

**Representative Phil Lyman** proposes the following substitute bill:

**INDEPENDENT ELECTION EVALUATIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Phil Lyman**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires an independent attestation engagement in relation to certain election matters.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the lieutenant governor to contract with an independent accounting firm to conduct an attestation engagement to evaluate the accuracy, validity, and completeness of certain election audits, statistics, and results;
- ▶ describes contract requirements;
- ▶ provides for access by the independent accounting firm to, and for the protection of, records needed for the attestation engagement; and
- ▶ requires public reporting in relation to the attestation engagement.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 ENACTS:

27 [20A-4-407](#), Utah Code Annotated 1953

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

30 Section 1. Section [20A-4-407](#) is enacted to read:

31 **[20A-4-407. Independent attestation engagement -- Requirements -- Reporting.](#)**

32 (1) As used in this section:

33 (a) "Attestation engagement" means an evaluation by an independent accounting firm  
34 of a specified subject matter, and the results generated or conclusions reached in relation to that  
35 subject matter, to determine, to a limited degree of assurance, the accuracy, validity, and  
36 completeness of the results or conclusions.

37 (b) "Committee" means the Government Operations Interim Committee.

38 (c) "Firm" means the qualified independent accounting firm that the lieutenant  
39 governor contracts with under Subsection (2).

40 (2) Each even-numbered year, before the regular primary election, the lieutenant  
41 governor shall, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, contract  
42 with a qualified independent accounting firm to conduct an attestation engagement focused on  
43 providing limited assurance of the accuracy, validity, and completeness of:

44 (a) the results of the voter registration audit described in Section [20A-5-901](#);

45 (b) the lieutenant governor's summary of election results of both the regular primary  
46 election and the regular general election; and

47 (c) the statistics posted by the lieutenant governor under Subsection [20A-3a-405\(3\)\(c\)](#).

48 (3) To ensure that the firm has access to the election records needed to complete the  
49 attestation engagement described in Subsection (2), the lieutenant governor shall, before  
50 executing a contract under Subsection (2), negotiate with the firm and incorporate into the  
51 contract:

52 (a) the access that the firm will have to election records; and

53 (b) requirements that the firm must comply with to ensure the security and chain of  
54 custody of the election records.

55 (4) The lieutenant governor shall, within 60 days after the date of the regular general  
56 election:

- 57           (a) complete a post-election report describing the results of the attestation engagement  
58 described in Subsection (2);
- 59           (b) send a copy of the post-election report to the committee; and
- 60           (c) upon request by the committee or the committee chairs, present, or assign the  
61 director of elections to present, the post-election report, in-person, to the committee.