

**Representative Jon Hawkins** proposes the following substitute bill:

# ELECTION SECURITY AMENDMENTS

## 2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jon Hawkins**

Senate Sponsor: Daniel McCay

## LONG TITLE

### **General Description:**

This bill addresses election security and voter confidence.

## 10 **Highlighted Provisions:**

This bill:

- ▶ clarifies that it is unlawful to vote in the same election in Utah and outside of Utah;
- ▶ requires an individual who did not provide valid voter identification when  
ring to vote to provide valid voter identification when voting;
- ▶ prohibits an election officer from soliciting, accepting, or using funds donated for an  
on by a person other than a government entity;

→ [ → requires video surveillance of unattended ballot drop boxes and institutes other requirements and security measures for ballot drop boxes;] ←

- requires the director of elections to make rules establishing:
  - requirements for election officials regarding ballot security, including ballot y, processing, and tabulation;
  - minimum standards for preserving the security of election equipment, including orrage, and maintenance;
  - software validation procedures to verify that voting system files have not been red with; and



26           • minimum requirements that a vendor must meet to be eligible to print ballots to  
27 be used in an election;  
28           ▸ requires the lieutenant governor to conduct an annual voter registration audit;  
29           ▸ restricts access to election equipment and prohibits connecting certain election  
30 equipment to the Internet;  
31           ▸ modifies a county clerk's responsibilities;  
32           ▸ provides for the security of election equipment and information;  
33           ▸ requires increased record keeping for security purposes;  
34           ▸ requires an election official to check available resources to determine whether an  
35 individual registers to vote, or votes, in more than one state or precinct; and  
36           ▸ addresses printing and mailing of ballots.

37 **Money Appropriated in this Bill:**

38 ~~§→ [—This bill appropriates in fiscal year 2023:~~

39 ~~————→ to the Governor's Office — Governor's Office — Lt. Governor's Office as a one-time  
40 appropriation:~~

41 ~~————• from the General Fund, One-time, \$500,000.] None. ←§~~

42 **Other Special Clauses:**

43       None

44 **Utah Code Sections Affected:**

45 **AMENDS:**

46       20A-1-603, as last amended by Laws of Utah 2020, Chapter 31

47       20A-2-304, as last amended by Laws of Utah 2021, Chapter 100

48       20A-2-308, as last amended by Laws of Utah 2014, Chapter 373

49       20A-3a-202, as last amended by Laws of Utah 2021, Chapter 100

50       20A-3a-204, as enacted by Laws of Utah 2020, Chapter 31

51       20A-5-403.5, as last amended by Laws of Utah 2021, First Special Session, Chapter 15

52 **ENACTS:**

53       20A-3a-404, Utah Code Annotated 1953

54       20A-5-207, Utah Code Annotated 1953

55       20A-5-901, Utah Code Annotated 1953

56       20A-5-902, Utah Code Annotated 1953

367 (1) An election officer:  
368 (a) shall designate at least one ballot drop box in each municipality and reservation  
369 located in the jurisdiction to which the election relates;

[~~(a)~~] (b) may designate additional ballot drop boxes for the election officer's jurisdiction; ~~S~~ → [t] ← ~~S~~ and ~~S~~ → [t] ← ~~S~~

372 [b] (c) shall clearly mark each ballot drop box as an official ballot drop box for the  
373 election officer's jurisdiction. ~~S~~ → [f] ← ~~S~~ . ~~S~~ → [h]

374 (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and  
375 (e) shall post a sign on or near each unattended ballot drop box indicating that the  
376 ballot drop box is under 24-hour video surveillance.] ←§

377 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer  
378 shall, at least 19 days before the date of the election, provide notice of the location of each  
379 ballot drop box designated under Subsection (1):

380 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in  
381 the jurisdiction holding the election;

382 (ii) by posting one notice, and at least one additional notice per 2,000 population of the  
383 jurisdiction holding the election, in places within the jurisdiction that are most likely to give  
384 notice to the residents in the jurisdiction, subject to a maximum of 10 notices; or

385 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

386 (b) by posting notice on the Utah Public Notice Website, created in Section  
387 63A-16-601, for 19 days before the day of the election; and

388 (c) by posting notice on the jurisdiction's website for 19 days before the day of the  
389 election.

393 (a) the jurisdiction's website;  
394 (b) the physical address of the jurisdiction's offices; and  
395 (c) a mailing address and telephone number.

396 (4) The election officer shall include in the notice described in Subsection (2):

397 (a) the address of the Statewide Electronic Voter Information Website and, if available,

491        (a) the name of the person accessing the voter database;  
 492        (b) the date and time of the access; and  
 493        (c) any changes made to the voter database.

494        Section 14. Section **20A-6-108** is enacted to read:

495        **20A-6-108. Requirements for printing and mailing ballots.**

496        (1) Before January 2023, the director of elections within the Office of the Lieutenant  
 497 Governor shall, in consultation with county clerks, make rules, in accordance with Title 63G,  
 498 Chapter 3, Utah Administrative Rulemaking Act, establishing minimum requirements that a  
 499 vendor must meet to be eligible to print ballots to be used in an election.

500        (2) Beginning on the effective date of the rules described in Subsection (1), an election  
 501 officer shall ensure that, when the bulk of ballots are initially mailed to voters, the ballots are  
 502 mailed from a location in Utah.

503        **§→ [Section 15. Appropriation:**

504        The following sums of money are appropriated for the fiscal year beginning July 1,  
 505 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for  
 506 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
 507 Act, the Legislature appropriates the following sums of money from the funds or accounts  
 508 indicated for the use and support of the government of the state of Utah.

509        **ITEM 1**

510        **To Governor's Office -- Governor's Office**

<u>From General Fund, One-time</u>	<u><b>\$500,000</b></u>
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512        **Schedule of Programs:**

<u>Lt. Governor's Office</u>	<u><b>\$500,000</b></u>
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514        **The Legislature intends that:**

515        (1) appropriations provided under this section be distributed, in a manner determined  
 516 by the lieutenant governor, to assist counties and municipalities to obtain video surveillance  
 517 equipment to comply with Subsection 20A-5-403.5(1); and  
 518        (2) under Section 63J-1-603, appropriations provided under this section not lapse at the  
 519 close of fiscal year 2023 and the use of any nonlapsing funds is limited to the purpose  
 520 described in Subsection (1).] ←§