

VOTER ELIGIBILITY AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Joel K. Briscoe

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions of the Election Code relating to voter age requirements.

Highlighted Provisions:

This bill:

- ▶ provides that an individual who is 17 years of age may register for and vote in a primary election if the individual will be 18 years of age on or before the date of the general election; and

- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-2-101, as last amended by Laws of Utah 2011, Chapter 395

ENACTS:

20A-3-101.5, Utah Code Annotated 1953

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

Section 1. Section **20A-2-101** is amended to read:



28 **20A-2-101. Eligibility for registration.**

29 (1) Except as provided in Subsection (2), [~~any person~~] an individual may apply to
30 register to vote in an election who:

31 (a) is a citizen of the United States;

32 (b) has been a resident of Utah for at least the 30 days immediately before the election;

33 (c) will be;

34 (i) at least 18 years [~~old~~] of age on the day of the election; [~~and~~] or

35 (ii) if the election is a regular primary election, a municipal primary election, or a

36 Western States Presidential Primary:

37 (A) 17 years of age on or before the day of the regular primary election, municipal
38 primary election, or Western States Presidential Primary; and

39 (B) 18 years of age on or before the day of the general election that immediately
40 follows the regular primary election, municipal primary election, or Western States Presidential
41 Primary; and

42 (d) currently resides within the voting district or precinct in which the [~~person~~]
43 individual applies to register to vote.

44 (2) (a) (i) [~~A person~~] An individual who is involuntarily confined or incarcerated in a
45 jail, prison, or other facility within a voting precinct is not a resident of that voting precinct and
46 may not register to vote in that voting precinct unless the [~~person~~] individual was a resident of
47 that voting precinct before the confinement or incarceration.

48 (ii) [~~A person~~] An individual who is involuntarily confined or incarcerated in a jail or
49 prison is a resident of the voting precinct in which the [~~person~~] individual resided before the
50 confinement or incarceration.

51 (b) [~~A person~~] An individual who has been convicted of a felony or a misdemeanor for
52 an offense under this title may not register to vote or remain registered to vote unless the
53 [~~person's~~] individual's right to vote has been restored as provided in Section 20A-2-101.3 or
54 20A-2-101.5.

55 (c) [~~A person~~] An individual whose right to vote has been restored, as provided in
56 Section 20A-2-101.3 or 20A-2-101.5, is eligible to register to vote.

57 (3) [~~A person~~] An individual who is eligible to vote and who resides within the
58 geographic boundaries of the entity in which the election is held may register to vote in a:

- 59 (a) regular general election;
- 60 (b) regular primary election;
- 61 (c) municipal general election;
- 62 (d) municipal primary election;
- 63 (e) statewide special election;
- 64 (f) local special election;
- 65 (g) local district election; [and]
- 66 (h) bond election[-]; and
- 67 (i) Western States Presidential Primary.

68 Section 2. Section **20A-3-101.5** is enacted to read:

69 **20A-3-101.5. Age requirements for primary elections -- 17-year-olds may vote.**

70 An individual who is 17 years of age may vote in a regular primary election, a
71 municipal primary election, or a Western States Presidential Primary, if:

72 (1) the individual will be 18 years of age on or before the day of the general election
73 that immediately follows the regular primary election, municipal primary election, or Western
74 States Presidential Primary;

75 (2) the individual is registered to vote in accordance with Chapter 2, Voter
76 Registration;

77 (3) the individual's political party affiliation, or unaffiliated status, allows the
78 individual to vote in the election; and

79 (4) the individual otherwise complies with the requirements to vote in the primary
80 election.

Legislative Review Note
Office of Legislative Research and General Counsel