

1 **VOTER AFFILIATION AMENDMENTS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jordan D. Teuscher**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the deadline for a voter to change political party affiliation for an
10 election held in an even-numbered year.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ amends the deadline by which a voter may change the voter's political party
15 affiliation for an election held in an even-numbered year; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **20A-2-107**, as last amended by Laws of Utah 2022, Chapter 170

24 REPEALS AND REENACTS:

25 **20A-2-107.5**, as last amended by Laws of Utah 2021, Chapter 430

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



28 Section 1. Section 20A-2-107 is amended to read:

29 **20A-2-107. Designating or changing party affiliation -- Times permitted.**

30 (1) As used in this section, "change of affiliation deadline" means:

31 (a) for an election held in an even-numbered year in which a presidential election will
32 be held, the day after the declaration of candidacy deadline described in Subsection
33 20A-9-201.5(2)(b); or

34 (b) for an election held in an even-numbered year in which a presidential election will
35 not be held, April 1.

36 ~~[(1)]~~ (2) The county clerk shall:

37 (a) except as provided in Subsection ~~[(3) or 20A-2-107.5(1)(c)]~~ (6) or 20A-2-107.5(3),
38 record the party affiliation designated by the voter on the voter registration form as the voter's
39 party affiliation; or

40 (b) if no political party affiliation is designated by the voter on the voter registration
41 form:

42 (i) except as provided in Subsection ~~[(1)(b)(ii)]~~ (2)(b)(ii), record the voter's party
43 affiliation as the party that the voter designated the last time that the voter designated a party on
44 a voter registration form, unless the voter more recently registered as "unaffiliated"; or

45 (ii) record the voter's party affiliation as "unaffiliated" if the voter:

46 (A) did not previously designate a party;

47 (B) most recently designated the voter's party affiliation as "unaffiliated"; or

48 (C) did not previously register.

49 ~~[(2)]~~ (3) (a) Any registered voter may designate or change the voter's political party
50 affiliation by complying with the procedures and requirements of this Subsection ~~[(2)]~~ (3).

51 (b) A registered voter may designate or change the voter's political party affiliation by
52 filing with the county clerk, the municipal clerk, or the lieutenant governor a voter registration
53 form or another signed form ~~[with the county clerk]~~ that identifies the registered political party
54 with which the voter chooses to affiliate.

55 (c) Except as provided in Subsection ~~[(2)(d)]~~ (3)(d), a voter registration form or
56 another signed form designating or changing a voter's political party affiliation takes effect
57 when the county clerk receives the signed form.

58 (d) The party affiliation of a voter who changes party affiliation, or who becomes

59 unaffiliated from a political party, at any time on or after the change of affiliation deadline and
60 on or before the date of the regular primary election, takes effect the day after the statewide
61 canvass for the regular primary election.

62 ~~[(d) In an even-numbered year, a form described in Subsection (2)(c) received by the~~
63 ~~county clerk after March 31 takes effect on the day after that year's regular primary election if~~
64 ~~the form changes a registered voter's affiliation with one political party to affiliate with another~~
65 ~~political party.]~~

66 ~~[(e) Any part of a form described in Subsection (2)(d), other than the voter's~~
67 ~~designation or change of political party affiliation, takes effect when the county clerk receives~~
68 ~~the signed form.]~~

69 ~~[(f) (4) For purposes of Subsection [(2) (3)(d), a [signed] form described in~~
70 ~~Subsection [(2) (3)(c) is received by the county clerk [on or before March 31] before the~~
71 ~~change of affiliation deadline if:~~

72 ~~[(i) (a) the individual submits the form in person at the county clerk's office no later~~
73 ~~than 5 p.m. on the [last business day before April 1] day before the change of affiliation~~
74 ~~deadline;~~

75 ~~[(ii) (b) the individual submits the form electronically through the system described in~~
76 ~~Section 20A-2-206, at or before 11:59 p.m. [on March 31] before the day of the change of~~
77 ~~affiliation deadline; or~~

78 ~~[(iii) (c) the individual's form is clearly postmarked [on or before March 31] before~~
79 ~~the change of affiliation deadline.~~

80 ~~[(g) (5) Subsection [(2)(d) (3)(d) does not apply to the party affiliation designated by~~
81 ~~a voter on [the] a voter registration form if:~~

82 ~~[(i) (a) the voter has not previously been registered to vote in the state; or~~

83 ~~[(i) (b) the voter's most recent party affiliation was changed to "unaffiliated" by a~~
84 ~~county clerk under Subsection [(3) (6).~~

85 ~~[(3) (6) If the most recent party affiliation designated by a voter is for a political party~~
86 ~~that is no longer a registered political party, the county clerk shall:~~

87 ~~(a) change the voter's party affiliation to "unaffiliated"; and~~

88 ~~(b) notify the voter electronically or by mail:~~

89 ~~(i) that the voter's affiliation has been changed to "unaffiliated" because the most recent~~

90 party affiliation designated by the voter is for a political party that is no longer a registered
91 political party; and

92 (ii) of the methods and deadlines for changing the voter's party affiliation.

93 Section 2. Section **20A-2-107.5** is repealed and reenacted to read:

94 **20A-2-107.5. Designating or changing party affiliation -- Regular primary**
95 **election and presidential primary election.**

96 (1) As used in this section, "change of affiliation deadline" means the same as that term
97 is defined in Subsection 20A-2-107(1).

98 (2) Except as provided in Subsection (3), a registered voter who is classified as
99 "unaffiliated" may, at a regular primary election or a presidential primary election:

100 (a) affiliate with a political party by completing a change of party affiliation form or
101 voter registration form and submitting the form to the county clerk or a poll worker; and

102 (b) vote in that party's primary election.

103 (3) The party affiliation of a voter who changes party affiliation, or who becomes
104 unaffiliated from a political party, at any time on or after the change of affiliation deadline and
105 on or before the date of the regular primary election, takes effect the day after the statewide
106 canvass for the regular primary election.