

**ELECTION CRIMES AND SECURITY AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jordan D. Teuscher**

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

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**LONG TITLE**

**General Description:**

This bill creates the Office of Election Crimes and Security.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ establishes the Office of Election Crimes and Security;
- ▶ establishes powers and duties related to the office described above; and
- ▶ requires the office described above to report annually to the Government Operations

Interim Committee and the governor.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**63A-19-101**, Utah Code Annotated 1953

**63A-19-201**, Utah Code Annotated 1953

**63A-19-202**, Utah Code Annotated 1953

**63A-19-203**, Utah Code Annotated 1953



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

29 Section 1. Section **63A-19-101** is enacted to read:

30 **CHAPTER 19. OFFICE OF ELECTION CRIMES AND SECURITY**

31 **63A-19-101. Definitions.**

32 (1) "Director" means the director of the office.

33 (2) "Office" means the Office of Election Crimes and Security, created in Subsection  
34 [63A-19-201\(1\)](#).

35 Section 2. Section **63A-19-201** is enacted to read:

36 **63A-19-201. Creation of office -- Director appointed -- Powers of the director and**  
37 **the office -- Personnel.**

38 (1) There is created within the department the "Office of Election Crimes and  
39 Security."

40 (2) The office is under the direction and control of a director appointed by the  
41 executive director with approval of the governor.

42 (3) The office shall administer and enforce this chapter.

43 (4) The executive director shall establish the salary of the director in accordance with  
44 standards established by the Division of Human Resource Management.

45 (5) The director:

46 (a) shall employ investigators to conduct investigations; and

47 (b) may employ personnel necessary to carry out the duties and responsibilities of the  
48 office at salaries determined by the director in accordance with standards established by the  
49 Division of Human Resource Management.

50 Section 3. Section **63A-19-202** is enacted to read:

51 **63A-19-202. Purpose and duties of the office.**

52 (1) The purpose of the office is to:

53 (a) receive and review notices and reports generated by a government official or  
54 another person regarding alleged occurrences of election law violations or election  
55 irregularities in this state; and

56 (b) initiate independent inquiries and conduct preliminary investigations into  
57 allegations of election law violations or election irregularities in this state.

58 (2) The office may:

59 (a) review complaints and conduct preliminary investigations into alleged violations of  
60 an election law or rule; and

61 (b) refer matters to the attorney general, a county or district prosecutor, or a law  
62 enforcement agency for further investigation or prosecution.

63 (3) This section does not limit the jurisdiction of any other office or agency of the state  
64 empowered by law to investigate, act upon, or dispose of alleged election law violations.

65 Section 4. Section **63A-19-203** is enacted to read:

66 **63A-19-203. Reporting.**

67 (1) Beginning in 2025, before September 1, the office shall annually prepare and  
68 submit a written report to the Government Operations Interim Committee and the governor  
69 that:

70 (a) describes the office's work during the preceding year; and

71 (b) details information on investigations of alleged election law violations or election  
72 irregularities conducted during the preceding calendar year, including:

73 (i) the total number of complaints received and independent investigations initiated;  
74 and

75 (ii) the number of complaints referred to another agency for further investigation or  
76 prosecution.

77 (2) For each alleged violation or irregularity investigated, the report shall include:

78 (a) the source of the alleged violation or irregularity;

79 (b) the law or rule allegedly violated or the nature of the irregularity reported;

80 (c) the county in which the alleged violation or irregularity occurred;

81 (d) whether the alleged violation or irregularity was referred to another agency for  
82 further investigation or prosecution, and if so, to which agency; and

83 (e) the current status of the investigation or resulting criminal case.

84 Section 5. **Effective date.**

85 This bill takes effect on May 1, 2024.