some other
1164 means as reliable as photo identification; or
1165 (B) the person provides valid voter identification to the county clerk or an election
1166 officer who is administering the election by the close of normal office hours on Monday after
1167 the date of the election.
1168 (2) (a) Upon receipt of a provisional ballot [~~envelopes~~] form, the election officer shall
1169 review the affirmation on the [~~face of each~~] provisional ballot [~~envelope~~] form and determine if
1170 the person signing the affirmation is:
1171 (i) registered to vote in this state; and
1172 (ii) legally entitled to vote:
1173 (A) the ballot that the person voted; or
1174 (B) if the ballot is from the person's county of residence, for at least one ballot
1175 proposition or candidate on the ballot that the person voted.
1176 (b) [~~H~~] Except as provided in Section 20A-2-207, if the election officer determines that
1177 the person is not registered to vote in this state or is not legally entitled to vote in the county or

1178 for any of the ballot propositions or candidates on the ballot that the person voted, the election
1179 officer shall retain the ballot [~~envelope, unopened~~] form, uncounted, for the period specified in
1180 Section [20A-4-202](#) unless ordered by a court to produce or count it.

1181 (c) If the election officer determines that the person is registered to vote in this state
1182 and is legally entitled to vote in the county and for at least one of the ballot propositions or
1183 candidates on the ballot that the person voted, the election officer shall [~~remove the ballot from~~
1184 ~~the provisional ballot envelope and~~] place the provisional ballot with the absentee ballots to be
1185 counted with those ballots at the canvass.

1186 (d) The election officer may not count, or allow to be counted a provisional ballot
1187 unless the person's identity and residence is established by a preponderance of the evidence.

1188 (3) If the election officer determines that the person is registered to vote in this state, or
1189 if the voter registers to vote in accordance with Section [20A-2-207](#), the election officer shall
1190 ensure that the voter registration records are updated to reflect the information provided on the
1191 provisional ballot [~~envelope~~] form.

1192 (4) [~~H~~] Except as provided in Section [20A-2-207](#), if the election officer determines that
1193 the person is not registered to vote in this state and the information on the provisional ballot
1194 [~~envelope~~] form is complete, the election officer shall:

1195 (a) consider the provisional ballot [~~envelope~~] form a voter registration form for the
1196 person's county of residence; and

1197 (b) (i) register the person if the voter's county of residence is within the county; or

1198 (ii) forward the voter registration form to the election officer of the person's county of
1199 residence, which election officer shall register the person.

1200 (5) Notwithstanding any provision of this section, the election officer shall [~~remove the~~
1201 ~~ballot from~~] place a provisional ballot [~~envelope and place the ballot~~] with the absentee ballots
1202 to be counted with those ballots at the canvass, if:

1203 (a) (i) the election officer determines, in accordance with the provisions of this section,
1204 that the sole reason a provisional ballot may not otherwise be counted is because the voter
1205 registration was filed less than [~~eight~~] seven days before the election;

1206 (ii) [~~eight~~] seven or more days before the election, the individual who cast the
1207 provisional ballot:

1208 (A) completed and signed the voter registration; and

1209 (B) provided the voter registration to another person to file;

1210 (iii) the late filing was made due to the person described in Subsection (5)(a)(ii)(B)
1211 filing the voter registration less than [~~eight~~] seven days before the election; and

1212 (iv) the election officer receives the voter registration no later than one day before the
1213 day of the election; or

1214 (b) the provisional ballot is cast on or before election day [~~in a county or municipality~~
1215 ~~that is approved by the lieutenant governor to participate in the pilot project and the provisional~~
1216 ~~ballot]~~ and is not otherwise prohibited from being counted under the provisions of this chapter.

1217 Section 19. Section **20A-6-105** is amended to read:

1218 **20A-6-105. Provisional ballot envelopes.**

1219 (1) Each election officer shall ensure that provisional ballot envelopes are printed in
1220 substantially the following form:

1221 "AFFIRMATION

1222 Are you a citizen of the United States of America? Yes No

1223 Will you be 18 years old on or before election day? Yes No

1224 If you checked "no" in response to either of the two above questions, do not complete this
1225 form.

1226 Name of Voter _____

1227 First Middle Last

1228 Driver License or Identification Card Number _____

1229 State of Issuance of Driver License or Identification Card Number _____

1230 Date of Birth _____

1231 Street Address of Principal Place of Residence

1232 _____

1233 City County State Zip Code

1234 Telephone Number (optional) _____

1235 Last four digits of Social Security Number _____

1236 Last former address at which I was registered to vote (if known)

1237 _____

1238 City County State Zip Code

1239 Voting Precinct (if known)

1240 _____

1241 I, (please print your full name) _____ do solemnly swear or
1242 affirm:

1243 That I [~~am currently registered to vote in the state of Utah and~~] am eligible to vote in
1244 this election; that I have not voted in this election in any other precinct; that I am eligible to
1245 vote in this precinct; and that I request that I be permitted to vote in this precinct; and

1246 Subject to penalty of law for false statements, that the information contained in this
1247 form is true, and that I am a citizen of the United States and a resident of Utah, residing at the
1248 above address; and that I am at least 18 years old and have resided in Utah for the 30 days
1249 immediately before this election.

1250 Signed _____

1251 Dated _____

1252 In accordance with Section [20A-3-506](#), wilfully providing false information above is a
1253 class B misdemeanor under Utah law and is punishable by imprisonment and by fine."

1254 "The portion of a voter registration form that lists a person's driver license or
1255 identification card number, social security number, and email address is a private record. The
1256 portion of a voter registration form that lists a person's date of birth is a private record, the use
1257 of which is restricted to government officials, government employees, political parties, or
1258 certain other persons.

1259 [~~If you believe that disclosure of any information contained in this voter registration
1260 form to a person other than a government official or government employee is likely to put you
1261 or a member of your household's life or safety at risk, or to put you or a member of your~~

1262 ~~household at risk of being stalked or harassed, you]~~ You may apply to the lieutenant governor
1263 or your county clerk to have your entire voter registration record classified as private."

1264 "CITIZENSHIP AFFIDAVIT

1265 Name:

1266 Name at birth, if different:

1267 Place of birth:

1268 Date of birth:

1269 Date and place of naturalization (if applicable):

1270 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
1271 citizen and that to the best of my knowledge and belief the information above is true and
1272 correct.

1273 _____
1274 Signature of Applicant

1275 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1276 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
1277 up to one year in jail and a fine of up to \$2,500."

1278 (2) The provisional ballot envelope shall include:

1279 (a) a unique number;

1280 (b) a detachable part that includes the unique number; and

1281 (c) a telephone number, internet address, or other indicator of a means, in accordance
1282 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted.

1283 Section 20. Section 63G-2-302 is amended to read:

1284 **63G-2-302. Private records.**

1285 (1) The following records are private:

1286 (a) records concerning an individual's eligibility for unemployment insurance benefits,
1287 social services, welfare benefits, or the determination of benefit levels;

1288 (b) records containing data on individuals describing medical history, diagnosis,
1289 condition, treatment, evaluation, or similar medical data;

1290 (c) records of publicly funded libraries that when examined alone or with other records
1291 identify a patron;

1292 (d) records received by or generated by or for:

1293 (i) the Independent Legislative Ethics Commission, except for:

1294 (A) the commission's summary data report that is required under legislative rule; and

1295 (B) any other document that is classified as public under legislative rule; or

1296 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints,
1297 unless the record is classified as public under legislative rule;

1298 (e) records received by, or generated by or for, the Independent Executive Branch
1299 Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review
1300 of Executive Branch Ethics Complaints;

1301 (f) records received or generated for a Senate confirmation committee concerning
1302 character, professional competence, or physical or mental health of an individual:

1303 (i) if, prior to the meeting, the chair of the committee determines release of the records:

1304 (A) reasonably could be expected to interfere with the investigation undertaken by the
1305 committee; or

1306 (B) would create a danger of depriving a person of a right to a fair proceeding or
1307 impartial hearing; and

1308 (ii) after the meeting, if the meeting was closed to the public;

1309 (g) employment records concerning a current or former employee of, or applicant for
1310 employment with, a governmental entity that would disclose that individual's home address,
1311 home telephone number, social security number, insurance coverage, marital status, or payroll
1312 deductions;

1313 (h) records or parts of records under Section [63G-2-303](#) that a current or former
1314 employee identifies as private according to the requirements of that section;

1315 (i) that part of a record indicating a person's social security number or federal employer
1316 identification number if provided under Section [31A-23a-104](#), [31A-25-202](#), [31A-26-202](#),
1317 [58-1-301](#), [58-55-302](#), [61-1-4](#), or [61-2f-203](#);

- 1318 (j) that part of a voter registration record identifying a voter's:
1319 (i) driver license or identification card number;
1320 (ii) Social Security number, or last four digits of the Social Security number;
1321 (iii) email address; or
1322 (iv) date of birth;
- 1323 (k) a voter registration record that is classified as a private record by the lieutenant
1324 governor or a county clerk under Subsection [20A-2-104\(4\)\(f\)](#) [~~or~~], [20A-2-101.1\(5\)\(a\)](#), or
1325 [20A-2-204\(4\)\(b\)](#);
- 1326 (l) a record that:
1327 (i) contains information about an individual;
1328 (ii) is voluntarily provided by the individual; and
1329 (iii) goes into an electronic database that:
1330 (A) is designated by and administered under the authority of the Chief Information
1331 Officer; and
1332 (B) acts as a repository of information about the individual that can be electronically
1333 retrieved and used to facilitate the individual's online interaction with a state agency;
- 1334 (m) information provided to the Commissioner of Insurance under:
1335 (i) Subsection [31A-23a-115\(3\)\(a\)](#);
1336 (ii) Subsection [31A-23a-302\(4\)](#); or
1337 (iii) Subsection [31A-26-210\(4\)](#);
- 1338 (n) information obtained through a criminal background check under Title 11, Chapter
1339 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 1340 (o) information provided by an offender that is:
1341 (i) required by the registration requirements of Title 77, Chapter 41, Sex and Kidnap
1342 Offender Registry or Title 77, Chapter 43, Child Abuse Registry; and
1343 (ii) not required to be made available to the public under Subsection [77-41-110\(4\)](#) or
1344 [77-43-108\(4\)](#);
- 1345 (p) a statement and any supporting documentation filed with the attorney general in

1346 accordance with Section 34-45-107, if the federal law or action supporting the filing involves
1347 homeland security;

1348 (q) electronic toll collection customer account information received or collected under
1349 Section 72-6-118 and customer information described in Section 17B-2a-815 received or
1350 collected by a public transit district, including contact and payment information and customer
1351 travel data;

1352 (r) an email address provided by a military or overseas voter under Section
1353 20A-16-501;

1354 (s) a completed military-overseas ballot that is electronically transmitted under Title
1355 20A, Chapter 16, Uniform Military and Overseas Voters Act;

1356 (t) records received by or generated by or for the Political Subdivisions Ethics Review
1357 Commission established in Section 11-49-201, except for:

1358 (i) the commission's summary data report that is required in Section 11-49-202; and

1359 (ii) any other document that is classified as public in accordance with Title 11, Chapter
1360 49, Political Subdivisions Ethics Review Commission;

1361 (u) a record described in Subsection 53A-11a-203(3) that verifies that a parent was
1362 notified of an incident or threat; and

1363 (v) a criminal background check or credit history report conducted in accordance with
1364 Section 63A-3-201.

1365 (2) The following records are private if properly classified by a governmental entity:

1366 (a) records concerning a current or former employee of, or applicant for employment
1367 with a governmental entity, including performance evaluations and personal status information
1368 such as race, religion, or disabilities, but not including records that are public under Subsection
1369 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);

1370 (b) records describing an individual's finances, except that the following are public:

1371 (i) records described in Subsection 63G-2-301(2);

1372 (ii) information provided to the governmental entity for the purpose of complying with
1373 a financial assurance requirement; or

- 1374 (iii) records that must be disclosed in accordance with another statute;
- 1375 (c) records of independent state agencies if the disclosure of those records would
1376 conflict with the fiduciary obligations of the agency;
- 1377 (d) other records containing data on individuals the disclosure of which constitutes a
1378 clearly unwarranted invasion of personal privacy;
- 1379 (e) records provided by the United States or by a government entity outside the state
1380 that are given with the requirement that the records be managed as private records, if the
1381 providing entity states in writing that the record would not be subject to public disclosure if
1382 retained by it;
- 1383 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
1384 created in Section [62A-3-102](#), that may disclose, or lead to the discovery of, the identity of a
1385 person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and
- 1386 (g) audio and video recordings created by a body-worn camera, as defined in Section
1387 [77-7a-103](#), that record sound or images inside a home or residence except for recordings that:
- 1388 (i) depict the commission of an alleged crime;
- 1389 (ii) record any encounter between a law enforcement officer and a person that results in
1390 death or bodily injury, or includes an instance when an officer fires a weapon;
- 1391 (iii) record any encounter that is the subject of a complaint or a legal proceeding
1392 against a law enforcement officer or law enforcement agency;
- 1393 (iv) contain an officer involved critical incident as defined in Section [76-2-408](#)(1)(d);
1394 or
- 1395 (v) have been requested for reclassification as a public record by a subject or
1396 authorized agent of a subject featured in the recording.
- 1397 (3) (a) As used in this Subsection (3), "medical records" means medical reports,
1398 records, statements, history, diagnosis, condition, treatment, and evaluation.
- 1399 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
1400 doctors, or affiliated entities are not private records or controlled records under Section
1401 [63G-2-304](#) when the records are sought:

1402 (i) in connection with any legal or administrative proceeding in which the patient's
1403 physical, mental, or emotional condition is an element of any claim or defense; or

1404 (ii) after a patient's death, in any legal or administrative proceeding in which any party
1405 relies upon the condition as an element of the claim or defense.

1406 (c) Medical records are subject to production in a legal or administrative proceeding
1407 according to state or federal statutes or rules of procedure and evidence as if the medical
1408 records were in the possession of a nongovernmental medical care provider.

1409 **Section 21. Coordinating H.B. 218 with S.B. 17 -- Technical amendments.**

1410 If this H.B. 218 and S.B. 17, Election Law Modifications, both pass and become law, it
1411 is the intent of the Legislature that the amendments to Section [20A-4-107](#) in this H.B. 218
1412 supersede the amendments to Section [20A-4-107](#) in S.B. 17, when the Office of Legislative
1413 Research and General Counsel prepares the Utah Code database for publication.

1414 **Section 22. Coordinating H.B. 218 with S.B. 116 -- Technical amendments.**

1415 If this H.B. 218 and S.B. 116, Revisor's Technical Corrections to Utah Code, both pass
1416 and become law, it is the intent of the Legislature that the amendments to Sections [20A-3-601](#)
1417 and [20A-4-107](#) in this H.B. 218 supersede the amendments to Sections [20A-3-601](#) and
1418 [20A-4-107](#) in S.B. 116, when the Office of Legislative Research and General Counsel prepares
1419 the Utah Code database for publication.

1420 **Section 23. Coordinating H.B. 218 with H.B. 141 -- Technical amendments.**

1421 If this H.B. 218 and H.B. 141, Early Voting Amendments, both pass and become law, it
1422 is the intent of the Legislature that the amendments to Subsection [20A-3-601](#)(1) in this H.B.
1423 218 supersede the amendments to Subsection [20A-3-601](#)(1) in H.B. 141, when the Office of
1424 Legislative Research and General Counsel prepares the Utah Code database for publication.