

Representative Jordan D. Teuscher proposes the following substitute bill:

SCHOOL DISTRICT VOTER ELIGIBILITY AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: Todd D. Weiler

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ allows local school boards to vote to allow students who are 16 and 17 years old to vote in local school board elections;
- ▶ prohibits school staff at schools in the pilot project from electioneering during instructional time on school property;
- ▶ describes the circumstances under which local school board candidates may be allowed to campaign to students during instructional time on school property; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



- 26 **20A-1-102**, as last amended by Laws of Utah 2020, Chapters 31, 49, 255, and 354
- 27 **20A-2-101**, as last amended by Laws of Utah 2019, Chapter 433
- 28 **20A-2-101.1**, as last amended by Laws of Utah 2018, Chapter 223
- 29 **20A-2-104**, as last amended by Laws of Utah 2021, Chapter 100
- 30 **20A-2-204**, as last amended by Laws of Utah 2020, Chapters 31, 95, 255 and last
- 31 amended by Coordination Clause, Laws of Utah 2020, Chapter 95
- 32 **20A-2-302**, as last amended by Laws of Utah 2020, Chapter 31
- 33 **20A-2-304**, as last amended by Laws of Utah 2021, Chapter 100
- 34 **20A-6-105**, as last amended by Laws of Utah 2021, Chapter 100
- 35 **20A-14-203**, as last amended by Laws of Utah 2016, Chapter 16
- 36 **63G-2-302**, as last amended by Laws of Utah 2021, Chapters 100, 143, and 367

37 ENACTS:

- 38 **20A-6-306**, Utah Code Annotated 1953
- 39 **20A-14-203.5**, Utah Code Annotated 1953



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

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

43 **20A-1-102. Definitions.**

44 As used in this title:

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

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

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

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

52 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters
53 on the ballot for their approval or rejection including:

54 (a) an opinion question specifically authorized by the Legislature;

55 (b) a constitutional amendment;

56 (c) an initiative;

- 57 (d) a referendum;
- 58 (e) a bond proposition;
- 59 (f) a judicial retention question;
- 60 (g) an incorporation of a city or town; or
- 61 (h) any other ballot question specifically authorized by the Legislature.
- 62 (5) "Bind," "binding," or "bound" means securing more than one piece of paper
- 63 together using staples or another means in at least three places across the top of the paper in the
- 64 blank space reserved for securing the paper.
- 65 (6) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
- 66 [20A-4-306](#) to canvass election returns.
- 67 (7) "Bond election" means an election held for the purpose of approving or rejecting
- 68 the proposed issuance of bonds by a government entity.
- 69 (8) "Business reply mail envelope" means an envelope that may be mailed free of
- 70 charge by the sender.
- 71 (9) "Canvass" means the review of election returns and the official declaration of
- 72 election results by the board of canvassers.
- 73 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at
- 74 the canvass.
- 75 (11) "Contracting election officer" means an election officer who enters into a contract
- 76 or interlocal agreement with a provider election officer.
- 77 (12) "Convention" means the political party convention at which party officers and
- 78 delegates are selected.
- 79 (13) "Counting center" means one or more locations selected by the election officer in
- 80 charge of the election for the automatic counting of ballots.
- 81 (14) "Counting judge" means a poll worker designated to count the ballots during
- 82 election day.
- 83 (15) "Counting room" means a suitable and convenient private place or room for use
- 84 by the poll workers and counting judges to count ballots.
- 85 (16) "County officers" means those county officers that are required by law to be
- 86 elected.
- 87 (17) "Date of the election" or "election day" or "day of the election":

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

90 (b) does not include:

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

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

95 (18) "Elected official" means:

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

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

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

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

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

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

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

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

111 (b) act as the presiding election judge; or

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

113 (23) "Election officer" means:

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

115 (b) the county clerk for:

116 (i) a county ballot and election; and

117 (ii) a ballot and election as a provider election officer as provided in Section
118 20A-5-400.1 or 20A-5-400.5;

- 119 (c) the municipal clerk for:
- 120 (i) a municipal ballot and election; and
- 121 (ii) a ballot and election as a provider election officer as provided in Section
- 122 [20A-5-400.1](#) or [20A-5-400.5](#);
- 123 (d) the local district clerk or chief executive officer for:
- 124 (i) a local district ballot and election; and
- 125 (ii) a ballot and election as a provider election officer as provided in Section
- 126 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 127 (e) the business administrator or superintendent of a school district for:
- 128 (i) a school district ballot and election; and
- 129 (ii) a ballot and election as a provider election officer as provided in Section
- 130 [20A-5-400.1](#) or [20A-5-400.5](#).
- 131 (24) "Election official" means any election officer, election judge, or poll worker.
- 132 (25) "Election results" means:
- 133 (a) for an election other than a bond election, the count of votes cast in the election and
- 134 the election returns requested by the board of canvassers; or
- 135 (b) for bond elections, the count of those votes cast for and against the bond
- 136 proposition plus any or all of the election returns that the board of canvassers may request.
- 137 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
- 138 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted
- 139 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
- 140 the total votes cast form.
- 141 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
- 142 or logically associated with a record and executed or adopted by a person with the intent to sign
- 143 the record.
- 144 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
- 145 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).
- 146 (29) "Judicial office" means the office filled by any judicial officer.
- 147 (30) "Judicial officer" means any justice or judge of a court of record or any county
- 148 court judge.
- 149 (31) "Local district" means a local government entity under Title 17B, Limited Purpose

150 Local Government Entities - Local Districts, and includes a special service district under Title
151 17D, Chapter 1, Special Service District Act.

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

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

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

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

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

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

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

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

170 (38) "Municipal executive" means:

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

172 (b) the mayor in the council-manager form of government defined in Subsection
173 10-3b-103(7); or

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

175 (39) "Municipal general election" means the election held in municipalities and, as
176 applicable, local districts on the first Tuesday after the first Monday in November of each
177 odd-numbered year for the purposes established in Section 20A-1-202.

178 (40) "Municipal legislative body" means:

179 (a) the council of the city or town in any form of municipal government; or

180 (b) the council of a metro township.

- 181 (41) "Municipal office" means an elective office in a municipality.
- 182 (42) "Municipal officers" means those municipal officers that are required by law to be
183 elected.
- 184 (43) "Municipal primary election" means an election held to nominate candidates for
185 municipal office.
- 186 (44) "Municipality" means a city, town, or metro township.
- 187 (45) "Official ballot" means the ballots distributed by the election officer for voters to
188 record their votes.
- 189 (46) "Official endorsement" means the information on the ballot that identifies:
190 (a) the ballot as an official ballot;
191 (b) the date of the election; and
192 (c) (i) for a ballot prepared by an election officer other than a county clerk, the
193 facsimile signature required by Subsection [20A-6-401\(1\)\(a\)\(iii\)](#); or
194 (ii) for a ballot prepared by a county clerk, the words required by Subsection
195 [20A-6-301\(1\)\(b\)\(iii\)](#).
- 196 (47) "Official register" means the official record furnished to election officials by the
197 election officer that contains the information required by Section [20A-5-401](#).
- 198 (48) "Political party" means an organization of registered voters that has qualified to
199 participate in an election by meeting the requirements of Chapter 8, Political Party Formation
200 and Procedures.
- 201 (49) (a) "Poll worker" means a person assigned by an election official to assist with an
202 election, voting, or counting votes.
203 (b) "Poll worker" includes election judges.
204 (c) "Poll worker" does not include a watcher.
- 205 (50) "Pollbook" means a record of the names of voters in the order that they appear to
206 cast votes.
- 207 (51) "Polling place" means a building where voting is conducted.
- 208 (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
209 in which the voter marks the voter's choice.
- 210 (53) "Presidential Primary Election" means the election established in Chapter 9, Part
211 8, Presidential Primary Election.

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

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

215 (a) is built into a voting machine; and

216 (b) records the total number of movements of the operating lever.

217 (56) "Provider election officer" means an election officer who enters into a contract or
218 interlocal agreement with a contracting election officer to conduct an election for the
219 contracting election officer's local political subdivision in accordance with Section
220 [20A-5-400.1](#).

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

222 (a) whose name is not listed on the official register at the polling place;

223 (b) whose legal right to vote is challenged as provided in this title; or

224 (c) whose identity was not sufficiently established by a poll worker.

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

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

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

232 (i) elected to public office; or

233 (ii) appointed to fill a vacancy in an elected public office.

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

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

238 (62) "Registration form" means a form by which an individual may register to vote
239 under this title.

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

241 (64) "Regular general election" means the election held throughout the state on the first
242 Tuesday after the first Monday in November of each even-numbered year for the purposes

243 established in Section 20A-1-201.

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

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

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

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

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

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

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

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

257 (a) is spoiled by the voter;

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

259 (c) lacks the official endorsement.

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

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

264 [~~72~~] (73) "Tabulation system" means a device or system designed for the sole
265 purpose of tabulating votes cast by voters at an election.

266 [~~73~~] (74) "Ticket" means a list of:

267 (a) political parties;

268 (b) candidates for an office; or

269 (c) ballot propositions.

270 [~~74~~] (75) "Transfer case" means the sealed box used to transport voted ballots to the
271 counting center.

272 [~~75~~] (76) "Vacancy" means the absence of a person to serve in any position created
273 by statute, whether that absence occurs because of death, disability, disqualification,

274 resignation, or other cause.

275 [~~(76)~~] (77) "Valid voter identification" means:

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

278 (i) a currently valid Utah driver license;

279 (ii) a currently valid identification card that is issued by:

280 (A) the state; or

281 (B) a branch, department, or agency of the United States;

282 (iii) a currently valid Utah permit to carry a concealed weapon;

283 (iv) a currently valid United States passport; or

284 (v) a currently valid United States military identification card;

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

287 (i) a valid tribal identification card;

288 (ii) a Bureau of Indian Affairs card; or

289 (iii) a tribal treaty card; or

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

293 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
294 election;

295 (ii) a bank or other financial account statement, or a legible copy thereof;

296 (iii) a certified birth certificate;

297 (iv) a valid social security card;

298 (v) a check issued by the state or the federal government or a legible copy thereof;

299 (vi) a paycheck from the voter's employer, or a legible copy thereof;

300 (vii) a currently valid Utah hunting or fishing license;

301 (viii) certified naturalization documentation;

302 (ix) a currently valid license issued by an authorized agency of the United States;

303 (x) a certified copy of court records showing the voter's adoption or name change;

304 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

305 (xii) a currently valid identification card issued by:

306 (A) a local government within the state;

307 (B) an employer for an employee; or

308 (C) a college, university, technical school, or professional school located within the

309 state; or

310 (xiii) a current Utah vehicle registration.

311 [~~77~~] (78) "Valid write-in candidate" means a candidate who has qualified as a
312 write-in candidate by following the procedures and requirements of this title.

313 [~~78~~] (79) "Vote by mail" means to vote, using a manual ballot that is mailed to the
314 voter, by:

315 (a) mailing the ballot to the location designated in the mailing; or

316 (b) depositing the ballot in a ballot drop box designated by the election officer.

317 [~~79~~] (80) "Voter" means an individual who:

318 (a) meets the requirements for voting in an election;

319 (b) meets the requirements of election registration;

320 (c) is registered to vote; and

321 (d) is listed in the official register book.

322 [~~80~~] (81) "Voter registration deadline" means the registration deadline provided in
323 Section [20A-2-102.5](#).

324 [~~81~~] (82) "Voting area" means the area within six feet of the voting booths, voting
325 machines, and ballot box.

326 [~~82~~] (83) "Voting booth" means:

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

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

330 [~~83~~] (84) "Voting device" means any device provided by an election officer for a
331 voter to vote a mechanical ballot.

332 [~~84~~] (85) "Voting precinct" means the smallest geographical voting unit, established
333 under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

334 [~~85~~] (86) "Watcher" means an individual who complies with the requirements
335 described in Section [20A-3a-801](#) to become a watcher for an election.

336 [~~(86)~~] (87) "Write-in ballot" means a ballot containing any write-in votes.

337 [~~(87)~~] (88) "Write-in vote" means a vote cast for an individual, whose name is not
338 printed on the ballot, in accordance with the procedures established in this title.

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

340 **20A-2-101. Eligibility for registration.**

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

343 (a) is a citizen of the United States;

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

345 (c) will be:

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

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

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

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

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

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

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

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

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

363 [~~(2)~~] (3) (a) (i) An individual who is involuntarily confined or incarcerated in a jail,
364 prison, or other facility within a voting precinct is not a resident of that voting precinct and may
365 not register to vote in that voting precinct unless the individual was a resident of that voting
366 precinct before the confinement or incarceration.

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

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

373 (c) An individual whose right to vote has been restored, as provided in Section
 374 20A-2-101.3 or 20A-2-101.5, is eligible to register to vote.

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

- 378 (a) regular general election;
- 379 (b) regular primary election;
- 380 (c) municipal general election;
- 381 (d) municipal primary election;
- 382 (e) statewide special election;
- 383 (f) local special election;
- 384 (g) local district election;
- 385 (h) bond election; and
- 386 (i) presidential primary election.

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

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

391 **20A-2-101.1. Preregistering to vote.**

392 (1) An individual may preregister to vote if the individual:

- 393 (a) is 16 or 17 years ~~[of age]~~ old;
- 394 (b) is not eligible to register to vote because the individual does not comply with the
 395 age requirements described in Subsection 20A-2-101(1)(c);
- 396 (c) is a citizen of the United States;
- 397 (d) has been a resident of Utah for at least 30 days; and

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

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

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

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

405 (3) An individual who preregisters to vote shall:

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

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

410 (4) (a) A county clerk shall:

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

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

417 (iii) send a notice to the individual that:

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

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

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

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

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

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

428 (c) A county clerk shall refer a voter registration form to the county attorney for

429 investigation and possible prosecution if the clerk or the clerk's designee believes the
430 individual is attempting to preregister to vote in an election in which the individual will not be
431 legally entitled to vote.

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

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

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

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

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

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

448 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

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

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

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

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

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

455 (ii) "Dating violence" means the same as that term is defined in Section [78B-7-402](#) and
456 the federal Violence Against Women Act of 1994, as amended.

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

459 (b) An individual applying for voter registration, or an individual preregistering to

460 vote, shall complete a voter registration form in substantially the following form:

461 -----

462 UTAH ELECTION REGISTRATION FORM

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

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

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

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

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

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

475 Name of Voter

476 _____

477 First Middle Last

478 Utah Driver License or Utah Identification Card Number _____

479 Date of Birth _____

480 Street Address of Principal Place of Residence

481 _____

482 City County State Zip Code

483 Telephone Number (optional) _____

484 Email Address (optional) _____

485 Last four digits of Social Security Number _____

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

488 _____

489 City County State Zip Code

490 Political Party

491 (a listing of each registered political party, as defined in Section 20A-8-101 and maintained by
 492 the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)
 493 Unaffiliated (no political party preference) Other (Please specify)_____

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

500 Signed and sworn

501 _____

502 Voter's Signature

503 _____(month/day/year).

504 PRIVACY INFORMATION

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

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

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

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

519 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

520 In addition to the protections provided above, you may request that all information on
 521 your voter registration records be withheld from all political parties, candidates for public

522 office, and their contractors, employees, and volunteers, by submitting a withholding request
523 form, and any required verification, as described in the following paragraphs.

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

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

535 CITIZENSHIP AFFIDAVIT

536 Name:

537 Name at birth, if different:

538 Place of birth:

539 Date of birth:

540 Date and place of naturalization (if applicable):

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

544 _____

545 Signature of Applicant

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

549 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID
550 VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST
551 BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND
552 PHOTOGRAPH; OR

553 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND
554 CURRENT ADDRESS.
555 FOR OFFICIAL USE ONLY

556 Type of I.D. _____
557 Voting Precinct _____
558 Voting I.D. Number _____

559 -----
560 (c) Beginning May 1, 2022, the voter registration form described in Subsection (1)(b)
561 shall include a section in substantially the following form:

562 -----
563 **BALLOT NOTIFICATIONS**

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

567 _____ Yes, I would like to receive electronic notifications regarding the status of my
568 ballot.

569 -----
570 (2) (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy
571 of each voter registration form in a permanent countywide alphabetical file, which may be
572 electronic or some other recognized system.

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

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

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

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

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

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

583 (i) a government official or government employee acting in the government official's or

584 government employee's capacity as a government official or a government employee;

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

586 independent contractor of a health care provider;

587 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or

588 independent contractor of an insurance company;

589 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or

590 independent contractor of a financial institution;

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

592 party;

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

594 of a candidate for public office; or

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

596 (A) provides the year of birth of a registered voter that is obtained from the list of

597 registered voters only to a person who is a qualified person;

598 (B) verifies that a person, described in Subsection (4)(a)(vii)(A), to whom a year of

599 birth that is obtained from the list of registered voters is provided, is a qualified person;

600 (C) ensures, using industry standard security measures, that the year of birth of a

601 registered voter that is obtained from the list of registered voters may not be accessed by a

602 person other than a qualified person;

603 (D) verifies that each qualified person, other than a qualified person described in

604 Subsection (4)(a)(i), (v), or (vi), to whom the person provides the year of birth of a registered

605 voter that is obtained from the list of registered voters, will only use the year of birth to verify

606 the accuracy of personal information submitted by an individual or to confirm the identity of a

607 person in order to prevent fraud, waste, or abuse;

608 (E) verifies that each qualified person described in Subsection (4)(a)(i), to whom the

609 person provides the year of birth of a registered voter that is obtained from the list of registered

610 voters, will only use the year of birth in the qualified person's capacity as a government official

611 or government employee; and

612 (F) verifies that each qualified person described in Subsection (4)(a)(v) or (vi), to

613 whom the person provides the year of birth of a registered voter that is obtained from the list of

614 registered voters, will only use the year of birth for a political purpose of the political party or

615 candidate for public office.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

652 (ii) except as provided in Subsection (7) and subject to Subsection (4)(e), a person
653 described in Subsection (4)(a)(v) or (vi) for a political purpose.

654 (e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant
655 governor or county clerk shall exclude the information described in Subsection
656 63G-2-302(1)(j), other than the year of birth.

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

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

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

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

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

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

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

673 (vi) unlawfully discloses or obtains information from a voter registration record
674 withheld under Subsection (7) or a withholding request form described in Subsections (7) and
675 (8).

676 (h) The lieutenant governor or a county clerk shall classify the voter registration record

677 of a voter as a private record if the voter:

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

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

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

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

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

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

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

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

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

697 (ii) \$200.

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

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

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

707 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,

708 provides, or uses the year of birth for a political purpose of the political party or candidate for
709 public office; or

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

714 (l) The lieutenant governor or a county clerk may provide a year of birth to a member
715 of the media, in relation to an individual designated by the member of the media, in order for
716 the member of the media to verify the identity of the individual.

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

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

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

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

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

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

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

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

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

741 (A) a law enforcement officer;

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

743 (C) a public figure; or

744 (D) protected by a protective order or protection order; [or]

745 (b) whose voter registration record was classified as a private record at the request of
746 the individual before May 12, 2020[-]; or

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

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

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

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

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

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

763 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

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

768 (2) A citizen who is qualified to vote may register to vote, and a citizen who is
769 qualified to preregister to vote may preregister to vote, by answering "yes" to the question

770 described in Subsection 20A-2-108(2)(a) and completing the voter registration form.

771 (3) The Driver License Division shall:

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

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

776 (c) within five days after the day on which the division receives a voter registration
777 form, electronically transmit the form to the Office of the Lieutenant Governor, including the
778 following for the individual named on the form:

779 (i) the name, date of birth, driver license or state identification card number, last four
780 digits of the social security number, Utah residential address, place of birth, and signature;

781 (ii) a mailing address, if different from the individual's Utah residential address;

782 (iii) an email address and phone number, if available;

783 (iv) the desired political affiliation, if indicated;

784 (v) an indication of whether the individual requested that the individual's voter
785 registration record be classified as a private record under Subsection 20A-2-108(2)(b); and

786 (vi) a withholding request form described in Subsections 20A-2-104(7) and (8) and any
787 verification submitted with the form.

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

790 (a) enter the information into the statewide voter registration database; [~~and~~]

791 (b) if the individual requests on the individual's voter registration form that the
792 individual's voter registration record be classified as a private record or the individual submits a
793 withholding request form described in Subsections 20A-2-104(7) and (8) and any required
794 verification, classify the individual's voter registration record as a private record[-]; and

795 (c) if the individual is registering to vote as a student voter, classify the individual's
796 voter registration record as a private record until the day on which the individual is 18 years
797 old.

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

800 (a) ensure that the individual meets the qualifications to be registered or preregistered

801 to vote; and

802 (b) (i) if the individual meets the qualifications to be registered to vote:

803 (A) ensure that the individual is assigned to the proper voting precinct; and

804 (B) send the individual the notice described in Section 20A-2-304; or

805 (ii) if the individual meets the qualifications to be preregistered to vote, process the
806 form in accordance with the requirements of Section 20A-2-101.1.

807 (6) (a) When the county clerk receives a correctly completed voter registration form
808 under this section, the clerk shall:

809 (i) comply with the applicable provisions of this Subsection (6); or

810 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.

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

814 (i) accept the voter registration form; [~~and~~]

815 (ii) unless the individual is preregistering to vote:

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

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

820 (iii) if the individual named in the form is preregistering to vote, comply with Section
821 20A-2-101.1.

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

825 (i) accept the application for registration of the individual;

826 (ii) process the voter registration form; and

827 (iii) unless the individual is preregistering to vote, and except as provided in
828 Subsection 20A-2-207(6), inform the individual that the individual will not be registered to
829 vote in the pending election, unless the individual registers to vote by provisional ballot during
830 the early voting period, if applicable, or on election day, in accordance with Section
831 20A-2-207.

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

838 (b) If a county clerk believes, based upon a review of a voter registration form, that an
839 individual, who knows that the individual is not legally entitled to register or preregister to
840 vote, may be intentionally seeking to register or preregister to vote, the county clerk shall refer
841 the form to the county attorney for investigation and possible prosecution.

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

843 **20A-2-302. Voter registration forms for high school students.**

844 (1) (a) A county clerk may:

845 (i) contact each high school and each accredited nonpublic high school in the county;

846 (ii) determine the number of high school seniors; and

847 (iii) distribute voter registration forms to each accredited public or private high school

848 in an amount sufficient for distribution to each high school senior.

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

851 (i) for an individual who is not eligible to register as a student voter, in accordance

852 with Section [20A-2-101.1\[-\]](#); and

853 (ii) for an individual who is eligible to register as a student voter, in accordance with

854 Section [20A-2-304](#).

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

856 (a) include the voter registration form in the senior registration packet; and

857 (b) collect and forward completed voter registration forms to the county clerk.

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

859 **20A-2-304. County clerk's responsibilities -- Notice of disposition.**

860 Each county clerk shall:

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

862 who:

- 863 (a) submits a completed voter registration form to the county clerk;
- 864 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to
865 the Driver License Division;
- 866 (c) submits a completed voter registration form to a public assistance agency or a
867 discretionary voter registration agency; or
- 868 (d) mails a completed voter registration form to the county clerk; [~~and~~]
- 869 (2) within 30 days after the day on which the county clerk processes a voter registration
870 form, send a notice to the individual who submits the form that:
- 871 (a) (i) informs the individual that the individual's voter registration form has been
872 accepted and that the individual is registered to vote;
- 873 (ii) informs the individual of the procedure for designating or changing the individual's
874 political affiliation;
- 875 (iii) informs the individual of the procedure to cancel a voter registration; and
- 876 (iv) after May 1, 2022:
- 877 (A) confirms that the individual has chosen to receive electronic ballot status
878 notifications if the individual opted to receive electronic ballot status notifications on the voter
879 registration form; or
- 880 (B) notifies the individual how to receive electronic ballot status notifications if the
881 individual did not opt to receive electronic ballot status notifications on the voter registration
882 form;
- 883 (b) informs the individual that the individual's voter registration form has been rejected
884 and the reason for the rejection; or
- 885 (c) (i) informs the individual that the individual's voter registration form is being
886 returned to the individual for further action because the form is incomplete; and
- 887 (ii) gives instructions to the individual on how to properly complete the form[-]; and
- 888 (3) if the completed voter registration form is for an individual registering as a student
889 voter and the individual has not opted out of being preregistered to vote on the individual's
890 voter registration form, process the individual's preregistration under Section 20A-2-101.1 after
891 completing the individual's student voter registration under Subsections (1) and (2).
- 892 Section 8. Section 20A-6-105 is amended to read:
- 893 **20A-6-105. Provisional ballot envelopes.**

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

896 "AFFIRMATION

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

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

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

901 Name of Voter _____

902 First Middle Last

903 Driver License or Identification Card Number _____

904 State of Issuance of Driver License or Identification Card Number _____

905 Date of Birth _____

906 Street Address of Principal Place of Residence

907 _____

908 City County State Zip Code

909 Telephone Number (optional) _____

910 Email Address (optional) _____

911 Last four digits of Social Security Number _____

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

913 _____

914 City County State Zip Code

915 Voting Precinct (if known)

916 _____

917 I, (please print your full name) _____ do solemnly swear or
918 affirm:

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

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

925 immediately before this election.

926 Signed _____

927 Dated _____

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

930 PRIVACY INFORMATION

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

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

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

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

945 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

956 withheld from all political parties, candidates for public office, and their contractors,
957 employees, and volunteers, by submitting a withholding request form and any required
958 verification with this registration form, or to the lieutenant governor or a county clerk, if the
959 person is, or resides with a person who is, a law enforcement officer, a member of the armed
960 forces, a public figure, or protected by a protective order or a protection order.

961 CITIZENSHIP AFFIDAVIT

962 Name:

963 Name at birth, if different:

964 Place of birth:

965 Date of birth:

966 Date and place of naturalization (if applicable):

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

970 _____
971 Signature of Applicant

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

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

977 "AFFIRMATION

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

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

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

983 Name of Voter _____

984 First Middle Last

985 Driver License or Identification Card Number _____

986 State of Issuance of Driver License or Identification Card Number _____

987 Date of Birth

988 Street Address of Principal Place of Residence

989 _____

990 City County State Zip Code

991 Telephone Number (optional)

992 Last four digits of Social Security Number

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

994 _____

995 City County State Zip Code

996 Voting Precinct (if known)

997 I, (please print your full name) do solemnly swear

998 or affirm:

999 That I am eligible to vote in this election; that I have not voted in this election in any
1000 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted to
1001 vote in this precinct; and

1002 Subject to penalty of law for false statements, that the information contained in this
1003 form is true, and that I am a citizen of the United States and a resident of Utah, residing at the
1004 above address; and that I will be 16 or 17 years old on or before election day and have resided
1005 in Utah for the 30 days immediately before this election.

1006 Signed

1007 Dated

1008 In accordance with Section [20A-3a-506](#), wilfully providing false information above is a
1009 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

1010 PRIVACY INFORMATION

1011 Voter registration records contain some information that is available to the public, such
1012 as your name and address, some information that is available only to government entities, and
1013 some information that is available only to certain third parties in accordance with the
1014 requirements of law.

1015 Your driver license number, identification card number, social security number, email
1016 address, and full date of birth are available only to government entities. Your year of birth is
1017 available to political parties, candidates for political office, certain third parties, and their

1018 contractors, employees, and volunteers, in accordance with the requirements of law.

1019 You may request that all information on your voter registration records be withheld
1020 from all persons other than government entities, political parties, candidates for public office,
1021 and their contractors, employees, and volunteers, by indicating here:

1022 Yes, I request that all information on my voter registration records be withheld
1023 from all persons other than government entities, political parties, candidates for public office,
1024 and their contractors, employees, and volunteers.

1025 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1026 In addition to the protections provided above, you may request that all information on
1027 your voter registration records be withheld from all political parties, candidates for public
1028 office, and their contractors, employees, and volunteers, by submitting a withholding request
1029 form, and any required verification, as described in the following paragraphs.

1030 A person may request that all information on the person's voter registration records be
1031 withheld from all political parties, candidates for public office, and their contractors,
1032 employees, and volunteers, by submitting a withholding request form with this registration
1033 record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or
1034 resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

1035 A person may request that all information on the person's voter registration records be
1036 withheld from all political parties, candidates for public office, and their contractors,
1037 employees, and volunteers, by submitting a withholding request form and any required
1038 verification with this registration form, or to the lieutenant governor or a county clerk, if the
1039 person is, or resides with a person who is, a law enforcement officer, a member of the armed
1040 forces, a public figure, or protected by a protective order or a protection order.

1041 CITIZENSHIP AFFIDAVIT

1042 Name: _____

1043 Name at birth, if different: _____

1044 Place of birth: _____

1045 Date of birth: _____

1046 Date and place of naturalization (if applicable): _____

1047 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
1048 citizen and that to the best of my knowledge and belief the information above is true and

1049 correct.

1050

1051 Signature of Applicant

1052 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1053 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
1054 up to one year in jail and a fine of up to \$2,500."

1055 [~~2~~] (3) Each provisional ballot envelope shall include:

1056 (a) a unique number;

1057 (b) a detachable part that includes the unique number;

1058 (c) a telephone number, internet address, or other indicator of a means, in accordance
1059 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was counted;
1060 and

1061 (d) beginning May 1, 2022, an insert containing written instructions on how a voter
1062 may sign up to receive ballot status notifications via the ballot tracking system described in
1063 Section 20A-3a-401.5.

1064 Section 9. Section 20A-6-306 is enacted to read:

1065 **20A-6-306. Student voter ballots.**

1066 (1) If a local school board votes to allow student voters under Section 20A-14-203,
1067 election officers within the local school board's boundaries shall prepare a student voter ballot
1068 that will not allow a student voter to vote for any candidate or issue other than a local school
1069 board candidate.

1070 (2) Except as provided in Subsection (1), student voter ballots shall comply with all
1071 applicable requirements of this chapter.

1072 Section 10. Section 20A-14-203 is amended to read:

1073 **20A-14-203. Becoming a member of a local board of education -- Declaration of**
1074 **candidacy -- Election.**

1075 (1) An individual may become a candidate for a local school board:

1076 [~~(a) (i) in the 2016 general election, by filing a declaration of candidacy with the~~
1077 ~~county clerk, in accordance with Section 20A-9-202, before 5 p.m. on March 17, 2016; or]~~

1078 [~~(ii) in a general election held after 2016,]~~

1079 (a) by filing a declaration of candidacy with the county clerk on or after the second

1080 Friday in March, and before 5 p.m. on the third Thursday in March, before the next regular
1081 general election; and

1082 (b) by paying the fee described in Section [20A-9-202](#).

1083 (2) (a) The term of office for an individual elected to a local board of education is four
1084 years, beginning on the first Monday in January after the election.

1085 (b) A member of a local board of education shall serve until a successor is elected or
1086 appointed and qualified.

1087 (c) A member of a local board of education is "qualified" when the member takes or
1088 signs the constitutional oath of office.

1089 (3) (a) There is created a student voter pilot project.

1090 (b) The student voter pilot project begins on July 1, 2022, and ends on January 1, 2027.

1091 (c) A local school board may participate in the student voter pilot project, in
1092 accordance with the requirements of this section and all other applicable provisions of law, by
1093 voting to allow student voters to vote in the local school board's elections.

1094 (d) If a local school board votes to participate in the student voter pilot project, the
1095 local school board shall, as soon as is reasonably possible after the vote, transmit notice of the
1096 vote to all election officers within the local school board's boundaries.

1097 Section 11. Section **20A-14-203.5** is enacted to read:

1098 **20A-14-203.5. Electioneering -- Campaigning on school property.**

1099 (1) As used in this section:

1100 (a) "Electioneering" means any oral, printed, or written attempt to persuade an
1101 individual from voting, or to vote for or against a candidate, in a local school district election.

1102 (b) "Instructional time" means the same as that term is defined in Section [53G-7-701](#).

1103 (c) "Participating school" means a high school in a district that is participating in the
1104 student voter pilot project under Section [20A-14-203](#).

1105 (d) "School staff" means teachers, school administrators, counselors, and other school
1106 employees of a participating school.

1107 (2) School staff may not engage in electioneering on school property during
1108 instructional time.

1109 (3) A participating school that permits a candidate for the local school district to
1110 address students on school property during instructional time shall:

1111 (a) permit any other candidate for the local school district to address students on school
1112 property during instructional time; and

1113 (b) apply the same requirements and restrictions to each candidate who addresses
1114 students on school property during instructional time.

1115 Section 12. Section **63G-2-302** is amended to read:

1116 **63G-2-302. Private records.**

1117 (1) The following records are private:

1118 (a) records concerning an individual's eligibility for unemployment insurance benefits,
1119 social services, welfare benefits, or the determination of benefit levels;

1120 (b) records containing data on individuals describing medical history, diagnosis,
1121 condition, treatment, evaluation, or similar medical data;

1122 (c) records of publicly funded libraries that when examined alone or with other records
1123 identify a patron;

1124 (d) records received by or generated by or for:

1125 (i) the Independent Legislative Ethics Commission, except for:

1126 (A) the commission's summary data report that is required under legislative rule; and

1127 (B) any other document that is classified as public under legislative rule; or

1128 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints,
1129 unless the record is classified as public under legislative rule;

1130 (e) records received by, or generated by or for, the Independent Executive Branch

1131 Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review
1132 of Executive Branch Ethics Complaints;

1133 (f) records received or generated for a Senate confirmation committee concerning
1134 character, professional competence, or physical or mental health of an individual:

1135 (i) if, prior to the meeting, the chair of the committee determines release of the records:

1136 (A) reasonably could be expected to interfere with the investigation undertaken by the
1137 committee; or

1138 (B) would create a danger of depriving a person of a right to a fair proceeding or
1139 impartial hearing; and

1140 (ii) after the meeting, if the meeting was closed to the public;

1141 (g) employment records concerning a current or former employee of, or applicant for

1142 employment with, a governmental entity that would disclose that individual's home address,
1143 home telephone number, social security number, insurance coverage, marital status, or payroll
1144 deductions;

1145 (h) records or parts of records under Section 63G-2-303 that a current or former
1146 employee identifies as private according to the requirements of that section;

1147 (i) that part of a record indicating a person's social security number or federal employer
1148 identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202,
1149 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;

1150 (j) that part of a voter registration record identifying a voter's:

1151 (i) driver license or identification card number;

1152 (ii) social security number, or last four digits of the social security number;

1153 (iii) email address;

1154 (iv) date of birth; or

1155 (v) phone number;

1156 (k) a voter registration record that is classified as a private record by the lieutenant
1157 governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or

1158 20A-2-204(4)(b) or (c);

1159 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);

1160 (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any
1161 verification submitted in support of the form;

1162 (n) a record that:

1163 (i) contains information about an individual;

1164 (ii) is voluntarily provided by the individual; and

1165 (iii) goes into an electronic database that:

1166 (A) is designated by and administered under the authority of the Chief Information
1167 Officer; and

1168 (B) acts as a repository of information about the individual that can be electronically
1169 retrieved and used to facilitate the individual's online interaction with a state agency;

1170 (o) information provided to the Commissioner of Insurance under:

1171 (i) Subsection 31A-23a-115(3)(a);

1172 (ii) Subsection 31A-23a-302(4); or

- 1173 (iii) Subsection [31A-26-210\(4\)](#);
- 1174 (p) information obtained through a criminal background check under Title 11, Chapter
- 1175 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 1176 (q) information provided by an offender that is:
- 1177 (i) required by the registration requirements of Title 77, Chapter 41, Sex and Kidnap
- 1178 Offender Registry or Title 77, Chapter 43, Child Abuse Offender Registry; and
- 1179 (ii) not required to be made available to the public under Subsection [77-41-110\(4\)](#) or
- 1180 [77-43-108\(4\)](#);
- 1181 (r) a statement and any supporting documentation filed with the attorney general in
- 1182 accordance with Section [34-45-107](#), if the federal law or action supporting the filing involves
- 1183 homeland security;
- 1184 (s) electronic toll collection customer account information received or collected under
- 1185 Section [72-6-118](#) and customer information described in Section [17B-2a-815](#) received or
- 1186 collected by a public transit district, including contact and payment information and customer
- 1187 travel data;
- 1188 (t) an email address provided by a military or overseas voter under Section
- 1189 [20A-16-501](#);
- 1190 (u) a completed military-overseas ballot that is electronically transmitted under Title
- 1191 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 1192 (v) records received by or generated by or for the Political Subdivisions Ethics Review
- 1193 Commission established in Section [63A-15-201](#), except for:
- 1194 (i) the commission's summary data report that is required in Section [63A-15-202](#); and
- 1195 (ii) any other document that is classified as public in accordance with Title 63A,
- 1196 Chapter 15, Political Subdivisions Ethics Review Commission;
- 1197 (w) a record described in Section [53G-9-604](#) that verifies that a parent was notified of
- 1198 an incident or threat;
- 1199 (x) a criminal background check or credit history report conducted in accordance with
- 1200 Section [63A-3-201](#);
- 1201 (y) a record described in Subsection [53-5a-104\(7\)](#);
- 1202 (z) on a record maintained by a county for the purpose of administering property taxes,
- 1203 an individual's;

- 1204 (i) email address;
- 1205 (ii) phone number; or
- 1206 (iii) personal financial information related to a person's payment method;
- 1207 (aa) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 1208 exemption, deferral, abatement, or relief under:
 - 1209 (i) Title 59, Chapter 2, Part 11, Exemptions, Deferrals, and Abatements;
 - 1210 (ii) Title 59, Chapter 2, Part 12, Property Tax Relief;
 - 1211 (iii) Title 59, Chapter 2, Part 18, Tax Deferral and Tax Abatement; or
 - 1212 (iv) Title 59, Chapter 2, Part 19, Armed Forces Exemptions; and
- 1213 (bb) a record provided by the State Tax Commission in response to a request under
- 1214 Subsection [59-1-403\(4\)\(y\)\(iii\)](#).
- 1215 (2) The following records are private if properly classified by a governmental entity:
 - 1216 (a) records concerning a current or former employee of, or applicant for employment
 - 1217 with a governmental entity, including performance evaluations and personal status information
 - 1218 such as race, religion, or disabilities, but not including records that are public under Subsection
 - 1219 [63G-2-301\(2\)\(b\)](#) or [63G-2-301\(3\)\(o\)](#) or private under Subsection (1)(b);
 - 1220 (b) records describing an individual's finances, except that the following are public:
 - 1221 (i) records described in Subsection [63G-2-301\(2\)](#);
 - 1222 (ii) information provided to the governmental entity for the purpose of complying with
 - 1223 a financial assurance requirement; or
 - 1224 (iii) records that must be disclosed in accordance with another statute;
 - 1225 (c) records of independent state agencies if the disclosure of those records would
 - 1226 conflict with the fiduciary obligations of the agency;
 - 1227 (d) other records containing data on individuals the disclosure of which constitutes a
 - 1228 clearly unwarranted invasion of personal privacy;
 - 1229 (e) records provided by the United States or by a government entity outside the state
 - 1230 that are given with the requirement that the records be managed as private records, if the
 - 1231 providing entity states in writing that the record would not be subject to public disclosure if
 - 1232 retained by it;
 - 1233 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
 - 1234 created in Section [62A-3-102](#), that may disclose, or lead to the discovery of, the identity of a

1235 person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and

1236 (g) audio and video recordings created by a body-worn camera, as defined in Section
1237 77-7a-103, that record sound or images inside a home or residence except for recordings that:

1238 (i) depict the commission of an alleged crime;

1239 (ii) record any encounter between a law enforcement officer and a person that results in
1240 death or bodily injury, or includes an instance when an officer fires a weapon;

1241 (iii) record any encounter that is the subject of a complaint or a legal proceeding
1242 against a law enforcement officer or law enforcement agency;

1243 (iv) contain an officer involved critical incident as defined in Subsection
1244 76-2-408(1)(f); or

1245 (v) have been requested for reclassification as a public record by a subject or
1246 authorized agent of a subject featured in the recording.

1247 (3) (a) As used in this Subsection (3), "medical records" means medical reports,
1248 records, statements, history, diagnosis, condition, treatment, and evaluation.

1249 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
1250 doctors, or affiliated entities are not private records or controlled records under Section
1251 63G-2-304 when the records are sought:

1252 (i) in connection with any legal or administrative proceeding in which the patient's
1253 physical, mental, or emotional condition is an element of any claim or defense; or

1254 (ii) after a patient's death, in any legal or administrative proceeding in which any party
1255 relies upon the condition as an element of the claim or defense.

1256 (c) Medical records are subject to production in a legal or administrative proceeding
1257 according to state or federal statutes or rules of procedure and evidence as if the medical
1258 records were in the possession of a nongovernmental medical care provider.