

**Representative Mark A. Strong** proposes the following substitute bill:

**VOTING AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mark A. Strong**

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

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to mailed ballots.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ subject to certain exceptions, provides that an election is conducted both in person and by mail;
- ▶ requires a county clerk to list a voter as an inactive voter if the voter receives a regular general election ballot by mail and fails to sign and return the ballot envelope by mail or by depositing the envelope in a ballot drop box;
- ▶ provides a method for a voter described in the preceding paragraph to be returned to the list of active voters;
- ▶ provides that a county clerk may only mail a ballot to an active voter or a military or overseas voter; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **20A-1-102**, as last amended by Laws of Utah 2023, Chapters 15, 234 and 297

30 **20A-2-505**, as last amended by Laws of Utah 2023, Chapters 327, 406 and renumbered  
31 and amended by Laws of Utah 2023, Chapter 297

32 **20A-3a-106**, as enacted by Laws of Utah 2023, Chapter 297

33 **20A-3a-202**, as last amended by Laws of Utah 2023, Chapters 56, 106 and 297



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

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

37 **20A-1-102. Definitions.**

38 As used in this title:

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

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

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

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

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

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

49 (b) a constitutional amendment;

50 (c) an initiative;

51 (d) a referendum;

52 (e) a bond proposition;

53 (f) a judicial retention question;

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

55 (h) any other ballot question specifically authorized by the Legislature.

56 (5) "Bind," "binding," or "bound" means securing more than one piece of paper

57 together using staples or another means in at least three places across the top of the paper in the  
58 blank space reserved for securing the paper.

59 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and  
60 20A-4-306 to canvass election returns.

61 (7) "Bond election" means an election held for the purpose of approving or rejecting  
62 the proposed issuance of bonds by a government entity.

63 (8) "Business reply mail envelope" means an envelope that may be mailed free of  
64 charge by the sender.

65 (9) "Canvass" means the review of election returns and the official declaration of  
66 election results by the board of canvassers.

67 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at  
68 the canvass.

69 (11) "Contracting election officer" means an election officer who enters into a contract  
70 or interlocal agreement with a provider election officer.

71 (12) "Convention" means the political party convention at which party officers and  
72 delegates are selected.

73 (13) "Counting center" means one or more locations selected by the election officer in  
74 charge of the election for the automatic counting of ballots.

75 (14) "Counting judge" means a poll worker designated to count the ballots during  
76 election day.

77 (15) "Counting room" means a suitable and convenient private place or room for use  
78 by the poll workers and counting judges to count ballots.

79 (16) "County officers" means those county officers that are required by law to be  
80 elected.

81 (17) "Date of the election" or "election day" or "day of the election":

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

84 (b) does not include:

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

87 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early

88 Voting.

89 (18) "Elected official" means:

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

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

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

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

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

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

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

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

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

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

107 (23) "Election officer" means:

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

109 (b) the county clerk for:

110 (i) a county ballot and election; and

111 (ii) a ballot and election as a provider election officer as provided in Section  
112 20A-5-400.1 or 20A-5-400.5;

113 (c) the municipal clerk for:

114 (i) a municipal ballot and election; and

115 (ii) a ballot and election as a provider election officer as provided in Section  
116 20A-5-400.1 or 20A-5-400.5;

117 (d) the special district clerk or chief executive officer for:

118 (i) a special district ballot and election; and

- 119 (ii) a ballot and election as a provider election officer as provided in Section
- 120 20A-5-400.1 or 20A-5-400.5; or
- 121 (e) the business administrator or superintendent of a school district for:
- 122 (i) a school district ballot and election; and
- 123 (ii) a ballot and election as a provider election officer as provided in Section
- 124 20A-5-400.1 or 20A-5-400.5.
- 125 (24) "Election official" means any election officer, election judge, or poll worker.
- 126 (25) "Election results" means:
- 127 (a) for an election other than a bond election, the count of votes cast in the election and
- 128 the election returns requested by the board of canvassers; or
- 129 (b) for bond elections, the count of those votes cast for and against the bond
- 130 proposition plus any or all of the election returns that the board of canvassers may request.
- 131 (26) "Election returns" includes:
- 132 (a) the pollbook, the military and overseas absentee voter registration and voting
- 133 certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all excess
- 134 ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and the total votes
- 135 cast form; and
- 136 (b) the record, described in Subsection 20A-3a-401(8)(c), of voters contacted to cure a
- 137 ballot.
- 138 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
- 139 or logically associated with a record and executed or adopted by a person with the intent to sign
- 140 the record.
- 141 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
- 142 clerk under Subsection 20A-2-505(4)(c)(i) or (ii), or (4)(d).
- 143 (29) "Judicial office" means the office filled by any judicial officer.
- 144 (30) "Judicial officer" means any justice or judge of a court of record or any county
- 145 court judge.
- 146 (31) "Local election" means a regular county election, a regular municipal election, a
- 147 municipal primary election, a local special election, a special district election, and a bond
- 148 election.
- 149 (32) "Local political subdivision" means a county, a municipality, a special district, or

150 a local school district.

151 (33) "Local special election" means a special election called by the governing body of a  
152 local political subdivision in which all registered voters of the local political subdivision may  
153 vote.

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

157 (35) "Mechanical ballot" means a record, including a paper record, electronic record, or  
158 mechanical record, that:

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

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

162 (36) "Municipal executive" means:

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

164 (b) the mayor in the council-manager form of government defined in Subsection  
165 10-3b-103(7); or

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

167 (37) "Municipal general election" means the election held in municipalities and, as  
168 applicable, special districts on the first Tuesday after the first Monday in November of each  
169 odd-numbered year for the purposes established in Section 20A-1-202.

170 (38) "Municipal legislative body" means:

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

172 (b) the council of a metro township.

173 (39) "Municipal office" means an elective office in a municipality.

174 (40) "Municipal officers" means those municipal officers that are required by law to be  
175 elected.

176 (41) "Municipal primary election" means an election held to nominate candidates for  
177 municipal office.

178 (42) "Municipality" means a city, town, or metro township.

179 (43) "Official ballot" means the ballots distributed by the election officer for voters to  
180 record their votes.

- 181 (44) "Official endorsement" means the information on the ballot that identifies:  
182 (a) the ballot as an official ballot;  
183 (b) the date of the election; and  
184 (c) (i) for a ballot prepared by an election officer other than a county clerk, the  
185 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or  
186 (ii) for a ballot prepared by a county clerk, the words required by Subsection  
187 20A-6-301(1)(b)(iii).
- 188 (45) "Official register" means the official record furnished to election officials by the  
189 election officer that contains the information required by Section 20A-5-401.
- 190 (46) "Political party" means an organization of registered voters that has qualified to  
191 participate in an election by meeting the requirements of Chapter 8, Political Party Formation  
192 and Procedures.
- 193 (47) (a) "Poll worker" means a person assigned by an election official to assist with an  
194 election, voting, or counting votes.  
195 (b) "Poll worker" includes election judges.  
196 (c) "Poll worker" does not include a watcher.
- 197 (48) "Pollbook" means a record of the names of voters in the order that they appear to  
198 cast votes.
- 199 (49) "Polling place" means a building where voting is conducted.
- 200 (50) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
201 in which the voter marks the voter's choice.
- 202 (51) "Presidential Primary Election" means the election established in Chapter 9, Part  
203 8, Presidential Primary Election.
- 204 (52) "Primary convention" means the political party conventions held during the year  
205 of the regular general election.
- 206 (53) "Protective counter" means a separate counter, which cannot be reset, that:  
207 (a) is built into a voting machine; and  
208 (b) records the total number of movements of the operating lever.
- 209 (54) "Provider election officer" means an election officer who enters into a contract or  
210 interlocal agreement with a contracting election officer to conduct an election for the  
211 contracting election officer's local political subdivision in accordance with Section

212 20A-5-400.1.

213 (55) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

217 (56) "Provisional ballot envelope" means an envelope printed in the form required by

218 Section 20A-6-105 that is used to identify provisional ballots and to provide information to

219 verify a person's legal right to vote.

220 (57) (a) "Public figure" means an individual who, due to the individual being

221 considered for, holding, or having held a position of prominence in a public or private capacity,

222 or due to the individual's celebrity status, has an increased risk to the individual's safety.

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

224 (i) elected to public office; or

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

226 (58) "Qualify" or "qualified" means to take the oath of office and begin performing the

227 duties of the position for which the individual was elected.

228 (59) "Receiving judge" means the poll worker that checks the voter's name in the

229 official register at a polling place and provides the voter with a ballot.

230 (60) "Registration form" means a form by which an individual may register to vote

231 under this title.

232 (61) "Regular ballot" means a ballot that is not a provisional ballot.

233 (62) "Regular general election" means the election held throughout the state on the first

234 Tuesday after the first Monday in November of each even-numbered year for the purposes

235 established in Section 20A-1-201.

236 (63) "Regular primary election" means the election, held on the date specified in

237 Section 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan

238 local school board positions to advance to the regular general election.

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

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

241 20A-3a-202(5), provided to a voter with a manual ballot:

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



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

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

245 (66) "Sample ballot" means a mock ballot similar in form to the official ballot,  
246 published as provided in Section [20A-5-405](#).

247 (67) "Special district" means a local government entity under Title 17B, Limited  
248 Purpose Local Government Entities - Special Districts, and includes a special service district  
249 under Title 17D, Chapter 1, Special Service District Act.

250 (68) "Special district officers" means those special district board members who are  
251 required by law to be elected.

252 (69) "Special election" means an election held as authorized by Section [20A-1-203](#).

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

254 (a) is spoiled by the voter;

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

256 (c) lacks the official endorsement.

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

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

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

262 (a) political parties;

263 (b) candidates for an office; or

264 (c) ballot propositions.

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

267 (75) "Vacancy" means:

268 (a) except as provided in Subsection (75)(b), the absence of an individual to serve in a  
269 position created by state constitution or state statute, whether that absence occurs because of  
270 death, disability, disqualification, resignation, or other cause; or

271 (b) in relation to a candidate for a position created by state constitution or state statute,  
272 the removal of a candidate due to the candidate's death, resignation, or disqualification.

273 (76) "Valid voter identification" means:

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

- 276 (i) a currently valid Utah driver license;
- 277 (ii) a currently valid identification card that is issued by:
  - 278 (A) the state; or
  - 279 (B) a branch, department, or agency of the United States;
- 280 (iii) a currently valid Utah permit to carry a concealed weapon;
- 281 (iv) a currently valid United States passport; or
- 282 (v) a currently valid United States military identification card;

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

- 285 (i) a valid tribal identification card;
- 286 (ii) a Bureau of Indian Affairs card; or
- 287 (iii) a tribal treaty card; or
- 288 (c) two forms of identification not listed under Subsection (76)(a) or (b) but that bear  
289 the name of the voter and provide evidence that the voter resides in the voting precinct, which  
290 may include:

- 291 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the  
292 election;
- 293 (ii) a bank or other financial account statement, or a legible copy thereof;
- 294 (iii) a certified birth certificate;
- 295 (iv) a valid social security card;
- 296 (v) a check issued by the state or the federal government or a legible copy thereof;
- 297 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 298 (vii) a currently valid Utah hunting or fishing license;
- 299 (viii) certified naturalization documentation;
- 300 (ix) a currently valid license issued by an authorized agency of the United States;
- 301 (x) a certified copy of court records showing the voter's adoption or name change;
- 302 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 303 (xii) a currently valid identification card issued by:
  - 304 (A) a local government within the state;

- 305 (B) an employer for an employee; or
- 306 (C) a college, university, technical school, or professional school located within the  
307 state; or
- 308 (xiii) a current Utah vehicle registration.
- 309 (77) "Valid write-in candidate" means a candidate who has qualified as a write-in  
310 candidate by following the procedures and requirements of this title.
- 311 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 312 (a) mailing the ballot to the location designated in the mailing; or
- 313 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 314 (79) "Voter" means an individual who:
- 315 (a) meets the requirements for voting in an election;
- 316 (b) meets the requirements of election registration;
- 317 (c) is registered to vote; and
- 318 (d) is listed in the official register book.
- 319 (80) "Voter registration deadline" means the registration deadline provided in Section  
320 [20A-2-102.5](#).
- 321 (81) "Voting area" means the area within six feet of the voting booths, voting  
322 machines, and ballot box.
- 323 (82) "Voting booth" means:
- 324 (a) the space or compartment within a polling place that is provided for the preparation  
325 of ballots, including the voting enclosure or curtain; or
- 326 (b) a voting device that is free standing.
- 327 (83) "Voting device" means any device provided by an election officer for a voter to  
328 vote a mechanical ballot.
- 329 (84) "Voting precinct" means the smallest geographical voting unit, established under  
330 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.
- 331 (85) "Watcher" means an individual who complies with the requirements described in  
332 Section [20A-3a-801](#) to become a watcher for an election.
- 333 (86) "Write-in ballot" means a ballot containing any write-in votes.
- 334 (87) "Write-in vote" means a vote cast for an individual, whose name is not printed on  
335 the ballot, in accordance with the procedures established in this title.

336 Section 2. Section 20A-2-505 is amended to read:

337 **20A-2-505. Removing names from the official register -- Determining and**  
338 **confirming change of residence -- Active or inactive voter status.**

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

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

343 (b) (i) does not vote in an election during the period beginning on the date of the notice  
344 described in Subsection (3), and ending on the day after the date of the second regular general  
345 election occurring after the date of the notice; and

346 (ii) does not respond to the notice described in Subsection (3).

347 (2) (a) Within 31 days after the day on which a county clerk obtains information that a  
348 voter's address has changed, if it appears that the voter still resides within the same county, the  
349 county clerk shall:

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

351 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

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

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

358 [u]VOTER REGISTRATION NOTICE

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

362 \_\_\_\_\_  
363 Street City County State Zip

364 What is your current phone number (optional)? \_\_\_\_\_

365 What is your current email address (optional)? \_\_\_\_\_

366 If you have not changed your residence, or have moved but stayed within the same

367 county, you must complete and return this form to the county clerk so that it is received by the  
368 county clerk before 5 p.m. no later than 30 days before the date of the election. If you fail to  
369 return this form within that time:

370 - you may be required to show evidence of your address to the poll worker before being  
371 allowed to vote in either of the next two regular general elections; or

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

376 \_\_\_\_\_

377 Signature of Voter

378 PRIVACY INFORMATION

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

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

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

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

393 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

403 A person may request that identifying information on the person's voter registration  
404 records be withheld from all political parties, candidates for public office, and their contractors,  
405 employees, and volunteers, by submitting a withholding request form and any required  
406 verification with this registration form, or to the lieutenant governor or a county clerk, if the  
407 person is, or resides with a person who is, a law enforcement officer, a member of the armed  
408 forces, a public figure, or protected by a protective order or a protection order.<sup>[m]</sup>

409 (b) The form described in Subsection (3)(a) shall also include a section in substantially  
410 the following form:

411 -----

412 BALLOT NOTIFICATIONS

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

416 \_\_\_\_\_ Yes, I would like to receive electronic notifications regarding the status of my  
417 ballot.

418 -----

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

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

- 424 (i) the voter requests, in writing, that the voter's name be removed; or
- 425 (ii) the voter dies.

426 (c) (i) After a county clerk mails a notice under this section, the county clerk shall,  
427 unless otherwise prohibited by law, list that voter as inactive.

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

429 was no clerical error causing the card to be returned, and has no further information to contact  
430 the voter, the county clerk shall, unless otherwise prohibited by law, list that voter as inactive.

431 (d) A county clerk shall list a voter as an inactive voter, if the voter:

432 (i) for a two-year period, is mailed a ballot for each election in which the voter is  
433 entitled to vote; and

434 (ii) fails to sign and return a ballot envelope for at least one election held during the  
435 two-year period described in Subsection (4)(d)(i).

436 (e) A county clerk shall return to the list of active voters a voter who is listed as an  
437 inactive voter under Subsection (4)(d) if:

438 (i) the voter requests:

439 (A) that the county clerk mail a ballot to the voter; or

440 (B) to be listed as an active voter, but, in accordance with Subsection 20A-3a-202(10),  
441 requests that the county clerk not mail a ballot to the voter in the next and subsequent elections;  
442 and

443 (ii) the county clerk is not otherwise prohibited by law from listing the voter as an  
444 active voter.

445 ~~[(iii)]~~ (f) An inactive voter may vote, sign petitions, and have all other privileges of a  
446 registered voter.

447 ~~[(iv)]~~ (g) A county is not required to:

448 ~~[(A)]~~ (i) send routine mailings to an inactive voter; or

449 ~~[(B)]~~ (ii) count inactive voters when dividing precincts and preparing supplies.

450 (5) The lieutenant governor shall make available to a county clerk United States Social  
451 Security Administration data received by the lieutenant governor regarding deceased  
452 individuals.

453 (6) A county clerk shall, within ten business days after the day on which the county  
454 clerk receives the information described in Subsection (5) or Subsections 26B-8-114(11) and  
455 (12) relating to a decedent whose name appears on the official register, remove the decedent's  
456 name from the official register.

457 (7) Ninety days before each primary and general election the lieutenant governor shall  
458 compare the information the lieutenant governor has received under Subsection 26B-8-114(11)  
459 with the official register of voters to ensure that all deceased voters have been removed from

460 the official register.

461 Section 3. Section **20A-3a-106** is amended to read:

462 **20A-3a-106. Rulemaking authority relating to conducting an election.**

463 The director of elections, within the Office of the Lieutenant Governor, may make  
464 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
465 establishing requirements for:

466 (1) a return envelope described in Subsection [~~20A-3a-202(4)~~] 20A-3a-202(5), to  
467 ensure uniformity and security of the envelopes;

468 (2) complying with the signature comparison audit requirements described in Section  
469 20A-3a-402.5; or

470 (3) conducting and documenting the identity verification process described in  
471 Subsection 20A-3a-401(7)(b).

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

473 **20A-3a-202. Conducting election .**

474 (1) As used in this section:

475 (a) "By-mail voter" means an active voter or a covered voter.

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

477 [~~(+)~~] (2) (a) Except as otherwise provided for an election conducted entirely by mail  
478 under Section 20A-7-609.5, an election officer shall administer an election [~~primarily~~] both in  
479 person, and by mail, in accordance with this section.

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

482 (3) [~~(2)~~] (a) [~~An~~] Except as provided in Subsection (3)(b), an election officer who  
483 administers an election[;]

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

487 (i) a manual ballot;

488 (ii) a return envelope;

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



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

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

496 ~~[(v)]~~ (b) [for an election administered by an] An election officer, other than a county  
 497 clerk, ~~[if the election officer]~~ who does not operate a polling place or an election day voting  
 498 center~~;~~ shall, in accordance with Subsection (4), no sooner than 21 days before election day  
 499 and no later than seven days before election day, mail to each by-mail voter within a voting  
 500 precinct:

501 (i) a manual ballot;

502 (ii) a return envelope;

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

505 (iv) a warning, on a separate page of colored paper in bold face print, indicating that if  
 506 the voter fails to follow the instructions included with the ballot, the voter will be unable to  
 507 vote in that election because there will be no polling place for the voting precinct on the day of  
 508 the election; and

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

511 (c) An election officer:

512 ~~[(b)]~~ (i) may not mail a ballot under this section to:

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

514 ~~[(ii)]~~ (B) a voter whom the election officer is prohibited from sending a ballot under  
 515 Subsection ~~[(9)(c)(ii)]~~ (10)(c)(ii); and

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

519 ~~[(d)]~~ (iii) shall provide a method of accessible voting to a voter with a disability who is  
 520 not able to vote by mail; and

521 ~~[(e)]~~ (iv) shall include, on the election officer's website and with each ballot mailed,

522 instructions regarding how a voter described in Subsection [~~(2)(d)~~] (3)(c)(iii) may vote.

523 [~~(3)~~] (4) (a) An election officer who mails a manual ballot under Subsection [~~(2)~~] (3)  
524 shall mail the manual ballot to the address:

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

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

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

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

533 [~~(4)~~] (5) [~~The~~] A return envelope shall include:

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

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

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

539 "County of \_\_\_\_ State of \_\_\_\_

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

543 \_\_\_\_\_

544 Signature of Voter"; and

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

548 [~~(5)~~] (6) If the election officer determines that the voter is required to show valid voter  
549 identification, the election officer may:

550 (a) mail a ballot to the voter;

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

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

555 ~~[(6)]~~ (7) An election officer who administers an election shall:

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

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

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

561 ~~[(7)]~~ (8) Upon receipt of a returned ballot, the election officer shall review and process  
562 the ballot under Section 20A-3a-401.

563 ~~[(8)]~~ (9) A county that administers an election:

564 (a) shall provide at least one election day voting center in accordance with Part 7,  
565 Election Day Voting Center, and at least one additional election day voting center for every  
566 5,000 active voters in the county who have not requested to ~~[not]~~ receive a ballot by mail;

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

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

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

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

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

576 (d) is not required to pay return postage for a ballot.

577 ~~[(9)]~~ (10) (a) An individual may request that the election officer not send the individual  
578 a ballot by mail in the next and subsequent elections by submitting a written request to the  
579 election officer.

580 (b) An individual shall submit the request described in Subsection ~~[(9)(a)]~~ (10)(a) to  
581 the election officer before 5 p.m. no later than 60 days before an election if the individual does  
582 not wish to receive a ballot by mail in that election.

583 (c) An election officer who receives a request from an individual under Subsection

584 [~~(9)(a)~~] (10)(a):

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

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

588 (A) the next election, if the individual submits the request described in Subsection  
589 [~~(9)(a)~~] (10)(a) before the deadline described in Subsection [~~(9)(b)~~] (10)(b); or

590 (B) an election after the election described in Subsection [~~(9)(c)(ii)(A)~~] (10)(c)(ii)(A).

591 (d) An individual who submits a request under Subsection [~~(9)(a)~~] (10)(a) may resume  
592 the individual's receipt of a ballot by mail by submitting a written request to the election  
593 officer.

594 Section 5. **Effective date.**

595 This bill takes effect on May 1, 2024.