

HB0411S01 compared with HB0411

~~{deleted text}~~ shows text that was in HB0411 but was deleted in HB0411S01.

inserted text shows text that was not in HB0411 but was inserted into HB0411S01.

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Representative Michael J. Petersen proposes the following substitute bill:

VOTING ADMINISTRATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael J. Petersen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to the administration of elections.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ~~{~~ → ~~modifies the privacy disclosure on the voter registration form;~~
- ~~permits a political party to obtain:~~
 - ~~certain private information on a voter registration record; and~~
 - ~~certain information on a voter registration record for which the voter requests additional privacy protection;~~
- ~~limits disclosure, by a political party, of the information described in the preceding paragraph;~~

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- ‡ ▶ provides that an election officer is not required to mail a ballot to certain "dormant" voters, unless the voters request a ballot;
- ▶ establishes a deadline to cure a rejected ballot; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

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-2-104**, as last amended by Laws of Utah 2021, Chapter 100~~

~~— **20A-2-108**, as last amended by Laws of Utah 2021, Chapter 100~~

~~— **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-2-306**, as last amended by Laws of Utah 2021, Chapters 11 and 100~~

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

20A-3a-401, as renumbered and amended by Laws of Utah 2020, Chapter 31

20A-5-804, as last amended by Laws of Utah 2020, Chapter 31

~~{ **20A-6-105**, as last amended by Laws of Utah 2021, Chapter 100~~

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.

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(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 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

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election day.

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

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(23) "Election officer" means:

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

(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.

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(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).

(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.

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(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 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

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cast votes.

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

(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

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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 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)~~(5), 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) "Tabulation system" means a device or system designed for the sole purpose of tabulating votes cast by voters at an election.

(73) "Ticket" means a list of:

(a) political parties;

(b) candidates for an office; or

(c) ballot propositions.

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

(75) "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) "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)(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) "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) "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) "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) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.

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

(82) "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) "Voting device" means any device provided by an election officer for a voter to vote a mechanical ballot.

(84) "Voting precinct" means the smallest geographical voting unit, established under

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Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

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

(86) "Write-in ballot" means a ballot containing any write-in votes.

(87) "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-2-104}~~ 20A-3a-202 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 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 on or before election day? _____ Yes _____ No~~

~~If you checked "no" to the above question, are you 16 or 17 years of age and preregistering to vote? _____ Yes _____ No~~

~~If you checked "no" to both of the prior two questions, do not complete this form.~~

~~Name of Voter~~

_____ First _____ Middle _____ Last

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~~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) _____~~

~~Email Address (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~~

~~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 preregistering to vote in a later election, I will be at least 18 years of age 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.~~

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~~_____ Your driver license number, identification card number, social security number, email address, [full date of birth,] and complete phone number are available only to government entities. Your full date of birth, the precinct where you live, and the last four digits of your phone number are available to political parties and their leaders, employees, and volunteers, in accordance with the requirements of law. 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.~~

~~_____ 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:~~

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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 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 _____

=====

~~_____ (c) Beginning May 1, 2022, the voter registration form described in Subsection (1)(b) shall include a section in substantially the following form:~~

=====

~~_____ **BALLOT NOTIFICATIONS**~~

~~_____ If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box, by indicating here:~~

~~_____ Yes, I would like to receive electronic notifications regarding the status of my~~

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ballot.

~~———— (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.~~

~~———— (e) A political party, or an agent or employee of a political party:~~

~~———— (i) except as it relates to a voter described in Subsection (8), may, in addition to the information from the list of registered voters that is otherwise available to the political party, obtain the following information from the list of registered voters:~~

~~———— (A) the names of the voters;~~

~~———— (B) the dates of birth of the voters;~~

~~———— (C) the precincts where the voters live; and~~

~~———— (D) the last four digits of the voters' phone numbers;~~

~~———— (ii) may not disclose the information described in Subsection (3)(e)(i)(A) or (C) to a candidate for public office or any other person unless that candidate or other person is entitled to that information under another provision of this section;~~

~~———— (iii) may not disclose the information described in Subsection (3)(e)(i)(B) to a candidate or any other person, except that a political party, or an agent or employee of a political party, may disclose voters' years of birth to a candidate or other person entitled to that information under another provision of this section; and~~

~~———— (iv) may not disclose the information described in Subsection (3)(e)(i)(D) to a candidate for public office or any other person.~~

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- ~~———— (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;~~
 - ~~———— (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~~

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~~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~~

~~—— (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~~

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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)(i), a person described in Subsection (4)(a)(v) or (vi) for a political purpose[.]; or~~
 - ~~—— (iii) subject to Subsection (4)(e)(ii), a political party, or an agent or employee of a political party.~~
- ~~—— (e) (i) 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.~~
- ~~—— (ii) When disclosing a record or information under Subsection (4)(d)(iii), the lieutenant governor or county clerk shall exclude the information described in Subsection 63G-2-302(1)(j), other than the information described in Subsection (3)(e)(i).~~
- ~~—— (f) The lieutenant governor or a county clerk may not disclose a withholding request form, described in Subsections (7) and [(8)] (9), 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, or any information described in Subsection (3)(e)(i), from the list of registered voters under false pretenses;~~
 - ~~—— (ii) uses or provides the year of birth of a registered voter, or any information described in Subsection (3)(e)(i), 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;~~

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~~—— (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 (8) or a withholding request form described in Subsections (7) and [(8)] (9);~~
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)] (9);~~

~~—— (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.~~

~~—— (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) or (8).~~

~~—— (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:~~

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~~—— (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 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] Except as provided in Subsection (3)(c)(i), the lieutenant governor or a~~

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~~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)] (a) 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)] (b) the individual indicates on the form and provides verification that the individual, or an individual who resides with the individual, is:~~

~~—— [(A)] (i) a law enforcement officer;~~

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

~~—— [(C)] (iii) a public figure; or~~

~~—— [(D)] (iv) protected by a protective order or protection order[, or];~~

~~—— [(b)] (8) 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 whose voter registration record was classified as a private record at the request of the individual before May 12, 2020:~~

~~—— [(8)] (9) (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)] (7)(b).~~

~~—— [(9)] (10) 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~~

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form:

~~Section 3. Section 20A-2-108 is amended to read:~~

~~20A-2-108. Driver license or state identification card registration form --~~

~~Transmittal of information.~~

~~(1) As used in this section, "qualifying form" means:~~

~~(a) a driver license application form; or~~

~~(b) a state identification card application form.~~

~~(2) The lieutenant governor and the Driver License Division shall design each qualifying form to include:~~

~~(a) the following question, which an applicant is required to answer: "Do you authorize the use of information in this form for voter registration purposes? YES _____ NO _____";~~

~~(b) the following statement:~~

~~_____ "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, [full date of birth,] and complete phone number are available only to government entities. Your full date of birth, the precinct where you live, and the last four digits of your phone number are available to political parties and their leaders, employees, and volunteers, in accordance with the requirements of law. 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.~~

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~~———— 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."; and~~

~~———— (c) beginning May 1, 2022, a section in substantially the following form:~~

~~=====~~

~~————— BALLOT NOTIFICATIONS~~

~~———— If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box, by indicating here:~~

~~———— Yes, I would like to receive electronic notifications regarding the status of my ballot.~~

~~=====~~

~~———— (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form contains:~~

~~———— (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and Utah residency, and that the information provided in the form is true;~~

~~———— (b) a records disclosure that is similar to the records disclosure on a voter registration form described in Section 20A-2-104;~~

~~———— (c) a statement that if an applicant declines to register or preregister to vote, the fact~~

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~~that the applicant has declined to register or preregister will remain confidential and will be used only for voter registration purposes;~~

~~—— (d) a statement that if an applicant does register or preregister to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and~~

~~—— (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a space where an individual may, if desired:~~

~~—— (i) indicate the individual's desired political affiliation from a listing of each registered political party, as defined in Section 20A-8-101;~~

~~—— (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires to affiliate; or~~

~~—— (iii) indicate that the individual does not wish to affiliate with a political party.~~

~~—— Section 4. 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 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;~~

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- ~~—— (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)] (9) 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)] (9) and any required verification, classify the individual's voter registration record as a private record.~~
- ~~—— (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 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]~~

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- ~~—— (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 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 5. Section 20A-2-306 is amended to read:~~
- ~~—— 20A-2-306. **Removing names from the official register -- Determining and confirming change of residence:**~~
- ~~—— (1) A county clerk may not remove a voter's name from the official register on the~~

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~~grounds that the voter has changed residence unless the voter:~~

~~—— (a) confirms in writing that the voter has changed residence to a place outside the county; or~~

~~—— (b) (i) has not voted in an election during the period beginning on the date of the notice required by Subsection (3), and ending on the day after the date of the second regular general election occurring after the date of the notice; and~~

~~—— (ii) has failed to respond to the notice required by Subsection (3).~~

~~—— (2) (a) When a county clerk obtains information that a voter's address has changed and it appears that the voter still resides within the same county, the county clerk shall:~~

~~—— (i) change the official register to show the voter's new address; and~~

~~—— (ii) send to the voter, by forwardable mail, the notice required by Subsection (3) printed on a postage prepaid, preaddressed return form.~~

~~—— (b) When a county clerk obtains information that a voter's address has changed and it appears that the voter now resides in a different county, the county clerk shall verify the changed residence by sending to the voter, by forwardable mail, the notice required by Subsection (3) printed on a postage prepaid, preaddressed return form.~~

~~—— (3) (a) Each county clerk shall use substantially the following form to notify voters whose addresses have changed:~~

~~—— "VOTER REGISTRATION NOTICE~~

~~—— We have been notified that your residence has changed. Please read, complete, and return this form so that we can update our voter registration records. What is your current street address?~~

~~_____

Street _____ City _____ County _____ State _____ Zip~~

~~—— What is your current phone number (optional)? _____~~

~~—— What is your current email address (optional)? _____~~

~~—— If you have not changed your residence or have moved but stayed within the same county, you must complete and return this form to the county clerk so that it is received by the county clerk before 5 p.m. no later than 30 days before the date of the election. If you fail to return this form within that time:~~

~~—— - you may be required to show evidence of your address to the poll worker before being~~

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~~allowed to vote in either of the next two regular general elections; or~~

~~_____ - if you fail to vote at least once from the date this notice was mailed until the passing of two regular general elections, you will no longer be registered to vote. If you have changed your residence and have moved to a different county in Utah, you may register to vote by contacting the county clerk in your county.~~

Signature of Voter

~~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, [full date of birth,] and complete phone number are available only to government entities. Your full date of birth, the precinct where you live, and the last four digits of your phone number are available to political parties and their leaders, employees, and volunteers, in accordance with the requirements of law. 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:~~

~~_____ A person may request that all information on the person's voter registration records be~~

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~~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."~~

~~——— (b) Beginning May 1, 2022, the form described in Subsection (3)(a) shall also include a section in substantially the following form:~~

~~=====~~

~~————— BALLOT NOTIFICATIONS~~

~~——— If you have provided a phone number or email address, you can receive notifications by text message or email regarding the status of a ballot that is mailed to you or a ballot that you deposit in the mail or in a ballot drop box, by indicating here:~~

~~——— Yes, I would like to receive electronic notifications regarding the status of my ballot.~~

~~=====~~

~~——— (4) (a) Except as provided in Subsection (4)(b), the county clerk may not remove the names of any voters from the official register during the 90 days before a regular primary election and the 90 days before a regular general election:~~

~~——— (b) The county clerk may remove the names of voters from the official register during the 90 days before a regular primary election and the 90 days before a regular general election if:~~

~~——— (i) the voter requests, in writing, that the voter's name be removed, or~~

~~——— (ii) the voter has died.~~

~~——— (c) (i) After a county clerk mails a notice as required in this section, the county clerk may list that voter as inactive.~~

~~——— (ii) If a county clerk receives a returned voter identification card, determines that there~~

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~~was no clerical error causing the card to be returned, and has no further information to contact the voter, the county clerk may list that voter as inactive:~~

~~—— (iii) An inactive voter shall be allowed to vote, sign petitions, and have all other privileges of a registered voter:~~

~~—— (iv) A county is not required to send routine mailings to an inactive voter and is not required to count inactive voters when dividing precincts and preparing supplies:~~

~~—— (5) Beginning on or before January 1, 2022, the lieutenant governor shall make available to a county clerk United States Social Security Administration data received by the lieutenant governor regarding deceased individuals:~~

~~—— (6) A county clerk shall, within ten business days after the day on which the county clerk receives the information described in Subsection (5) or Subsections 26-2-13(11) and (12) relating to a decedent whose name appears on the official register, remove the decedent's name from the official register:~~

~~—— (7) Ninety days before a regular primary election and 90 days before a regular general election the lieutenant governor shall compare the information the lieutenant governor has received under Subsection 26-2-13(11) with the official register of voters to ensure that all deceased voters have been removed from the official register:~~

~~—— Section 6. Section **20A-3a-202** is amended to read:~~

‡ **20A-3a-202. Conducting election by mail.**

(1) As used in this section:

(a) "Current voter" means a registered voter:

(i) who voted in the last presidential election;

(ii) who voted in at least one of the last two regular primary elections;

(iii) who voted in at least one of the last two regular general elections;

(iv) who registered to vote, or updated the voter's voter registration, within the preceding four years; or

(v) from whom, after becoming a dormant voter, and no later than 10 days before election day, the election officer receives a written request for a mailed ballot.

(b) "Dormant voter" means a registered voter who:

(i) did not vote in the last presidential election;

(ii) did not vote in at least one of the last two regular primary elections;

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(iii) did not vote in at least one of the last two regular general elections; and

(iv) did not register to vote, nor update the voter's voter registration, within the preceding two years.

~~[(1)]~~ (2) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.

~~[(2)]~~ (3) An election officer who administers an election:

(a) shall in accordance with Subsection ~~[(3)]~~ (4), no sooner than 21 days before election day and no later than seven days before election day, mail to each ~~[active]~~ current voter within a voting precinct:

(i) a manual ballot;

(ii) a return envelope;

(iii) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;

(iv) for an election administered by a county clerk, information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information;

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

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

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

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

(ii) a voter whom the election officer is prohibited from sending a ballot under Subsection ~~[(10)]~~ (11)(c)(ii).

~~[(3)]~~ (4) (a) An election officer who mails a manual ballot under Subsection ~~[(2)]~~ (3) shall mail the manual ballot to the address:

(i) provided at the time of registration; or

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(ii) if, at or after the time of registration, the voter files an alternate address request form described in Subsection [~~(3)~~] (4)(b), the alternate address indicated on the form.

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

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

[~~(4)~~] (5) The return envelope shall include:

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

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

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

"County of ____ State of ____

I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon currently incarcerated for commission of a felony.

Signature of Voter"; and

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

[~~(5)~~] (6) If the election officer determines that the voter is required to show valid voter identification, the election officer may:

(a) mail a ballot to the voter; and

(b) instruct the voter to include a copy of the voter's valid voter identification with the return ballot.

[~~(6)~~] (7) An election officer who administers an election shall:

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

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

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and

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

~~[(7)]~~ (8) Upon receipt of a returned ballot, the election officer shall review and process the ballot under Section 20A-3a-401.

~~[(8)]~~ (9) A county that administers an election:

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

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

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

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

(ii) the early voting days are within the period beginning on the date that is 14 days before the date of the election and ending on the day before the election; and

(iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604;

(d) is not required to pay return postage for a ballot; and

(e) is subject to an audit conducted under Subsection ~~[(9)]~~ (10).

~~[(9)]~~ (10) (a) The lieutenant governor shall:

(i) develop procedures for conducting an audit of affidavit signatures on ballots cast in an election conducted under this section; and

(ii) after each primary, general, or special election conducted under this section, select a number of ballots, in varying jurisdictions, to audit in accordance with the procedures developed under Subsection ~~[(9)]~~ (10)(a)(i).

(b) The lieutenant governor shall post the results of an audit conducted under this Subsection ~~[(9)]~~ (10) on the lieutenant governor's website.

~~[(10)]~~ (11) (a) An individual may request that the election officer not send the individual a ballot by mail in the next and subsequent elections by submitting a written request to the election officer.

(b) An individual shall submit the request described in Subsection ~~[(10)]~~ (11)(a) to the

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election officer before 5 p.m. no later than 60 days before an election if the individual does not wish to receive a ballot by mail in that election.

(c) An election officer who receives a request from an individual under Subsection ~~[(10)]~~ (11)(a):

(i) shall remove the individual's name from the list of voters who will receive a ballot by mail; and

(ii) may not send the individual a ballot by mail for:

(A) the next election, if the individual submits the request described in Subsection ~~[(10)]~~ (11)(a) before the deadline described in Subsection ~~[(10)]~~ (11)(b); or

(B) an election after the election described in Subsection ~~[(10)]~~ (11)(c)(ii)(A).

(d) An individual who submits a request under Subsection ~~[(10)]~~ (11)(a) may resume the individual's receipt of a ballot by mail by submitting a written request to the election officer.

Section ~~{7}~~3. Section **20A-3a-401** is amended to read:

20A-3a-401. Custody of voted ballots mailed or deposited in a ballot drop box -- Disposition -- Notice.

(1) This section governs ballots returned by mail or via a ballot drop box.

(2) (a) Poll workers shall open return envelopes containing manual ballots that are in the custody of the poll workers in accordance with Subsection (2)(b).

(b) The poll workers shall, first, compare the signature of the voter on the affidavit of the return envelope to the signature of the voter in the voter registration records.

(3) After complying with Subsection (2), the poll workers shall determine whether:

(a) the signatures correspond;

(b) the affidavit is sufficient;

(c) the voter is registered to vote in the correct precinct;

(d) the voter's right to vote the ballot has been challenged;

(e) the voter has already voted in the election;

(f) the voter is required to provide valid voter identification; and

(g) if the voter is required to provide valid voter identification, whether the voter has provided valid voter identification.

(4) (a) The poll workers shall take the action described in Subsection (4)(b) if the poll

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workers determine that:

- (i) the signatures correspond;
- (ii) the affidavit is sufficient;
- (iii) the voter is registered to vote in the correct precinct;
- (iv) the voter's right to vote the ballot has not been challenged;
- (v) the voter has not already voted in the election; and
- (vi) for a voter required to provide valid voter identification, that the voter has

provided valid voter identification.

(b) If the poll workers make all of the findings described in Subsection (4)(a), the poll workers shall:

- (i) remove the manual ballot from the return envelope in a manner that does not destroy the affidavit on the return envelope;
- (ii) ensure that the ballot does not unfold and is not otherwise examined in connection with the return envelope; and
- (iii) place the ballot with the other ballots to be counted.

(c) If the poll workers do not make all of the findings described in Subsection (4)(a), the poll workers shall:

- (i) disallow the vote;
- (ii) without opening the return envelope, mark across the face of the return envelope:
 - (A) "Rejected as defective"; or
 - (B) "Rejected as not a registered voter"; and
- (iii) place the return envelope, unopened, with the other rejected return envelopes.

(5) (a) If the poll workers reject an individual's ballot because the poll workers determine that the signature on the return envelope does not match the individual's signature in the voter registration records, the election officer shall contact the individual in accordance with Subsection (7) by mail, email, text message, or phone, and inform the individual:

- (i) that the individual's signature is in question;
- (ii) how the individual may resolve the issue; and
- (iii) that, in order for the ballot to be counted, the individual is required to deliver to

the election officer a correctly completed affidavit, provided by the county clerk, that meets the requirements described in Subsection (5)(b).

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(b) An affidavit described in Subsection (5)(a)(iii) shall include:

(i) an attestation that the individual voted the ballot;

(ii) a space for the individual to enter the individual's name, date of birth, and driver license number or the last four digits of the individual's social security number;

(iii) a space for the individual to sign the affidavit; and

(iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant governor's and county clerk's use of the individual's signature on the affidavit for voter identification purposes.

(c) In order for an individual described in Subsection (5)(a) to have the individual's ballot counted, the individual shall deliver the affidavit described in Subsection (5)(b) to the election officer.

(d) An election officer who receives a signed affidavit under Subsection (5)(c) shall immediately:

(i) scan the signature on the affidavit electronically and keep the signature on file in the statewide voter registration database developed under Section 20A-2-109; and

(ii) if the election officer receives the affidavit no later than 5 p.m. [~~the day before~~] three days before the day on which the canvass begins, count the individual's ballot.

(6) If the poll workers reject an individual's ballot for any reason, other than the reason described in Subsection (5)(a), the election officer shall notify the individual of the rejection in accordance with Subsection (7) by mail, email, text message, or phone and specify the reason for the rejection.

(7) An election officer who is required to give notice under Subsection (5) or (6) shall give the notice no later than:

(a) if the election officer rejects the ballot before election day:

(i) one business day after the day on which the election officer rejects the ballot, if the election officer gives the notice by email or text message; or

(ii) two business days after the day on which the election officer rejects the ballot, if the election officer gives the notice by postal mail or phone;

(b) seven days after election day if the election officer rejects the ballot on election day;

or

(c) seven days after the canvass if the election officer rejects the ballot after election

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day and before the end of the canvass.

(8) An election officer may not count the ballot of an individual whom the election officer contacts under Subsection (5) or (6) unless:

(a) the election officer receives a signed affidavit from the individual under Subsection (5)(b) or is otherwise able to establish contact with the individual to confirm the individual's identity[-]; and

(b) the affidavit described in Subsection (8)(a) is received, or the confirmation described in Subsection (8)(a) occurs, no later than 5 p.m. three days before the day on which the canvass begins.

(9) The election officer shall retain and preserve the return envelopes in the manner provided by law for the retention and preservation of ballots voted at that election.

Section ~~{8}~~4. Section **20A-5-804** is amended to read:

**20A-5-804. Voting Equipment Grant Program -- Qualifications for receipt --
Matching funds -- Acceptable uses.**

(1) As used in this section:

(a) "Program" means the Voting Equipment Grant Program created in this section.

(b) "Proportional reimbursement rate" means the dollar amount equal to the product of:

(i) the total amount of funds appropriated by the Legislature to the program; and

(ii) the quotient of:

(A) the total number of active voters in a county; and

(B) the total number of registered voters in the state.

(2) (a) There is created the Voting Equipment Grant Program as a grant program to assist counties in purchasing new voting equipment systems.

(b) The lieutenant governor shall administer the program using funds appropriated by the Legislature for the purpose of administering the program.

(3) (a) After January 1, 2018, a county may submit a proposal to the Office of the Lieutenant Governor to participate in and receive funds from the program.

(b) A proposal described in Subsection (3)(a) shall:

(i) describe the current condition of the voting equipment used by the county;

(ii) describe the county's need for a new voting equipment system;

(iii) describe how the county plans to comply with the requirements described in

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Subsection (4), including:

(A) a description of how the county plans to provide the matching funds described in Subsection (4)(b) if the proposal is accepted; and

(B) a schedule by which the requirements will be met; and

(iv) contain a detailed estimate of the gross cost of procuring a new voting equipment system.

(4) A county that receives funds through a program grant:

(a) shall use the funds to purchase a new voting equipment system that:

(i) meets the requirements of Section 20A-5-802;

(ii) creates a secure and auditable paper record of each vote; and

(iii) complies with any additional binding requirement made under Subsection 20A-5-803(8) by the Voting Equipment Selection Committee;

(b) shall, for the purpose of purchasing a new voting equipment system, appropriate matching funds equal to or greater than the difference of:

(i) the amount described in Subsection (3)(b)(iv) in the proposal that the lieutenant governor accepts under Subsection (6)(b); and

(ii) the amount the lieutenant governor is required to disburse to the county under Subsection (7)(a);

(c) may not use funds disbursed under Subsection (6)(b)(i)(D) or appropriated under Subsection (4)(b) for a purpose or in a manner that is not authorized by this section;

(d) except as provided in Subsection (5), may not, after using a new voting equipment system in an election that was purchased under this section, use voting equipment that does not meet the requirements described in Subsection (4)(a); and

(e) shall purchase a new voting equipment system described under Subsection (4)(a) that provides the best value to the county with consideration for the new voting equipment system's:

(i) cost of maintenance;

(ii) estimated operational lifetime; and

(iii) cost of replacement.

(5) A county that receives funds through the program may use voting equipment that does not comply with the requirements described in Subsection (4)(a)(ii) or (iii):

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(a) to the extent that using the voting equipment is necessary to accommodate a person with a disability in accordance with the requirements described in Subsection 20A-3a-202[(8)](9)(b), 20A-3a-603(1)(c), 20A-5-303(8), or 20A-5-403(2)(b)(iii); or

(b) if the county purchased the voting equipment before receiving grant funds under Subsection (7)(a).

(6) Upon receipt of a proposal described in Subsection (3), the lieutenant governor shall:

(a) review the proposal to ensure that:

(i) the proposal complies with the requirements described in Subsection (3); and

(ii) the cost estimate described in Subsection (3)(b)(iv) appears to be reasonable; and

(b) (i) if the proposal complies with the requirements described in Subsection (3), the cost estimate appears to be reasonably accurate, and sufficient program funds are available:

(A) accept the proposal;

(B) notify the county clerk of the county that submitted the proposal that the proposal is accepted;

(C) notify the county clerk of the requirements described in Subsection (7); and

(D) disburse the funds described in Subsection (7)(a), in accordance with the requirements described in Subsection (7)(b), to the county that submitted the proposal; or

(ii) if the proposal does not comply with the requirements described in Subsection (3), the cost estimate does not appear to be reasonable, or sufficient program funds are not available:

(A) reject the proposal; and

(B) notify the county clerk of the county that submitted the proposal that the proposal is rejected, indicating the reason that the proposal is rejected.

(7) The lieutenant governor:

(a) shall disburse funds under Subsection (6)(b)(i)(D) equal to the lesser of:

(i) 50% of the amount described in Subsection (3)(b)(iv) in the proposal that the lieutenant governor accepts under Subsection (6)(b); or

(ii) the proportional reimbursement rate; and

(b) may not disburse funds under Subsection (6)(b)(i)(D):

(i) until the county appropriates the matching funds described in Subsection (4)(b); or

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(ii) if the disbursement would cause the county's total receipt of funds from the program to exceed the proportional reimbursement rate.

~~{ Section 9. 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~~

~~_____~~

~~_____ City _____ County _____ State _____ Zip Code~~

~~Telephone Number (optional) _____~~

~~Email Address (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 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, [full date of birth,] and complete phone number are available only to government entities. Your full date of birth, the precinct where you live, and the last four digits of your phone number are available to political parties and their leaders, employees, and volunteers, in accordance with the requirements of law. 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~~

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~~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 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 provisional ballot envelope shall include:~~

~~—— (a) a unique number;~~

~~—— (b) a detachable part that includes the unique number;~~

~~—— (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;~~

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and

~~—— (d) beginning May 1, 2022, an insert containing written instructions on how a voter may sign up to receive ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5.~~

†