

Representative Jon Hawkins proposes the following substitute bill:

ELECTION SECURITY AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jon Hawkins

Senate Sponsor: _____

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



- 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.

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

- 57 20A-5-903, Utah Code Annotated 1953
- 58 20A-5-904, Utah Code Annotated 1953
- 59 20A-5-905, Utah Code Annotated 1953
- 60 20A-6-108, Utah Code Annotated 1953



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

63 Section 1. Section 20A-1-603 is amended to read:

64 **20A-1-603. Fraud, interference, disturbance -- Tampering with ballots or records**
65 **-- Penalties.**

66 (1) (a) An individual may not fraudulently vote on the individual's behalf or on behalf
67 of another, by:

68 (i) voting more than once at any one election, regardless of whether one of the
69 elections is in a state or territory of the United States outside of Utah;

70 (ii) knowingly handing in two or more ballots folded together;

71 (iii) changing any ballot after the ballot is cast or deposited in the ballot box, or ballot
72 drop box, or mailed;

73 (iv) adding or attempting to add any ballot or vote to those legally polled at any
74 election by fraudulently introducing the ballot or vote into the ballot box or vote tally, either
75 before or after the ballots have been counted;

76 (v) adding to or mixing or attempting to add or mix, other ballots with the ballots
77 lawfully polled while those ballots are being counted or canvassed, or at any other time; or

78 (vi) voting in a voting district or precinct when the individual knew or should have
79 known that the individual was not eligible for voter registration in that district or precinct,
80 unless the individual is legally entitled to vote the ballot under Section 20A-4-107 or another
81 provision of this title.

82 (b) A person may not fraudulently interfere with an election by:

83 (i) willfully tampering with, detaining, mutilating, or destroying any election returns;

84 (ii) in any manner, interfering with the officers holding an election or conducting a
85 canvass, or with the voters lawfully exercising their rights of voting at an election, so as to
86 prevent the election or canvass from being fairly held or lawfully conducted;

87 (iii) engaging in riotous conduct at any election, or interfering in any manner with any

88 election official in the discharge of the election official's duties;

89 (iv) inducing any election officer, or officer whose duty it is to ascertain, announce, or
90 declare the result of any election or to give or make any certificate, document, or evidence in
91 relation to any election, to violate or refuse to comply with the election officer's duty or any law
92 regulating the election officer's duty;

93 (v) taking, carrying away, concealing, removing, or destroying any ballot, pollbook, or
94 other thing from a polling place, or from the possession of the person authorized by law to have
95 the custody of that thing;

96 (vi) taking, carrying away, concealing, removing, or destroying a ballot drop box or the
97 contents of a ballot drop box; or

98 (vii) aiding, counseling, providing, procuring, advising, or assisting any person to do
99 any of the acts described in this section.

100 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), a
101 person who commits an offense under Subsection (1) is guilty of a class A misdemeanor.

102 (3) The lieutenant governor shall take, and store for at least 22 months, a static copy of
103 the official register made at the following times:

104 (a) the voter registration deadline described in Subsection 20A-2-102.5(2)(a);

105 (b) the day of the election; and

106 (c) the last day of the canvass.

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

108 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**

109 Each county clerk shall:

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

112 (a) submits a completed voter registration form to the county clerk;

113 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to
114 the Driver License Division;

115 (c) submits a completed voter registration form to a public assistance agency or a
116 discretionary voter registration agency; or

117 (d) mails a completed voter registration form to the county clerk; and

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

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

120 (a) (i) informs the individual that the individual's voter registration form has been
121 accepted and that the individual is registered to vote;

122 (ii) informs the individual of the procedure for designating or changing the individual's
123 political affiliation;

124 (iii) informs the individual of the procedure to cancel a voter registration; [~~and~~]

125 [~~(iv) after May 1, 2022;~~]

126 (iv) provides instructions to the voter on how the voter may sign up to receive

127 electronic ballot status notifications via the ballot tracking system described in Section

128 [20A-3a-401.5](#); and

129 [~~(A)~~] (v) confirms that the individual has chosen to receive electronic ballot status
130 notifications if the individual opted to receive electronic ballot status notifications on the voter
131 registration form; [~~or~~]

132 [~~(B) notifies the individual how to receive electronic ballot status notifications if the
133 individual did not opt to receive electronic ballot status notifications on the voter registration
134 form;~~]

135 (b) informs the individual that the individual's voter registration form has been rejected
136 and the reason for the rejection; or

137 (c) (i) informs the individual that the individual's voter registration form is being
138 returned to the individual for further action because the form is incomplete; and

139 (ii) gives instructions to the individual on how to properly complete the form.

140 Section 3. Section **20A-2-308** is amended to read:

141 **20A-2-308. Lieutenant governor and county clerks to preserve records.**

142 (1) As used in this section:

143 (a) "Voter registration record" means a record concerning the implementation of
144 programs and activities conducted for the purpose of ensuring that the official register is
145 accurate and current.

146 (b) "Voter registration record" does not include a record that:

147 (i) relates to a person's decision to decline to register to vote; or

148 (ii) identifies the particular public assistance agency, discretionary voter registration
149 agency, or Driver License Division through which a particular voter registered to vote.

- 150 (2) The lieutenant governor and each county clerk shall:
- 151 (a) preserve for at least two years all records relating to voter registration, including:
- 152 (i) the official register; and
- 153 (ii) the names and addresses of all persons to whom the notice required by Section
- 154 [20A-2-306](#) was sent and a notation as to whether or not the person responded to the notice;
- 155 (b) make a voter registration record available for public inspection, except for a voter
- 156 registration record, or part of a voter registration record that is classified as private under
- 157 Section [63G-2-302](#); and
- 158 (c) allow a record or part of a record described in Subsection (2)(b) that is not
- 159 classified as a private record to be photocopied for a reasonable cost.
- 160 (3) The lieutenant governor shall take, and store for at least 22 months, a static copy of
- 161 the official register made at the following times:
- 162 (a) the voter registration deadline described in Subsection [20A-2-102.5\(2\)\(a\)](#);
- 163 (b) the day of the election; and
- 164 (c) the last day of the canvass.
- 165 Section 4. Section **20A-3a-202** is amended to read:
- 166 **20A-3a-202. Conducting election by mail.**
- 167 (1) (a) Except as otherwise provided for an election conducted entirely by mail under
- 168 Section [20A-7-609.5](#), an election officer shall administer an election primarily by mail, in
- 169 accordance with this section.
- 170 (b) An individual who did not provide valid voter identification at the time the voter
- 171 registered to vote shall provide valid voter identification before voting.
- 172 (2) An election officer who administers an election:
- 173 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day
- 174 and no later than seven days before election day, mail to each active voter within a voting
- 175 precinct:
- 176 (i) a manual ballot;
- 177 (ii) a return envelope;
- 178 (iii) instructions for returning the ballot that include an express notice about any
- 179 relevant deadlines that the voter must meet in order for the voter's vote to be counted;
- 180 (iv) for an election administered by a county clerk, information regarding the location

181 and hours of operation of any election day voting center at which the voter may vote or a
182 website address where the voter may view this information;

183 (v) for an election administered by an election officer other than a county clerk, if the
184 election officer does not operate a polling location or an election day voting center, a warning,
185 on a separate page of colored paper in bold face print, indicating that if the voter fails to follow
186 the instructions included with the ballot, the voter will be unable to vote in that election
187 because there will be no polling place for the voting precinct on the day of the election; and

188 (vi) after May 1, 2022, instructions on how a voter may sign up to receive electronic
189 ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5; and

190 (b) may not mail a ballot under this section to:

191 (i) an inactive voter, unless the inactive voter requests a manual ballot; or

192 (ii) a voter whom the election officer is prohibited from sending a ballot under
193 Subsection (10)(c)(ii).

194 (3) (a) An election officer who mails a manual ballot under Subsection (2) shall mail
195 the manual ballot to the address:

196 (i) provided at the time of registration; or

197 (ii) if, at or after the time of registration, the voter files an alternate address request
198 form described in Subsection (3)(b), the alternate address indicated on the form.

199 (b) The lieutenant governor shall make available to voters an alternate address request
200 form that permits a voter to request that the election officer mail the voter's ballot to a location
201 other than the voter's residence.

202 (c) A voter shall provide the completed alternate address request form to the election
203 officer no later than 11 days before the day of the election.

204 (4) The return envelope shall include:

205 (a) the name, official title, and post office address of the election officer on the front of
206 the envelope;

207 (b) a space where a voter may write an email address and phone number by which the
208 election officer may contact the voter if the voter's ballot is rejected;

209 (c) a printed affidavit in substantially the following form:

210 "County of ____ State of ____

211 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct

212 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
213 currently incarcerated for commission of a felony.

214 _____

215 Signature of Voter"; and

216 (d) a warning that the affidavit must be signed by the individual to whom the ballot
217 was sent and that the ballot will not be counted if the signature on the affidavit does not match
218 the signature on file with the election officer of the individual to whom the ballot was sent.

219 (5) If the election officer determines that the voter is required to show valid voter
220 identification, the election officer may:

221 (a) mail a ballot to the voter; ~~and~~

222 (b) instruct the voter to include a copy of the voter's valid voter identification with the
223 return ballot[-]; and

224 (c) provide instructions to the voter on how the voter may sign up to receive electronic
225 ballot status notifications via the ballot tracking system described in Section [20A-3a-401.5](#).

226 (6) An election officer who administers an election shall:

227 (a) (i) before the election, obtain the signatures of each voter qualified to vote in the
228 election; or

229 (ii) obtain the signature of each voter within the voting precinct from the county clerk;
230 and

231 (b) maintain the signatures on file in the election officer's office.

232 (7) Upon receipt of a returned ballot, the election officer shall review and process the
233 ballot under Section [20A-3a-401](#).

234 (8) A county that administers an election:

235 (a) shall provide at least one election day voting center in accordance with Chapter 3a,
236 Part 7, Election Day Voting Center, and at least one additional election day voting center for
237 every 5,000 active voters in the county who have requested to not receive a ballot by mail;

238 (b) shall ensure that each election day voting center operated by the county has at least
239 one voting device that is accessible, in accordance with the Help America Vote Act of 2002,
240 Pub. L. No. 107-252, for individuals with disabilities;

241 (c) may reduce the early voting period described in Section [20A-3a-601](#), if:

242 (i) the county clerk conducts early voting on at least four days;

243 (ii) the early voting days are within the period beginning on the date that is 14 days
244 before the date of the election and ending on the day before the election; and
245 (iii) the county clerk provides notice of the reduced early voting period in accordance
246 with Section 20A-3a-604;
247 (d) is not required to pay return postage for a ballot; and
248 (e) is subject to an audit conducted under Subsection (9).
249 (9) (a) The lieutenant governor shall:
250 (i) develop procedures for conducting an audit of affidavit signatures on ballots cast in
251 an election conducted under this section; and
252 (ii) after each primary, general, or special election conducted under this section, select
253 a number of ballots, in varying jurisdictions, to audit in accordance with the procedures
254 developed under Subsection (9)(a)(i).
255 (b) The lieutenant governor shall post the results of an audit conducted under this
256 Subsection (9) on the lieutenant governor's website.
257 (10) (a) An individual may request that the election officer not send the individual a
258 ballot by mail in the next and subsequent elections by submitting a written request to the
259 election officer.
260 (b) An individual shall submit the request described in Subsection (10)(a) to the
261 election officer before 5 p.m. no later than 60 days before an election if the individual does not
262 wish to receive a ballot by mail in that election.
263 (c) An election officer who receives a request from an individual under Subsection
264 (10)(a):
265 (i) shall remove the individual's name from the list of voters who will receive a ballot
266 by mail; and
267 (ii) may not send the individual a ballot by mail for:
268 (A) the next election, if the individual submits the request described in Subsection
269 (10)(a) before the deadline described in Subsection (10)(b); or
270 (B) an election after the election described in Subsection (10)(c)(ii)(A).
271 (d) An individual who submits a request under Subsection (10)(a) may resume the
272 individual's receipt of a ballot by mail by submitting a written request to the election officer.
273 Section 5. Section 20A-3a-204 is amended to read:

274 **20A-3a-204. Marking and depositing ballots.**

275 (1) To vote by mail:

276 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual
277 ballot by marking the appropriate space with a mark opposite the name of each candidate of the
278 voter's choice for each office to be filled;

279 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
280 appropriate space with a mark opposite the answer the voter intends to make;

281 (c) except as provided in Subsection (6), the voter shall record a write-in vote in
282 accordance with Subsection 20A-3a-206(1);

283 (d) except as provided in Subsection (6), a mark is not required opposite the name of a
284 write-in candidate; and

285 (e) the voter shall:

286 (i) complete and sign the affidavit on the return envelope;

287 (ii) place the voted ballot in the return envelope;

288 (iii) if required, place a copy of the voter's valid voter identification in the return
289 envelope;

290 [~~(iii)~~] (iv) securely seal the return envelope; and

291 [~~(iv)~~] (v) (A) attach postage, if necessary, and deposit the return envelope in the mail;

292 or

293 (B) place the return envelope in a ballot drop box, designated by the election officer,
294 for the precinct where the voter resides.

295 (2) (a) Except as otherwise provided in Section 20A-16-404, to be valid, a ballot that is
296 mailed must be:

297 (i) clearly postmarked before election day, or otherwise clearly marked by the post
298 office as received by the post office before election day; and

299 (ii) received in the office of the election officer before noon on the day of the official
300 canvass following the election.

301 (b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls
302 close on election day, be deposited in:

303 (i) a ballot box at a polling place; or

304 (ii) a ballot drop box designated by an election officer for the jurisdiction to which the

305 ballot relates.

306 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot
307 drop box in the wrong jurisdiction to the correct jurisdiction.

308 (d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a
309 ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, to
310 deposit the ballot in the ballot drop box.

311 (3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after
312 complying with Subsections (1)(a) through (d):

313 (a) sign the official register or pollbook; and

314 (b) (i) place the ballot in the ballot box; or

315 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot
316 envelope, complete the information printed on the provisional ballot envelope, and deposit the
317 provisional ballot envelope in the provisional ballot box.

318 (4) (a) An individual with a disability may vote a mechanical ballot at a polling place.

319 (b) An individual other than an individual with a disability may vote a mechanical
320 ballot at a polling place if permitted by the election officer.

321 (5) To vote a mechanical ballot, the voter shall:

322 (a) make the selections according to the instructions provided for the voting device;

323 and

324 (b) subject to Subsection (6), record a write-in vote by:

325 (i) selecting the appropriate position for entering a write-in candidate; and

326 (ii) using the voting device to enter the name of the valid write-in candidate for whom
327 the voter wishes to vote.

328 (6) To vote in an instant runoff voting race under Title 20A, Chapter 4, Part 6,
329 Municipal Alternate Voting Methods Pilot Project, a voter:

330 (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's
331 first preference for the office; and

332 (b) may indicate, as directed on the ballot, the names of the remaining candidates in
333 order of the voter's preference.

334 (7) A voter who votes at a polling place:

335 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting

336 area after voting; and

337 (b) may not:

338 (i) occupy a voting booth occupied by another, except as provided in Section

339 [20A-3a-208](#);

340 (ii) remain within the voting area more than 10 minutes; or

341 (iii) occupy a voting booth for more than five minutes if all booths are in use and other
342 voters are waiting to occupy a voting booth.

343 (8) If the official register shows any voter as having voted, that voter may not reenter
344 the voting area during that election unless that voter is an election official or watcher.

345 (9) A poll worker may not, at a polling place, allow more than four voters more than
346 the number of voting booths into the voting area at one time unless those excess voters are:

347 (a) election officials;

348 (b) watchers; or

349 (c) assisting voters with a disability.

350 Section 6. Section **20A-3a-404** is enacted to read:

351 **20A-3a-404. Rules regarding ballot security -- Affidavit of compliance.**

352 (1) The director of elections within the Office of the Lieutenant Governor shall make
353 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
354 establishing requirements for election officials regarding ballot security, including the custody,
355 documentation of custody, handling, processing, disposition, and tabulation of ballots.

356 (2) Beginning in November 2022, an election officer shall include, with all election
357 returns provided to a board of canvassers, an affidavit, signed by the election officer, certifying:

358 (a) compliance with the rules described in Subsection (1); and

359 (b) that the county clerk maintains the voter registration database in accordance with
360 federal and state laws and rules.

361 Section 7. Section **20A-5-207** is enacted to read:

362 **20A-5-207. Donated funding prohibited.**

363 An election officer may not solicit, accept, or use any funds for an election if those
364 funds are donated by any person other than a government entity.

365 Section 8. Section **20A-5-403.5** is amended to read:

366 **20A-5-403.5. Ballot drop boxes.**

- 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;
- 370 ~~[(a)]~~ (b) may designate additional ballot drop boxes for the election officer's
- 371 jurisdiction; ~~[and]~~
- 372 ~~[(b)]~~ (c) shall clearly mark each ballot drop box as an official ballot drop box for the
- 373 election officer's jurisdiction[-];
- 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.
- 390 (3) Instead of including the location of ballot drop boxes, a notice required under
- 391 Subsection (2) may specify the following sources where a voter may view or obtain a copy of
- 392 all ballot drop box locations:
- 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,

398 the address of the election officer's website, with a statement indicating that the election officer
399 will post on the website the location of each ballot drop box, including any changes to the
400 location of a ballot drop box and the location of additional ballot drop boxes; and

401 (b) a phone number that a voter may call to obtain information regarding the location
402 of a ballot drop box.

403 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
404 deadline described in Subsection (2):

405 (i) if necessary, change the location of a ballot drop box; or

406 (ii) if the election officer determines that the number of ballot drop boxes is
407 insufficient due to the number of registered voters who are voting, designate additional ballot
408 drop boxes.

409 (b) Except as provided in Section 20A-1-308, if an election officer changes the
410 location of a ballot box or designates an additional ballot drop box location, the election officer
411 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
412 the additional ballot drop box location:

413 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

414 (ii) by posting the information on the website of the election officer, if available; and

415 (iii) by posting notice:

416 (A) for a change in the location of a ballot drop box, at the new location and, if
417 possible, the old location; and

418 (B) for an additional ballot drop box location, at the additional ballot drop box
419 location.

420 (6) An election officer may, at any time, authorize two or more poll workers to remove
421 a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.

422 (7) (a) At least two poll workers must be present when a poll worker collects ballots
423 from a ballot drop box and delivers the ballots to the location where the ballots will be opened
424 and counted.

425 (b) An election officer shall ensure that the chain of custody of ballots placed in a
426 ballot box are recorded and tracked from the time the ballots are removed from the ballot box
427 until the ballots are delivered to the location where the ballots will be opened and counted.

428 Section 9. Section 20A-5-901 is enacted to read:

429 **Part 9. Election Security**430 **20A-5-901. Voter registration audit.**431 (1) The lieutenant governor shall, on at least an annual basis, conduct an audit of the
432 voter registration database.433 (2) The audit shall include:434 (a) a random selection of at least .02% of the active registered voters statewide; and435 (b) at least one active registered voter from each county.436 (3) For each voter selected for the audit, the auditor shall:437 (a) verify that the voter is eligible for registration;438 (b) verify that the voter's registration information is accurate and supported by the439 documentation on file;440 (c) verify that there is a signature on file for the voter;441 (d) check for duplicate voter registrations; and442 (e) search available resources to determine whether the voter is deceased.443 (4) The audit report shall identify areas of concern or training needed in response to the
444 audit findings.445 (5) The lieutenant governor shall:446 (a) share the audit results with the county clerks and verify that the county clerks447 address the concerns and fulfill the training identified under Subsection (4); and448 (b) beginning in 2023, report biannually to the Government Operations Interim449 Committee on the results of the audits conducted under this section.450 Section 10. Section **20A-5-902** is enacted to read:451 **20A-5-902. Security of election equipment.**452 (1) Except when divesting election equipment as surplus property or providing for
453 maintenance, an election officer may not permit an individual, other than an election official,
454 access to election equipment.455 (2) An election officer shall keep a record of service work done on voting equipment,
456 including:457 (a) a designation of the specific equipment serviced;458 (b) the date of service;459 (c) the names of all individuals who perform or supervise the service;

460 (d) the name of each vendor that performs the service; and

461 (e) a description of the service performed.

462 Section 11. Section **20A-5-903** is enacted to read:

463 **20A-5-903. Cyber security.**

464 (1) An election officer shall ensure that the following election equipment is never
465 connected to the Internet:

466 (a) tabulation servers;

467 (b) tabulation equipment;

468 (c) ballot scanners, including central, precinct, and mobile scanners; and

469 (d) ballot marking devices.

470 (2) This section does not prohibit Internet connection of equipment used for voting if
471 the equipment's use of voting is solely for the purpose of:

472 (a) complying with Title 20A, Chapter 16, Uniform Military and Overseas Voting Act;

473 or

474 (b) administering the Internet Voting Pilot Project, described in Section [20A-6-103](#).

475 Section 12. Section **20A-5-904** is enacted to read:

476 **20A-5-904. Voter fraud.**

477 An election officer shall:

478 (1) check available resources to determine whether an individual registers to vote, or
479 votes, in more than one state or precinct; and

480 (2) report the information to law enforcement or a prosecutor if the election officer has
481 reason to believe that an individual has intentionally committed election fraud.

482 Section 13. Section **20A-5-905** is enacted to read:

483 **20A-5-905. Software validation -- Database security.**

484 (1) Before November 2022, the director of elections within the Office of the Lieutenant
485 Governor shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
486 Rulemaking Act, establishing software validation procedures that an election officer is required
487 to comply with to verify that voting system files have not been tampered with.

488 (2) The lieutenant governor and each county clerk shall ensure that a record is made,
489 and stored for at least 22 months, of each time a voter database is accessed by a person,
490 including:

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

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

496 **20A-6-108. Requirements for printing and mailing ballots.**

497 (1) Before November 2022, the director of elections within the Office of the Lieutenant
498 Governor shall, in consultation with county clerks, make rules, in accordance with Title 63G,
499 Chapter 3, Utah Administrative Rulemaking Act, establishing minimum requirements that a
500 vendor must meet to be eligible to print ballots to be used in an election.

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

504 Section 15. **Appropriation.**

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

510 ITEM 1

511 To Governor's Office -- Governor's Office

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

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

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

519 (2) under Section [63J-1-603](#), appropriations provided under this section not lapse at the
520 close of fiscal year 2023 and the use of any nonlapsing funds is limited to the purpose
521 described in Subsection (1).