

VOTER REGISTRATION INFORMATION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to voter registration information.

Highlighted Provisions:

This bill:

- ▶ modifies the information certain persons may obtain from a voter registration record;
- ▶ modifies privacy request provisions relating to voter registration records;
- ▶ permits a political party or a candidate for public office to obtain certain information from a voter registration record that is classified as private;
- ▶ establishes a process for a person, under certain circumstances, to prohibit a political party or candidate for public office from obtaining information from the person's voter registration record;
- ▶ modifies voter registration forms;
- ▶ makes it a crime to violate certain provisions of this bill with respect to accessing or using voter registration records and provides civil penalties;
- ▶ grants rulemaking authority to the director of elections in the Office of the Lieutenant Governor;
- ▶ classifies certain voter registration records, and related records, as private;
- ▶ provides a transition period before certain information from a voter registration record previously classified as private may be disclosed to a political party or a



28 candidate for public office; and
29 ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 This bill provides a special effective date.

34 This bill provides revisor instructions.

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **20A-1-102**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

38 **20A-2-104**, as last amended by Laws of Utah 2018, Chapters 206 and 270

39 **20A-2-108**, as last amended by Laws of Utah 2018, Chapters 206 and 270

40 **20A-2-204**, as last amended by Laws of Utah 2019, Chapters 136 and 255

41 **20A-2-306**, as last amended by Laws of Utah 2019, Chapter 255

42 **20A-6-105**, as last amended by Laws of Utah 2018, Chapters 206 and 270

43 **63G-2-202**, as last amended by Laws of Utah 2019, Chapters 254 and 349

44 **63G-2-301**, as last amended by Laws of Utah 2018, Chapter 415

45 **63G-2-302**, as last amended by Laws of Utah 2019, Chapter 293

46 **63I-2-220**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

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

48 **20A-2-104**, as last amended by Laws of Utah 2018, Chapters 206 and 270

49 **63G-2-302**, as last amended by Laws of Utah 2019, Chapter 293



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

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

53 **20A-1-102. Definitions.**

54 As used in this title:

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

57 (2) "Automatic tabulating equipment" means apparatus that automatically examines
58 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

59 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,
60 upon which a voter records the voter's votes.

61 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy
62 envelopes.

63 (4) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

64 (a) contain the names of offices and candidates and statements of ballot propositions to
65 be voted on; and

66 (b) are used in conjunction with ballot sheets that do not display that information.

67 (5) "Ballot proposition" means a question, issue, or proposal that is submitted to voters
68 on the ballot for their approval or rejection including:

69 (a) an opinion question specifically authorized by the Legislature;

70 (b) a constitutional amendment;

71 (c) an initiative;

72 (d) a referendum;

73 (e) a bond proposition;

74 (f) a judicial retention question;

75 (g) an incorporation of a city or town; or

76 (h) any other ballot question specifically authorized by the Legislature.

77 (6) "Ballot sheet":

78 (a) means a ballot that:

79 (i) consists of paper or a card where the voter's votes are marked or recorded; and

80 (ii) can be counted using automatic tabulating equipment; and

81 (b) includes punch card ballots and other ballots that are machine-countable.

82 (7) "Bind," "binding," or "bound" means securing more than one piece of paper
83 together with a staple or stitch in at least three places across the top of the paper in the blank
84 space reserved for securing the paper.

85 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
86 [20A-4-306](#) to canvass election returns.

87 (9) "Bond election" means an election held for the purpose of approving or rejecting
88 the proposed issuance of bonds by a government entity.

89 (10) "Book voter registration form" means voter registration forms contained in a

90 bound book that are used by election officers and registration agents to register persons to vote.

91 (11) "Business reply mail envelope" means an envelope that may be mailed free of
92 charge by the sender.

93 (12) "By-mail voter registration form" means a voter registration form designed to be
94 completed by the voter and mailed to the election officer.

95 (13) "Canvass" means the review of election returns and the official declaration of
96 election results by the board of canvassers.

97 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
98 the canvass.

99 (15) "Contracting election officer" means an election officer who enters into a contract
100 or interlocal agreement with a provider election officer.

101 (16) "Convention" means the political party convention at which party officers and
102 delegates are selected.

103 (17) "Counting center" means one or more locations selected by the election officer in
104 charge of the election for the automatic counting of ballots.

105 (18) "Counting judge" means a poll worker designated to count the ballots during
106 election day.

107 (19) "Counting room" means a suitable and convenient private place or room,
108 immediately adjoining the place where the election is being held, for use by the poll workers
109 and counting judges to count ballots during election day.

110 (20) "County officers" means those county officers that are required by law to be
111 elected.

112 (21) "Date of the election" or "election day" or "day of the election":

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

115 (b) does not include:

116 (i) deadlines established for absentee voting; or

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

119 (22) "Elected official" means:

120 (a) a person elected to an office under Section 20A-1-303 or Chapter [†] 4, Part 6,

121 [~~Election Offenses - Generally~~] Municipal Alternate Voting Methods Pilot Project;

122 (b) a person who is considered to be elected to a municipal office in accordance with
123 Subsection 20A-1-206(1)(c)(ii); or

124 (c) a person who is considered to be elected to a local district office in accordance with
125 Subsection 20A-1-206(3)(c)(ii).

126 (23) "Election" means a regular general election, a municipal general election, a
127 statewide special election, a local special election, a regular primary election, a municipal
128 primary election, and a local district election.

129 (24) "Election Assistance Commission" means the commission established by the Help
130 America Vote Act of 2002, Pub. L. No. 107-252.

131 (25) "Election cycle" means the period beginning on the first day persons are eligible to
132 file declarations of candidacy and ending when the canvass is completed.

133 (26) "Election judge" means a poll worker that is assigned to:

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

137 (27) "Election officer" means:

- 138 (a) the lieutenant governor, for all statewide ballots and elections;
- 139 (b) the county clerk for:
 - 140 (i) a county ballot and election; and
 - 141 (ii) a ballot and election as a provider election officer as provided in Section
- 142 20A-5-400.1 or 20A-5-400.5;
- 143 (c) the municipal clerk for:
 - 144 (i) a municipal ballot and election; and
 - 145 (ii) a ballot and election as a provider election officer as provided in Section
- 146 20A-5-400.1 or 20A-5-400.5;
- 147 (d) the local district clerk or chief executive officer for:
 - 148 (i) a local district ballot and election; and
 - 149 (ii) a ballot and election as a provider election officer as provided in Section
- 150 20A-5-400.1 or 20A-5-400.5; or
- 151 (e) the business administrator or superintendent of a school district for:

- 152 (i) a school district ballot and election; and
- 153 (ii) a ballot and election as a provider election officer as provided in Section
- 154 [20A-5-400.1](#) or [20A-5-400.5](#).
- 155 (28) "Election official" means any election officer, election judge, or poll worker.
- 156 (29) "Election results" means:
- 157 (a) for an election other than a bond election, the count of votes cast in the election and
- 158 the election returns requested by the board of canvassers; or
- 159 (b) for bond elections, the count of those votes cast for and against the bond
- 160 proposition plus any or all of the election returns that the board of canvassers may request.
- 161 (30) "Election returns" includes the pollbook, the military and overseas absentee voter
- 162 registration and voting certificates, one of the tally sheets, any unprocessed absentee ballots, all
- 163 counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition
- 164 form, and the total votes cast form.
- 165 (31) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
- 166 device or other voting device that records and stores ballot information by electronic means.
- 167 (32) "Electronic signature" means an electronic sound, symbol, or process attached to
- 168 or logically associated with a record and executed or adopted by a person with the intent to sign
- 169 the record.
- 170 (33) (a) "Electronic voting device" means a voting device that uses electronic ballots.
- 171 (b) "Electronic voting device" includes a direct recording electronic voting device.
- 172 (34) "Inactive voter" means a registered voter who is listed as inactive by a county
- 173 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).
- 174 (35) "Judicial office" means the office filled by any judicial officer.
- 175 (36) "Judicial officer" means any justice or judge of a court of record or any county
- 176 court judge.
- 177 (37) "Local district" means a local government entity under Title 17B, Limited Purpose
- 178 Local Government Entities - Local Districts, and includes a special service district under Title
- 179 17D, Chapter 1, Special Service District Act.
- 180 (38) "Local district officers" means those local district board members that are required
- 181 by law to be elected.
- 182 (39) "Local election" means a regular county election, a regular municipal election, a

183 municipal primary election, a local special election, a local district election, and a bond
184 election.

185 (40) "Local political subdivision" means a county, a municipality, a local district, or a
186 local school district.

187 (41) "Local special election" means a special election called by the governing body of a
188 local political subdivision in which all registered voters of the local political subdivision may
189 vote.

190 (42) "Municipal executive" means:

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

192 (b) the mayor in the council-manager form of government defined in Subsection
193 10-3b-103(7); or

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

195 (43) "Municipal general election" means the election held in municipalities and, as
196 applicable, local districts on the first Tuesday after the first Monday in November of each
197 odd-numbered year for the purposes established in Section 20A-1-202.

198 (44) "Municipal legislative body" means:

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

200 (b) the council of a metro township.

201 (45) "Municipal office" means an elective office in a municipality.

202 (46) "Municipal officers" means those municipal officers that are required by law to be
203 elected.

204 (47) "Municipal primary election" means an election held to nominate candidates for
205 municipal office.

206 (48) "Municipality" means a city, town, or metro township.

207 (49) "Official ballot" means the ballots distributed by the election officer to the poll
208 workers to be given to voters to record their votes.

209 (50) "Official endorsement" means:

210 (a) the information on the ballot that identifies:

211 (i) the ballot as an official ballot;

212 (ii) the date of the election; and

213 (iii) (A) for a ballot prepared by an election officer other than a county clerk, the

214 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

215 (B) for a ballot prepared by a county clerk, the words required by Subsection

216 20A-6-301(1)(b)(iii); and

217 (b) the information on the ballot stub that identifies:

218 (i) the poll worker's initials; and

219 (ii) the ballot number.

220 (51) "Official register" means the official record furnished to election officials by the
221 election officer that contains the information required by Section 20A-5-401.

222 (52) "Paper ballot" means a paper that contains:

223 (a) the names of offices and candidates and statements of ballot propositions to be
224 voted on; and

225 (b) spaces for the voter to record the voter's vote for each office and for or against each
226 ballot proposition.

227 (53) "Political party" means an organization of registered voters that has qualified to
228 participate in an election by meeting the requirements of Chapter 8, Political Party Formation
229 and Procedures.

230 (54) (a) "Poll worker" means a person assigned by an election official to assist with an
231 election, voting, or counting votes.

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

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

234 (55) "Pollbook" means a record of the names of voters in the order that they appear to
235 cast votes.

236 (56) "Polling place" means the building where voting is conducted.

237 (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
238 in which the voter marks the voter's choice.

239 (58) "Presidential Primary Election" means the election established in Chapter 9, Part
240 8, Presidential Primary Election.

241 (59) "Primary convention" means the political party conventions held during the year
242 of the regular general election.

243 (60) "Protective counter" means a separate counter, which cannot be reset, that:

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

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

246 (61) "Provider election officer" means an election officer who enters into a contract or
247 interlocal agreement with a contracting election officer to conduct an election for the
248 contracting election officer's local political subdivision in accordance with Section
249 [20A-5-400.1](#).

250 (62) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

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

257 (64) "Public figure" means an individual who, due to the individual being considered
258 for, holding, or having held a position of prominence in a public or private capacity, or due to
259 the individual's celebrity status, has an increased risk to the individual's safety.

260 [~~(64)~~] (65) "Qualify" or "qualified" means to take the oath of office and begin
261 performing the duties of the position for which the person was elected.

262 [~~(65)~~] (66) "Receiving judge" means the poll worker that checks the voter's name in the
263 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
264 after the voter has voted.

265 [~~(66)~~] (67) "Registration form" means a book voter registration form and a by-mail
266 voter registration form.

267 [~~(67)~~] (68) "Regular ballot" means a ballot that is not a provisional ballot.

268 [~~(68)~~] (69) "Regular general election" means the election held throughout the state on
269 the first Tuesday after the first Monday in November of each even-numbered year for the
270 purposes established in Section [20A-1-201](#).

271 [~~(69)~~] (70) "Regular primary election" means the election, held on the date specified in
272 Section [20A-1-201.5](#), to nominate candidates of political parties and candidates for nonpartisan
273 local school board positions to advance to the regular general election.

274 [~~(70)~~] (71) "Resident" means a person who resides within a specific voting precinct in
275 Utah.

276 [~~(71)~~] (72) "Sample ballot" means a mock ballot similar in form to the official ballot
277 printed and distributed as provided in Section 20A-5-405.

278 [~~(72)~~] (73) "Scratch vote" means to mark or punch the straight party ticket and then
279 mark or punch the ballot for one or more candidates who are members of different political
280 parties or who are unaffiliated.

281 [~~(73)~~] (74) "Secrecy envelope" means the envelope given to a voter along with the
282 ballot into which the voter places the ballot after the voter has voted it in order to preserve the
283 secrecy of the voter's vote.

284 [~~(74)~~] (75) "Special election" means an election held as authorized by Section
285 20A-1-203.

286 [~~(75)~~] (76) "Spoiled ballot" means each ballot that:

287 (a) is spoiled by the voter;

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

289 (c) lacks the official endorsement.

290 [~~(76)~~] (77) "Statewide special election" means a special election called by the governor
291 or the Legislature in which all registered voters in Utah may vote.

292 [~~(77)~~] (78) "Stub" means the detachable part of each ballot.

293 [~~(78)~~] (79) "Substitute ballots" means replacement ballots provided by an election
294 officer to the poll workers when the official ballots are lost or stolen.

295 [~~(79)~~] (80) "Ticket" means a list of:

296 (a) political parties;

297 (b) candidates for an office; or

298 (c) ballot propositions.

299 [~~(80)~~] (81) "Transfer case" means the sealed box used to transport voted ballots to the
300 counting center.

301 [~~(81)~~] (82) "Vacancy" means the absence of a person to serve in any position created
302 by statute, whether that absence occurs because of death, disability, disqualification,
303 resignation, or other cause.

304 [~~(82)~~] (83) "Valid voter identification" means:

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

- 307 (i) a currently valid Utah driver license;
- 308 (ii) a currently valid identification card that is issued by:
- 309 (A) the state; or
- 310 (B) a branch, department, or agency of the United States;
- 311 (iii) a currently valid Utah permit to carry a concealed weapon;
- 312 (iv) a currently valid United States passport; or
- 313 (v) a currently valid United States military identification card;
- 314 (b) one of the following identification cards, whether or not the card includes a
- 315 photograph of the voter:
- 316 (i) a valid tribal identification card;
- 317 (ii) a Bureau of Indian Affairs card; or
- 318 (iii) a tribal treaty card; or
- 319 (c) two forms of identification not listed under Subsection [~~82~~] (83)(a) or (b) but that
- 320 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
- 321 which may include:
- 322 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
- 323 election;
- 324 (ii) a bank or other financial account statement, or a legible copy thereof;
- 325 (iii) a certified birth certificate;
- 326 (iv) a valid social security card;
- 327 (v) a check issued by the state or the federal government or a legible copy thereof;
- 328 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 329 (vii) a currently valid Utah hunting or fishing license;
- 330 (viii) certified naturalization documentation;
- 331 (ix) a currently valid license issued by an authorized agency of the United States;
- 332 (x) a certified copy of court records showing the voter's adoption or name change;
- 333 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 334 (xii) a currently valid identification card issued by:
- 335 (A) a local government within the state;
- 336 (B) an employer for an employee; or
- 337 (C) a college, university, technical school, or professional school located within the

338 state; or

339 (xiii) a current Utah vehicle registration.

340 [~~(83)~~] (84) "Valid write-in candidate" means a candidate who has qualified as a
341 write-in candidate by following the procedures and requirements of this title.

342 [~~(84)~~] (85) "Voter" means a person who:

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

344 (b) meets the requirements of election registration;

345 (c) is registered to vote; and

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

347 [~~(85)~~] (86) "Voter registration deadline" means the registration deadline provided in
348 Section [20A-2-102.5](#).

349 [~~(86)~~] (87) "Voting area" means the area within six feet of the voting booths, voting
350 machines, and ballot box.

351 [~~(87)~~] (88) "Voting booth" means:

352 (a) the space or compartment within a polling place that is provided for the preparation
353 of ballots, including the voting machine enclosure or curtain; or

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

355 [~~(88)~~] (89) "Voting device" means:

356 (a) an apparatus in which ballot sheets are used in connection with a punch device for
357 piercing the ballots by the voter;

358 (b) a device for marking the ballots with ink or another substance;

359 (c) an electronic voting device or other device used to make selections and cast a ballot
360 electronically, or any component thereof;

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

362 (e) any other method for recording votes on ballots so that the ballot may be tabulated
363 by means of automatic tabulating equipment.

364 [~~(89)~~] (90) "Voting machine" means a machine designed for the sole purpose of
365 recording and tabulating votes cast by voters at an election.

366 [~~(90)~~] (91) "Voting precinct" means the smallest voting unit established as provided by
367 law within which qualified voters vote at one polling place.

368 [~~(91)~~] (92) "Watcher" means an individual who complies with the requirements

369 described in Section 20A-3-201 to become a watcher for an election.

370 [~~(92)~~] (93) "Write-in ballot" means a ballot containing any write-in votes.

371 [~~(93)~~] (94) "Write-in vote" means a vote cast for a person whose name is not printed on
372 the ballot according to the procedures established in this title.

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

374 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

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

377 -----

378 UTAH ELECTION REGISTRATION FORM

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

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

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

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

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

385 Name of Voter

386 _____

387 First Middle Last

388 Utah Driver License or Utah Identification Card Number _____

389 Date of Birth _____

390 Street Address of Principal Place of Residence

391 _____

392 City County State Zip Code

393 Telephone Number (optional) _____

394 Last four digits of Social Security Number _____

395 Last former address at which I was registered to vote (if
396 known) _____

397 _____

398 City County State Zip Code

399 Political Party

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

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

403 [~~You may request that your voter registration record be classified as a private record by~~
404 ~~indicating here: _____ Yes, I would like to request that my voter registration record be classified~~
405 ~~as a private record.~~]

406 I do swear (or affirm), subject to penalty of law for false statements, that the
407 information contained in this form is true, and that I am a citizen of the United States and a
408 resident of the state of Utah, residing at the above address. Unless I have indicated above that I
409 am preregistering to vote in a later election, I will be at least 18 years of age and will have
410 resided in Utah for 30 days immediately before the next election. I am not a convicted felon
411 currently incarcerated for commission of a felony.

412 Signed and sworn

413 _____

414 Voter's Signature

415 _____(month/day/year).

416 PRIVACY INFORMATION

417 [~~The portion of your voter registration form that lists your driver license or~~
418 ~~identification card number, social security number, email address, and the day of your month of~~
419 ~~birth is a private record. The portion of your voter registration form that lists your month and~~
420 ~~year of birth is a private record, the use of which is restricted to government officials,~~
421 ~~government employees, political parties, or certain other persons.~~]

422 Voter registration records contain some information that is available to the public, such
423 as your name and address, some information that is available only to government entities, and
424 some information that is available only to certain third parties in accordance with the
425 requirements of law.

426 Your driver license number, identification card number, social security number, email
427 address, and full date of birth are available only to government entities. Your year of birth is
428 available to political parties, candidates for public office, and certain third parties, in
429 accordance with the requirements of law.

430 You may request that all information on your voter registration records be withheld

431 from all persons other than government entities, political parties, and candidates for public
432 office by indicating here:

433 Yes, I request that all information on my voter registration records be withheld
434 from all persons other than government entities, political parties, and candidates for public
435 office.

436 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

437 In addition to the protections provided above, you may request that all information on
438 your voter registration records be withheld from all political parties and candidates for public
439 office by submitting a withholding request form, and any required verification, as described in
440 the following paragraphs.

441 A person may request that all information on the person's voter registration records be
442 withheld from all political parties and candidates for public office by submitting a withholding
443 request form with this registration record, or to the lieutenant governor or a county clerk, if the
444 person is or is likely to be, or resides with a person who is or is likely to be, a victim of
445 domestic violence.

446 A person may request that all information on the person's voter registration records be
447 withheld from all political parties and candidates for public office by submitting a withholding
448 request form and any required verification with this registration form, or to the lieutenant
449 governor or a county clerk, if the person is, or resides with a person who is, a law enforcement
450 officer, a member of the armed forces, a federal, state, or local elected official, a public figure,
451 or protected by a protective order or a protection order.

452 CITIZENSHIP AFFIDAVIT

453 Name:

454 Name at birth, if different:

455 Place of birth:

456 Date of birth:

457 Date and place of naturalization (if applicable):

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

461 _____

462 Signature of Applicant

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

466 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID
467 VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST
468 BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND
469 PHOTOGRAPH; OR
470 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND
471 CURRENT ADDRESS.

472 FOR OFFICIAL USE ONLY

473 Type of I.D. _____
474 Voting Precinct _____
475 Voting I.D. Number _____

476 -----

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

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

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

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

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

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

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

490 (i) a government official or government employee acting in the government official's or
491 government employee's capacity as a government official or a government employee;

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

493 independent contractor of a health care provider;

494 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or
495 independent contractor of an insurance company;

496 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or
497 independent contractor of a financial institution;

498 (v) a political party, or an agent, employee, or independent contractor of a political
499 party; ~~or~~

500 (vi) a candidate for public office, or an agent, employee, or independent contractor of a
501 candidate for public office; or

502 ~~(vi)~~ (vii) a person, or an agent, employee, or independent contractor of the person,
503 who:

504 (A) provides the ~~month or~~ year of birth of a registered voter that is obtained from the
505 list of registered voters only to a person who is a qualified person;

506 (B) verifies that a person, described in Subsection (4)(a)~~(vi)~~(vii)(A), to whom a
507 ~~month or~~ year of birth that is obtained from the list of registered voters is provided, is a
508 qualified person;

509 (C) ensures, using industry standard security measures, that the ~~month or~~ year of birth
510 of a registered voter that is obtained from the list of registered voters may not be accessed by a
511 person other than a qualified person;

512 (D) verifies that each qualified person, other than a qualified person described in
513 Subsection (4)(a)(i) ~~or~~, (v), or (vi), to whom the person provides the ~~month or~~ year of birth
514 of a registered voter that is obtained from the list of registered voters, will only use the ~~month~~
515 ~~or~~ year of birth to verify the accuracy of personal information submitted by an individual or to
516 confirm the identity of a person in order to prevent fraud, waste, or abuse;

517 (E) verifies that each qualified person described in Subsection (4)(a)(i), to whom the
518 person provides the ~~month or~~ year of birth of a registered voter that is obtained from the list
519 of registered voters, will only use the ~~month or~~ year of birth in the qualified person's capacity
520 as a government official or government employee; and

521 (F) verifies that each qualified person described in Subsection (4)(a)(v) or (vi), to
522 whom the person provides the ~~month or~~ year of birth of a registered voter that is obtained
523 from the list of registered voters, will only use the ~~month or~~ year of birth for a political

524 purpose of the political party or candidate for public office.

525 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in
526 Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall, when
527 providing the list of registered voters to a qualified person under this section, include, with the
528 list, the [~~months and~~] years of birth of the registered voters, if:

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

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

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

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

536 (C) a statement regarding the purpose for which the person desires to obtain the
537 [~~months and~~] years of birth;

538 (D) a list of the purposes for which the qualified person may use the [~~month or~~] year of
539 birth of a registered voter that is obtained from the list of registered voters;

540 (E) a statement that the [~~month or~~] year of birth of a registered voter that is obtained
541 from the list of registered voters may not be provided or used for a purpose other than a
542 purpose described under Subsection (4)(b)(ii)(D);

543 (F) a statement that if the person obtains the [~~month or~~] year of birth of a registered
544 voter from the list of registered voters under false pretenses, or provides or uses the [~~month or~~]
545 year of birth of a registered voter that is obtained from the list of registered voters in a manner
546 that is prohibited by law, is guilty of a class A misdemeanor and is subject to a civil fine;

547 (G) an assertion from the person that the person will not provide or use the [~~month or~~]
548 year of birth of a registered voter that is obtained from the list of registered voters in a manner
549 that is prohibited by law; and

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

552 (c) The lieutenant governor or a county clerk may not disclose the [~~month or~~] year of
553 birth of a registered voter to a person that the lieutenant governor or county clerk reasonably
554 believes:

- 555 (i) is not a qualified person or a person described in Subsection (4)~~(f)~~(l); or
- 556 (ii) will provide or use the ~~[month or]~~ year of birth in a manner prohibited by law.
- 557 (d) The lieutenant governor or a county clerk may not disclose the voter registration
- 558 form of a person, or information included in the person's voter registration form, whose voter
- 559 registration form is classified as private under Subsection (4)~~(f)~~(h) to a person other than:
- 560 (i) a government official or government employee acting in the government official's or
- 561 government employee's capacity as a government official or government employee~~[-];~~ or
- 562 (ii) except as provided in Subsection (7) and subject to Subsection (4)(e), a person
- 563 described in Subsection (4)(a)(v) or (vi).
- 564 (e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant
- 565 governor or county clerk shall exclude the information described in Subsection
- 566 63G-2-302(1)(j), other than the year of birth.
- 567 (f) The lieutenant governor or a county clerk may not disclose a withholding request
- 568 form, described in Subsections (7) and (8), submitted by an individual, or information obtained
- 569 from that form, to a person other than a government official or government employee acting in
- 570 the government official's or government employee's capacity as a government official or
- 571 government employee.
- 572 ~~(e)~~ (g) A person is guilty of a class A misdemeanor if the person:
- 573 (i) obtains the ~~[month or]~~ year of birth of a registered voter from the list of registered
- 574 voters under false pretenses; ~~[or]~~
- 575 (ii) uses or provides the ~~[month or]~~ year of birth of a registered voter that is obtained
- 576 from the list of registered voters~~[-];~~ in a manner that is not permitted by law~~[-];~~
- 577 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under
- 578 false pretenses;
- 579 (iv) uses or provides information obtained from a voter registration record described in
- 580 Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;
- 581 (v) unlawfully discloses or obtains a voter registration record withheld under
- 582 Subsection (7) or a withholding request form described in Subsections (7) and (8); or
- 583 (vi) unlawfully discloses or obtains information from a voter registration record
- 584 withheld under Subsection (7) or a withholding request form described in Subsections (7) and
- 585 (8).

586 ~~[(f)]~~ (h) The lieutenant governor or a county clerk shall classify the voter registration
587 record of a voter as a private record if the voter:

588 (i) submits a written application, created by the lieutenant governor, requesting that the
589 voter's voter registration record be classified as private; ~~[or]~~

590 (ii) requests on the voter's voter registration form that the voter's voter registration
591 record be classified as a private record~~[-]; or~~

592 (iii) submits a withholding request form described in Subsection (7) and any required
593 verification.

594 (i) The lieutenant governor or a county clerk may not disclose to a person described in
595 Subsection (4)(a)(v) or (vi) a voter registration record, or information obtained from a voter
596 registration record, if the record is withheld under Subsection (7).

597 ~~[(g)]~~ (j) In addition to any criminal penalty that may be imposed under this section, the
598 lieutenant governor may impose a civil fine against a person who ~~[obtains the month or year of~~
599 ~~birth of a registered voter from the list of registered voters under false pretenses, or provides or~~
600 ~~uses a month or year of birth of a registered voter that is obtained from the list of registered~~
601 ~~voters in a manner that is not permitted by law]~~ violates a provision of this section, in an
602 amount equal to the greater of:

603 (i) the product of 30 and the square root of the total number of ~~[months or years of~~
604 ~~birth]~~;

605 (A) records obtained, provided, or used unlawfully, rounded to the nearest whole
606 dollar; or

607 (B) records from which information is obtained, provided, or used unlawfully, rounded
608 to the nearest whole dollar; or

609 (ii) \$200.

610 ~~[(h)]~~ (k) A qualified person may not obtain, provide, or use the ~~[month or]~~ year of birth
611 of a registered voter, if the ~~[month or]~~ year of birth is obtained from the list of registered voters
612 or from a voter registration record, unless the person:

613 (i) is a government official or government employee who obtains, provides, or uses the
614 ~~[month or]~~ year of birth in the government official's or government employee's capacity as a
615 government official or government employee;

616 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or

617 uses the [~~month or~~] year of birth only to verify the accuracy of personal information submitted
618 by an individual or to confirm the identity of a person in order to prevent fraud, waste, or
619 abuse;

620 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,
621 provides, or uses the [~~month or~~] year of birth for a political purpose of the political party or
622 candidate for public office; or

623 (iv) is a qualified person described in Subsection (4)(a)[~~(vi)~~](vii) and obtains, provides,
624 or uses the [~~month or~~] year of birth to provide the [~~month or~~] year of birth to another qualified
625 person to verify the accuracy of personal information submitted by an individual or to confirm
626 the identity of a person in order to prevent fraud, waste, or abuse.

627 [~~(i) A person who is not a qualified person may not obtain, provide, or use the month~~
628 ~~or year of birth of a registered voter, if the month or year of birth is obtained from the list of~~
629 ~~registered voters or from a voter registration record, unless the person:]~~

630 [~~(i) is a candidate for public office and uses the month or year of birth only for a~~
631 ~~political purpose; or]~~

632 [~~(ii) obtains the month or year of birth from a political party or a candidate for public~~
633 ~~office and uses the month or year of birth only for the purpose of assisting the political party or~~
634 ~~candidate for public office to fulfill a political purpose.]~~

635 [~~(j)~~] (l) The lieutenant governor or a county clerk may provide a [~~month or~~] year of
636 birth to a member of the media, in relation to an individual designated by the member of the
637 media, in order for the member of the media to verify the identity of the individual.

638 (5) When political parties not listed on the voter registration form qualify as registered
639 political parties under Title 20A, Chapter 8, Political Party Formation and Procedures, the
640 lieutenant governor shall inform the county clerks [~~about~~] of the name of the new political
641 party and direct the county clerks to ensure that the voter registration form is modified to
642 include that political party.

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

645 (a) review each voter registration form for completeness and accuracy; and

646 (b) if the county clerk believes, based upon a review of the form, that an individual
647 may be seeking to register or preregister to vote who is not legally entitled to register or

648 preregister to vote, refer the form to the county attorney for investigation and possible
649 prosecution.

650 (7) The lieutenant governor or a county clerk shall withhold from a person described in
651 Subsection (4)(a)(v) or (vi) the voter registration record, and information obtained from the
652 voter registration record, of an individual who submits a withholding request form, with the
653 voter registration record or to the lieutenant governor or a county clerk, if:

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

657 (b) the individual indicates on the form and provides verification that the individual, or
658 an individual who resides with the individual, is:

659 (i) a law enforcement officer;

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

661 (iii) a federal, state, or local elected official;

662 (iv) a public figure; or

663 (v) protected by a protective order or protection order.

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

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

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

674 (9) (a) On the effective date of this bill, the lieutenant governor shall send a written
675 notice to the last known address of each registered voter whose voter registration record is
676 classified as private, informing the registered voter that, on July 1, 2020, the registered voter's
677 voter registration record will continue to be classified as private, but will not be withheld from
678 a person described in Subsection (4)(a)(v) or (vi) unless, before 30 days after the effective date

679 of this bill, the lieutenant governor, or the county clerk for the jurisdiction where the registered
 680 voter resides, receives from the registered voter:

681 (i) a completed withholding request form indicating that the individual, or an
 682 individual who resides with the individual, is a victim of domestic violence or is likely to be a
 683 victim of domestic violence; or

684 (ii) a completed withholding request form, and the required verification, indicating that
 685 the individual, or an individual who resides with the individual, is:

686 (A) a law enforcement officer;

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

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

689 (D) a public figure; or

690 (E) protected by a protective order or protection order.

691 (b) Beginning 30 days after the effective date of this bill, the lieutenant governor or a
 692 county clerk shall, unless the voter submits a withholding request form described in Subsection
 693 (7) and provides any required verification, disclose to a person described in Subsection
 694 (4)(a)(v) or (vi), upon request, a voter registration record classified as private before the
 695 effective date of this bill, excluding the information described in Subsection [63G-2-302\(1\)\(j\)](#),
 696 other than the year of birth.

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

698 **20A-2-108. Driver license or state identification card registration form --**

699 **Transmittal of information.**

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

701 (a) a driver license application form; or

702 (b) a state identification card application form.

703 (2) The lieutenant governor and the Driver License Division shall design each
 704 qualifying form to include:

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

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

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

712 [~~(c) the following statement: "You may request that your voter registration record be~~
713 ~~classified as a private record by indicating here: ____ Yes, I would like to request that my voter~~
714 ~~registration record be classified as a private record."~~]

715 (c) the following statement:

716 "PRIVACY INFORMATION

717 Voter registration records contain some information that is available to the public, such
718 as your name and address, some information that is available only to government entities, and
719 some information that is available only to certain third parties in accordance with the
720 requirements of law.

721 Your driver license number, identification card number, social security number, email
722 address, and full date of birth are available only to government entities. Your year of birth is
723 available to political parties, candidates for public office, and certain third parties, in
724 accordance with the requirements of law.

725 You may request that all information on your voter registration records be withheld
726 from all persons other than government entities, political parties, and candidates for public
727 office by indicating here:

728 ____ Yes, I request that all information on my voter registration records be withheld
729 from all persons other than government entities, political parties, and candidates for public
730 office.

731 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

732 In addition to the protections provided above, you may request that all information on
733 your voter registration records be withheld from all political parties and candidates for public
734 office by submitting a withholding request form, and any required verification, as described in
735 the following paragraphs.

736 A person may request that all information on the person's voter registration records be
737 withheld from all political parties and candidates for public office by submitting a withholding
738 request form with this registration record, or to the lieutenant governor or a county clerk, if the
739 person is or is likely to be, or resides with a person who is or is likely to be, a victim of
740 domestic violence.

741 A person may request that all information on the person's voter registration records be
742 withheld from all political parties and candidates for public office by submitting a withholding
743 request form and any required verification with this registration form, or to the lieutenant
744 governor or a county clerk, if the person is, or resides with a person who is, a law enforcement
745 officer, a member of the armed forces, a federal, state, or local elected official, a public figure,
746 or protected by a protective order or a protection order."

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

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

751 (b) a records disclosure that is similar to the records disclosure on a voter registration
752 form described in Section 20A-2-104;

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

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

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

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

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

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

766 Section 4. Section 20A-2-204 is amended to read:

767 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

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

772 (2) A citizen who is qualified to vote may register to vote, and a citizen who is
773 qualified to preregister to vote may preregister to vote, by answering "yes" to the question
774 described in Subsection [20A-2-108\(2\)\(a\)](#) and completing the voter registration form.

775 (3) The Driver License Division shall:

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

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

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

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

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

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

787 (iv) the desired political affiliation, if indicated; [~~and~~]

788 (v) an indication of whether the individual requested that the individual's voter
789 registration record be classified as a private record under Subsection [20A-2-108\(2\)\(c\)](#)[~~-~~]; and

790 (vi) a withholding request from described in Subsections [20A-2-104\(7\)](#) and (8) and any
791 verification submitted with the form.

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

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

795 (b) if the individual requests on the individual's voter registration form that the
796 individual's voter registration record be classified as a private record or the individual submits a
797 withholding request form described in Subsections [20A-2-104\(7\)](#) and (8) and any required
798 verification, classify the individual's voter registration record as a private record.

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

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

- 803 (b) (i) if the individual meets the qualifications to be registered to vote:
804 (A) ensure that the individual is assigned to the proper voting precinct; and
805 (B) send the individual the notice described in Section 20A-2-304; or
806 (ii) if the individual meets the qualifications to be preregistered to vote, process the
807 form in accordance with the requirements of Section 20A-2-101.1.
- 808 (6) (a) When the county clerk receives a correctly completed voter registration form
809 under this section, the clerk shall:
- 810 (i) comply with the applicable provisions of this Subsection (6); or
811 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.
- 812 (b) If the county clerk receives a correctly completed voter registration form under this
813 section during the period beginning on the date after the voter registration deadline and ending
814 at 5 p.m. on the date that is 15 calendar days before the date of an election, the county clerk
815 shall:
- 816 (i) accept the voter registration form; and
817 (ii) unless the individual is preregistering to vote, inform the individual that the
818 individual is registered to vote in the pending election.
- 819 (c) If the county clerk receives a correctly completed voter registration form under this
820 section during the period beginning on the date that is 14 calendar days before the election and
821 ending at 5 p.m. on the date that is seven calendar days before the election, the county clerk
822 shall:
- 823 (i) accept the voter registration form; and
824 (ii) unless the individual is preregistering to vote, inform the individual that:
825 (A) the individual is registered to vote in the pending election; and
826 (B) for the pending election, the individual must vote on the day of the election or by
827 provisional ballot, under Section 20A-2-207, during the early voting period described in
828 Section 20A-3-601 because the individual registered late.
- 829 (d) If the county clerk receives a correctly completed voter registration form under this
830 section during the six calendar days before an election, the county clerk shall:
- 831 (i) accept the application for registration of the individual; and
832 (ii) unless the individual is preregistering to vote, inform the individual:
833 (A) of each manner still available to the individual to timely register to vote in the

834 current election; and

835 (B) that, if the individual does not timely register in a manner described in Subsection
836 (6)(d)(ii)(A), the individual is registered to vote but may not vote in the pending election
837 because the individual registered late.

838 (7) (a) If the county clerk determines that an individual's voter registration form
839 received from the Driver License Division is incorrect because of an error, because the form is
840 incomplete, or because the individual does not meet the qualifications to be registered to vote,
841 the county clerk shall mail notice to the individual stating that the individual has not been
842 registered or preregistered because of an error, because the form is incomplete, or because the
843 individual does not meet the qualifications to be registered to vote.

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

848 Section 5. Section **20A-2-306** is amended to read:

849 **20A-2-306. Removing names from the official register -- Determining and**
850 **confirming change of residence.**

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

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

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

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

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

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

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

864 (b) When a county clerk obtains information that a voter's address has changed and it

865 appears that the voter now resides in a different county, the county clerk shall verify the
866 changed residence by sending to the voter, by forwardable mail, the notice required by
867 Subsection (3) printed on a postage prepaid, preaddressed return form.

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

870 "VOTER REGISTRATION NOTICE

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

874 _____
875 Street City County State Zip

876 If you have not changed your residence or have moved but stayed within the same
877 county, you must complete and return this form to the county clerk so that it is received by the
878 county clerk before 5 p.m. no later than 30 days before the date of the election. If you fail to
879 return this form within that time:

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

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

886 _____
887 Signature of Voter["]

888 PRIVACY INFORMATION

889 [~~"The portion of your voter registration form that lists your driver license or
890 identification card number, social security number, email address, and the day of your month of
891 birth is a private record. The portion of your voter registration form that lists your month and
892 year of birth is a private record, the use of which is restricted to government officials,
893 government employees, political parties, or certain other persons.]"~~]

894 [~~You may apply to the lieutenant governor or your county clerk to have your entire
895 voter registration record classified as private."~~]

896 Voter registration records contain some information that is available to the public, such
897 as your name and address, some information that is available only to government entities, and
898 some information that is available only to certain third parties in accordance with the
899 requirements of law.

900 Your driver license number, identification card number, social security number, email
901 address, and full date of birth are available only to government entities. Your year of birth is
902 available to political parties, candidates for public office, and certain third parties, in
903 accordance with the requirements of law.

904 You may request that all information on your voter registration records be withheld
905 from all persons other than government entities, political parties, and candidates for public
906 office by indicating here:

907 Yes, I request that all information on my voter registration records be withheld
908 from all persons other than government entities, political parties, and candidates for public
909 office.

910 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

911 In addition to the protections provided above, you may request that all information on
912 your voter registration records be withheld from all political parties and candidates for public
913 office by submitting a withholding request form, and any required verification, as described in
914 the following paragraphs.

915 A person may request that all information on the person's voter registration records be
916 withheld from all political parties and candidates for public office by submitting a withholding
917 request form with this registration record, or to the lieutenant governor or a county clerk, if the
918 person is or is likely to be, or resides with a person who is or is likely to be, a victim of
919 domestic violence.

920 A person may request that all information on the person's voter registration records be
921 withheld from all political parties and candidates for public office by submitting a withholding
922 request form and any required verification with this registration form, or to the lieutenant
923 governor or a county clerk, if the person is, or resides with a person who is, a law enforcement
924 officer, a member of the armed forces, a federal, state, or local elected official, a public figure,
925 or protected by a protective order or a protection order."

926 (4) (a) Except as provided in Subsection (4)(b), the county clerk may not remove the

927 names of any voters from the official register during the 90 days before a regular primary
928 election and the 90 days before a regular general election.

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

932 (i) the voter requests, in writing, that the voter's name be removed; or

933 (ii) the voter has died.

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

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

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

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

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

944 **20A-6-105. Provisional ballot envelopes.**

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

947 "AFFIRMATION

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

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

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

952 Name of Voter _____

953 First Middle Last

954 Driver License or Identification Card Number _____

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

956 Date of Birth _____

957 Street Address of Principal Place of Residence

958 _____

959 City County State Zip Code

960 Telephone Number (optional) _____

961 Last four digits of Social Security Number _____

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

963 _____

964 City County State Zip Code

965 Voting Precinct (if known)

966 _____

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

969 That I am eligible to vote in this election; that I have not voted in this election in any
 970 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted to
 971 vote in this precinct; and

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

976 Signed _____

977 Dated _____

978 In accordance with Section [20A-3-506](#), wilfully providing false information above is a
 979 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.^[1]

980 PRIVACY INFORMATION

981 [~~"The portion of your voter registration form that lists your driver license or
 982 identification card number, social security number, and email address, and the day of your
 983 month of birth, is a private record. The portion of your voter registration form that lists your
 984 month and year of birth is a private record, the use of which is restricted to government
 985 officials, government employees, political parties, or certain other persons.]"~~]

986 [~~You may apply to the lieutenant governor or your county clerk to have your entire
 987 voter registration record classified as private."~~]

988 Voter registration records contain some information that is available to the public, such

989 as your name and address, some information that is available only to government entities, and
990 some information that is available only to certain third parties in accordance with the
991 requirements of law.

992 Your driver license number, identification card number, social security number, email
993 address, and full date of birth are available only to government entities. Your year of birth is
994 available to political parties, candidates for public office, and certain third parties, in
995 accordance with the requirements of law.

996 You may request that all information on your voter registration records be withheld
997 from all persons other than government entities, political parties, and candidates for public
998 office by indicating here:

999 Yes, I request that all information on my voter registration records be withheld
1000 from all persons other than government entities, political parties, and candidates for public
1001 office.

1002 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1003 In addition to the protections provided above, you may request that all information on
1004 your voter registration records be withheld from all political parties and candidates for public
1005 office by submitting a withholding request form, and any required verification, as described in
1006 the following paragraphs.

1007 A person may request that all information on the person's voter registration records be
1008 withheld from all political parties and candidates for public office by submitting a withholding
1009 request form with this registration record, or to the lieutenant governor or a county clerk, if the
1010 person is or is likely to be, or resides with a person who is or is likely to be, a victim of
1011 domestic violence.

1012 A person may request that all information on the person's voter registration records be
1013 withheld from all political parties and candidates for public office by submitting a withholding
1014 request form and any required verification with this registration form, or to the lieutenant
1015 governor or a county clerk, if the person is, or resides with a person who is, a law enforcement
1016 officer, a member of the armed forces, a federal, state, or local elected official, a public figure,
1017 or protected by a protective order or a protection order.

1018 [[#]]CITIZENSHIP AFFIDAVIT

1019 Name:

1020 Name at birth, if different:

1021 Place of birth:

1022 Date of birth:

1023 Date and place of naturalization (if applicable):

1024 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
1025 citizen and that to the best of my knowledge and belief the information above is true and
1026 correct.

1027 _____
1028 Signature of Applicant

1029 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1030 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
1031 up to one year in jail and a fine of up to \$2,500."

1032 (2) The provisional ballot envelope shall include:

1033 (a) a unique number;

1034 (b) a detachable part that includes the unique number; and

1035 (c) a telephone number, internet address, or other indicator of a means, in accordance
1036 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted.

1037 Section 7. Section 63G-2-202 is amended to read:

1038 **63G-2-202. Access to private, controlled, and protected documents.**

1039 (1) Except as provided in Subsection (11)(a), a governmental entity:

1040 (a) shall, upon request, disclose a private record to:

1041 (i) the subject of the record;

1042 (ii) the parent or legal guardian of an unemancipated minor who is the subject of the
1043 record;

1044 (iii) the legal guardian of a legally incapacitated individual who is the subject of the
1045 record;

1046 (iv) any other individual who:

1047 (A) has a power of attorney from the subject of the record;

1048 (B) submits a notarized release from the subject of the record or the individual's legal
1049 representative dated no more than 90 days before the date the request is made; or

1050 (C) if the record is a medical record described in Subsection 63G-2-302(1)(b), is a

1051 health care provider, as defined in Section 26-33a-102, if releasing the record or information in
1052 the record is consistent with normal professional practice and medical ethics; or

1053 (v) any person to whom the record must be provided pursuant to:

1054 (A) court order as provided in Subsection (7); or

1055 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena
1056 Powers; and

1057 (b) may disclose a private record described in ~~[Subsection]~~ Subsections

1058 63G-2-302(1)(j) ~~[or (k)]~~ through (m), without complying with Section 63G-2-206, to another
1059 governmental entity for a purpose related to:

1060 (i) voter registration; or

1061 (ii) the administration of an election.

1062 (2) (a) Upon request, a governmental entity shall disclose a controlled record to:

1063 (i) a physician, physician assistant, psychologist, certified social worker, insurance
1064 provider or producer, or a government public health agency upon submission of:

1065 (A) a release from the subject of the record that is dated no more than 90 days prior to
1066 the date the request is made; and

1067 (B) a signed acknowledgment of the terms of disclosure of controlled information as
1068 provided by Subsection (2)(b); and

1069 (ii) any person to whom the record must be disclosed pursuant to:

1070 (A) a court order as provided in Subsection (7); or

1071 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena
1072 Powers.

1073 (b) A person who receives a record from a governmental entity in accordance with
1074 Subsection (2)(a)(i) may not disclose controlled information from that record to any person,
1075 including the subject of the record.

1076 (3) If there is more than one subject of a private or controlled record, the portion of the
1077 record that pertains to another subject shall be segregated from the portion that the requester is
1078 entitled to inspect.

1079 (4) Upon request, and except as provided in Subsection (10) or (11)(b), a governmental
1080 entity shall disclose a protected record to:

1081 (a) the person that submitted the record;

- 1082 (b) any other individual who:
- 1083 (i) has a power of attorney from all persons, governmental entities, or political
- 1084 subdivisions whose interests were sought to be protected by the protected classification; or
- 1085 (ii) submits a notarized release from all persons, governmental entities, or political
- 1086 subdivisions whose interests were sought to be protected by the protected classification or from
- 1087 their legal representatives dated no more than 90 days prior to the date the request is made;
- 1088 (c) any person to whom the record must be provided pursuant to:
- 1089 (i) a court order as provided in Subsection (7); or
- 1090 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena
- 1091 Powers; or
- 1092 (d) the owner of a mobile home park, subject to the conditions of Subsection
- 1093 [41-1a-116\(5\)](#).
- 1094 (5) Except as provided in Subsection (1)(b), a governmental entity may disclose a
- 1095 private, controlled, or protected record to another governmental entity, political subdivision,
- 1096 state, the United States, or a foreign government only as provided by Section [63G-2-206](#).
- 1097 (6) Before releasing a private, controlled, or protected record, the governmental entity
- 1098 shall obtain evidence of the requester's identity.
- 1099 (7) A governmental entity shall disclose a record pursuant to the terms of a court order
- 1100 signed by a judge from a court of competent jurisdiction, provided that:
- 1101 (a) the record deals with a matter in controversy over which the court has jurisdiction;
- 1102 (b) the court has considered the merits of the request for access to the record;
- 1103 (c) the court has considered and, where appropriate, limited the requester's use and
- 1104 further disclosure of the record in order to protect:
- 1105 (i) privacy interests in the case of private or controlled records;
- 1106 (ii) business confidentiality interests in the case of records protected under Subsection
- 1107 [63G-2-305\(1\), \(2\), \(40\)\(a\)\(ii\), or \(40\)\(a\)\(vi\)](#); and
- 1108 (iii) privacy interests or the public interest in the case of other protected records;
- 1109 (d) to the extent the record is properly classified private, controlled, or protected, the
- 1110 interests favoring access, considering limitations thereon, are greater than or equal to the
- 1111 interests favoring restriction of access; and
- 1112 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection

1113 63G-2-201(3)(b), the court has authority independent of this chapter to order disclosure.

1114 (8) (a) Except as provided in Subsection (8)(d), a governmental entity may disclose or
1115 authorize disclosure of private or controlled records for research purposes if the governmental
1116 entity:

1117 (i) determines that the research purpose cannot reasonably be accomplished without
1118 use or disclosure of the information to the researcher in individually identifiable form;

1119 (ii) determines that:

1120 (A) the proposed research is bona fide; and

1121 (B) the value of the research is greater than or equal to the infringement upon personal
1122 privacy;

1123 (iii) (A) requires the researcher to assure the integrity, confidentiality, and security of
1124 the records; and

1125 (B) requires the removal or destruction of the individual identifiers associated with the
1126 records as soon as the purpose of the research project has been accomplished;

1127 (iv) prohibits the researcher from:

1128 (A) disclosing the record in individually identifiable form, except as provided in
1129 Subsection (8)(b); or

1130 (B) using the record for purposes other than the research approved by the governmental
1131 entity; and

1132 (v) secures from the researcher a written statement of the researcher's understanding of
1133 and agreement to the conditions of this Subsection (8) and the researcher's understanding that
1134 violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution
1135 under Section 63G-2-801.

1136 (b) A researcher may disclose a record in individually identifiable form if the record is
1137 disclosed for the purpose of auditing or evaluating the research program and no subsequent use
1138 or disclosure of the record in individually identifiable form will be made by the auditor or
1139 evaluator except as provided by this section.

1140 (c) A governmental entity may require indemnification as a condition of permitting
1141 research under this Subsection (8).

1142 (d) A governmental entity may not disclose or authorize disclosure of a private record
1143 for research purposes as described in this Subsection (8) if the private record is a record

1144 described in Subsection 63G-2-302(1)(~~tt~~)(w).

1145 (9) (a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity
1146 may disclose to persons other than those specified in this section records that are:

1147 (i) private under Section 63G-2-302; or

1148 (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for
1149 business confidentiality has been made under Section 63G-2-309.

1150 (b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the
1151 disclosure to persons other than those specified in this section of records that are:

1152 (i) private under Section 63G-2-302;

1153 (ii) controlled under Section 63G-2-304; or

1154 (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for
1155 business confidentiality has been made under Section 63G-2-309.

1156 (c) Under Subsection 63G-2-404(7), the court may require the disclosure of records
1157 that are private under Section 63G-2-302, controlled under Section 63G-2-304, or protected
1158 under Section 63G-2-305 to persons other than those specified in this section.

1159 (10) A record contained in the Management Information System, created in Section
1160 62A-4a-1003, that is found to be unsubstantiated, unsupported, or without merit may not be
1161 disclosed to any person except the person who is alleged in the report to be a perpetrator of
1162 abuse, neglect, or dependency.

1163 (11) (a) A private record described in Subsection 63G-2-302(2)(f) may only be
1164 disclosed as provided in Subsection (1)(a)(v).

1165 (b) A protected record described in Subsection 63G-2-305(43) may only be disclosed
1166 as provided in Subsection (4)(c) or Section 62A-3-312.

1167 (12) (a) A private, protected, or controlled record described in Section 62A-16-301
1168 shall be disclosed as required under:

1169 (i) Subsections 62A-16-301(1)(b), (2), and (4)(c); and

1170 (ii) Subsections 62A-16-302(1) and (6).

1171 (b) A record disclosed under Subsection (12)(a) shall retain its character as private,
1172 protected, or controlled.

1173 Section 8. Section 63G-2-301 is amended to read:

1174 **63G-2-301. Public records.**

1175 (1) As used in this section:

1176 (a) "Business address" means a single address of a governmental agency designated for
1177 the public to contact an employee or officer of the governmental agency.

1178 (b) "Business email address" means a single email address of a governmental agency
1179 designated for the public to contact an employee or officer of the governmental agency.

1180 (c) "Business telephone number" means a single telephone number of a governmental
1181 agency designated for the public to contact an employee or officer of the governmental agency.

1182 (2) The following records are public except to the extent they contain information
1183 expressly permitted to be treated confidentially under the provisions of Subsections
1184 [63G-2-201](#)(3)(b) and (6)(a):

1185 (a) laws;

1186 (b) the name, gender, gross compensation, job title, job description, business address,
1187 business email address, business telephone number, number of hours worked per pay period,
1188 dates of employment, and relevant education, previous employment, and similar job
1189 qualifications of a current or former employee or officer of the governmental entity, excluding:

1190 (i) undercover law enforcement personnel; and

1191 (ii) investigative personnel if disclosure could reasonably be expected to impair the
1192 effectiveness of investigations or endanger any individual's safety;

1193 (c) final opinions, including concurring and dissenting opinions, and orders that are
1194 made by a governmental entity in an administrative, adjudicative, or judicial proceeding except
1195 that if the proceedings were properly closed to the public, the opinion and order may be
1196 withheld to the extent that they contain information that is private, controlled, or protected;

1197 (d) final interpretations of statutes or rules by a governmental entity unless classified as
1198 protected as provided in Subsection [63G-2-305](#)(17) or (18);

1199 (e) information contained in or compiled from a transcript, minutes, or report of the
1200 open portions of a meeting of a governmental entity as provided by Title 52, Chapter 4, Open
1201 and Public Meetings Act, including the records of all votes of each member of the
1202 governmental entity;

1203 (f) judicial records unless a court orders the records to be restricted under the rules of
1204 civil or criminal procedure or unless the records are private under this chapter;

1205 (g) unless otherwise classified as private under Section [63G-2-303](#), records or parts of

1206 records filed with or maintained by county recorders, clerks, treasurers, surveyors, zoning
1207 commissions, the Division of Forestry, Fire, and State Lands, the School and Institutional Trust
1208 Lands Administration, the Division of Oil, Gas, and Mining, the Division of Water Rights, or
1209 other governmental entities that give public notice of:

1210 (i) titles or encumbrances to real property;

1211 (ii) restrictions on the use of real property;

1212 (iii) the capacity of persons to take or convey title to real property; or

1213 (iv) tax status for real and personal property;

1214 (h) records of the Department of Commerce that evidence incorporations, mergers,
1215 name changes, and uniform commercial code filings;

1216 (i) data on individuals that would otherwise be private under this chapter if the
1217 individual who is the subject of the record has given the governmental entity written
1218 permission to make the records available to the public;

1219 (j) documentation of the compensation that a governmental entity pays to a contractor
1220 or private provider;

1221 (k) summary data;

1222 (l) voter registration records, including an individual's voting history, except for a voter
1223 registration record or those parts of a voter registration record that are classified as private
1224 under ~~[Subsection]~~ Subsections [63G-2-302\(1\)\(j\)](#) ~~[or (k)]~~ through (m) or withheld under
1225 Subsection [20A-2-104\(7\)](#);

1226 (m) for an elected official, as defined in Section [11-47-102](#), a telephone number, if
1227 available, and email address, if available, where that elected official may be reached as required
1228 in Title 11, Chapter 47, Access to Elected Officials;

1229 (n) for a school community council member, a telephone number, if available, and
1230 email address, if available, where that elected official may be reached directly as required in
1231 Section [53G-7-1203](#);

1232 (o) annual audited financial statements of the Utah Educational Savings Plan described
1233 in Section [53B-8a-111](#); and

1234 (p) an initiative packet, as defined in Section [20A-7-101](#), and a referendum packet, as
1235 defined in Section [20A-7-101](#), after the packet is submitted to a county clerk.

1236 (3) The following records are normally public, but to the extent that a record is

1237 expressly exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b),
1238 Section 63G-2-302, 63G-2-304, or 63G-2-305:

1239 (a) administrative staff manuals, instructions to staff, and statements of policy;

1240 (b) records documenting a contractor's or private provider's compliance with the terms
1241 of a contract with a governmental entity;

1242 (c) records documenting the services provided by a contractor or a private provider to
1243 the extent the records would be public if prepared by the governmental entity;

1244 (d) contracts entered into by a governmental entity;

1245 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds
1246 by a governmental entity;

1247 (f) records relating to government assistance or incentives publicly disclosed,
1248 contracted for, or given by a governmental entity, encouraging a person to expand or relocate a
1249 business in Utah, except as provided in Subsection 63G-2-305(35);

1250 (g) chronological logs and initial contact reports;

1251 (h) correspondence by and with a governmental entity in which the governmental entity
1252 determines or states an opinion upon the rights of the state, a political subdivision, the public,
1253 or any person;

1254 (i) empirical data contained in drafts if:

1255 (i) the empirical data is not reasonably available to the requester elsewhere in similar
1256 form; and

1257 (ii) the governmental entity is given a reasonable opportunity to correct any errors or
1258 make nonsubstantive changes before release;

1259 (j) drafts that are circulated to anyone other than:

1260 (i) a governmental entity;

1261 (ii) a political subdivision;

1262 (iii) a federal agency if the governmental entity and the federal agency are jointly
1263 responsible for implementation of a program or project that has been legislatively approved;

1264 (iv) a government-managed corporation; or

1265 (v) a contractor or private provider;

1266 (k) drafts that have never been finalized but were relied upon by the governmental
1267 entity in carrying out action or policy;

1268 (l) original data in a computer program if the governmental entity chooses not to
1269 disclose the program;

1270 (m) arrest warrants after issuance, except that, for good cause, a court may order
1271 restricted access to arrest warrants prior to service;

1272 (n) search warrants after execution and filing of the return, except that a court, for good
1273 cause, may order restricted access to search warrants prior to trial;

1274 (o) records that would disclose information relating to formal charges or disciplinary
1275 actions against a past or present governmental entity employee if:

1276 (i) the disciplinary action has been completed and all time periods for administrative
1277 appeal have expired; and

1278 (ii) the charges on which the disciplinary action was based were sustained;

1279 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School
1280 and Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that
1281 evidence mineral production on government lands;

1282 (q) final audit reports;

1283 (r) occupational and professional licenses;

1284 (s) business licenses; and

1285 (t) a notice of violation, a notice of agency action under Section [63G-4-201](#), or similar
1286 records used to initiate proceedings for discipline or sanctions against persons regulated by a
1287 governmental entity, but not including records that initiate employee discipline.

1288 (4) The list of public records in this section is not exhaustive and should not be used to
1289 limit access to records.

1290 Section 9. Section **63G-2-302** is amended to read:

1291 **63G-2-302. Private records.**

1292 (1) The following records are private:

1293 (a) records concerning an individual's eligibility for unemployment insurance benefits,
1294 social services, welfare benefits, or the determination of benefit levels;

1295 (b) records containing data on individuals describing medical history, diagnosis,
1296 condition, treatment, evaluation, or similar medical data;

1297 (c) records of publicly funded libraries that when examined alone or with other records
1298 identify a patron;

- 1299 (d) records received by or generated by or for:
- 1300 (i) the Independent Legislative Ethics Commission, except for:
- 1301 (A) the commission's summary data report that is required under legislative rule; and
- 1302 (B) any other document that is classified as public under legislative rule; or
- 1303 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints,
- 1304 unless the record is classified as public under legislative rule;
- 1305 (e) records received by, or generated by or for, the Independent Executive Branch
- 1306 Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review
- 1307 of Executive Branch Ethics Complaints;
- 1308 (f) records received or generated for a Senate confirmation committee concerning
- 1309 character, professional competence, or physical or mental health of an individual:
- 1310 (i) if, prior to the meeting, the chair of the committee determines release of the records:
- 1311 (A) reasonably could be expected to interfere with the investigation undertaken by the
- 1312 committee; or
- 1313 (B) would create a danger of depriving a person of a right to a fair proceeding or
- 1314 impartial hearing; and
- 1315 (ii) after the meeting, if the meeting was closed to the public;
- 1316 (g) employment records concerning a current or former employee of, or applicant for
- 1317 employment with, a governmental entity that would disclose that individual's home address,
- 1318 home telephone number, social security number, insurance coverage, marital status, or payroll
- 1319 deductions;
- 1320 (h) records or parts of records under Section [63G-2-303](#) that a current or former
- 1321 employee identifies as private according to the requirements of that section;
- 1322 (i) that part of a record indicating a person's social security number or federal employer
- 1323 identification number if provided under Section [31A-23a-104](#), [31A-25-202](#), [31A-26-202](#),
- 1324 [58-1-301](#), [58-55-302](#), [61-1-4](#), or [61-2f-203](#);
- 1325 (j) that part of a voter registration record identifying a voter's:
- 1326 (i) driver license or identification card number;
- 1327 (ii) social security number, or last four digits of the social security number;
- 1328 (iii) email address; or
- 1329 (iv) date of birth;

1330 (k) a voter registration record that is classified as a private record by the lieutenant
1331 governor or a county clerk under Subsection [20A-2-101.1\(5\)\(a\)](#), [20A-2-104\(4\)\(f\)\(h\)](#),
1332 [~~20A-2-101.1(5)(a)~~], or [20A-2-204\(4\)\(b\)](#);

1333 (l) a voter registration record that is withheld under Subsection [20A-2-104\(7\)](#);

1334 (m) a withholding request form described in Subsections [20A-2-104\(7\)](#) and (8) and any
1335 verification submitted in support of the form;

1336 (n) a record that:

1337 (i) contains information about an individual;

1338 (ii) is voluntarily provided by the individual; and

1339 (iii) goes into an electronic database that:

1340 (A) is designated by and administered under the authority of the Chief Information
1341 Officer; and

1342 (B) acts as a repository of information about the individual that can be electronically
1343 retrieved and used to facilitate the individual's online interaction with a state agency;

1344 (o) information provided to the Commissioner of Insurance under:

1345 (i) Subsection [31A-23a-115\(3\)\(a\)](#);

1346 (ii) Subsection [31A-23a-302\(4\)](#); or

1347 (iii) Subsection [31A-26-210\(4\)](#);

1348 (p) information obtained through a criminal background check under Title 11,
1349 Chapter 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;

1350 (q) information provided by an offender that is:

1351 (i) required by the registration requirements of Title 77, Chapter 41, Sex and Kidnap
1352 Offender Registry or Title 77, Chapter 43, Child Abuse Offender Registry; and

1353 (ii) not required to be made available to the public under Subsection [77-41-110\(4\)](#) or
1354 [77-43-108\(4\)](#);

1355 (r) a statement and any supporting documentation filed with the attorney general
1356 in accordance with Section [34-45-107](#), if the federal law or action supporting the filing
1357 involves homeland security;

1358 (s) electronic toll collection customer account information received or collected
1359 under Section [72-6-118](#) and customer information described in Section [17B-2a-815](#) received or
1360 collected by a public transit district, including contact and payment information and customer

1361 travel data;

1362 ~~[(t)]~~ (t) an email address provided by a military or overseas voter under Section

1363 20A-16-501;

1364 ~~[(s)]~~ (u) a completed military-overseas ballot that is electronically transmitted under

1365 Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;

1366 ~~[(t)]~~ (v) records received by or generated by or for the Political Subdivisions Ethics

1367 Review Commission established in Section 63A-15-201, except for:

1368 (i) the commission's summary data report that is required in Section 63A-15-202; and

1369 (ii) any other document that is classified as public in accordance with Title 63A,

1370 Chapter 15, Political Subdivisions Ethics Review Commission;

1371 ~~[(t)]~~ (w) a record described in Section 53G-9-604 that verifies that a parent was

1372 notified of an incident or threat;

1373 ~~[(v)]~~ (x) a criminal background check or credit history report conducted in accordance

1374 with Section 63A-3-201; and

1375 ~~[(w)]~~ (y) a record described in Subsection 53-5a-104(7).

1376 (2) The following records are private if properly classified by a governmental entity:

1377 (a) records concerning a current or former employee of, or applicant for employment

1378 with a governmental entity, including performance evaluations and personal status information

1379 such as race, religion, or disabilities, but not including records that are public under Subsection

1380 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);

1381 (b) records describing an individual's finances, except that the following are public:

1382 (i) records described in Subsection 63G-2-301(2);

1383 (ii) information provided to the governmental entity for the purpose of complying with

1384 a financial assurance requirement; or

1385 (iii) records that must be disclosed in accordance with another statute;

1386 (c) records of independent state agencies if the disclosure of those records would

1387 conflict with the fiduciary obligations of the agency;

1388 (d) other records containing data on individuals the disclosure of which constitutes a

1389 clearly unwarranted invasion of personal privacy;

1390 (e) records provided by the United States or by a government entity outside the state

1391 that are given with the requirement that the records be managed as private records, if the

1392 providing entity states in writing that the record would not be subject to public disclosure if
1393 retained by it;

1394 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
1395 created in Section 62A-3-102, that may disclose, or lead to the discovery of, the identity of a
1396 person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and

1397 (g) audio and video recordings created by a body-worn camera, as defined in Section
1398 77-7a-103, that record sound or images inside a home or residence except for recordings that:

1399 (i) depict the commission of an alleged crime;

1400 (ii) record any encounter between a law enforcement officer and a person that results in
1401 death or bodily injury, or includes an instance when an officer fires a weapon;

1402 (iii) record any encounter that is the subject of a complaint or a legal proceeding
1403 against a law enforcement officer or law enforcement agency;

1404 (iv) contain an officer involved critical incident as defined in [Section] Subsection
1405 76-2-408(1)(~~d~~)(f); or

1406 (v) have been requested for reclassification as a public record by a subject or
1407 authorized agent of a subject featured in the recording.

1408 (3) (a) As used in this Subsection (3), "medical records" means medical reports,
1409 records, statements, history, diagnosis, condition, treatment, and evaluation.

1410 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
1411 doctors, or affiliated entities are not private records or controlled records under Section
1412 63G-2-304 when the records are sought:

1413 (i) in connection with any legal or administrative proceeding in which the patient's
1414 physical, mental, or emotional condition is an element of any claim or defense; or

1415 (ii) after a patient's death, in any legal or administrative proceeding in which any party
1416 relies upon the condition as an element of the claim or defense.

1417 (c) Medical records are subject to production in a legal or administrative proceeding
1418 according to state or federal statutes or rules of procedure and evidence as if the medical
1419 records were in the possession of a nongovernmental medical care provider.

1420 Section 10. Section 63I-2-220 is amended to read:

1421 **63I-2-220. Repeal dates -- Title 20A.**

1422 (1) On January 1, 2021:

- 1423 (a) Subsection 20A-1-201.5(1), the language that states "Except as provided in
1424 Subsection (4)," is repealed.
- 1425 (b) Subsection 20A-1-201.5(4) is repealed.
- 1426 (c) Subsections 20A-1-204(1)(a)(i) through (iii) are repealed and replaced with the
1427 following:
- 1428 "(i) the fourth Tuesday in June; or
1429 (ii) the first Tuesday after the first Monday in November."
- 1430 (d) In Subsections 20A-1-503(4)(c), 20A-9-202(3)(a), 20A-9-403(3)(d)(ii),
1431 20A-9-407(5) and (6)(a), and 20A-9-408(5), immediately following the reference to Subsection
1432 20A-9-202(1)(b), the language that states "(i) or (ii)" is repealed.
- 1433 (e) Subsection 20A-9-202(1)(b) is repealed and replaced with the following:
1434 "(b) Unless expressly provided otherwise in this title, for a registered political party
1435 that is not a qualified political party, the deadline for filing a declaration of candidacy for an
1436 elective office that is to be filled at the next regular general election is 5 p.m. on the first
1437 Monday after the third Saturday in April.";
- 1438 (f) Subsection 20A-9-409(4)(c) is repealed and replaced with the following:
1439 "(c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after
1440 the third Saturday in April."
- 1441 (2) Subsection 20A-2-104(9), relating to a transition period for records previously
1442 classified as private, is repealed July 1, 2020.
- 1443 [~~2~~] (3) Subsection 20A-5-803(8) is repealed July 1, 2023.
- 1444 [~~3~~] (4) Section 20A-5-804 is repealed July 1, 2023.
- 1445 [~~4~~] (5) On January 1, 2026:
- 1446 (a) In Subsection 20A-1-102(22)(a), the language that states "or Title 20A, Chapter 4,
1447 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.
- 1448 (b) In Subsections 20A-1-303(1)(a) and (b), the language that states "Except as
1449 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
1450 repealed.
- 1451 (c) In Section 20A-1-304, the language that states "Except for a race conducted by
1452 instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods
1453 Pilot Project," is repealed.

1454 (d) In Subsection 20A-3-105(1)(a), the language that states "Except as provided in
1455 Subsection (5)," is repealed.

1456 (e) In Subsections 20A-3-105(1)(b), (3)(b), and (4)(b), the language that states "Except
1457 as provided in Subsections (5) and (6)," is repealed.

1458 (f) In Subsections 20A-3-105(2)(a)(i), (3)(a), and (4)(a), the language that states
1459 "Subject to Subsection (5)," is repealed.

1460 (g) Subsection 20A-3-105(5) is repealed and the remaining subsections in Section
1461 20A-3-105 are renumbered accordingly.

1462 (h) In Subsection 20A-4-101(2)(c), the language that states "Except as provided in
1463 Subsection (2)(f)," is repealed.

1464 (i) Subsection 20A-4-101(2)(f) is repealed.

1465 (j) Subsection 20A-4-101(3) is repealed and replaced with the following:

1466 "(3) To resolve questions that arise during the counting of ballots, a counting judge
1467 shall apply the standards and requirements of Section 20A-4-105."

1468 (k) In Subsection 20A-4-102(1)(a), the language that states "or a rule made under
1469 Subsection 20A-4-101(2)(f)(i)" is repealed.

1470 (l) Subsection 20A-4-102(1)(b) is repealed and replaced with the following:

1471 "(b) To resolve questions that arise during the counting of ballots, a counting judge
1472 shall apply the standards and requirements of Section 20A-4-105."

1473 (m) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in
1474 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made
1475 under Subsection 20A-4-101(2)(f)(i)" is repealed.

1476 (n) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise
1477 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
1478 repealed.

1479 (o) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3-105(5), or
1480 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

1481 (p) In Subsections 20A-4-105(3), (5), and (12), the language that states "Except as
1482 otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
1483 Project," is repealed.

1484 (q) In Subsection 20A-4-106(1)(a)(ii), the language that states "or Title 20A, Chapter

- 1485 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.
- 1486 (r) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Title
- 1487 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.
- 1488 (s) Subsection 20A-4-304(2)(e) is repealed and replaced with the following:
- 1489 "(v) from each voting precinct:
- 1490 (A) the number of votes for each candidate; and
- 1491 (B) the number of votes for and against each ballot proposition;".
- 1492 (t) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection (1)
- 1493 are renumbered accordingly, and the cross-references to those subsections are renumbered
- 1494 accordingly.
- 1495 (u) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is
- 1496 repealed.
- 1497 (v) Subsections 20A-5-400.1(1)(c) and (d), relating to contracting with a local political
- 1498 subdivision to conduct an election, is repealed.
- 1499 (w) Subsection 20A-5-404(3)(b) is repealed and the remaining subsections in
- 1500 Subsection (3) are renumbered accordingly.
- 1501 (x) Subsection 20A-5-404(4)(b) is repealed and the remaining subsections in
- 1502 Subsection (4) are renumbered accordingly.
- 1503 (y) In Section 20A-5-802, relating to the certification of voting equipment:
- 1504 (i) delete "Except as provided in Subsection (2)(b)(ii):" from the beginning of
- 1505 Subsection (2); and
- 1506 (ii) Subsection (2)(b)(ii) is repealed, and the remaining subsections are renumbered
- 1507 accordingly.
- 1508 (z) Section 20A-6-203.5 is repealed.
- 1509 (aa) In Subsections 20A-6-402(1), (2), (3), and (4), the language that states "Except as
- 1510 otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4,
- 1511 Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.
- 1512 (bb) In Subsection 20A-9-203(3)(a)(i), the language that states "or Title 20A, Chapter
- 1513 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.
- 1514 (cc) In Subsection 20A-9-203(3)(c)(i), the language that states "except as provided in
- 1515 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

1516 (dd) In Subsection [20A-9-404](#)(1)(a), the language that states "or Title 20A, Chapter 4,
1517 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

1518 (ee) In Subsection [20A-9-404](#)(2), the language that states "Except as otherwise
1519 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
1520 repealed.

1521 [~~5~~] (6) Section [20A-7-407](#) is repealed January 1, 2021.

1522 Section 11. **Effective date.**

1523 If approved by two-thirds of all the members elected to each house, this bill takes effect
1524 upon approval by the governor, or the day following the constitutional time limit of Utah
1525 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
1526 the date of veto override.

1527 Section 12. **Revisor instructions.**

1528 The Legislature intends that the Office of Legislative Research and General Counsel, in
1529 preparing the Utah Code database for publication, replace the phrase "the effective date of this
1530 bill" with the actual effective date of this bill in Subsections [20A-2-104](#)(9)(a) and (b) and
1531 Subsection [63G-2-302](#)(4)(b)(ii).