

# HB0338S01 compared with HB0338

~~text~~ shows text that was in HB0338 but was deleted in HB0338S01.

text shows text that was not in HB0338 but was inserted into HB0338S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Joel K. Briscoe proposes the following substitute bill:

## SCHOOL DISTRICT VOTER ELIGIBILITY AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Joel K. Briscoe**

Senate Sponsor: ~~\_\_\_\_\_~~ Todd D. Weiler

Cosponsor: Dan N. Johnson

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### LONG TITLE

#### General Description:

This bill ~~addresses~~ creates a student voter ~~eligibility~~ pilot project for local school board elections.

#### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ allows local school boards to vote to allow students who are 16 and 17 years old to vote in local school board elections; and
- ▶ makes technical and conforming changes.

#### Money Appropriated in this Bill:

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None

### Other Special Clauses:

None

### Utah Code Sections Affected:

#### AMENDS:

**20A-1-102**, as last amended by Laws of Utah 2020, Chapters 31, 49, 255, and 354

**20A-2-101**, as last amended by Laws of Utah 2019, Chapter 433

**20A-2-101.1**, as last amended by Laws of Utah 2018, Chapter 223

**20A-2-104**, as last amended by Laws of Utah 2020, Chapter 255

**20A-2-204**, as last amended by Laws of Utah 2020, Chapters 31, 95, 255 and last amended by Coordination Clause, Laws of Utah 2020, Chapter 95

**20A-2-302**, as last amended by Laws of Utah 2020, Chapter 31

**20A-2-304**, as last amended by Laws of Utah 2020, Chapter 31

**20A-6-105**, as last amended by Laws of Utah 2020, Chapters 31 and 255

**20A-14-203**, as last amended by Laws of Utah 2016, Chapter 16

**63G-2-302**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4

#### ENACTS:

**20A-6-306**, Utah Code Annotated 1953

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

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

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

As used in this title:

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

(2) "Automatic tabulating equipment" means apparatus that automatically examines and counts votes recorded on ballots and tabulates the results.

(3) (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic storage medium, that records an individual voter's vote.

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

(4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters

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on the ballot for their approval or rejection including:

- (a) an opinion question specifically authorized by the Legislature;
- (b) a constitutional amendment;
- (c) an initiative;
- (d) a referendum;
- (e) a bond proposition;
- (f) a judicial retention question;
- (g) an incorporation of a city or town; or
- (h) any other ballot question specifically authorized by the Legislature.

(5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples or another means in at least three places across the top of the paper in the blank space reserved for securing the paper.

(6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to canvass election returns.

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

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

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

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

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

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

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

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

(15) "Counting room" means a suitable and convenient private place or room for use

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by the poll workers and counting judges to count ballots.

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

(17) "Date of the election" or "election day" or "day of the election":

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

(b) does not include:

(i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or

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

(18) "Elected official" means:

(a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project;

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

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

(19) "Election" means a regular general election, a municipal general election, a statewide special election, a local special election, a regular primary election, a municipal primary election, and a local district election.

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

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

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

(a) preside over other poll workers at a polling place;

(b) act as the presiding election judge; or

(c) serve as a canvassing judge, counting judge, or receiving judge.

(23) "Election officer" means:

(a) the lieutenant governor, for all statewide ballots and elections;

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- (b) the county clerk for:
    - (i) a county ballot and election; and
    - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
  - (c) the municipal clerk for:
    - (i) a municipal ballot and election; and
    - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;
  - (d) the local district clerk or chief executive officer for:
    - (i) a local district ballot and election; and
    - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5; or
  - (e) the business administrator or superintendent of a school district for:
    - (i) a school district ballot and election; and
    - (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5.
- (24) "Election official" means any election officer, election judge, or poll worker.
- (25) "Election results" means:
- (a) for an election other than a bond election, the count of votes cast in the election and the election returns requested by the board of canvassers; or
  - (b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all of the election returns that the board of canvassers may request.
- (26) "Election returns" includes the pollbook, the military and overseas absentee voter registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and the total votes cast form.
- (27) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
- (28) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under Subsection 20A-2-306(4)(c)(i) or (ii).

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(29) "Judicial office" means the office filled by any judicial officer.

(30) "Judicial officer" means any justice or judge of a court of record or any county court judge.

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

(32) "Local district officers" means those local district board members that are required by law to be elected.

(33) "Local election" means a regular county election, a regular municipal election, a municipal primary election, a local special election, a local district election, and a bond election.

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

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

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

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

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

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

(38) "Municipal executive" means:

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

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

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

(39) "Municipal general election" means the election held in municipalities and, as applicable, local districts on the first Tuesday after the first Monday in November of each

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odd-numbered year for the purposes established in Section 20A-1-202.

(40) "Municipal legislative body" means:

- (a) the council of the city or town in any form of municipal government; or
- (b) the council of a metro township.

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

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

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

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

(45) "Official ballot" means the ballots distributed by the election officer for voters to record their votes.

(46) "Official endorsement" means the information on the ballot that identifies:

- (a) the ballot as an official ballot;
- (b) the date of the election; and
- (c) (i) for a ballot prepared by an election officer other than a county clerk, the facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
- (ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-301(1)(b)(iii).

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

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

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

- (b) "Poll worker" includes election judges.
- (c) "Poll worker" does not include a watcher.

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

(51) "Polling place" means a building where voting is conducted.

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

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

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

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

- (a) is built into a voting machine; and
- (b) records the total number of movements of the operating lever.

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

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

- (a) whose name is not listed on the official register at the polling place;
- (b) whose legal right to vote is challenged as provided in this title; or
- (c) whose identity was not sufficiently established by a poll worker.

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

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

(b) "Public figure" does not include an individual:

- (i) elected to public office; or
- (ii) appointed to fill a vacancy in an elected public office.

(60) "Qualify" or "qualified" means to take the oath of office and begin performing the duties of the position for which the individual was elected.

(61) "Receiving judge" means the poll worker that checks the voter's name in the official register at a polling location and provides the voter with a ballot.

(62) "Registration form" means a form by which an individual may register to vote



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under this title.

(63) "Regular ballot" means a ballot that is not a provisional ballot.

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

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

(66) "Resident" means a person who resides within a specific voting precinct in Utah.

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

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

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

(68) "Sample ballot" means a mock ballot similar in form to the official ballot printed and distributed as provided in Section 20A-5-405.

(69) "Special election" means an election held as authorized by Section 20A-1-203.

(70) "Spoiled ballot" means each ballot that:

(a) is spoiled by the voter;

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

(c) lacks the official endorsement.

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

(72) "Student voter" means a 16-year-old or 17-year-old individual who is registered to vote in a local school board election.

~~(72)~~ (73) "Tabulation system" means a device or system designed for the sole purpose of tabulating votes cast by voters at an election.

~~(73)~~ (74) "Ticket" means a list of:

(a) political parties;

(b) candidates for an office; or

(c) ballot propositions.

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~~[(74)]~~ (75) "Transfer case" means the sealed box used to transport voted ballots to the counting center.

~~[(75)]~~ (76) "Vacancy" means the absence of a person to serve in any position created by statute, whether that absence occurs because of death, disability, disqualification, resignation, or other cause.

~~[(76)]~~ (77) "Valid voter identification" means:

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

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

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

- (i) a valid tribal identification card;
- (ii) a Bureau of Indian Affairs card; or
- (iii) a tribal treaty card; or

(c) two forms of identification not listed under Subsection ~~[(76)]~~ (77)(a) or (b) but that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include:

- (i) a current utility bill or a legible copy thereof, dated within the 90 days before the election;
- (ii) a bank or other financial account statement, or a legible copy thereof;
- (iii) a certified birth certificate;
- (iv) a valid social security card;
- (v) a check issued by the state or the federal government or a legible copy thereof;
- (vi) a paycheck from the voter's employer, or a legible copy thereof;
- (vii) a currently valid Utah hunting or fishing license;

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- (viii) certified naturalization documentation;
- (ix) a currently valid license issued by an authorized agency of the United States;
- (x) a certified copy of court records showing the voter's adoption or name change;
- (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- (xii) a currently valid identification card issued by:
  - (A) a local government within the state;
  - (B) an employer for an employee; or
  - (C) a college, university, technical school, or professional school located within the

state; or

- (xiii) a current Utah vehicle registration.

~~[(77)]~~ (78) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by following the procedures and requirements of this title.

~~[(78)]~~ (79) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

- (a) mailing the ballot to the location designated in the mailing; or
- (b) depositing the ballot in a ballot drop box designated by the election officer.

~~[(79)]~~ (80) "Voter" means an individual who:

- (a) meets the requirements for voting in an election;
- (b) meets the requirements of election registration;
- (c) is registered to vote; and
- (d) is listed in the official register book.

~~[(80)]~~ (81) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.

~~[(81)]~~ (82) "Voting area" means the area within six feet of the voting booths, voting machines, and ballot box.

~~[(82)]~~ (83) "Voting booth" means:

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

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

~~[(83)]~~ (84) "Voting device" means any device provided by an election officer for a voter to vote a mechanical ballot.

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~~[(84)]~~ (85) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

~~[(85)]~~ (86) "Watcher" means an individual who complies with the requirements described in Section 20A-3a-801 to become a watcher for an election.

~~[(86)]~~ (87) "Write-in ballot" means a ballot containing any write-in votes.

~~[(87)]~~ (88) "Write-in vote" means a vote cast for an individual, whose name is not printed on the ballot, in accordance with the procedures established in this title.

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

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

(1) Except as provided in Subsection ~~[(2)]~~ (3), an individual may register to vote in an election who:

(a) is a citizen of the United States;

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

(c) will be:

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

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

(A) 17 years ~~[of age on]~~ old or before the day of the regular primary election, municipal primary election, or presidential primary election; and

(B) 18 years ~~[of age on]~~ old or before the day of the general election that immediately follows the regular primary election, municipal primary election, or presidential primary election; and

(d) currently resides within the voting district or precinct in which the individual applies to register to vote.

(2) Except as provided in Subsection (3), an individual may register to vote as a student voter in a local school board election if:

(a) the individual will be 16 or 17 years old on the date of the general election for the local school board;

(b) the individual meets the qualifications under Subsections (1)(a), (b), and (d); and

(c) the local school board where the individual currently resides has voted to allow student voters under Section 20A-14-203.

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~~[(2)]~~ (3) (a) (i) An individual who is involuntarily confined or incarcerated in a jail, prison, or other facility within a voting precinct is not a resident of that voting precinct and may not register to vote in that voting precinct unless the individual was a resident of that voting precinct before the confinement or incarceration.

(ii) An individual who is involuntarily confined or incarcerated in a jail or prison is a resident of the voting precinct in which the individual resided before the confinement or incarceration.

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

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

~~[(3) An]~~ (4) Except for a student voter, an individual who is eligible to vote and who resides within the geographic boundaries of the entity in which the election is held may register to vote in a:

- (a) regular general election;
- (b) regular primary election;
- (c) municipal general election;
- (d) municipal primary election;
- (e) statewide special election;
- (f) local special election;
- (g) local district election;
- (h) bond election; and
- (i) presidential primary election.

(5) An individual who is eligible to vote as a student voter and who resides within the geographic boundaries of the local school board district in which the election is held may register to vote in the primary and general elections for the local school board.

Section 3. Section **20A-2-101.1** is amended to read:

### **20A-2-101.1. Preregistering to vote.**

- (1) An individual may preregister to vote if the individual:
  - (a) is 16 or 17 years ~~[of age]~~ old;

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(b) is not eligible to register to vote because the individual does not comply with the age requirements described in Subsection 20A-2-101(1)(c);

(c) is a citizen of the United States;

(d) has been a resident of Utah for at least 30 days; and

(e) currently resides within the voting district or precinct in which the individual preregisters to vote.

(2) An individual described in Subsection (1) may not vote in an election and is not registered to vote until:

(a) the individual is otherwise eligible to register to vote because the individual complies with the age requirements described in Subsection 20A-2-101(1)(c); and

(b) the county clerk registers the individual to vote under Subsection (4).

(3) An individual who preregisters to vote shall:

(a) complete a voter registration form, including an indication that the individual is preregistering to vote; and

(b) submit the voter registration form to a county clerk in person, by mail, or in any other manner authorized by this chapter for the submission of a voter registration form.

(4) (a) A county clerk shall:

(i) retain the voter registration form of an individual who meets the qualifications for preregistration and who submits a completed voter registration form to the county clerk under Subsection (3)(b);

(ii) register the individual to vote in the next election in which the individual will be eligible to vote, before the voter registration deadline established in Section 20A-2-102.5 for that election; and

(iii) send a notice to the individual that:

(A) informs the individual that the individual's voter registration form has been accepted as an application for preregistration;

(B) informs the individual that the individual will be registered to vote in the next election in which the individual will be eligible to vote; and

(C) indicates in which election the individual will be registered to vote.

(b) An individual who the county clerk registers under Subsection (4)(a)(ii) is considered to have applied for voter registration on the earlier of:

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(i) the day of the voter registration deadline immediately preceding the election day on which the individual will be at least 18 years [~~of age~~] old; or

(ii) the day on which the individual turns 18 years [~~of age~~] old.

(c) A county clerk shall refer a voter registration form to the county attorney for investigation and possible prosecution if the clerk or the clerk's designee believes the individual is attempting to preregister to vote in an election in which the individual will not be legally entitled to vote.

(5) (a) The lieutenant governor or a county clerk shall classify the voter registration record of an individual who preregisters to vote as a private record until the day on which the individual turns 18 years [~~of age~~] old.

(b) On the day on which the individual described in Subsection (5)(a) turns 18 years [~~of age~~] old, the lieutenant governor or county clerk shall classify the individual's voter registration record as a public record in accordance with Subsection 63G-2-301(2)(1).

(6) If an individual who is at least 18 years [~~of age~~] old erroneously indicates on the voter registration form that the individual is preregistering to vote, the county clerk shall consider the form as a voter registration form and shall process the form in accordance with this chapter.

(7) (a) Notwithstanding Subsection (1)(b), an individual who registers to vote as a student voter shall also be preregistered to vote unless the individual opts out of preregistration on the individual's voter registration form.

(b) Subsection (2) does not prevent an individual who is preregistered to vote and who is registered as a student voter from voting in a local school board election.

Section 4. Section **20A-2-104** is amended to read:

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

(1) (a) As used in this section:

(i) "Candidate for public office" means an individual:

(A) who files a declaration of candidacy for a public office;

(B) who files a notice of intent to gather signatures under Section 20A-9-408; or

(C) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i)(A) or (B) for political campaign purposes.

(ii) "Dating violence" means the same as that term is defined in Section 78B-7-402 and

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the federal Violence Against Women Act of 1994, as amended.

(iii) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the federal Violence Against Women Act of 1994, as amended.

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

-----  
**UTAH ELECTION REGISTRATION FORM**

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

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

Will you be 18 years [~~of age~~] old on or before election day? Yes No

If you checked "no" to the above question, are you 16 or 17 years [~~of age~~] old and preregistering to vote or registering to vote as a student voter? Yes No

If you are not eligible to vote as a student voter, you will be preregistered to vote. If you are eligible to vote in a local school board election, you will be registered as a student voter and also preregistered to vote as an adult unless you check the box below:

I am registering as a student voter and do not want to be preregistered to vote as an adult.

If you [~~checked "no" to both of the prior two questions~~] will not be 18 years old on or before election day and you are not preregistering to vote or registering to vote as a student voter, do not complete this form.

Name of Voter

\_\_\_\_\_  
First Middle Last

Utah Driver License or Utah Identification Card Number \_\_\_\_\_

Date of Birth \_\_\_\_\_

Street Address of Principal Place of Residence

\_\_\_\_\_  
City County State Zip Code

Telephone Number (optional) \_\_\_\_\_

Last four digits of Social Security Number \_\_\_\_\_

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



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City	County	State	Zip Code
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Political Party

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

Unaffiliated (no political party preference)     Other (Please specify) \_\_\_\_\_

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

Signed and sworn

---

Voter's Signature  
\_\_\_\_\_ (month/day/year).

**PRIVACY INFORMATION**

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

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

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

\_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers.

## HB0338S01 compared with HB0338

### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

A person may request that all information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form and any required verification with this registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order.

### CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

---

Signature of Applicant

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

**NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID**

**HB0338S01 compared with HB0338**

VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND PHOTOGRAPH; OR

TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND CURRENT ADDRESS.

FOR OFFICIAL USE ONLY

Type of I.D. \_\_\_\_\_

Voting Precinct \_\_\_\_\_

Voting I.D. Number \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

## HB0338S01 compared with HB0338

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

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

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

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

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

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

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

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

(F) verifies that each qualified person described in Subsection (4)(a)(v) or (vi), to whom the person provides the year of birth of a registered voter that is obtained from the list of registered voters, will only use the year of birth for a political purpose of the political party or candidate for public office.

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

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

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

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

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

(C) a statement regarding the purpose for which the person desires to obtain the years of birth;

(D) a list of the purposes for which the qualified person may use the year of birth of a registered voter that is obtained from the list of registered voters;

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

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

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

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

(c) The lieutenant governor or a county clerk may not disclose the year of birth of a registered voter to a person that the lieutenant governor or county clerk reasonably believes:

(i) is not a qualified person or a person described in Subsection (4)(l); or

(ii) will provide or use the year of birth in a manner prohibited by law.

(d) The lieutenant governor or a county clerk may not disclose the voter registration form of a person, or information included in the person's voter registration form, whose voter registration form is classified as private under Subsection (4)(h) to a person other than:

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

(ii) except as provided in Subsection (7) and subject to Subsection (4)(e), a person

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described in Subsection (4)(a)(v) or (vi) for a political purpose.

(e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant governor or county clerk shall exclude the information described in Subsection 63G-2-302(1)(j), other than the year of birth.

(f) The lieutenant governor or a county clerk may not disclose a withholding request form, described in Subsections (7) and (8), submitted by an individual, or information obtained from that form, to a person other than a government official or government employee acting in the government official's or government employee's capacity as a government official or government employee.

(g) A person is guilty of a class A misdemeanor if the person:

(i) obtains the year of birth of a registered voter from the list of registered voters under false pretenses;

(ii) uses or provides the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is not permitted by law;

(iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under false pretenses;

(iv) uses or provides information obtained from a voter registration record described in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;

(v) unlawfully discloses or obtains a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8); or

(vi) unlawfully discloses or obtains information from a voter registration record withheld under Subsection (7) or a withholding request form described in Subsections (7) and (8).

(h) The lieutenant governor or a county clerk shall classify the voter registration record of a voter as a private record if the voter:

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

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

(iii) submits a withholding request form described in Subsection (7) and any required verification[-]; or

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(iv) registers to vote as a student voter or preregisters to vote and is not yet 18 years old.

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

(j) In addition to any criminal penalty that may be imposed under this section, the lieutenant governor may impose a civil fine against a person who violates a provision of this section, in an amount equal to the greater of:

(i) the product of 30 and the square root of the total number of:

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

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

(ii) \$200.

(k) A qualified person may not obtain, provide, or use the year of birth of a registered voter, if the year of birth is obtained from the list of registered voters or from a voter registration record, unless the person:

(i) is a government official or government employee who obtains, provides, or uses the year of birth in the government official's or government employee's capacity as a government official or government employee;

(ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or uses the year of birth only to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;

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

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

(l) The lieutenant governor or a county clerk may provide a year of birth to a member

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of the media, in relation to an individual designated by the member of the media, in order for the member of the media to verify the identity of the individual.

(m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose information from a voter registration record for a purpose other than a political purpose.

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

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

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

(b) if the county clerk believes, based upon a review of the form, that an individual may be seeking to register or preregister to vote who is not legally entitled to register or preregister to vote, refer the form to the county attorney for investigation and possible prosecution.

(7) The lieutenant governor or a county clerk shall withhold from a person, other than a person described in Subsection (4)(a)(i), the voter registration record, and information obtained from the voter registration record, of an individual:

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

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

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

(A) a law enforcement officer;

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

(C) a public figure; or

(D) protected by a protective order or protection order; ~~or~~

(b) whose voter registration record was classified as a private record at the request of



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the individual before May 12, 2020[-]; or

(c) who registered to vote as a student voter or preregistered to vote and is not yet 18 years old.

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

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

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

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

Section 5. Section **20A-2-204** is amended to read:

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

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

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

(3) The Driver License Division shall:

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

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

(c) within five days after the day on which the division receives a voter registration

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form, electronically transmit the form to the Office of the Lieutenant Governor, including the following for the individual named on the form:

- (i) the name, date of birth, driver license or state identification card number, last four digits of the social security number, Utah residential address, place of birth, and signature;
- (ii) a mailing address, if different from the individual's Utah residential address;
- (iii) an email address and phone number, if available;
- (iv) the desired political affiliation, if indicated;
- (v) an indication of whether the individual requested that the individual's voter registration record be classified as a private record under Subsection 20A-2-108(2)(b); and
- (vi) a withholding request form described in Subsections 20A-2-104(7) and (8) and any verification submitted with the form.

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

- (a) enter the information into the statewide voter registration database; ~~and~~
- (b) if the individual requests on the individual's voter registration form that the individual's voter registration record be classified as a private record or the individual submits a withholding request form described in Subsections 20A-2-104(7) and (8) and any required verification, classify the individual's voter registration record as a private record~~[-]; and~~
- (c) if the individual is registering to vote as a student voter, classify the individual's voter registration record as a private record until the day on which the individual is 18 years old.

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

- (a) ensure that the individual meets the qualifications to be registered or preregistered to vote; and
- (b) (i) if the individual meets the qualifications to be registered to vote:
  - (A) ensure that the individual is assigned to the proper voting precinct; and
  - (B) send the individual the notice described in Section 20A-2-304; or
- (ii) if the individual meets the qualifications to be preregistered to vote, process the form in accordance with the requirements of Section 20A-2-101.1.

(6) (a) When the county clerk receives a correctly completed voter registration form

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under this section, the clerk shall:

- (i) comply with the applicable provisions of this Subsection (6); or
- (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.

(b) If the county clerk receives a correctly completed voter registration form under this section no later than 5 p.m. or, if submitting the form electronically, midnight, 11 calendar days before the date of an election, the county clerk shall:

- (i) accept the voter registration form; and
- (ii) unless the individual is preregistering to vote:

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

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

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

(c) If the county clerk receives a correctly completed voter registration form under this section after the deadline described in Subsection (6)(b), the county clerk shall, unless the individual named in the form is preregistering to vote:

- (i) accept the application for registration of the individual;
- (ii) process the voter registration form; and

(iii) unless the individual is preregistering to vote, and except as provided in Subsection 20A-2-207(6), inform the individual that the individual will not be registered to vote in the pending election, unless the individual registers to vote by provisional ballot during the early voting period, if applicable, or on election day, in accordance with Section 20A-2-207.

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

(b) If a county clerk believes, based upon a review of a voter registration form, that an

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individual, who knows that the individual is not legally entitled to register or preregister to vote, may be intentionally seeking to register or preregister to vote, the county clerk shall refer the form to the county attorney for investigation and possible prosecution.

Section 6. Section **20A-2-302** is amended to read:

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

(1) (a) A county clerk may:

- (i) contact each high school and each accredited nonpublic high school in the county;
- (ii) determine the number of high school seniors; and
- (iii) distribute voter registration forms to each accredited public or private high school in an amount sufficient for distribution to each high school senior.

(b) The county clerk shall process a voter registration form received from an individual under this section:

(i) for an individual who is not eligible to register as a student voter, in accordance with Section 20A-2-101.1[-]; and

(ii) for an individual who is eligible to register as a student voter, in accordance with Section 20A-2-304.

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

- (a) include the voter registration form in the senior registration packet; and
- (b) collect and forward completed voter registration forms to the county clerk.

Section 7. Section **20A-2-304** is amended to read:

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

Each county clerk shall:

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

- (a) submits a completed voter registration form to the county clerk;
- (b) submits a completed voter registration form, as defined in Section 20A-2-204, to the Driver License Division;
- (c) submits a completed voter registration form to a public assistance agency or a discretionary voter registration agency; or

(d) mails a completed voter registration form to the county clerk; **[and]**

(2) within 30 days after the day on which the county clerk processes a voter registration

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form, send a notice to the individual who submits the form that:

- (a) (i) informs the individual that the individual's voter registration form has been accepted and that the individual is registered to vote;
- (ii) informs the individual of the procedure for designating or changing the individual's political affiliation; and
- (iii) informs the individual of the procedure to cancel a voter registration;
- (b) informs the individual that the individual's voter registration form has been rejected and the reason for the rejection; or
- (c) (i) informs the individual that the individual's voter registration form is being returned to the individual for further action because the form is incomplete; and
- (ii) gives instructions to the individual on how to properly complete the form[-]; and
- (3) if the completed voter registration form is for an individual registering as a student voter and the individual has not opted out of being preregistered to vote on the individual's voter registration form, process the individual's preregistration under Section 20A-2-101.1 after completing the individual's student voter registration under Subsections (1) and (2).

Section 8. Section **20A-6-105** is amended to read:

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

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

"AFFIRMATION

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

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

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

Name of Voter \_\_\_\_\_

First

Middle

Last

Driver License or Identification Card Number \_\_\_\_\_

State of Issuance of Driver License or Identification Card Number \_\_\_\_\_

Date of Birth \_\_\_\_\_

Street Address of Principal Place of Residence

\_\_\_\_\_

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City County State Zip Code

Telephone Number (optional) \_\_\_\_\_

Last four digits of Social Security Number \_\_\_\_\_

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

City County State Zip Code

Voting Precinct (if known)

I, (please print your full name) \_\_\_\_\_ do solemnly swear or affirm:

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

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

Signed \_\_\_\_\_

Dated \_\_\_\_\_

In accordance with Section 20A-3a-506, wilfully providing false information above is a class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

**PRIVACY INFORMATION**

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

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

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

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from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers, by indicating here:

\_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers.

### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

A person may request that all information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form and any required verification with this registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order.

### CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

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Signature of Applicant

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

(2) Each election officer shall ensure that student voter provisional ballot envelopes are printed in substantially the following form:

"AFFIRMATION

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

Will you be 16 or 17 years old on or before election day and are you voting as a student voter in a local school board election? Yes No

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

Name of Voter \_\_\_\_\_

First Middle Last

Driver License or Identification Card Number \_\_\_\_\_

State of Issuance of Driver License or Identification Card Number \_\_\_\_\_

Date of Birth \_\_\_\_\_

Street Address of Principal Place of Residence

\_\_\_\_\_

City County State Zip Code

Telephone Number (optional) \_\_\_\_\_

Last four digits of Social Security Number \_\_\_\_\_

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

\_\_\_\_\_

City County State Zip Code

Voting Precinct (if known)

\_\_\_\_\_  
I, (please print your full name) \_\_\_\_\_ do solemnly swear or affirm:

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



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vote in this precinct; and

Subject to penalty of law for false statements, that the information contained in this form is true, and that I am a citizen of the United States and a resident of Utah, residing at the above address; and that I will be 16 or 17 years old on or before election day and have resided in Utah for the 30 days immediately before this election.

Signed

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Dated

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In accordance with Section 20A-3a-506, wilfully providing false information above is a class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

### PRIVACY INFORMATION

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

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

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

\_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld from all persons other than government entities, political parties, candidates for public office, and their contractors, employees, and volunteers.

### REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

A person may request that all information on the person's voter registration records be withheld from all political parties, candidates for public office, and their contractors, employees, and volunteers, by submitting a withholding request form and any required verification with this registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with a person who is, a law enforcement officer, a member of the armed forces, a public figure, or protected by a protective order or a protection order.

### CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

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

---

Signature of Applicant

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

[(2) The] (3) Each provisional ballot envelope shall include:

- (a) a unique number;
- (b) a detachable part that includes the unique number; and
- (c) a telephone number, internet address, or other indicator of a means, in accordance with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted.

Section 9. Section **20A-6-306** is enacted to read:

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### 20A-6-306. Student voter ballots.

(1) If a local school board votes to allow student voters under Section 20A-14-203, election officers within the local school board's boundaries shall prepare a student voter ballot that will not allow a student voter to vote for any candidate or issue other than a local school board candidate.

(2) Except as provided in Subsection (1), student voter ballots shall comply with all applicable requirements of this chapter.

Section 10. Section **20A-14-203** is amended to read:

**20A-14-203. Becoming a member of a local board of education -- Declaration of candidacy -- Election -- Student ~~{voters}~~voter pilot project.**

(1) An individual may become a candidate for a local school board:

~~[(a) (i) in the 2016 general election, by filing a declaration of candidacy with the county clerk, in accordance with Section 20A-9-202, before 5 p.m. on March 17, 2016; or]~~

~~[(ii) in a general election held after 2016;]~~ (a) by filing a declaration of candidacy with the county clerk on or after the second Friday in March, and before 5 p.m. on the third Thursday in March, before the next regular general election; and

(b) by paying the fee described in Section 20A-9-202.

(2) (a) The term of office for an individual elected to a local board of education is four years, beginning on the first Monday in January after the election.

(b) A member of a local board of education shall serve until a successor is elected or appointed and qualified.

(c) A member of a local board of education is "qualified" when the member takes or signs the constitutional oath of office.

(3) (a) ~~There is created a student voter pilot project.~~

(b) ~~The student voter pilot project begins on January 1, 2022, and ends on January 1, 2027.~~

(c) A local school board may ~~participate in the student voter pilot project, in accordance with the requirements of this section and all other applicable provisions of law,~~ by ~~{a majority vote,}~~voting to allow student voters to vote in the local school board's elections.

(~~{b}~~d) If a local school board votes to ~~{allow}~~participate in the student ~~{voters to vote in the local school board's elections}~~voter pilot project, the local school board shall, as soon as

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is reasonably possible after the vote, transmit notice of the vote to all election officers within the local school board's boundaries.

Section 11. Section **63G-2-302** is amended to read:

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

(1) The following records are private:

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

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

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

(d) records received by or generated by or for:

(i) the Independent Legislative Ethics Commission, except for:

(A) the commission's summary data report that is required under legislative rule; and

(B) any other document that is classified as public under legislative rule; or

(ii) a Senate or House Ethics Committee in relation to the review of ethics complaints, unless the record is classified as public under legislative rule;

(e) records received by, or generated by or for, the Independent Executive Branch Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review of Executive Branch Ethics Complaints;

(f) records received or generated for a Senate confirmation committee concerning character, professional competence, or physical or mental health of an individual:

(i) if, prior to the meeting, the chair of the committee determines release of the records:

(A) reasonably could be expected to interfere with the investigation undertaken by the committee; or

(B) would create a danger of depriving a person of a right to a fair proceeding or impartial hearing; and

(ii) after the meeting, if the meeting was closed to the public;

(g) employment records concerning a current or former employee of, or applicant for employment with, a governmental entity that would disclose that individual's home address, home telephone number, social security number, insurance coverage, marital status, or payroll

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deductions;

(h) records or parts of records under Section 63G-2-303 that a current or former employee identifies as private according to the requirements of that section;

(i) that part of a record indicating a person's social security number or federal employer identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;

(j) that part of a voter registration record identifying a voter's:

(i) driver license or identification card number;

(ii) social security number, or last four digits of the social security number;

(iii) email address; or

(iv) date of birth;

(k) a voter registration record that is classified as a private record by the lieutenant governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or 20A-2-204(4)(b) or (c);

(l) a voter registration record that is withheld under Subsection 20A-2-104(7);

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

(n) a record that:

(i) contains information about an individual;

(ii) is voluntarily provided by the individual; and

(iii) goes into an electronic database that:

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

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

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

(i) Subsection 31A-23a-115(3)(a);

(ii) Subsection 31A-23a-302(4); or

(iii) Subsection 31A-26-210(4);

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

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(q) information provided by an offender that is:

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

(ii) not required to be made available to the public under Subsection 77-41-110(4) or 77-43-108(4);

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

(s) electronic toll collection customer account information received or collected under Section 72-6-118 and customer information described in Section 17B-2a-815 received or collected by a public transit district, including contact and payment information and customer travel data;

(t) an email address provided by a military or overseas voter under Section 20A-16-501;

(u) a completed military-overseas ballot that is electronically transmitted under Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;

(v) records received by or generated by or for the Political Subdivisions Ethics Review Commission established in Section 63A-15-201, except for:

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

(ii) any other document that is classified as public in accordance with Title 63A, Chapter 15, Political Subdivisions Ethics Review Commission;

(w) a record described in Section 53G-9-604 that verifies that a parent was notified of an incident or threat;

(x) a criminal background check or credit history report conducted in accordance with Section 63A-3-201;

(y) a record described in Subsection 53-5a-104(7);

(z) the following portions of a record maintained by a county for the purpose of administering property taxes, an individual's:

(i) email address;

(ii) phone number; or

(iii) personal financial information related to a person's payment method; and

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(aa) a record concerning an individual's eligibility for an exemption, deferral, abatement, or relief under:

- (i) Title 59, Chapter 2, Part 11, Exemptions, Deferrals, and Abatements;
- (ii) Title 59, Chapter 2, Part 12, Property Tax Relief;
- (iii) Title 59, Chapter 2, Part 18, Tax Deferral and Tax Abatement; or
- (iv) Title 59, Chapter 2, Part 19, Armed Forces Exemptions.

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

(a) records concerning a current or former employee of, or applicant for employment with a governmental entity, including performance evaluations and personal status information such as race, religion, or disabilities, but not including records that are public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);

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

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

(ii) information provided to the governmental entity for the purpose of complying with a financial assurance requirement; or

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

(c) records of independent state agencies if the disclosure of those records would conflict with the fiduciary obligations of the agency;

(d) other records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy;

(e) records provided by the United States or by a government entity outside the state that are given with the requirement that the records be managed as private records, if the providing entity states in writing that the record would not be subject to public disclosure if retained by it;

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

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

(i) depict the commission of an alleged crime;

(ii) record any encounter between a law enforcement officer and a person that results in

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death or bodily injury, or includes an instance when an officer fires a weapon;

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

(iv) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f); or

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

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

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

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

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

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