

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.

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 registering to vote to provide valid voter identification when voting;
 - ▶ prohibits an election officer from soliciting, accepting, or using funds donated for an election 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 custody, processing, and tabulation;
 - minimum standards for preserving the security of election equipment, including use, storage, and maintenance;
 - software validation procedures to verify that voting system files have not been tampered with; and



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

Money Appropriated in this Bill:

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

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

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

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

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

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

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

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

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

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

ENACTS:

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

20A-5-207, Utah Code Annotated 1953

20A-5-901, Utah Code Annotated 1953

20A-5-902, Utah Code Annotated 1953

(1) An election officer:

(a) shall designate at least one ballot drop box in each municipality and reservation located in the jurisdiction to which the election relates;

~~[(a)]~~ (b) may designate additional ballot drop boxes for the election officer's jurisdiction; ~~§→ [f] ←§~~ and ~~§→ [f] ←§~~

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

~~—— (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and~~

~~—— (e) shall post a sign on or near each unattended ballot drop box indicating that the ballot drop box is under 24-hour video surveillance.] ←§~~

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

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

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

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

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

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

(3) Instead of including the location of ballot drop boxes, a notice required under Subsection (2) may specify the following sources where a voter may view or obtain a copy of all ballot drop box locations:

(a) the jurisdiction's website;

(b) the physical address of the jurisdiction's offices; and

(c) a mailing address and telephone number.

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

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

(a) the name of the person accessing the voter database;

(b) the date and time of the access; and

(c) any changes made to the voter database.

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

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

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

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

§→ [Section 15. Appropriation:

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

~~**ITEM 1**~~

~~———— To Governor's Office -- Governor's Office~~

~~From General Fund, One-time~~

~~\$500,000~~

~~———— Schedule of Programs:~~

~~———— Lt. Governor's Office ————— \$500,000~~

~~———— The Legislature intends that:~~

~~———— (1) appropriations provided under this section be distributed, in a manner determined by the lieutenant governor, to assist counties and municipalities to obtain video surveillance equipment to comply with Subsection 20A-5-403.5(1); and~~

~~———— (2) under Section 63J-1-603, appropriations provided under this section not lapse at the close of fiscal year 2023 and the use of any nonlapsing funds is limited to the purpose described in Subsection (1);~~ ←§