

- 26 ▶ grandfathers in the privacy classification of a voter registration record classified as
- 27 private before the effective date of this bill; and
- 28 ▶ makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 ~~§→ [—This bill provides a special effective date.~~

33 ~~———This bill provides revisor instructions.] None ←§~~

34 **Utah Code Sections Affected:**

35 AMENDS:

- 36 **20A-1-102**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 37 **20A-2-104**, as last amended by Laws of Utah 2018, Chapters 206 and 270
- 38 **20A-2-108**, as last amended by Laws of Utah 2018, Chapters 206 and 270
- 39 **20A-2-204**, as last amended by Laws of Utah 2019, Chapters 136 and 255
- 40 **20A-2-306**, as last amended by Laws of Utah 2019, Chapter 255
- 41 **20A-6-105**, as last amended by Laws of Utah 2018, Chapters 206 and 270
- 42 **63G-2-202**, as last amended by Laws of Utah 2019, Chapters 254 and 349
- 43 **63G-2-301**, as last amended by Laws of Utah 2018, Chapter 415
- 44 **63G-2-302**, as last amended by Laws of Utah 2019, Chapter 293

45 **Utah Code Sections Affected by Revisor Instructions:**

- 46 **20A-2-104**, as last amended by Laws of Utah 2018, Chapters 206 and 270



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

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

50 **20A-1-102. Definitions.**

51 As used in this title:

- 52 (1) "Active voter" means a registered voter who has not been classified as an inactive
- 53 voter by the county clerk.
- 54 (2) "Automatic tabulating equipment" means apparatus that automatically examines
- 55 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.
- 56 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,

646 prosecution.

647 (7) The lieutenant governor or a county clerk shall withhold from a person described in
648 Subsection (4)(a)(v) or (vi) the voter registration record, and information obtained from the
649 voter registration record, of an individual who:

650 (a) submits a withholding request form, with the voter registration record or to the
651 lieutenant governor or a county clerk, if:

652 (i) the individual indicates on the form that the individual, or an individual who resides
653 with the individual, is a victim of domestic violence or is likely to be a victim of domestic
654 violence; or

655 (ii) the individual indicates on the form and provides verification that the individual, or
656 an individual who resides with the individual, is:

657 (A) a law enforcement officer;

658 (B) a member of the armed forces, as defined in Section [20A-1-513](#);

659 (C) a federal, state, or local elected official;

660 (D) a public figure; or

661 (E) protected by a protective order or protection order; or

662 (b) on the individual's most recent voter registration form, if the form was received by
663 the lieutenant governor or a county clerk before ~~§~~ **→ [the effective date of this bill] May 12, 2020**
663a ~~←~~ **§**, requested that the
664 individual's voter registration record be classified as a private record.

665 (8) (a) The lieutenant governor shall design and distribute the withholding request form
666 described in Subsection (7) to each election officer and to each agency that provides a voter
667 registration form.

668 (b) An individual described in Subsection (7)(a)(i) is not required to provide
669 verification, other than the individual's attestation and signature on the withholding request
670 form, that the individual, or an individual who resides with the individual, is a victim of
671 domestic violence or is likely to be a victim of domestic violence.

672 (c) The director of elections within the Office of the Lieutenant Governor shall make
673 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
674 establishing requirements for providing the verification described in Subsection (7)(a)(ii).

675 (9) An election officer or an employee of an election officer may not encourage an
676 individual to submit, or discourage an individual from submitting, a withholding request form.

1390 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
1391 doctors, or affiliated entities are not private records or controlled records under Section
1392 [63G-2-304](#) when the records are sought:

1393 (i) in connection with any legal or administrative proceeding in which the patient's
1394 physical, mental, or emotional condition is an element of any claim or defense; or

1395 (ii) after a patient's death, in any legal or administrative proceeding in which any party
1396 relies upon the condition as an element of the claim or defense.

1397 (c) Medical records are subject to production in a legal or administrative proceeding
1398 according to state or federal statutes or rules of procedure and evidence as if the medical
1399 records were in the possession of a nongovernmental medical care provider.

1400 **§→** ~~[Section 10. Effective date:~~

1401 ~~———— If approved by two-thirds of all the members elected to each house, this bill takes effect~~
1402 ~~upon approval by the governor, or the day following the constitutional time limit of Utah~~
1403 ~~Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,~~
1404 ~~the date of veto override.~~

1405 ~~———— Section 11. Revisor instructions:~~

1406 ~~———— The Legislature intends that the Office of Legislative Research and General Counsel, in~~
1407 ~~preparing the Utah Code database for publication, replace the phrase "the effective date of this~~
1408 ~~bill" with the actual effective date of this bill in Subsection [20A-2-104\(7\)\(b\)](#).]~~ ←**§**