

Representative Kera Birkeland proposes the following substitute bill:

VOTING AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kera Birkeland

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions relating to mailed ballots.

Highlighted Provisions:

This bill:

- ▶ provides that, subject to certain exceptions, an election officer is only required to send ballots by mail to active voters who request, in a voter registration form or another written document, to receive ballots for all future elections by mail;
- ▶ modifies the voter registration form to permit a voter to make the request described in the preceding paragraph;
- ▶ requires a county clerk to, subject to certain exceptions:
 - notify active voters of the requirement to request to receive ballots by mail; and
 - provide active voters with a form to make the request;
- ▶ permits a voter to request to stop receiving ballots by mail; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **20A-1-102**, as last amended by Laws of Utah 2022, Chapters 18, 170

29 **20A-2-104**, as last amended by Laws of Utah 2021, Chapter 100

30 **20A-2-306**, as last amended by Laws of Utah 2022, Chapter 121

31 **20A-3a-202**, as last amended by Laws of Utah 2022, Chapters 18, 121 and 156

32 **20A-5-804**, as last amended by Laws of Utah 2020, Chapter 31

33 **20A-6-105**, as last amended by Laws of Utah 2021, Chapter 100

34 ENACTS:

35 **20A-3a-202.5**, Utah Code Annotated 1953



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

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

39 **20A-1-102. Definitions.**

40 As used in this title:

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

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

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

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

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

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

51 (b) a constitutional amendment;

52 (c) an initiative;

53 (d) a referendum;

54 (e) a bond proposition;

55 (f) a judicial retention question;

56 (g) an incorporation of a city or town; or

- 57 (h) any other ballot question specifically authorized by the Legislature.
- 58 (5) "Bind," "binding," or "bound" means securing more than one piece of paper
59 together using staples or another means in at least three places across the top of the paper in the
60 blank space reserved for securing the paper.
- 61 (6) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
62 [20A-4-306](#) to canvass election returns.
- 63 (7) "Bond election" means an election held for the purpose of approving or rejecting
64 the proposed issuance of bonds by a government entity.
- 65 (8) "Business reply mail envelope" means an envelope that may be mailed free of
66 charge by the sender.
- 67 (9) "Canvass" means the review of election returns and the official declaration of
68 election results by the board of canvassers.
- 69 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at
70 the canvass.
- 71 (11) "Contracting election officer" means an election officer who enters into a contract
72 or interlocal agreement with a provider election officer.
- 73 (12) "Convention" means the political party convention at which party officers and
74 delegates are selected.
- 75 (13) "Counting center" means one or more locations selected by the election officer in
76 charge of the election for the automatic counting of ballots.
- 77 (14) "Counting judge" means a poll worker designated to count the ballots during
78 election day.
- 79 (15) "Counting room" means a suitable and convenient private place or room for use
80 by the poll workers and counting judges to count ballots.
- 81 (16) "County officers" means those county officers that are required by law to be
82 elected.
- 83 (17) "Date of the election" or "election day" or "day of the election":
84 (a) means the day that is specified in the calendar year as the day that the election
85 occurs; and
86 (b) does not include:
87 (i) deadlines established for voting by mail, military-overseas voting, or emergency

88 voting; or

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

91 (18) "Elected official" means:

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

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

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

98 (19) "Election" means a regular general election, a municipal general election, a
99 statewide special election, a local special election, a regular primary election, a municipal
100 primary election, and a local district election.

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

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

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

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

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

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

109 (23) "Election officer" means:

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

111 (b) the county clerk for:

112 (i) a county ballot and election; and

113 (ii) a ballot and election as a provider election officer as provided in Section
114 20A-5-400.1 or 20A-5-400.5;

115 (c) the municipal clerk for:

116 (i) a municipal 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 (d) the local district clerk or chief executive officer for:
- 120 (i) a local district 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](#); or
- 123 (e) the business administrator or superintendent of a school district for:
- 124 (i) a school 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](#).
- 127 (24) "Election official" means any election officer, election judge, or poll worker.
- 128 (25) "Election results" means:
- 129 (a) for an election other than a bond election, the count of votes cast in the election and
- 130 the election returns requested by the board of canvassers; or
- 131 (b) for bond elections, the count of those votes cast for and against the bond
- 132 proposition plus any or all of the election returns that the board of canvassers may request.
- 133 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
- 134 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted
- 135 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
- 136 the total votes cast form.
- 137 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
- 138 or logically associated with a record and executed or adopted by a person with the intent to sign
- 139 the record.
- 140 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
- 141 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).
- 142 (29) "Judicial office" means the office filled by any judicial officer.
- 143 (30) "Judicial officer" means any justice or judge of a court of record or any county
- 144 court judge.
- 145 (31) "Local district" means a local government entity under Title 17B, Limited Purpose
- 146 Local Government Entities - Local Districts, and includes a special service district under Title
- 147 17D, Chapter 1, Special Service District Act.
- 148 (32) "Local district officers" means those local district board members that are required
- 149 by law to be elected.

150 (33) "Local election" means a regular county election, a regular municipal election, a
151 municipal primary election, a local special election, a local district election, and a bond
152 election.

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

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

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

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

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

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

166 (38) "Municipal executive" means:

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

168 (b) the mayor in the council-manager form of government defined in Subsection
169 10-3b-103(7); or

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

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

174 (40) "Municipal legislative body" means:

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

176 (b) the council of a metro township.

177 (41) "Municipal office" means an elective office in a municipality.

178 (42) "Municipal officers" means those municipal officers that are required by law to be
179 elected.

180 (43) "Municipal primary election" means an election held to nominate candidates for

181 municipal office.

182 (44) "Municipality" means a city, town, or metro township.

183 (45) "Official ballot" means the ballots distributed by the election officer for voters to
184 record their votes.

185 (46) "Official endorsement" means the information on the ballot that identifies:

186 (a) the ballot as an official ballot;

187 (b) the date of the election; and

188 (c) (i) for a ballot prepared by an election officer other than a county clerk, the

189 facsimile signature required by Subsection [20A-6-401\(1\)\(a\)\(iii\)](#); or

190 (ii) for a ballot prepared by a county clerk, the words required by Subsection

191 [20A-6-301\(1\)\(b\)\(iii\)](#).

192 (47) "Official register" means the official record furnished to election officials by the

193 election officer that contains the information required by Section [20A-5-401](#).

194 (48) "Political party" means an organization of registered voters that has qualified to
195 participate in an election by meeting the requirements of Chapter 8, Political Party Formation
196 and Procedures.

197 (49) (a) "Poll worker" means a person assigned by an election official to assist with an
198 election, voting, or counting votes.

199 (b) "Poll worker" includes election judges.

200 (c) "Poll worker" does not include a watcher.

201 (50) "Pollbook" means a record of the names of voters in the order that they appear to
202 cast votes.

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

204 (52) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
205 in which the voter marks the voter's choice.

206 (53) "Presidential Primary Election" means the election established in Chapter 9, Part
207 8, Presidential Primary Election.

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

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

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

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

213 (56) "Provider election officer" means an election officer who enters into a contract or
214 interlocal agreement with a contracting election officer to conduct an election for the
215 contracting election officer's local political subdivision in accordance with Section
216 [20A-5-400.1](#).

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

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

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

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

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

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

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

228 (i) elected to public office; or

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

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

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

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

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

237 (64) "Regular general election" means the election held throughout the state on the first
238 Tuesday after the first Monday in November of each even-numbered year for the purposes
239 established in Section [20A-1-201](#).

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

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

244 (67) "Return envelope" means the envelope, described in Subsection [~~20A-3a-202(4)~~]

245 ~~20A-3a-202(5)~~, provided to a voter with a manual ballot:

246 (a) into which the voter places the manual ballot after the voter has voted the manual

247 ballot in order to preserve the secrecy of the voter's vote; and

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

249 (68) "Sample ballot" means a mock ballot similar in form to the official ballot,

250 published as provided in Section ~~20A-5-405~~.

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

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

253 (a) is spoiled by the voter;

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

255 (c) lacks the official endorsement.

256 (71) "Statewide special election" means a special election called by the governor or the

257 Legislature in which all registered voters in Utah may vote.

258 (72) "Tabulation system" means a device or system designed for the sole purpose of

259 tabulating votes cast by voters at an election.

260 (73) "Ticket" means a list of:

261 (a) political parties;

262 (b) candidates for an office; or

263 (c) ballot propositions.

264 (74) "Transfer case" means the sealed box used to transport voted ballots to the

265 counting center.

266 (75) "Vacancy" means the absence of a person to serve in any position created by

267 statute, whether that absence occurs because of death, disability, disqualification, resignation,

268 or other cause.

269 (76) "Valid voter identification" means:

270 (a) a form of identification that bears the name and photograph of the voter which may

271 include:

272 (i) a currently valid Utah driver license;

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

- 274 (A) the state; or
275 (B) a branch, department, or agency of the United States;
276 (iii) a currently valid Utah permit to carry a concealed weapon;
277 (iv) a currently valid United States passport; or
278 (v) a currently valid United States military identification card;
279 (b) one of the following identification cards, whether or not the card includes a
280 photograph of the voter:
281 (i) a valid tribal identification card;
282 (ii) a Bureau of Indian Affairs card; or
283 (iii) a tribal treaty card; or
284 (c) two forms of identification not listed under Subsection (76)(a) or (b) but that bear
285 the name of the voter and provide evidence that the voter resides in the voting precinct, which
286 may include:
287 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
288 election;
289 (ii) a bank or other financial account statement, or a legible copy thereof;
290 (iii) a certified birth certificate;
291 (iv) a valid social security card;
292 (v) a check issued by the state or the federal government or a legible copy thereof;
293 (vi) a paycheck from the voter's employer, or a legible copy thereof;
294 (vii) a currently valid Utah hunting or fishing license;
295 (viii) certified naturalization documentation;
296 (ix) a currently valid license issued by an authorized agency of the United States;
297 (x) a certified copy of court records showing the voter's adoption or name change;
298 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
299 (xii) a currently valid identification card issued by:
300 (A) a local government within the state;
301 (B) an employer for an employee; or
302 (C) a college, university, technical school, or professional school located within the
303 state; or
304 (xiii) a current Utah vehicle registration.

305 (77) "Valid write-in candidate" means a candidate who has qualified as a write-in
306 candidate by following the procedures and requirements of this title.

307 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

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

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

310 (79) "Voter" means an individual who:

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

312 (b) meets the requirements of election registration;

313 (c) is registered to vote; and

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

315 (80) "Voter registration deadline" means the registration deadline provided in Section
316 [20A-2-102.5](#).

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

319 (82) "Voting booth" means:

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

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

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

325 (84) "Voting precinct" means the smallest geographical voting unit, established under
326 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

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

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

330 (87) "Write-in vote" means a vote cast for an individual, whose name is not printed on
331 the ballot, in accordance with the procedures established in this title.

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

333 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

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

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

- 336 (A) who files a declaration of candidacy for a public office;
- 337 (B) who files a notice of intent to gather signatures under Section 20A-9-408; or
- 338 (C) employed by, under contract with, or a volunteer of, an individual described in
- 339 Subsection (1)(a)(i)(A) or (B) for political campaign purposes.

340 (ii) "Dating violence" means the same as that term is defined in [~~Section 78B-7-402~~

341 ~~and~~] the federal Violence Against Women Act of 1994, as amended.

342 (iii) "Domestic violence" means the same as that term is defined in Section 77-36-1

343 and the federal Violence Against Women Act of 1994, as amended.

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

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

346 -----

347 UTAH ELECTION REGISTRATION FORM

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

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

350 Will you be 18 years of age on or before election day? Yes No

351 If you checked "no" to the above question, are you 16 or 17 years of age and preregistering to

352 vote? Yes No

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

354 Name of Voter

355 _____

356 First Middle Last

357 Utah Driver License or Utah Identification Card Number _____

358 Date of Birth _____

359 Street Address of Principal Place of Residence

360 _____

361 City County State Zip Code

362 Telephone Number (optional) _____

363 Email Address (optional) _____

364 Last four digits of Social Security Number _____

365 Last former address at which I was registered to vote (if

366 known) _____

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City County State Zip Code

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

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

Signed and sworn

Voter's Signature
_____(month/day/year).

PRIVACY INFORMATION

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

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

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

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

398 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

414 CITIZENSHIP AFFIDAVIT

415 Name:

416 Name at birth, if different:

417 Place of birth:

418 Date of birth:

419 Date and place of naturalization (if applicable):

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

423 _____

424 Signature of Applicant

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

428 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID

429 VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST
 430 BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND
 431 PHOTOGRAPH; OR
 432 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND
 433 CURRENT ADDRESS.
 434 FOR OFFICIAL USE ONLY

435 Type of I.D. _____
 436 Voting Precinct _____
 437 Voting I.D. Number _____

438 -----
 439 (c) [~~Beginning May 1, 2022, the~~] The voter registration form described in Subsection
 440 (1)(b) shall include a section in substantially the following form:
 441 -----

442 REQUEST TO RECEIVE BALLOTS BY MAIL

443 You may request to receive your ballot by mail in all elections held after 2024 by
 444 indicating here:

445 Yes, I would like to receive my ballot by mail in all elections held after 2024.

446 You may, at a later date, submit a written request to the county clerk to stop receiving
 447 ballots by mail.

448 REQUEST TO RECEIVE BALLOT NOTIFICATIONS

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

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

454 -----
 455 (2) (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy
 456 of each voter registration form in a permanent countywide alphabetical file, which may be
 457 electronic or some other recognized system.

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

- 460 (3) (a) Each county clerk shall retain lists of currently registered voters.
- 461 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.
- 462 (c) If there are any discrepancies between the two lists, the county clerk's list is the
463 official list.
- 464 (d) The lieutenant governor and the county clerks may charge the fees established
465 under the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy of
466 the list of registered voters.
- 467 (4) (a) As used in this Subsection (4), "qualified person" means:
- 468 (i) a government official or government employee acting in the government official's or
469 government employee's capacity as a government official or a government employee;
- 470 (ii) a health care provider, as defined in Section 26-33a-102, or an agent, employee, or
471 independent contractor of a health care provider;
- 472 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee, or
473 independent contractor of an insurance company;
- 474 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or
475 independent contractor of a financial institution;
- 476 (v) a political party, or an agent, employee, or independent contractor of a political
477 party;
- 478 (vi) a candidate for public office, or an employee, independent contractor, or volunteer
479 of a candidate for public office; or
- 480 (vii) a person, or an agent, employee, or independent contractor of the person, who:
- 481 (A) provides the year of birth of a registered voter that is obtained from the list of
482 registered voters only to a person who is a qualified person;
- 483 (B) verifies that a person, described in Subsection (4)(a)(vii)(A), to whom a year of
484 birth that is obtained from the list of registered voters is provided, is a qualified person;
- 485 (C) ensures, using industry standard security measures, that the year of birth of a
486 registered voter that is obtained from the list of registered voters may not be accessed by a
487 person other than a qualified person;
- 488 (D) verifies that each qualified person, other than a qualified person described in
489 Subsection (4)(a)(i), (v), or (vi), to whom the person provides the year of birth of a registered
490 voter that is obtained from the list of registered voters, will only use the year of birth to verify

491 the accuracy of personal information submitted by an individual or to confirm the identity of a
492 person in order to prevent fraud, waste, or abuse;

493 (E) verifies that each qualified person described in Subsection (4)(a)(i), to whom the
494 person provides the year of birth of a registered voter that is obtained from the list of registered
495 voters, will only use the year of birth in the qualified person's capacity as a government official
496 or government employee; and

497 (F) verifies that each qualified person described in Subsection (4)(a)(v) or (vi), to
498 whom the person provides the year of birth of a registered voter that is obtained from the list of
499 registered voters, will only use the year of birth for a political purpose of the political party or
500 candidate for public office.

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

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

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

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

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

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

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

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

519 (F) a statement that if the person obtains the year of birth of a registered voter from the
520 list of registered voters under false pretenses, or provides or uses the year of birth of a
521 registered voter that is obtained from the list of registered voters in a manner that is prohibited

522 by law, is guilty of a class A misdemeanor and is subject to a civil fine;

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

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

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

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

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

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

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

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

539 (e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant
540 governor or county clerk shall exclude the information described in Subsection
541 63G-2-302(1)(j), other than the year of birth.

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

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

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

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

552 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k) under

553 false pretenses;

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

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

558 (vi) unlawfully discloses or obtains information from a voter registration record
559 withheld under Subsection (7) or a withholding request form described in Subsections (7) and
560 (8).

561 (h) The lieutenant governor or a county clerk shall classify the voter registration record
562 of a voter as a private record if the voter:

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

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

567 (iii) submits a withholding request form described in Subsection (7) and any required
568 verification.

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

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

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

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

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

580 (ii) \$200.

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

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

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

590 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,
591 provides, or uses the year of birth for a political purpose of the political party or candidate for
592 public office; or

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

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

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

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

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

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

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

614 (7) The lieutenant governor or a county clerk shall withhold from a person, other than a

615 person described in Subsection (4)(a)(i), the voter registration record, and information obtained
616 from the voter registration record, of an individual:

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

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

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

624 (A) a law enforcement officer;

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

626 (C) a public figure; or

627 (D) protected by a protective order or protection order; or

628 (b) whose voter registration record was classified as a private record at the request of
629 the individual before May 12, 2020.

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

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

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

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

643 Section 3. Section 20A-2-306 is amended to read:

644 **20A-2-306. Removing names from the official register -- Determining and**
645 **confirming change of residence.**

646 (1) A county clerk may not remove a voter's name from the official register on the
647 grounds that the voter has changed residence unless the voter:

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

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

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

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

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

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

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

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

665 "VOTER REGISTRATION NOTICE

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

669 _____

670 Street City County State Zip

671 What is your current phone number (optional)? _____

672 What is your current email address (optional)? _____

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

677 - you may be required to show evidence of your address to the poll worker before being
 678 allowed to vote in either of the next two regular general elections; or
 679 - if you fail to vote at least once from the date this notice was mailed until the passing
 680 of two regular general elections, you will no longer be registered to vote. If you have changed
 681 your residence and have moved to a different county in Utah, you may register to vote by
 682 contacting the county clerk in your county.

683 _____
 684 Signature of Voter

685 PRIVACY INFORMATION

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

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

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

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

700 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

705 A person may request that all information on the person's voter registration records be
 706 withheld from all political parties, candidates for public office, and their contractors,
 707 employees, and volunteers, by submitting a withholding request form with this registration

708 record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or
709 resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

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

716 (b) [~~Beginning May 1, 2022, the~~] The form described in Subsection (3)(a) shall also
717 include a section in substantially the following form:

718 -----

719 REQUEST TO RECEIVE BALLOTS BY MAIL

720 You may request to receive your ballot by mail in all elections held after 2024 by
721 indicating here:

722 _____ Yes, I would like to receive my ballot by mail in all elections held after 2024.

723 You may, at a later date, submit a written request to the county clerk to stop receiving
724 ballots by mail.

725 REQUEST TO RECEIVE BALLOT NOTIFICATIONS

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

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

731 -----

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

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

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

739 (ii) the voter has died.

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

742 (ii) If a county clerk receives a returned voter identification card, determines that there
743 was no clerical error causing the card to be returned, and has no further information to contact
744 the voter, the county clerk may list that voter as inactive.

745 (iii) An inactive voter shall be allowed to vote, sign petitions, and have all other
746 privileges of a registered voter.

747 (iv) A county is not required to send routine mailings to an inactive voter and is not
748 required to count inactive voters when dividing precincts and preparing supplies.

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

752 (6) A county clerk shall, within ten business days after the day on which the county
753 clerk receives the information described in Subsection (5) or Subsections [26-2-13\(11\)](#) and (12)
754 relating to a decedent whose name appears on the official register, remove the decedent's name
755 from the official register.

756 (7) Ninety days before each primary and general election the lieutenant governor shall
757 compare the information the lieutenant governor has received under Subsection [26-2-13\(11\)](#)
758 with the official register of voters to ensure that all deceased voters have been removed from
759 the official register.

760 Section 4. Section **20A-3a-202** is amended to read:

761 **20A-3a-202. Conducting an election.**

762 (1) As used in this section:

763 (a) "By-mail voter" means:

764 (i) except as provided in Subsection (1)(a)(ii), an active voter;

765 (ii) beginning on January 1, 2025, an active voter who has requested, on a voter
766 registration form or another form provided by a clerk, to receive a ballot by mail; or

767 (iii) a covered voter.

768 (b) "Covered voter" means the same as that term is defined in Section [20A-16-102](#).

769 [(+)] (2) (a) Except as otherwise provided for an election conducted entirely by mail

770 under Section [20A-7-609.5](#), an election officer shall:

771 (i) except as provided in Subsection (2)(a)(ii), administer an election primarily by mail,
772 in accordance with this section[.]; and

773 (ii) beginning on January 1, 2025, administer an election both in person, and by mail,
774 in accordance with this section.

775 (b) An individual who did not provide valid voter identification at the time the voter
776 registered to vote shall provide valid voter identification before voting.

777 (3) [(2)] (a) [An] Except as provided in Subsection (3)(b), an election officer who
778 administers an election[.-(a)] shall, in accordance with Subsection [(3)] (4), no sooner than 21
779 days before election day and no later than seven days before election day, mail to each [active]
780 by-mail voter within a voting precinct:

781 (i) a manual ballot;

782 (ii) a return envelope;

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

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

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

790 [(v)] (b) [for an election administered by an] An election officer, other than a county
791 clerk, [if the election officer] who does not operate a polling place or an election day voting
792 center[.], shall, in accordance with Subsection (4), no sooner than 21 days before election day
793 and no later than seven days before election day, mail to each active voter within a voting
794 precinct:

795 (i) a manual ballot;

796 (ii) a return envelope;

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

799 (iv) a warning, on a separate page of colored paper in bold face print, indicating that if
800 the voter fails to follow the instructions included with the ballot, the voter will be unable to

801 vote in that election because there will be no polling place for the voting precinct on the day of
802 the election; and

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

805 (v) instructions on how a voter may sign up to receive electronic ballot status
806 notifications via the ballot tracking system described in Section 20A-3a-401.5.

807 ~~[(b)]~~ (c) An election officer:

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

809 ~~[(i)]~~ (A) an inactive voter, unless the inactive voter requests a manual ballot; or

810 ~~[(ii)]~~ (B) a voter whom the election officer is prohibited from sending a ballot under

811 Subsection ~~[(10)(e)(ii)] (11)(c)(ii)~~; and

812 ~~[(e)]~~ (ii) shall, on the outside of the envelope in which the election officer mails ~~the~~ a
813 ballot, include instructions for returning the ballot if the individual to whom the election officer
814 mails the ballot does not live at the address to which the ballot is sent.

815 ~~[(3)]~~ (4) (a) An election officer who mails a manual ballot under Subsection ~~[(2)] (3)~~
816 shall mail the manual ballot to the address:

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

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

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

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

825 ~~[(4)]~~ (5) ~~The~~ A return envelope shall include:

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

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

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

831 "County of ____ State of ____

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

835 _____

836 Signature of Voter"; and

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

840 [(5)] (6) If the election officer determines that the voter is required to show valid voter
841 identification, the election officer may:

842 (a) mail a ballot to the voter;

843 (b) instruct the voter to include a copy of the voter's valid voter identification with the
844 return ballot; and

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

847 [(6)] (7) An election officer who administers an election shall:

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

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

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

853 [(7)] (8) Upon receipt of a returned ballot, the election officer shall review and process
854 the ballot under Section 20A-3a-401.

855 [(8)] (9) A county that administers an election:

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

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

- 863 (c) may reduce the early voting period described in Section [20A-3a-601](#), if:
- 864 (i) the county clerk conducts early voting on at least four days;
- 865 (ii) the early voting days are within the period beginning on the date that is 14 days
- 866 before the date of the election and ending on the day before the election; and
- 867 (iii) the county clerk provides notice of the reduced early voting period in accordance
- 868 with Section [20A-3a-604](#);
- 869 (d) is not required to pay return postage for a ballot; and
- 870 (e) is subject to an audit conducted under Subsection ~~[(9)]~~ [\(10\)](#).
- 871 ~~[(9)]~~ [\(10\)](#) (a) The lieutenant governor shall:
- 872 (i) develop procedures for conducting an audit of affidavit signatures on ballots cast in
- 873 an election conducted under this section; and
- 874 (ii) after each primary, general, or special election conducted under this section, select
- 875 a number of ballots, in varying jurisdictions, to audit in accordance with the procedures
- 876 developed under Subsection ~~[(9)(a)(i)]~~ [\(10\)\(a\)\(i\)](#).
- 877 (b) The lieutenant governor shall post the results of an audit conducted under this
- 878 Subsection ~~[(9)]~~ [\(10\)](#) on the lieutenant governor's website.
- 879 ~~[(10)]~~ [\(11\)](#) (a) An individual may request that the election officer not send the
- 880 individual a ballot by mail in the next and subsequent elections by submitting a written request
- 881 to the election officer.
- 882 (b) An individual shall submit the request described in Subsection ~~[(10)(a)]~~ [\(11\)\(a\)](#) to
- 883 the election officer before 5 p.m. no later than 60 days before an election if the individual does
- 884 not wish to receive a ballot by mail in that election.
- 885 (c) An election officer who receives a request from an individual under Subsection
- 886 ~~[(10)(a)]~~ [\(11\)\(a\)](#):
- 887 (i) shall remove the individual's name from the list of voters who will receive a ballot
- 888 by mail; and
- 889 (ii) may not send the individual a ballot by mail for:
- 890 (A) the next election, if the individual submits the request described in Subsection
- 891 ~~[(10)(a)]~~ [\(11\)\(a\)](#) before the deadline described in Subsection ~~[(10)(b)]~~ [\(11\)\(b\)](#); or
- 892 (B) an election after the election described in Subsection ~~[(10)(c)(ii)(A)]~~ [\(11\)\(c\)\(ii\)\(A\)](#).
- 893 (d) An individual who submits a request under Subsection ~~[(10)(a)]~~ [\(11\)\(a\)](#) may

894 resume the individual's receipt of a ballot by mail by submitting a written request to the
895 election officer.

896 Section 5. Section **20A-3a-202.5** is enacted to read:

897 **20A-3a-202.5. Request for ballot by mail -- Notice.**

898 No sooner than September 1, 2024, and no later than December 31, 2024, a county
899 clerk shall mail to each active voter, other than a covered voter, whose principal place of
900 residence is in the county:

901 (1) a notice informing the voter that, except in limited circumstances, the voter will not
902 receive a ballot by mail for an election held after 2024, unless the voter requests otherwise in
903 writing; and

904 (2) a form that the voter may use to request that the voter receive a ballot by mail in all
905 future elections.

906 Section 6. Section **20A-5-804** is amended to read:

907 **20A-5-804. Voting Equipment Grant Program -- Qualifications for receipt --**
908 **Matching funds -- Acceptable uses.**

909 (1) As used in this section:

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

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

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

913 (ii) the quotient of:

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

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

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

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

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

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

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

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

- 925 (iii) describe how the county plans to comply with the requirements described in
926 Subsection (4), including:
- 927 (A) a description of how the county plans to provide the matching funds described in
928 Subsection (4)(b) if the proposal is accepted; and
- 929 (B) a schedule by which the requirements will be met; and
- 930 (iv) contain a detailed estimate of the gross cost of procuring a new voting equipment
931 system.
- 932 (4) A county that receives funds through a program grant:
- 933 (a) shall use the funds to purchase a new voting equipment system that:
- 934 (i) meets the requirements of Section 20A-5-802;
- 935 (ii) creates a secure and auditable paper record of each vote; and
- 936 (iii) complies with any additional binding requirement made under Subsection
937 20A-5-803(8) by the Voting Equipment Selection Committee;
- 938 (b) shall, for the purpose of purchasing a new voting equipment system, appropriate
939 matching funds equal to or greater than the difference of:
- 940 (i) the amount described in Subsection (3)(b)(iv) in the proposal that the lieutenant
941 governor accepts under Subsection (6)(b); and
- 942 (ii) the amount the lieutenant governor is required to disburse to the county under
943 Subsection (7)(a);
- 944 (c) may not use funds disbursed under Subsection (6)(b)(i)(D) or appropriated under
945 Subsection (4)(b) for a purpose or in a manner that is not authorized by this section;
- 946 (d) except as provided in Subsection (5), may not, after using a new voting equipment
947 system in an election that was purchased under this section, use voting equipment that does not
948 meet the requirements described in Subsection (4)(a); and
- 949 (e) shall purchase a new voting equipment system described under Subsection (4)(a)
950 that provides the best value to the county with consideration for the new voting equipment
951 system's:
- 952 (i) cost of maintenance;
- 953 (ii) estimated operational lifetime; and
- 954 (iii) cost of replacement.
- 955 (5) A county that receives funds through the program may use voting equipment that

956 does not comply with the requirements described in Subsection (4)(a)(ii) or (iii):

957 (a) to the extent that using the voting equipment is necessary to accommodate a person
958 with a disability in accordance with the requirements described in Subsection
959 [~~20A-3a-202(8)(b)~~] 20A-3a-202(9)(b), 20A-3a-603(1)(c), 20A-5-303(8), or
960 20A-5-403(2)(b)(iii); or

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

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

965 (a) review the proposal to ensure that:

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

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

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

970 (A) accept the proposal;

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

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

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

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

979 (A) reject the proposal; and

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

982 (7) The lieutenant governor:

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

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

986 (ii) the proportional reimbursement rate; and

987 (b) may not disburse funds under Subsection (6)(b)(i)(D):
 988 (i) until the county appropriates the matching funds described in Subsection (4)(b); or
 989 (ii) if the disbursement would cause the county's total receipt of funds from the
 990 program to exceed the proportional reimbursement rate.

991 Section 7. Section **20A-6-105** is amended to read:

992 **20A-6-105. Provisional ballot envelopes.**

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

995 "AFFIRMATION

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

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

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

1000 Name of Voter _____

1001 First Middle Last

1002 Driver License or Identification Card Number _____

1003 State of Issuance of Driver License or Identification Card Number _____

1004 Date of Birth _____

1005 Street Address of Principal Place of Residence

1006 _____

1007 City County State Zip Code

1008 Telephone Number (optional) _____

1009 Email Address (optional) _____

1010 Last four digits of Social Security Number _____

1011 Last former address at which I was registered to vote (if known)

1012 _____

1013 City County State Zip Code

1014 Voting Precinct (if known)

1015 _____

1016 I, (please print your full name) _____ do solemnly swear or

1017 affirm:

1018 That I am eligible to vote in this election; that I have not voted in this election in any
1019 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted to
1020 vote in this precinct; and

1021 Subject to penalty of law for false statements, that the information contained in this
1022 form is true, and that I am a citizen of the United States and a resident of Utah, residing at the
1023 above address; and that I am at least 18 years old and have resided in Utah for the 30 days
1024 immediately before this election.

1025 Signed _____

1026 Dated _____

1027 In accordance with Section 20A-3a-506, wilfully providing false information above is a
1028 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

1029 REQUEST TO RECEIVE BALLOTS BY MAIL

1030 You may request to receive your ballot by mail in all elections held after 2024 by
1031 indicating here:

1032 Yes, I would like to receive my ballot by mail in all elections held after 2024.

1033 You may, at a later date, submit a written request to the county clerk to stop receiving
1034 ballots by mail.

1035 PRIVACY INFORMATION

1036 Voter registration records contain some information that is available to the public, such
1037 as your name and address, some information that is available only to government entities, and
1038 some information that is available only to certain third parties in accordance with the
1039 requirements of law.

1040 Your driver license number, identification card number, social security number, email
1041 address, full date of birth, and phone number are available only to government entities. Your
1042 year of birth is available to political parties, candidates for public office, certain third parties,
1043 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1044 You may request that all information on your voter registration records be withheld
1045 from all persons other than government entities, political parties, candidates for public office,
1046 and their contractors, employees, and volunteers, by indicating here:

1047 Yes, I request that all information on my voter registration records be withheld
1048 from all persons other than government entities, political parties, candidates for public office,

1049 and their contractors, employees, and volunteers.

1050 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1051 In addition to the protections provided above, you may request that all information on
1052 your voter registration records be withheld from all political parties, candidates for public
1053 office, and their contractors, employees, and volunteers, by submitting a withholding request
1054 form, and any required verification, as described in the following paragraphs.

1055 A person may request that all information on the person's voter registration records be
1056 withheld from all political parties, candidates for public office, and their contractors,
1057 employees, and volunteers, by submitting a withholding request form with this registration
1058 record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or
1059 resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

1060 A person may request that all information on the person's voter registration records be
1061 withheld from all political parties, candidates for public office, and their contractors,
1062 employees, and volunteers, by submitting a withholding request form and any required
1063 verification with this registration form, or to the lieutenant governor or a county clerk, if the
1064 person is, or resides with a person who is, a law enforcement officer, a member of the armed
1065 forces, a public figure, or protected by a protective order or a protection order.

1066 CITIZENSHIP AFFIDAVIT

1067 Name:

1068 Name at birth, if different:

1069 Place of birth:

1070 Date of birth:

1071 Date and place of naturalization (if applicable):

1072 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
1073 citizen and that to the best of my knowledge and belief the information above is true and
1074 correct.

1075 _____
1076 Signature of Applicant

1077 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1078 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
1079 up to one year in jail and a fine of up to \$2,500."

1080 (2) The provisional ballot envelope shall include:
1081 (a) a unique number;
1082 (b) a detachable part that includes the unique number;
1083 (c) a telephone number, internet address, or other indicator of a means, in accordance
1084 with Section [20A-6-105.5](#), where the voter can find out if the provisional ballot was counted;
1085 and
1086 (d) beginning May 1, 2022, an insert containing written instructions on how a voter
1087 may sign up to receive ballot status notifications via the ballot tracking system described in
1088 Section [20A-3a-401.5](#).