

HB0197S02 compared with HB0197S01

~~text~~ shows text that was in HB0197S01 but was deleted in HB0197S02.

text shows text that was not in HB0197S01 but was inserted into HB0197S02.

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Representative Jordan D. Teuscher proposes the following substitute bill:

VOTER AFFILIATION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Election Code relating to a voter's change of political party affiliation.

Highlighted Provisions:

This bill:

- ▶ specifies when a voter's designation or change of political party affiliation takes effect; and
- ▶ repeals a provision regarding changes to a voter's political party affiliation at a primary election.

Money Appropriated in this Bill:

None

Other Special Clauses:

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None

Utah Code Sections Affected:

AMENDS:

20A-2-107, as last amended by Laws of Utah 2019, Chapter 433

REPEALS:

20A-2-107.5, as last amended by Laws of Utah 2019, Chapter 433

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

Section 1. Section **20A-2-107** is amended to read:

20A-2-107. Designating or changing party affiliation -- Times permitted.

(1) The county clerk shall:

(a) ~~except as provided in Subsection (3),~~ record the party affiliation designated by the voter on the voter registration form as the voter's party affiliation; or

(b) if no political party affiliation is designated by the voter on the voter registration form:

(i) except as provided in Subsection (1)(b)(ii), record the voter's party affiliation as the party that the voter designated the last time that the voter designated a party on a voter registration form, unless the voter more recently registered as "unaffiliated"; or

(ii) record the voter's party affiliation as "unaffiliated" if the voter:

(A) did not previously designate a party;

(B) most recently designated the voter's party affiliation as "unaffiliated"; or

(C) did not previously register.

(2) (a) Any registered voter may designate or change the voter's political party affiliation by complying with the procedures and requirements of this Subsection (2).

(b) A registered voter may designate or change the voter's political party affiliation by filing a signed form with the county clerk that identifies the registered political party with which the voter chooses to affiliate~~[- during any period except the following:].~~

~~[(i) the period beginning on the day after the voter registration deadline and continuing through the date of the regular primary election; and]~~

~~[(ii) the period beginning on the day after the voter registration deadline and continuing through the date of the presidential primary election.]~~

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(c) Except as provided in Subsection (2)(d), a signed form designating or changing a voter's political party affiliation takes effect when the county clerk receives the signed form.

(d) In an even-numbered year, a form described in Subsection (2)(c) received by the county clerk ~~on or~~ after ~~January 1~~ March 31 takes effect on the day after that year's regular primary election if the form changes a registered voter's:

(i) affiliation with one political party to affiliate with another political party; or

(ii) unaffiliated status to affiliation with a political party.

(e) Any part of a form described in Subsection (2)(d), ~~if~~ other than the voter's designation or change of political party affiliation, takes effect when the county clerk receives the signed form.

(f) For purposes of Subsections (2)(d) and (3), a signed form described in Subsection (2)(c) is received by the county clerk on or before March 31 if:

(i) the individual submits the form in person at the county clerk's office no later than 5 p.m. on the last business day before April 1;

(ii) the individual submits the form electronically through the system described in Section 20A-2-206, at or before 11:59 p.m. on March 31; or

(iii) the individual's form is clearly postmarked on or before March 31.

(g) Subsection (2)(d) does not apply to the party affiliation designated by a voter on the voter registration form if the voter has not previously been registered to vote in the state.

(3) In an even-numbered year, if a voter requests that the voter's name be removed from the official register under Section 20A-2-305 and then submits a voter registration form to the office of a county clerk ~~before that year's regular primary election~~ after March 31, the voter's political party affiliation, whether designated on the voter registration form or submitted in accordance with Subsection (2), takes effect on the day after that year's regular primary election.

Section 2. **Repealer.**

This bill repeals:

Section **20A-2-107.5, Designating or changing party affiliation -- Regular primary election and presidential primary election.**