

ELECTION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Suzanne Harrison

Senate Sponsor: Todd Weiler

LONG TITLE

Committee Note:

The Government Operations Interim Committee recommended this bill.

Legislative Vote: 11 voting for 0 voting against 5 absent

General Description:

This bill modifies the Election Code to reflect current practices and technology in elections.

Highlighted Provisions:

This bill:

- ▶ modifies and defines terms;
- ▶ addresses types, forms, disposition, and counting of ballots;
- ▶ addresses the completion, security, verification, handling, and storage of ballots, forms, and other items used in elections;
- ▶ replaces state absentee ballots with mailed ballots;
- ▶ provides for emergency ballots;
- ▶ modifies the duties of election officers, other government officers, and governing bodies in relation to elections;
- ▶ modifies criminal provisions relating to elections;
- ▶ modifies and standardizes voter registration deadlines;
- ▶ modifies voter registration forms, requirements, and procedures;
- ▶ recodifies and amends voting requirements and procedures;



- 28 ▶ modifies electioneering restrictions;
- 29 ▶ modifies provisions relating to appointing poll workers and the functions of poll
- 30 workers;
- 31 ▶ modifies voter eligibility challenge provisions;
- 32 ▶ amends provisions relating to a board of canvassers;
- 33 ▶ addresses ballot drop boxes;
- 34 ▶ repeals outdated provisions; and
- 35 ▶ makes technical and conforming changes.

36 **Money Appropriated in this Bill:**

37 None

38 **Other Special Clauses:**

39 None

40 **Utah Code Sections Affected:**

41 AMENDS:

- 42 11-14-202, as last amended by Laws of Utah 2019, Chapter 255
- 43 11-14-203, as last amended by Laws of Utah 2019, Chapter 433
- 44 11-14-204, as renumbered and amended by Laws of Utah 2005, Chapter 105
- 45 11-14-206, as last amended by Laws of Utah 2017, Chapter 157
- 46 17B-1-306, as last amended by Laws of Utah 2019, Chapter 255
- 47 20A-1-102, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 48 20A-1-308, as enacted by Laws of Utah 2013, Chapters 182, 219 and last amended by
- 49 Coordination Clause, Laws of Utah 2013, Chapter 182
- 50 20A-1-403, as enacted by Laws of Utah 1993, Chapter 1
- 51 20A-1-601, as last amended by Laws of Utah 2018, Chapter 19
- 52 20A-1-602, as last amended by Laws of Utah 2018, Chapter 19
- 53 20A-1-603, as last amended by Laws of Utah 2018, Chapter 19
- 54 20A-1-604, as last amended by Laws of Utah 2018, Chapter 19
- 55 20A-1-605, as last amended by Laws of Utah 2018, Chapter 19
- 56 20A-1-607, as last amended by Laws of Utah 2018, Chapter 274
- 57 20A-1-609, as last amended by Laws of Utah 2019, Chapter 210
- 58 20A-2-102.5, as last amended by Laws of Utah 2018, Chapter 206

- 59 [20A-2-108](#), as last amended by Laws of Utah 2018, Chapters 206 and 270
60 [20A-2-201](#), as last amended by Laws of Utah 2018, Chapters 206 and 281
61 [20A-2-202](#), as last amended by Laws of Utah 2019, Chapter 255
62 [20A-2-204](#), as last amended by Laws of Utah 2019, Chapters 136 and 255
63 [20A-2-205](#), as last amended by Laws of Utah 2019, Chapter 255
64 [20A-2-206](#), as last amended by Laws of Utah 2018, Chapter 206
65 [20A-2-207](#), as enacted by Laws of Utah 2018, Chapter 206
66 [20A-2-300.5](#), as enacted by Laws of Utah 1994, Chapter 311
67 [20A-2-301](#), as last amended by Laws of Utah 2019, Chapter 255
68 [20A-2-302](#), as last amended by Laws of Utah 2015, Chapter 130
69 [20A-2-304](#), as last amended by Laws of Utah 2018, Chapter 206
70 [20A-2-307](#), as last amended by Laws of Utah 2018, Chapter 206
71 [20A-4-101](#), as last amended by Laws of Utah 2018, Chapters 187 and 274
72 [20A-4-102](#), as last amended by Laws of Utah 2018, Chapters 187 and 274
73 [20A-4-103](#), as last amended by Laws of Utah 2018, Chapter 281
74 [20A-4-104](#), as last amended by Laws of Utah 2019, Chapter 255
75 [20A-4-105](#), as last amended by Laws of Utah 2018, Chapter 187
76 [20A-4-106](#), as last amended by Laws of Utah 2018, Chapter 187
77 [20A-4-107](#), as last amended by Laws of Utah 2019, Chapter 255
78 [20A-4-201](#), as last amended by Laws of Utah 2019, Chapter 255
79 [20A-4-202](#), as last amended by Laws of Utah 2019, Chapter 255
80 [20A-4-303](#), as last amended by Laws of Utah 2002, Chapter 133
81 [20A-4-401](#), as last amended by Laws of Utah 2019, Chapter 255
82 [20A-5-102](#), as last amended by Laws of Utah 2019, Chapter 433
83 [20A-5-205](#), as last amended by Laws of Utah 2006, Chapter 326
84 [20A-5-206](#), as last amended by Laws of Utah 2012, Chapter 251
85 [20A-5-302](#), as last amended by Laws of Utah 2018, Chapter 274
86 [20A-5-401](#), as last amended by Laws of Utah 2019, Chapter 433
87 [20A-5-403](#), as last amended by Laws of Utah 2017, Chapter 108
88 [20A-5-404](#), as last amended by Laws of Utah 2018, Chapter 187
89 [20A-5-405](#), as last amended by Laws of Utah 2019, Chapter 255

- 90 **20A-5-406**, as last amended by Laws of Utah 2018, Chapter 274
- 91 **20A-5-407**, as last amended by Laws of Utah 2007, Chapter 329
- 92 **20A-5-408**, as enacted by Laws of Utah 1993, Chapter 1
- 93 **20A-5-601**, as last amended by Laws of Utah 2019, Chapter 433
- 94 **20A-5-602**, as last amended by Laws of Utah 2014, Chapters 31, 391 and last amended
- 95 by Coordination Clause, Laws of Utah 2014, Chapter 31
- 96 **20A-5-603**, as last amended by Laws of Utah 2007, Chapter 75
- 97 **20A-5-605**, as last amended by Laws of Utah 2019, Chapter 255
- 98 **20A-5-801**, as enacted by Laws of Utah 2017, Chapter 32
- 99 **20A-5-804**, as enacted by Laws of Utah 2017, Chapter 32
- 100 **20A-6-101**, as last amended by Laws of Utah 2016, Chapter 66
- 101 **20A-6-102**, as last amended by Laws of Utah 2018, Chapter 274
- 102 **20A-6-105**, as last amended by Laws of Utah 2018, Chapters 206 and 270
- 103 **20A-6-203**, as last amended by Laws of Utah 2006, Chapter 326
- 104 **20A-6-301**, as last amended by Laws of Utah 2018, Chapter 274
- 105 **20A-6-302**, as last amended by Laws of Utah 2019, Chapter 255
- 106 **20A-6-304**, as last amended by Laws of Utah 2016, Chapter 66
- 107 **20A-6-401**, as last amended by Laws of Utah 2018, Chapter 274
- 108 **20A-6-401.1**, as last amended by Laws of Utah 2018, Chapter 274
- 109 **20A-6-402**, as last amended by Laws of Utah 2018, Chapters 187 and 274
- 110 **20A-7-607**, as last amended by Laws of Utah 2019, Chapter 203
- 111 **20A-7-609.5**, as last amended by Laws of Utah 2019, Chapter 203
- 112 **20A-7-613**, as last amended by Laws of Utah 2019, Chapters 203 and 255
- 113 **20A-7-702**, as last amended by Laws of Utah 2018, Chapter 80 and last amended by
- 114 Coordination Clause, Laws of Utah 2018, Chapter 403
- 115 **20A-7-801**, as last amended by Laws of Utah 2019, Chapter 255
- 116 **20A-9-406**, as last amended by Laws of Utah 2018, Chapter 274
- 117 **20A-9-806**, as last amended by Laws of Utah 2019, Chapter 433
- 118 **20A-9-808**, as last amended by Laws of Utah 2019, Chapter 433
- 119 **20A-11-206**, as last amended by Laws of Utah 2019, Chapter 74
- 120 **20A-11-305**, as last amended by Laws of Utah 2016, Chapter 16

121 **20A-11-1305**, as last amended by Laws of Utah 2018, Chapter 19
122 **20A-16-202**, as renumbered and amended by Laws of Utah 2011, Chapter 327
123 **20A-16-401**, as last amended by Laws of Utah 2013, Chapter 198
124 **20A-16-406**, as last amended by Laws of Utah 2012, Chapter 369
125 **20A-16-407**, as last amended by Laws of Utah 2011, Chapter 366 and renumbered and
126 amended by Laws of Utah 2011, Chapter 327
127 **63I-2-220**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

128 ENACTS:

129 **20A-3a-101**, Utah Code Annotated 1953
130 **20A-3a-201**, Utah Code Annotated 1953
131 **20A-3a-204**, Utah Code Annotated 1953
132 **20A-3a-502**, Utah Code Annotated 1953
133 **20A-5-403.5**, Utah Code Annotated 1953

134 RENUMBERS AND AMENDS:

135 **20A-3a-102**, (Renumbered from 20A-3-101, as last amended by Laws of Utah 2019,
136 Chapter 433)
137 **20A-3a-103**, (Renumbered from 20A-3-101.5, as last amended by Laws of Utah 2019,
138 Chapter 433)
139 **20A-3a-104**, (Renumbered from 20A-3-102, as last amended by Laws of Utah 2007,
140 Chapter 329)
141 **20A-3a-105**, (Renumbered from 20A-3-103, as enacted by Laws of Utah 1993, Chapter
142 1)
143 **20A-3a-202**, (Renumbered from 20A-3-302, as last amended by Laws of Utah 2019,
144 Chapter 255)
145 **20A-3a-203**, (Renumbered from 20A-3-104, as last amended by Laws of Utah 2010,
146 Chapter 197)
147 **20A-3a-205**, (Renumbered from 20A-3-105.5, as last amended by Laws of Utah 2013,
148 Chapter 390)
149 **20A-3a-206**, (Renumbered from 20A-3-106, as last amended by Laws of Utah 2019,
150 Chapter 142)
151 **20A-3a-207**, (Renumbered from 20A-3-107, as last amended by Laws of Utah 2007,

152 Chapter 75)
153 **20A-3a-208**, (Renumbered from 20A-3-108, as last amended by Laws of Utah 2011,
154 Chapter 366)
155 **20A-3a-209**, (Renumbered from 20A-3-109, as last amended by Laws of Utah 2007,
156 Chapter 75)
157 **20A-3a-301**, (Renumbered from 20A-3-306.5, as last amended by Laws of Utah 2019,
158 Chapter 255)
159 **20A-3a-401**, (Renumbered from 20A-3-308, as last amended by Laws of Utah 2018,
160 Chapter 274 and last amended by Coordination Clause, Laws of Utah 2018, Chapter
161 464)
162 **20A-3a-402**, (Renumbered from 20A-3-309, as last amended by Laws of Utah 2016,
163 Chapter 37)
164 **20A-3a-403**, (Renumbered from 20A-3-310, as enacted by Laws of Utah 1993, Chapter
165 1)
166 **20A-3a-501**, (Renumbered from 20A-3-501, as last amended by Laws of Utah 2007,
167 Chapters 75 and 329)
168 **20A-3a-503**, (Renumbered from 20A-3-503, as enacted by Laws of Utah 1993, Chapter
169 1)
170 **20A-3a-504**, (Renumbered from 20A-3-504, as last amended by Laws of Utah 2015,
171 Chapter 55)
172 **20A-3a-505**, (Renumbered from 20A-3-505, as last amended by Laws of Utah 2008,
173 Chapter 276)
174 **20A-3a-506**, (Renumbered from 20A-3-506, as enacted by Laws of Utah 2006, Chapter
175 15)
176 **20A-3a-601**, (Renumbered from 20A-3-601, as last amended by Laws of Utah 2018,
177 Chapters 195, 206, and 281)
178 **20A-3a-602**, (Renumbered from 20A-3-602, as last amended by Laws of Utah 2019,
179 Chapter 73)
180 **20A-3a-603**, (Renumbered from 20A-3-603, as last amended by Coordination Clause,
181 Laws of Utah 2018, Chapter 403)
182 **20A-3a-604**, (Renumbered from 20A-3-604, as last amended by Laws of Utah 2019,

183 Chapter 255)
184 **20A-3a-605**, (Renumbered from 20A-3-605, as last amended by Laws of Utah 2018,
185 Chapter 206)
186 **20A-3a-701**, (Renumbered from 20A-3-701, as enacted by Laws of Utah 2011, Chapter
187 291)
188 **20A-3a-702**, (Renumbered from 20A-3-702, as last amended by Laws of Utah 2018,
189 Chapter 274)
190 **20A-3a-703**, (Renumbered from 20A-3-703, as last amended by Coordination Clause,
191 Laws of Utah 2018, Chapter 403)
192 **20A-3a-801**, (Renumbered from 20A-3-201, as repealed and reenacted by Laws of Utah
193 2018, Chapter 274)
194 **20A-3a-802**, (Renumbered from 20A-3-201.5, as enacted by Laws of Utah 2010,
195 Chapter 83)
196 **20A-3a-803**, (Renumbered from 20A-3-202, as last amended by Laws of Utah 2019,
197 Chapter 433)
198 **20A-3a-804**, (Renumbered from 20A-3-202.3, as last amended by Laws of Utah 2018,
199 Chapters 195 and 274)
200 **20A-3a-805**, (Renumbered from 20A-3-202.5, as last amended by Laws of Utah 2018,
201 Chapter 274)
202 **20A-3a-806**, (Renumbered from 20A-3-203, as last amended by Laws of Utah 2018,
203 Chapter 274)
204 **20A-5-410**, (Renumbered from 20A-3-304.1, as last amended by Laws of Utah 2008,
205 Chapter 382)
206 REPEALS:
207 **20A-3-104.5**, as last amended by Laws of Utah 2019, Chapter 433
208 **20A-3-105**, as last amended by Laws of Utah 2019, Chapter 142
209 **20A-3-301**, as last amended by Laws of Utah 2013, Chapter 198
210 **20A-3-303**, as last amended by Laws of Utah 2008, Chapter 193
211 **20A-3-304**, as last amended by Laws of Utah 2019, Chapters 255 and 433
212 **20A-3-305**, as last amended by Laws of Utah 2019, Chapter 255
213 **20A-3-306**, as last amended by Laws of Utah 2019, Chapter 255

214 20A-3-307, as last amended by Laws of Utah 2012, Chapter 309

215 20A-3-502, as enacted by Laws of Utah 1993, Chapter 1

216 20A-5-604, as last amended by Laws of Utah 2019, Chapter 255

217 20A-6-303, as last amended by Laws of Utah 2016, Chapter 66



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

220 Section 1. Section 11-14-202 is amended to read:

221 **11-14-202. Notice of election -- Contents -- Publication -- Mailing.**

222 (1) The governing body shall publish notice of the election:

223 (a) (i) once per week for three consecutive weeks before the election in a newspaper of
224 general circulation in the local political subdivision, in accordance with Section 11-14-316, the
225 first publication occurring not less than 21, nor more than 35, days before the day of the
226 election;

227 (ii) if there is no newspaper of general circulation in the local political subdivision, at
228 least 21 days before the day of the election, by posting one notice, and at least one additional
229 notice per 2,000 population of the local political subdivision, in places within the local political
230 subdivision that are most likely to give notice to the voters in the local political subdivision; or

231 (iii) at least three weeks before the day of the election, by mailing notice to each
232 registered voter in the local political subdivision;

233 (b) on the Utah Public Notice Website created in Section 63F-1-701, for three weeks
234 before the day of the election;

235 (c) in accordance with Section 45-1-101, for three weeks before the day of the election;
236 and

237 (d) if the local political subdivision has a website, on the local political subdivision's
238 website for at least three weeks before the day of the election.

239 (2) When the debt service on the bonds to be issued will increase the property tax
240 imposed upon the average value of a residence by an amount that is greater than or equal to \$15
241 per year, the governing body shall prepare and mail either a voter information pamphlet or a
242 notification described in Subsection (8):

243 (a) at least 15 days, but not more than 45 days, before the bond election;

244 (b) to each household containing a registered voter who is eligible to vote on the

245 bonds; and

246 (c) that includes the information required by Subsections (4) and (5).

247 (3) The election officer may change the location of, or establish an additional:

248 (a) voting precinct polling place, in accordance with Subsection (6);

249 (b) early voting polling place, in accordance with Subsection [[20A-3-603](#)]

250 [20A-3a-603](#)(2); or

251 (c) election day voting center, in accordance with Subsection [[20A-3-703](#)]

252 [20A-3a-703](#)(2).

253 (4) The notice described in Subsection (1) and the voter information pamphlet
254 described in Subsection (2):

255 (a) shall include, in the following order:

256 (i) the date of the election;

257 (ii) the hours during which the polls will be open;

258 (iii) the address of the Statewide Electronic Voter Information Website and, if

259 available, the address of the election officer's website, with a statement indicating that the

260 election officer will post on the website the location of each polling place for each voting

261 precinct, each early voting polling place, and each election day voting center, including any

262 changes to the location of a polling place and the location of an additional polling place;

263 (iv) a phone number that a voter may call to obtain information regarding the location
264 of a polling place; and

265 (v) the title and text of the ballot proposition, including the property tax cost of the
266 bond described in Subsection [11-14-206](#)(2)(a); and

267 (b) may include the location of each polling place.

268 (5) The voter information pamphlet required by this section shall include:

269 (a) the information required under Subsection (4); and

270 (b) an explanation of the property tax impact, if any, of the issuance of the bonds,

271 which may be based on information the governing body determines to be useful, including:

272 (i) expected debt service on the bonds to be issued;

273 (ii) a description of the purpose, remaining principal balance, and maturity date of any
274 outstanding general obligation bonds of the issuer;

275 (iii) funds other than property taxes available to pay debt service on general obligation

276 bonds;

277 (iv) timing of expenditures of bond proceeds;

278 (v) property values; and

279 (vi) any additional information that the governing body determines may be useful to

280 explain the property tax impact of issuance of the bonds.

281 (6) (a) Except as provided in Section [20A-1-308](#), the election officer may, after the
282 deadlines described in Subsections (1) and (2):

283 (i) if necessary, change the location of a voting precinct polling place; or

284 (ii) if the election officer determines that the number of voting precinct polling places
285 is insufficient due to the number of registered voters who are voting, designate additional
286 voting precinct polling places.

287 (b) Except as provided in Section [20A-1-308](#), if an election officer changes the
288 location of a voting precinct polling place or designates an additional voting precinct polling
289 place, the election officer shall, as soon as is reasonably possible, give notice of the dates,
290 times, and location of a changed voting precinct polling place or an additional voting precinct
291 polling place:

292 (i) to the lieutenant governor, for posting on the Statewide Electronic Voter
293 Information Website;

294 (ii) by posting the information on the website of the election officer, if available; and

295 (iii) by posting notice:

296 (A) of a change in the location of a voting precinct polling place, at the new location
297 and, if possible, the old location; and

298 (B) of an additional voting precinct polling place, at the additional voting precinct
299 polling place.

300 (7) The governing body shall pay the costs associated with the notice required by this
301 section.

302 (8) (a) The governing body may mail a notice printed on a postage prepaid,
303 preaddressed return form that a person may use to request delivery of a voter information
304 pamphlet by mail.

305 (b) The notice described in Subsection (8)(a) shall include:

306 (i) the website upon which the voter information pamphlet is available; and

307 (ii) the phone number a voter may call to request delivery of a voter information
308 pamphlet by mail.

309 (9) A local school board shall comply with the voter information pamphlet
310 requirements described in Section 53G-4-603.

311 Section 2. Section 11-14-203 is amended to read:

312 **11-14-203. Time for election -- Equipment -- Election officials -- Combining**
313 **precincts.**

314 (1) (a) The local political subdivision shall ensure that bond elections are conducted
315 and administered according to the procedures set forth in this chapter and the sections of the
316 Election Code specifically referenced by this chapter.

317 (b) When a local political subdivision complies with those procedures, there is a
318 presumption that the bond election was properly administered.

319 (2) (a) A bond election may be held, and the proposition for the issuance of bonds may
320 be submitted, on the same date as the regular general election, the municipal general election
321 held in the local political subdivision calling the bond election, or at a special election called
322 for the purpose on a date authorized by Section 20A-1-204.

323 (b) A bond election may not be held, nor a proposition for issuance of bonds be
324 submitted, at the presidential primary election held under Title 20A, Chapter 9, Part 8,
325 Presidential Primary Election.

326 (3) (a) The bond election shall be conducted and administered by the election officer
327 designated in Sections 20A-1-102 and 20A-5-400.5.

328 (b) (i) The duties of the election officer shall be governed by Title 20A, Chapter 5, Part
329 4, Election Officer's Duties.

330 (ii) The publishing requirement under Subsection 20A-5-405(1)(~~f~~)(h)(iii) does not
331 apply when notice of a bond election has been provided according to the requirements of
332 Section 11-14-202.

333 (c) The hours during which the polls are to be open shall be consistent with Section
334 20A-1-302.

335 (d) The appointment and duties of election judges shall be governed by Title 20A,
336 Chapter 5, Part 6, Poll Workers.

337 (e) General voting procedures shall be conducted according to the requirements of Title

338 20A, Chapter 3, Voting.

339 (f) The designation of election crimes and offenses, and the requirements for the
340 prosecution and adjudication of those crimes and offenses are set forth in Title 20A, Election
341 Code.

342 (4) When a bond election is being held on a day when no other election is being held in
343 the local political subdivision calling the bond election, voting precincts may be combined for
344 purposes of bond elections so long as no voter is required to vote outside the county in which
345 the voter resides.

346 (5) When a bond election is being held on the same day as any other election held in a
347 local political subdivision calling the bond election, or in some part of that local political
348 subdivision, the polling places and election officials serving for the other election may also
349 serve as the polling places and election officials for the bond election, so long as no voter is
350 required to vote outside the county in which the voter resides.

351 Section 3. Section **11-14-204** is amended to read:

352 **11-14-204. Challenges to voter qualifications.**

353 (1) Any person's qualifications to vote at a bond election may be challenged according
354 to the procedures and requirements of Sections [~~20A-3-105.5 and 20A-3-202~~] 20A-3a-205 and
355 20A-3a-803.

356 (2) A bond election may not be invalidated on the grounds that ineligible voters voted
357 unless:

358 (a) it is shown by clear and convincing evidence that ineligible voters voted in
359 sufficient numbers to change the result of the bond election; and

360 (b) the complaint is filed before the expiration of the time period permitted for contests
361 in Subsection 20A-4-403(3).

362 (3) The votes cast by the voters shall be accepted as having been legally cast for
363 purposes of determining the outcome of the election, unless the court in a bond election contest
364 finds otherwise.

365 Section 4. Section **11-14-206** is amended to read:

366 **11-14-206. Ballots -- Submission of ballot language -- Form and contents.**

367 (1) At least 75 days before the election, the governing body shall prepare and submit to
368 the election officer:

369 (a) a ballot title for the bond proposition that includes the name of the local political
370 subdivision issuing the bonds and the word "bond"; and

371 (b) a ballot proposition that meets the requirements of Subsection (2).

372 (2) (a) The governing body shall ensure that the ballot proposition includes:

373 (i) the maximum principal amount of the bonds;

374 (ii) the maximum number of years from the issuance of the bonds to final maturity;

375 (iii) the general purpose for which the bonds are to be issued; and

376 (iv) if issuance of the bonds will require the increase of the property tax imposed upon
377 the average value of a residence by an amount that is greater than or equal to \$15 per year, the
378 following information in substantially the following form and in the following order:

379 "PROPERTY TAX COST OF BONDS:

380 If the bonds are issued as planned, [if applicable: without regard to the taxes currently
381 levied for outstanding bonds that will reduce over time,] an annual property tax to pay debt
382 service on the bonds will be required over a period of ____ years in the estimated amount of
383 \$____ (insert the average value of a residence in the taxing entity rounded to the nearest
384 thousand dollars) on a residence and in the estimated amount of \$____ on a business property
385 having the same value.

386 [If applicable] If there are other outstanding bonds, an otherwise scheduled tax
387 decrease may not occur if these bonds are issued.

388 The foregoing information is only an estimate and is not a limit on the amount of taxes
389 that the governing body may be required to levy in order to pay debt service on the bonds. The
390 governing body is obligated to levy taxes to the extent provided by law in order to pay the
391 bonds."

392 (b) The governing body may state the purpose of the bonds in general terms and need
393 not specify the particular projects for which the governing body intends to issue the bonds or
394 the specific amount of bond proceeds that the governing body intends to expend for each
395 project.

396 (c) If the governing body intends that the bonds be payable in part from tax proceeds
397 and in part from the operating revenues of the local political subdivision, or from any
398 combination of tax proceeds and operating revenues, the governing body may indicate those
399 payment sources on the bond proposition, but need not specify how the governing body intends

400 to divide the bonds between those sources of payment.

401 (d) (i) The governing body shall ensure that the bond proposition is followed by the
402 words, "For the issuance of bonds" and "Against the issuance of bonds," with appropriate
403 boxes in which the voter may indicate the voter's choice.

404 (ii) Nothing in Subsection (2)(d)(i) prohibits the addition of descriptive information
405 about the bonds.

406 (3) If a bond proposition is submitted to a vote on the same day as any other election
407 held in the local political subdivision calling the bond election, the governing body or an
408 election officer may combine the bond proposition with the candidate ballot in a manner
409 consistent with Section 20A-6-301[~~20A-6-303~~] or 20A-6-402.

410 (4) The governing body shall ensure that the ballot form complies with the
411 requirements of Title 20A, Chapter 6, Ballot Form.

412 Section 5. Section 17B-1-306 is amended to read:

413 **17B-1-306. Local district board -- Election procedures.**

414 (1) Except as provided in Subsection (12), each elected board member shall be selected
415 as provided in this section.

416 (2) (a) Each election of a local district board member shall be held:

417 (i) at the same time as the municipal general election or the regular general election, as
418 applicable; and

419 (ii) at polling places designated by the local district board in consultation with the
420 county clerk for each county in which the local district is located, which polling places shall
421 coincide with municipal general election or regular general election polling places, as
422 applicable, whenever feasible.

423 (b) The local district board, in consultation with the county clerk, may consolidate two
424 or more polling places to enable voters from more than one district to vote at one consolidated
425 polling place.

426 (c) (i) Subject to Subsections (5)(h) and (i), the number of polling places under
427 Subsection (2)(a)(ii) in an election of board members of an irrigation district shall be one
428 polling place per division of the district, designated by the district board.

429 (ii) Each polling place designated by an irrigation district board under Subsection
430 (2)(c)(i) shall coincide with a polling place designated by the county clerk under Subsection

431 (2)(a)(ii).

432 (3) The clerk of each local district with a board member position to be filled at the next
433 municipal general election or regular general election, as applicable, shall provide notice of:

434 (a) each elective position of the local district to be filled at the next municipal general
435 election or regular general election, as applicable;

436 (b) the constitutional and statutory qualifications for each position; and

437 (c) the dates and times for filing a declaration of candidacy.

438 (4) The clerk of the local district shall publish the notice described in Subsection (3):

439 (a) by posting the notice on the Utah Public Notice Website created in Section
440 [63F-1-701](#), for 10 days before the first day for filing a declaration of candidacy; and

441 (b) (i) by posting the notice in at least five public places within the local district at least
442 10 days before the first day for filing a declaration of candidacy; or

443 (ii) publishing the notice:

444 (A) in a newspaper of general circulation within the local district at least three but no
445 more than 10 days before the first day for filing a declaration of candidacy;

446 (B) in accordance with Section [45-1-101](#), for 10 days before the first day for filing a
447 declaration of candidacy; and

448 (c) if the local district has a website, on the local district's website for 10 days before
449 the first day for filing a declaration of candidacy.

450 (5) (a) Except as provided in Subsection (5)(c), to become a candidate for an elective
451 local district board position, an individual shall file a declaration of candidacy in person with
452 an official designated by the local district, during office hours, within the candidate filing
453 period for the applicable election year in which the election for the local district board is held.

454 (b) When the candidate filing deadline falls on a Saturday, Sunday, or holiday, the
455 filing time shall be extended until the close of normal office hours on the following regular
456 business day.

457 (c) Subject to Subsection (5)(f), an individual may designate an agent to file a
458 declaration of candidacy with the official designated by the local district if:

459 (i) the individual is located outside of the state during the entire filing period;

460 (ii) the designated agent appears in person before the official designated by the local
461 district; and

462 (iii) the individual communicates with the official designated by the local district using
463 an electronic device that allows the individual and official to see and hear each other.

464 (d) (i) Before the filing officer may accept any declaration of candidacy from an
465 individual, the filing officer shall:

466 (A) read to the individual the constitutional and statutory qualification requirements for
467 the office that the individual is seeking; and

468 (B) require the individual to state whether the individual meets those requirements.

469 (ii) If the individual does not meet the qualification requirements for the office, the
470 filing officer may not accept the individual's declaration of candidacy.

471 (iii) If it appears that the individual meets the requirements of candidacy, the filing
472 officer shall accept the individual's declaration of candidacy.

473 (e) The declaration of candidacy shall be in substantially the following form:

474 "I, (print name) _____, being first duly sworn, say that I reside at (Street)
475 _____, City of _____, County of _____, state of Utah, (Zip
476 Code) _____, (Telephone Number, if any) _____; that I meet the qualifications for the
477 office of board of trustees member for _____ (state the name of the local
478 district); that I am a candidate for that office to be voted upon at the next election; and that, if
479 filing via a designated agent, I will be out of the state of Utah during the entire candidate filing
480 period, and I hereby request that my name be printed upon the official ballot for that election.

481 (Signed) _____

482 Subscribed and sworn to (or affirmed) before me by _____ on this _____ day
483 of _____, _____.

484 (Signed) _____

485 (Clerk or Notary Public)"

486 (f) An agent designated under Subsection (5)(c) may not sign the form described in
487 Subsection (5)(e).

488 (g) Each individual wishing to become a valid write-in candidate for an elective local
489 district board position is governed by Section 20A-9-601.

490 (h) If at least one individual does not file a declaration of candidacy as required by this
491 section, an individual shall be appointed to fill that board position in accordance with the
492 appointment provisions of Section 20A-1-512.

- 493 (i) If only one candidate files a declaration of candidacy and there is no write-in
494 candidate who complies with Section 20A-9-601, the board, in accordance with Section
495 20A-1-206, may:
- 496 (i) consider the candidate to be elected to the position; and
497 (ii) cancel the election.
- 498 (6) (a) A primary election may be held if:
499 (i) the election is authorized by the local district board; and
500 (ii) the number of candidates for a particular local board position or office exceeds
501 twice the number of persons needed to fill that position or office.
- 502 (b) The primary election shall be conducted:
503 (i) on the same date as the municipal primary election or the regular primary election,
504 as applicable; and
505 (ii) according to the procedures for primary elections provided under Title 20A,
506 Election Code.
- 507 (7) (a) Except as provided in Subsection (7)(c), within one business day after the
508 deadline for filing a declaration of candidacy, the local district clerk shall certify the candidate
509 names to the clerk of each county in which the local district is located.
- 510 (b) (i) Except as provided in Subsection (7)(c) and in accordance with Section
511 20A-6-305, the clerk of each county in which the local district is located and the local district
512 clerk shall coordinate the placement of the name of each candidate for local district office in
513 the nonpartisan section of the ballot with the appropriate election officer.
- 514 (ii) If consolidation of the local district election ballot with the municipal general
515 election ballot or the regular general election ballot, as applicable, is not feasible, the local
516 district board of trustees, in consultation with the county clerk, shall provide for a separate
517 local district election ballot to be administered by poll workers at polling locations designated
518 under Subsection (2).
- 519 (c) (i) Subsections (7)(a) and (b) do not apply to an election of a member of the board
520 of an irrigation district established under Chapter 2a, Part 5, Irrigation District Act.
- 521 (ii) (A) Subject to Subsection (7)(c)(ii)(B), the board of each irrigation district shall
522 prescribe the form of the ballot for each board member election.
- 523 (B) Each ballot for an election of an irrigation district board member shall be in a

524 nonpartisan format.

525 (C) The name of each candidate shall be placed on the ballot in the order specified
526 under Section [20A-6-305](#).

527 (8) (a) Each voter at an election for a board of trustees member of a local district shall:

528 (i) be a registered voter within the district, except for an election of:

529 (A) an irrigation district board of trustees member; or

530 (B) a basic local district board of trustees member who is elected by property owners;

531 and

532 (ii) meet the requirements to vote established by the district.

533 (b) Each voter may vote for as many candidates as there are offices to be filled.

534 (c) The candidates who receive the highest number of votes are elected.

535 (9) Except as otherwise provided by this section, the election of local district board
536 members is governed by Title 20A, Election Code.

537 (10) (a) Except as provided in Subsection [17B-1-303](#)(8), a person elected to serve on a
538 local district board shall serve a four-year term, beginning at noon on the January 1 after the
539 person's election.

540 (b) A person elected shall be sworn in as soon as practical after January 1.

541 (11) (a) Except as provided in Subsection (11)(b), each local district shall reimburse
542 the county or municipality holding an election under this section for the costs of the election
543 attributable to that local district.

544 (b) Each irrigation district shall bear its own costs of each election it holds under this
545 section.

546 (12) This section does not apply to an improvement district that provides electric or gas
547 service.

548 (13) Except as provided in Subsection [~~[20A-3-605](#)~~] [20A-3a-605](#)(1)(b), the provisions
549 of Title 20A, Chapter 3, Part 6, Early Voting, do not apply to an election under this section.

550 (14) (a) As used in this Subsection (14), "board" means:

551 (i) a local district board; or

552 (ii) the administrative control board of a special service district that has elected
553 members on the board.

554 (b) A board may hold elections for membership on the board at a regular general

555 election instead of a municipal general election if the board submits an application to the
556 lieutenant governor that:

557 (i) requests permission to hold elections for membership on the board at a regular
558 general election instead of a municipal general election; and

559 (ii) indicates that holding elections at the time of the regular general election is
560 beneficial, based on potential cost savings, a potential increase in voter turnout, or another
561 material reason.

562 (c) Upon receipt of an application described in Subsection (14)(b), the lieutenant
563 governor may approve the application if the lieutenant governor concludes that holding the
564 elections at the regular general election is beneficial based on the criteria described in
565 Subsection (14)(b)(ii).

566 (d) If the lieutenant governor approves a board's application described in this section:

567 (i) all future elections for membership on the board shall be held at the time of the
568 regular general election; and

569 (ii) the board may not hold elections at the time of a municipal general election unless
570 the board receives permission from the lieutenant governor to hold all future elections for
571 membership on the board at a municipal general election instead of a regular general election,
572 under the same procedure, and by applying the same criteria, described in this Subsection (14).

573 Section 6. Section **20A-1-102** is amended to read:

574 **20A-1-102. Definitions.**

575 As used in this title:

576 (1) "Active voter" means a registered voter who has not been classified as an inactive
577 voter by the county clerk.

578 (2) "Automatic tabulating equipment" means apparatus that automatically examines
579 and counts votes recorded on [~~paper ballots or ballot sheets~~] ballots and tabulates the results.

580 (3) (a) "Ballot" means the storage medium, [~~whether~~] including a paper, mechanical, or
581 electronic storage medium, [~~upon which a voter records the voter's votes~~] that records an
582 individual voter's vote.

583 [~~(b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy~~
584 ~~envelopes.~~]

585 (b) "Ballot" does not include a record to tally multiple votes.

586 ~~[(4) "Ballot label" means the cards, papers, booklet, pages, or other materials that:]~~
587 ~~[(a) contain the names of offices and candidates and statements of ballot propositions~~
588 ~~to be voted on; and]~~
589 ~~[(b) are used in conjunction with ballot sheets that do not display that information.]~~
590 ~~[(5)]~~ (4) "Ballot proposition" means a question, issue, or proposal that is submitted to
591 voters on the ballot for their approval or rejection including:
592 (a) an opinion question specifically authorized by the Legislature;
593 (b) a constitutional amendment;
594 (c) an initiative;
595 (d) a referendum;
596 (e) a bond proposition;
597 (f) a judicial retention question;
598 (g) an incorporation of a city or town; or
599 (h) any other ballot question specifically authorized by the Legislature.
600 ~~[(6) "Ballot sheet":]~~
601 ~~[(a) means a ballot that:]~~
602 ~~[(i) consists of paper or a card where the voter's votes are marked or recorded; and]~~
603 ~~[(ii) can be counted using automatic tabulating equipment; and]~~
604 ~~[(b) includes punch card ballots and other ballots that are machine-countable.]~~
605 ~~[(7)]~~ (5) "Bind," "binding," or "bound" means securing more than one piece of paper
606 together ~~[with a staple or stitch]~~ using staples or another means in at least three places across
607 the top of the paper in the blank space reserved for securing the paper.
608 ~~[(8)]~~ (6) "Board of canvassers" means the entities established by Sections [20A-4-301](#)
609 and [20A-4-306](#) to canvass election returns.
610 ~~[(9)]~~ (7) "Bond election" means an election held for the purpose of approving or
611 rejecting the proposed issuance of bonds by a government entity.
612 ~~[(10) "Book voter registration form" means voter registration forms contained in a~~
613 ~~bound book that are used by election officers and registration agents to register persons to~~
614 ~~vote.]~~
615 ~~[(11)]~~ (8) "Business reply mail envelope" means an envelope that may be mailed free
616 of charge by the sender.

617 ~~[(12) "By-mail voter registration form" means a voter registration form designed to be~~
618 ~~completed by the voter and mailed to the election officer.]~~

619 ~~[(13)]~~ (9) "Canvass" means the review of election returns and the official declaration of
620 election results by the board of canvassers.

621 ~~[(14)]~~ (10) "Canvassing judge" means a poll worker designated to assist in counting
622 ballots at the canvass.

623 ~~[(15)]~~ (11) "Contracting election officer" means an election officer who enters into a
624 contract or interlocal agreement with a provider election officer.

625 ~~[(16)]~~ (12) "Convention" means the political party convention at which party officers
626 and delegates are selected.

627 ~~[(17)]~~ (13) "Counting center" means one or more locations selected by the election
628 officer in charge of the election for the automatic counting of ballots.

629 ~~[(18)]~~ (14) "Counting judge" means a poll worker designated to count the ballots
630 during election day.

631 ~~[(19)]~~ (15) "Counting room" means a suitable and convenient private place or room~~;~~
632 ~~immediately adjoining the place where the election is being held;~~ for use by the poll workers
633 and counting judges to count ballots ~~[during election day].~~

634 ~~[(20)]~~ (16) "County officers" means those county officers that are required by law to be
635 elected.

636 ~~[(21)]~~ (17) "Date of the election" or "election day" or "day of the election":

637 (a) means the day that is specified in the calendar year as the day that the election
638 occurs; and

639 (b) does not include:

640 (i) deadlines established for ~~[absentee]~~ voting by mail, military-overseas voting, or
641 emergency voting; or

642 (ii) any early voting or early voting period as provided under Chapter 3, Part 6, Early
643 Voting.

644 ~~[(22)]~~ (18) "Elected official" means:

645 (a) a person elected to an office under Section [20A-1-303](#) or ~~[Chapter 14, Part 6,~~
646 ~~Election Offenses – Generally]~~ Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
647 Project;

648 (b) a person who is considered to be elected to a municipal office in accordance with
649 Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or

650 (c) a person who is considered to be elected to a local district office in accordance with
651 Subsection [20A-1-206\(3\)\(c\)\(ii\)](#).

652 ~~[(23)]~~ [\(19\)](#) "Election" means a regular general election, a municipal general election, a
653 statewide special election, a local special election, a regular primary election, a municipal
654 primary election, and a local district election.

655 ~~[(24)]~~ [\(20\)](#) "Election Assistance Commission" means the commission established by
656 the Help America Vote Act of 2002, Pub. L. No. 107-252.

657 ~~[(25)]~~ [\(21\)](#) "Election cycle" means the period beginning on the first day persons are
658 eligible to file declarations of candidacy and ending when the canvass is completed.

659 ~~[(26)]~~ [\(22\)](#) "Election judge" means a poll worker that is assigned to:

- 660 (a) preside over other poll workers at a polling place;
- 661 (b) act as the presiding election judge; or
- 662 (c) serve as a canvassing judge, counting judge, or receiving judge.

663 ~~[(27)]~~ [\(23\)](#) "Election officer" means:

- 664 (a) the lieutenant governor, for all statewide ballots and elections;
- 665 (b) the county clerk for:
 - 666 (i) a county ballot and election; and
 - 667 (ii) a ballot and election as a provider election officer as provided in Section

668 [20A-5-400.1](#) or [20A-5-400.5](#);

669 (c) the municipal clerk for:

- 670 (i) a municipal ballot and election; and
- 671 (ii) a ballot and election as a provider election officer as provided in Section

672 [20A-5-400.1](#) or [20A-5-400.5](#);

673 (d) the local district clerk or chief executive officer for:

- 674 (i) a local district ballot and election; and
- 675 (ii) a ballot and election as a provider election officer as provided in Section

676 [20A-5-400.1](#) or [20A-5-400.5](#); or

677 (e) the business administrator or superintendent of a school district for:

- 678 (i) a school district ballot and election; and

679 (ii) a ballot and election as a provider election officer as provided in Section
680 [20A-5-400.1](#) or [20A-5-400.5](#).

681 ~~[(28)]~~ (24) "Election official" means any election officer, election judge, or poll
682 worker.

683 ~~[(29)]~~ (25) "Election results" means:

684 (a) for an election other than a bond election, the count of votes cast in the election and
685 the election returns requested by the board of canvassers; or

686 (b) for bond elections, the count of those votes cast for and against the bond
687 proposition plus any or all of the election returns that the board of canvassers may request.

688 ~~[(30)]~~ (26) "Election returns" includes the pollbook, the military and overseas absentee
689 voter registration and voting certificates, one of the tally sheets, any unprocessed ~~[absentee]~~
690 ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot
691 disposition form, and the total votes cast form.

692 ~~[(31)]~~ "Electronic ballot" means a ballot that is recorded using a direct electronic voting
693 device or other voting device that records and stores ballot information by electronic means.]

694 ~~[(32)]~~ (27) "Electronic signature" means an electronic sound, symbol, or process
695 attached to or logically associated with a record and executed or adopted by a person with the
696 intent to sign the record.

697 ~~[(33)]~~ (a) "Electronic voting device" means a voting device that uses electronic ballots.]

698 ~~[(b)]~~ "Electronic voting device" includes a direct recording electronic voting device.]

699 ~~[(34)]~~ (28) "Inactive voter" means a registered voter who is listed as inactive by a
700 county clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).

701 ~~[(35)]~~ (29) "Judicial office" means the office filled by any judicial officer.

702 ~~[(36)]~~ (30) "Judicial officer" means any justice or judge of a court of record or any
703 county court judge.

704 ~~[(37)]~~ (31) "Local district" means a local government entity under Title 17B, Limited
705 Purpose Local Government Entities - Local Districts, and includes a special service district
706 under Title 17D, Chapter 1, Special Service District Act.

707 ~~[(38)]~~ (32) "Local district officers" means those local district board members that are
708 required by law to be elected.

709 ~~[(39)]~~ (33) "Local election" means a regular county election, a regular municipal

710 election, a municipal primary election, a local special election, a local district election, and a
711 bond election.

712 ~~[(40)]~~ (34) "Local political subdivision" means a county, a municipality, a local
713 district, or a local school district.

714 ~~[(41)]~~ (35) "Local special election" means a special election called by the governing
715 body of a local political subdivision in which all registered voters of the local political
716 subdivision may vote.

717 (36) "Manual ballot" means a paper document produced by an election officer on
718 which an individual records an individual's vote by directly placing a mark on the paper
719 document using a pen or other marking instrument.

720 (37) "Mechanical ballot" means a record, including a paper record, electronic record, or
721 mechanical record, that:

722 (a) is created via electronic or mechanical means; and

723 (b) records an individual voter's vote cast via a method other than an individual directly
724 placing a mark, using a pen or other marking instrument, to record an individual voter's vote.

725 ~~[(42)]~~ (38) "Municipal executive" means:

726 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

727 (b) the mayor in the council-manager form of government defined in Subsection
728 10-3b-103(7); or

729 (c) the chair of a metro township form of government defined in Section 10-3b-102.

730 ~~[(43)]~~ (39) "Municipal general election" means the election held in municipalities and,
731 as applicable, local districts on the first Tuesday after the first Monday in November of each
732 odd-numbered year for the purposes established in Section 20A-1-202.

733 ~~[(44)]~~ (40) "Municipal legislative body" means:

734 (a) the council of the city or town in any form of municipal government; or

735 (b) the council of a metro township.

736 ~~[(45)]~~ (41) "Municipal office" means an elective office in a municipality.

737 ~~[(46)]~~ (42) "Municipal officers" means those municipal officers that are required by
738 law to be elected.

739 ~~[(47)]~~ (43) "Municipal primary election" means an election held to nominate
740 candidates for municipal office.

741 ~~[(48)]~~ (44) "Municipality" means a city, town, or metro township.

742 ~~[(49)]~~ (45) "Official ballot" means the ballots distributed by the election officer ~~[to the~~
 743 ~~poll workers to be given to]~~ for voters to record their votes.

744 ~~[(50)]~~ (46) "Official endorsement" means~~[-(a)]~~ the information on the ballot that
 745 identifies:

746 ~~[(i)]~~ (a) the ballot as an official ballot;

747 ~~[(ii)]~~ (b) the date of the election; and

748 ~~[(iii)-(A)]~~ (c) (i) for a ballot prepared by an election officer other than a county clerk,
 749 the facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

750 ~~[(B)]~~ (ii) for a ballot prepared by a county clerk, the words required by Subsection
 751 20A-6-301(1)(b)(iii)~~[-and]~~.

752 ~~[(b) the information on the ballot stub that identifies:]~~

753 ~~[(i) the poll worker's initials; and]~~

754 ~~[(ii) the ballot number.]~~

755 ~~[(51)]~~ (47) "Official register" means the official record furnished to election officials
 756 by the election officer that contains the information required by Section 20A-5-401.

757 ~~[(52) "Paper ballot" means a paper that contains:]~~

758 ~~[(a) the names of offices and candidates and statements of ballot propositions to be~~
 759 ~~voted on; and]~~

760 ~~[(b) spaces for the voter to record the voter's vote for each office and for or against~~
 761 ~~each ballot proposition.]~~

762 ~~[(53)]~~ (48) "Political party" means an organization of registered voters that has
 763 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
 764 Formation and Procedures.

765 ~~[(54)]~~ (49) (a) "Poll worker" means a person assigned by an election official to assist
 766 with an election, voting, or counting votes.

767 (b) "Poll worker" includes election judges.

768 (c) "Poll worker" does not include a watcher.

769 ~~[(55)]~~ (50) "Pollbook" means a record of the names of voters in the order that they
 770 appear to cast votes.

771 ~~[(56)]~~ (51) "Polling place" means ~~[the]~~ a building where voting is conducted.

772 [(57)] (52) "Position" means a square, circle, rectangle, or other geometric shape on a
773 ballot in which the voter marks the voter's choice.

774 [(58)] (53) "Presidential Primary Election" means the election established in Chapter 9,
775 Part 8, Presidential Primary Election.

776 [(59)] (54) "Primary convention" means the political party conventions held during the
777 year of the regular general election.

778 [(60)] (55) "Protective counter" means a separate counter, which cannot be reset, that:

779 (a) is built into a voting machine; and

780 (b) records the total number of movements of the operating lever.

781 [(61)] (56) "Provider election officer" means an election officer who enters into a
782 contract or interlocal agreement with a contracting election officer to conduct an election for
783 the contracting election officer's local political subdivision in accordance with Section
784 20A-5-400.1.

785 [(62)] (57) "Provisional ballot" means a ballot voted provisionally by a person:

786 (a) whose name is not listed on the official register at the polling place;

787 (b) whose legal right to vote is challenged as provided in this title; or

788 (c) whose identity was not sufficiently established by a poll worker.

789 [(63)] (58) "Provisional ballot envelope" means an envelope printed in the form
790 required by Section 20A-6-105 that is used to identify provisional ballots and to provide
791 information to verify a person's legal right to vote.

792 [(64)] (59) "Qualify" or "qualified" means to take the oath of office and begin
793 performing the duties of the position for which the ~~[person]~~ individual was elected.

794 [(65)] (60) "Receiving judge" means the poll worker that checks the voter's name in the
795 official register[;] at a polling location and provides the voter with a ballot[, ~~and removes the~~
796 ~~ballot stub from the ballot after the voter has voted~~].

797 [(66)] (61) "Registration form" means a [~~book voter registration form and a by-mail~~
798 ~~voter registration~~] form by which an individual may register to vote under this title.

799 [(67)] (62) "Regular ballot" means a ballot that is not a provisional ballot.

800 [(68)] (63) "Regular general election" means the election held throughout the state on
801 the first Tuesday after the first Monday in November of each even-numbered year for the
802 purposes established in Section 20A-1-201.

803 ~~[(69)]~~ (64) "Regular primary election" means the election, held on the date specified in
804 Section 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
805 local school board positions to advance to the regular general election.

806 ~~[(70)]~~ (65) "Resident" means a person who resides within a specific voting precinct in
807 Utah.

808 (66) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
809 provided to a voter with a manual ballot:

810 (a) into which the voter places the manual ballot after the voter has voted the manual
811 ballot in order to preserve the secrecy of the voter's vote; and

812 (b) that includes the voter affidavit and a place for the voter's signature.

813 ~~[(71)]~~ (67) "Sample ballot" means a mock ballot similar in form to the official ballot
814 printed and distributed as provided in Section 20A-5-405.

815 ~~[(72)]~~ (68) "Scratch vote" means to mark ~~[or punch]~~ the straight party ticket and then
816 mark ~~[or punch]~~ the ballot for one or more candidates who are members of different political
817 parties or who are unaffiliated.

818 ~~[(73)] "Secrecy envelope" means the envelope given to a voter along with the ballot into~~
819 ~~which the voter places the ballot after the voter has voted it in order to preserve the secrecy of~~
820 ~~the voter's vote.]~~

821 ~~[(74)]~~ (69) "Special election" means an election held as authorized by Section
822 20A-1-203.

823 ~~[(75)]~~ (70) "Spoiled ballot" means each ballot that:

824 (a) is spoiled by the voter;

825 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

826 (c) lacks the official endorsement.

827 ~~[(76)]~~ (71) "Statewide special election" means a special election called by the governor
828 or the Legislature in which all registered voters in Utah may vote.

829 ~~[(77)] "Stub" means the detachable part of each ballot.]~~

830 ~~[(78)] "Substitute ballots" means replacement ballots provided by an election officer to~~
831 ~~the poll workers when the official ballots are lost or stolen.]~~

832 (72) "Tabulation system" means a device or system designed for the sole purpose of
833 tabulating votes cast by voters at an election.

834 [~~(79)~~] (73) "Ticket" means a list of:

- 835 (a) political parties;
- 836 (b) candidates for an office; or
- 837 (c) ballot propositions.

838 [~~(80)~~] (74) "Transfer case" means the sealed box used to transport voted ballots to the
839 counting center.

840 [~~(81)~~] (75) "Vacancy" means the absence of a person to serve in any position created
841 by statute, whether that absence occurs because of death, disability, disqualification,
842 resignation, or other cause.

843 [~~(82)~~] (76) "Valid voter identification" means:

844 (a) a form of identification that bears the name and photograph of the voter which may
845 include:

- 846 (i) a currently valid Utah driver license;
- 847 (ii) a currently valid identification card that is issued by:
 - 848 (A) the state; or
 - 849 (B) a branch, department, or agency of the United States;
- 850 (iii) a currently valid Utah permit to carry a concealed weapon;
- 851 (iv) a currently valid United States passport; or
- 852 (v) a currently valid United States military identification card;

853 (b) one of the following identification cards, whether or not the card includes a
854 photograph of the voter:

- 855 (i) a valid tribal identification card;
- 856 (ii) a Bureau of Indian Affairs card; or
- 857 (iii) a tribal treaty card; or
- 858 (c) two forms of identification not listed under Subsection [~~(82)~~] (76)(a) or (b) but that
859 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
860 which may include:

- 861 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
862 election;
- 863 (ii) a bank or other financial account statement, or a legible copy thereof;
- 864 (iii) a certified birth certificate;

- 865 (iv) a valid social security card;
- 866 (v) a check issued by the state or the federal government or a legible copy thereof;
- 867 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 868 (vii) a currently valid Utah hunting or fishing license;
- 869 (viii) certified naturalization documentation;
- 870 (ix) a currently valid license issued by an authorized agency of the United States;
- 871 (x) a certified copy of court records showing the voter's adoption or name change;
- 872 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 873 (xii) a currently valid identification card issued by:
- 874 (A) a local government within the state;
- 875 (B) an employer for an employee; or
- 876 (C) a college, university, technical school, or professional school located within the
- 877 state; or
- 878 (xiii) a current Utah vehicle registration.

879 ~~[(83)]~~ (77) "Valid write-in candidate" means a candidate who has qualified as a

880 write-in candidate by following the procedures and requirements of this title.

881 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

882 (a) mailing the ballot to the location designated in the mailing; or

883 (b) depositing the ballot in a ballot drop box designated by the election officer.

884 ~~[(84)]~~ (79) "Voter" means ~~[a person]~~ an individual who:

885 (a) meets the requirements for voting in an election;

886 (b) meets the requirements of election registration;

887 (c) is registered to vote; and

888 (d) is listed in the official register book.

889 ~~[(85)]~~ (80) "Voter registration deadline" means the registration deadline provided in

890 Section [20A-2-102.5](#).

891 ~~[(86)]~~ (81) "Voting area" means the area within six feet of the voting booths, voting

892 machines, and ballot box.

893 ~~[(87)]~~ (82) "Voting booth" means:

894 (a) the space or compartment within a polling place that is provided for the preparation

895 of ballots, including the voting ~~[machine]~~ enclosure or curtain; or

896 (b) a voting device that is free standing.

897 [~~(88)~~ "Voting device" means:]

898 [~~(a)~~ an apparatus in which ballot sheets are used in connection with a punch device for
899 piercing the ballots by the voter;]

900 [~~(b)~~ a device for marking the ballots with ink or another substance;]

901 [~~(c)~~ an electronic voting device or other device used to make selections and cast a
902 ballot electronically, or any component thereof;]

903 [~~(d)~~ an automated voting system under Section [20A-5-302](#); or]

904 [~~(e)~~ any other method for recording votes on ballots so that the ballot may be tabulated
905 by means of automatic tabulating equipment.]

906 [~~(89)~~ "Voting machine" means a machine designed for the sole purpose of recording
907 and tabulating votes cast by voters at an election.]

908 (83) "Voting device" means any device provided by an election officer for a voter to
909 vote a mechanical ballot.

910 [~~(90)~~ (84) "Voting precinct" means the smallest geographical voting unit, established
911 [as provided by law within which qualified voters vote at one polling place] under Chapter 5,
912 Part 3, Duties of the County and Municipal Legislative Bodies.

913 [~~(91)~~ (85) "Watcher" means an individual who complies with the requirements
914 described in Section [~~20A-3-201~~] [20A-3a-801](#) to become a watcher for an election.

915 [~~(92)~~ (86) "Write-in ballot" means a ballot containing any write-in votes.

916 [~~(93)~~ (87) "Write-in vote" means a vote cast for [~~a person~~] an individual, whose name
917 is not printed on the ballot [~~according to~~], in accordance with the procedures established in this
918 title.

919 Section 7. Section **20A-1-308** is amended to read:

920 **20A-1-308. Elections during declared emergencies.**

921 (1) As used in this section, "declared emergency" means a state of emergency that:

922 (a) is declared by:

923 (i) the president of the United States;

924 (ii) the governor in an executive order under Title 53, Chapter 2a, Part 2, Disaster
925 Response and Recovery Act; or

926 (iii) the chief executive officer of a political subdivision in a proclamation under Title

927 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; and

928 (b) affects an election in the state, including:

929 (i) voting on election day;

930 (ii) early voting;

931 (iii) the transmittal or voting of [~~an absentee ballot or military-overseas~~] a ballot;

932 (iv) the counting of [~~an absentee ballot or military-overseas~~] a ballot; or

933 (v) the canvassing of election returns.

934 (2) During a declared emergency, the lieutenant governor may designate a method,
935 time, or location for, or relating to, an event described in Subsection (1)(b) that is different than
936 the method, time, or location described in this title.

937 (3) The lieutenant governor shall notify a voter or potential voter of a different method,
938 time, or location designated under Subsection (2) by:

939 (a) posting a notice on the Statewide Electronic Voter Information Website established
940 under Section [20A-7-801](#);

941 (b) notifying each election officer affected by the designation; and

942 (c) notifying a newspaper of general circulation within the state or a local media
943 correspondent.

944 Section 8. Section **20A-1-403** is amended to read:

945 **20A-1-403. Errors or omissions in ballots.**

946 (1) The election officer shall, without delay, correct any errors in [~~paper~~] ballots [~~or~~
947 ~~ballot labels that he~~] that the election officer discovers, or that are brought to [~~his~~] the election
948 officer's attention, if those errors can be corrected without interfering with the timely
949 distribution of the [~~paper~~] ballots [~~or ballot labels~~].

950 (2) (a) (i) If an error or omission has occurred in the publication of the names or
951 description of the candidates nominated for office, or in the printing of sample or official
952 ballots, a candidate or [~~his~~] the candidate's agent may file, without paying any fee, a petition for
953 ballot correction with the district court.

954 (ii) If a petition is filed, the petitioner shall serve a copy of the petition on the
955 respondents on the same day that the petition is filed with the court.

956 (b) The petition shall contain:

957 (i) an affidavit signed by the candidate or [~~his~~] the candidate's agent identifying the

958 error or omission; and

959 (ii) a request that the court issue an order to the election officer responsible for the
960 ballot error or omission to correct the ballot error or omission.

961 (3) (a) After reviewing the petition, the court shall:

962 (i) issue an order commanding the respondent named in the petition to appear before
963 the court to answer, under oath, to the petition;

964 (ii) summarily hear and dispose of any issues raised by the petition to obtain substantial
965 compliance with the provisions of this title by the parties to the controversy; and

966 (iii) [~~make and enter orders and judgments, and issue the process of the court to~~
967 ~~enforce all of those orders and judgments~~] enter appropriate orders.

968 (b) The court may assess costs, including [a] reasonable [~~attorney's fee~~] attorney fees,
969 against either party.

970 Section 9. Section **20A-1-601** is amended to read:

971 **20A-1-601. Bribery in elections -- Paying for votes -- Penalties.**

972 (1) A person may not, directly [~~or~~], indirectly, [~~by himself~~] or through any other
973 person:

974 (a) pay, loan, or contribute, or offer or promise to pay, loan, or contribute any money or
975 other valuable consideration to or for any voter or to or for any other person:

976 (i) to induce the voter to vote or refrain from voting at any election provided by law;

977 (ii) to induce any voter to vote or refrain from voting at an election for any particular
978 person or measure;

979 (iii) to induce a voter to go to the polls or remain away from the polls at any election;

980 (iv) because a voter voted or refrained from voting for any particular person, or went to
981 the polls or remained away from the polls; or

982 (v) to obtain the political support or aid of any person at an election;

983 (b) give, offer, or promise any office, place, or employment, or to promise or procure,
984 or endeavor to procure, any office, place, or employment, to or for any voter, or to or for any
985 other person, in order to:

986 (i) induce a voter to vote or refrain from voting at any election;

987 (ii) induce any voter to vote or refrain from voting at an election for any particular
988 person or measure; or

989 (iii) obtain the political support or aid of any person;

990 (c) advance or pay, or cause to be paid, any money or other valuable thing to, or for the
991 use of, any other person with the intent that the money or other valuable thing be used in
992 bribery at any election provided by law; or

993 (d) knowingly pay, or cause to be paid, any money or other valuable thing to any
994 person in discharge or repayment of any money expended wholly or in part in bribery at any
995 election.

996 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), a
997 person who commits an offense under Subsection (1) is guilty of a third degree felony.

998 Section 10. Section 20A-1-602 is amended to read:

999 **20A-1-602. Receiving bribe -- Receiving payments for votes -- Penalties.**

1000 (1) A person may not, for [~~himself~~] the person or for any other person, directly or
1001 indirectly, [~~by himself~~] or through any person, before, during, or after any election:

1002 (a) receive, agree to receive, or contract for any money, gift, loan, or other valuable
1003 consideration, office, place, or employment for:

1004 (i) voting or agreeing to vote;

1005 (ii) going or agreeing to go to the polls;

1006 (iii) remaining or agreeing to remain away from the polls; or

1007 (iv) refraining or agreeing to refrain from voting, or for voting or agreeing to vote, or
1008 refraining or agreeing to refrain from voting, for any particular person or measure at any
1009 election provided by law; or

1010 (b) receive any money or other valuable thing because the person induced any other
1011 person to:

1012 (i) vote or refrain from voting; or

1013 (ii) vote or refrain from voting for any particular person or measure at any election
1014 provided by law.

1015 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), a
1016 person who commits an offense under Subsection (1) is guilty of a third degree felony.

1017 Section 11. Section 20A-1-603 is amended to read:

1018 **20A-1-603. Fraud, interference, disturbance -- Tampering with ballots or records**
1019 **-- Penalties.**

1020 (1) (a) [~~A person~~] An individual may not fraudulently vote on the individual's behalf
1021 [~~of himself~~] or on behalf of another, by:

1022 (i) voting more than once at any one election;

1023 (ii) knowingly handing in two or more ballots folded together;

1024 (iii) changing any ballot after [~~it has been~~] the ballot is cast or deposited in the ballot
1025 box, or ballot drop box, or mailed;

1026 (iv) adding or attempting to add any ballot or vote to those legally polled at any
1027 election by fraudulently introducing the ballot or vote into the ballot box or vote tally, either
1028 before or after the ballots have been counted;

1029 (v) adding to or mixing or attempting to add or mix, other ballots with the ballots
1030 lawfully polled while those ballots are being counted or canvassed, or at any other time; or

1031 (vi) voting in a voting district or precinct when the [~~person~~] individual knew or should
1032 have known that the [~~person~~] individual was not eligible for voter registration in that district or
1033 precinct, unless the [~~person~~] individual is legally entitled to vote the ballot under Section
1034 20A-4-107 or another provision of this title.

1035 (b) A person may not fraudulently interfere with an election by:

1036 (i) willfully tampering with, detaining, mutilating, or destroying any election returns;

1037 (ii) in any manner, interfering with the officers holding an election or conducting a
1038 canvass, or with the voters lawfully exercising their rights of voting at an election, so as to
1039 prevent the election or canvass from being fairly held or lawfully conducted;

1040 (iii) engaging in riotous conduct at any election, or interfering in any manner with any
1041 election official in the discharge of the election official's duties;

1042 (iv) inducing any election officer, or officer whose duty it is to ascertain, announce, or
1043 declare the result of any election or to give or make any certificate, document, or evidence in
1044 relation to any election, to violate or refuse to comply with the election officer's duty or any law
1045 regulating the election officer's duty;

1046 (v) taking, carrying away, concealing, removing, or destroying any ballot, pollbook, or
1047 other thing from a polling place, or from the possession of the person authorized by law to have
1048 the custody of that thing; [~~or~~]

1049 (vi) taking, carrying away, concealing, removing, or destroying a ballot drop box or the
1050 contents of a ballot drop box; or

1051 [~~(vi)~~] (vii) aiding, counseling, providing, procuring, advising, or assisting any person to
1052 do any of the acts [~~specified~~] described in this section.

1053 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), a
1054 person who commits an offense under Subsection (1) is guilty of a class A misdemeanor.

1055 Section 12. Section 20A-1-604 is amended to read:

1056 **20A-1-604. Destroying instruction cards, sample ballots, or election**
1057 **paraphernalia -- Penalties.**

1058 (1) A person may not:

1059 (a) willfully deface or destroy any list of candidates posted in accordance with the
1060 provisions of this title;

1061 (b) willfully deface, tear down, remove or destroy any [~~card of instruction~~] voter
1062 instructions or sample ballot, printed or posted for the instruction of voters during an election;

1063 (c) willfully remove or destroy any of the supplies or conveniences furnished to enable
1064 a voter to prepare the voter's ballot during an election; or

1065 (d) willfully hinder the voting of others.

1066 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), a
1067 person who commits an offense under Subsection (1) is guilty of an infraction.

1068 Section 13. Section 20A-1-605 is amended to read:

1069 **20A-1-605. Mutilating certificate of nomination -- Forging declination or**
1070 **resignation -- Tampering with ballots.**

1071 (1) It is unlawful for any person to:

1072 (a) falsely mark or willfully deface or destroy:

1073 (i) any certificate of nomination or any part of a certificate of nomination; or

1074 (ii) any letter of declination or resignation;

1075 (b) file any certificate of nomination or letter of declination or resignation knowing it,
1076 or any part of it, to be falsely made;

1077 (c) suppress any certificate of nomination, or letter of declination or resignation, or any
1078 part of a certificate of nomination or letter of declination or resignation that has been legally
1079 filed;

1080 (d) forge any letter of declination or resignation;

1081 (e) falsely make the official endorsement on any ballot;

- 1082 (f) willfully destroy or deface any ballot;
- 1083 (g) willfully delay the delivery of any ballots;
- 1084 (h) examine any ballot offered or cast at the polls or found in any ballot box or ballot
- 1085 drop box for any purpose other than to determine which candidate was elected; and
- 1086 (i) make or place any mark or device on any ballot in order to determine the name of
- 1087 any person for whom the elector has voted.

1088 (2) In addition to the penalties established in Subsections [20A-1-609](#)(2) and (3), any

1089 person convicted of any of the offenses established by this section is guilty of a class A

1090 misdemeanor.

1091 Section 14. Section [20A-1-607](#) is amended to read:

1092 **20A-1-607. Inducing attendance at polls -- Payment of workers.**

1093 (1) (a) It is unlawful for a person to pay another for a loss incurred because an

1094 individual voted or registered to vote.

1095 (b) Subsection (1)(a) does not permit an employer to make a deduction from the usual

1096 salary or wages of an employee who takes a leave of absence as authorized under Section

1097 [~~20A-3-103~~] [20A-3a-105](#) for the purpose of voting.

1098 (2) (a) A person may not pay for personal services performed or to be performed on the

1099 day of a caucus, primary, convention, or election, or for any purpose connected with a caucus,

1100 primary, convention, or election that directly or indirectly affect the result of the caucus,

1101 primary, convention, or election.

1102 (b) Subsection (2)(a) does not prohibit a person from hiring a person to act as a

1103 watcher.

1104 Section 15. Section [20A-1-609](#) is amended to read:

1105 **20A-1-609. Omnibus penalties.**

1106 (1) (a) Except as provided in Subsection (1)(b), a person who violates any provision of

1107 this title is guilty of a class B misdemeanor.

1108 (b) Subsection (1)(a) does not apply to a provision of this title for which another

1109 penalty is expressly stated.

1110 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or

1111 referendum, falsely making the statement described in Subsection [20A-7-203](#)(2)(e)(ii),

1112 [20A-7-303](#)(2)(h)(ii), [20A-7-503](#)(2)(e), or [20A-7-603](#)(2)(h).

- 1113 (2) Except as provided by Section [20A-2-101.3](#) or [20A-2-101.5](#), an individual
1114 convicted of any offense under this title may not:
- 1115 (a) file a declaration of candidacy for any office or appear on the ballot as a candidate
1116 for any office during the election cycle in which the violation occurred;
- 1117 (b) take or hold the office to which the individual was elected; and
- 1118 (c) receive the emoluments of the office to which the individual was elected.
- 1119 (3) (a) Any individual convicted of any offense under this title forfeits the right to vote
1120 at any election unless the right to vote is restored as provided in Section [20A-2-101.3](#) or
1121 [20A-2-101.5](#).
- 1122 (b) Any person may challenge the right to vote of a person described in Subsection
1123 (3)(a) by following the procedures and requirements of Section [~~20A-3-202~~] [20A-3a-803](#).
1124 Section 16. Section **20A-2-102.5** is amended to read:
- 1125 **20A-2-102.5. Voter registration deadline.**
- 1126 (1) Except as otherwise provided in [~~Section [20A-2-201](#), [20A-2-204](#), [20A-2-206](#),~~
1127 ~~[20A-2-207](#), or [20A-4-107](#), or~~] Chapter 16, Uniform Military and Overseas Voters Act, [~~a~~
1128 ~~person~~] an individual who fails to timely submit a correctly completed voter registration form
1129 [~~on or before the voter registration deadline~~] may not vote in the election.
- 1130 (2) The voter registration deadline is [~~30 calendar days before the date of the election.~~]
1131 as follows:
- 1132 (a) the voter registration must be received by the county clerk no later than 5 p.m. 11
1133 calendar days before the date of the election, if the individual registers to vote:
- 1134 (i) at the office of the county clerk, in accordance with Section [20A-2-201](#);
1135 (ii) by mail, in accordance with Section [20A-2-202](#);
1136 (iii) via an application for a driver license, in accordance with Section [20A-2-204](#);
1137 (iv) via a public assistance agency or a discretionary voter registration agency, in
1138 accordance with Section [20A-2-205](#); or
- 1139 (v) via electronic registration, in accordance with Section [20A-2-206](#);
- 1140 (b) before the polls close on the last day of early voting, described in Section
1141 [20A-3a-601](#), if the individual registers by casting a provisional ballot at an early voting
1142 location in accordance with Section [20A-2-207](#); or
- 1143 (c) before polls close on the date of the election, if the individual registers to vote on

1144 the date of the election by casting a provisional ballot, in accordance with Section [20A-2-207](#).

1145 Section 17. Section **20A-2-108** is amended to read:

1146 **20A-2-108. Driver license or state identification card registration form --**

1147 **Transmittal of information.**

1148 (1) As used in this section, "qualifying form" means:

1149 (a) a driver license application form; or

1150 (b) a state identification card application form.

1151 (2) The lieutenant governor and the Driver License Division shall design each

1152 qualifying form to include:

1153 (a) the following question, which an applicant is required to answer: "Do you authorize
1154 the use of information in this form for voter registration purposes? YES ___ NO ___"; and

1155 ~~[(b) the following question, which an applicant is required to answer if the applicant
1156 answers "yes" to the question described in Subsection (2)(a): "Any voter may register as an
1157 absentee voter to receive ballots by mail. A voter may change this designation at any time.~~

1158 ~~Would you like to be registered as an absentee voter to receive your ballots by mail? YES ___
1159 NO ___"; and]~~

1160 ~~[(e)]~~ (b) the following statement: "You may request that your voter registration record
1161 be classified as a private record by indicating here: ___ Yes, I would like to request that my
1162 voter registration record be classified as a private record."

1163 (3) The lieutenant governor and the Driver License Division shall ensure that a
1164 qualifying form contains:

1165 (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and
1166 Utah residency, and that the information provided in the form is true;

1167 (b) a records disclosure that is similar to the records disclosure on a voter registration
1168 form described in Section [20A-2-104](#);

1169 (c) a statement that if an applicant declines to register or preregister to vote, the fact
1170 that the applicant has declined to register or preregister will remain confidential and will be
1171 used only for voter registration purposes;

1172 (d) a statement that if an applicant does register or preregister to vote, the office at
1173 which the applicant submits a voter registration application will remain confidential and will be
1174 used only for voter registration purposes; and

1175 (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a space
1176 where an individual may, if desired:

1177 (i) indicate the individual's desired political affiliation from a listing of each registered
1178 political party, as defined in Section [20A-8-101](#);

1179 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the
1180 individual desires to affiliate; or

1181 (iii) indicate that the individual does not wish to affiliate with a political party.

1182 Section 18. Section **20A-2-201** is amended to read:

1183 **20A-2-201. Registering to vote at office of county clerk.**

1184 (1) Except as provided in Subsection (3), the county clerk shall register to vote each
1185 individual who registers in person at the county clerk's office during designated office hours if
1186 the individual will, on the date of the election, be legally eligible to vote in a voting precinct in
1187 the county in accordance with Section [20A-2-101](#).

1188 (2) If an individual who is registering to vote submits a registration form in person at
1189 the office of the county clerk [~~during designated office hours, during the period beginning on~~
1190 ~~the date after the voter registration deadline and ending on the date that is 15]~~ no later than 5
1191 p.m. 11 calendar days before the date of the election, the county clerk shall:

1192 (a) accept [~~the form if the individual, on the date of the election, will be legally~~
1193 ~~qualified and entitled to vote in a voting precinct in the county]~~ and process the voter
1194 registration form; [and]

1195 [~~(b) inform the individual that the individual will be registered to vote in the pending~~
1196 ~~election.]~~

1197 (b) unless the individual named in the form is preregistering to vote:

1198 (i) enter the individual's name on the list of registered voters for the voting precinct in
1199 which the individual resides; and

1200 (ii) notify the individual that the individual is registered to vote in the upcoming
1201 election; and

1202 (c) if the individual named in the form is preregistering to vote, comply with Section
1203 [20A-2-101.1](#).

1204 (3) If an individual who is registering to vote and who will be legally qualified and
1205 entitled to vote in a voting precinct in the county on the date of an election appears in person,

1206 during designated office hours, and submits a registration form [~~on the date of the election or~~
 1207 ~~during the 14 calendar days before an election]~~ after the deadline described in Subsection (2),
 1208 the county clerk shall~~[-(a)]~~ accept the registration form~~[-]~~ and inform the individual that the
 1209 individual will not be registered to vote in the pending election, unless the individual registers
 1210 to vote by provisional ballot during the early voting period, if applicable, or on election day, in
 1211 accordance with Section 20A-2-207.

1212 [~~(b) (i) if the individual submits the registration form seven or more calendar days~~
 1213 ~~before the date of an election, inform the individual that:]~~

1214 [~~(A) the individual is registered to vote in the pending election; and]~~

1215 [~~(B) for the pending election, the individual must vote on the day of the election or by~~
 1216 ~~provisional ballot, under Section 20A-2-207, during the early voting period described in~~
 1217 ~~Section 20A-3-601, because the individual registered late; or]~~

1218 [~~(ii) if the individual submits the registration form on the date of an election or during~~
 1219 ~~the six calendar days before an election, inform the individual:]~~

1220 [~~(A) of each manner still available to the individual to timely register to vote in the~~
 1221 ~~current election; and]~~

1222 [~~(B) that, if the individual does not timely register in a manner described in Subsection~~
 1223 ~~(3)(b)(ii)(A), the individual will be registered to vote but may not vote in the pending election~~
 1224 ~~because the individual registered late:]~~

1225 Section 19. Section 20A-2-202 is amended to read:

1226 **20A-2-202. Registration by mail.**

1227 (1) (a) [~~A citizen]~~ An individual who will be qualified to vote at the next election may
 1228 register by mail.

1229 (b) To register by mail, [~~a citizen]~~ an individual shall complete and sign the [~~by-mail]~~
 1230 registration form and mail or deliver [~~it~~] the form to the county clerk of the county in which the
 1231 citizen resides.

1232 (c) In order to register to vote in a particular election, the citizen shall:

1233 (i) address the [~~by-mail]~~ voter registration form to the county clerk; and

1234 (ii) ensure that the [~~by-mail]~~ voter registration form is [~~postmarked on or before the~~
 1235 ~~voter registration deadline or is otherwise marked by the post office as received by the post~~
 1236 ~~office on or before the voter registration deadline]~~ received by the county clerk no later than 5

1237 p.m. 11 calendar days before the date of the election.

1238 (d) The citizen has effectively registered to vote under this section only when the
1239 county clerk's office has received a correctly completed ~~[by-mail]~~ voter registration form.

1240 (2) Upon receipt of a timely, correctly completed ~~[by-mail]~~ voter registration form, the
1241 county clerk shall~~[-, unless the individual named in the form is preregistering to vote]:~~

1242 (a) accept and process the voter registration form;

1243 ~~[(a)]~~ (b) unless the individual named in the form is preregistering to vote:

1244 (i) enter the applicant's name on the list of registered voters for the voting precinct in
1245 which the applicant resides; and

1246 ~~[(b) mail confirmation of registration to the newly registered voter after entering the~~
1247 ~~applicant's voting precinct number on that copy:]~~

1248 (ii) notify the individual that the individual is registered to vote in the upcoming
1249 election; and

1250 (c) if the individual named in the form is preregistering to vote, comply with Section
1251 [20A-2-101.1](#).

1252 (3) If the county clerk receives a correctly completed ~~[by-mail]~~ voter registration form
1253 ~~[that is postmarked after the voter registration deadline, and is not otherwise marked by the~~
1254 ~~post office as received by the post office before the voter registration deadline]~~ after the
1255 deadline described in Subsection (1)(c), the county clerk shall, unless the individual is
1256 preregistering to vote:

1257 ~~[(a) if the individual named in the form is preregistering to vote, comply with Section~~
1258 ~~[20A-2-101.1](#); or]~~

1259 ~~[(b) (i) unless the individual timely registers to vote in the current election in a manner~~
1260 ~~that permits registration after the voter registration deadline, register the individual after the~~
1261 ~~next election; and]~~

1262 (a) accept the application for registration; and

1263 ~~[(ii)]~~ (b) if possible, promptly mail a notice to, or otherwise notify, the individual
1264 before the election, informing the individual[:] that the individual will not be registered to vote
1265 in the pending election, unless the individual registers to vote by provisional ballot during the
1266 early voting period, if applicable, or on election day, in accordance with Section [20A-2-207](#).

1267 ~~[(A) of each manner still available to the individual to timely register to vote in the~~

1268 current election; and]

1269 ~~[(B) that, if the individual does not timely register in a manner described in Subsection~~
1270 ~~(3)(b)(ii)(A), the individual's registration will not be effective until after the election.]~~

1271 ~~[(4) When the county clerk receives a correctly completed by-mail voter registration~~
1272 ~~form before 5 p.m. no later than seven days before an election that is postmarked on or before~~
1273 ~~the date of the voter registration deadline, or is otherwise marked by the post office as received~~
1274 ~~by the post office on or before the voter registration deadline, the county clerk shall:]~~

1275 ~~[(a) process the by-mail voter registration form; and]~~

1276 ~~[(b) record the new voter in the official register.]~~

1277 ~~[(5)]~~ (4) If the county clerk determines that a registration form received by mail or
1278 otherwise is incorrect because of an error or because ~~[it]~~ the registration form is incomplete, the
1279 county clerk shall mail notice to the ~~[person]~~ individual attempting to register or preregister,
1280 stating that the ~~[person]~~ individual has not been registered or preregistered because of an error
1281 or because the registration form is incomplete.

1282 Section 20. Section **20A-2-204** is amended to read:

1283 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

1284 (1) As used in this section, "voter registration form" means, when an individual named
1285 on a qualifying form, as defined in Section **20A-2-108**, answers "yes" to the question described
1286 in Subsection **20A-2-108(2)(a)**, the information on the qualifying form that can be used for
1287 voter registration purposes.

1288 (2) A citizen who is qualified to vote may register to vote, and a citizen who is
1289 qualified to preregister to vote may preregister to vote, by answering "yes" to the question
1290 described in Subsection **20A-2-108(2)(a)** and completing the voter registration form.

1291 (3) The Driver License Division shall:

1292 (a) assist an individual in completing the voter registration form unless the individual
1293 refuses assistance;

1294 (b) electronically transmit each address change to the lieutenant governor within five
1295 days after the day on which the division receives the address change; and

1296 (c) within five days after the day on which the division receives a voter registration
1297 form, electronically transmit the form to the Office of the Lieutenant Governor, including the
1298 following for the individual named on the form:

1299 (i) the name, date of birth, driver license or state identification card number, last four
1300 digits of the social security number, Utah residential address, place of birth, and signature;

1301 (ii) a mailing address, if different from the individual's Utah residential address;

1302 (iii) an email address and phone number, if available;

1303 (iv) the desired political affiliation, if indicated; and

1304 (v) an indication of whether the individual requested that the individual's voter
1305 registration record be classified as a private record under Subsection 20A-2-108(2)(~~e~~)(b).

1306 (4) Upon receipt of an individual's voter registration form from the Driver License
1307 Division under Subsection (3), the lieutenant governor shall:

1308 (a) enter the information into the statewide voter registration database; and

1309 (b) if the individual requests on the individual's voter registration form that the
1310 individual's voter registration record be classified as a private record, classify the individual's
1311 voter registration record as a private record.

1312 (5) The county clerk of an individual whose information is entered into the statewide
1313 voter registration database under Subsection (4) shall:

1314 (a) ensure that the individual meets the qualifications to be registered or preregistered
1315 to vote; and

1316 (b) (i) if the individual meets the qualifications to be registered to vote:

1317 (A) ensure that the individual is assigned to the proper voting precinct; and

1318 (B) send the individual the notice described in Section 20A-2-304; or

1319 (ii) if the individual meets the qualifications to be preregistered to vote, process the
1320 form in accordance with the requirements of Section 20A-2-101.1.

1321 (6) (a) When the county clerk receives a correctly completed voter registration form
1322 under this section, the clerk shall:

1323 (i) comply with the applicable provisions of this Subsection (6); or

1324 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.

1325 (b) If the county clerk receives a correctly completed voter registration form under this
1326 section [~~during the period beginning on the date after the voter registration deadline and ending~~
1327 ~~at 5 p.m. on the date that is 15] no later than 5 p.m. or, if submitting the form electronically,
1328 midnight, 11 calendar days before the date of an election, the county clerk shall:~~

1329 (i) accept the voter registration form; and

1330 (ii) unless the individual is preregistering to vote~~[, inform the individual that the~~
1331 ~~individual is registered to vote in the pending election.]:~~

1332 (A) enter the individual's name on the list of registered voters for the voting precinct in
1333 which the individual resides; and

1334 (B) notify the individual that the individual is registered to vote in the upcoming
1335 election; and

1336 (iii) if the individual named in the form is preregistering to vote, comply with Section
1337 [20A-2-101.1](#).

1338 ~~[(c) If the county clerk receives a correctly completed voter registration form under this~~
1339 ~~section during the period beginning on the date that is 14 calendar days before the election and~~
1340 ~~ending at 5 p.m. on the date that is seven calendar days before the election, the county clerk~~
1341 ~~shall:]~~

1342 ~~[(i) accept the voter registration form; and]~~

1343 ~~[(ii) unless the individual is preregistering to vote, inform the individual that:]~~

1344 ~~[(A) the individual is registered to vote in the pending election; and]~~

1345 ~~[(B) for the pending election, the individual must vote on the day of the election or by~~
1346 ~~provisional ballot, under Section [20A-2-207](#), during the early voting period described in~~
1347 ~~Section [20A-3-601](#) because the individual registered late.]~~

1348 ~~[(d)]~~ (c) If the county clerk receives a correctly completed voter registration form under
1349 this section ~~[during the six calendar days before an election]~~ after the deadline described in
1350 Subsection (6)(b), the county clerk shall, unless the individual named in the form is
1351 preregistering to vote:

1352 (i) accept the application for registration of the individual;

1353 (ii) process the voter registration form; and

1354 ~~[(f)]~~ (iii) unless the individual is preregistering to vote, inform the individual~~[:]~~ that
1355 the individual will not be registered to vote in the pending election, unless the individual
1356 registers to vote by provisional ballot during the early voting period, if applicable, or on
1357 election day, in accordance with Section [20A-2-207](#).

1358 ~~[(A) of each manner still available to the individual to timely register to vote in the~~
1359 ~~current election; and]~~

1360 ~~[(B) that, if the individual does not timely register in a manner described in Subsection~~

1361 ~~(6)(d)(ii)(A), the individual is registered to vote but may not vote in the pending election~~
 1362 ~~because the individual registered late.]~~

1363 (7) (a) If the county clerk determines that an individual's voter registration form
 1364 received from the Driver License Division is incorrect because of an error, because the form is
 1365 incomplete, or because the individual does not meet the qualifications to be registered to vote,
 1366 the county clerk shall mail notice to the individual stating that the individual has not been
 1367 registered or preregistered because of an error, because the registration form is incomplete, or
 1368 because the individual does not meet the qualifications to be registered to vote.

1369 (b) If a county clerk believes, based upon a review of a voter registration form, that an
 1370 individual, who knows that the individual is not legally entitled to register or preregister to
 1371 vote, may be intentionally seeking to register or preregister to vote, the county clerk shall refer
 1372 the form to the county attorney for investigation and possible prosecution.

1373 Section 21. Section **20A-2-205** is amended to read:

1374 **20A-2-205. Registration at voter registration agencies.**

1375 (1) As used in this section:

1376 (a) "Discretionary voter registration agency" means the same as that term is defined in
 1377 Section 20A-2-300.5.

1378 (b) "Public assistance agency" means ~~[each office in Utah that provides: (i) public~~
 1379 ~~assistance; or (ii) state funded programs primarily engaged in providing services to people~~
 1380 ~~with disabilities]~~ the same as that term is defined in Section 20A-2-300.5.

1381 (2) An individual may obtain and complete a ~~[by-mail]~~ registration form at a public
 1382 assistance agency or discretionary voter registration agency.

1383 (3) Each public assistance agency and discretionary voter registration agency shall
 1384 provide, either as part of existing forms or on a separate form, the following information in
 1385 substantially the following form:

1386 "REGISTERING TO VOTE

1387 If you are not registered to vote where you live now, would you like to apply to register
 1388 or preregister to vote here today? (The decision of whether to register or preregister to vote will
 1389 not affect the amount of assistance that you will be provided by this agency.) Yes ___ No ___

1390 IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE
 1391 DECIDED NOT TO REGISTER OR PREREGISTER TO VOTE AT THIS TIME. If you

1392 would like help in filling out the voter registration form, we will help you. The decision about
1393 whether to seek or accept help is yours. You may fill out the application form in private. If
1394 you believe that someone has interfered with your right to register or preregister or to decline to
1395 register or preregister to vote, your right to privacy in deciding whether to register or
1396 preregister, or in applying to register or preregister to vote, or your right to choose your own
1397 political party or other political preference, you may file a complaint with the Office of the
1398 Lieutenant Governor, State Capitol Building, Salt Lake City, Utah 84114. (The phone number
1399 of the Office of the Lieutenant Governor)."

1400 (4) Unless [~~a person~~] an individual applying for service or assistance from a public
1401 assistance agency or discretionary voter registration agency declines, in writing, to register or
1402 preregister to vote, each public assistance agency and discretionary voter registration agency
1403 shall:

1404 (a) distribute a [~~by-mail~~] voter registration form with each application for service or
1405 assistance provided by the agency or office;

1406 (b) assist applicants in completing the voter registration form unless the applicant
1407 refuses assistance;

1408 (c) accept completed forms for transmittal to the appropriate election official; and

1409 (d) transmit a copy of each voter registration form to the appropriate election official
1410 within five days after [~~it is received by the division~~] the division receives the voter registration
1411 form.

1412 (5) [~~A person~~] An individual in a public assistance agency or a discretionary voter
1413 registration agency that helps [~~a person~~] an applicant complete the voter registration form may
1414 not:

1415 (a) seek to influence an applicant's political preference or party registration;

1416 (b) display any political preference or party allegiance;

1417 (c) make any statement to an applicant or take any action that has the purpose or effect
1418 of discouraging the applicant from registering to vote; or

1419 (d) make any statement to an applicant or take any action that has the purpose or effect
1420 of leading the applicant to believe that a decision of whether to register or preregister has any
1421 bearing upon the availability of services or benefits.

1422 (6) [~~Upon receipt of a correctly completed voter registration form~~] If the county clerk

1423 receives a correctly completed voter registration form under this section no later than 5 p.m. 11
 1424 calendar days before the date of an election, the county clerk shall[-];

1425 (a) accept and process the voter registration form;

1426 (b) unless the individual named in the form is preregistering to vote:

1427 ~~[(a)]~~ (i) enter the applicant's name on the list of registered voters for the voting precinct
 1428 in which the applicant resides; and

1429 ~~[(b)]~~ (ii) notify the applicant [of registration:] that the applicant is registered to vote in
 1430 the upcoming election; and

1431 (c) if the individual named in the form is preregistering to vote, comply with Section
 1432 [20A-2-101.1](#)

1433 (7) If the county clerk receives a correctly completed voter registration form [~~that is~~
 1434 ~~dated after the voter registration deadline~~] after the deadline described in Subsection (6), the
 1435 county clerk shall:

1436 (a) accept the application for registration of the individual; and

1437 (b) if possible, promptly inform the individual that the individual will not be registered
 1438 to vote in the pending election, unless the individual registers to vote by provisional ballot
 1439 during the early voting period, if applicable, or on election day, in accordance with Section
 1440 [20A-2-207](#).

1441 ~~[(a) if the individual named in the form is preregistering to vote, comply with Section~~
 1442 ~~[20A-2-101.1](#); or]~~

1443 ~~[(b) (i) unless the individual timely registers to vote in the current election in a manner~~
 1444 ~~that permits registration after the voter registration deadline, register the individual after the~~
 1445 ~~next election; and]~~

1446 ~~[(ii) if possible, promptly phone or mail a notice to the individual before the election,~~
 1447 ~~informing the individual:]~~

1448 ~~[(A) of each manner still available to the individual to timely register to vote in the~~
 1449 ~~current election; and]~~

1450 ~~[(B) that, if the individual does not timely register in a manner described in Subsection~~
 1451 ~~(7)(b)(ii)(A), the individual's registration will not be effective until after the election.]~~

1452 ~~[(8) When the county clerk receives a correctly completed voter registration form~~
 1453 ~~before 5 p.m. at least seven days before an election that is dated on or before the voter~~

1454 ~~registration deadline, the county clerk shall:]~~

1455 ~~[(a) process the voter registration form; and]~~

1456 ~~[(b) record the new voter in the official register.]~~

1457 ~~[(9)]~~ (8) If the county clerk determines that a voter registration form received from a
1458 public assistance agency or discretionary voter registration agency is incorrect because of an
1459 error or because [it] the voter registration form is incomplete, the county clerk shall mail notice
1460 to the individual attempting to register or preregister to vote, stating that the individual has not
1461 been registered or preregistered to vote because of an error or because the voter registration
1462 form is incomplete.

1463 Section 22. Section **20A-2-206** is amended to read:

1464 **20A-2-206. Electronic registration.**

1465 (1) The lieutenant governor [may] shall create and maintain an electronic system that is
1466 publicly available on the Internet for an individual to apply for voter registration or
1467 preregistration [~~and for an individual to request an absentee ballot~~].

1468 (2) An electronic system for voter registration or preregistration shall require:

1469 (a) that an applicant have a valid driver license or identification card, issued under Title
1470 53, Chapter 3, Uniform Driver License Act, that reflects the applicant's current principal place
1471 of residence;

1472 (b) that the applicant provide the information required by Section [20A-2-104](#), except
1473 that the applicant's signature may be obtained in the manner described in Subsections (2)(d)
1474 and (4);

1475 (c) that the applicant attest to the truth of the information provided; and

1476 (d) that the applicant authorize the lieutenant governor's and county clerk's use of the
1477 applicant's:

1478 (i) driver license or identification card signature, obtained under Title 53, Chapter 3,
1479 Uniform Driver License Act, for voter registration purposes; or

1480 (ii) signature on file in the lieutenant governor's statewide voter registration database
1481 developed under Section [20A-2-109](#).

1482 (3) Notwithstanding Section [20A-2-104](#), an applicant using the electronic system for
1483 voter registration or preregistration created under this section is not required to complete a
1484 printed registration form.

- 1485 (4) A system created and maintained under this section shall provide the notices
1486 concerning a voter's presentation of identification contained in Subsection [20A-2-104](#)(1).
- 1487 (5) The lieutenant governor shall:
- 1488 (a) obtain a digital copy of the applicant's driver license or identification card signature
1489 from the Driver License Division; or
- 1490 (b) ensure that the applicant's signature is already on file in the lieutenant governor's
1491 statewide voter registration database developed under Section [20A-2-109](#).
- 1492 (6) The lieutenant governor shall send the information to the county clerk for the
1493 county in which the applicant's principal place of residence is found for further action as
1494 required by Section [20A-2-304](#) after:
- 1495 (a) receiving all information from an applicant; and
- 1496 (b) (i) receiving all information from the Driver License Division; or
- 1497 (ii) ensuring that the applicant's signature is already on file in the lieutenant governor's
1498 statewide voter registration database developed under Section [20A-2-109](#).
- 1499 (7) The lieutenant governor may use additional security measures to ensure the
1500 accuracy and integrity of an electronically submitted voter registration.
- 1501 (8) If an individual applies to register under this section [~~during the period beginning~~
1502 ~~on the date after the voter registration deadline and ending on the date that is 15] no later than
1503 11 calendar days before the date of an election, the county clerk shall~~[- unless the individual is~~
1504 ~~preregistering to vote]~~:~~
- 1505 (a) accept and process the voter registration form;
- 1506 (b) unless the individual named in the form is preregistering to vote:
- 1507 (i) enter the applicant's name on the list of registered voters for the voting precinct in
1508 which the applicant resides; and
- 1509 (ii) notify the individual that the individual is registered to vote in the upcoming
1510 election; and
- 1511 (c) if the individual named in the form is preregistering to vote, comply with Section
1512 [20A-2-101.1](#).
- 1513 [~~(a) accept the application for registration if the individual, on the date of the election,~~
1514 ~~will be legally qualified and entitled to vote in a voting precinct in the state; and]~~
- 1515 [~~(b) inform the individual that the individual is registered to vote in the pending~~

1516 election.]

1517 (9) If an individual applies to register under this section [~~during the period beginning~~
1518 ~~on the date that is 14 calendar days before the election and ending on the date that is seven~~
1519 ~~calendar days before the election]~~ after the deadline described in Subsection (8), the county
1520 clerk shall, unless the individual is preregistering to vote:

1521 (a) accept the application for registration [~~if the individual, on the date of the election,~~
1522 ~~will be legally qualified and entitled to vote in a voting precinct in the state]; and~~

1523 (b) if possible, promptly inform the individual that the individual will not be registered
1524 to vote in the pending election, unless the individual registers to vote by provisional ballot
1525 during the early voting period, if applicable, or on election day, in accordance with Section
1526 20A-2-207.

1527 [~~(b) inform the individual that:~~

1528 [~~(i) the individual is registered to vote in the pending election; and]~~

1529 [~~(ii) for the pending election, the individual must vote on the day of the election or by~~
1530 ~~provisional ballot, under Section 20A-2-207, during the early voting period described in~~
1531 ~~Section 20A-3-601 because the individual registered late.]~~

1532 [~~(10) If an individual applies to register under this section during the six calendar days~~
1533 ~~before an election, the county clerk shall:]~~

1534 [~~(a) if the individual is preregistering to vote, comply with Section 20A-2-101.1; or]~~

1535 [~~(b) (i) accept the application for registration if the individual, on the date of the~~
1536 ~~election, will be legally qualified and entitled to vote in a voting precinct in the state; and]~~

1537 [~~(ii) unless the individual timely registers to vote in the current election in a manner~~
1538 ~~that permits registration after the voter registration deadline, inform the individual:]~~

1539 [~~(A) of each manner still available to the individual to timely register to vote in the~~
1540 ~~current election; and]~~

1541 [~~(B) that, if the individual does not timely register in a manner described in Subsection~~
1542 ~~(10)(b)(ii)(A), the individual is registered to vote but may not vote in the pending election~~
1543 ~~because the individual registered late.]~~

1544 [~~(11) (a) A registered voter may file an application for an absentee ballot in accordance~~
1545 ~~with Section 20A-3-304 on the electronic system for voter registration established under this~~
1546 ~~section.]~~

1547 ~~[(b)]~~ (10) The lieutenant governor shall provide a means by which a registered voter
1548 shall sign the application form as provided in Section 20A-3-304.

1549 Section 23. Section 20A-2-207 is amended to read:

1550 **20A-2-207. Registration by provisional ballot.**

1551 (1) An individual who is not registered to vote may register to vote, and vote, on
1552 election day or during the early voting period described in Section ~~[20A-3-601]~~ 20A-3a-601,
1553 by voting a provisional ballot, if:

1554 (a) the individual is otherwise legally entitled to vote the ballot;

1555 (b) the ballot is identical to the ballot for the precinct in which the individual resides;

1556 (c) the information on the provisional ballot form is complete; and

1557 (d) the individual provides valid voter identification and proof of residence to the poll
1558 worker.

1559 (2) If a provisional ballot and the individual who voted the ballot comply with the
1560 requirements described in Subsection (1), the election officer shall:

1561 (a) consider the provisional ballot a voter registration form;

1562 (b) place the ballot with the ~~[absentee]~~ other ballots, to be counted with those ballots at
1563 the canvass; and

1564 (c) as soon as reasonably possible, register the individual to vote.

1565 (3) Except as provided in Subsection (4), the election officer shall retain a provisional
1566 ballot form, uncounted, for the period specified in Section 20A-4-202, if the election officer
1567 determines that the individual who voted the ballot:

1568 (a) is not registered to vote and is not eligible for registration under this section; or

1569 (b) is not legally entitled to vote the ballot that the individual voted.

1570 (4) Subsection (3) does not apply if a court orders the election officer to produce or
1571 count the provisional ballot.

1572 (5) The lieutenant governor shall report to the Government Operations Interim
1573 Committee on or before ~~[October 31, 2018, and on or before]~~ October 31, 2020, regarding:

1574 (a) implementation of registration by provisional ballot, as described in this section, on
1575 a statewide basis;

1576 (b) any difficulties resulting from the implementation described in Subsection (5)(a);

1577 (c) the effect of registration by provisional ballot on voter participation in Utah;

- 1578 (d) the number of ballots cast by voters who registered by provisional ballot:
 1579 (i) during the early voting period described in Section [~~20A-3-601~~] 20A-3a-601; and
 1580 (ii) on election day; and
 1581 (e) suggested changes in the law relating to registration by provisional ballot.

1582 Section 24. Section **20A-2-300.5** is amended to read:

1583 **20A-2-300.5. Definitions.**

1584 As used in this part:

1585 (1) "Discretionary voter registration agency" means each office designated by the
 1586 county clerk to provide [~~by-mail~~] voter registration forms to the public.

1587 (2) "Public assistance agency" means each office in Utah that provides:

1588 (a) public assistance; and

1589 (b) state funded programs primarily engaged in providing services to people with
 1590 disabilities.

1591 Section 25. Section **20A-2-301** is amended to read:

1592 **20A-2-301. County clerk responsibilities -- Voter registration forms.**

1593 (1) Each county clerk shall provide [~~book voter registration forms and by-mail~~] voter
 1594 registration forms for use in the voter registration process.

1595 (2) (a) Each county clerk shall [~~:(i) designate certain offices within the county to
 1596 provide by-mail voter registration forms to the public; and (ii) provide by-mail voter
 1597 registration forms]~~ provide a copy of the voter registration form to each public assistance
 1598 agency and discretionary voter registration agency.

1599 (b) Each county clerk may provide [~~copies of by-mail voter registration forms]~~ a copy
 1600 of the voter registration form to public school districts and nonpublic schools as provided in
 1601 Section 20A-2-302.

1602 [~~(3) Each regular general election year, the county clerk shall provide by-mail voter
 1603 registration forms to the political parties in a quantity requested by the political parties, as
 1604 needed.]~~

1605 [~~(4) Candidates, parties, organizations, and interested persons may purchase by-mail
 1606 voter registration forms from the county clerk or from the printer.]~~

1607 [~~(5)~~] (3) (a) The clerk shall make [~~book voter registration forms available to interested
 1608 organizations in lots of 250, to be replaced when each lot of 200 is returned to the county~~

1609 ~~clerk.] a copy of the voter registration form available to any person upon request.~~

1610 (b) A person may make multiple copies of the voter registration form at the person's
1611 own expense.

1612 [~~(b) Interested organizations that receive book voter registration forms from the county~~
1613 ~~clerk shall return the forms]~~

1614 (c) A person shall provide all completed voter registration forms in the person's
1615 possession to the county clerk at or before 5 p.m. on the day of the voter registration deadline.

1616 [~~(6)~~] (4) The county clerk may not refuse to register [any person] an individual to vote
1617 for failing to provide a telephone number on the voter registration form.

1618 [~~(7)~~] (5) (a) It is unlawful for any person in possession of a completed voter registration
1619 form, other than the person's own completed voter registration form, to willfully fail or refuse
1620 to timely deliver the completed voter registration [forms, obtained as provided in this section,]
1621 form to the county clerk.

1622 (b) A person who violates this Subsection [~~(7)~~] (5) is guilty of a class B misdemeanor.

1623 Section 26. Section **20A-2-302** is amended to read:

1624 **20A-2-302. Voter registration forms for high school students.**

1625 (1) (a) A county clerk may:

1626 (i) contact each high school and each accredited nonpublic high school in the county;

1627 (ii) determine the number of high school seniors; and

1628 (iii) distribute [~~by-mail~~] voter registration forms to each accredited public or private
1629 high school in an amount sufficient for distribution to each high school senior.

1630 (b) The county clerk shall process a voter registration form received from an individual
1631 under this section in accordance with Section [20A-2-101.1](#).

1632 (2) Each public school and accredited nonpublic school may:

1633 (a) include the [~~by-mail~~] voter registration form in the senior registration packet; and

1634 (b) collect and forward completed [~~by-mail~~] voter registration forms to the county

1635 clerk.

1636 Section 27. Section **20A-2-304** is amended to read:

1637 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**

1638 Each county clerk shall:

1639 (1) register to vote each individual who meets the requirements for registration and

1640 who:

1641 (a) submits a completed voter registration form to the county clerk;

1642 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to
1643 the Driver License Division;

1644 (c) submits a completed voter registration form to a public assistance agency or a
1645 discretionary voter registration agency; or

1646 (d) mails a completed [by-mail] voter registration form to the county clerk; and

1647 (2) within 30 days after the day on which the county clerk processes a voter registration
1648 form, send a notice to the individual who submits the form that:

1649 (a) (i) informs the individual that the individual's voter registration form has been
1650 accepted and that the individual is registered to vote;

1651 (ii) informs the individual of the procedure for designating or changing the individual's
1652 political affiliation; and

1653 (iii) informs the individual of the procedure to cancel a voter registration;

1654 (b) informs the individual that the individual's voter registration form has been rejected
1655 and the reason for the rejection; or

1656 (c) (i) informs the individual that the individual's voter registration form is being
1657 returned to the individual for further action because the form is incomplete; and

1658 (ii) gives instructions to the individual on how to properly complete the form.

1659 Section 28. Section 20A-2-307 is amended to read:

1660 **20A-2-307. County clerks' instructions to election judges.**

1661 (1) Each county clerk shall instruct election judges to allow a voter to vote a regular
1662 ballot if:

1663 (a) the voter has moved from one address within a voting precinct to another address
1664 within the same voting precinct; and

1665 (b) the voter affirms the change of address orally or in writing before the election
1666 judges.

1667 (2) Each county clerk shall instruct election judges to allow an individual to vote a
1668 provisional ballot if:

1669 (a) the individual is not registered to vote, but is otherwise legally entitled to vote
1670 under Section 20A-2-207;

- 1671 (b) the voter's name does not appear on the official register; or
 1672 (c) the voter is challenged as provided in Section [~~20A-3-202~~] [20A-3a-803](#).

1673 Section 29. Section **20A-3a-101** is enacted to read:

1674 **CHAPTER 3a. VOTING**

1675 **Part 1. General Voting Provisions**

1676 **20A-3a-101. Title.**

1677 This chapter is known as "Voting."

1678 Section 30. Section **20A-3a-102**, which is renumbered from Section 20A-3-101 is
 1679 renumbered and amended to read:

1680 [~~20A-3-101~~]. **20A-3a-102. Residency and age requirements of voters.**

1681 (1) An individual may vote in any regular general election or statewide special election
 1682 if that individual has registered to vote in accordance with Chapter 2, Voter Registration.

1683 (2) An individual may vote in the presidential primary election or a regular primary
 1684 election if:

1685 (a) that individual has registered to vote in accordance with Chapter 2, Voter
 1686 Registration; and

1687 (b) that individual's political party affiliation, or unaffiliated status, allows the person
 1688 to vote in the election.

1689 (3) An individual may vote in a municipal general election, municipal primary election,
 1690 local special election, local district election, and bond election if that individual:

1691 (a) has registered to vote in accordance with Chapter 2, Voter Registration; and

1692 (b) is a resident of a voting district or precinct within the local entity that is holding the
 1693 election.

1694 Section 31. Section **20A-3a-103**, which is renumbered from Section 20A-3-101.5 is
 1695 renumbered and amended to read:

1696 [~~20A-3-101.5~~]. **20A-3a-103. Age requirements for primary elections --**
 1697 **17-year-olds may vote.**

1698 An individual who is 17 years of age may vote in a regular primary election, a
 1699 municipal primary election, or a presidential primary election, if:

1700 (1) the individual will be 18 years of age on or before the day of the general election
 1701 that immediately follows the regular primary election, municipal primary election, or

1702 presidential primary election;

1703 (2) the individual is registered to vote in accordance with Chapter 2, Voter
1704 Registration;

1705 (3) the individual's political party affiliation, or unaffiliated status, allows the
1706 individual to vote in the election; and

1707 (4) the individual otherwise complies with the requirements to vote in the primary
1708 election.

1709 Section 32. Section **20A-3a-104**, which is renumbered from Section 20A-3-102 is
1710 renumbered and amended to read:

1711 ~~[20A-3-102]~~. **20A-3a-104. Voting by secret ballot.**

1712 All voting at each regular and municipal general election, at each statewide or local
1713 special election, at each primary election, at each local district election, and at each bond
1714 election shall be by secret ballot.

1715 Section 33. Section **20A-3a-105**, which is renumbered from Section 20A-3-103 is
1716 renumbered and amended to read:

1717 ~~[20A-3-103]~~. **20A-3a-105. Employee's right to time off for election.**

1718 (1) (a) Each employer shall allow any voter to be absent from service or employment
1719 on election day for not more than two hours between the time the polls open and close.

1720 (b) The voter shall apply for a leave of absence before election day.

1721 (c) (i) The employer may specify the hours during which the employee may be absent.

1722 (ii) If the employee requests the leave of absence at the beginning or end of the work
1723 shift, the employer shall grant that request.

1724 (d) The employer may not deduct from an employee's usual salary or wages because of
1725 the absence.

1726 (2) This section does not apply to an employee who has three or more hours between
1727 the time polls open and close during which the employee is not employed on the job.

1728 (3) Any employer who violates this section is guilty of a class B misdemeanor.

1729 Section 34. Section **20A-3a-201** is enacted to read:

1730 **Part 2. Voting Procedures**

1731 **20A-3a-201. Voting methods.**

1732 (1) Except for an election conducted entirely by mail under Section [20A-7-609.5](#), a

1733 voter may vote as follows:

1734 (a) by mail;

1735 (b) at a polling location during early voting hours;

1736 (c) at a polling location on election day when the polls are open;

1737 (d) if the voter is an individual with a disability, by voting remotely, via a mechanical
1738 ballot or via electronic means if approved by the election officer;

1739 (e) electronically or via a federal write-in absentee ballot if the voter is a covered voter,
1740 as defined in Section 20A-16-102; or

1741 (f) by emergency ballot, in accordance with Part 3, Emergency Ballots.

1742 (2) A voter may not vote at a polling place if the voter voted by mail or in a manner
1743 described in Subsections (2)(d) through (f).

1744 Section 35. Section **20A-3a-202**, which is renumbered from Section 20A-3-302 is
1745 renumbered and amended to read:

1746 ~~[20A-3-302].~~ **20A-3a-202. Conducting election by mail.**

1747 (1) ~~[(a) Notwithstanding Section 17B-1-306, an]~~ Except as otherwise provided for an
1748 election conducted entirely by mail under Section 20A-7-609.5, an election officer [may] shall
1749 administer an election [by absentee ballot under] primarily by mail, in accordance with this
1750 section.

1751 ~~[(b) An election officer who administers an election by absentee ballot, except for an~~
1752 ~~election conducted under Section 20A-7-609.5, shall, before the following dates, notify the~~
1753 ~~lieutenant governor that the election will be administered by absentee ballot:]~~

1754 ~~[(i) February 1 of an even-numbered year if the election is a regular general election;~~
1755 ~~or]~~

1756 ~~[(ii) May 1 of an odd-numbered year if the election is a municipal general election.]~~

1757 (2) An election officer who administers an election ~~[by absentee ballot]:~~

1758 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day
1759 and no later than seven days before election day, mail to each active voter within a voting
1760 precinct:

1761 (i) ~~[an absentee]~~ a manual ballot;

1762 (ii) a return envelope;

1763 ~~[(ii) for an election administered by a county clerk, information regarding the location~~

1764 ~~and hours of operation of any election day voting center at which the voter may vote;]~~

1765 ~~[(iii) a courtesy reply mail envelope;]~~

1766 ~~[(iv)]~~ (iii) instructions for returning the ballot that include an express notice about any
1767 relevant deadlines that the voter must meet in order for the voter's vote to be counted; ~~[and]~~

1768 (iv) for an election administered by a county clerk, information regarding the location
1769 and hours of operation of any election day voting center at which the voter may vote or a
1770 website address where the voter may view this information; and

1771 (v) for an election administered by an election officer other than a county clerk, if the
1772 election officer does not operate a polling location or an election day voting center, a warning,
1773 on a separate page of colored paper in bold face print, indicating that if the voter fails to follow
1774 the instructions included with the ~~[absentee]~~ ballot, the voter will be unable to vote in that
1775 election because there will be no polling place ~~[in]~~ for the voting precinct on the day of the
1776 election; and

1777 (b) may not mail ~~[an absentee]~~ a ballot under this section to:

1778 (i) an inactive voter, unless the inactive voter requests a manual ballot; or

1779 (ii) a voter whom the election officer is prohibited from sending ~~[an absentee]~~ a ballot
1780 under Subsection ~~[(8)]~~ (10)(c)(ii).

1781 ~~[(3) A voter who votes by absentee ballot under this section is not required to apply for~~
1782 ~~an absentee ballot as required by this part.]~~

1783 (3) (a) An election officer who mails a manual ballot under Subsection (2) shall mail
1784 the manual ballot to the address:

1785 (i) provided at the time of registration; or

1786 (ii) if, at or after the time of registration, the voter files an alternate address request
1787 form described in Subsection (3)(b), the alternate address indicated on the form.

1788 (b) The lieutenant governor shall make available to voters an alternate address request
1789 form that permits a voter to request that the election officer mail the voter's ballot to a location
1790 other than the voter's residence.

1791 (c) A voter shall provide the completed alternate address request form to the election
1792 officer no later than 11 days before the day ~~Ŝ~~ ~~[on which the election officer mails ballots to voters]~~
1792a of the election ~~←Ŝ~~ .

1793 (4) The return envelope shall include:

1794 (a) the name, official title, and post office address of the election officer on the front of

1795 the envelope;

1796 (b) a space where a voter may write an email address and phone number by which the
 1797 election officer may contact the voter if the voter's ballot is rejected;

1798 (c) a printed affidavit in substantially the following form:

1799 "County of _____ State of _____

1800 I, _____, solemnly swear that: I am a qualified resident voter of the _____ voting precinct
 1801 in _____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
 1802 currently incarcerated for commission of a felony.

1803 _____

1804 Signature of Voter"; and

1805 (d) a warning that the affidavit must be signed by the individual to whom the ballot
 1806 was sent and that the ballot will not be counted if the signature on the affidavit does not match
 1807 the signature on file with the election officer of the individual to whom the ballot was sent.

1808 (5) If the election officer determines that the voter is required to show valid voter
 1809 identification, the election officer may:

1810 (a) mail a ballot to the voter; and

1811 (b) instruct the voter to include a copy of the voter's valid voter identification with the
 1812 return ballot.

1813 ~~[(4)]~~ (6) An election officer who administers an election ~~[by absentee ballot]~~ shall:

1814 (a) (i) before the election, obtain~~[in person,]~~ the signatures of each voter ~~[within that~~
 1815 ~~voting precinct before]~~ qualified to vote in the election; or

1816 (ii) obtain the signature of each voter within the voting precinct from the county clerk;

1817 and

1818 (b) maintain the signatures on file in the election officer's office.

1819 ~~[(5)]~~ (7) Upon receipt of a returned ~~[absentee]~~ ballot, the election officer shall review
 1820 and process the ballot under Section ~~[20A-3-308]~~ 20A-3a-401.

1821 ~~[(6)]~~ (8) A county that administers an election ~~[by absentee ballot]:~~

1822 (a) shall provide at least one election day voting center in accordance with Chapter 3,
 1823 Part 7, Election Day Voting Center, and at least one additional election day voting center for
 1824 every 5,000 active voters in the county who ~~[will not receive an absentee ballot, but not fewer~~
 1825 ~~than one election day voting center]~~ have requested to not receive a ballot by mail;

1826 (b) shall ensure that each election day voting center operated by the county has at least
1827 one voting device that is accessible, in accordance with the Help America Vote Act of 2002,
1828 Pub. L. No. 107-252, for individuals with disabilities;

1829 (c) may reduce the early voting period described in Section [~~20A-6-301~~] 20A-3a-601,
1830 if:

1831 (i) the county clerk conducts early voting on at least four days;

1832 (ii) the early voting days are within the period beginning on the date that is 14 days
1833 before the date of the election and ending on the day before the election; and

1834 (iii) the county clerk provides notice of the reduced early voting period in accordance
1835 with Section [~~20A-3-604~~] 20A-3a-604;

1836 (d) is not required to pay return postage for [~~an absentee~~] a ballot; and

1837 (e) is subject to an audit conducted under Subsection [~~(7)~~] (9).

1838 [~~(7)~~] (9) (a) The lieutenant governor shall:

1839 (i) develop procedures for conducting an audit of affidavit signatures on ballots cast in
1840 an election conducted under this section; and

1841 (ii) after each primary, general, or special election conducted under this section, select
1842 a number of ballots, in varying jurisdictions, to audit in accordance with the procedures
1843 developed under Subsection [~~(7)~~] (9)(a)(i).

1844 (b) The lieutenant governor shall post the results of an audit conducted under this
1845 Subsection [~~(7)~~] (9) on the lieutenant governor's website.

1846 [~~(8)~~] (10) (a) An individual [~~in a jurisdiction that conducts an election by absentee~~
1847 ~~ballot~~] may request that the election officer not send the individual a ballot by mail in the next
1848 and subsequent elections by submitting a written request to the election officer.

1849 (b) An individual shall submit the request described in Subsection [~~(8)~~] (10)(a) to the
1850 election officer before 5 p.m. no later than 60 days before an election if the individual does not
1851 wish to receive [~~an absentee~~] a ballot by mail in that election.

1852 (c) An election officer who receives a request from an individual under Subsection
1853 [~~(8)~~] (10)(a):

1854 (i) shall remove the individual's name from the list of voters who will receive [~~an~~
1855 ~~absentee~~] a ballot by mail; and

1856 (ii) may not send the individual [~~an absentee~~] a ballot by mail for:

1857 (A) the next election, if the individual submits the request described in Subsection [(8)]
 1858 (10)(a) before the deadline described in Subsection [(8)] (10)(b); or

1859 (B) an election after the election described in Subsection [(8)] (10)(c)(ii)(A).

1860 (d) An individual who submits a request under Subsection [(8)] (10)(a) may resume the
 1861 individual's receipt of ~~[an absentee ballot in an election conducted under this section by filing~~
 1862 ~~an absentee ballot request under Section 20A-3-304]~~ a ballot by mail by submitting a written
 1863 request to the election officer.

1864 Section 36. Section **20A-3a-203**, which is renumbered from Section 20A-3-104 is
 1865 renumbered and amended to read:

1866 ~~[20A-3-104].~~ **20A-3a-203. Voting at a polling place.**

1867 (1) Except as provided in Section 20A-7-609.5, a registered voter may vote at a polling
 1868 place in an election in accordance with this section.

1869 ~~[(1)]~~ (2) (a) ~~[Any registered voter desiring to vote]~~ The voter shall give the voter's
 1870 name, and, if requested, the voter's residence, to one of the poll workers.

1871 (b) The voter shall present valid voter identification to one of the poll workers.

1872 (c) If the poll worker is not satisfied that the voter has presented valid voter
 1873 identification, the poll worker shall:

1874 (i) indicate on the official register that the voter was not properly identified;

1875 (ii) issue the voter a provisional ballot;

1876 (iii) notify the voter that the voter will have until the close of normal office hours on
 1877 Monday after the day of the election to present valid voter identification:

1878 (A) to the county clerk at the county clerk's office; or

1879 (B) to an election officer who is administering the election; and

1880 (iv) follow the procedures and requirements of Section ~~[20A-3-105.5]~~ 20A-3a-205.

1881 (d) If the person's right to vote is challenged as provided in Section ~~[20A-3-202]~~

1882 20A-3a-803, the poll worker shall follow the procedures and requirements of Section

1883 ~~[20A-3-105.5]~~ 20A-3a-205.

1884 ~~[(2)(a) The poll worker in charge of the official register shall check the official register~~
 1885 ~~to determine whether or not a person is registered to vote.]~~

1886 ~~[(b) If the voter's name is not found on the official register, the poll worker shall follow~~
 1887 ~~the procedures and requirements of Section 20A-3-105.5.]~~

1888 ~~[(3) If the poll worker determines that the voter is registered and:]~~
1889 ~~[(a) if the ballot is a paper ballot or a ballot sheet:]~~
1890 ~~[(i) the poll worker in charge of the official register shall:]~~
1891 ~~[(A) write the ballot number opposite the name of the voter in the official register; and]~~
1892 ~~[(B) direct the voter to sign the voter's name in the election column in the official~~
1893 ~~register;]~~
1894 ~~[(ii) another poll worker shall list the ballot number and voter's name in the pollbook;~~
1895 ~~and]~~
1896 ~~[(iii) the poll worker having charge of the ballots shall:]~~
1897 ~~[(A) endorse the poll worker's initials on the stub;]~~
1898 ~~[(B) check the name of the voter on the pollbook list with the number of the stub;]~~
1899 ~~[(C) hand the voter a ballot; and]~~
1900 ~~[(D) allow the voter to enter the voting booth; or]~~
1901 ~~[(b) if the ballot is an electronic ballot:]~~
1902 ~~[(i) the poll worker in charge of the official register shall direct the voter to sign the~~
1903 ~~voter's name in the official register;]~~
1904 ~~[(ii) another poll worker shall list the voter's name in the pollbook; and]~~
1905 ~~[(iii) the poll worker having charge of the ballots shall:]~~
1906 ~~[(A) provide the voter access to the electronic ballot; and]~~
1907 ~~[(B) allow the voter to vote the electronic ballot.]~~
1908 ~~[(4) Whenever the election officer is required to furnish more than one kind of official~~
1909 ~~ballot to the voting precinct, the poll workers of that voting precinct shall give the registered~~
1910 ~~voter the kind of ballot that the voter is qualified to vote.]~~
1911 (3) A poll worker shall check the official register to determine whether:
1912 (a) a voter is registered to vote; and
1913 (b) if the election is a regular primary election or a presidential primary election,
1914 whether a voter's party affiliation designation in the official register allows the voter to vote the
1915 ballot that the voter requests.
1916 (4) (a) Except as provided in Subsection (5), if the voter's name is not found on the
1917 official register, the poll worker shall follow the procedures and requirements of Section
1918 [20A-3a-205](#).

1919 (b) If, in a regular primary election or a presidential primary election, the official
1920 register does not affirmatively identify the voter as being affiliated with a registered political
1921 party or if the official register identifies the voter as being "unaffiliated," the voter shall be
1922 considered to be "unaffiliated."

1923 (5) In a regular primary election or a presidential primary election:

1924 (a) if a voter's name is not found on the official register, and if it is not unduly
1925 disruptive to the election process, the poll worker may attempt to contact the county clerk's
1926 office to request oral verification of the voter's registration;

1927 (b) if oral verification is received from the county clerk's office, the poll worker shall:

1928 (i) record the verification on the official register;

1929 (ii) determine the voter's party affiliation and the ballot that the voter is qualified to
1930 vote; and

1931 (iii) except as provided in Subsection (6), comply with Subsection (3).

1932 (6) (a) Except as provided in Subsection (6)(b), if, in a regular primary election or a
1933 presidential primary election, the voter's political party affiliation listed in the official register
1934 does not allow the voter to vote the ballot that the voter requested, the poll worker shall inform
1935 the voter of that fact and inform the voter of the ballot or ballots that the voter's party affiliation
1936 does allow the voter to vote.

1937 (b) If, in a regular primary election or a presidential primary election, the voter is listed
1938 in the official register as unaffiliated, or if the official register does not affirmatively identify
1939 the voter as either unaffiliated or affiliated with a registered political party, and the voter, as an
1940 unaffiliated voter, is not authorized to vote the ballot that the voter requests, the poll worker
1941 shall:

1942 (i) ask the voter if the voter wishes to vote another registered political party ballot that
1943 the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and

1944 (ii) (A) if the voter wishes to vote another registered political party ballot that the
1945 unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection
1946 (3); or

1947 (B) if the voter wishes to remain unaffiliated and does not wish to vote another ballot
1948 that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the
1949 voter may not vote.

1950 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions
1951 of Subsection (6), if the poll worker determines that the voter is registered, a poll worker shall:

1952 (a) direct the voter to sign the voter's name in the official register;

1953 (b) provide to the voter the ballot that the voter is qualified to vote; and

1954 (c) allow the voter to enter the voting booth.

1955 Section 37. Section **20A-3a-204** is enacted to read:

1956 **20A-3a-204. Marking and depositing ballots.**

1957 (1) To vote by mail:

1958 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual
1959 ballot by marking the appropriate space with a mark opposite the name of each candidate of the
1960 voter's choice for each office to be filled;

1961 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
1962 appropriate space with a mark opposite the answer the voter intends to make;

1963 (c) except as provided in Subsection (6), the voter shall record a write-in vote in
1964 accordance with Subsection [20A-3a-206](#)(4);

1965 (d) except as provided in Subsection (6), a mark is not required opposite the name of a
1966 write-in candidate; and

1967 (e) the voter shall:

1968 (i) complete and sign the affidavit on the return envelope;

1969 (ii) place the voted ballot in the return envelope;

1970 (iii) securely seal the return envelope; and

1971 (iv) (A) attach postage, if necessary, and deposit the return envelope in the mail; or

1972 (B) place the return envelope in a ballot drop box, designated by the election officer,
1973 for the precinct where the voter resides.

1974 (2) (a) Except as otherwise provided in Section [20A-16-404](#), to be valid, a ballot that is
1975 mailed must be:

1976 (i) clearly postmarked before election day, or otherwise clearly marked by the post
1977 office as received by the post office before election day; and

1978 (ii) received in the office of the election officer before noon on the day of the official
1979 canvass following the election.

1980 (b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls

1981 close on election day, be deposited in:

1982 (i) a ballot box at a polling place; or

1983 (ii) a ballot drop box designated by an election officer for the jurisdiction to which the

1984 ballot relates.

1985 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot

1986 drop box in the wrong jurisdiction to the correct jurisdiction.

1987 (d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a

1988 ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, to

1989 deposit the ballot in the ballot drop box.

1990 (3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after

1991 complying with Subsections (1)(a) through (d):

1992 (a) sign the official register or pollbook; and

1993 (b) (i) place the ballot in the ballot box; or

1994 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot

1995 envelope, complete the information printed on the provisional ballot envelope, and deposit the

1996 provisional ballot envelope in the provisional ballot box.

1997 (4) (a) An individual with a disability may vote a mechanical ballot at a polling place.

1998 (b) An individual other than an individual with a disability may vote a mechanical

1999 ballot at a polling place if permitted by the election officer.

2000 (5) To vote a mechanical ballot, the voter shall:

2001 (a) make the selections according to the instructions provided for the voting device;

2002 and

2003 (b) subject to Subsection (6), record a write-in vote by:

2004 (i) selecting the appropriate position for entering a write-in candidate; and

2005 (ii) using the voting device to enter the name of the valid write-in candidate for whom

2006 the voter wishes to vote.

2007 (6) To vote in an instant runoff voting race under Title 20A, Chapter 4, Part 6,

2008 Municipal Alternate Voting Methods Pilot Project, a voter:

2009 (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's

2010 first preference for the office; and

2011 (b) may indicate, as directed on the ballot, the names of the remaining candidates in

2012 order of the voter's preference.

2013 (7) A voter who votes at a polling place:

2014 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting
2015 area after voting; and

2016 (b) may not:

2017 (i) occupy a voting booth occupied by another, except as provided in Section
2018 20A-3a-208;

2019 (ii) remain within the voting area more than 10 minutes; or

2020 (iii) occupy a voting booth for more than five minutes if all booths are in use and other
2021 voters are waiting to occupy a voting booth.

2022 (8) If the official register shows any voter as having voted, that voter may not reenter
2023 the voting area during that election unless that voter is an election official or watcher.

2024 (9) A poll worker may not, at a polling place, allow more than four voters more than
2025 the number of voting booths into the voting area at one time unless those excess voters are:

2026 (a) election officials;

2027 (b) watchers; or

2028 (c) assisting voters with a disability.

2029 Section 38. Section **20A-3a-205**, which is renumbered from Section 20A-3-105.5 is
2030 renumbered and amended to read:

2031 **[20A-3-105.5]. 20A-3a-205. Manner of voting -- Provisional ballot.**

2032 (1) The poll workers shall follow the procedures and requirements of this section
2033 when:

2034 (a) the ~~[person's]~~ individual's right to vote is challenged as provided in Section
2035 ~~[20A-3-202 or 20A-3-202.5]~~ 20A-3a-803 or 20A-3a-805;

2036 (b) the ~~[person's]~~ individual's name is not found on the official register; or

2037 (c) the poll worker is not satisfied that the voter has provided valid voter identification.

2038 (2) When faced with one of the circumstances ~~[outlined]~~ described in Subsection (1)(a)
2039 or (b), the poll worker shall:

2040 (a) request that the ~~[person]~~ individual provide valid voter identification; and

2041 (b) review the identification provided by the ~~[person]~~ individual.

2042 (3) If the poll worker is satisfied that the ~~[person]~~ individual has provided valid voter

2043 identification that establishes the ~~[person's]~~ individual's identity and residence in the voting
2044 precinct ~~[or within the county]:~~

2045 (a) the poll worker in charge of the official register shall:

2046 (i) record in the official register the type of identification that established the ~~[person's]~~
2047 individual's identity and place of residence;

2048 (ii) ~~[write]~~ record the provisional ballot envelope number ~~[opposite]~~ in association with
2049 the name of the ~~[voter in the official register]~~ individual; and

2050 (iii) direct the ~~[voter]~~ individual to sign ~~[his]~~ the individual's name in the ~~[election~~
2051 column in the] official register or pollbook; and

2052 ~~[(b) another poll worker shall list the ballot number and voter's name in the pollbook;~~
2053 ~~and]~~

2054 ~~[(e)]~~ (b) the poll worker having charge of the ballots shall:

2055 ~~[(i) endorse his initials on the stub;]~~

2056 ~~[(ii) check the name of the voter on the pollbook list with the number of the stub;]~~

2057 ~~[(iii)]~~ (i) give the ~~[voter a ballot and]~~ individual a provisional ballot ~~[envelope]~~; and

2058 ~~[(iv)]~~ (ii) allow the ~~[voter]~~ individual to enter the voting booth.

2059 (4) If the poll worker is not satisfied that the ~~[voter]~~ individual has provided valid voter
2060 identification that establishes the ~~[person's]~~ individual's identity and residence in the voting
2061 precinct ~~[or within the county]:~~

2062 (a) the poll worker in charge of the official register shall:

2063 (i) record in the official register that the voter did not provide valid voter identification;

2064 (ii) record in the official register the type of identification that was provided by the
2065 ~~[voter]~~ individual, if any;

2066 (iii) ~~[write]~~ record the provisional ballot envelope number ~~[opposite]~~ in association
2067 with the name of the ~~[voter in the official register]~~ individual; and

2068 (iv) direct the ~~[voter]~~ individual to sign ~~[his]~~ the individual's name in the ~~[election~~
2069 column in the] official register or pollbook; and

2070 ~~[(b) another poll worker shall list the ballot number and voter's name in the pollbook;~~
2071 ~~and]~~

2072 ~~[(e)]~~ (b) the poll worker having charge of the ballots shall:

2073 ~~[(i) endorse his initials on the stub;]~~

2074 ~~[(ii) check the name of the voter on the pollbook list with the number of the stub;]~~
 2075 ~~[(iii)]~~ (i) give the ~~[voter a ballot and]~~ individual a provisional ballot ~~[envelope];~~ and
 2076 ~~[(iv)]~~ (ii) allow the ~~[voter]~~ individual to enter the voting booth.
 2077 (5) ~~[Whenever]~~ When, at a polling place, the election officer is required to furnish
 2078 more than one ~~[kind of official]~~ version of a ballot ~~[to a voting precinct],~~ the poll workers ~~[of~~
 2079 ~~that voting precinct]~~ at that polling place shall give the registered voter the ~~[kind of]~~ version of
 2080 the ballot that the voter is qualified to vote.

2081 Section 39. Section ~~20A-3a-206~~, which is renumbered from Section 20A-3-106 is
 2082 renumbered and amended to read:

2083 ~~[20A-3-106].~~ 20A-3a-206. Voting straight ticket -- Splitting ballot --
 2084 Writing in names -- Effect of unnecessary marking.

2085 (1) When voting a ~~[paper]~~ manual ballot, any voter desiring to vote for all the
 2086 candidates who are listed on the ballot as being from any one registered political party may:

- 2087 (a) mark in the ~~[circle or position above]~~ space next to that political party;
 2088 (b) mark in the ~~[squares or position]~~ space opposite the names of all candidates for that
 2089 party ticket; or
 2090 (c) make both markings.

2091 ~~[(2)(a) When voting a ballot sheet, any voter desiring to vote for all the candidates~~
 2092 ~~who are listed on the ballot as being from any one registered political party may:]~~

2093 ~~[(i) mark the selected party on the straight party page or section; or]~~

2094 ~~[(ii) mark the name of each candidate from that party.]~~

2095 ~~[(b) To vote for candidates from two or more political parties, the voter may:]~~

2096 ~~[(i) mark in the squares or positions opposite the names of the candidates for whom the~~
 2097 ~~voter wishes to vote without marking in any circle; or]~~

2098 ~~[(ii) indicate the voter's choice by:]~~

2099 ~~[(A) marking in the circle or position above one political party; and]~~

2100 ~~[(B) marking in the squares or positions opposite the names of desired candidates who~~
 2101 ~~are members of any party, are unaffiliated, or are listed without party name:]~~

2102 ~~[(3)(a)]~~ (2) When voting ~~[an electronic]~~ a mechanical ballot, any voter desiring to vote
 2103 for all the candidates who are listed on the ballot as being from any one registered political
 2104 party may:

- 2105 [(i)] (a) select that party on the straight party selection area; or
- 2106 [(ii)] (b) select the name of each candidate from that party.
- 2107 ~~[(b) To vote for candidates from two or more political parties, the voter may:]~~
- 2108 ~~[(i) select the names of the candidates for whom the voter wishes to vote without~~
- 2109 ~~selecting a political party in the straight party selection area; or]~~
- 2110 ~~[(ii) (A) select a political party in the straight party selection area; and]~~
- 2111 ~~[(B) select the names of the candidates for whom the voter wishes to vote who are~~
- 2112 ~~members of any party, are unaffiliated, or are listed without party name.]~~
- 2113 [(4)] (3) In any election other than a primary election, if a voter voting a ballot has
- 2114 selected or placed a mark next to a party name in order to vote a straight party ticket and wishes
- 2115 to vote for a person on another party ticket for an office, or for an unaffiliated candidate, the
- 2116 voter shall select or mark the ballot next to the name of the candidate for whom the voter
- 2117 wishes to vote.
- 2118 [(5)] (4) (a) The voter may cast a write-in vote on a ~~[paper ballot or ballot sheet]~~
- 2119 manual ballot by writing the name of a valid write-in candidate in the blank write-in section of
- 2120 the ballot.
- 2121 (b) A voter may not cast a write-in vote on a ~~[paper ballot or ballot sheet]~~ manual
- 2122 ballot by affixing a sticker or label with the name of a write-in candidate in the blank write-in
- 2123 section of the ballot.
- 2124 [(6)] (5) The voter may cast a write-in vote on ~~[an electronic]~~ a mechanical ballot by:
- 2125 (a) marking the appropriate position opposite the area for entering a write-in candidate
- 2126 for the office sought by the candidate for whom the voter wishes to vote; and
- 2127 (b) entering the name of a valid write-in candidate in the write-in selection area.
- 2128 Section 40. Section ~~20A-3a-207~~, which is renumbered from Section 20A-3-107 is
- 2129 renumbered and amended to read:
- 2130 ~~[20A-3-107].~~ **20A-3a-207. No ballots may be taken away -- Spoiled ballots.**
- 2131 ~~[(1) A person may not take or remove any ballot from the polling place before the close~~
- 2132 ~~of the polls.]~~
- 2133 [(2)] (1) If any voter spoils a ballot, ~~[he]~~ the voter may successively obtain others, one
- 2134 at a time, not exceeding three in all, upon returning each spoiled one.
- 2135 [(3)] (2) If any ballot is spoiled by the printer or a poll worker, the poll worker shall

2136 give the voter a new ballot.

2137 ~~[(4)]~~ (3) The poll worker shall:

2138 (a) immediately write the word "spoiled" across the face of the ballot; and

2139 (b) place the ballot in the envelope for spoiled ballots.

2140 Section 41. Section **20A-3a-208**, which is renumbered from Section 20A-3-108 is
2141 renumbered and amended to read:

2142 ~~[20A-3-108].~~ **20A-3a-208. Assisting disabled, illiterate, or blind voters.**

2143 (1) Any voter who has a disability, or is blind, unable to read or write, unable to read or
2144 write the English language, or is physically unable to enter a polling place, may be given
2145 assistance by ~~[a person]~~ an individual of the voter's choice.

2146 (2) The ~~[person]~~ individual providing assistance may not be:

2147 (a) the voter's employer;

2148 (b) an agent of the employer;

2149 (c) an officer or agent of the voter's union; or

2150 (d) a candidate.

2151 (3) The person providing assistance may not request, persuade, or otherwise induce the
2152 voter to vote for or vote against any particular candidate or issue or release any information
2153 regarding the voter's selection.

2154 ~~[(4) Each time a voter is assisted, the poll worker shall note that fact in the official
2155 register and the pollbook.]~~

2156 Section 42. Section **20A-3a-209**, which is renumbered from Section 20A-3-109 is
2157 renumbered and amended to read:

2158 ~~[20A-3-109].~~ **20A-3a-209. Instructions to voters.**

2159 (1) If any voter, after entering ~~[the]~~ a voting booth, asks for further instructions
2160 concerning the manner of voting, two poll workers, each from a different political party, shall
2161 instruct the voter.

2162 (2) After instructing the voter, and before the voter ~~[has cast his]~~ casts a vote, the poll
2163 worker shall leave the voting booth so that the voter may vote in secret.

2164 (3) A poll worker instructing a voter about the voting process may not request, suggest,
2165 or seek to persuade or induce the voter to vote for or against any particular ticket, any particular
2166 candidate, or for or against any ballot proposition.

2167 Section 43. Section **20A-3a-301**, which is renumbered from Section 20A-3-306.5 is
 2168 renumbered and amended to read:

2169 **Part 3. Emergency Ballots**

2170 ~~[20A-3-306.5].~~ 20A-3a-301. Emergency ballots.

2171 (1) As used in this section, "hospitalized voter" means a registered voter who:
 2172 (a) is hospitalized or otherwise confined to a medical or long-term care institution
 2173 ~~[after the deadline for filing an application for an absentee ballot established in Section~~
 2174 ~~20A-3-304.];~~

2175 (b) does not have a manual ballot in the voter's immediate possession;

2176 (c) is able to vote a manual ballot; and

2177 (d) is not able to acquire a manual ballot without the assistance of another individual.

2178 (2) ~~[Notwithstanding any other provision of this part, a]~~ A hospitalized voter may, in
 2179 accordance with this section, obtain [an absentee ballot and vote] a manual ballot to use as an
 2180 emergency ballot and vote at any time after the election officer mails manual ballots to the
 2181 majority of voters and before the close of polls on election day [by following the procedures
 2182 and requirements of this section].

2183 (3) (a) Any individual may obtain an ~~[absentee]~~ emergency ballot application, ~~[an~~
 2184 ~~absentee]~~ a manual ballot, and ~~[an absentee]~~ a manual ballot envelope from the election officer
 2185 on behalf of a hospitalized voter by requesting a ballot and application in person at the election
 2186 officer's office during business hours.

2187 (b) The election officer shall require the individual to sign a statement identifying the
 2188 individual and the hospitalized voter.

2189 (4) To vote, the hospitalized voter shall complete the ~~[absentee]~~ emergency ballot
 2190 application, complete and sign the ~~[application]~~ affidavit on the ~~[absentee]~~ manual ballot
 2191 envelope, mark the voter's votes on the ~~[absentee]~~ manual ballot, place the ~~[absentee]~~ manual
 2192 ballot into the envelope, and seal the envelope unless a different method is authorized under
 2193 Section 20A-1-308.

2194 (5) To be counted, the ~~[absentee]~~ emergency voter application and the sealed
 2195 ~~[absentee]~~ manual ballot envelope must be returned to the election officer's office ~~[before the~~
 2196 ~~polls close on election day unless a different time is authorized under Section 20A-1-308]~~ in
 2197 accordance with the requirements of this chapter.

2198 Section 44. Section ~~20A-3a-401~~, which is renumbered from Section 20A-3-308 is
 2199 renumbered and amended to read:

2200 **Part 4. Disposition of Ballots**

2201 ~~[20A-3-308].~~ **20A-3a-401. Custody of voted ballots mailed or deposited in**
 2202 **a ballot drop box -- Disposition -- Notice.**

2203 (1) This section governs ballots returned by mail or via a ballot drop box.

2204 ~~[(+)]~~ (2) (a) [Voting precinct poll] Poll workers shall open return envelopes containing
 2205 [absentee] manual ballots that are in [their] the custody of the poll workers [on election day at
 2206 the polling places during the time the polls are open as provided in this] in accordance with
 2207 Subsection [(+)] (2)(b).

2208 (b) The poll workers shall ~~[(i) first, open the outer envelope only; and (ii)]~~, first,
 2209 compare the signature of the voter on the [application with] affidavit of the return envelope to
 2210 the signature [on the affidavit] of the voter in the voter registration records.

2211 ~~[(2) (a) The poll workers shall carefully open and remove the absentee voter envelope~~
 2212 ~~so as not to destroy the affidavit on the envelope if they find that:]~~

2213 ~~[(i) the affidavit is sufficient;]~~

2214 ~~[(ii) the signatures correspond; and]~~

2215 ~~[(iii) the applicant is registered to vote in that voting precinct and has not voted in that~~
 2216 ~~election:]~~

2217 ~~[(b) If, after opening the absentee voter envelope, the poll worker finds that a~~
 2218 ~~provisional ballot envelope is enclosed, the poll worker shall:]~~

2219 ~~[(i) record, in the official register, whether:]~~

2220 ~~[(A) the voter included valid voter identification; or]~~

2221 ~~[(B) a covered voter, as defined in Section ~~20A-16-102~~, did not provide valid voter~~
 2222 ~~identification as permitted by Public Law 107-252, the Help America Vote Act of 2002;]~~

2223 ~~[(ii) if any type of identification was included, record the type of identification~~
 2224 ~~provided by the voter in the appropriate space in the official register;]~~

2225 ~~[(iii) record the provisional ballot number on the official register; and]~~

2226 ~~[(iv) place the provisional ballot envelope with the other provisional ballot envelopes~~
 2227 ~~to be transmitted to the county clerk:]~~

2228 ~~[(c) If the absentee ballot is not a provisional ballot, the poll workers shall:]~~

2229 ~~[(i) remove the absentee ballot from the envelope without unfolding it or permitting it~~
2230 ~~to be opened or examined;]~~

2231 ~~[(ii) initial the stub in the same manner as for other ballots;]~~

2232 ~~[(iii) remove the stub from the ballot;]~~

2233 ~~[(iv) deposit the ballot in the ballot box; and]~~

2234 ~~[(v) mark the official register and pollbook to show that the voter has voted.]~~

2235 (3) After complying with Subsection (2), the poll workers shall determine whether:

2236 (a) the signatures correspond;

2237 (b) the affidavit is sufficient;

2238 (c) the voter is registered to vote in the correct precinct;

2239 (d) the voter's right to vote the ballot has been challenged;

2240 (e) the voter has already voted in the election;

2241 (f) the voter is required to provide valid voter identification; and

2242 (g) if the voter is required to provide valid voter identification, whether the voter has
2243 provided valid voter identification.

2244 (4) (a) The poll workers shall take the action described in Subsection (4)(b) if the poll
2245 workers determine that:

2246 (i) the signatures correspond;

2247 (ii) the affidavit is sufficient;

2248 (iii) the voter is registered to vote in the correct precinct;

2249 (iv) the voter's right to vote the ballot has not been challenged;

2250 (v) the voter has not already voted in the election; and

2251 (vi) for a voter required to provide valid voter identification, that the voter has
2252 provided valid voter identification.

2253 (b) If the poll workers make all of the findings described in Subsection (4)(a), the poll
2254 workers shall:

2255 (i) remove the manual ballot from the return envelope in a manner that does not
2256 destroy the affidavit on the return envelope;

2257 (ii) ensure that the ballot does not unfold and is not otherwise examined in connection
2258 with the return envelope; and

2259 (iii) place the ballot with the other ballots to be counted.

2260 ~~[(3)]~~ (c) If the poll workers ~~[determine that the affidavit is insufficient, or that the~~
2261 ~~signatures do not correspond, or that the applicant is not a registered voter in the voting~~
2262 ~~precinct, they]~~ do not make all of the findings described in Subsection (4)(a), the poll workers
2263 shall:

2264 ~~[(a)]~~ (i) disallow the vote; ~~[and]~~

2265 ~~[(b)]~~ (ii) without opening the ~~[absentee voter]~~ return envelope, mark across the face of
2266 the return envelope:

2267 ~~[(i)]~~ (A) "Rejected as defective"; or

2268 ~~[(ii)]~~ (B) "Rejected as not a registered voter[.]"; and

2269 ~~[(4)]~~ ~~The poll workers shall deposit the absentee voter envelope, when the absentee~~
2270 ~~ballot is voted, and the absentee voter envelope with its contents unopened when the absent~~
2271 ~~vote is rejected, in the ballot box containing the ballots.]~~

2272 (iii) place the return envelope, unopened, with the other rejected return envelopes.

2273 (5) (a) If the ~~[election officer rejects]~~ poll workers reject an individual's ~~[absentee]~~
2274 ballot because the ~~[election officer determines]~~ poll workers determine that the signature on the
2275 ~~[ballot]~~ return envelope does not match the individual's signature ~~[that is maintained on file]~~ in
2276 the voter registration records, the election officer shall contact the individual in accordance
2277 with Subsection (7) by mail, email, text message, or phone, and inform the individual:

2278 (i) that the individual's signature is in question;

2279 (ii) how the individual may resolve the issue;

2280 (iii) that, in order for the ballot to be counted, the individual is required to deliver to
2281 the election officer a correctly completed affidavit, provided by the county clerk, that meets the
2282 requirements described in Subsection (5)(b).

2283 (b) An affidavit described in Subsection (5)(a)(iii) shall include:

2284 (i) an attestation that the individual voted the ~~[absentee]~~ ballot;

2285 (ii) a space for the individual to enter the individual's name, date of birth, and driver
2286 license number or the last four digits of the individual's social security number;

2287 (iii) a space for the individual to sign the affidavit; and

2288 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant
2289 governor's and county clerk's use of the individual's signature on the affidavit for voter
2290 identification purposes.

2291 (c) In order for an individual described in Subsection (5)(a) to have the individual's
2292 ballot counted, the individual shall deliver the affidavit described in Subsection (5)(b) to the
2293 election officer.

2294 (d) An election officer who receives a signed affidavit under Subsection (5)(c) shall
2295 immediately:

2296 (i) scan the signature on the affidavit electronically and keep the signature on file in the
2297 statewide voter registration database developed under Section 20A-2-109; and

2298 (ii) if the election officer receives the affidavit no later than 5 p.m. the day before the
2299 canvass, count the individual's ballot.

2300 (6) ~~[An election officer who rejects]~~ If the poll workers reject an individual's ~~[absentee]~~
2301 ballot for any reason, other than the reason described in Subsection (5)(a), the election officer
2302 shall notify the individual of the rejection in accordance with Subsection (7) by mail, email,
2303 text message, or phone and specify the reason for the rejection.

2304 (7) An election officer who is required to give notice under Subsection (5) or (6) shall
2305 give the notice no later than:

2306 (a) if the election officer rejects the ~~[absentee]~~ ballot before election day:

2307 (i) one business day after the day on which the election officer rejects the ~~[absentee]~~
2308 ballot, if the election officer gives the notice by email or text message; or

2309 (ii) two business days after the day on which the election officer rejects the ~~[absentee]~~
2310 ballot, if the election officer gives the notice by postal mail or phone;

2311 (b) seven days after election day if the election officer rejects the ~~[absentee]~~ ballot on
2312 election day; or

2313 (c) seven days after the canvass if the election officer rejects the ~~[absentee]~~ ballot after
2314 election day and before the end of the canvass.

2315 (8) An election officer may not count the ~~[absentee]~~ ballot of an individual whom the
2316 election officer contacts under Subsection (5) or (6) unless the election officer receives a signed
2317 affidavit from the individual under Subsection (5)(b) or is otherwise able to establish contact
2318 with the individual to confirm the individual's identity.

2319 (9) The election officer shall retain and preserve the ~~[absentee voter]~~ return envelopes
2320 in the manner provided by law for the retention and preservation of ~~[official]~~ ballots voted at
2321 that election.

2322 Section 45. Section **20A-3a-402**, which is renumbered from Section 20A-3-309 is
2323 renumbered and amended to read:

2324 ~~[20A-3-309].~~ **20A-3a-402. Custody of ballots voted at a polling place --**
2325 **Disposition -- Counting -- Release of number of ballots cast.**

2326 (1) This section governs ballots voted at a polling place.

2327 ~~[(1)]~~ (2) (a) The election officer shall deliver all return envelopes containing valid
2328 ~~[absentee]~~ ballots and valid provisional ballots that are in the election officer's custody to the
2329 ~~[place of the official canvass of the election by]~~ counting center before noon on the day of the
2330 official canvass following the election.

2331 ~~[(2) (a)]~~ (b) Valid ~~[absentee]~~ ballots ~~[and]~~, including valid provisional ballots, may be
2332 processed and counted:

2333 (i) by the election officer, or poll workers acting under the supervision of the election
2334 officer, before the date of the canvass; and

2335 (ii) at the canvass, by the election officer or poll workers, acting under the supervision
2336 of the official canvassers of the election.

2337 ~~[(b)]~~ (c) When processing ballots, the election officer and poll workers shall comply
2338 with the procedures and requirements of Section ~~[20A-3-308]~~ 20A-3a-401 in opening
2339 envelopes, verifying signatures, confirming eligibility of the ballots, and depositing ~~[them in a~~
2340 ~~ballot box]~~ ballots in preparation for counting.

2341 (3) (a) After all valid ~~[absentee]~~ ballots ~~[and]~~, including valid provisional ballots have
2342 been deposited, the ballots shall be counted in the usual manner.

2343 (b) After the polls close on the date of the election, the election officer shall publicly
2344 release the results of those ~~[absentee]~~ ballots ~~[and]~~, including provisional ballots, that have
2345 been counted on or before the date of the election.

2346 (c) Except as provided in Subsection (3)(d), on each day, beginning on the day after the
2347 date of the election and ending on the day before the date of the canvass, the election officer
2348 shall publicly release the results of all ~~[absentee]~~ ballots ~~[and]~~, including provisional ballots,
2349 counted on that day.

2350 (d) (i) If complying with Subsection (3)(c) on a particular day will likely result in
2351 disclosing a vote cast by an individual voter, the election officer shall request permission from
2352 the lieutenant governor to delay compliance for the minimum number of days necessary to

2353 protect against disclosure of the voter's vote.

2354 (ii) The lieutenant governor shall grant a request made under Subsection (3)(d)(i) if the
2355 lieutenant governor finds that the delay is necessary to protect against disclosure of a voter's
2356 vote.

2357 (e) On the date of the canvass, the election officer shall provide a tally of all [absentee]
2358 ballots [and], including provisional ballots, counted, and the resulting tally shall be added to
2359 the official canvass of the election.

2360 (4) (a) On the day after the date of the election, the election officer shall determine the
2361 number of [absentee] ballots received by the election officer at that time and shall make that
2362 number available to the public.

2363 (b) The election officer may elect to publicly release updated totals for the number of
2364 [absentee] ballots received by the election officer up through the date of the canvass.

2365 Section 46. Section **20A-3a-403**, which is renumbered from Section 20A-3-310 is
2366 renumbered and amended to read:

2367 ~~[20A-3-310].~~ **20A-3a-403. Frauds and malfeasance in voting -- Penalty.**

2368 (1) (a) It is unlawful for any person to willfully falsify the [absentee] voter affidavits
2369 required by this part.

2370 (b) Any person violating this [subsection] Subsection (1) is guilty of perjury and may
2371 be prosecuted and punished as provided in Title 76, Chapter 8, Part 5, Falsification in Official
2372 Matters.

2373 (2) (a) It is unlawful for any election officer to:

2374 (i) refuse or neglect to perform any of the duties required by this part; or

2375 (ii) violate any of the provisions of this part.

2376 (b) Any person who violates this [subsection] Subsection (2) is guilty of a class B
2377 misdemeanor.

2378 Section 47. Section **20A-3a-501**, which is renumbered from Section 20A-3-501 is
2379 renumbered and amended to read:

2380 **Part 5. Voting Offenses**

2381 ~~[20A-3-501].~~ **20A-3a-501. Polling place -- Prohibited activities.**

2382 (1) As used in this section:

2383 (a) "electioneering" includes any oral, printed, or written attempt to persuade persons to

2384 refrain from voting or to vote for or vote against any candidate or issue; and

2385 (b) "polling place" means the physical place where ballots [~~and absentee ballots~~] are
2386 cast and includes [~~the county clerk's office or city hall during the period in which absentee~~
2387 ~~ballots may be cast there~~] the physical place where a ballot drop box is located.

2388 (2) (a) [~~A person~~] An individual may not, within a polling place or in any public area
2389 within 150 feet of the building where a polling place is located:

2390 (i) do any electioneering;

2391 (ii) circulate cards or handbills of any kind;

2392 (iii) solicit signatures to any kind of petition; or

2393 (iv) engage in any practice that interferes with the freedom of voters to vote or disrupts
2394 the administration of the polling place.

2395 (b) A county, municipality, school district, or local district may not prohibit
2396 electioneering that occurs more than 150 feet from the building where a polling place is
2397 located, but may regulate the place and manner of that electioneering to protect the public
2398 safety.

2399 (3) (a) [~~A person~~] An individual may not obstruct the doors or entries to a building in
2400 which a polling place is located or prevent free access to and from any polling place.

2401 (b) A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the
2402 obstruction of the entrance to a polling place and may arrest [~~any person~~] an individual creating
2403 an obstruction.

2404 (4) [~~A person~~] An individual may not [~~:(a) remove any ballot from the polling place~~
2405 ~~before the closing of the polls, except as provided in Section 20A-4-101; or (b)] solicit any~~
2406 voter to show [~~his~~] the voter's ballot.

2407 (5) [~~A person~~] An individual may not receive a voted ballot from any voter or deliver
2408 an unused ballot to a voter unless that [~~person~~] individual is a poll worker.

2409 (6) [~~Any person~~] An individual who violates any provision of this section is guilty of a
2410 class A misdemeanor.

2411 (7) A political subdivision may not prohibit political signs that are located more than
2412 150 feet away from a polling place, but may regulate their placement to protect public safety.

2413 Section 48. Section **20A-3a-502** is enacted to read:

2414 **20A-3a-502. Intimidation -- Undue influence.**

2415 (1) It is unlawful for a person to induce or compel an individual to vote or refrain from
2416 voting at an election provided by law or to vote or refrain from voting for a particular
2417 individual or measure at an election provided by law, directly or indirectly, by:

2418 (a) using force, violence, or restraint;

2419 (b) inflicting or threatening to inflict injury, damage, harm, or loss; or

2420 (c) by intimidation.

2421 (2) It is unlawful for a person to, by abduction, force, or fraud, impede, prevent, or
2422 otherwise interfere with the free exercise of the elective franchise of any voter, either in voting
2423 at any election provided by law or voting or refraining from voting for a particular individual or
2424 measure at an election provided by law.

2425 (3) It is unlawful for a person to:

2426 (a) enclose in the salary or wage envelopes of an employee of the person, political
2427 motatoes, devices, or arguments containing threats, express or implied, intended or calculated to
2428 influence the political opinion, views, or action of the employee; or

2429 (b) within 90 days before the day of an election provided by law, post or otherwise
2430 exhibit, in a location where the person's employees may be working or may be present in the
2431 course of employment, any handbill, notice, or placard containing any threat, notice, or
2432 information, that if any particular ticket or candidate is or is not elected:

2433 (i) work performed by the person's employees will cease in whole or in part;

2434 (ii) the workplace will close;

2435 (iii) wages of workforce will be reduced; or

2436 (iv) other adverse consequences, under the control of the person, will result.

2437 (4) Violation of this section is a class B misdemeanor.

2438 Section 49. Section **20A-3a-503**, which is renumbered from Section 20A-3-503 is
2439 renumbered and amended to read:

2440 **[20A-3-503]. 20A-3a-503. Influencing employee's vote.**

2441 (1) It is unlawful for any corporation, or any officer or agent of any corporation, to
2442 influence, or attempt to influence, induce, or compel by force, violence, or restraint, or by
2443 inflicting or threatening to inflict any injury, damage, harm, or loss, or by discharging from
2444 employment or promoting in employment, or by intimidation, or in any manner whatever, any
2445 employee to vote or refrain from voting at any election provided by law, or to vote or refrain

2446 from voting for any particular person or measure at that election.

2447 (2) (a) Any corporation or any officer or agent of that corporation who violates any of
2448 the provisions of this section is guilty of a class B misdemeanor.

2449 (b) Any corporation violating any of the provisions of this section shall forfeit its
2450 charter and right to do business in this state in addition to any other penalties imposed by law.

2451 Section 50. Section **20A-3a-504**, which is renumbered from Section 20A-3-504 is
2452 renumbered and amended to read:

2453 ~~[20A-3-504].~~ **20A-3a-504. Violations -- Penalties.**

2454 (1) Except as ~~[allowed by]~~ provided in Subsection (3) or Section ~~[20A-3-108]~~
2455 20a-3a-208, an individual is guilty of a class C misdemeanor if the individual:

2456 (a) allows the individual's ballot to be seen by another with the intent to reveal how the
2457 individual is about to vote;

2458 (b) states falsely that the individual is unable to mark the individual's ballot;

2459 (c) interferes or attempts to interfere with any individual who is inside the voting booth
2460 or who is marking a ballot;

2461 (d) induces or attempts to induce any voter who is inside a voting booth or who is
2462 marking a ballot to vote to show how the voter marked the voter's ballot; or

2463 (e) takes a photograph of a ballot, other than the individual's own ballot, at a polling
2464 place.

2465 (2) The election judges and clerks shall report any individual who violates this section
2466 to the county attorney or district attorney having state criminal jurisdiction for prosecution.

2467 (3) Subsection (1) does not prohibit an individual from transferring a photograph of the
2468 individual's own ballot in a manner that allows the photograph to be viewed by the individual
2469 or another.

2470 Section 51. Section **20A-3a-505**, which is renumbered from Section 20A-3-505 is
2471 renumbered and amended to read:

2472 ~~[20A-3-505].~~ **20A-3a-505. False impersonation -- Double voting.**

2473 (1) (a) ~~[A person]~~ An individual may not ~~[apply for a ballot]:~~

2474 (i) apply for a ballot in the name of ~~[some other person]~~ another individual, regardless
2475 of whether ~~[it is that of a person]~~ the other individual is living or dead, or ~~[of]~~ is a fictitious
2476 person; ~~[or]~~

2477 (ii) after having voted once at an election, apply again at the same election for a ballot
 2478 in the [~~person's~~] individual's own name or any other name[-]; or

2479 (iii) sign the affidavit on a return envelope for another individual.

2480 (b) [~~Any person~~] An individual who violates Subsection (1)(a) is guilty of a third
 2481 degree felony.

2482 (2) (a) [~~A person~~] An individual may not aid, assist, counsel, or procure another
 2483 [~~person~~] individual to commit the felony [~~prohibited~~] described in Subsection (1)(a).

2484 (b) [~~Any person~~] An individual who violates Subsection (2)(a) is guilty of a class A
 2485 misdemeanor.

2486 Section 52. Section **20A-3a-506**, which is renumbered from Section 20A-3-506 is
 2487 renumbered and amended to read:

2488 ~~[20A-3-506].~~ **20A-3a-506. False information on provisional ballot**
 2489 **envelope.**

2490 (1) [~~A person~~] An individual may not wilfully falsify information on a provisional
 2491 ballot envelope.

2492 (2) [~~A person~~] An individual who violates this section is guilty of a class B
 2493 misdemeanor.

2494 Section 53. Section **20A-3a-601**, which is renumbered from Section 20A-3-601 is
 2495 renumbered and amended to read:

Part 6. Early Voting

2497 ~~[20A-3-601].~~ **20A-3a-601. Early voting.**

2498 (1) Except as provided in Section [20A-7-609.5](#):

2499 (a) [~~An~~] an individual who is registered to vote may vote at a polling place before the
 2500 election date in accordance with this section[-]; and

2501 (b) [~~An~~] an individual who is not registered to vote may register to vote and vote at a
 2502 polling place before the election date in accordance with this section if the individual:

2503 (i) is otherwise legally entitled to vote the ballot; and

2504 (ii) casts a provisional ballot in accordance with Section [20A-2-207](#).

2505 (2) Except as provided in Section [20A-1-308](#) or Subsection (3), the early voting period
 2506 [~~shall~~]:

2507 (a) [~~begin~~] begins on the date that is 14 days before the date of the election; and

2508 (b) [~~continue~~] continues through the Friday before the election if the election date is a
2509 Tuesday.

2510 (3) (a) An election officer may extend the end of the early voting period to the day
2511 before the election date if the election officer provides notice of the extension in accordance
2512 with Section [~~20A-3-604~~] 20A-3a-604.

2513 (b) For a municipal election, the municipal clerk may reduce the early voting period
2514 described in this section if:

2515 (i) the municipal clerk conducts early voting on at least four days;

2516 (ii) the early voting days are within the period beginning on the date that is 14 days
2517 before the date of the election and ending on the day before the election; and

2518 (iii) the municipal clerk provides notice of the reduced early voting period in
2519 accordance with Section [~~20A-3-604~~] 20A-3a-604.

2520 (c) For a county election [~~that is conducted entirely by mail~~], the county clerk may
2521 reduce the early voting period described in this section if:

2522 (i) the county clerk conducts early voting on at least four days;

2523 (ii) the early voting days are within the period beginning on the date that is 14 days
2524 before the date of the election and ending on the day before the election; and

2525 (iii) the county clerk provides notice of the reduced early voting period in accordance
2526 with Section [~~20A-3-604~~] 20A-3a-604.

2527 (4) Except as provided in Section 20A-1-308, during the early voting period, the
2528 election officer:

2529 (a) for a local special election, a municipal primary election, and a municipal general
2530 election:

2531 (i) shall conduct early voting on a minimum of four days during each week of the early
2532 voting period; and

2533 (ii) shall conduct early voting on the last day of the early voting period; and

2534 (b) for all other elections:

2535 (i) shall conduct early voting on each weekday; and

2536 (ii) may elect to conduct early voting on a Saturday, Sunday, or holiday.

2537 (5) Except as specifically provided in this Part 6, Early Voting, or Section 20A-1-308,
2538 early voting shall be administered [~~according to~~] in accordance with the requirements of this

2539 title.

2540 Section 54. Section **20A-3a-602**, which is renumbered from Section 20A-3-602 is
2541 renumbered and amended to read:

2542 ~~[20A-3-602]~~. **20A-3a-602. Hours for early voting.**

2543 (1) Except as provided in Section [20A-1-308](#), the election officer shall determine the
2544 times for opening and closing the polls for each day of early voting provided that voting is open
2545 for a minimum of four hours during each day that polls are open during the early voting period.

2546 (2) Except as provided in Section [20A-1-308](#), each registered voter who arrives at the
2547 polls before the time scheduled for closing of the polls shall be allowed to vote.

2548 Section 55. Section **20A-3a-603**, which is renumbered from Section 20A-3-603 is
2549 renumbered and amended to read:

2550 ~~[20A-3-603]~~. **20A-3a-603. Early voting polling places.**

2551 (1) Except as provided in Section [20A-1-308](#) or [20A-7-609.5](#), the election officer shall
2552 designate one or more polling places for early voting, ~~[provided that]~~ as follows:

2553 (a) at least one polling place ~~[is]~~ shall be open on each day that polls are open during
2554 the early voting period;

2555 (b) each polling place ~~[meets]~~ shall comply with the requirements for polling places
2556 under Chapter 5, Election Administration;

2557 (c) for all elections other than local special elections, municipal primary elections, and
2558 municipal general elections, at least 10% of the voting devices at a polling place ~~[are]~~ shall be
2559 accessible for individuals with disabilities in accordance with Public Law 107-252, the Help
2560 America Vote Act of 2002; and

2561 (d) each polling place ~~[is]~~ shall be located in a government building or office, unless
2562 the election officer determines that, in the area designated by the election officer, there is no
2563 government building or office available that:

2564 (i) can be scheduled for use during early voting hours;

2565 (ii) has the physical facilities necessary to accommodate early voting requirements;

2566 (iii) has adequate space for voting equipment, poll workers, and voters; and

2567 (iv) has adequate security, public accessibility, and parking.

2568 (2) (a) Except as provided in Section [20A-1-308](#), the election officer may, after the
2569 deadline described in Section ~~[20A-3-604]~~ [20A-3a-604](#):

2570 (i) if necessary, change the location of an early voting place; or
 2571 (ii) if the election officer determines that the number of early voting polling places is
 2572 insufficient due to the number of registered voters who are voting, designate additional polling
 2573 places during the early voting period.

2574 (b) Except as provided in Section 20A-1-308, if an election officer changes the
 2575 location of an early voting polling place or designates an additional early voting polling place,
 2576 the election officer shall, as soon as is reasonably possible, give notice of the dates, times, and
 2577 location of the changed early voting polling place or the additional early voting polling place:

- 2578 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;
- 2579 (ii) by posting the information on the website of the election officer, if available; and
- 2580 (iii) by posting notice:

2581 (A) for a change in the location of an early voting polling place, at the new location
 2582 and, if possible, the old location; and

2583 (B) for an additional early voting polling place, at the additional early voting polling
 2584 place.

2585 (3) Except as provided in Section 20A-1-308, for each regular general election and
 2586 regular primary election, counties of the first class shall ensure that the early voting polling
 2587 places are approximately proportionately distributed based on population within the county.

2588 Section 56. Section 20A-3a-604, which is renumbered from Section 20A-3-604 is
 2589 renumbered and amended to read:

2590 ~~[20A-3-604].~~ 20A-3a-604. **Notice of time and place of early voting.**

2591 (1) Except as provided in Section 20A-1-308 or Subsection ~~[20A-3-603]~~
 2592 20A-3a-603(2), the election officer shall, at least 19 days before the date of the election,
 2593 publish notice of the dates, times, and locations of early voting:

- 2594 (a) (i) in one issue of a newspaper of general circulation in the county;
- 2595 (ii) if there is no newspaper of general circulation in the county, in addition to posting
 2596 the notice described in Subsection (1)(b), by posting one notice, and at least one additional
 2597 notice per 2,000 population of the county, in places within the county that are most likely to
 2598 give notice to the residents in the county; or
- 2599 (iii) by mailing notice to each registered voter in the county;
- 2600 (b) by posting the notice at each early voting polling place;

2601 (c) on the Utah Public Notice Website created in Section 63F-1-701, for 19 days before
2602 the day of the election;

2603 (d) in accordance with Section 45-1-101, for 19 days before the date of the election;
2604 and

2605 (e) on the county's website for 19 days before the day of the election.

2606 (2) Instead of publishing all dates, times, and locations of early voting under
2607 Subsection (1), the election officer may publish a statement that specifies the following sources
2608 where a voter may view or obtain a copy of all dates, times, and locations of early voting:

2609 (a) the county's website;

2610 (b) the physical address of the county's offices; and

2611 (c) a mailing address and telephone number.

2612 (3) The election officer shall include in the notice described in Subsection (1):

2613 (a) the address of the Statewide Electronic Voter Information Website and, if available,
2614 the address of the election officer's website, with a statement indicating that the election officer
2615 will post on the website the location of each early voting polling place, including any changes
2616 to the location of an early voting polling place and the location of additional early voting
2617 polling places; and

2618 (b) a phone number that a voter may call to obtain information regarding the location
2619 of an early voting polling place.

2620 Section 57. Section 20A-3a-605, which is renumbered from Section 20A-3-605 is
2621 renumbered and amended to read:

2622 ~~20A-3-605~~. 20A-3a-605. Exemptions from early voting.

2623 (1) (a) This part does not apply to an election of a board member of a local district.

2624 (b) Notwithstanding Subsection (1)(a), a local district may, ~~at its~~ in the local district's
2625 discretion, provide early voting in accordance with this part for ~~an~~ election of a board
2626 member.

2627 (2) Notwithstanding the requirements of Section 20A-3-601, a municipality of the fifth
2628 class or a town as described in Section 10-2-301 may provide early voting as provided under
2629 this part for:

2630 (a) a municipal primary election; or

2631 (b) a municipal general election.

2632 (3) A municipality [~~that administers an election entirely by absentee ballot, in~~
2633 ~~accordance with Section 20A-3-302;~~] is not required to conduct early voting for the election.

2634 Section 58. Section **20A-3a-701**, which is renumbered from Section 20A-3-701 is
2635 renumbered and amended to read:

2636 **Part 7. Election Day Voting Center**

2637 ~~[20A-3-701].~~ **20A-3a-701. Definitions.**

2638 As used in this part:

2639 (1) "Election day voting center" means a polling place designated by an election officer
2640 to provide for voting on election day for [~~a person~~] an individual who:

2641 (a) is eligible to vote; and

2642 (b) resides within the political subdivision holding the election.

2643 (2) "Voting center ballot" means a regular ballot that:

2644 (a) is provided at an election day voting center; and

2645 (b) may be retrieved by the election official during the canvass if the voter cast a ballot
2646 at another location or before election day.

2647 Section 59. Section **20A-3a-702**, which is renumbered from Section 20A-3-702 is
2648 renumbered and amended to read:

2649 ~~[20A-3-702].~~ **20A-3a-702. Election day voting center -- Hours of operation**
2650 **-- Compliance with Election Code.**

2651 (1) [~~An~~] Except as provided in Section 20A-7-609.5, an election officer may operate an
2652 election day voting center in one or more locations designated under Section [20A-3-703]
2653 20A-3a-703.

2654 (2) An election officer shall provide for voting at an election day voting center by:

2655 (a) regular ballot if:

2656 (i) (A) the election day voting center is designated under Section **20A-5-403** as the
2657 polling place for the voting precinct in which the voter resides; and

2658 (B) the voter is eligible to vote [~~using~~] a regular ballot at the election day voting center
2659 in accordance with this title; or

2660 (ii) (A) the voter resides within the political subdivision holding the election;

2661 (B) the voter is otherwise eligible to vote [~~using~~] a regular ballot in accordance with
2662 this title; and

2663 (C) the jurisdiction holding the election uses a method that confirms that the voter has
2664 not voted previously in the election;

2665 (b) voting center ballot if:

2666 (i) the election day voting center is not designated under Section 20A-5-403 as the
2667 polling place for the voting precinct in which the voter resides;

2668 (ii) the voter resides within the political subdivision holding the election; and

2669 (iii) the voter is otherwise eligible to vote [using] a regular ballot in accordance with
2670 this title; or

2671 (c) provisional ballot if the voter is only eligible to vote using a provisional ballot in
2672 accordance with this title.

2673 (3) An election officer shall ensure that an election day voting center:

2674 (a) is open on election day during the time period specified under Section 20A-1-302;

2675 (b) allows an eligible voter to vote if the voter:

2676 (i) resides within the political subdivision holding an election; and

2677 (ii) arrives at the election day voting center by the designated closing time in
2678 accordance with Section 20A-1-302; and

2679 (c) is administered according to the requirements of this title.

2680 (4) ~~[A person]~~ An individual may submit a completed ~~[absentee]~~ manual ballot at an
2681 election day voting center for the political subdivision in which the ~~[person]~~ individual resides.

2682 ~~[(5) A person may submit an incomplete absentee ballot at an election day voting
2683 center for the political subdivision in which the person resides, request that the ballot be
2684 declared spoiled, and vote in person.]~~

2685 Section 60. Section ~~20A-3a-703~~, which is renumbered from Section 20A-3-703 is
2686 renumbered and amended to read:

2687 ~~[20A-3-703].~~ 20A-3a-703. Election day voting centers as polling places --
2688 Location -- Notification.

2689 (1) The election officer may designate one or more polling places as an election day
2690 voting center if:

2691 (a) except as provided in Subsection (2), the election officer notifies the lieutenant
2692 governor of the designation and location of the election day voting center at least 15 days
2693 before the election;

2694 (b) [a] the polling place meets the requirements for a polling place under Chapter 5,
2695 Election Administration; and

2696 (c) [a] the polling place is located in a government building or office, unless the
2697 election officer determines that there is no government building or office available, in the area
2698 designated by the election officer, that:

2699 (i) can be scheduled for use during election day voting hours;

2700 (ii) has the physical facilities necessary to accommodate election day voting
2701 requirements;

2702 (iii) has adequate space for voting equipment, poll workers, and voters; and

2703 (iv) has adequate security, public accessibility, and parking.

2704 (2) (a) The election officer may, after the deadline described in Subsection (1)(a):

2705 (i) if necessary, change the location of an election day voting center; or

2706 (ii) if the election officer determines that the number of election day voting centers is
2707 insufficient due to the number of registered voters who are voting, designate additional election
2708 day voting centers.

2709 (b) Except as provided in Section 20A-1-308, if an election officer changes the
2710 location of an election day voting center or designates an additional election day voting center,
2711 the election officer shall, as soon as is reasonably possible, give notice of the dates, times, and
2712 location of the changed election day voting center or the additional election day voting center:

2713 (i) to the lieutenant governor, for posting on the Statewide Electronic Voter
2714 Information Website;

2715 (ii) by posting the information on the website of the election officer, if available; and

2716 (iii) by posting notice:

2717 (A) of a change in the location of an election day voting center, at the new location
2718 and, if possible, the old location; and

2719 (B) of an additional election day voting center, at the additional election day voting
2720 center.

2721 Section 61. Section 20A-3a-801, which is renumbered from Section 20A-3-201 is
2722 renumbered and amended to read:

2723 **Part 8. Watchers**

2724 ~~20A-3-201~~. 20A-3a-801. Watchers.

- 2725 (1) As used in this section, "administering election officer" means:
- 2726 (a) the election officer; or
- 2727 (b) if the election officer is the lieutenant governor, the county clerk of the county in
- 2728 which an individual will act as a watcher.
- 2729 (2) (a) Any individual may become a watcher in an election at any time by registering
- 2730 as a watcher with the administering election officer.
- 2731 (b) An individual who registers under Subsection (2)(a) is not required to be certified
- 2732 by a person under Subsection (3) in order to act as a watcher.
- 2733 (c) An individual who registers as a watcher shall notify the administering election
- 2734 officer of the dates, times, and locations that the individual intends to act as a watcher.
- 2735 (d) An election official may not prohibit a watcher from performing a function
- 2736 described in Subsection (4) because the watcher did not provide the notice described in
- 2737 Subsection (2)(c).
- 2738 (e) An administering election officer shall provide a copy of this section, or
- 2739 instructions on how to access an electronic copy of this section, to a watcher at the time the
- 2740 watcher registers under this Subsection (2).
- 2741 (3) (a) A person that is a candidate whose name will appear on the ballot, a qualified
- 2742 write-in candidate for the election, a registered political party, or a political issues committee
- 2743 may certify an individual as an official watcher for the person:
- 2744 (i) by filing an affidavit with the administering election officer responsible to designate
- 2745 an individual as an official watcher for the certifying person; and
- 2746 (ii) if the individual registers as a watcher under Subsection (2)(a).
- 2747 (b) A watcher who is certified by a person under Subsection (3)(a) may not perform the
- 2748 same function described in Subsection (4) at the same time and in the same location as another
- 2749 watcher who is certified by that person.
- 2750 (c) A watcher who is certified by a person under Subsection (3)(a) may designate
- 2751 another individual to serve in the watcher's stead during the watcher's temporary absence by
- 2752 filing with a poll worker an affidavit that designates the individual as a temporary replacement.
- 2753 (4) A watcher may:
- 2754 (a) observe the setup or takedown of a polling location;
- 2755 (b) observe a voter checking in at a polling location;

- 2756 (c) observe the collection, receipt, and processing of a ballot, including a provisional
2757 ballot or a ballot cast by a covered voter as defined in Section [20A-16-102](#);
- 2758 (d) observe the transport or transmission of a ballot that is in an election official's
2759 custody;
- 2760 (e) observe the opening and inspection of a [~~by-mail~~] manual ballot;
- 2761 (f) observe ballot duplication;
- 2762 (g) observe the conduct of logic and accuracy testing described in Section [20A-5-802](#);
- 2763 (h) observe ballot tabulation;
- 2764 (i) observe the process of storing and securing a ballot;
- 2765 (j) observe a post-election audit;
- 2766 (k) observe a canvassing board meeting described in Title 20A, Chapter 4, Part 3,
2767 Canvassing Returns;
- 2768 (l) observe the certification of the results of an election; or
- 2769 (m) observe a recount.
- 2770 (5) (a) A watcher may not:
- 2771 (i) electronically record an activity described in Subsection (4) if the recording would
2772 reveal a vote or otherwise violate a voter's privacy or a voter's right to cast a secret ballot;
- 2773 (ii) interfere with an activity described in Subsection (4), except to challenge an
2774 individual's eligibility to vote under Section [~~20A-3-202~~] [20A-3a-803](#); or
- 2775 (iii) divulge information related to the number of votes counted, tabulated, or cast for a
2776 candidate or ballot proposition until after the election officer makes the information public.
- 2777 (b) A person who violates Subsection (5)(a)(iii) is guilty of a third degree felony.
- 2778 (6) (a) Notwithstanding Subsection (2)(a) or (4), in order to maintain a safe working
2779 environment for an election official or to protect the safety or security of a ballot, an
2780 administering election officer may take reasonable action to:
- 2781 (i) limit the number of watchers at a single location;
- 2782 (ii) remove a watcher for violating a provision of this section;
- 2783 (iii) remove a watcher for interfering with an activity described in Subsection (4);
- 2784 (iv) designate areas for a watcher to reasonably observe the activities described in
2785 Subsection (4); or
- 2786 (v) ensure that a voter's ballot secrecy is protected throughout the watching process.

2787 (b) If an administering election officer limits the number of watchers at a single
2788 location under Subsection (6)(a)(i), the administering election officer shall give preferential
2789 access to the location to a watcher designated under Subsection (3).

2790 (c) An administering election officer may provide a watcher a badge that identifies the
2791 watcher and require the watcher to wear the badge while acting as a watcher.

2792 Section 62. Section **20A-3a-802**, which is renumbered from Section 20A-3-201.5 is
2793 renumbered and amended to read:

2794 ~~[20A-3-201.5].~~ **20A-3a-802. Definitions.**

2795 As used in this part:

2796 (1) "Challenged voter" means ~~[a person]~~ an individual whose right to vote is
2797 challenged as provided in this part.

2798 (2) "Filer" means ~~[a person]~~ an individual who files a written statement challenging
2799 another ~~[person's]~~ individual's right to vote as provided in Section ~~[20A-3-202.3]~~ 20A-3a-804.

2800 Section 63. Section **20A-3a-803**, which is renumbered from Section 20A-3-202 is
2801 renumbered and amended to read:

2802 ~~[20A-3-202].~~ **20A-3a-803. Challenges to a voter's eligibility -- Basis for**
2803 **challenge -- Procedures.**

2804 (1) ~~[A person]~~ An individual may challenge ~~[an]~~ another individual's eligibility to vote
2805 on any of the following grounds:

2806 (a) the individual is not the individual in whose name the individual tries to vote;

2807 (b) the individual is not a resident of Utah;

2808 (c) the individual is not a citizen of the United States;

2809 (d) the individual has not or will not have resided in Utah for 30 days immediately
2810 before the date of the election;

2811 (e) the individual's principal place of residence is not in the voting precinct that the
2812 individual claims;

2813 (f) the individual's principal place of residence is not in the geographic boundaries of
2814 the election area;

2815 (g) the individual has already voted in the election;

2816 (h) the individual is not at least ~~[18 years of age]~~ the minimum age required to vote in
2817 the election;

2818 (i) the individual has been convicted of a misdemeanor for an offense under this title
2819 and the individual's right to vote in an election has not been restored under Section
2820 [20A-2-101.3](#);

2821 (j) the individual is a convicted felon and the voter's right to vote in an election has not
2822 been restored under Section [20A-2-101.5](#); or

2823 (k) in a regular primary election or presidential primary election, the individual does
2824 not meet the political party affiliation requirements for the ballot the individual seeks to vote.

2825 (2) ~~[A person]~~ An individual who challenges ~~[an]~~ another individual's right to vote in
2826 an election shall make the challenge in accordance with:

2827 (a) Section ~~[[20A-3-202.3](#)]~~ [20A-3a-804](#), for a challenge that is not made in person at the
2828 time an individual votes; or

2829 (b) Section ~~[[20A-3-202.5](#)]~~ [20A-3a-805](#), for challenges made in person at the time an
2830 individual votes.

2831 Section 64. Section **20A-3a-804**, which is renumbered from Section 20A-3-202.3 is
2832 renumbered and amended to read:

2833 ~~[[20A-3-202.3](#)]~~. **[20A-3a-804](#). Pre-election challenges to a voter's eligibility in**
2834 **writing -- Procedure -- Form of challenge.**

2835 (1) (a) ~~[A person]~~ An individual may challenge an individual's eligibility to vote by
2836 filing a written statement with the election officer in accordance with Subsection (1)(b) that:

2837 (i) lists the name and address of the ~~[person]~~ individual filing the challenge;

2838 (ii) for each individual who is challenged:

2839 (A) identifies the name of the challenged individual;

2840 (B) lists the last known address or telephone number of the challenged individual;

2841 (C) provides the basis for the challenge, as provided under Section ~~[[20A-3-202](#)]~~

2842 [20A-3a-803](#);

2843 (D) provides facts and circumstances supporting the basis provided; and

2844 (E) may include supporting documents, affidavits, or other evidence; and

2845 (iii) includes a signed affidavit, which is subject to penalties of perjury, swearing that:

2846 (A) the filer exercised due diligence to personally verify the facts and circumstances
2847 establishing the basis for the challenge; and

2848 (B) according to the filer's personal knowledge and belief, the basis for the challenge

2849 under Section [~~20A-3-202~~] 20A-3a-803 for each challenged individual is valid.

2850 (b) [~~A person that~~] An individual who files a written statement under Subsection (1)(a)
2851 shall file the written statement during the election officer's regular business hours:

2852 (i) at least 45 days before the day of the election; or

2853 (ii) if the challenge is to an individual who registered to vote between the day that is 45
2854 days before the election and the day of the election:

2855 (A) on or before the day of the election; and

2856 (B) before the individual's ballot is removed from a ballot envelope or otherwise
2857 separated from any information that could be used to identify the ballot as the individual's
2858 ballot.

2859 (c) The challenge may not be based on unsupported allegations or allegations by an
2860 anonymous [~~person~~] individual.

2861 (d) An election officer may require [~~a person that~~] an individual who files a challenge
2862 under this section to file the challenge on a form provided by the election officer that meets the
2863 requirements of this section.

2864 (2) If the challenge is not in the proper form, is incomplete, or if the basis for the
2865 challenge does not meet the requirements of this part, the election officer shall dismiss the
2866 challenge and notify the filer in writing of the reasons for the dismissal.

2867 (3) (a) Upon receipt of a challenge that meets the requirements for filing under this
2868 section, the election officer shall attempt to notify each challenged individual in accordance
2869 with Subsection (3)(b):

2870 (i) at least 28 days before the date of the election, if the election officer receives the
2871 challenge under Subsection (1)(b)(i); or

2872 (ii) within one business day, if the election officer receives the challenge under
2873 Subsection (1)(b)(ii).

2874 (b) The election officer shall attempt to notify each challenged individual:

2875 (i) that a challenge has been filed against the challenged individual;

2876 (ii) that the challenged individual may be required to cast a provisional ballot at the
2877 time the individual votes if the individual votes in person;

2878 (iii) [~~if the election is being conducted entirely by absentee ballot or if the individual is~~
2879 ~~otherwise registered to vote by absentee ballot,~~] that if the individual votes by [~~absentee ballot~~]

2880 mail, the individual's ballot will be treated as a provisional ballot unless the challenge is
2881 resolved;

2882 (iv) of the basis for the challenge, which may include providing a copy of the challenge
2883 the filer filed with the election officer; and

2884 (v) that the challenged individual may submit information, a sworn statement,
2885 supporting documents, affidavits, or other evidence supporting the challenged individual's
2886 eligibility to vote in the election to the election officer no later than:

2887 (A) 21 days before the date of the election, if the election officer receives the challenge
2888 under Subsection (1)(b)(i); or

2889 (B) five days before the day on which the canvass is held, if the election officer
2890 receives the challenge under Subsection (1)(b)(ii).

2891 (4) (a) The election officer shall determine whether each challenged individual is
2892 eligible to vote before the day on which:

2893 (i) early voting commences, if the election officer receives the challenge under
2894 Subsection (1)(b)(i); or

2895 (ii) the canvass is held, if the election officer receives the challenge under Subsection
2896 (1)(b)(ii).

2897 (b) (i) The filer has the burden to prove, by clear and convincing evidence, that the
2898 basis for challenging the individual's eligibility to vote is valid.

2899 (ii) The election officer shall resolve the challenge based on the available facts and
2900 information submitted, which may include voter registration records and other documents or
2901 information available to the election officer.

2902 (5) ~~[A person]~~ An individual who files a challenge in accordance with the requirements
2903 of this section is subject to criminal penalties for false statements as provided under Sections
2904 76-8-503 and 76-8-504 and any other applicable criminal provision.

2905 (6) (a) A challenged individual may appeal an election officer's decision regarding the
2906 individual's eligibility to vote to the district court having jurisdiction over the location where
2907 the challenge was filed.

2908 (b) The district court shall uphold the decision of the election officer unless the district
2909 court determines that the decision was arbitrary, capricious, or unlawful.

2910 (c) In making the district court's determination, the district court's review is limited to:

2911 (i) the information filed under Subsection (1)(a) by the filer;
 2912 (ii) the information submitted under Subsection (3)(b)(v) by the challenged individual;
 2913 and

2914 (iii) any additional facts and information used by the election official to determine
 2915 whether the challenged individual is eligible to vote, as indicated by the election official.

2916 (7) A challenged individual may register to vote or change the location of the
 2917 individual's voter registration if otherwise permitted by law.

2918 (8) A document pertaining to a challenge filed under this section is a public record.

2919 Section 65. Section **20A-3a-805**, which is renumbered from Section 20A-3-202.5 is
 2920 renumbered and amended to read:

2921 ~~[20A-3-202.5]~~. **20A-3a-805. Challenges to a voter's eligibility at polling**
 2922 **place -- Procedure.**

2923 (1) (a) A poll worker, a watcher, or an individual who ~~[lives in the voting precinct]~~
 2924 resides in the jurisdiction to which the election relates may, at a polling place, challenge an
 2925 individual's eligibility to vote [in that voting precinct or] a particular ballot or to vote in that
 2926 election if:

2927 (i) the individual making the challenge and the challenged individual are both present
 2928 at the polling place at the time the challenge is made; and

2929 (ii) the challenge is made ~~[when]~~ before the challenged individual applies for a ballot.

2930 (b) An individual may make a challenge by orally stating the challenged individual's
 2931 name and the basis for the challenge, as provided under Section ~~[20A-3-202]~~ 20A-3a-803.

2932 (2) The poll worker shall record a challenge in the official register ~~[and]~~ or on the
 2933 challenge sheets in the pollbook, including:

2934 (a) the name of the challenged individual;

2935 (b) the name of the individual making the challenge; and

2936 (c) the basis upon which the challenge is made.

2937 (3) If an individual's eligibility to vote is challenged under this section, the poll worker
 2938 shall follow the procedures and requirements of Section ~~[20A-3-105.5]~~ 20A-3a-205.

2939 Section 66. Section **20A-3a-806**, which is renumbered from Section 20A-3-203 is
 2940 renumbered and amended to read:

2941 ~~[20A-3-203]~~. **20A-3a-806. Election official or watcher revealing vote.**

2942 (1) It is unlawful for an election official or watcher to reveal to another person the
2943 name of a candidate or ballot proposition for whom a voter has voted or to communicate to
2944 another person the election official or watcher's opinion, belief, or impression regarding for
2945 whom or what a voter has voted.

2946 (2) A person who violates this section is guilty of a class A misdemeanor.

2947 Section 67. Section **20A-4-101** is amended to read:

2948 **20A-4-101. Manual ballots cast at a polling place -- Counting manual ballots at**
2949 **polling place on day of election before polls close.**

2950 (1) Each county legislative body [~~or~~], municipal legislative body [~~that has voting~~
2951 ~~precincts that use paper ballots~~], and each poll worker [~~in those voting precincts~~] shall comply
2952 with the requirements of this section when counting manual ballots on the day of an election,
2953 if:

2954 (a) the ballots are cast at a polling place; and

2955 (b) the ballots are counted at the polling place before the polls close.

2956 (2) (a) Each county legislative body or municipal legislative body shall provide:

2957 (i) two sets of ballot boxes for all voting precincts where both receiving and counting
2958 judges have been appointed; and

2959 (ii) a counting room for the use of the poll workers counting the ballots during the day.

2960 (b) At any election in any voting precinct in which both receiving and counting judges
2961 have been appointed, when at least 20 votes have been cast, the receiving judges shall:

2962 (i) close the first ballot box and deliver it to the counting judges; and

2963 (ii) prepare and use another ballot box to receive voted ballots.

2964 (c) Except as provided in Subsection (2)(f), upon receipt of the ballot box, the counting
2965 judges shall:

2966 (i) take the ballot box to the counting room;

2967 (ii) count the votes on the regular ballots in the ballot box;

2968 (iii) place the provisional ballot envelopes in the envelope or container provided for
2969 them for return to the election officer; and

2970 (iv) when they have finished counting the votes in the ballot box, return the emptied
2971 box to the receiving judges.

2972 (d) (i) During the course of election day, whenever there are at least 20 ballots

2973 contained in a ballot box, the receiving judges shall deliver that ballot box to the counting
2974 judges for counting; and

2975 (ii) the counting judges shall immediately count the regular ballots and segregate the
2976 provisional ballots contained in that box.

2977 (e) The counting judges shall continue to exchange the ballot boxes and count ballots
2978 until the polls close.

2979 (f) (i) The director of elections within the Office of the Lieutenant Governor shall make
2980 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
2981 describing the procedures that a counting judge is required to follow for counting ballots in an
2982 instant runoff voting race under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting
2983 Methods Pilot Project.

2984 (ii) When counting ballots in an instant runoff voting race described in Title 20A,
2985 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, a counting judge shall
2986 comply with the procedures established under Subsection (2)(f)(i) and Title 20A, Chapter 4,
2987 Part 6, Municipal Alternate Voting Methods Pilot Project.

2988 (3) To resolve questions that arise during the counting of ballots, a counting judge shall
2989 apply the standards and requirements of:

2990 (a) to the extent applicable, Section [20A-4-105](#); and

2991 (b) as applicable, for an instant runoff voting race under Title 20A, Chapter 4, Part 6,
2992 Municipal Alternate Voting Methods Pilot Project, Subsection [20A-4-603](#)(3).

2993 Section 68. Section [20A-4-102](#) is amended to read:

2994 **[20A-4-102. Manual ballots cast at a polling place -- Counting manual ballots at](#)**
2995 **[polling place on day of election after polls close.](#)**

2996 (1) (a) This section governs counting manual ballots on the day of an election, if:

2997 (i) the ballots are cast at a polling place; and

2998 (ii) the ballots are counted at the polling place after the polls close.

2999 [~~(a)~~] (b) Except as provided in Subsection (2) or a rule made under Subsection
3000 [20A-4-101](#)(2)(f)(i), as soon as the polls have been closed and the last qualified voter has voted,
3001 the election judges shall count the ballots by performing the tasks specified in this section in
3002 the order that they are specified.

3003 [~~(b)~~] (c) To resolve questions that arise during the counting of ballots, a counting judge

3004 shall apply the standards and requirements of:

3005 (i) to the extent applicable, Section 20A-4-105; and

3006 (ii) as applicable, for an instant runoff voting race under Title 20A, Chapter 4, Part 6,
3007 Municipal Alternate Voting Methods Pilot Project, Subsection 20A-4-603(3).

3008 (2) (a) First, the election judges shall count the number of ballots in the ballot box.

3009 (b) (i) If there are more ballots in the ballot box than there are names entered in the
3010 pollbook, the judges shall examine the official endorsements on the ballots.

3011 (ii) If, in the unanimous opinion of the judges, any of the ballots do not bear the proper
3012 official endorsement, the judges shall put those ballots in an excess ballot file and not count
3013 them.

3014 (c) (i) If, after examining the official endorsements, there are still more ballots in the
3015 ballot box than there are names entered in the pollbook, the judges shall place the remaining
3016 ballots back in the ballot box.

3017 (ii) One of the judges, without looking, shall draw a number of ballots equal to the
3018 excess from the ballot box.

3019 (iii) The judges shall put those excess ballots into the excess ballot envelope and not
3020 count them.

3021 (d) When the ballots in the ballot box equal the number of names entered in the
3022 pollbook, the judges shall count the votes.

3023 (3) The judges shall:

3024 (a) place all unused ballots in the envelope or container provided for return to the
3025 county clerk or city recorder; and

3026 (b) seal that envelope or container.

3027 (4) The judges shall:

3028 (a) place all of the provisional ballot envelopes in the envelope provided for them for
3029 return to the election officer; and

3030 (b) seal that envelope or container.

3031 (5) (a) In counting the votes, the election judges shall read and count each ballot
3032 separately.

3033 (b) In regular primary elections the judges shall:

3034 (i) count the number of ballots cast for each party;

3035 (ii) place the ballots cast for each party in separate piles; and
3036 (iii) count all the ballots for one party before beginning to count the ballots cast for
3037 other parties.

3038 (6) (a) In all elections, the counting judges shall, except as provided in Title 20A,
3039 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made under
3040 Subsection [20A-4-101\(2\)\(f\)\(i\)](#):

3041 (i) count one vote for each candidate designated by the marks in the squares next to the
3042 candidate's name;

3043 (ii) count one vote for each candidate on the ticket beneath a marked circle, excluding
3044 any candidate for an office for which a vote has been cast for a candidate for the same office
3045 upon another ticket by the placing of a mark in the square opposite the name of that candidate
3046 on the other ticket;

3047 (iii) count each vote for each write-in candidate who has qualified by filing a
3048 declaration of candidacy under Section [20A-9-601](#);

3049 (iv) read every name marked on the ballot and mark every name upon the tally sheets
3050 before another ballot is counted;

3051 (v) evaluate each ballot and each vote based on the standards and requirements of
3052 Section [20A-4-105](#);

3053 (vi) write the word "spoiled" on the back of each ballot that lacks the official
3054 endorsement and deposit it in the spoiled ballot envelope; and

3055 (vii) read, count, and record upon the tally sheets the votes that each candidate and
3056 ballot proposition received from all ballots, except excess or spoiled ballots.

3057 (b) Election judges need not tally write-in votes for fictitious persons, nonpersons, or
3058 persons clearly not eligible to qualify for office.

3059 (c) The judges shall certify to the accuracy and completeness of the tally list in the
3060 space provided on the tally list.

3061 (d) When the judges have counted all of the voted ballots, they shall record the results
3062 on the total votes cast form.

3063 (7) Only an election judge and a watcher may be present at the place where counting is
3064 conducted until the count is completed.

3065 Section 69. Section [20A-4-103](#) is amended to read:

3066 **20A-4-103. Preparing ballots cast at a polling place for the counting center.**

3067 (1) This section governs the preparation of ballots for the counting center when the
3068 ballots are cast at a polling place.

3069 ~~[(1)]~~(2) (a) [In voting precincts using ballot sheets, as] As soon as the polls have been
3070 closed and the last qualified voter has voted, the poll workers shall prepare the ~~[ballot sheets]~~
3071 ballots for delivery to the counting center as provided in this section.

3072 (b) The poll workers, election officers, and other persons may not manually count any
3073 votes before delivering the ballots to the counting center.

3074 ~~[(2)]~~ (3) The poll workers shall:

3075 (a) complete the statement of disposition of ballots and all other forms required by the
3076 election officer;

3077 (b) place a copy of the forms described in Subsection (3)(a) and the voted ballots in a
3078 sealed container;

3079 ~~[(a)]~~ (c) place all [of the] provisional [ballot envelopes in the envelope or] ballots in
3080 the container provided for [them for return] returning provisional ballots to the counting
3081 center[; and (b) seal that envelope or] and seal the container[;]; and

3082 (d) deliver to the counting center:

3083 (i) the items described in Subsections (3)(a) through (c); and

3084 (ii) any other items required by the election officer.

3085 ~~[(3) (a) The poll workers shall check each secrecy envelope to see if the envelope~~
3086 ~~contains any write-in votes.]~~

3087 ~~[(b) If a secrecy envelope does not contain any write-in votes, the poll workers shall~~
3088 ~~remove the ballot sheet from the secrecy envelope.]~~

3089 ~~[(c) If a secrecy envelope contains any write-in votes, the poll workers may not~~
3090 ~~separate the ballot sheet from the secrecy envelope.]~~

3091 ~~[(4) The poll workers shall place:]~~

3092 ~~[(a) the voted ballot sheets and one copy of the statement of disposition of ballots in~~
3093 ~~the transfer case;]~~

3094 ~~[(b) the other copy of the statement of disposition of ballots, the pollbook, any~~
3095 ~~unprocessed absentee ballots, the poll workers' pay vouchers, the official register, and the~~
3096 ~~spoiled ballot envelope in the carrier envelope provided; and]~~

3097 ~~[(c) the other election materials in the election supply box.]~~

3098 Section 70. Section **20A-4-104** is amended to read:

3099 **20A-4-104. Counting ballots electronically.**

3100 (1) (a) Before beginning to count ballots using automatic tabulating equipment, the
3101 election officer shall test the automatic tabulating equipment to ensure that it will accurately
3102 count the votes cast for all offices and all measures.

3103 (b) The election officer shall publish public notice of the time and place of the test:

3104 (i) (A) at least 48 hours before the test in one or more daily or weekly newspapers of
3105 general circulation in the county, municipality, or jurisdiction where the equipment is used;

3106 (B) if there is no daily or weekly newspaper of general circulation in the county,
3107 municipality, or jurisdiction where the equipment is used, at least 10 days before the day of the
3108 test, by posting one notice, and at least one additional notice per 2,000 population of the
3109 county, municipality, or jurisdiction, in places within the county, municipality, or jurisdiction
3110 that are most likely to give notice to the voters in the county, municipality, or jurisdiction; or

3111 (C) at least 10 days before the day of the test, by mailing notice to each registered voter
3112 in the county, municipality, or jurisdiction where the equipment is used;

3113 (ii) on the Utah Public Notice Website created in Section [63F-1-701](#), for four weeks
3114 before the day of the test;

3115 (iii) in accordance with Section [45-1-101](#), for at least 10 days before the day of the test;
3116 and

3117 (iv) if the county, municipality, or jurisdiction has a website, on the website for four
3118 weeks before the day of the test.

3119 (c) The election officer shall conduct the test by processing a preaudited group of
3120 ballots.

3121 (d) The election officer shall ensure that:

3122 (i) a predetermined number of valid votes for each candidate and measure are recorded
3123 on the ballots;

3124 (ii) for each office, one or more ~~[ballot sheets]~~ ballots have votes in excess of the
3125 number allowed by law in order to test the ability of the automatic tabulating equipment to
3126 reject those votes; and

3127 (iii) a different number of valid votes are assigned to each candidate for an office, and

3128 for and against each measure.

3129 (e) If any error is detected, the election officer shall determine the cause of the error
3130 and correct it.

3131 (f) The election officer shall ensure that:

3132 (i) the automatic tabulating equipment produces an errorless count before beginning
3133 the actual counting; and

3134 (ii) the automatic tabulating equipment passes the same test at the end of the count
3135 before the election returns are approved as official.

3136 (2) (a) The election officer or the election officer's designee shall supervise and direct
3137 all proceedings at the counting center.

3138 (b) (i) Proceedings at the counting center are public and may be observed by interested
3139 persons.

3140 (ii) Only those persons authorized to participate in the count may touch any ballot or
3141 return.

3142 (c) The election officer shall deputize and administer an oath or affirmation to all
3143 persons who are engaged in processing and counting the ballots that they will faithfully
3144 perform their assigned duties.

3145 (3) If any ballot is damaged or defective so that it cannot properly be counted by the
3146 automatic tabulating equipment, the election officer shall ensure that two counting judges
3147 jointly:

3148 (a) [~~create a true duplicate copy~~] make a true replication of the ballot with an
3149 identifying serial number;

3150 (b) substitute the [~~duplicate~~] replicated ballot for the damaged or defective ballot;

3151 (c) label the [~~duplicate~~] replicated ballot [~~"duplicate"~~] "replicated"; and

3152 (d) record the [~~duplicate~~] replicated ballot's serial number on the damaged or defective
3153 ballot.

3154 (4) The election officer may:

3155 (a) conduct an unofficial count before conducting the official count in order to provide
3156 early unofficial returns to the public;

3157 (b) release unofficial returns from time to time after the polls close; and

3158 (c) report the progress of the count for each candidate during the actual counting of

3159 ballots.

3160 (5) The election officer shall review and evaluate the provisional ballot envelopes and
3161 prepare any valid provisional ballots for counting as provided in Section [20A-4-107](#).

3162 (6) (a) The election officer or the election officer's designee shall:

3163 (i) separate, count, and tabulate any ballots containing valid write-in votes; and

3164 (ii) complete the standard form provided by the clerk for recording valid write-in votes.

3165 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
3166 more votes for an office than that voter is entitled to vote for that office, the poll workers shall
3167 count the valid write-in vote as being the obvious intent of the voter.

3168 (7) (a) The election officer shall certify the return printed by the automatic tabulating
3169 equipment, to which have been added write-in and absentee votes, as the official return of each
3170 voting precinct.

3171 (b) Upon completion of the count, the election officer shall make official returns open
3172 to the public.

3173 (8) If for any reason it becomes impracticable to count all or a part of the ballots with
3174 tabulating equipment, the election officer may direct that they be counted manually according
3175 to the procedures and requirements of this part.

3176 (9) After the count is completed, the election officer shall seal and retain the programs,
3177 test materials, and ballots as provided in Section [20A-4-202](#).

3178 Section 71. Section [20A-4-105](#) is amended to read:

3179 **20A-4-105. Standards and requirements for evaluating voter's ballot choices.**

3180 (1) (a) An election officer shall ensure that when a question arises regarding a vote
3181 recorded on a ~~paper~~ manual ballot, two counting judges jointly adjudicate the ballot, except
3182 as otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods
3183 Pilot Project, in accordance with the requirements of this section.

3184 (b) If the counting judges disagree on the disposition of a vote recorded on a ballot that
3185 is adjudicated under this section, the counting judges may not count the vote.

3186 (2) Except as provided in Subsection (11), Subsection [~~20A-3-105(5)~~] [20A-3a-204\(6\)](#),
3187 or Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, if a voter
3188 marks more names than there are individuals to be elected to an office, or if the counting
3189 judges cannot determine a voter's choice for an office, the counting judges may not count the

3190 voter's vote for that office.

3191 (3) Except as otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate
3192 Voting Methods Pilot Project, the counting judges shall count a defective or incomplete mark
3193 on a ~~[paper]~~ manual ballot if:

3194 (a) the defective or incomplete mark is in the proper place; and

3195 (b) there is no other mark or cross on the ballot indicating the voter's intent to vote
3196 other than as indicated by the incomplete or defective mark.

3197 (4) (a) When a voter has marked a ballot so that it appears that the voter has voted
3198 more than one straight ticket, the counting judges may not count any votes on the ballot for
3199 party candidates.

3200 (b) The counting judges shall count the remainder of the ballot if the remainder of the
3201 ballot is voted correctly.

3202 (5) Except as otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate
3203 Voting Methods Pilot Project, the counting judges may not reject a ballot marked by the voter
3204 because of marks on the ballot other than those marks allowed by this section unless the
3205 extraneous marks on a ballot show an intent by an individual to mark the individual's ballot so
3206 that the individual's ballot can be identified.

3207 (6) (a) In counting the ballots, the counting judges shall give full consideration to the
3208 intent of the voter.

3209 (b) The counting judges may not invalidate a ballot because of mechanical or technical
3210 defects in voting or failure on the part of the voter to follow strictly the rules for balloting
3211 required by Chapter 3, Voting.

3212 (7) The counting judges may not reject a ballot because of an error in:

3213 (a) stamping or writing an official endorsement; or

3214 (b) delivering the wrong ballots to a polling place.

3215 (8) The counting judges may not count a ~~[paper]~~ manual ballot that does not have the
3216 official endorsement by an election officer.

3217 (9) The counting judges may not count a ballot proposition vote or candidate vote for
3218 which the voter is not legally entitled to vote, as defined in Section [20A-4-107](#).

3219 (10) If the counting judges discover that the name of a candidate is misspelled on a
3220 ballot, or that the initial letters of a candidate's given name are transposed or omitted in whole

3221 or in part on a ballot, the counting judges shall count a voter's vote for the candidate if it is
3222 apparent that the voter intended to vote for the candidate.

3223 (11) The counting judges shall count a vote for the president and the vice president of
3224 any political party as a vote for the presidential electors selected by the political party.

3225 (12) Except as otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate
3226 Voting Methods Pilot Project, in counting the valid write-in votes, if, by casting a valid
3227 write-in vote, a voter has cast more votes for an office than that voter is entitled to vote for that
3228 office, the counting judges shall count the valid write-in vote as being the obvious intent of the
3229 voter.

3230 Section 72. Section **20A-4-106** is amended to read:

3231 **20A-4-106. Manual ballots -- Sealing.**

3232 ~~[(1) (a) (i) At all elections using paper ballots, as soon as the counting judges have read
3233 and tallied the ballots, they shall string the counted, excess, and spoiled ballots on separate
3234 strings.]~~

3235 (1) After the official canvas of an election, the election officer shall store all election
3236 returns in containers that identify the containers' contents.

3237 ~~[(ii) (2) After the ballots are [strung, they] stored under Subsection (1), the ballots may~~
3238 ~~not be examined by anyone, except when examined during a recount conducted under the~~
3239 ~~authority of Section 20A-4-401 or Title 20A, Chapter 4, Part 6, Municipal Alternate Voting~~
3240 ~~Methods Pilot Project.~~

3241 ~~[(b) The judges shall carefully seal all of the strung ballots in a strong envelope.]~~

3242 ~~[(2) (a) For regular primary elections, after all the ballots have been counted, certified~~
3243 ~~to, and strung by the judges, they shall seal the ballots cast for each of the parties in separate~~
3244 ~~envelopes.]~~

3245 ~~[(b) The judges shall:]~~

3246 ~~[(i) seal each of the envelopes containing the votes of each of the political parties in~~
3247 ~~one large envelope; and]~~

3248 ~~[(ii) return that envelope to the county clerk.]~~

3249 ~~[(c) The judges shall:]~~

3250 ~~[(i) destroy the ballots in the blank ballot box; or]~~

3251 ~~[(ii) if directed to do so by the election officer, return them to the election officer for~~

3252 destruction.]

3253 ~~[(3) As soon as the judges have counted all the votes and sealed the ballots they shall~~
3254 ~~sign and certify the pollbooks.]~~

3255 ~~[(4) (a) The judges, before they adjourn, shall:]~~

3256 ~~[(i) enclose and seal the official register, the posting book, the pollbook, the ballot~~
3257 ~~disposition form, the military and overseas absentee voter registration and voting certificates,~~
3258 ~~one of the tally sheets, and any unprocessed absentee ballots in a strong envelope or pouch;]~~

3259 ~~[(ii) ensure that all counted ballots, all excess ballots, and all spoiled ballots have been~~
3260 ~~strung and placed in a separate envelope or pouch as required by Subsection (1);]~~

3261 ~~[(iii) place all unused ballots, all spoiled ballots, one tally list, and a copy of the ballot~~
3262 ~~disposition form in a separate envelope or pouch;]~~

3263 ~~[(iv) place all provisional ballots in a separate envelope or pouch; and]~~

3264 ~~[(v) place the total votes cast form and the judges' vouchers requesting compensation~~
3265 ~~for services rendered in a separate pouch.]~~

3266 ~~[(b) Before enclosing the official register in the envelope or pouch, the election judges~~
3267 ~~shall certify it substantially as follows:]~~

3268 ~~["We, the undersigned, judges of election for precinct _____, (jurisdiction) _____,~~
3269 ~~Utah, certify that the required entries have been made for the election held~~

3270 ~~_____ (month\day\year), including:]~~

3271 ~~[a list of the ballot numbers for each voter;]~~

3272 ~~[the voters' signatures, except where a judge has signed for the absentee voters;]~~

3273 ~~[a list of information surrounding a voter who is challenged;]~~

3274 ~~[including any affidavits; and]~~

3275 ~~[a notation for each time a voter was assisted with a ballot."]~~

3276 ~~[(5) Each judge shall:]~~

3277 ~~[(a) write the judge's name across the seal of each envelope or pouch;]~~

3278 ~~[(b) mark on the exterior of the envelope or pouch:]~~

3279 ~~[(i) the word "ballots" or "returns" or "unused ballots," or "provisional ballots" or other~~
3280 ~~words plainly indicating the contents of the packages; and]~~

3281 ~~[(ii) the number of the voting precinct.]~~

3282 Section 73. Section **20A-4-107** is amended to read:

- 3283 **20A-4-107. Review and disposition of provisional ballot envelopes.**
- 3284 (1) As used in this section, ~~[a person]~~ an individual is "legally entitled to vote" if:
- 3285 (a) the ~~[person]~~ individual:
- 3286 (i) is registered to vote in the state;
- 3287 (ii) votes the ballot for the voting precinct in which the ~~[person]~~ individual resides; and
- 3288 (iii) provides valid voter identification to the poll worker;
- 3289 (b) the ~~[person]~~ individual:
- 3290 (i) is registered to vote in the state;
- 3291 (ii) (A) provided valid voter identification to the poll worker; or
- 3292 (B) either failed to provide valid voter identification or the documents provided as
- 3293 valid voter identification were inadequate and the poll worker recorded that fact in the official
- 3294 register but the county clerk verifies the ~~[person's]~~ individual's identity and residence through
- 3295 some other means; and
- 3296 (iii) did not vote in the ~~[person's]~~ individual's precinct of residence, but the ballot that
- 3297 the ~~[person]~~ individual voted was from the ~~[person's]~~ individual's county of residence and
- 3298 includes one or more candidates or ballot propositions on the ballot voted in the ~~[person's]~~
- 3299 individual's precinct of residence; or
- 3300 (c) the ~~[person]~~ individual:
- 3301 (i) is registered to vote in the state;
- 3302 (ii) either failed to provide valid voter identification or the documents provided as
- 3303 valid voter identification were inadequate and the poll worker recorded that fact in the official
- 3304 register; and
- 3305 (iii) (A) the county clerk verifies the ~~[person's]~~ individual's identity and residence
- 3306 through some other means as reliable as photo identification; or
- 3307 (B) the ~~[person]~~ individual provides valid voter identification to the county clerk or an
- 3308 election officer who is administering the election by the close of normal office hours on
- 3309 Monday after the date of the election.
- 3310 (2) (a) Upon receipt of a provisional ballot form, the election officer shall review the
- 3311 affirmation on the provisional ballot form and determine if the ~~[person]~~ individual signing the
- 3312 affirmation is:
- 3313 (i) registered to vote in this state; and

3314 (ii) legally entitled to vote:
3315 (A) the ballot that the [person] individual voted; or
3316 (B) if the ballot is from the [person's] individual's county of residence, for at least one
3317 ballot proposition or candidate on the ballot that the [person] individual voted.
3318 (b) Except as provided in Section 20A-2-207, if the election officer determines that the
3319 [person] individual is not registered to vote in this state or is not legally entitled to vote in the
3320 county or for any of the ballot propositions or candidates on the ballot that the [person]
3321 individual voted, the election officer shall retain the ballot form, uncounted, for the period
3322 specified in Section 20A-4-202 unless ordered by a court to produce or count it.
3323 (c) If the election officer determines that the [person] individual is registered to vote in
3324 this state and is legally entitled to vote in the county and for at least one of the ballot
3325 propositions or candidates on the ballot that the [person] individual voted, the election officer
3326 shall place the provisional ballot with the [absentee] regular ballots to be counted with those
3327 ballots at the canvass.
3328 (d) The election officer may not count, or allow to be counted a provisional ballot
3329 unless the [person's] individual's identity and residence is established by a preponderance of the
3330 evidence.
3331 (3) If the election officer determines that the [person] individual is registered to vote in
3332 this state, or if the voter registers to vote in accordance with Section 20A-2-207, the election
3333 officer shall ensure that the voter registration records are updated to reflect the information
3334 provided on the provisional ballot form.
3335 (4) Except as provided in Section 20A-2-207, if the election officer determines that the
3336 [person] individual is not registered to vote in this state and the information on the provisional
3337 ballot form is complete, the election officer shall:
3338 (a) consider the provisional ballot form a voter registration form for the [person's]
3339 individual's county of residence; and
3340 (b) (i) register the [person] individual if the [voter's] individual's county of residence is
3341 within the county; or
3342 (ii) forward the voter registration form to the election officer of the [person's]
3343 individual's county of residence, which election officer shall register the [person] individual.
3344 (5) Notwithstanding any provision of this section, the election officer shall place a

3345 provisional ballot with the [~~absentee~~] regular ballots to be counted with those ballots at the
3346 canvass, if:

3347 (a) (i) the election officer determines, in accordance with the provisions of this section,
3348 that the sole reason a provisional ballot may not otherwise be counted is because the voter
3349 registration was filed less than [~~seven~~] 11 days before the election;

3350 (ii) [~~seven~~] 11 or more days before the election, the individual who cast the provisional
3351 ballot:

3352 (A) completed and signed the voter registration; and

3353 (B) provided the voter registration to another person to file;

3354 (iii) the late filing was made due to the [~~person~~] individual described in Subsection
3355 (5)(a)(ii)(B) filing the voter registration late; and

3356 (iv) the election officer receives the voter registration before 5 p.m. no later than one
3357 day before the day of the election; or

3358 (b) the provisional ballot is cast on or before election day and is not otherwise
3359 prohibited from being counted under the provisions of this chapter.

3360 Section 74. Section **20A-4-201** is amended to read:

3361 **20A-4-201. Delivery of election returns.**

3362 (1) At least two poll workers shall deliver the [~~ballot box, the lock, and the key~~] ballots
3363 and other items described in Subsection 20A-4-103(3)(d) to:

3364 (a) the election officer; or

3365 (b) the location directed by the election officer.

3366 (2) (a) Before they adjourn, the poll workers shall choose two or more of their number
3367 to deliver the election returns to the election officer.

3368 (b) The poll workers shall:

3369 (i) deliver the unopened envelopes [~~or pouches~~] to the election officer or counting
3370 center immediately but no later than 24 hours after the polls close; or

3371 (ii) if the polling place is 15 miles or more from the county seat, mail the election
3372 returns to the election officer by registered mail from the post office most convenient to the
3373 polling place within 24 hours after the polls close.

3374 (3) The election officer shall pay each poll worker reasonable compensation for travel
3375 that is necessary to deliver the election returns and to return to the polling place.

3376 (4) The requirements of this section do not prohibit transmission of the unofficial vote
 3377 count to the counting center via electronic means, provided that reasonable security measures
 3378 are taken to preserve the integrity and privacy of the transmission.

3379 Section 75. Section **20A-4-202** is amended to read:

3380 **20A-4-202. Election officers -- Disposition of ballots -- Release of number of**
 3381 **provisional ballots cast.**

3382 (1) Upon receipt of the election returns from the poll workers, the election officer shall:

3383 (a) ensure that the poll workers have provided all of the ballots and election returns;

3384 (b) inspect the ballots and election returns to ensure that they are sealed;

3385 (c) ~~[(i)]~~ for ~~[paper]~~ manual ballots, deposit and lock the ballots and election returns in a
 3386 safe and secure place~~[-or]~~;

3387 ~~[(ii)]~~ (d) ~~[for punch-card]~~ for mechanical ballots:

3388 ~~[(A)]~~ (i) count the ballots; and

3389 ~~[(B)]~~ (ii) deposit and lock the ballots and election returns in a safe and secure place;

3390 and

3391 ~~[(D)]~~ (e) for bond elections, provide a copy of the election results to the board of
 3392 canvassers of the local political subdivision that called the bond election.

3393 (2) Each election officer shall:

3394 (a) before 5 p.m. on the day after the date of the election, determine the number of
 3395 provisional ballots cast within the election officer's jurisdiction and make that number available
 3396 to the public;

3397 (b) preserve ballots for 22 months after the election or until the time has expired during
 3398 which the ballots could be used in an election contest;

3399 ~~[(c) package and seal a true copy of the ballot label used in each voting precinct;]~~

3400 ~~[(D)]~~ (c) preserve all other official election returns for at least 22 months after an
 3401 election; and

3402 ~~[(E)]~~ (d) after that time, destroy them without opening or examining them.

3403 (3) (a) The election officer shall package and retain all tabulating cards and other
 3404 materials used in the programming of the automatic tabulating equipment.

3405 (b) The election officer:

3406 (i) may access these tabulating cards and other materials;

3407 (ii) may make copies of these materials and make changes to the copies;
 3408 (iii) may not alter or make changes to the materials themselves; and
 3409 (iv) within 22 months after the election in which they were used, may dispose of those
 3410 materials or retain them.

3411 (4) (a) If an election contest is begun within 12 months, the election officer shall:

3412 (i) keep the ballots and election returns unopened and unaltered until the contest is
 3413 complete; or

3414 (ii) surrender the ballots and election returns to the custody of the court having
 3415 jurisdiction of the contest when ordered or subpoenaed to do so by that court.

3416 (b) When all election contests arising from an election are complete, the election
 3417 officer shall either:

3418 (i) retain the ballots and election returns until the time for preserving them under this
 3419 section has run; or

3420 (ii) destroy the ballots and election returns remaining in the election officer's custody
 3421 without opening or examining them if the time for preserving them under this section has run.

3422 Section 76. Section **20A-4-303** is amended to read:

3423 **20A-4-303. Duties of the board of canvassers -- Canvassing the returns.**

3424 (1) (a) Before the board of canvassers convenes, the election officer shall:

3425 (i) count the ballots;

3426 (ii) prepare a certified summary of:

3427 (A) all ballots counted; and

3428 (B) all ballots not counted, with an explanation regarding the reason the ballots were
 3429 not counted; and

3430 (iii) make available to the board of canvassers for inspection, all ballots, registers,
 3431 books, and forms related to the election.

3432 [~~(a)~~] (b) The board of canvassers shall canvass the election returns by publicly
 3433 [opening the returns and determining from them the votes of each voting precinct for]:

3434 (i) reviewing the summary reports prepared by the election officer and any ballots,
 3435 registers, books, or forms requested by the board of canvassers; and

3436 (ii) certifying the votes cast:

3437 [~~(i)~~] (A) each person voted for; and

3438 ~~[(f)]~~ (B) for and against each ballot proposition voted upon at the election.

3439 ~~[(b)]~~ (c) The board of canvassers shall, once having begun the canvass, continue until it
3440 is completed.

3441 (2) In canvassing returns, the board of canvassers may not:

3442 (a) reject any election returns if the board can determine the number of votes cast for
3443 each person from it;

3444 (b) reject any election returns if the election returns:

3445 (i) do not show who administered the oath to the judges of election;

3446 (ii) show that the election judges failed to fill out all the certificates in the pollbooks; or

3447 (iii) show that the election judges failed to do or perform any other act in preparing the
3448 returns that is not essential to determine for whom the votes were cast; or

3449 (c) reject any returns from any voting precinct that do not conform with the
3450 requirements for making, certifying, and returning the returns if those returns are sufficiently
3451 explicit to enable the board of canvassers to determine the number of votes cast for each person
3452 and for and against each ballot proposition.

3453 (3) (a) If it clearly appears to the election officer and board of canvassers that certain
3454 matters are omitted or that clerical mistakes exist in election returns received, ~~[they shall~~
3455 ~~transmit the election returns to the election judges for correction]~~ the election officer shall
3456 correct the omissions and mistakes.

3457 ~~[(b) Upon receipt of the election returns for correction from the board of canvassers,~~
3458 ~~the election judges shall correct the election returns as required by the facts.]~~

3459 ~~[(e)]~~ (b) The clerk and the board of canvassers may adjourn from day to day to await
3460 receipt of corrected election material.

3461 (4) If a recount is conducted as authorized by Section 20A-4-401, the board of
3462 canvassers shall canvass the results of that recount as provided in this section and Section
3463 20A-4-401.

3464 Section 77. Section 20A-4-401 is amended to read:

3465 **20A-4-401. Recounts -- Procedure.**

3466 (1) (a) This section does not apply to a race conducted by instant runoff voting under
3467 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project.

3468 (b) Except as provided in Subsection (1)(c), for a race between candidates, if the

3469 difference between the number of votes cast for a winning candidate in the race and a losing
3470 candidate in the race is equal to or less than .25% of the total number of votes cast for all
3471 candidates in the race, that losing candidate may file a request for a recount in accordance with
3472 Subsection (1)(d).

3473 (c) For a race between candidates where the total of all votes cast in the race is 400 or
3474 less, if the difference between the number of votes cast for a winning candidate in the race and
3475 a losing candidate in the race is one vote, that losing candidate may file a request for a recount
3476 in accordance with Subsection (1)(d).

3477 (d) A candidate who files a request for a recount under Subsection (1) (b) or (c) shall
3478 file the request:

3479 (i) for a municipal primary election, with the municipal clerk, before 5 p.m. within
3480 three days after the canvass; or

3481 (ii) for all other elections, before 5 p.m. within seven days after the canvass with:

3482 (A) the municipal clerk, if the election is a municipal general election;

3483 (B) the local district clerk, if the election is a local district election;

3484 (C) the county clerk, for races voted on entirely within a single county; or

3485 (D) the lieutenant governor, for statewide races and multicounty races.

3486 (e) The election officer shall:

3487 (i) supervise the recount;

3488 (ii) recount all ballots cast for that race;

3489 (iii) reexamine all [~~unopened absentee~~] uncounted ballots to ensure compliance with
3490 Chapter 3, Part [~~3, Absentee Voting~~] 4, Disposition of Ballots;

3491 (iv) for a race where only one candidate may win, declare elected the candidate who
3492 receives the highest number of votes on the recount; and

3493 (v) for a race where multiple candidates may win, declare elected the applicable
3494 number of candidates who receive the highest number of votes on the recount.

3495 (2) (a) Except as provided in Subsection (2)(b), for a ballot proposition or a bond
3496 proposition, if the proposition passes or fails by a margin that is equal to or less than .25% of
3497 the total votes cast for or against the proposition, any 10 voters who voted in the election where
3498 the proposition was on the ballot may file a request for a recount before 5 p.m. within seven
3499 days after the day of the canvass with the person described in Subsection (2)(c).

3500 (b) For a ballot proposition or a bond proposition where the total of all votes cast for or
3501 against the proposition is 400 or less, if the difference between the number of votes cast for the
3502 proposition and the number of votes cast against the proposition is one vote, any 10 voters who
3503 voted in the election where the proposition was on the ballot may file a request for a recount
3504 before 5 p.m. within seven days after the day of the canvass with the person described in
3505 Subsection (2)(c).

3506 (c) The 10 voters who file a request for a recount under Subsection (2)(a) or (b) shall
3507 file the request with:

- 3508 (i) the municipal clerk, if the election is a municipal election;
- 3509 (ii) the local district clerk, if the election is a local district election;
- 3510 (iii) the county clerk, for propositions voted on entirely within a single county; or
- 3511 (iv) the lieutenant governor, for statewide propositions and multicounty propositions.

3512 (d) The election officer shall:

- 3513 (i) supervise the recount;
- 3514 (ii) recount all ballots cast for that ballot proposition or bond proposition;
- 3515 (iii) reexamine all [~~unopened absentee~~] uncounted ballots to ensure compliance with
3516 Chapter 3, Part [~~3, Absentee Voting~~] 4, Disposition of Ballots; and

3517 (iv) declare the ballot proposition or bond proposition to have "passed" or "failed"
3518 based upon the results of the recount.

3519 (e) Proponents and opponents of the ballot proposition or bond proposition may
3520 designate representatives to witness the recount.

3521 (f) The voters requesting the recount shall pay the costs of the recount.

3522 (3) Costs incurred by recount under Subsection (1) may not be assessed against the
3523 person requesting the recount.

3524 (4) (a) Upon completion of the recount, the election officer shall immediately convene
3525 the board of canvassers.

3526 (b) The board of canvassers shall:

3527 (i) canvass the election returns for the race or proposition that was the subject of the
3528 recount; and

3529 (ii) with the assistance of the election officer, prepare and sign the report required by
3530 Section [20A-4-304](#) or [20A-4-306](#).

3531 (c) If the recount is for a statewide or multicounty race or for a statewide proposition,
3532 the board of county canvassers shall prepare and transmit a separate report to the lieutenant
3533 governor as required by Subsection 20A-4-304 (7).

3534 (d) The canvassers' report prepared as provided in this Subsection (4) is the official
3535 result of the race or proposition that is the subject of the recount.

3536 Section 78. Section 20A-5-102 is amended to read:

3537 **20A-5-102. Voting instructions.**

3538 (1) Each election officer shall:

3539 (a) print [~~instruction cards~~] instructions for voters;

3540 (b) ensure that the [~~cards~~] instructions are printed in English, and any other language
3541 required under the Voting Rights Act of 1965, as amended, in large clear type; and

3542 (c) ensure that the [~~cards instruct~~] instructions inform voters:

3543 (i) about how to obtain ballots for voting;

3544 (ii) about special political party affiliation requirements for voting in a regular primary
3545 election or presidential primary election;

3546 (iii) about how to prepare ballots for deposit in the ballot box;

3547 (iv) about how to record write-in votes;

3548 (v) about how to obtain a new ballot in the place of one spoiled by accident or mistake;

3549 (vi) about how to obtain assistance in marking ballots;

3550 (vii) about obtaining a new ballot if the voter's ballot is defaced;

3551 (viii) that identification marks or the spoiling or defacing of a ballot will make it
3552 invalid;

3553 (ix) about how to obtain and vote a provisional ballot;

3554 (x) about whom to contact to report election fraud;

3555 (xi) about applicable federal and state laws regarding:

3556 (A) voting rights and the appropriate official to contact if the voter alleges his rights
3557 have been violated; and

3558 (B) prohibitions on acts of fraud and misrepresentation;

3559 (xii) about procedures governing mail-in registrants and first-time voters; and

3560 (xiii) about the date of the election and the hours that the polls are open on election
3561 day.

- 3562 (2) Each election officer shall:
- 3563 (a) provide the election judges of each voting precinct with sufficient instruction cards
- 3564 to instruct voters in the preparation of their ballots;
- 3565 (b) direct the election judges to post:
- 3566 (i) general voting instructions in each voting booth; and
- 3567 (ii) at least three instruction cards and at least one sample ballot elsewhere in and about
- 3568 the polling place.

3569 Section 79. Section **20A-5-205** is amended to read:

3570 **20A-5-205. Delivery of official register.**

3571 (1) Before delivering the official register to the poll workers, the county clerk shall
3572 ~~[attach the certificate required by law to the book]~~ verify the accuracy and completeness of the
3573 official register.

3574 (2) The county clerk shall ~~[deliver the official register, its accuracy verified by the~~
3575 ~~county clerk's signature, to a poll worker in each voting precinct by noon on the day before the~~
3576 ~~election.],~~ before the polls open at an early voting center or any other polling place:

- 3577 (a) deliver the official register to each polling place; and
- 3578 (b) provide verification of the official register's accuracy and completeness.
- 3579 (3) This section does not prohibit a county clerk from updating an official register as

3580 necessary.

3581 Section 80. Section **20A-5-206** is amended to read:

3582 **20A-5-206. Change of precinct boundaries -- Revising list.**

3583 (1) Whenever the boundaries of any voting precinct are changed, or a new voting
3584 precinct is created, the county clerk shall ensure that the names of all voters residing within the
3585 territory affected by the change are ~~[transferred from one]~~ updated in the official register ~~[to~~
3586 ~~the other].~~

3587 (2) Any registered voter whose name has been erroneously ~~[transferred from one]~~
3588 updated in the official register ~~[to another]~~, or erroneously ~~[allowed to remain on any]~~ not
3589 updated in the official register, may vote in the voting precinct in which the voter resides if the
3590 voter uses a provisional ballot.

3591 Section 81. Section **20A-5-302** is amended to read:

3592 **20A-5-302. Automated voting system.**

3593 (1) (a) Any county or municipal legislative body or local district board may:
3594 (i) adopt, experiment with, acquire by purchase, lease, or otherwise, or abandon any
3595 automated voting system that meets the requirements of this section; and
3596 (ii) use that system in any election, in all or a part of the voting precincts within its
3597 boundaries, or in combination with ~~[paper]~~ manual ballots.

3598 (b) Nothing in this title shall be construed to require the use of electronic voting
3599 devices in local special elections, municipal primary elections, or municipal general elections.

3600 (2) (a) Each automated voting system shall:
3601 (i) provide for voting in secrecy, except in the case of voters who have received
3602 assistance as authorized by Section ~~[20A-3-108]~~ 20A-3a-108;
3603 (ii) permit each voter at any election to:
3604 (A) vote for all persons and offices for whom and for which that voter is lawfully
3605 entitled to vote;
3606 (B) vote for as many persons for an office as that voter is entitled to vote; and
3607 (C) vote for or against any ballot proposition upon which that voter is entitled to vote;
3608 (iii) permit each voter, at presidential elections, by one mark ~~[or punch]~~, to vote for the
3609 candidates of that party for president, vice president, and for their presidential electors;
3610 (iv) permit each voter, at any regular general election, to vote for all the candidates of
3611 one registered political party by making one mark ~~[or punch]~~;
3612 (v) permit each voter to scratch vote;
3613 (vi) at elections other than primary elections, permit each voter to vote for the
3614 nominees of one or more parties and for independent candidates;
3615 (vii) at primary elections:
3616 (A) permit each voter to vote for candidates of the political party of the voter's choice;
3617 and
3618 (B) reject any votes cast for candidates of another party;
3619 (viii) prevent the voter from voting for the same person more than once for the same
3620 office;
3621 (ix) provide the opportunity for each voter to change the ballot and to correct any error
3622 before the voter casts the ballot in compliance with the Help America Vote Act of 2002, Pub.
3623 L. No. 107-252;

3624 (x) include automatic tabulating equipment that rejects choices recorded on a voter's
3625 ballot if the number of the voter's recorded choices is greater than the number which the voter
3626 is entitled to vote for the office or on the measure;

3627 (xi) be of durable construction, suitably designed so that it may be used safely,
3628 efficiently, and accurately in the conduct of elections and counting ballots;

3629 (xii) when properly operated, record correctly and count accurately each vote cast;

3630 (xiii) for voting equipment certified after January 1, 2005, produce a permanent paper
3631 record that:

3632 (A) shall be available as an official record for any recount or election contest
3633 conducted with respect to an election where the voting equipment is used;

3634 (B) (I) shall be available for the voter's inspection prior to the voter leaving the polling
3635 place; and

3636 (II) shall permit the voter to inspect the record of the voter's selections independently
3637 only if reasonably practicable commercial methods permitting independent inspection are
3638 available at the time of certification of the voting equipment by the lieutenant governor;

3639 (C) shall include, at a minimum, human readable printing that shows a record of the
3640 voter's selections;

3641 (D) may also include machine readable printing which may be the same as the human
3642 readable printing; and

3643 (E) allows a watcher to observe the election process to ensure the integrity of the
3644 election process; and

3645 (xiv) meet the requirements of Section [20A-5-802](#).

3646 (b) For the purposes of a recount or an election contest, if the permanent paper record
3647 contains a conflict or inconsistency between the human readable printing and the machine
3648 readable printing, the human readable printing shall supercede the machine readable printing
3649 when determining the intent of the voter.

3650 (c) Notwithstanding any other provisions of this section, the election officers shall
3651 ensure that the ballots to be counted by means of electronic or electromechanical devices are of
3652 a size, layout, texture, and printed in a type of ink or combination of inks that will be suitable
3653 for use in the counting devices in which they are intended to be placed.

3654 Section 82. Section **20A-5-401** is amended to read:

3655 **20A-5-401. Official register -- Preparation -- Contents.**

3656 (1) (a) Before the registration days for each regular general, municipal general, regular
 3657 primary, municipal primary, or presidential primary election, each county clerk shall prepare an
 3658 official register of all voters [~~for each voting precinct~~] that will participate in the election.

3659 (b) The county clerk shall ensure that the official register is prepared [~~for the~~
 3660 ~~alphabetical entry of names~~] and contains [~~entry fields to provide for~~] the following
 3661 [~~information~~] for each registered voter:

3662 (i) [~~registered voter's~~] name;

3663 (ii) party affiliation;

3664 (iii) an entry field for a voter challenge, including the name of the individual making
 3665 the challenge and the grounds for the challenge;

3666 [~~(iv) name of person challenging a voter;~~]

3667 [~~(v) primary, November, special;~~]

3668 (iv) election name and date;

3669 [~~(vi)] (v) date of birth~~;

3670 [~~(vii) place of birth;~~]

3671 [~~(viii)] (vi) place of current residence~~;

3672 [~~(ix)] (vii) street address of current residence~~;

3673 [~~(x)] (viii) zip code~~;

3674 [~~(xi)] (ix) identification and provisional ballot information as required under~~

3675 Subsection (1)(d); and

3676 [~~(xii)] (x) space for the voter to sign [his] the voter's name for [each] the election.~~

3677 (c) When preparing the official register for the presidential primary election, the county
 3678 clerk shall include:

3679 (i) an entry field to record the name of the political party whose ballot the voter voted;

3680 and

3681 (ii) an entry field for the poll worker to record changes in the voter's party affiliation.

3682 (d) When preparing the official register for any regular general election, municipal
 3683 general election, statewide special election, local special election, regular primary election,
 3684 municipal primary election, local district election, or election for federal office, the county
 3685 clerk shall include:

3686 (i) an entry field for the poll worker to record the type of identification provided by the
3687 voter;

3688 (ii) a [~~column~~] space for the poll worker to record the provisional envelope ballot
3689 number for voters who receive a provisional ballot; and

3690 (iii) a space for the poll worker to record the type of identification that was provided by
3691 voters who receive a provisional ballot.

3692 (2) (a) (i) For regular and municipal elections, primary elections, regular municipal
3693 elections, local district elections, and bond elections, the county clerk shall make an official
3694 register only for voting precincts affected by the primary, municipal, local district, or bond
3695 election.

3696 (ii) If a polling place to be used in a bond election serves both voters residing in the
3697 local political subdivision calling the bond election and voters residing outside of that local
3698 political subdivision, the official register shall designate whether each voter resides in or
3699 outside of the local political subdivision.

3700 (iii) Each county clerk, with the assistance of the clerk of each affected local district,
3701 shall provide a detailed map or an indication on the registration list or other means to enable a
3702 poll worker to determine the voters entitled to vote at an election of local district officers.

3703 (b) Municipalities shall pay the costs of making the official register for municipal
3704 elections.

3705 Section 83. Section **20A-5-403** is amended to read:

3706 **20A-5-403. Polling places -- Booths -- Ballot boxes -- Inspections --**
3707 **Arrangements.**

3708 (1) [~~Each~~] Except as provided in Section [20A-7-609.5](#), each election officer shall:

3709 (a) designate polling places for each voting precinct in the jurisdiction; and

3710 (b) obtain the approval of the county or municipal legislative body or local district
3711 governing board for those polling places.

3712 (2) (a) For each polling place, the election officer shall provide:

3713 (i) an American flag;

3714 (ii) a sufficient number of voting booths or compartments;

3715 (iii) the voting devices, voting booths, ballots, ballot boxes, [~~ballot labels, ballot sheets,~~
3716 ~~write-in ballots,~~] and any other records and supplies necessary to enable a voter to vote;

- 3717 (iv) the constitutional amendment cards required by Part 1, Election Notices and
3718 Instructions;
- 3719 (v) voter information pamphlets required by Chapter 7, Part 7, Voter Information
3720 Pamphlet;
- 3721 (vi) the ~~[instruction cards]~~ instructions required by Section 20A-5-102; and
- 3722 (vii) a sign, to be prominently displayed in the polling place, indicating that valid voter
3723 identification is required for every voter before the voter may vote and listing the forms of
3724 identification that constitute valid voter identification.
- 3725 (b) Each election officer shall ensure that:
- 3726 (i) each voting booth is at a convenient height for writing, and is arranged so that the
3727 voter can prepare the voter's ballot screened from observation;
- 3728 (ii) there are a sufficient number of voting booths or voting devices to accommodate
3729 the voters at that polling place; and
- 3730 (iii) there is at least one voting booth or voting device that is configured to
3731 accommodate persons with disabilities.
- 3732 (c) Each county clerk shall provide a ballot box for each polling place that is large
3733 enough to properly receive and hold the ballots to be cast.
- 3734 (3) (a) All polling places shall be physically inspected by each county clerk to ensure
3735 access by a person with a disability.
- 3736 (b) Any issues concerning inaccessibility to polling places by a person with a disability
3737 discovered during the inspections referred to in Subsection (3)(a) or reported to the county
3738 clerk shall be:
- 3739 (i) forwarded to the Office of the Lieutenant Governor; and
- 3740 (ii) within six months of the time of the complaint, the issue of inaccessibility shall be
3741 either:
- 3742 (A) remedied at the particular location by the county clerk;
- 3743 (B) the county clerk shall designate an alternative accessible location for the particular
3744 precinct; or
- 3745 (C) if no practical solution can be identified, file with the Office of the Lieutenant
3746 Governor a written explanation identifying the reasons compliance cannot reasonably be met.
- 3747 (4) (a) The municipality in which the election is held shall pay the cost of conducting

3748 each municipal election, including the cost of printing and supplies.

3749 (b) (i) Costs assessed by a county clerk to a municipality under this section may not
3750 exceed the actual costs incurred by the county clerk.

3751 (ii) The actual costs shall include:

3752 (A) costs of or rental fees associated with the use of election equipment and supplies;
3753 and

3754 (B) reasonable and necessary administrative costs.

3755 (5) The county clerk shall make detailed entries of all proceedings had under this
3756 chapter.

3757 (6) (a) Each county clerk shall, to the extent possible, ensure that the amount of time
3758 that an individual waits in line before the individual can vote at a polling location in the county
3759 does not exceed 30 minutes.

3760 (b) The lieutenant governor may require a county clerk to submit a line management
3761 plan before the next election if an individual waits in line at a polling location in the county
3762 longer than 30 minutes before the individual can vote.

3763 (c) The lieutenant governor may consider extenuating circumstances in deciding
3764 whether to require the county clerk to submit a plan described in Subsection (6)(b).

3765 (d) The lieutenant governor shall review each plan submitted under Subsection (6)(b)
3766 and consult with the county clerk submitting the plan to ensure, to the extent possible, that the
3767 amount of time an individual waits in line before the individual can vote at a polling location in
3768 the county does not exceed 30 minutes.

3769 Section 84. Section **20A-5-403.5** is enacted to read:

3770 **20A-5-403.5. Ballot drop boxes.**

3771 (1) An election officer:

3772 (a) may designate ballot drop boxes for the election officer's jurisdiction; and

3773 (b) shall clearly mark each ballot drop box as an official ballot drop box for the
3774 election officer's jurisdiction.

3775 (2) Except as provided in Section [20A-1-308](#) or Subsection (5), the election officer
3776 shall, at least 19 days before the date of the election, publish notice of the location of each
3777 ballot drop box designated under Subsection (1):

3778 (a) (i) in one issue of a newspaper of general circulation in the jurisdiction holding the

3779 election;

3780 (ii) if there is no newspaper of general circulation in the jurisdiction holding the
3781 election, by posting one notice, and at least one additional notice per 2,000 population of the
3782 jurisdiction holding the election, in places within the jurisdiction that are most likely to give
3783 notice to the residents in the jurisdiction; or

3784 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

3785 (b) on the Utah Public Notice Website created in Section 63F-1-701, for 19 days before
3786 the day of the election;

3787 (c) in accordance with Section 45-1-101, for 19 days before the date of the election;

3788 and

3789 (d) on the jurisdiction's website for 19 days before the day of the election.

3790 (3) Instead of publishing the location of ballot drop boxes under Subsection (2), the
3791 election officer may publish a statement that specifies the following sources where a voter may
3792 view or obtain a copy of all ballot drop box locations:

3793 (a) the jurisdiction's website;

3794 (b) the physical address of the jurisdiction's offices; and

3795 (c) a mailing address and telephone number.

3796 (4) The election officer shall include in the notice described in Subsection (2):

3797 (a) the address of the Statewide Electronic Voter Information Website and, if available,
3798 the address of the election officer's website, with a statement indicating that the election officer
3799 will post on the website the location of each ballot drop box, including any changes to the
3800 location of a ballot drop box and the location of additional ballot drop boxes; and

3801 (b) a phone number that a voter may call to obtain information regarding the location
3802 of a ballot drop box.

3803 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
3804 deadline described in Subsection (2):

3805 (i) if necessary, change the location of a ballot drop box; or

3806 (ii) if the election officer determines that the number of ballot drop boxes is
3807 insufficient due to the number of registered voters who are voting, designate additional ballot
3808 drop boxes.

3809 (b) Except as provided in Section 20A-1-308, if an election officer changes the

3810 location of a ballot box or designates an additional ballot drop box location, the election officer
 3811 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
 3812 the additional ballot drop box location:

3813 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

3814 (ii) by posting the information on the website of the election officer, if available; and

3815 (iii) by posting notice:

3816 (A) for a change in the location of a ballot drop box, at the new location and, if
 3817 possible, the old location; and

3818 (B) for an additional ballot drop box location, at the additional ballot drop box
 3819 location.

3820 (6) An election officer may, at any time, authorize two or more poll workers to remove
 3821 a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.

3822 Section 85. Section **20A-5-404** is amended to read:

3823 **20A-5-404. Election forms -- Preparation and contents.**

3824 (1) (a) For each election, the election officer shall prepare, for each [~~voting precinct, at~~
 3825 ~~(i) ballot disposition form; (ii) total votes cast form; (iii) tally sheet form; and (iv) pollbook.~~]
 3826 polling place:

3827 (i) forms for poll workers to record and verify security seals, ballots cast, and the
 3828 number of voters who voted; and

3829 (ii) an official register or pollbook.

3830 (b) For each election, the election officer shall:

3831 (i) provide a copy of each form to each of those precincts using paper ballots; and

3832 (ii) provide a copy of the ballot disposition form and a pollbook to each of those voting
 3833 precincts using an automated voting system.

3834 (2) The election officer shall ensure that the [~~ballot disposition form contains~~] forms
 3835 described in Subsection (1)(a)(i) include:

3836 (a) a space for the judges to identify:

3837 [~~(a)~~] (i) the number of ballots voted;

3838 [~~(b) the number of substitute ballots voted, if any;~~]

3839 [~~(c) the number of ballots delivered to the voters;~~]

3840 [~~(d) the number of spoiled ballots;~~]

3841 ~~[(e)]~~ (ii) the number of registered voters listed in the official register or pollbook; and

3842 ~~[(f)]~~ (iii) the total number of voters voting according to the official register or

3843 pollbook; and

3844 (b) a certification, in substantially the following form:

3845 "We, the undersigned, judges of an election held at _____ voting precinct, in

3846 County, state of Utah, on _____ (month\day\year), having first been sworn according to

3847 law, certify that the information in this form is a true statement of the number and names of the

3848 individuals voting in the voting precinct at the election, and that the total number of individuals

3849 voting at the election was _____.

3850 _____

3851 _____

3852 _____

3853 Judges of Election".

3854 ~~[(g) the number of unused ballots.]~~

3855 ~~[(3) The election officer shall ensure that the total votes cast form contains:]~~

3856 ~~[(a) the name of each candidate appearing on the ballot, the office for which the~~
3857 ~~candidate is running, and a blank space for the election judges to record the number of votes~~
3858 ~~that the candidate received;]~~

3859 ~~[(b) for a race conducted by instant runoff voting under Title 20A, Chapter 4, Part 6;~~
3860 ~~Municipal Alternate Voting Methods Pilot Project, the name of each candidate appearing on~~
3861 ~~the ballot, the office for which the candidate is running, and blank spaces for the election~~
3862 ~~judges to record the number of votes counted for each potential phase of the canvass;]~~

3863 ~~[(c) for each office, blank spaces for the election judges to record the names of write-in~~
3864 ~~candidates, if any, and a blank space for the election judges to record the number of votes that~~
3865 ~~the write-in candidate received;]~~

3866 ~~[(d) a heading identifying each ballot proposition and blank spaces for the election~~
3867 ~~judges to record the number of votes for and against each proposition; and]~~

3868 ~~[(e) a certification, in substantially the following form, to be signed by the judges when~~
3869 ~~they have completed the total votes cast form:]~~

3870 ~~["TOTAL VOTES CAST]~~

3871 ~~[At an election held at _____ in _____ voting precinct in _____ (name of entity~~

3872 holding the election) and State of Utah, on _____ (month\day\year), the following named
 3873 persons received the number of votes annexed to their respective names for the following
 3874 described offices. Total number of votes cast were as follows:]

3875 [Certified by us _____, _____, _____, Judges of Election.]"

3876 [~~(4)~~ The election officer shall ensure that the tally sheet form contains:]

3877 [(a) for each office, the names of the candidates for that office, and blank spaces to
 3878 tally the votes that each candidate receives;]

3879 [(b) for a race conducted by instant runoff voting under Title 20A, Chapter 4, Part 6,
 3880 Municipal Alternate Voting Methods Pilot Project, the name of each candidate for office and
 3881 blank spaces to tally the number of valid votes counted for each candidate for each potential
 3882 phase of the canvass;]

3883 [(c) for each office, blank spaces for the election judges to record the names of write-in
 3884 candidates, if any, and a blank space for the election judges to tally the votes for each write-in
 3885 candidate;]

3886 [(d) for each ballot proposition, a heading identifying the ballot proposition and the
 3887 words "Yes" and "No" or "For" and "Against" on separate lines with blank spaces after each of
 3888 them for the election judges to tally the ballot proposition votes; and]

3889 [(e) a certification, in substantially the following form, to be signed by the judges when
 3890 they have completed the tally sheet form:]

3891 ["Tally Sheet]

3892 [We the undersigned election judges for voting precinct # _____,

3893 _____ (entity holding the election) certify that this is a true and correct list of all
 3894 persons voted for and ballot propositions voted on at the election held in that voting precinct on
 3895 _____ (date of election) and is a tally of the votes cast for each of those
 3896 persons. Certified by us _____, _____, _____, Judges of Election.]"

3897 [(5)] (3) The election officer shall ensure that the official register or pollbook:

3898 (a) identifies the voting precinct number on [its] the face of the official register or
 3899 pollbook; and

3900 (b) contains:

3901 (i) a section to record [persons] individuals voting on election day[, with columns
 3902 entitled "Ballot Number" and "Voter's Name"]; and

3903 ~~[(ii) another section in which to record absentee ballots;]~~
 3904 ~~[(iii)] (ii) a section in which to record voters who are challenged[; and].~~
 3905 ~~[(iv) a certification, in substantially the following form:]~~
 3906 ~~["We, the undersigned, judges of an election held at _____ voting precinct, in~~
 3907 ~~_____ County, state of Utah, on _____(month\day\year), having first been sworn~~
 3908 ~~according to law, certify that the information listed in this book is a true statement of the~~
 3909 ~~number and names of the persons voting in the voting precinct at the election, and that the total~~
 3910 ~~number of persons voting at the election was _____."]~~

3911 [_____]
 3912 [_____]
 3913 [_____]
 3914 [Judges of Election]

3915 Section 86. Section **20A-5-405** is amended to read:

3916 **20A-5-405. Election officer to provide ballots.**

- 3917 (1) ~~[In jurisdictions using paper ballots, each]~~ An election officer shall:
- 3918 (a) provide ~~[printed official paper]~~ ballots ~~[and absentee ballots]~~ for every election of
 3919 public officers in which the voters, or any of the voters, within the election officer's jurisdiction
 3920 participate;
- 3921 (b) cause the name of every candidate whose nomination has been certified to or filed
 3922 with the election officer in the manner provided by law to be ~~[printed on each official paper~~
 3923 ~~ballot and absentee]~~ included on each ballot;
- 3924 (c) cause any ballot proposition that has qualified for the ballot as provided by law to
 3925 be ~~[printed on each official paper ballot and absentee]~~ included on each ballot;
- 3926 (d) ensure that the ~~[official paper]~~ ballots are ~~[printed]~~ prepared and in the possession
 3927 of the election officer before commencement of voting;
- 3928 ~~[(e) ensure that the absentee ballots are printed and in the possession of the election~~
 3929 ~~officer with sufficient time before commencement of voting;]~~
- 3930 ~~[(f) cause any ballot proposition that has qualified for the ballot as provided by law to~~
 3931 ~~be printed on each official paper ballot and absentee ballot;]~~
- 3932 ~~[(g)]~~ (e) allow candidates and their agents and the sponsors of ballot propositions that
 3933 have qualified for the official ballot to inspect the ~~[official paper ballots and absentee]~~ ballots;

3934 ~~[(h)]~~ (f) cause sample ballots to be printed that are in the same form as official [~~paper~~]
3935 ballots and that contain the same information as official [~~paper~~] ballots but that are printed on
3936 different colored paper than official [~~paper~~] ballots or are identified by a watermark;

3937 ~~[(i)]~~ (g) ensure that the sample ballots are printed and in the possession of the election
3938 officer at least seven days before commencement of voting;

3939 ~~[(j)]~~ (h) make the sample ballots available for public inspection by:

3940 (i) posting a copy of the sample ballot in the election officer's office at least seven days
3941 before commencement of voting;

3942 (ii) mailing a copy of the sample ballot to:

3943 (A) each candidate listed on the ballot; and

3944 (B) the lieutenant governor;

3945 (iii) publishing a copy of the sample ballot:

3946 (A) except as provided in Subsection ~~[(5)]~~ (2), at least seven days before the day of the
3947 election in a newspaper of general circulation in the jurisdiction holding the election;

3948 (B) if there is no newspaper of general circulation in the jurisdiction holding the
3949 election, at least seven days before the day of the election, by posting one copy of the sample
3950 ballot, and at least one additional copy of the sample ballot per 2,000 population of the
3951 jurisdiction, in places within the jurisdiction that are most likely to give notice to the voters in
3952 the jurisdiction; or

3953 (C) at least 10 days before the day of the election, by mailing a copy of the sample
3954 ballot to each registered voter who resides in the jurisdiction holding the election;

3955 (iv) publishing a copy of the sample ballot on the Utah Public Notice Website created
3956 in Section 63F-1-701, for seven days before the day of the election;

3957 (v) in accordance with Section 45-1-101, publishing a copy of the sample ballot for at
3958 least seven days before the day of the election; and

3959 (vi) if the jurisdiction has a website, publishing a copy of the sample ballot for at least
3960 seven days before the day of the election;

3961 ~~[(k)]~~ (i) deliver at least five copies of the sample ballot to poll workers for each polling
3962 place and direct them to post the sample ballots as required by Section 20A-5-102; and

3963 ~~[(l)]~~ (j) print and deliver, at the expense of the jurisdiction conducting the election,
3964 enough [~~official paper ballots, absentee~~] ballots, sample ballots, and [~~instruction cards~~]

3965 instructions to meet the voting demands of the qualified voters in each voting precinct.

3966 ~~[(2) In jurisdictions using a punch card ballot, each election officer shall:]~~

3967 ~~[(a) provide official ballot sheets, absentee ballot sheets, and printed official ballot~~

3968 ~~labels for every election of public officers in which the voters, or any of the voters, within the~~

3969 ~~election officer's jurisdiction participate;]~~

3970 ~~[(b) cause the name of every candidate who filed with the election officer in the~~

3971 ~~manner provided by law or whose nomination has been certified to the election officer to be~~

3972 ~~printed on each official ballot label;]~~

3973 ~~[(c) cause each ballot proposition that has qualified for the ballot as provided by law to~~

3974 ~~be printed on each official ballot label;]~~

3975 ~~[(d) ensure that the official ballot labels are printed and in the possession of the~~

3976 ~~election officer before the commencement of voting;]~~

3977 ~~[(e) ensure that the absentee ballots are printed and in the possession of the election~~

3978 ~~officer with sufficient time before commencement of voting;]~~

3979 ~~[(f) cause any ballot proposition that has qualified for the ballot as provided by law to~~

3980 ~~be printed on each official ballot label and absentee ballot;]~~

3981 ~~[(g) allow candidates and their agents and the sponsors of ballot propositions that have~~

3982 ~~qualified for the official sample ballot to inspect the official sample ballot;]~~

3983 ~~[(h) cause sample ballots to be printed that contain the same information as official~~

3984 ~~ballot labels but that are distinguishable from official ballot labels;]~~

3985 ~~[(i) ensure that the sample ballots are printed and in the possession of the election~~

3986 ~~officer at least seven days before commencement of voting;]~~

3987 ~~[(j) make the sample ballots available for public inspection by:]~~

3988 ~~[(i) posting a copy of the sample ballot in his office at least seven days before~~

3989 ~~commencement of voting;]~~

3990 ~~[(ii) mailing a copy of the sample ballot to:]~~

3991 ~~[(A) each candidate listed on the ballot, and]~~

3992 ~~[(B) the lieutenant governor;]~~

3993 ~~[(iii) publishing a copy of the sample ballot:]~~

3994 ~~[(A) except as provided in Subsection (5), at least seven days before the day of the~~

3995 ~~election in a newspaper of general circulation in the jurisdiction holding the election;]~~

3996 ~~[(B) if there is no newspaper of general circulation in the jurisdiction holding the~~
3997 ~~election, at least seven days before the day of the election, by posting one copy of the sample~~
3998 ~~ballot, and at least one additional copy of the sample ballot per 2,000 population of the~~
3999 ~~jurisdiction, in places within the jurisdiction that are most likely to give notice to the voters in~~
4000 ~~the jurisdiction; or]~~

4001 ~~[(C) at least 10 days before the day of the election, by mailing a copy of the sample~~
4002 ~~ballot to each registered voter who resides in the jurisdiction holding the election;]~~

4003 ~~[(iv) publishing a copy of the sample ballot on the Utah Public Notice Website created~~
4004 ~~in Section 63F-1-701, for seven days before the day of the election;]~~

4005 ~~[(v) in accordance with Section 45-1-101, publishing a copy of the sample ballot for at~~
4006 ~~least seven days before the day of the election; and]~~

4007 ~~[(vi) if the jurisdiction has a website, publishing a copy of the sample ballot for at least~~
4008 ~~seven days before the day of the election;]~~

4009 ~~[(k) deliver at least five copies of the sample ballot to poll workers for each polling~~
4010 ~~place and direct them to post the sample ballots as required by Section 20A-5-102; and]~~

4011 ~~[(l) print and deliver official ballot sheets, official ballot labels, sample ballots, and~~
4012 ~~instruction cards at the expense of the jurisdiction conducting the election;]~~

4013 ~~[(3) In jurisdictions using a ballot sheet other than a punch card, each election officer~~
4014 ~~shall:]~~

4015 ~~[(a) provide official ballot sheets and absentee ballot sheets for every election of public~~
4016 ~~officers in which the voters, or any of the voters, within the election officer's jurisdiction~~
4017 ~~participate;]~~

4018 ~~[(b) cause the name of every candidate who filed with the election officer in the~~
4019 ~~manner provided by law or whose nomination has been certified to or filed with the election~~
4020 ~~officer to be printed on each official ballot and absentee ballot;]~~

4021 ~~[(c) cause each ballot proposition that has qualified for the ballot as provided by law to~~
4022 ~~be printed on each official ballot and absentee ballot;]~~

4023 ~~[(d) ensure that the official ballots are printed and in the possession of the election~~
4024 ~~officer before commencement of voting;]~~

4025 ~~[(e) ensure that the absentee ballots are printed and in the possession of the election~~
4026 ~~officer with sufficient time before commencement of voting;]~~

4027 ~~[(f) cause any ballot proposition that has qualified for the ballot as provided by law to~~
4028 ~~be printed on each official ballot and absentee ballot;]~~

4029 ~~[(g) allow candidates and their agents and the sponsors of ballot propositions that have~~
4030 ~~qualified for the official sample ballot to inspect the official sample ballot;]~~

4031 ~~[(h) cause sample ballots to be printed that contain the same information as official~~
4032 ~~ballots but that are distinguishable from the official ballots;]~~

4033 ~~[(i) ensure that the sample ballots are printed and in the possession of the election~~
4034 ~~officer at least seven days before commencement of voting;]~~

4035 ~~[(j) make the sample ballots available for public inspection by:]~~

4036 ~~[(i) posting a copy of the sample ballot in the election officer's office at least seven~~
4037 ~~days before commencement of voting;]~~

4038 ~~[(ii) mailing a copy of the sample ballot to:]~~

4039 ~~[(A) each candidate listed on the ballot, and]~~

4040 ~~[(B) the lieutenant governor;]~~

4041 ~~[(iii) publishing a copy of the sample ballot:]~~

4042 ~~[(A) except as provided in Subsection (5), at least seven days before the day of the~~
4043 ~~election in a newspaper of general circulation in the jurisdiction holding the election;]~~

4044 ~~[(B) if there is no newspaper of general circulation in the jurisdiction holding the~~
4045 ~~election, at least seven days before the day of the election, by posting one copy of the sample~~
4046 ~~ballot, and at least one additional copy of the sample ballot per 2,000 population of the~~
4047 ~~jurisdiction, in places within the jurisdiction that are most likely to give notice to the voters in~~
4048 ~~the jurisdiction; or]~~

4049 ~~[(C) at least 10 days before the day of the election, by mailing a copy of the sample~~
4050 ~~ballot to each registered voter who resides in the jurisdiction holding the election;]~~

4051 ~~[(iv) publishing a copy of the sample ballot on the Utah Public Notice Website created~~
4052 ~~in Section [63F-1-701](#), for seven days before the day of the election;]~~

4053 ~~[(v) in accordance with Section [45-1-101](#), publishing a copy of the sample ballot for at~~
4054 ~~least seven days before the day of the election; and]~~

4055 ~~[(vi) if the jurisdiction has a website, publishing a copy of the sample ballot for at least~~
4056 ~~seven days before the day of the election;]~~

4057 ~~[(k) deliver at least five copies of the sample ballot to poll workers for each polling~~

4058 ~~place and direct them to post the sample ballots as required by Section 20A-5-102; and]~~
4059 ~~[(1) print and deliver, at the expense of the jurisdiction conducting the election, enough~~
4060 ~~official ballots, absentee ballots, sample ballots, and instruction cards to meet the voting~~
4061 ~~demands of the qualified voters in each voting precinct;]~~
4062 ~~[(4) In jurisdictions using electronic ballots, each election officer shall:]~~
4063 ~~[(a) provide official ballots for every election of public officers in which the voters, or~~
4064 ~~any of the voters, within the election officer's jurisdiction participate;]~~
4065 ~~[(b) cause the name of every candidate who filed with the election officer in the~~
4066 ~~manner provided by law or whose nomination has been certified to the election officer to be~~
4067 ~~displayed on each official ballot;]~~
4068 ~~[(c) cause each ballot proposition that has qualified for the ballot as provided by law to~~
4069 ~~be displayed on each official ballot;]~~
4070 ~~[(d) ensure that the official ballots are prepared and in the possession of the election~~
4071 ~~officer before commencement of voting;]~~
4072 ~~[(e) ensure that the absentee ballots are prepared and in the possession of the election~~
4073 ~~officer with sufficient time before commencement of voting;]~~
4074 ~~[(f) cause any ballot proposition that has qualified for the ballot as provided by law to~~
4075 ~~be printed on each official ballot and absentee ballot;]~~
4076 ~~[(g) allow candidates and their agents and the sponsors of ballot propositions that have~~
4077 ~~qualified for the official sample ballot to inspect the official sample ballot;]~~
4078 ~~[(h) cause sample ballots to be printed that contain the same information as official~~
4079 ~~ballots but that are distinguishable from official ballots;]~~
4080 ~~[(i) ensure that the sample ballots are printed and in the possession of the election~~
4081 ~~officer at least seven days before commencement of voting;]~~
4082 ~~[(j) make the sample ballots available for public inspection by:]~~
4083 ~~[(i) posting a copy of the sample ballot in the election officer's office at least seven~~
4084 ~~days before commencement of voting;]~~
4085 ~~[(ii) mailing a copy of the sample ballot to:]~~
4086 ~~[(A) each candidate listed on the ballot, and]~~
4087 ~~[(B) the lieutenant governor;]~~
4088 ~~[(iii) publishing a copy of the sample ballot immediately before the election;]~~

4089 ~~[(A) except as provided in Subsection (5), at least seven days before the day of the~~
4090 ~~election in a newspaper of general circulation in the jurisdiction holding the election;]~~

4091 ~~[(B) if there is no newspaper of general circulation in the jurisdiction holding the~~
4092 ~~election, at least seven days before the day of the election, by posting one copy of the sample~~
4093 ~~ballot, and at least one additional copy of the sample ballot per 2,000 population of the~~
4094 ~~jurisdiction, in places within the jurisdiction that are most likely to give notice to the voters in~~
4095 ~~the jurisdiction; or]~~

4096 ~~[(C) at least 10 days before the day of the election, by mailing a copy of the sample~~
4097 ~~ballot to each registered voter who resides in the jurisdiction holding the election;]~~

4098 ~~[(iv) publishing a copy of the sample ballot on the Utah Public Notice Website created~~
4099 ~~in Section [63F-1-701](#), for seven days before the day of the election;]~~

4100 ~~[(v) in accordance with Section [45-1-101](#), publishing a copy of the sample ballot for at~~
4101 ~~least seven days before the day of the election; and]~~

4102 ~~[(vi) if the jurisdiction has a website, publishing a copy of the sample ballot for at least~~
4103 ~~seven days before the day of the election;]~~

4104 ~~[(k) deliver at least five copies of the sample ballot to poll workers for each polling~~
4105 ~~place and direct them to post the sample ballots as required by Section [20A-5-102](#); and]~~

4106 ~~[(l) prepare and deliver official ballots, sample ballots, and instruction cards at the~~
4107 ~~expense of the jurisdiction conducting the election.]~~

4108 ~~[(5) (2) Instead of publishing the entire sample ballot under Subsection [(1)(j)(iii)(A);~~
4109 ~~(2)(j)(iii)(A), (3)(j)(iii)(A), or (4)(j)(iii)(A);] (1)(h)(iii)(A), the election officer may publish a~~
4110 ~~statement that:~~

4111 (a) is entitled, "sample ballot";

4112 (b) includes the following: "A sample ballot for [indicate name of jurisdiction] for the
4113 upcoming [indicate type and date of election] may be obtained from the following sources:";
4114 and

4115 (c) specifies the following sources where an individual may view or obtain a copy of
4116 the sample ballot:

4117 (i) if the jurisdiction has a website, the jurisdiction's website;

4118 (ii) the physical address of the jurisdiction's offices; and

4119 (iii) a mailing address and telephone number.

4120 ~~[(6)]~~ (3) (a) Each election officer shall, without delay, correct any error discovered in
4121 any ~~[official paper ballot, ballot label, ballot sheet, electronic ballot, or sample]~~ ballot, if the
4122 correction can be made without interfering with the timely distribution of the ~~[paper ballots,~~
4123 ~~ballot labels, ballot sheets, or electronic]~~ ballots.

4124 (b) (i) If the election officer discovers an error or omission in a ~~[paper]~~ manual ballot,
4125 ~~[ballot label, or ballot sheet,]~~ and it is not possible to correct the error or omission ~~[by~~
4126 ~~reprinting the paper ballots, ballot labels, or ballot sheets]~~, the election officer shall direct the
4127 poll workers to make the necessary corrections on the ~~[official paper]~~ manual ballots~~[- ballot~~
4128 ~~labels, or ballot sheets]~~ before ~~[they]~~ the ballots are distributed ~~[at the polls]~~.

4129 (ii) If the election officer discovers an error or omission in an electronic ballot and it is
4130 not possible to correct the error or omission by revising the electronic ballot, the election
4131 officer shall direct the poll workers to post notice of each error or omission with instructions on
4132 how to correct each error or omission in a prominent position at each polling booth.

4133 (c) (i) If the election officer refuses or fails to correct an error or omission in ~~[the paper~~
4134 ~~ballots, ballot labels, ballot sheets, or electronic ballots,]~~ a ballot, a candidate or a candidate's
4135 agent may file a verified petition with the district court asserting that:

4136 (A) an error or omission has occurred in:

4137 (I) the publication of the name or description of a candidate;

4138 (II) the preparation or display of an electronic ballot; or

4139 (III) in the printing of sample or official ~~[paper]~~ manual ballots~~[- ballot labels, or ballot~~
4140 ~~sheets]; and~~

4141 (B) the election officer has failed to correct or provide for the correction of the error or
4142 omission.

4143 (ii) The district court shall issue an order requiring correction of any error in a ~~[paper~~
4144 ~~ballot, ballot label, ballot sheet, or electronic]~~ ballot or an order to show cause why the error
4145 should not be corrected if it appears to the court that the error or omission has occurred and the
4146 election officer has failed to correct ~~[it or failed to provide for its correction]~~ or provide for the
4147 correction of the error or omission.

4148 (iii) A party aggrieved by the district court's decision may appeal the matter to the Utah
4149 Supreme Court within five days after the ~~[decision of]~~ day on which the district court enters the
4150 decision.

4151 Section 87. Section ~~20A-5-406~~ is amended to read:

4152 **20A-5-406. Delivery of ballots.**

4153 [~~(1) In elections using paper ballots or ballot sheets:~~]

4154 [~~(a) Each~~] (1) An election officer shall deliver manual ballots to the poll workers of
4155 each voting precinct in [~~his~~] the election officer's jurisdiction in an amount sufficient to meet
4156 voting needs during the voting period.

4157 [~~(b) The election officer shall:~~]

4158 [~~(i) package and deliver the ballots to the election judges;~~]

4159 [~~(ii) clearly mark the outside of the package with:~~]

4160 [~~(A) the voting precinct and polling place for which it is intended; and~~]

4161 [~~(B) the number of each type of ballots enclosed;~~]

4162 [~~(iii) ensure that each package is delivered before commencement of voting to a poll
4163 worker in each precinct; and~~]

4164 [~~(iv) obtain a receipt for the ballots from the poll worker to whom they were delivered
4165 that identifies the date and time when, and the manner in which, each ballot package was sent
4166 and delivered.~~]

4167 [~~(c) The election officer shall prepare substitute ballots in the form required by this
4168 Subsection (1) if any poll worker reports that:~~]

4169 [~~(i) the ballots were not delivered on time; or~~]

4170 [~~(ii) after delivery, they were destroyed or stolen.~~]

4171 [~~(d) The election officer shall:~~]

4172 [~~(i) prepare the substitute ballots as nearly in the form prescribed for official ballots as
4173 practicable;~~]

4174 [~~(ii) cause the word "substitute" to be printed in brackets;~~]

4175 [~~(A) for a ballot prepared by an election officer other than a county clerk, immediately
4176 under the facsimile signature required by Subsection [20A-6-401\(1\)\(a\)\(iii\)](#); or~~]

4177 [~~(B) for a ballot prepared by a county clerk, immediately under the words required by
4178 Subsection [20A-6-301\(1\)\(b\)\(iii\)](#);~~]

4179 [~~(iii) place the ballots in two separate packages, each package containing 1/2 the ballots
4180 sent to that voting precinct; and~~]

4181 [~~(iv) place a signed statement in each package certifying that the substitute ballots~~]

4182 found in the package were prepared and furnished by the election officer, and that the original
4183 ballots were not received, were destroyed, or were stolen.]

4184 (2) [~~In elections using electronic~~] For mechanical ballots[:~~(a) Each~~], an election
4185 officer shall:

4186 [(i)] (a) deliver the voting devices and [~~electronic~~] mechanical ballots [~~prior to the~~
4187 ~~commencement of~~] before voting commences at the polling place;

4188 [(ii)] (b) ensure that the voting devices, equipment, and [~~electronic~~] mechanical ballots
4189 are properly secured before commencement of voting; [~~and~~]

4190 [(iii)] (c) when [~~electronic~~] mechanical ballots or voting devices containing [~~electronic~~]
4191 mechanical ballots are delivered to a [~~poll worker, obtain a receipt from the poll worker to~~
4192 ~~whom they were delivered that identifies: (A) the name of the poll worker receiving delivery;~~
4193 ~~and (B) the date and time when the ballots or voting devices containing the electronic ballots~~
4194 ~~were delivered. (b) The election officer shall~~] polling location, ensure that security procedures,
4195 developed by the election officer, are followed to document chain of custody and to prevent
4196 unauthorized access; and

4197 (d) repair or provide substitute voting devices, equipment, or electronic ballots, if
4198 available, if any poll worker reports that:

4199 (i) the voting devices or equipment were not delivered on time;

4200 (ii) the voting devices or equipment do not contain the appropriate electronic ballot
4201 information;

4202 (iii) the safety devices on the voting devices, equipment, or electronic ballots appear to
4203 have been tampered with;

4204 (iv) the voting devices or equipment do not appear to be functioning properly; or

4205 (v) after delivery, the voting devices, equipment, or electronic ballots were destroyed
4206 or stolen.

4207 [~~(c) If the election officer is unable to prepare and provide substitute voting devices,~~
4208 ~~equipment, or electronic ballots, the election officer may elect to provide paper ballots or ballot~~
4209 ~~sheets according to the requirements of Subsection (1).]~~

4210 Section 88. Section **20A-5-407** is amended to read:

4211 **20A-5-407. Election officer to provide ballot boxes.**

4212 (1) Except as provided in Subsection (3), [~~each~~] an election officer shall:

4213 (a) provide one ballot box with a lock and key for each polling place; and
 4214 (b) deliver the ballot boxes, locks, and keys to the polling place [~~or the election judges~~
 4215 ~~of each voting precinct no later than noon on the day before the election]~~ before the polls open.

4216 (2) [~~Election officers for municipalities and local districts]~~ An election officer for a
 4217 municipality or local district may obtain ballot boxes from the county clerk's office.

4218 (3) If locks and keys are unavailable, the election officer shall ensure that the ballot
 4219 box lid [~~shall be~~] is secured by tape.

4220 Section 89. Section **20A-5-408** is amended to read:

4221 **20A-5-408. Disposition of election returns.**

4222 (1) Each election officer shall produce the packages containing the election returns
 4223 before the board of canvassers.

4224 (2) As soon as the returns are canvassed, the election officer shall file the [~~pollbook;~~
 4225 ~~lists,~~] election returns and papers produced before the board as required by Section **20A-4-202**.

4226 Section 90. Section **20A-5-410**, which is renumbered from Section 20A-3-304.1 is
 4227 renumbered and amended to read:

4228 [~~20A-3-304.1~~]. **20A-5-410. Election officer to provide voting history**
 4229 **information and status.**

4230 (1) As used in this section[~~:(a) "Qualified absentee ballot application" means an~~
 4231 ~~absentee ballot application filed under Section 20A-3-304 from a voter who the election officer~~
 4232 ~~determines is eligible to receive an absentee ballot. (b) "Voting], "voting history record" means~~
 4233 the information about the existence and status of absentee ballot requests required by this
 4234 section.

4235 (2) (a) Each election officer shall maintain, in the election officer's office, a voting
 4236 history record of those voters [~~that have cast a vote by:~~] registered to vote in the election
 4237 officer's jurisdiction.

4238 [(i) ~~absentee ballot; and~~]

4239 [(ii) ~~early voting;~~]

4240 (b) [~~The~~] Except as it relates to a voter whose voter registration record is classified as
 4241 private under Subsection 63G-2-302(1)(k), the voting history record is a public record under
 4242 Title 63G, Chapter 2, Government Records Access and Management Act.

4243 (3) The election officer shall ensure that the voting history record for each voting

4244 precinct contains:

4245 (a) for ~~[absentee]~~ voting by mail:

4246 ~~[(i) the name and address of each person who has filed a qualified absentee ballot~~
4247 ~~application;]~~

4248 ~~[(ii) the date that the application was received; and]~~

4249 ~~[(iii) the current status of each qualified absentee ballot application including~~
4250 ~~specifically:]~~

4251 ~~[(A)]~~ (i) the date that the ~~[absentee]~~ manual ballot was mailed to the voter; and

4252 ~~[(B)]~~ (ii) the date that the voted ~~[absentee]~~ manual ballot was received by the election
4253 officer; ~~[and]~~

4254 (b) for early voting:

4255 (i) the name and address of each ~~[person who has voted during the early voting period]~~
4256 individual who participated in early voting; and

4257 (ii) the date the ~~[person's vote was cast.]~~ individual voted; and

4258 (c) for voting on election day, the name and address of each individual who voted on
4259 election day.

4260 (4) (a) Notwithstanding the time limits for response to a request for records under
4261 Section [63G-2-204](#) or the time limits for a request for records established in any ordinance, the
4262 election officer shall ensure that the information required by this section is recorded and made
4263 available to the public no later than one business day after its receipt in the election officer's
4264 office.

4265 (b) Notwithstanding the fee requirements of Section [63G-2-203](#) or the fee requirements
4266 established in any ordinance, the election officer shall make copies of the voting history record
4267 available to the public for the actual cost of production or copying.

4268 Section 91. Section **20A-5-601** is amended to read:

4269 **20A-5-601. Appointment of poll workers in elections where candidates are**
4270 **distinguished by registered political parties.**

4271 (1) (a) ~~[By]~~ This section governs appointment of poll workers in elections where
4272 candidates are distinguished by registered political parties.

4273 (b) On or before March 1 of each even-numbered year, ~~[each county clerk]~~ an election
4274 officer shall provide to the county chair of each registered political party a list of the number of

4275 poll workers that the party must nominate for each ~~[voting precinct]~~ polling place.

4276 ~~[(b)-(i)]~~ (c) ~~[By]~~ On or before April 1 of each even-numbered year, the county chair
4277 and secretary of each registered political party shall file a list with the ~~[county clerk containing,~~
4278 ~~for each voting precinct,]~~ election officer containing the names of individuals in the county
4279 who are willing to serve as poll workers, who are qualified to serve as poll workers in
4280 accordance with this section, and who are competent and trustworthy.

4281 ~~[(ii)]~~ (d) The county chair and secretary shall submit~~[, for each voting precinct,]~~ names
4282 equal in number to the number required by the ~~[county clerk]~~ election officer, plus one.

4283 (2) Each ~~[county legislative body]~~ election officer shall provide for the appointment of
4284 individuals to serve as poll workers at ~~[the regular primary election, the regular general~~
4285 ~~election, the presidential primary election, and a statewide or countywide special]~~ each
4286 election.

4287 (3) (a) For ~~[regular general elections and statewide or countywide special elections]~~
4288 each election, each ~~[county legislative body]~~ election officer shall provide for the appointment
4289 of~~[(a)-(i)]~~ at least three registered voters, or one individual who is 16 or 17 years of age and
4290 two registered voters, one of whom is at least 21 years of age, from the list to serve as poll
4291 workers ~~[receiving judges for each voting precinct when ballots will be counted after the polls~~
4292 ~~close; or].~~

4293 (b) An election officer may appoint additional poll workers, as needed.

4294 ~~[(ii)]~~ ~~three registered voters, or one individual who is 16 or 17 years of age and two~~
4295 ~~registered voters, one of whom is at least 21 years of age, from the list to serve as receiving~~
4296 ~~judges in each voting precinct and three registered voters from the list to serve as counting~~
4297 ~~judges in each voting precinct when ballots will be counted throughout election day; and]~~

4298 ~~[(b)]~~ ~~three registered voters from the list for each 100 absentee ballots to be counted to~~
4299 ~~serve as canvassing judges.]~~

4300 ~~[(4)]~~ For each precinct in which ballots are counted after the polls close in a regular
4301 primary election or presidential primary election, each county legislative body shall provide for
4302 the appointment of two or three individuals from the list to serve as receiving judges:]

4303 ~~[(a)]~~ each of whom is a registered voter; or]

4304 ~~[(b) (i)]~~ the first of whom is a registered voter and is at least 21 years of age;]

4305 ~~[(ii)]~~ the second of whom is 16 or 17 years of age; and]

4306 ~~[(iii) if three individuals are appointed, the third of whom is a registered voter.]~~
4307 ~~[(5) For each precinct in which ballots are counted throughout election day in a regular~~
4308 ~~primary election or presidential primary election, each county legislative body shall provide for~~
4309 ~~the appointment of:]~~
4310 ~~[(a) two or three individuals from the list to serve as receiving judges:]~~
4311 ~~[(i) each of whom is a registered voter; or]~~
4312 ~~[(ii) (A) the first of whom is a registered voter and is at least 21 years of age;]~~
4313 ~~[(B) the second of whom is 16 or 17 years of age; and]~~
4314 ~~[(C) if three individuals are appointed, the third of whom is a registered voter; and]~~
4315 ~~[(b) two or three individuals from the list to serve as counting judges:]~~
4316 ~~[(i) each of whom is a registered voter; or]~~
4317 ~~[(ii) (A) one of whom is 17 years of age and will be 18 years of age by the date of the~~
4318 ~~next regular general election; and]~~
4319 ~~[(B) each of the rest of whom is a registered voter; and]~~
4320 ~~[(c) two or three registered voters, or one or two registered voters and one individual~~
4321 ~~17 years of age who will be 18 years of age by the date of the next regular general election;~~
4322 ~~from the list for each 100 absentee ballots to be counted to serve as canvassing judges:]~~
4323 ~~[(6) Each county legislative body may provide for the appointment of:]~~
4324 ~~[(a) three registered voters from the list to serve as inspecting judges at the regular~~
4325 ~~general election, or a statewide or countywide special election, to observe the clerk's receipt~~
4326 ~~and deposit of the ballots for safekeeping; and]~~
4327 ~~[(b) two or three registered voters, or one or two registered voters and one individual~~
4328 ~~17 years of age who will be 18 years of age by the date of the next regular general election;~~
4329 ~~from the list to serve as inspecting judges at the regular primary election to observe the clerk's~~
4330 ~~receipt and deposit of the ballots for safekeeping.]~~
4331 ~~[(7)(a)] (4) For each set of three [counting or receiving judges to be appointed for each~~
4332 ~~voting precinct for the regular primary election, the regular general election, the presidential~~
4333 ~~primary election, or a statewide or countywide special] poll workers appointed for a polling~~
4334 ~~place for an election, the [county legislative body] election officer shall ensure that:~~
4335 ~~[(i)] (a) two [judges] poll workers are appointed from the political party that cast the~~
4336 ~~highest number of votes for governor, lieutenant governor, attorney general, state auditor, and~~

4337 state treasurer, excluding votes for unopposed candidates, in the [~~voting precinct~~] jurisdiction
4338 holding the election at the last regular general election before the appointment of the [~~election~~
4339 ~~judges~~] poll workers; and

4340 ~~[(ii) (b) one [judge] poll worker is appointed from the political party that cast the~~
4341 ~~second highest number of votes for governor, lieutenant governor, attorney general, state~~
4342 ~~auditor, and state treasurer, excluding votes for unopposed candidates, in the [~~voting precinct~~]~~
4343 ~~county, city, or local district, as applicable, at the last regular general election before the~~
4344 ~~appointment of the [~~election judges~~] poll workers.~~

4345 ~~[(b) For each set of two counting or receiving judges to be appointed for each voting~~
4346 ~~precinct for the regular primary election and the presidential primary election, the county~~
4347 ~~legislative body shall ensure that:]~~

4348 ~~[(i) one judge is appointed from the political party that cast the highest number of votes~~
4349 ~~for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding~~
4350 ~~votes for unopposed candidates, in the voting precinct at the last regular general election before~~
4351 ~~the appointment of the election judges; and]~~

4352 ~~[(ii) one judge is appointed from the political party that cast the second highest number~~
4353 ~~of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,~~
4354 ~~excluding votes for unopposed candidates, in the voting precinct at the last regular general~~
4355 ~~election before the appointment of the election judges:]~~

4356 ~~[(8) When the voting precinct boundaries have been changed since the last regular~~
4357 ~~general election, the county legislative body shall ensure that:]~~

4358 ~~[(a) for the regular primary election and the presidential primary election, when the~~
4359 ~~county legislative body is using three receiving, counting, and canvassing judges, and regular~~
4360 ~~general election, not more than two of the judges are selected from the political party that cast~~
4361 ~~the highest number of votes for the offices of governor, lieutenant governor, attorney general,~~
4362 ~~state auditor, and state treasurer in the territory that formed the voting precinct at the time of~~
4363 ~~appointment; and]~~

4364 ~~[(b) for the regular primary election and the presidential primary election, when the~~
4365 ~~county legislative body is using two receiving, counting, and canvassing judges, not more than~~
4366 ~~one of the judges is selected from the political party that cast the highest number of votes for~~
4367 ~~the offices of governor, lieutenant governor, attorney general, state auditor, and state treasurer~~

4368 ~~in the territory that formed the voting precinct at the time of appointment.]~~

4369 ~~[(9)]~~ (5) The ~~[county legislative body]~~ election officer shall provide for the
4370 appointment of any qualified county voter as ~~[an election judge]~~ a poll worker when:

4371 (a) a political party fails to file the poll worker list by the filing deadline; or

4372 (b) the list is incomplete.

4373 ~~[(10)]~~ (6) A registered voter of the county may serve as a poll worker ~~[in any voting~~
4374 ~~precinct of]~~ at any polling location in the county, municipality, or district, as applicable.

4375 ~~[(11)]~~ (7) ~~[A county legislative body]~~ An election officer may not appoint a candidate's
4376 parent, sibling, spouse, child, mother-in-law, father-in-law, sister-in-law, brother-in-law,
4377 daughter-in-law, or son-in-law to serve as a poll worker in a ~~[precinct]~~ polling place where the
4378 candidate appears on the ballot.

4379 ~~[(12)]~~ ~~If an individual serves as a poll worker outside the voting precinct where the~~
4380 ~~individual is registered, that individual may vote an absentee voter ballot.]~~

4381 ~~[(13)]~~ (8) The ~~[county clerk]~~ election officer shall fill all poll worker vacancies.

4382 ~~[(14)]~~ (9) If a conflict arises over the right to certify the poll worker lists for any
4383 political party, the ~~[county legislative body]~~ election officer may decide between conflicting
4384 lists, but may only select names from a properly submitted list.

4385 ~~[(15)]~~ (10) The ~~[county legislative body]~~ clerk shall establish compensation for poll
4386 workers.

4387 ~~[(16)]~~ (11) The ~~[county clerk]~~ election officer may appoint additional poll workers to
4388 serve in the polling place as needed.

4389 Section 92. Section **20A-5-602** is amended to read:

4390 **20A-5-602. Appointment of poll workers in elections where candidates are not**
4391 **distinguished by registered political parties.**

4392 (1) (a) This section governs appointment of poll workers in elections where candidates
4393 are not distinguished by registered political parties.

4394 ~~[(1)]~~ (b) ~~[A county legislative body, a municipal legislative body, or a local district~~
4395 ~~board appointing, or providing for the appointment of, a poll worker for a local election under~~
4396 ~~this section]~~ An election officer shall appoint the poll worker at least 15 days before the date of
4397 the local election.

4398 (2) (a) ~~[For each precinct that uses a paper ballot, and where the ballots are counted~~

4399 ~~after the polls close, the county legislative body, the municipal legislative body, or the local~~
 4400 ~~district board] The election officer shall appoint, or provide for the appointment of, [three~~
 4401 ~~individuals who reside within the county to serve as poll workers] at least three poll workers as~~
 4402 follows:

4403 (i) three registered voters; or

4404 (ii) two registered voters, one of whom is at least 21 years old, and one individual who
 4405 is 16 or 17 years old.

4406 (b) The election officer may appoint additional poll workers to serve in the polling
 4407 place as needed.

4408 ~~[(a) each of whom is a registered voter; or]~~

4409 ~~[(b) (i) the first of whom is a registered voter;]~~

4410 ~~[(ii) the second of whom is a registered voter and is at least 21 years of age; and]~~

4411 ~~[(iii) the third of whom is 16 or 17 years of age.]~~

4412 ~~[(3) For each precinct that uses a paper ballot, and where the ballots are counted~~
 4413 ~~throughout the day, the county legislative body, the municipal legislative body, or the local~~
 4414 ~~district board shall appoint, or provide for the appointment of:]~~

4415 ~~[(a) three individuals who reside within the county to serve as receiving judges:]~~

4416 ~~[(i) each of whom is a registered voter; or]~~

4417 ~~[(ii) (A) the first of whom is a registered voter;]~~

4418 ~~[(B) the second of whom is a registered voter and is at least 21 years of age; and]~~

4419 ~~[(C) the third of whom is 16 or 17 years of age; and]~~

4420 ~~[(b) three individuals who reside within the county to serve as counting judges:]~~

4421 ~~[(i) each of whom is a registered voter; or]~~

4422 ~~[(ii) (A) one of whom is 17 years of age and will be 18 years of age by the date of the~~
 4423 ~~next local election; and]~~

4424 ~~[(B) each of the rest of whom is a registered voter.]~~

4425 ~~[(4) For each precinct using automated tabulating equipment, the county legislative~~
 4426 ~~body, the municipal legislative body, or the local district board shall appoint, or provide for the~~
 4427 ~~appointment of, three individuals who reside within the county to serve as poll workers:]~~

4428 ~~[(a) each of whom is a registered voter; or]~~

4429 ~~[(b) (i) the first of whom is a registered voter;]~~

4430 ~~[(ii) the second of whom is a registered voter and is at least 21 years of age; and]~~

4431 ~~[(iii) the third of whom is 16 or 17 years of age.]~~

4432 ~~[(5) For each precinct using voting machines, the county legislative body, the~~

4433 ~~municipal legislative body, or the local district board shall appoint, or provide for the~~

4434 ~~appointment of, four individuals who reside within the county to serve as poll workers:]~~

4435 ~~[(a) each of whom is a registered voter; or]~~

4436 ~~[(b) (i) the first of whom is a registered voter and is at least 21 years of age;]~~

4437 ~~[(ii) the second of whom is 16 or 17 years of age; and]~~

4438 ~~[(iii) each of the rest of whom is a registered voter.]~~

4439 ~~[(6) In all jurisdictions, the county legislative body, the municipal legislative body, or~~

4440 ~~the local district board shall appoint, or provide for the appointment of:]~~

4441 ~~[(a) at least one registered voter who resides within the county to serve as canvassing~~

4442 ~~judge, if necessary; and]~~

4443 ~~[(b) as many alternate poll workers as needed to replace appointed poll workers who~~

4444 ~~are unable to serve.]~~

4445 ~~[(7)] (3) The [county legislative body, the municipal legislative body, and the local~~

4446 ~~district board] election officer may not appoint any candidate's parent, sibling, spouse, child,~~

4447 ~~mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law to~~

4448 ~~serve as a poll worker [in a precinct] at a polling place where the candidate appears on the~~

4449 ~~ballot.~~

4450 ~~[(8) The clerk shall:]~~

4451 ~~[(a) prepare and file a list containing the name, address, voting precinct, and telephone~~

4452 ~~number of each individual appointed; and]~~

4453 ~~[(b) make the list available in the clerk's office for inspection, examination, and~~

4454 ~~copying during business hours.]~~

4455 ~~[(9)] (4) (a) The [county legislative body, the municipal legislative body, and the local~~

4456 ~~district board] clerk shall compensate poll workers for their services.~~

4457 ~~(b) The [municipal legislative body and local district board] clerk of a municipality or~~

4458 ~~local district may not compensate [their] poll workers at a rate higher than that paid by the~~

4459 ~~county to [its] the county's poll workers.~~

4460 Section 93. Section **20A-5-603** is amended to read:

4461 **20A-5-603. Vacancies -- Removal of poll workers.**

4462 (1) (a) If a poll worker or alternate is unable to serve, that poll worker or alternate shall
 4463 immediately notify the election officer, who shall fill the vacancy as provided in this section.

4464 (b) The election officer may fill a vacancy occurring under this section by appointing
 4465 the alternate to serve or, if that is impossible, by appointing some other qualified person to fill
 4466 the vacancy.

4467 (2) The election officer shall summarily remove any poll worker who:

4468 (a) neglects ~~[his]~~ the poll worker's duty;

4469 (b) commits or encourages fraud in connection with any election;

4470 (c) violates any election law;

4471 (d) knowingly permits any person to violate any election law;

4472 (e) has been convicted of a felony;

4473 (f) commits any act that interferes or tends to interfere with a fair and honest election;

4474 or

4475 (g) is incapable of performing the duties of a poll worker.

4476 Section 94. Section **20A-5-605** is amended to read:

4477 **20A-5-605. Duties of poll workers.**

4478 (1) Poll workers shall:

4479 (a) arrive at the polling place at a time determined by the election officer; and

4480 (b) remain until the official election returns are prepared for delivery.

4481 (2) The election officer may designate~~[-]~~ the title and duties of each poll worker.

4482 ~~[(a) certain poll workers to act as election judges;]~~

4483 ~~[(b) an election judge to act as the presiding election judge; and]~~

4484 ~~[(c) certain poll workers to act as clerks.]~~

4485 (3) Upon ~~[their arrival]~~ arriving to open the polls, the poll workers shall:

4486 ~~[(a) if the election officer has not designated which poll workers at a polling place are
 4487 assigned to act as election judges, as presiding election judge, or as clerks:]~~

4488 ~~[(i) designate two poll workers to act as election judges as necessary;]~~

4489 ~~[(ii) determine which election judge shall preside as necessary; and]~~

4490 ~~[(iii) determine which poll workers shall act as clerks as necessary;]~~

4491 ~~[(b) select two or more of their number to deliver the election returns to the election~~

4492 officer or to the place that the election officer designates;]

4493 ~~[(e)]~~ (a) display the United States flag;

4494 ~~[(d)]~~ (b) examine the voting devices to see that they are in proper working order and

4495 that security devices have not been tampered with;

4496 ~~[(e)]~~ (c) place the voting devices, voting booths, and the ballot box in plain view of

4497 those poll workers and watchers that are present;

4498 ~~[(f) for paper ballots and ballot sheets, open the ballot packages in the presence of all~~

4499 ~~the poll workers;]~~

4500 ~~[(g)]~~ (d) check the ballots, supplies, records, and forms;

4501 ~~[(h)]~~ (e) if directed ~~[to do so]~~ by the election officer:

4502 (i) make any necessary corrections to the official ballots before ~~[they]~~ the ballots are

4503 distributed at the polls; and

4504 (ii) post any necessary notice of errors in ~~[electronic]~~ ballots before voting commences;

4505 ~~[(i)]~~ (iii) post the sample ballots, instructions to voters, and constitutional amendments,

4506 if any; ~~[and]~~

4507 ~~[(j)]~~ (f) open the ballot box in the presence of those assembled, turn ~~[it]~~ the ballot box

4508 upside down to empty ~~[it]~~ the ballot box of anything~~[-, and then-]; and~~

4509 (g) immediately before the polls open, lock ~~[it,]~~ the ballot box or, if locks and keys are

4510 not available, tape ~~[it]~~ the ballot box securely.

4511 (4) (a) If any poll worker fails to appear on the morning of the election, or fails or

4512 refuses to act:

4513 (i) at least six qualified electors ~~[from the voting precinct]~~ who are present at the

4514 polling place at the hour designated by law for the opening of the polls shall fill the vacancy by

4515 appointing another qualified ~~[person]~~ individual from the voting precinct who is a member of

4516 the same political party as the poll worker who is being replaced to act as a poll worker; or

4517 (ii) the election officer shall appoint a qualified ~~[person]~~ individual to act as a poll

4518 worker.

4519 (b) If a majority of the poll workers are present, ~~[they]~~ the poll workers shall open the

4520 polls, even though a poll worker has not arrived.

4521 (5) (a) If it is impossible or inconvenient to hold an election at the polling place

4522 designated, the poll workers, after having assembled at or as near as practicable to the

4523 designated place, and before receiving any vote, may move to the nearest convenient place for
4524 holding the election.

4525 (b) If the poll workers move to a new polling place, ~~[they]~~ the poll workers shall
4526 display a proclamation of the change and station a peace officer or some other proper ~~[person]~~
4527 individual at the original polling place to notify voters of the location of the new polling place.

4528 ~~[(6) If the poll workers who receive delivery of the ballots produce packages of~~
4529 ~~substitute ballots accompanied by a written and sworn statement of the election officer that the~~
4530 ~~ballots are substitute ballots because the original ballots were not received, were destroyed, or~~
4531 ~~were stolen, the poll workers shall use those substitute ballots as the official election ballots.]~~

4532 ~~[(7)]~~ (6) If, for any reason, ~~[none of]~~ the official ~~[or substitute]~~ ballots are not ready for
4533 distribution at a polling place or, if the supply of ballots is exhausted before the polls are
4534 closed, the poll workers may use unofficial ballots, made as nearly as possible in the form of
4535 the official ballot, until ~~[substitutes prepared by the election officer are printed and delivered]~~
4536 the election officer provides additional ballots.

4537 ~~[(8)]~~ (7) When it is time to open the polls, one of the poll workers shall announce that
4538 the polls are open as required by Section 20A-1-302, or in the case of early voting, Section
4539 ~~[20A-3-602]~~ 20A-3a-602.

4540 ~~[(9)]~~ (8) (a) The poll workers shall comply with the voting procedures and
4541 requirements of Chapter 3, Voting, in allowing people to vote.

4542 (b) The poll workers may not allow ~~[any person]~~ an individual, other than election
4543 officials and those admitted to vote, within six feet of voting devices, voting booths, ~~[and]~~ or
4544 the ballot box.

4545 (c) Besides the poll workers and watchers, the poll workers may not allow more than
4546 four voters in excess of the number of voting booths provided within six feet of voting devices,
4547 voting booths, ~~[and]~~ or the ballot box.

4548 (d) If necessary, the poll workers shall instruct each voter ~~[about]~~ permitted to use a
4549 voting device how to operate the voting device before the voter enters the voting booth.

4550 (e) (i) If the voter requests additional instructions after entering the voting booth, two
4551 poll workers may, if necessary, enter the booth and give the voter additional instructions.

4552 (ii) In regular general elections and regular primary elections, the two poll workers who
4553 enter the voting booth to assist the voter shall be of different political parties.

4554 Section 95. Section **20A-5-801** is amended to read:

4555 **20A-5-801. Definitions.**

4556 As used in this part:

4557 (1) "New voting equipment system" means voting equipment that is operated in a
4558 materially different way or that functions in a materially different way than the equipment
4559 being replaced.

4560 (2) "Voting equipment" means the following equipment used for an election:

4561 (a) automatic tabulating equipment;

4562 [~~(b) an electronic voting system;~~]

4563 [~~(c)~~] (b) a voting device; or

4564 [~~(d)~~] (c) a voting machine.

4565 Section 96. Section **20A-5-804** is amended to read:

4566 **20A-5-804. Voting Equipment Grant Program -- Qualifications for receipt --**
4567 **Matching funds -- Acceptable uses.**

4568 (1) As used in this section:

4569 (a) "Program" means the Voting Equipment Grant Program created in this section.

4570 (b) "Proportional reimbursement rate" means the dollar amount equal to the product of:

4571 (i) the total amount of funds appropriated by the Legislature to the program; and

4572 (ii) the quotient of:

4573 (A) the total number of active voters in a county; and

4574 (B) the total number of registered voters in the state.

4575 (2) (a) There is created the Voting Equipment Grant Program as a grant program to
4576 assist counties in purchasing new voting equipment systems.

4577 (b) The lieutenant governor shall administer the program using funds appropriated by
4578 the Legislature for the purpose of administering the program.

4579 (3) (a) After January 1, 2018, a county may submit a proposal to the Office of the
4580 Lieutenant Governor to participate in and receive funds from the program.

4581 (b) A proposal described in Subsection (3)(a) shall:

4582 (i) describe the current condition of the voting equipment used by the county;

4583 (ii) describe the county's need for a new voting equipment system;

4584 (iii) describe how the county plans to comply with the requirements described in

4585 Subsection (4), including:

4586 (A) a description of how the county plans to provide the matching funds described in
4587 Subsection (4)(b) if the proposal is accepted; and

4588 (B) a schedule by which the requirements will be met; and

4589 (iv) contain a detailed estimate of the gross cost of procuring a new voting equipment
4590 system.

4591 (4) A county that receives funds through a program grant:

4592 (a) shall use the funds to purchase a new voting equipment system that:

4593 (i) meets the requirements of Section [20A-5-802](#);

4594 (ii) creates a secure and auditable paper record of each vote; and

4595 (iii) complies with any additional binding requirement made under Subsection

4596 [20A-5-803](#)(8) by the Voting Equipment Selection Committee;

4597 (b) shall, for the purpose of purchasing a new voting equipment system, appropriate
4598 matching funds equal to or greater than the difference of:

4599 (i) the amount described in Subsection (3)(b)(iv) in the proposal that the lieutenant
4600 governor accepts under Subsection (6)(b); and

4601 (ii) the amount the lieutenant governor is required to disburse to the county under
4602 Subsection (7)(a);

4603 (c) may not use funds disbursed under Subsection (6)(b)(i)(D) or appropriated under
4604 Subsection (4)(b) for a purpose or in a manner that is not authorized by this section;

4605 (d) except as provided in Subsection (5), may not, after using a new voting equipment
4606 system in an election that was purchased under this section, use voting equipment that does not
4607 meet the requirements described in Subsection (4)(a); and

4608 (e) shall purchase a new voting equipment system described under Subsection (4)(a)
4609 that provides the best value to the county with consideration for the new voting equipment
4610 system's:

4611 (i) cost of maintenance;

4612 (ii) estimated operational lifetime; and

4613 (iii) cost of replacement.

4614 (5) A county that receives funds through the program may use voting equipment that
4615 does not comply with the requirements described in Subsection (4)(a)(ii) or (iii):

4616 (a) to the extent that using the voting equipment is necessary to accommodate a person
4617 with a disability in accordance with the requirements described in Subsection
4618 [~~20A-3-302(6)(b), 20A-3-603(1)(c)~~] 20A-3a-202(8)(b), 20A-3a-603(1)(c), 20A-5-303(8), or
4619 20A-5-403(2)(b)(iii); or

4620 (b) if the county purchased the voting equipment before receiving grant funds under
4621 Subsection (7)(a).

4622 (6) Upon receipt of a proposal described in Subsection (3), the lieutenant governor
4623 shall:

4624 (a) review the proposal to ensure that:

4625 (i) the proposal complies with the requirements described in Subsection (3); and

4626 (ii) the cost estimate described in Subsection (3)(b)(iv) appears to be reasonable; and

4627 (b) (i) if the proposal complies with the requirements described in Subsection (3), the
4628 cost estimate appears to be reasonably accurate, and sufficient program funds are available:

4629 (A) accept the proposal;

4630 (B) notify the county clerk of the county that submitted the proposal that the proposal
4631 is accepted;

4632 (C) notify the county clerk of the requirements described in Subsection (7); and

4633 (D) disburse the funds described in Subsection (7)(a), in accordance with the
4634 requirements described in Subsection (7)(b), to the county that submitted the proposal; or

4635 (ii) if the proposal does not comply with the requirements described in Subsection (3),
4636 the cost estimate does not appear to be reasonable, or sufficient program funds are not
4637 available:

4638 (A) reject the proposal; and

4639 (B) notify the county clerk of the county that submitted the proposal that the proposal
4640 is rejected, indicating the reason that the proposal is rejected.

4641 (7) The lieutenant governor:

4642 (a) shall disburse funds under Subsection (6)(b)(i)(D) equal to the lesser of:

4643 (i) 50% of the amount described in Subsection (3)(b)(iv) in the proposal that the
4644 lieutenant governor accepts under Subsection (6)(b); or

4645 (ii) the proportional reimbursement rate; and

4646 (b) may not disburse funds under Subsection (6)(b)(i)(D):

- 4647 (i) until the county appropriates the matching funds described in Subsection (4)(b); or
 4648 (ii) if the disbursement would cause the county's total receipt of funds from the
 4649 program to exceed the proportional reimbursement rate.

4650 Section 97. Section **20A-6-101** is amended to read:

4651 **20A-6-101. General requirements for manual ballots.**

4652 (1) ~~[Each]~~ An election officer shall ensure that ~~[paper]~~ manual ballots:

4653 (a) are printed using precisely the same quality and tint of plain white paper through
 4654 which the printing or writing cannot be seen;

4655 (b) are printed using precisely the same quality and kind of type;

4656 (c) are printed using precisely the same quality and tint of plain black ink;

4657 (d) are uniform in size for all the voting precincts within the election officer's
 4658 jurisdiction; and

4659 (e) include, on a ticket for a race in which a voter is authorized to cast a write-in vote
 4660 and in which a write-in candidate is qualified under Section **20A-9-601**, a space for a write-in
 4661 candidate immediately following the last candidate listed on that ticket.

4662 (2) Whenever the vote for candidates is to be limited to the voters of a particular
 4663 political division, the election officer shall ensure that the names of those candidates are
 4664 printed only upon those ballots provided to that political division.

4665 Section 98. Section **20A-6-102** is amended to read:

4666 **20A-6-102. General requirements for machine counted ballots.**

4667 (1) ~~[Each]~~ An election officer shall ensure that ballots ~~[and ballot labels]~~ are printed:

4668 (a) to a size and arrangement that fits the construction of the ~~[voting]~~ ballot counting
 4669 device; and

4670 (b) in plain, clear type in black ink on clear white stock; or

4671 (c) in plain, clear type in black ink on stock of different colors if it is necessary to:

4672 (i) identify different ballots or parts of the ballot; or

4673 (ii) differentiate between political parties.

4674 ~~[(2) Each election officer shall ensure that ballot sheets are of a size, design, and stock~~
 4675 ~~suitable for processing by automatic data processing machines.]~~

4676 ~~[(3)]~~ (2) For a race in which a voter is authorized to cast a write-in vote and in which a
 4677 write-in candidate is qualified under Section **20A-9-601**, the election officer shall include a

4678 space on the ticket for a write-in candidate immediately following the last candidate listed on
4679 that ticket.

4680 [(4)] (3) Notwithstanding any other provisions of this section, the election officer may
4681 authorize any ballots that are to be counted by means of electronic or electromechanical
4682 devices to be printed to a size, layout, texture, and in any type of ink or combination of inks
4683 that will be suitable for use in the counting devices in which they are intended to be placed.

4684 Section 99. Section 20A-6-105 is amended to read:

4685 **20A-6-105. Provisional ballot envelopes.**

4686 (1) Each election officer shall ensure that provisional ballot envelopes are printed in
4687 substantially the following form:

4688 "AFFIRMATION

4689 Are you a citizen of the United States of America? Yes No

4690 Will you be 18 years old on or before election day? Yes No

4691 If you checked "no" in response to either of the two above questions, do not complete this
4692 form.

4693 Name of Voter _____

4694 First Middle Last

4695 Driver License or Identification Card Number _____

4696 State of Issuance of Driver License or Identification Card Number _____

4697 Date of Birth _____

4698 Street Address of Principal Place of Residence

4699 _____

4700 City County State Zip Code

4701 Telephone Number (optional) _____

4702 Last four digits of Social Security Number _____

4703 Last former address at which I was registered to vote (if known)

4704 _____

4705 City County State Zip Code

4706 Voting Precinct (if known)

4707 _____

4708 I, (please print your full name) _____ do solemnly swear or

4709 affirm:

4710 That I am eligible to vote in this election; that I have not voted in this election in any
4711 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted to
4712 vote in this precinct; and

4713 Subject to penalty of law for false statements, that the information contained in this
4714 form is true, and that I am a citizen of the United States and a resident of Utah, residing at the
4715 above address; and that I am at least 18 years old and have resided in Utah for the 30 days
4716 immediately before this election.

4717 Signed _____

4718 Dated _____

4719 In accordance with Section [20A-3-506] [20A-3a-506](#), wilfully providing false
4720 information above is a class B misdemeanor under Utah law and is punishable by
4721 imprisonment and by fine."

4722 "The portion of your voter registration form that lists your driver license or
4723 identification card number, social security number, and email address, and the day of your
4724 month of birth, is a private record. The portion of your voter registration form that lists your
4725 month and year of birth is a private record, the use of which is restricted to government
4726 officials, government employees, political parties, or certain other persons.

4727 You may apply to the lieutenant governor or your county clerk to have your entire voter
4728 registration record classified as private."

4729 "CITIZENSHIP AFFIDAVIT

4730 Name:

4731 Name at birth, if different:

4732 Place of birth:

4733 Date of birth:

4734 Date and place of naturalization (if applicable):

4735 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
4736 citizen and that to the best of my knowledge and belief the information above is true and
4737 correct.

4738 _____

4739 Signature of Applicant

4740 In accordance with Section [20A-2-401](#), the penalty for willfully causing, procuring, or
4741 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
4742 up to one year in jail and a fine of up to \$2,500."

4743 (2) The provisional ballot envelope shall include:

4744 (a) a unique number;

4745 (b) a detachable part that includes the unique number; and

4746 (c) a telephone number, internet address, or other indicator of a means, in accordance
4747 with Section [20A-6-105.5](#), where the voter can find out if the provisional ballot was counted.

4748 Section 100. Section **20A-6-203** is amended to read:

4749 **20A-6-203. Ballots for regular primary elections.**

4750 (1) The lieutenant governor, together with county clerks, suppliers of election
4751 materials, and representatives of registered political parties, shall:

4752 (a) develop [~~paper ballots, ballot labels, ballot sheets, and electronic~~] ballots to be used
4753 in Utah's regular primary election;

4754 (b) ensure that the [~~paper ballots, ballot labels, ballot sheets, and electronic~~] ballots
4755 comply generally, where applicable, with the requirements of Title 20A, Chapter 6, Part 1,
4756 General Requirements for All Ballots, and this section; and

4757 (c) provide voting booths, election records and supplies, ballot boxes, and as
4758 applicable, voting devices, for each voting precinct as required by Section [20A-5-403](#).

4759 (2) (a) Notwithstanding the requirements of Subsections (1)(b) and (c), Title 20A,
4760 Chapter 6, Part 1, General Requirements for All Ballots, and Sections [20A-5-403](#), [20A-6-401](#),
4761 and [20A-6-401.1](#), the lieutenant governor, together with county clerks, suppliers of election
4762 materials, and representatives of registered political parties shall ensure that the [~~paper ballots,
4763 ballot labels, ballot sheets, electronic~~] ballots, [~~and~~] voting booths, election records and
4764 supplies, and ballot boxes:

4765 (i) facilitate the distribution, voting, and tallying of ballots in a primary where not all
4766 voters are authorized to vote for a party's candidate;

4767 (ii) simplify the task of poll workers, particularly in determining a voter's party
4768 affiliation;

4769 (iii) minimize the possibility of spoiled ballots due to voter confusion; and

4770 (iv) protect against fraud.

4771 (b) To accomplish the requirements of this Subsection (2), the lieutenant governor,
4772 county clerks, suppliers of election materials, and representatives of registered political parties
4773 shall:

4774 (i) mark~~[, prepunch, or otherwise identify]~~ ballots ~~[and ballot sheets]~~ as being for a
4775 particular registered political party; and

4776 (ii) instruct ~~[persons]~~ individuals counting the ballots to count only those votes for
4777 candidates from the registered political party whose ballot the voter received.

4778 Section 101. Section **20A-6-301** is amended to read:

4779 **20A-6-301. Manual ballots -- Regular general election.**

4780 (1) Each election officer shall ensure that:

4781 (a) all ~~[paper]~~ manual ballots furnished for use at the regular general election contain:

4782 (i) no captions or other endorsements except as provided in this section;

4783 (ii) no symbols, markings, or other descriptions of a political party or group, except for
4784 a registered political party that has chosen to nominate its candidates in accordance with
4785 Section [20A-9-403](#); and

4786 (iii) no indication that a candidate for elective office has been nominated by, or has
4787 been endorsed by, or is in any way affiliated with a political party or group, unless the
4788 candidate has been nominated by a registered political party in accordance with Subsection
4789 [20A-9-202\(4\)](#) or Subsection [20A-9-403\(5\)](#).

4790 (b) ~~[immediately below the perforated ballot stub]~~ at the top of the ballot, the following
4791 endorsements are printed in 18 point bold type:

4792 (i) "Official Ballot for ____ County, Utah";

4793 (ii) the date of the election; and

4794 (iii) the words "certified by the Clerk of _____ County" or, as applicable, the
4795 name of a combined office that includes the duties of a county clerk;

4796 (c) the party name or title is printed in capital letters not less than one-fourth of an inch
4797 high;

4798 (d) unaffiliated candidates, candidates not affiliated with a registered political party,
4799 and all other candidates for elective office who were not nominated by a registered political
4800 party in accordance with Subsection [20A-9-202\(4\)](#) or Subsection [20A-9-403\(5\)](#), are listed with
4801 the other candidates for the same office in accordance with Section [20A-6-305](#), without a party

4802 name or title, and with a mark referencing the following statement at the bottom of the ticket:
4803 "This candidate is not affiliated with, or does not qualify to be listed on the ballot as affiliated
4804 with, a political party.";

4805 (e) each ticket containing the lists of candidates, including the party name and device,
4806 are separated by heavy parallel lines;

4807 (f) the offices to be filled are plainly printed immediately above the names of the
4808 candidates for those offices;

4809 (g) the names of candidates are printed in capital letters, not less than one-eighth nor
4810 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between
4811 lines or rules three-eighths of an inch apart; and

4812 (h) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
4813 which a write-in candidate is qualified under Section 20A-9-601:

4814 (i) the ballot includes a space for a write-in candidate immediately following the last
4815 candidate listed on that ticket; or

4816 (ii) for the offices of president and vice president and governor and lieutenant
4817 governor, the ballot includes two spaces for write-in candidates immediately following the last
4818 candidates on that ticket, one placed above the other, to enable the entry of two valid write-in
4819 candidates.

4820 (2) ~~[Each]~~ An election officer shall ensure that:

4821 (a) each ~~[person]~~ individual nominated by any registered political party under
4822 Subsection 20A-9-202(4) or Subsection 20A-9-403(5), and no other ~~[person]~~ individual, is
4823 placed on the ballot:

4824 (i) under the registered political party's name, if any; or

4825 (ii) under the title of the registered political party as designated by them in their
4826 certificates of nomination or petition, or, if none is designated, then under some suitable title;

4827 (b) the names of all unaffiliated candidates that qualify as required in Title 20A,
4828 Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;

4829 (c) the names of the candidates for president and vice president are used on the ballot
4830 instead of the names of the presidential electors; and

4831 (d) the ballots contain no other names.

4832 (3) When the ballot contains a nonpartisan section, the election officer shall ensure

4833 that:

4834 (a) the designation of the office to be filled in the election and the number of
4835 candidates to be elected are printed in type not smaller than eight point;

4836 (b) the words designating the office are printed flush with the left-hand margin;

4837 (c) the words, "Vote for one" or "Vote for up to ____ (the number of candidates for
4838 which the voter may vote)" extend to the extreme right of the column;

4839 (d) the nonpartisan candidates are grouped according to the office for which they are
4840 candidates;

4841 (e) the names in each group are placed in the order specified under Section 20A-6-305
4842 with the surnames last; and

4843 (f) each group is preceded by the designation of the office for which the candidates
4844 seek election, and the words, "Vote for one" or "Vote for up to ____ (the number of
4845 candidates for which the voter may vote)," according to the number to be elected.

4846 (4) Each election officer shall ensure that:

4847 (a) proposed amendments to the Utah Constitution are listed on the ballot in
4848 accordance with Section 20A-6-107;

4849 (b) ballot propositions submitted to the voters are listed on the ballot in accordance
4850 with Section 20A-6-107; and

4851 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
4852 title assigned to each bond proposition under Section 11-14-206.

4853 Section 102. Section 20A-6-302 is amended to read:

4854 **20A-6-302. Manual ballots -- Placement of candidates' names.**

4855 (1) ~~Each~~ An election officer shall ensure, for ~~paper~~ manual ballots in regular
4856 general elections, that:

4857 (a) each candidate is listed by party, if nominated by a registered political party under
4858 Subsection 20A-9-202(4) or Subsection 20A-9-403(5);

4859 (b) candidates' surnames are listed in alphabetical order on the ballots when two or
4860 more candidates' names are required to be listed on a ticket under the title of an office; and

4861 (c) the names of candidates are placed on the ballot in the order specified under Section
4862 20A-6-305.

4863 (2) (a) When there is only one candidate for county attorney at the regular general

4864 election in counties that have three or fewer registered voters of the county who are licensed
4865 active members in good standing of the Utah State Bar, the county clerk shall cause that
4866 candidate's name and party affiliation, if any, to be placed on a separate section of the ballot
4867 with the following question: "Shall (name of candidate) be elected to the office of county
4868 attorney? Yes ____ No ____."

4869 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
4870 elected to the office of county attorney.

4871 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
4872 elected and may not take office, nor may the candidate continue in the office past the end of the
4873 term resulting from any prior election or appointment.

4874 (d) When the name of only one candidate for county attorney is printed on the ballot
4875 under authority of this Subsection (2), the county clerk may not count any write-in votes
4876 received for the office of county attorney.

4877 (e) If no qualified ~~[person]~~ individual files for the office of county attorney or if the
4878 candidate is not elected by the voters, the county legislative body shall appoint the county
4879 attorney as provided in Section [20A-1-509.2](#).

4880 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
4881 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a) to the
4882 two consecutive terms immediately preceding the term for which the candidate is seeking
4883 election, Subsection (2)(a) does not apply and that candidate shall be considered to be an
4884 unopposed candidate the same as any other unopposed candidate for another office, unless a
4885 petition is filed with the county clerk before 5 p.m. no later than one day before that year's
4886 primary election that:

4887 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and

4888 (ii) contains the signatures of registered voters in the county representing in number at
4889 least 25% of all votes cast in the county for all candidates for governor at the last election at
4890 which a governor was elected.

4891 (3) (a) When there is only one candidate for district attorney at the regular general
4892 election in a prosecution district that has three or fewer registered voters of the district who are
4893 licensed active members in good standing of the Utah State Bar, the county clerk shall cause
4894 that candidate's name and party affiliation, if any, to be placed on a separate section of the

4895 ballot with the following question: "Shall (name of candidate) be elected to the office of district
4896 attorney? Yes ____ No ____."

4897 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
4898 elected to the office of district attorney.

4899 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
4900 elected and may not take office, nor may the candidate continue in the office past the end of the
4901 term resulting from any prior election or appointment.

4902 (d) When the name of only one candidate for district attorney is printed on the ballot
4903 under authority of this Subsection (3), the county clerk may not count any write-in votes
4904 received for the office of district attorney.

4905 (e) If no qualified [~~person~~] individual files for the office of district attorney, or if the
4906 only candidate is not elected by the voters under this subsection, the county legislative body
4907 shall appoint a new district attorney for a four-year term as provided in Section [20A-1-509.2](#).

4908 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
4909 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the
4910 two consecutive terms immediately preceding the term for which the candidate is seeking
4911 election, Subsection (3)(a) does not apply and that candidate shall be considered to be an
4912 unopposed candidate the same as any other unopposed candidate for another office, unless a
4913 petition is filed with the county clerk before 5 p.m. no later than one day before that year's
4914 primary election that:

4915 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and

4916 (ii) contains the signatures of registered voters in the county representing in number at
4917 least 25% of all votes cast in the county for all candidates for governor at the last election at
4918 which a governor was elected.

4919 Section 103. Section **20A-6-304** is amended to read:

4920 **20A-6-304. Regular general election -- Mechanical ballots.**

4921 (1) Each election officer shall ensure that:

4922 (a) the format and content of [~~the electronic~~] a mechanical ballot is arranged in
4923 approximately the same order as [~~paper~~] manual ballots;

4924 (b) the titles of offices and the names of candidates are displayed in vertical columns or
4925 in a series of separate [~~display screens~~] displays;

4926 (c) the [electronic] mechanical ballot is of sufficient length to include, after the list of
4927 candidates:

4928 (i) the names of candidates for judicial offices and any other nonpartisan offices; and

4929 (ii) any ballot propositions submitted to the voters for their approval or rejection;

4930 (d) the office titles are displayed above or at the side of the names of candidates so as
4931 to indicate clearly the candidates for each office and the number to be elected;

4932 (e) the party designation of each candidate who has been nominated by a registered
4933 political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) is displayed
4934 adjacent to the candidate's name; and

4935 (f) if possible, all candidates for one office are grouped in one column or upon one
4936 display screen.

4937 (2) Each election officer shall ensure that:

4938 (a) proposed amendments to the Utah Constitution are displayed in accordance with
4939 Section 20A-6-107;

4940 (b) ballot propositions submitted to the voters are displayed in accordance with Section
4941 20A-6-107; and

4942 (c) bond propositions that have qualified for the ballot are displayed under the title
4943 assigned to each bond proposition under Section 11-14-206.

4944 Section 104. Section 20A-6-401 is amended to read:

4945 **20A-6-401. Ballots for municipal primary elections.**

4946 (1) Each election officer shall ensure that:

4947 (a) the following endorsements are printed in 18 point bold type:

4948 (i) "Official Primary Ballot for ____ (City, Town, or Metro Township), Utah";

4949 (ii) the date of the election; and

4950 (iii) a facsimile of the signature of the election officer and the election officer's title in
4951 eight point type;

4952 (b) immediately below the election officer's title, two one-point parallel horizontal
4953 rules separate endorsements from the rest of the ballot;

4954 (c) immediately below the horizontal rules, an "Instructions to Voters" section is
4955 printed in 10 point bold type that states: "To vote for a candidate, [~~place a cross (X) in the~~
4956 ~~square~~] mark the space following the name(s) of the person(s) you favor as the candidate(s) for

4957 each respective office." followed by two one-point parallel rules;

4958 (d) after the rules, the designation of the office for which the candidates seek
4959 nomination is printed flush with the left-hand margin and the words, "Vote for one" or "Vote
4960 for up to ____ (the number of candidates for which the voter may vote)" are printed to extend
4961 to the extreme right of the column in 10-point bold type, followed by a hair-line rule;

4962 (e) after the hair-line rule, the names of the candidates are printed in heavy face type
4963 between lines or rules three-eighths inch apart, in the order specified under Section 20A-6-305
4964 with surnames last and grouped according to the office that they seek;

4965 (f) a square with sides not less than one-fourth inch long is printed immediately
4966 adjacent to the names of the candidates; and

4967 (g) the candidate groups are separated from each other by one light and one heavy line
4968 or rule.

4969 (2) A municipal primary ballot may not contain any space for write-in votes.

4970 Section 105. Section 20A-6-401.1 is amended to read:

4971 **20A-6-401.1. Ballots for partisan municipal primary elections.**

4972 [~~(1) If a municipality is using paper ballots, each~~]

4973 (1) An election officer shall ensure that:

4974 (a) all [~~paper~~] manual ballots furnished for use at the regular primary election:

4975 (i) separate the candidates of one political party from those of the other political
4976 parties; and

4977 (ii) contain no captions or other endorsements except as provided in this section;

4978 (b) the names of all candidates from each party are listed on the same ballot in one or
4979 more columns under their party name and emblem;

4980 (c) the political parties are printed on the ballot in the order specified under Section
4981 20A-6-305;

4982 (d) the following endorsements are printed in 18-point bold type:

4983 (i) "Official Primary Ballot for ____ (name of municipality), Utah";

4984 (ii) the date of the election; and

4985 (iii) a facsimile of the signature of the [~~municipal clerk or recorder and the words "~~

4986 ~~municipal clerk" or "municipal recorder"~~ election officer and the election officer's title in eight
4987 point type;

4988 (e) after the facsimile signature, the political party emblem and the name of the
4989 political party are printed;

4990 (f) after the party name and emblem, the ballot contains the following printed in not
4991 smaller than 10-point bold face, double leaded type: "Instructions to Voters: To vote for a
4992 candidate, [~~place a cross (X) in the square immediately adjacent to~~] mark the space following
4993 the name of the person for whom you wish to vote and in no other place. Do not vote for any
4994 candidate listed under more than one party or group designation.", followed by two one-point
4995 parallel horizontal rules;

4996 (g) after the rules, the designation of the office for which the candidates seek
4997 nomination is printed flush with the left-hand margin and the words, "Vote for one" or "Vote
4998 for up to ____ (the number of candidates for which the voter may vote)" are printed to extend
4999 to the extreme right of the column in 10-point bold type, followed by a hair-line rule;

5000 (h) after the hair-line rule, the names of the candidates are printed in heavy face type
5001 between lines or rules three-eighths inch apart, in the order specified under Section [20A-6-305](#)
5002 with surnames last and grouped according to the office that they seek;

5003 (i) a square with sides not less than one-fourth inch long is printed immediately
5004 adjacent to the names of the candidates;

5005 (j) the candidate groups are separated from each other by one light and one heavy line
5006 or rule; and

5007 (k) the nonpartisan candidates are listed as follows:

5008 (i) immediately below the listing of the party candidates, the word "NONPARTISAN"
5009 is printed in reverse type in an 18 point solid rule that extends the full width of the type copy of
5010 the party listing above; and

5011 (ii) below "NONPARTISAN," the office, the number of candidates to vote for, the
5012 candidate's name, the voting square, and any other necessary information is printed in the same
5013 style and manner as for party candidates.

5014 (2) [~~(a) If a municipality is using ballot sheets or electronic~~] For mechanical ballots, the
5015 election officer may require that:

5016 [(i)] (a) the ballot[~~, or ballot label in the case of a punch card ballot,~~] for a regular
5017 primary election consist of several groups of pages or display screens, so that a separate group
5018 can be used to list the names of candidates seeking nomination of each qualified political party,

5019 with additional groups used to list candidates for other nonpartisan offices;
5020 [(ii)] (b) the separate groups of pages or display screens are identified by color or other
5021 suitable means; and
5022 [(iii)] (c) the ballot [~~or ballot label contain~~] contains instructions that direct the voter
5023 how to vote the ballot.
5024 ~~[(b) If a municipality is using ballot sheets or electronic ballots, each election officer~~
5025 ~~shall:]~~
5026 ~~[(i) for municipalities using punch card ballots, ensure that the ballot label provides a~~
5027 ~~means for the voter to designate the political party in whose primary the voter is voting; and]~~
5028 ~~[(ii) determine the order for printing the names of the political parties on the ballot~~
5029 ~~label in accordance with Section 20A-6-305.]~~
5030 Section 106. Section **20A-6-402** is amended to read:
5031 **20A-6-402. Ballots for municipal general elections.**
5032 (1) Except as otherwise required for a race conducted by instant runoff voting under
5033 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, [~~when using a~~
5034 ~~paper ballot~~] for a manual ballot at a municipal general [~~elections, each~~] election, an election
5035 officer shall ensure that:
5036 (a) the names of the two candidates who received the highest number of votes for
5037 mayor in the municipal primary are placed upon the ballot;
5038 (b) if no municipal primary election was held, the names of the candidates who filed
5039 declarations of candidacy for municipal offices are placed upon the ballot;
5040 (c) for other offices:
5041 (i) twice the number of candidates as there are positions to be filled are certified as
5042 eligible for election in the municipal general election from those candidates who received the
5043 greater number of votes in the primary election; and
5044 (ii) the names of those candidates are placed upon the municipal general election
5045 ballot;
5046 (d) the names of the candidates are placed on the ballot in the order specified under
5047 Section 20A-6-305;
5048 (e) in an election in which a voter is authorized to cast a write-in vote and where a
5049 write-in candidate is qualified under Section 20A-9-601, a write-in area is placed upon the

5050 ballot that contains, for each office in which there is a qualified write-in candidate:

5051 (i) a blank, horizontal line to enable a voter to submit a valid write-in candidate; and

5052 (ii) a square or other conforming area that is adjacent to or opposite the blank

5053 horizontal line to enable the voter to indicate the voter's vote;

5054 (f) ballot propositions that have qualified for the ballot, including propositions

5055 submitted to the voters by the municipality, municipal initiatives, and municipal referenda, are

5056 listed on the ballot in accordance with Section [20A-6-107](#); and

5057 (g) bond propositions that have qualified for the ballot are listed on the ballot under the

5058 title assigned to each bond proposition under Section [11-14-206](#).

5059 ~~[(2) Except as otherwise required for a race conducted by instant runoff voting under~~

5060 ~~Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when using a~~

5061 ~~punch card ballot at municipal general elections, each election officer shall ensure that:]~~

5062 ~~[(a) the following endorsements are printed in 18 point bold type:]~~

5063 ~~[(i) "Official Ballot for _____ (City, Town, or Metro Township), Utah";]~~

5064 ~~[(ii) the date of the election; and]~~

5065 ~~[(iii) a facsimile of the signature of the election officer and the election officer's title in~~

5066 ~~eight-point type;]~~

5067 ~~[(b) immediately below the election officer's title, two one-point parallel horizontal~~

5068 ~~rules separate endorsements from the rest of the ballot;]~~

5069 ~~[(c) immediately below the horizontal rules, an "Instructions to Voters" section is~~

5070 ~~printed in 10-point bold type that states: "To vote for a candidate, place a cross (X) in the~~

5071 ~~square following the name(s) of the person(s) you favor as the candidate(s) for each respective~~

5072 ~~office." followed by two one-point parallel rules;]~~

5073 ~~[(d) after the rules, the designation of the office for which the candidates seek election~~

5074 ~~is printed flush with the left-hand margin and the words, "Vote for one" or "Vote for up to~~

5075 ~~_____ (the number of candidates for which the voter may vote)" are printed to extend to the~~

5076 ~~extreme right of the column in 10-point bold type, followed by a hair-line rule;]~~

5077 ~~[(e) after the hair-line rule, the names of the candidates are printed in heavy face type~~

5078 ~~between lines or rules three-eighths inch apart, in the order specified under Section [20A-6-305](#)~~

5079 ~~with surnames last and grouped according to the office that they seek;]~~

5080 ~~[(f) a square with sides not less than one-fourth inch long is printed immediately~~

5081 adjacent to the names of the candidates;]

5082 [~~(g) following the name of the last candidate for each office in which a write-in~~

5083 ~~candidate is qualified under Section 20A-9-601, the ballot contains:]~~

5084 [~~(i) a write-in space for each elective office in which a write-in candidate is qualified~~

5085 ~~where the voter may enter the name of a valid write-in candidate; and]~~

5086 [~~(ii) a square printed immediately adjacent to the write-in space or line where the voter~~

5087 ~~may vote for a valid write-in candidate; and]~~

5088 [~~(h) the candidate groups are separated from each other by one light and one heavy line~~

5089 ~~or rule.]~~

5090 [~~(3) Except as otherwise required for a race conducted by instant runoff voting under~~

5091 ~~Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when using a~~

5092 ~~ballot sheet other than a punch card ballot at municipal general elections, each election officer~~

5093 ~~shall ensure that:]~~

5094 [~~(a) the following endorsements are printed:]~~

5095 [~~(i) "Official Ballot for _____ (City, Town, or Metro Township), Utah";]~~

5096 [~~(ii) the date of the election; and]~~

5097 [~~(iii) a facsimile of the signature of the election officer and the election officer's title;]~~

5098 [~~(b) immediately below the election officer's title, a distinct border or line separates~~

5099 ~~endorsements from the rest of the ballot;]~~

5100 [~~(c) immediately below the border or line, an "Instructions to Voters" section is printed~~

5101 ~~that states: "To vote for a candidate, select the name(s) of the person(s) you favor as the~~

5102 ~~candidate(s) for each respective office." followed by another border or line;]~~

5103 [~~(d) after the border or line, the designation of the office for which the candidates seek~~

5104 ~~election is printed and the words, "Vote for one" or "Vote for up to _____ (the number of~~

5105 ~~candidates for which the voter may vote)" are printed, followed by a line or border;]~~

5106 [~~(e) after the line or border, the names of the candidates are printed in the order~~

5107 ~~specified under Section 20A-6-305 with surnames last and grouped according to the office that~~

5108 ~~they seek;]~~

5109 [~~(f) an oval is printed adjacent to the names of the candidates;]~~

5110 [~~(g) following the name of the last candidate for each office in which a write-in~~

5111 ~~candidate is qualified under Section 20A-9-601, the ballot contains:]~~

5112 ~~[(i) a write-in space or blank line for each elective office in which a write-in candidate~~
5113 ~~is qualified where the voter may enter the name of a valid write-in candidate; and]~~

5114 ~~[(ii) an oval printed adjacent to the write-in space or line where the voter may vote for~~
5115 ~~a valid write-in candidate; and]~~

5116 ~~[(h) the candidate groups are separated from each other by a line or border.]~~

5117 [(4)] (2) Except as otherwise required for a race conducted by instant runoff voting
5118 under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when
5119 using ~~[an electronic]~~ a mechanical ballot at municipal general elections, each election officer
5120 shall ensure that:

5121 (a) the following endorsements are displayed on the first ~~[screen]~~ portion of the ballot:

5122 (i) "Official Ballot for ____ (City, Town, or Metro Township), Utah";

5123 (ii) the date of the election; and

5124 (iii) a facsimile of the signature of the election officer and the election officer's title;

5125 (b) immediately below the election officer's title, a distinct border or line separates the
5126 endorsements from the rest of the ballot;

5127 (c) immediately below the border or line, an "Instructions to Voters" section is
5128 displayed that states: "To vote for a candidate, select the name(s) of the person(s) you favor as
5129 the candidate(s) for each respective office." followed by another border or line;

5130 (d) after the border or line, the designation of the office for which the candidates seek
5131 election is displayed, and the words, "Vote for one" or "Vote for up to ____ (the number of
5132 candidates for which the voter may vote)" are displayed, followed by a line or border;

5133 (e) after the line or border, the names of the candidates are displayed in the order
5134 specified under Section [20A-6-305](#) with surnames last and grouped according to the office that
5135 they seek;

5136 (f) a voting square or position is located adjacent to the name of each candidate;

5137 (g) following the name of the last candidate for each office in which a write-in
5138 candidate is qualified under Section [20A-9-601](#), the ballot contains a write-in space where the
5139 voter may enter the name of and vote for a valid write-in candidate for the office; and

5140 (h) the candidate groups are separated from each other by a line or border.

5141 [(5)] (3) When a municipality has chosen to nominate candidates by convention or
5142 committee, the election officer shall ensure that the party name is included with the candidate's

5143 name on the ballot.

5144 Section 107. Section **20A-7-607** is amended to read:

5145 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**
5146 **referendum.**

5147 (1) When each referendum packet is received from a county clerk, the local clerk shall
5148 check off from the local clerk's record the number of each referendum packet filed.

5149 (2) Within two days after the day on which the local clerk receives each referendum
5150 packet from a county clerk, the local clerk shall:

5151 (a) count the number of the names certified by the county clerks that appear on each
5152 verified signature sheet;

5153 (b) if the total number of certified names from each verified signature sheet equals or
5154 exceeds the number of names required by Section **20A-7-601** and the requirements of this part
5155 are met, mark upon the front of the petition the word "sufficient";

5156 (c) if the total number of certified names from each verified signature sheet does not
5157 equal or exceed the number of names required by Section **20A-7-601** or a requirement of this
5158 part is not met, mark upon the front of the petition the word "insufficient"; and

5159 (d) notify any one of the sponsors of the local clerk's finding.

5160 (3) If the local clerk finds the total number of certified signatures from each verified
5161 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk
5162 for a recount of the signatures appearing on the referendum petition in the presence of any
5163 sponsor.

5164 (4) (a) If the local clerk refuses to accept and file any referendum petition, any voter
5165 may apply to a court for an extraordinary writ to compel the local clerk to do so within 10 days
5166 after the refusal.

5167 (b) If a court determines that the referendum petition is legally sufficient, the local
5168 clerk shall file [it] the petition, with a verified copy of the judgment attached to [it] the petition,
5169 as of the date on which it was originally offered for filing in the local clerk's office.

5170 (c) If a court determines that any petition filed is not legally sufficient, the court may
5171 enjoin the local clerk and all other officers from:

5172 (i) certifying or printing the ballot title and numbers of that measure on the official
5173 ballot for the next election; or

5174 (ii) as it relates to a local tax law that is conducted entirely by [~~absentee ballot~~] mail,
5175 certifying, printing, or mailing the ballot title and numbers of that measure under Section
5176 [20A-7-609.5](#).

5177 (5) A petition determined to be sufficient in accordance with this section is qualified
5178 for the ballot.

5179 (6) (a) If a referendum relates to legislative action taken after April 15, the election
5180 officer may not place the referendum on an election ballot until a primary election, a general
5181 election, or a special election the following year.

5182 (b) For a referendum on a land use law, if, before August 30, the local clerk or a court
5183 determines that the total number of certified names equals or exceeds the number of signatures
5184 required in Section [20A-7-601](#), the election officer shall place the referendum on the election
5185 ballot for the next general election.

5186 Section 108. Section [20A-7-609.5](#) is amended to read:

5187 **[20A-7-609.5. Election on referendum challenging local tax law conducted entirely](#)**
5188 **by mail.**

5189 (1) An election officer may administer an election on a referendum challenging a local
5190 tax law entirely by [~~absentee ballot~~] mail.

5191 (2) For purposes of an election conducted under this section, the election officer shall:

5192 (a) designate as the election day the day that is 30 days after the day on which the
5193 election officer complies with Subsection (2)(b); and

5194 (b) within 30 days after the day on which the referendum described in Subsection (1)
5195 qualifies for the ballot, mail to each registered voter within the voting precincts to which the
5196 local tax law applies:

5197 (i) [~~an absentee~~] a manual ballot;

5198 (ii) a statement that there will be no polling place [~~in the voting precinct~~] for the
5199 election;

5200 (iii) a statement specifying the election day described in Subsection (2)(a);

5201 (iv) a business reply mail envelope;

5202 (v) instructions for returning the ballot that include an express notice about any
5203 relevant deadlines that the voter must meet in order for the voter's vote to be counted;

5204 (vi) a warning, on a separate page of colored paper in boldface print, indicating that if

5205 the voter fails to follow the instructions included with the ~~[absentee]~~ manual ballot, the voter
5206 will be unable to vote in that election because there will be no polling place ~~[in the voting~~
5207 ~~precinct on the day of]~~ for the election; and

5208 (vii) (A) a copy of the proposition information pamphlet relating to the referendum if a
5209 proposition information pamphlet relating to the referendum was published under Section
5210 20A-7-401.5; or

5211 (B) a website address where an individual may view a copy of the proposition
5212 information pamphlet described in Subsection (2)(b)(vii)(A).

5213 ~~[(3) A voter who votes by absentee ballot under this section is not required to apply for~~
5214 ~~an absentee ballot as required by this part.]~~

5215 ~~[(4)]~~ (3) An election officer who administers an election under this section shall:

5216 (a) (i) obtain, in person, the signatures of each voter within that voting precinct before
5217 the election; or

5218 (ii) obtain the signature of each voter within the voting precinct from the county clerk;
5219 and

5220 (b) maintain the signatures on file in the election officer's office.

5221 ~~[(5)]~~ (4) (a) Upon receiving ~~[the]~~ a returned ~~[absentee ballots]~~ manual ballot under this
5222 section, the election officer shall compare the signature on each ~~[absentee ballot]~~ return
5223 envelope with the voter's signature that is maintained on file and verify that the signatures are
5224 the same.

5225 (b) If the election officer questions the authenticity of the signature on the ~~[absentee~~
5226 ~~ballot]~~ return envelope, the election officer shall immediately contact the voter to verify the
5227 signature.

5228 (c) If there is not a signature on the return envelope or if the election officer determines
5229 that the signature on the ~~[absentee ballot]~~ return envelope does not match the voter's signature
5230 that is maintained on file, the election officer shall:

5231 ~~[(i) unless the absentee ballot application deadline described in Section 20A-3-304 has~~
5232 ~~passed, immediately send another absentee ballot and other voting materials as required by this~~
5233 ~~section to the voter; and]~~

5234 ~~[(ii)]~~ (i) disqualify the [initial absentee ballot.] ballot; and

5235 (ii) notify the voter of the disqualification and the reason for the disqualification.

5236 Section 109. Section **20A-7-613** is amended to read:

5237 **20A-7-613. Property tax referendum petition.**

5238 (1) As used in this section, "certified tax rate" means the same as that term is defined in
5239 Section [59-2-924](#).

5240 (2) Except as provided in this section, the requirements of this part apply to a
5241 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that
5242 exceeds the certified tax rate.

5243 (3) Notwithstanding Subsection [20A-7-606\(1\)](#), the sponsors shall deliver each signed
5244 and verified referendum packet to the county clerk of the county in which the packet was
5245 circulated before 5 p.m. no later than 40 days after the day on which the local clerk complies
5246 with Subsection [20A-7-604\(2\)](#).

5247 (4) Notwithstanding Subsections [20A-7-606\(2\)](#) and (3), the county clerk shall take the
5248 actions required in Subsections [20A-7-606\(2\)](#) and (3) within 10 working days after the day on
5249 which the county clerk receives the signed and verified referendum packet as described in
5250 Subsection (3).

5251 (5) The local clerk shall take the actions required by Section [20A-7-607](#) within two
5252 working days after the day on which the local clerk receives the referendum packets from the
5253 county clerk.

5254 (6) Notwithstanding Subsection [20A-7-608\(2\)](#), the local attorney shall prepare the
5255 ballot title within two working days after the day on which the referendum petition is declared
5256 sufficient for submission to a vote of the people.

5257 (7) Notwithstanding Subsection [20A-7-609\(2\)\(c\)](#), a referendum that qualifies for the
5258 ballot under this section shall appear on the ballot for the earlier of the next regular general
5259 election or the next municipal general election unless a special election is called.

5260 [~~(8) Notwithstanding the requirements related to absentee ballots under this title:]~~

5261 [~~(a) the election officer shall prepare absentee ballots for those voters who have~~
5262 ~~requested an absentee ballot as soon as possible after the ballot title is prepared as described in~~
5263 ~~Subsection (6); and]~~

5264 [(b)] (8) [the] The election officer shall mail [~~absentee~~] manual ballots on a referendum
5265 under this section the later of:

5266 [(i)] (a) the time provided in Section [~~20A-3-305~~] [20A-3a-202](#) or [20A-16-403](#); or

5267 [~~(ii)~~] (b) the time that [absentee] ballots are prepared for mailing under this section.

5268 (9) Section 20A-7-402 does not apply to a referendum described in this section.

5269 (10) (a) If a majority of voters does not vote against imposing the tax at a rate
5270 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing
5271 entity's legislative body:

5272 (i) the certified tax rate for the fiscal year during which the referendum petition is filed
5273 is its most recent certified tax rate; and

5274 (ii) the proposed increased revenues for purposes of establishing the certified tax rate
5275 for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed
5276 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body
5277 before the filing of the referendum petition.

5278 (b) If a majority of voters votes against imposing a tax at the rate established by the
5279 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the
5280 taxing entity's most recent certified tax rate.

5281 (c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not
5282 required to comply with the notice and public hearing requirements of Section 59-2-919 if the
5283 taxing entity complies with those notice and public hearing requirements before the referendum
5284 petition is filed.

5285 (11) The ballot title shall, at a minimum, include in substantially this form the
5286 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount
5287 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as
5288 budgeted, adopted, and approved by the [name of the taxing entity]".

5289 (12) A taxing entity shall pay the county the costs incurred by the county that are
5290 directly related to meeting the requirements of this section and that the county would not have
5291 incurred but for compliance with this section.

5292 (13) (a) An election officer shall include on a ballot a referendum that has not yet
5293 qualified for placement on the ballot, if:

5294 (i) sponsors file an application for a referendum described in this section;

5295 (ii) the ballot will be used for the election for which the sponsors are attempting to
5296 qualify the referendum; and

5297 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after

5298 the day on which the ballot will be printed.

5299 (b) If an election officer includes on a ballot a referendum described in Subsection
5300 (13)(a), the ballot title shall comply with Subsection (11).

5301 (c) If an election officer includes on a ballot a referendum described in Subsection
5302 (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the
5303 voters by any practicable method that the referendum has not qualified for the ballot and that
5304 votes cast in relation to the referendum will not be counted.

5305 Section 110. Section **20A-7-702** is amended to read:

5306 **20A-7-702. Voter information pamphlet -- Form -- Contents -- Distribution.**

5307 (1) The lieutenant governor shall ensure that all information submitted for publication
5308 in the voter information pamphlet is:

5309 (a) printed and bound in a single pamphlet;

5310 (b) printed in clear readable type, no less than 10 point, except that the text of any
5311 measure may be set forth in eight-point type; and

5312 (c) printed on a quality and weight of paper that best serves the voters.

5313 (2) The voter information pamphlet shall contain the following items in this order:

5314 (a) a cover title page;

5315 (b) an introduction to the pamphlet by the lieutenant governor;

5316 (c) a table of contents;

5317 (d) a list of all candidates for constitutional offices;

5318 (e) a list of candidates for each legislative district;

5319 (f) a 100-word statement of qualifications for each candidate for the office of governor,
5320 lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the
5321 candidate to the lieutenant governor's office before 5 p.m. on the first business day in August
5322 before the date of the election;

5323 (g) information pertaining to all measures to be submitted to the voters, beginning a
5324 new page for each measure and containing, in the following order for each measure:

5325 (i) a copy of the number and ballot title of the measure;

5326 (ii) the final vote cast by the Legislature on the measure if it is a measure submitted by
5327 the Legislature or by referendum;

5328 (iii) the impartial analysis of the measure prepared by the Office of Legislative

5329 Research and General Counsel;

5330 (iv) the arguments in favor of the measure, the rebuttal to the arguments in favor of the
5331 measure, the arguments against the measure, and the rebuttal to the arguments against the
5332 measure, with the name and title of the authors at the end of each argument or rebuttal;

5333 (v) for each constitutional amendment, a complete copy of the text of the constitutional
5334 amendment, with all new language underlined, and all deleted language placed within brackets;

5335 (vi) for each initiative qualified for the ballot:

5336 (A) a copy of the measure as certified by the lieutenant governor and a copy of the
5337 fiscal impact estimate prepared according to Section [20A-7-202.5](#); and

5338 (B) if the initiative proposes a tax increase, the following statement in bold type:

5339 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
5340 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
5341 increase in the current tax rate."; and

5342 (vii) for each referendum qualified for the ballot, a complete copy of the text of the law
5343 being submitted to the voters for their approval or rejection, with all new language underlined
5344 and all deleted language placed within brackets, as applicable;

5345 (h) a description provided by the Judicial Performance Evaluation Commission of the
5346 selection and retention process for judges, including, in the following order:

5347 (i) a description of the judicial selection process;

5348 (ii) a description of the judicial performance evaluation process;

5349 (iii) a description of the judicial retention election process;

5350 (iv) a list of the criteria of the judicial performance evaluation and the minimum
5351 performance standards;

5352 (v) the names of the judges standing for retention election; and

5353 (vi) for each judge:

5354 (A) a list of the counties in which the judge is subject to retention election;

5355 (B) a short biography of professional qualifications and a recent photograph;

5356 (C) a narrative concerning the judge's performance;

5357 (D) for each standard of performance, a statement identifying whether or not the judge
5358 met the standard and, if not, the manner in which the judge failed to meet the standard;

5359 (E) a statement identifying whether or not the Judicial Performance Evaluation

5360 Commission recommends the judge be retained or declines to make a recommendation and the
5361 number of votes for and against the commission's recommendation;

5362 (F) any statement provided by a judge who is not recommended for retention by the
5363 Judicial Performance Evaluation Commission under Section 78A-12-203;

5364 (G) in a bar graph, the average of responses to each survey category, displayed with an
5365 identification of the minimum acceptable score as set by Section 78A-12-205 and the average
5366 score of all judges of the same court level; and

5367 (H) a website address that contains the Judicial Performance Evaluation Commission's
5368 report on the judge's performance evaluation;

5369 (i) for each judge, a statement provided by the Utah Supreme Court identifying the
5370 cumulative number of informal reprimands, when consented to by the judge in accordance with
5371 Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of
5372 censure and suspension issued by the Utah Supreme Court under Utah Constitution, Article
5373 VIII, Section 13, during the judge's current term and the immediately preceding term, and a
5374 detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct
5375 that the judge has received;

5376 (j) an explanation of ballot marking procedures prepared by the lieutenant governor,
5377 indicating the ballot marking procedure used by each county and explaining how to mark the
5378 ballot for each procedure;

5379 (k) voter registration information, including information on how to obtain [an
5380 absentee] a ballot;

5381 (l) a list of all county clerks' offices and phone numbers;

5382 (m) the address of the Statewide Electronic Voter Information Website, with a
5383 statement indicating that the election officer will post on the website any changes to the
5384 location of a polling place and the location of any additional polling place;

5385 (n) a phone number that a voter may call to obtain information regarding the location
5386 of a polling place; and

5387 (o) on the back cover page, a printed copy of the following statement signed by the
5388 lieutenant governor:

5389 "I, _____ (print name), Lieutenant Governor of Utah, certify that the
5390 measures contained in this pamphlet will be submitted to the voters of Utah at the election to

5391 be held throughout the state on ____ (date of election), and that this pamphlet is complete and
5392 correct according to law.

5393 SEAL

5394 Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this ____ day
5395 of ____ (month), ____ (year)

5396 (signed) _____

5397 Lieutenant Governor"

5398 (3) No earlier than 75 days, and no later than 15 days, before the day on which voting
5399 commences, the lieutenant governor shall:

5400 (a) (i) distribute one copy of the voter information pamphlet to each household within
5401 the state;

5402 (ii) distribute to each household within the state a notice:

5403 (A) printed on a postage prepaid, preaddressed return form that a person may use to
5404 request delivery of a voter information pamphlet by mail;

5405 (B) that states the address of the Statewide Electronic Voter Information Website
5406 authorized by Section 20A-7-801; and

5407 (C) that states the phone number a voter may call to request delivery of a voter
5408 information pamphlet by mail; or

5409 (iii) ensure that one copy of the voter information pamphlet is placed in one issue of
5410 every newspaper of general circulation in the state;

5411 (b) ensure that a sufficient number of printed voter information pamphlets are available
5412 for distribution as required by this section;

5413 (c) provide voter information pamphlets to each county clerk for free distribution upon
5414 request and for placement at polling places; and

5415 (d) ensure that the distribution of the voter information pamphlets is completed 15 days
5416 before the election.

5417 (4) The lieutenant governor may distribute a voter information pamphlet at a location
5418 frequented by a person who cannot easily access the Statewide Electronic Voter Information
5419 Website authorized by Section 20A-7-801.

5420 Section 111. Section 20A-7-801 is amended to read:

5421 **20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of**

5422 **the lieutenant governor -- Content -- Duties of local election officials -- Deadlines --**
5423 **Frequently asked voter questions -- Other elections.**

5424 (1) There is established the Statewide Electronic Voter Information Website Program
5425 administered by the lieutenant governor in cooperation with the county clerks for general
5426 elections and municipal authorities for municipal elections.

5427 (2) In accordance with this section, and as resources become available, the lieutenant
5428 governor, in cooperation with county clerks, shall develop, establish, and maintain a
5429 state-provided Internet website designed to help inform the voters of the state of:

5430 (a) the offices and candidates up for election; and

5431 (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments
5432 of ballot propositions submitted to the voters.

5433 (3) Except as provided under Subsection (6), the website shall include:

5434 (a) all information currently provided in the Utah voter information pamphlet under
5435 Chapter 7, Part 7, Voter Information Pamphlet, including a section prepared, analyzed, and
5436 submitted by the Judicial Council describing the judicial selection and retention process;

5437 (b) all information submitted by election officers under Subsection (4) on local office
5438 races, local office candidates, and local ballot propositions;

5439 (c) a list that contains the name of a political subdivision that operates an election day
5440 voting center under Section [~~20A-3-703~~] 20A-3a-703 and the location of the election day
5441 voting center;

5442 (d) other information determined appropriate by the lieutenant governor that is
5443 currently being provided by law, rule, or ordinance in relation to candidates and ballot
5444 questions; and

5445 (e) any differences in voting method, time, or location designated by the lieutenant
5446 governor under Subsection 20A-1-308(2).

5447 (4) (a) An election official shall submit the following information for each ballot
5448 [~~label~~] under the election official's direct responsibility under this title:

5449 (i) a list of all candidates for each office;

5450 (ii) if submitted by the candidate to the election official's office before 5 p.m. no later
5451 than 45 days before the primary election or before 5 p.m. no later than 60 days before the
5452 general election:

- 5453 (A) a statement of qualifications, not exceeding 200 words in length, for each
5454 candidate;
- 5455 (B) the following current biographical information if desired by the candidate, current:
5456 (I) age;
5457 (II) occupation;
5458 (III) city of residence;
5459 (IV) years of residence in current city; and
5460 (V) email address; and
- 5461 (C) a single web address where voters may access more information about the
5462 candidate and the candidate's views; and
- 5463 (iii) factual information pertaining to all ballot propositions submitted to the voters,
5464 including:
- 5465 (A) a copy of the number and ballot title of each ballot proposition;
5466 (B) the final vote cast for each ballot proposition, if any, by a legislative body if the
5467 vote was required to place the ballot proposition on the ballot;
- 5468 (C) a complete copy of the text of each ballot proposition, with all new language
5469 underlined and all deleted language placed within brackets; and
- 5470 (D) other factual information determined helpful by the election official.
- 5471 (b) The information under Subsection (4)(a) shall be submitted to the lieutenant
5472 governor no later than one business day after the deadline under Subsection (4)(a) for each
5473 general election year and each municipal election year.
- 5474 (c) The lieutenant governor shall:
- 5475 (i) review the information submitted under this section, to determine compliance under
5476 this section, prior to placing it on the website;
- 5477 (ii) refuse to post information submitted under this section on the website if it is not in
5478 compliance with the provisions of this section; and
- 5479 (iii) organize, format, and arrange the information submitted under this section for the
5480 website.
- 5481 (d) The lieutenant governor may refuse to include information the lieutenant governor
5482 determines is not in keeping with:
- 5483 (i) Utah voter needs;

5484 (ii) public decency; or

5485 (iii) the purposes, organization, or uniformity of the website.

5486 (e) A refusal under Subsection (4)(d) is subject to appeal in accordance with
5487 Subsection (5).

5488 (5) (a) A person whose information is refused under Subsection (4), and who is
5489 aggrieved by the determination, may appeal by submitting a written notice of appeal to the
5490 lieutenant governor before 5 p.m. within 10 business days after the date of the determination.
5491 A notice of appeal submitted under this Subsection (5)(a) shall contain:

5492 (i) a listing of each objection to the lieutenant governor's determination; and

5493 (ii) the basis for each objection.

5494 (b) The lieutenant governor shall review the notice of appeal and shall issue a written
5495 response within 10 business days after the day on which the notice of appeal is submitted.

5496 (c) An appeal of the response of the lieutenant governor shall be made to the district
5497 court, which shall review the matter de novo.

5498 (6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently
5499 enter the voter's address information on the website to retrieve information on which offices,
5500 candidates, and ballot propositions will be on the voter's ballot at the next general election or
5501 municipal election.

5502 (b) The information on the website will anticipate and answer frequent voter questions
5503 including the following:

5504 (i) what offices are up in the current year for which the voter may cast a vote;

5505 (ii) who is running for what office and who is the incumbent, if any;

5506 (iii) what address each candidate may be reached at and how the candidate may be
5507 contacted;

5508 (iv) for partisan races only, what, if any, is each candidate's party affiliation;

5509 (v) what qualifications have been submitted by each candidate;

5510 (vi) where additional information on each candidate may be obtained;

5511 (vii) what ballot propositions will be on the ballot; and

5512 (viii) what judges are up for retention election.

5513 (7) As resources are made available and in cooperation with the county clerks, the
5514 lieutenant governor may expand the electronic voter information website program to include

5515 the same information as provided under this section for special elections and primary elections.

5516 Section 112. Section **20A-9-406** is amended to read:

5517 **20A-9-406. Qualified political party -- Requirements and exemptions.**

5518 The following provisions apply to a qualified political party:

5519 (1) the qualified political party shall, no later than 5 p.m. on November 30 of each
5520 odd-numbered year, certify to the lieutenant governor the identity of one or more registered
5521 political parties whose members may vote for the qualified political party's candidates and
5522 whether unaffiliated voters may vote for the qualified political party's candidates;

5523 (2) the provisions of Subsections **20A-9-403**(1) through (4)(a), Subsection
5524 **20A-9-403**(5)(c), and Section **20A-9-405** do not apply to a nomination for the qualified
5525 political party;

5526 (3) an individual may only seek the nomination of the qualified political party by using
5527 a method described in Section **20A-9-407**, Section **20A-9-408**, or both;

5528 (4) the qualified political party shall comply with the provisions of Sections
5529 **20A-9-407**, **20A-9-408**, and **20A-9-409**;

5530 (5) notwithstanding Subsection **20A-6-301**(1)(a), (1)(f), or (2)(a), each election officer
5531 shall ensure that a ballot described in Section **20A-6-301** includes each individual nominated
5532 by a qualified political party:

5533 (a) under the qualified political party's name, if any; or

5534 (b) under the title of the qualified registered political party as designated by the
5535 qualified political party in the certification described in Subsection (1), or, if none is
5536 designated, then under some suitable title;

5537 (6) notwithstanding Subsection **20A-6-302**(1)(a), each election officer shall ensure, for
5538 ~~[paper]~~ ballots in regular general elections, that each candidate who is nominated by the
5539 qualified political party is listed by party;

5540 ~~[(7) notwithstanding Subsection **20A-6-303**(1)(d), each election officer shall ensure
5541 that the party designation of each candidate who is nominated by the qualified political party is
5542 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;]~~

5543 ~~[(8)]~~ (7) notwithstanding Subsection **20A-6-304**(1)(e), each election officer shall
5544 ensure that the party designation of each candidate who is nominated by the qualified political
5545 party is displayed adjacent to the candidate's name on ~~[an electronic]~~ a mechanical ballot;

5546 [(9)] (8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also
5547 includes an individual who files a declaration of candidacy under Section 20A-9-407 or
5548 20A-9-408 to run in a regular general election for a federal office, constitutional office,
5549 multicounty office, or county office;

5550 [(10)] (9) an individual who is nominated by, or seeking the nomination of, the
5551 qualified political party is not required to comply with Subsection 20A-9-201(1)(c);

5552 [(11)] (10) notwithstanding Subsection 20A-9-403(3), the qualified political party is
5553 entitled to have each of the qualified political party's candidates for elective office appear on
5554 the primary ballot of the qualified political party with an indication that each candidate is a
5555 candidate for the qualified political party;

5556 [(12)] (11) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall
5557 include on the list provided by the lieutenant governor to the county clerks:

5558 (a) the names of all candidates of the qualified political party for federal, constitutional,
5559 multicounty, and county offices; and

5560 (b) the names of unopposed candidates for elective office who have been nominated by
5561 the qualified political party and instruct the county clerks to exclude such candidates from the
5562 primary-election ballot;

5563 [(13)] (12) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed
5564 for an elective office in the regular primary election of the qualified political party is nominated
5565 by the party for that office without appearing on the primary ballot; and

5566 [(14)] (13) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and
5567 Section 20A-9-405, the qualified political party is entitled to have the names of its candidates
5568 for elective office featured with party affiliation on the ballot at a regular general election.

5569 Section 113. Section 20A-9-806 is amended to read:

5570 **20A-9-806. Ballots.**

5571 (1) The lieutenant governor, together with county clerks, suppliers of election
5572 materials, and representatives of registered political parties, shall:

5573 (a) develop [~~paper~~] manual ballots, [~~ballot labels, ballot sheets, electronic~~] mechanical
5574 ballots, return envelopes and provisional ballot envelopes to be used in a presidential primary
5575 election;

5576 (b) ensure that the [~~paper ballots, ballot labels, ballot sheets, electronic ballots, and~~

5577 ~~provisional~~ ballots, return envelopes, and provisional ballot envelopes comply generally with
5578 the requirements of Chapter 6, Part 1, General Requirements for All Ballots; and

5579 (c) provide voting booths, election records and supplies, and ballot boxes for each
5580 voting precinct as required by Section [20A-5-403](#).

5581 (2) (a) Notwithstanding the requirements of Subsections (1)(b) and (c), Chapter 6, Part
5582 1, General Requirements for All Ballots, and Section [20A-5-403](#), the lieutenant governor,
5583 together with county clerks, suppliers of election materials, and representatives of registered
5584 political parties shall ensure that the [~~paper ballots, ballot labels, ballot sheets, electronic~~
5585 ~~ballots, provisional~~] ballots, return envelopes, provisional ballot envelopes, [~~and~~] voting
5586 booths, election records and supplies, and ballot boxes:

5587 (i) facilitate the distribution, voting, and tallying of ballots in a closed primary;

5588 (ii) simplify the task of poll workers, particularly in determining a voter's party
5589 affiliation;

5590 (iii) minimize the possibility of spoiled ballots due to voter confusion; and

5591 (iv) protect against fraud.

5592 (b) To accomplish the requirements of this Subsection (2), the lieutenant governor,
5593 county clerks, suppliers of election materials, and representatives of registered political parties
5594 shall:

5595 (i) mark[~~,-prepunch, or otherwise identify ballot sheets~~] ballots as being for a particular
5596 registered political party; and

5597 (ii) instruct persons counting the ballots to count only those votes for candidates from
5598 the registered political party whose ballot the voter received.

5599 (c) To accomplish the requirements of this Subsection (2), the lieutenant governor,
5600 county clerks, suppliers of election materials, and representatives of registered political parties
5601 may:

5602 (i) notwithstanding the requirements of Sections [20A-6-101](#) and [20A-6-102](#), use
5603 different colored [~~ballot sheets~~] ballots for each registered political party;

5604 (ii) place [~~ballot labels or~~] ballots for each registered political party in different voting
5605 booths and direct voters to the particular voting booth for the political party whose ballot they
5606 are voting; or

5607 (iii) consider other means of accomplishing the objectives [~~outlined~~] described in

5608 Subsection (2)(a).

5609 Section 114. Section **20A-9-808** is amended to read:

5610 **20A-9-808. Voting.**

5611 Voting in a presidential primary election shall be conducted in accordance with the
5612 procedures of Section [~~20A-3-104.5~~] 20A-3a-203.

5613 Section 115. Section **20A-11-206** is amended to read:

5614 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

5615 (1) A state office candidate who fails to file a financial statement before the deadline is
5616 subject to a fine imposed in accordance with Section 20A-11-1005.

5617 (2) If a state office candidate fails to file an interim report described in Subsections
5618 20A-11-204(1)(b) through (d), the lieutenant governor may send an electronic notice to the
5619 state office candidate and the political party of which the state office candidate is a member, if
5620 any, that states:

5621 (a) that the state office candidate failed to timely file the report; and

5622 (b) that, if the state office candidate fails to file the report within 24 hours after the
5623 deadline for filing the report, the state office candidate will be disqualified and the political
5624 party will not be permitted to replace the candidate.

5625 (3) (a) The lieutenant governor shall disqualify a state office candidate and inform the
5626 county clerk and other appropriate election officials that the state office candidate is
5627 disqualified if the state office candidate fails to file an interim report described in Subsections
5628 20A-11-204(1)(b) through (d) within 24 hours after the deadline for filing the report.

5629 (b) The political party of a state office candidate who is disqualified under Subsection
5630 (3)(a) may not replace the state office candidate.

5631 (4) (a) If a state office candidate is disqualified under Subsection (3)(a), the election
5632 official shall:

5633 (i) remove the state office candidate's name from the ballot; or

5634 (ii) if removing the state office candidate's name from the ballot is not practicable,
5635 inform the voters by any practicable method that the state office candidate has been
5636 disqualified and that votes cast for the state office candidate will not be counted.

5637 (b) An election official may fulfill the requirement described in Subsection (4)(a) in
5638 relation to [~~an absentee voter~~] a mailed ballot, including a military or overseas [~~absentee voter~~]

5639 ballot, by including with the [~~absentee~~] ballot a written notice directing the voter to a public
5640 website that will inform the voter whether a candidate on the ballot is disqualified.

5641 (5) A state office candidate is not disqualified if:

5642 (a) the state office candidate timely files the reports described in Subsections
5643 20A-11-204(1)(b) through (d) no later than 24 hours after the applicable deadlines for filing the
5644 reports;

5645 (b) the reports are completed, detailing accurately and completely the information
5646 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
5647 and

5648 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
5649 an amended report or the next scheduled report.

5650 (6) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
5651 governor shall review each filed summary report to ensure that:

5652 (i) each state office candidate that is required to file a summary report has filed one;
5653 and

5654 (ii) each summary report contains the information required by this part.

5655 (b) If it appears that any state office candidate has failed to file the summary report
5656 required by law, if it appears that a filed summary report does not conform to the law, or if the
5657 lieutenant governor has received a written complaint alleging a violation of the law or the
5658 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
5659 violation or receipt of a written complaint, notify the state office candidate of the violation or
5660 written complaint and direct the state office candidate to file a summary report correcting the
5661 problem.

5662 (c) (i) It is unlawful for a state office candidate to fail to file or amend a summary
5663 report within seven days after receiving notice from the lieutenant governor described in this
5664 Subsection (6).

5665 (ii) Each state office candidate who violates Subsection (6)(c)(i) is guilty of a class B
5666 misdemeanor.

5667 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
5668 attorney general.

5669 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant

5670 governor shall impose a civil fine of \$100 against a state office candidate who violates
5671 Subsection (6)(c)(i).

5672 Section 116. Section **20A-11-305** is amended to read:

5673 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

5674 (1) A legislative office candidate who fails to file a financial statement before the
5675 deadline is subject to a fine imposed in accordance with Section **20A-11-1005**.

5676 (2) If a legislative office candidate fails to file an interim report described in
5677 Subsections **20A-11-303**(1)(b)(ii) through (iv), the lieutenant governor may send an electronic
5678 notice to the legislative office candidate and the political party of which the legislative office
5679 candidate is a member, if any, that states:

5680 (a) that the legislative office candidate failed to timely file the report; and

5681 (b) that, if the legislative office candidate fails to file the report within 24 hours after
5682 the deadline for filing the report, the legislative office candidate will be disqualified and the
5683 political party will not be permitted to replace the candidate.

5684 (3) (a) The lieutenant governor shall disqualify a legislative office candidate and
5685 inform the county clerk and other appropriate election officials that the legislative office
5686 candidate is disqualified if the legislative office candidate fails to file an interim report
5687 described in Subsections **20A-11-303**(1)(b)(ii) through (iv) within 24 hours after the deadline
5688 for filing the report.

5689 (b) The political party of a legislative office candidate who is disqualified under
5690 Subsection (3)(a) may not replace the legislative office candidate.

5691 (4) (a) If a legislative office candidate is disqualified under Subsection (3)(a), the
5692 election officer shall:

5693 (i) remove the legislative office candidate's name from the ballot; or

5694 (ii) if removing the legislative office candidate's name from the ballot is not
5695 practicable, inform the voters by any practicable method that the legislative office candidate
5696 has been disqualified and that votes cast for the legislative office candidate will not be counted.

5697 (b) An election official may fulfill the requirement described in Subsection (4)(a) in
5698 relation to ~~[an absentee voter]~~ a mailed ballot, including a military or overseas ~~[absentee voter]~~
5699 ballot, by including with the ~~[absentee]~~ ballot a written notice directing the voter to a public
5700 website that will inform the voter whether a candidate on the ballot is disqualified.

- 5701 (5) A legislative office candidate is not disqualified if:
- 5702 (a) the legislative office candidate files the reports described in Subsections
- 5703 20A-11-303(1)(b)(ii) through (iv) no later than 24 hours after the applicable deadlines for filing
- 5704 the reports;
- 5705 (b) the reports are completed, detailing accurately and completely the information
- 5706 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
- 5707 and
- 5708 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
- 5709 an amended report or the next scheduled report.
- 5710 (6) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
- 5711 governor shall review each filed summary report to ensure that:
- 5712 (i) each legislative office candidate that is required to file a summary report has filed
- 5713 one; and
- 5714 (ii) each summary report contains the information required by this part.
- 5715 (b) If it appears that any legislative office candidate has failed to file the summary
- 5716 report required by law, if it appears that a filed summary report does not conform to the law, or
- 5717 if the lieutenant governor has received a written complaint alleging a violation of the law or the
- 5718 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
- 5719 violation or receipt of a written complaint, notify the legislative office candidate of the
- 5720 violation or written complaint and direct the legislative office candidate to file a summary
- 5721 report correcting the problem.
- 5722 (c) (i) It is unlawful for a legislative office candidate to fail to file or amend a summary
- 5723 report within seven days after receiving notice from the lieutenant governor described in this
- 5724 Subsection (6).
- 5725 (ii) Each legislative office candidate who violates Subsection (6)(c)(i) is guilty of a
- 5726 class B misdemeanor.
- 5727 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
- 5728 attorney general.
- 5729 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant
- 5730 governor shall impose a civil fine of \$100 against a legislative office candidate who violates
- 5731 Subsection (6)(c)(i).

5732 Section 117. Section 20A-11-1305 is amended to read:

5733 **20A-11-1305. School board office candidate -- Failure to file statement --**

5734 **Penalties.**

5735 (1) A school board office candidate who fails to file a financial statement by the
5736 deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

5737 (2) If a school board office candidate fails to file an interim report described in
5738 Subsections 20A-11-1303(1)(c)(i) through (iv), the lieutenant governor may send an electronic
5739 notice to the school board office candidate and the political party of which the school board
5740 office candidate is a member, if any, that states:

5741 (a) that the school board office candidate failed to timely file the report; and

5742 (b) that, if the school board office candidate fails to file the report within 24 hours after
5743 the deadline for filing the report, the school board office candidate will be disqualified and the
5744 political party will not be permitted to replace the candidate.

5745 (3) (a) The lieutenant governor shall disqualify a school board office candidate and
5746 inform the county clerk and other appropriate election officials that the school board office
5747 candidate is disqualified if the school board office candidate fails to file an interim report
5748 described in Subsections 20A-11-1303(1)(c)(i) through (iv) within 24 hours after the deadline
5749 for filing the report.

5750 (b) The political party of a school board office candidate who is disqualified under
5751 Subsection (3)(a) may not replace the school board office candidate.

5752 (4) (a) If a school board office candidate is disqualified under Subsection (3)(a), the
5753 election officer shall:

5754 (i) remove the school board office candidate's name from the ballot; or

5755 (ii) if removing the school board office candidate's name from the ballot is not
5756 practicable, inform the voters by any practicable method that the school board office candidate
5757 has been disqualified and that votes cast for the school board office candidate will not be
5758 counted.

5759 (b) An election officer may fulfill the requirement described in Subsection (4)(a) in
5760 relation to ~~[an absentee voter]~~ a mailed ballot, including a military or overseas ~~[absentee voter]~~
5761 ballot, by including with the ~~[absentee]~~ ballot a written notice directing the voter to a public
5762 website that will inform the voter whether a candidate on the ballot is disqualified.

- 5763 (5) A school board office candidate is not disqualified if:
- 5764 (a) the school board office candidate files the reports described in Subsections
- 5765 20A-11-1303(1)(c)(i) through (iv) no later than 24 hours after the applicable deadlines for
- 5766 filing the reports;
- 5767 (b) the reports are completed, detailing accurately and completely the information
- 5768 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
- 5769 and
- 5770 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
- 5771 an amended report or the next scheduled report.
- 5772 (6) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
- 5773 governor shall review each filed summary report to ensure that:
- 5774 (i) each school board office candidate who is required to file a summary report has
- 5775 filed the report; and
- 5776 (ii) each summary report contains the information required by this part.
- 5777 (b) If it appears that a school board office candidate has failed to file the summary
- 5778 report required by law, if it appears that a filed summary report does not conform to the law, or
- 5779 if the lieutenant governor has received a written complaint alleging a violation of the law or the
- 5780 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
- 5781 violation or receipt of a written complaint, notify the school board office candidate of the
- 5782 violation or written complaint and direct the school board office candidate to file a summary
- 5783 report correcting the problem.
- 5784 (c) (i) It is unlawful for a school board office candidate to fail to file or amend a
- 5785 summary report within seven days after receiving the notice described in Subsection (6)(b)
- 5786 from the lieutenant governor.
- 5787 (ii) Each school board office candidate who violates Subsection (6)(c)(i) is guilty of a
- 5788 class B misdemeanor.
- 5789 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
- 5790 attorney general.
- 5791 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant
- 5792 governor shall impose a civil fine of \$100 against a school board office candidate who violates
- 5793 Subsection (6)(c)(i).

5794 Section 118. Section **20A-16-202** is amended to read:

5795 **20A-16-202. Report on ballots.**

5796 (1) [~~Not~~] No later than 60 days after each regular general election date, each county
5797 clerk shall submit a report to the lieutenant governor indicating:

5798 (a) the number of ballots sent to covered voters; and

5799 (b) the number of ballots returned by covered voters that were counted.

5800 (2) [~~Not~~] No later than 90 days after each regular general election date, the lieutenant
5801 governor shall submit a statewide report to the Election Assistance Commission that includes
5802 the information required by Subsection (1).

5803 Section 119. Section **20A-16-401** is amended to read:

5804 **20A-16-401. Methods of applying for military-overseas ballots.**

5805 (1) A covered voter who is registered to vote in the state may apply for a
5806 military-overseas ballot [~~using~~]:

5807 [~~(a) an absentee ballot application under Section 20A-3-304; or~~]

5808 [~~(b)(i)~~] (a) via the federal postcard application; [~~or~~]

5809 [~~(ii)~~] (b) via the federal postcard application's electronic equivalent[~~;~~]; or

5810 (c) by otherwise making a request in writing.

5811 (2) A covered voter who is not registered to vote in this state may use a federal
5812 postcard application or the federal postcard application's electronic equivalent to apply
5813 simultaneously to register to vote under Section 20A-16-302 and for a military-overseas ballot.

5814 (3) (a) The lieutenant governor shall ensure that the electronic transmission system
5815 described in Subsection 20A-16-201(3) is capable of accepting the submission of both a federal
5816 postcard application and any other approved electronic military-overseas ballot application sent
5817 to the appropriate election official.

5818 (b) The voter may use the electronic transmission system or any other approved
5819 method to apply for a military-overseas ballot.

5820 (4) A covered voter may use the declaration accompanying a federal write-in absentee
5821 ballot as an application for a military-overseas ballot simultaneously with the submission of the
5822 federal write-in absentee ballot, if the declaration is received by the appropriate election official
5823 by the Thursday immediately before the election.

5824 (5) To receive the benefits of this chapter, a covered voter shall inform the appropriate

5825 election official that the voter is a covered voter by:

5826 (a) the use of a federal postcard application or federal write-in absentee ballot;
5827 (b) the use of an overseas address on an approved voter registration application or
5828 ballot application; or

5829 (c) the inclusion on an approved voter registration application or ballot application of
5830 other information sufficient to identify the voter as a covered voter.

5831 (6) This chapter does not preclude a covered voter from voting [~~under Chapter 3, Part~~
5832 ~~3, Absentee Voting~~] via a manual ballot by mail.

5833 Section 120. Section **20A-16-406** is amended to read:

5834 **20A-16-406. Disposition of ballot by county clerk.**

5835 (1) Upon receipt by the county clerk of the envelope containing a military-overseas
5836 ballot, the county clerk shall:

5837 (a) enclose the unopened envelope containing the ballot and the written application of
5838 the covered voter in a larger envelope;

5839 (b) securely seal and endorse it with:

5840 (i) the name or number of the proper voting precinct;

5841 (ii) the name and official title of the clerk; and

5842 (iii) the words: "This envelope contains an absentee voter's official Utah election ballot
5843 to be voted at ____ (Insert Name and Number) precinct, in ____ (Insert Name) county, and
5844 may be opened on election day at the polls while the polls are open."; and

5845 (c) safely keep the envelope in the county clerk's office until the envelope is delivered
5846 by the county clerk to the proper election judges.

5847 (2) (a) When reasonably possible, the county clerk shall deliver or mail all
5848 military-overseas voter ballot envelopes to the appropriate voting precinct election judges so
5849 that the ballots may be processed on election day.

5850 (b) If the clerk is unable to determine the voting precinct to which the ballot should be
5851 sent or when valid ballots are received too late to deliver to the election judges on election day,
5852 the clerk shall keep them in a safe place until delivery can be made as required by Section

5853 [~~20A-3-309~~] 20A-3a-402.

5854 Section 121. Section **20A-16-407** is amended to read:

5855 **20A-16-407. Duty of election judges.**

5856 (1) (a) Voting precinct election judges shall open envelopes containing
5857 military-overseas ballots that are in the judges' custody on election day at the polling places
5858 during the time the polls are open as provided in this subsection.

5859 (b) The election judges shall:

5860 (i) first, open the outer envelope only; and

5861 (ii) compare the signature of the covered voter on the application with the signature on
5862 the registration and voting certificate.

5863 (2) (a) The judges shall register the covered voter to vote if the voter is not already
5864 registered if the judges find that:

5865 (i) the registration and voting certificate appears to be executed in proper form and
5866 contains information qualifying the covered voter to be registered as a voter; and

5867 (ii) the signatures on the certificate and the application correspond, where a
5868 comparison is required.

5869 (b) If the election judges determine that the registration and voting certificate is
5870 insufficient or that the signatures do not correspond, they shall:

5871 (i) disallow the registration; and

5872 (ii) without opening the ballot envelope, mark across the face of the envelope
5873 "Rejected as defective because of _____ ." with the reason for the rejection placed in the
5874 blank.

5875 (c) When a covered voter's name is entered upon the registration books, the voter is
5876 considered to be registered and the registration and voting certificate, signed and sworn to by
5877 the covered voter on the back of the ballot envelope, together with the covered voter's name
5878 upon the registration books, constitute the covered voter's registration record.

5879 (d) Nothing in this title may abridge the right of the covered voter to be registered as
5880 provided in this section.

5881 (3) (a) After registering the voter, the judges shall carefully open the ballot envelope so
5882 as not to destroy the information printed on it if they find that:

5883 (i) the registration and voting certificate is sufficient; and

5884 (ii) the signatures on the certificate and the application correspond, where a
5885 comparison is required.

5886 (b) The election judges shall:

5887 (i) remove the ballot from the envelope without unfolding it or permitting it to be
5888 opened or examined;

5889 [~~(ii) initial the stub in the same manner as for other ballots;~~]

5890 [~~(iii)~~] (ii) deposit the ballot in the proper ballot box; and

5891 [~~(iv)~~] (iii) mark the official register and pollbook to show that the voter has voted.

5892 (c) If the election judges determine that the registration and voting certificate is
5893 insufficient or that the signatures do not correspond, they shall:

5894 (i) disallow the vote; and

5895 (ii) without opening the ballot envelope, mark across the face of the envelope
5896 "Rejected as defective because of _____ ." with the reason for the rejection placed in the
5897 blank.

5898 (4) The election judges shall deposit the envelope, when the ballot is voted, and the
5899 envelope with its contents unopened, when the absent vote is rejected, in the ballot box
5900 containing the ballots.

5901 (5) The county clerk shall retain and preserve the envelopes in the manner provided by
5902 law for the retention and preservation of official ballots voted at that election.

5903 Section 122. Section **63I-2-220** is amended to read:

5904 **63I-2-220. Repeal dates -- Title 20A.**

5905 (1) On January 1, 2021:

5906 (a) Subsection [20A-1-201.5](#)(1), the language that states "Except as provided in
5907 Subsection (4)," is repealed.

5908 (b) Subsection [20A-1-201.5](#)(4) is repealed.

5909 (c) Subsections [20A-1-204](#)(1)(a)(i) through (iii) are repealed and replaced with the
5910 following:

5911 "(i) the fourth Tuesday in June; or

5912 (ii) the first Tuesday after the first Monday in November."

5913 (d) In Subsections [20A-1-503](#)(4)(c), [20A-9-202](#)(3)(a), [20A-9-403](#)(3)(d)(ii),
5914 [20A-9-407](#)(5) and (6)(a), and [20A-9-408](#)(5), immediately following the reference to Subsection
5915 [20A-9-202](#)(1)(b), the language that states "(i) or (ii)" is repealed.

5916 (e) Subsection [20A-9-202](#)(1)(b) is repealed and replaced with the following:

5917 "(b) Unless expressly provided otherwise in this title, for a registered political party

5918 that is not a qualified political party, the deadline for filing a declaration of candidacy for an
 5919 elective office that is to be filled at the next regular general election is 5 p.m. on the first
 5920 Monday after the third Saturday in April.";

5921 (f) Subsection [20A-9-409\(4\)\(c\)](#) is repealed and replaced with the following:

5922 "(c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after
 5923 the third Saturday in April."

5924 (2) Subsection [20A-5-803\(8\)](#) is repealed July 1, 2023.

5925 (3) Section [20A-5-804](#) is repealed July 1, 2023.

5926 (4) On January 1, 2026:

5927 (a) In Subsection [20A-1-102](#)~~[(22)]~~(18)(a), the language that states "or Title 20A,
 5928 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

5929 (b) In Subsections [20A-1-303\(1\)\(a\)](#) and (b), the language that states "Except as
 5930 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
 5931 repealed.

5932 (c) In Section [20A-1-304](#), the language that states "Except for a race conducted by
 5933 instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods
 5934 Pilot Project," is repealed.

5935 (d) In Subsection [~~20A-3-105~~] [20A-3a-204\(1\)\(a\)](#), (c), or (d), the language that states
 5936 ["Except] "except as provided in Subsection [~~(5)~~] (6)," is repealed.

5937 [~~(e) In Subsections 20A-3-105(1)(b), (3)(b), and (4)(b), the language that states~~
 5938 "Except as provided in Subsections (5) and (6)," is repealed.]

5939 [(f)] (e) [~~In Subsections 20A-3-105(2)(a)(i), (3)(a), and (4)(a)] Subsection [20A-3a-204](#)
 5940 (5)(b), the language that states ["Subject] "subject to Subsection [~~(5)~~] (6)," is repealed.~~

5941 [(g)] (f) Subsection [~~20A-3-105(5)] [20A-3a-204\(6\)](#) is repealed and the remaining
 5942 subsections in Section [~~20A-3-105~~] [20A-3a-204](#) are renumbered accordingly.~~

5943 [(h)] (g) In Subsection [20A-4-101\(2\)\(c\)](#), the language that states "Except as provided in
 5944 Subsection (2)(f)," is repealed.

5945 [(i)] (h) Subsection [20A-4-101\(2\)\(f\)](#) is repealed.

5946 [(j)] (i) Subsection [20A-4-101\(3\)](#) is repealed and replaced with the following:

5947 "(3) To resolve questions that arise during the counting of ballots, a counting judge
 5948 shall apply the standards and requirements of Section [20A-4-105](#)."

5949 ~~[(k)]~~ (j) In Subsection [20A-4-102\(1\)](#)~~[(a)]~~(b), the language that states "or a rule made
5950 under Subsection [20A-4-101\(2\)\(f\)\(i\)](#)" is repealed.

5951 ~~[(j)]~~ (k) Subsection [20A-4-102\(1\)](#)~~[(b)]~~(c) is repealed and replaced with the following:

5952 (b) To resolve questions that arise during the counting of ballots, a counting judge
5953 shall apply the standards and requirements of Section [20A-4-105](#)."

5954 ~~[(m)]~~ (l) In Subsection [20A-4-102\(6\)\(a\)](#), the language that states ", except as provided
5955 in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule
5956 made under Subsection [20A-4-101\(2\)\(f\)\(i\)](#)" is repealed.

5957 ~~[(n)]~~ (m) In Subsection [20A-4-105\(1\)\(a\)](#), the language that states ", except as otherwise
5958 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
5959 repealed.

5960 ~~[(o)]~~ (n) In Subsection [20A-4-105\(2\)](#), the language that states "Subsection
5961 ~~[\[20A-3-105\(5\)\]](#)~~ [20A-3a-204\(6\)](#), or Title 20A, Chapter 4, Part 6, Municipal Alternate Voting
5962 Methods Pilot Project," is repealed.

5963 ~~[(p)]~~ (o) In Subsections [20A-4-105\(3\)](#), (5), and (12), the language that states "Except as
5964 otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
5965 Project," is repealed.

5966 ~~[(q)]~~ (p) In Subsection [20A-4-106](#)~~[(1)(a)(ii)]~~(2), the language that states "or Title 20A,
5967 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

5968 ~~[(r)]~~ (q) In Subsection [20A-4-304\(1\)\(a\)](#), the language that states "except as provided in
5969 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

5970 ~~[(s)]~~ (r) Subsection [20A-4-304\(2\)\(e\)](#) is repealed and replaced with the following:

5971 (v) from each voting precinct:

5972 (A) the number of votes for each candidate; and

5973 (B) the number of votes for and against each ballot proposition;".

5974 ~~[(t)]~~ (s) Subsection [20A-4-401\(1\)\(a\)](#) is repealed, the remaining subsections in
5975 Subsection (1) are renumbered accordingly, and the cross-references to those subsections are
5976 renumbered accordingly.

5977 ~~[(u)]~~ (t) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
5978 Project, is repealed.

5979 ~~[(v)]~~ (u) Subsections [20A-5-400.1\(1\)\(c\)](#) and (d), relating to contracting with a local

5980 political subdivision to conduct an election, is repealed.

5981 ~~[(w) Subsection 20A-5-404(3)(b) is repealed and the remaining subsections in~~
5982 ~~Subsection (3) are renumbered accordingly.]~~

5983 ~~[(x) Subsection 20A-5-404(4)(b) is repealed and the remaining subsections in~~
5984 ~~Subsection (4) are renumbered accordingly.]~~

5985 ~~[(y)]~~ (v) In Section 20A-5-802, relating to the certification of voting equipment:

5986 (i) delete "Except as provided in Subsection (2)(b)(ii):" from the beginning of
5987 Subsection (2); and

5988 (ii) Subsection (2)(b)(ii) is repealed, and the remaining subsections are renumbered
5989 accordingly.

5990 ~~[(z)]~~ (w) Section 20A-6-203.5 is repealed.

5991 ~~[(aa)]~~ (x) In Subsections 20A-6-402(1)[~~5~~] and (2), ~~[(3), and (4),]~~ the language that
5992 states "Except as otherwise required for a race conducted by instant runoff voting under Title
5993 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

5994 ~~[(bb)]~~ (y) In Subsection 20A-9-203(3)(a)(i), the language that states "or Title 20A,
5995 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

5996 ~~[(cc)]~~ (z) In Subsection 20A-9-203(3)(c)(i), the language that states "except as
5997 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
5998 repealed.

5999 ~~[(dd)]~~ (aa) In Subsection 20A-9-404(1)(a), the language that states "or Title 20A,
6000 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

6001 ~~[(ee)]~~ (bb) In Subsection 20A-9-404(2), the language that states "Except as otherwise
6002 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
6003 repealed.

6004 (5) Section 20A-7-407 is repealed January 1, 2021.

6005 Section 123. **Repealer.**

6006 This bill repeals:

6007 Section 20A-3-104.5, **Voting -- Regular primary election and presidential primary**
6008 **election.**

6009 Section 20A-3-105, **Marking and depositing ballots.**

6010 Section 20A-3-301, **Voting by absentee ballot.**

- 6011 Section [20A-3-303](#), **Form of absentee ballot.**
- 6012 Section [20A-3-304](#), **Application for absentee ballot -- Time for filing and voting.**
- 6013 Section [20A-3-305](#), **Mailing of ballot to voter -- Enclose self-addressed envelope --**
- 6014 **Affidavit.**
- 6015 Section [20A-3-306](#), **Voting ballot -- Returning ballot.**
- 6016 Section [20A-3-307](#), **Receipt and processing of absentee ballot.**
- 6017 Section [20A-3-502](#), **Intimidation -- Undue influence.**
- 6018 Section [20A-5-604](#), **Receipt of ballots by poll workers.**
- 6019 Section [20A-6-303](#), **Regular general election -- Ballot sheets.**