

Application for an Initiative or Referendum

Utah Code § 20A-7-202



PLEASE NOTE: A copy of the law must be attached to this application along with a statement indicating whether or not signature gatherers will be paid for their services.

Please type or print

Application must be completed by five sponsors

Sponsor Statement — POINT OF CONTACT

I, SHERREL MOORE affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

3670 Timprview Dr

Residence Address

Provo UT 84604

City, State, Zip

lenw@lenmoore.net

Email

425-345-4909

Phone Number

Sponsor's Signature

Notary Seal

Subscribed and affirmed before me this 17 day of 11 2021

by

Notary Public



HEATHER THOMAS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719258
COMM. EXP. 07-20-2025

Sponsor Statement

I, Lowell C. Nelson affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

11167 N 5100 W

Residence Address

Highland, Utah 84003 (801) 763-8046

City, State, Zip

lowellcallnelson@gmail.com

Email

Phone Number

Sponsor's Signature

Notary Seal

Subscribed and affirmed before me this 17 day of 11 2021

by

Notary Public



HEATHER THOMAS
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 719258
COMM. EXP. 07-20-2025

To File This Form

Mail or deliver to:
Lieutenant Governor's Office
Utah State Capitol
Suite 220
Salt Lake City, UT 84114-2325
Fax (801) 538-1133

For More Information Call or Visit:

(801) 538-1041
1-800-995-VOTE (8683)
elections.utah.gov

Application for an Initiative or Referendum

Utah Code § 20A-7-202

Name of Organization

SECURE VOTE UTAH

Sponsor Statement

I, Natalie Clawson affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.
Name of Sponsor (please type or print)

12433 Wildflower Lane
Residence Address

Natalie Clawson
Sponsor's Signature

Highland, UT 84003
City, State, Zip

801-372-3162
Phone Number

Notary Seal

nclawson@gmail.com
Email

Subscribed and affirmed before me this 17 day of Nov 2021

by

[Signature]
Notary Public



HEATHER THOMAS
NOTARY PUBLIC - STATE OF UTAH
COMMISSION# 719258
COMM. EXP. 07-20-2025

Sponsor Statement

I, Jan Peirce affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.
Name of Sponsor (please type or print)

3670 Timpview Dr.
Residence Address

Jan Peirce
Sponsor's Signature

Provo UT. 84604
City, State, Zip

801-885-8985
Phone Number

Notary Seal

cotterbarri's 56@gmail.com
Email

Subscribed and affirmed before me this 22nd day of November 2021.

by

[Signature]
Notary Public



GEOVANY MOORE
NOTARY PUBLIC - STATE OF UTAH
COMMISSION# 697999
COMM. EXP. 12-15-2021

November 29, 2021

Deidre M. Henderson
Utah Lieutenant Governor's Office
Utah State Capitol Building, Suite 220
Salt Lake City, UT 84114

RE: Secure Vote Utah Elections Initiative Application

Lieutenant Governor Henderson:

We submit herewith the Secure Vote Utah Elections Initiative Petition Application. We are the sponsors of this initiative. Although it is not our intention to need to use paid signature gatherers, we note that in the event that persons gathering signatures for this initiative are needed, they may be paid for doing so.

The purpose of this initiative is to restore the rules and framework that established free and fair elections in the State of Utah. Also, this initiative endeavors to provide an election process that contains verifiability and ensures individual trust in the election process. Trust would be strengthened as a consequence of every Utahn being able to verify election results through the basic addition of votes tabulated in the voting precincts and reported to the county.

This initiative would reinstate the decentralization that once existed by allowing local municipalities to administer elections and reestablishing the function of voting precincts: the sacred vote that allows a free people to consent to their government should be as close to the people as possible.

Although technology has brought many enhancements to our society, the very nature that power-seekers and special interests have—and will always have—in the outcome of elections puts our freedom at risk, and has no role in the election process. The only way to verify and trust the process is to eliminate technology and public/private partnerships in voting and tabulating.

This initiative includes multiple aspects of the voting process, but stays within the section of 20A—as do many other pieces of election legislation including, but not limited to, HB36 that has 214 lines of changes within 20A.

In essence, through this initiative, we would like to give the citizens of Utah the opportunity to decide for themselves if elections administered and counted at their local voting precincts, in-person, on paper, and with ID would instill the verifiability and trust that rises to the level of protection needed to secure the sacred vote.

Sincerely,

Lew Moore
Jan Peirce
Stephanie Grant
Lowell Nelson
Natalie Clawson

Secure the Vote Act of 2022

LONG TITLE

General Description:

An initiative of the people that returns most voting to election day, in-person at local precincts; instructs precinct election judges to count all ballots they receive throughout election day and publicly release the results; returns to the absentee ballot system that permits limited mail-in voting for cause; creates emergency ballots for those with unforeseen events that would prevent in-person voting; requires Utah-issued photo identification to register, request a ballot before election day, and to vote in person; requires a statewide sequential numbering system and uniform paper for all ballots; authorizes sample audits to verify election results; and amends related code sections to implement the Act.

Funding:

State election functions referred to in this initiative will be funded by the state's election budget. County and local governmental election functions affected by this initiative will be funded by the current election budgets in those jurisdictions. No new revenue sources will be needed to fund this initiative.

Highlighted Provisions:

This Initiative:

modifies definitions;

requires photo identification to verify the identity of an individual who is voting;

establishes an absentee ballot process for certain voters who know they are unable to vote at a polling place on election day;

requires voters to register at least 30 days before the election;

establishes emergency ballots for those who cannot acquire an absentee ballot who have experienced an unforeseen emergency;

removes voting by mail as the primary voting method in the state and replaces it with in-person voting on election day;

modifies ballot printing and tracking requirements;

31 establishes the counting of absentee and poll ballots in the precinct;
32 authorizes candidates to initiate a sample audit after an election;
33 requires photo identification to verify the identity of the individual at the time they
34 register, request or return an absentee or emergency ballot, or vote;
35 addresses the form, handling, depositing, and tabulation of ballots;
36 imposes election security and transparency requirements; and
37 makes technical and conforming changes.

38 **Money Appropriated in this Initiative:**
39 None

40 **Other Special Clauses:**
41 None

42

43 **Utah Code Sections Affected:**

44 **AMENDS:**

45 20A-1-102, as last amended by Laws of Utah 2020, Chapters 31, 49, 255, and 354
46 20A-1-603, as last amended by Laws of Utah 2020, Chapter 31
47 20A-1-605, as last amended by Laws of Utah 2020, Chapter 31
48 20A-2-104, as last amended by Laws of Utah 2021, Chapter 100
49 20A-2-108, as last amended by Laws of Utah 2021, Chapter 100
50 20A-2-201, as last amended by Chapter 31, 2020 General Session, amended by Chapter 95, 2020
51 General Session, amended by Chapter 95, 2020 General Session, (Coordination Clause)
52 20A-2-301, as last amended by Laws of Utah 2020, Chapter 31
53 20A-2-306, as last amended by Laws of Utah 2021, Chapters 11 and 100
54 20A-2-307, as amended by Chapter 22, 2020 General Session, amended by Chapter 31, 2020
55 General Session

56 20A-2-308, amended by Chapter 373, 2014 General Session

57 20A-3a-201, as enacted by Laws of Utah 2020, Chapter 31

58 20A-3a-204, as enacted by Laws of Utah 2020, Chapter 31

59 20A-3a-205, as renumbered and amended by Chapter 31, 2020 General Session

60 20A-3a-301, as renumbered and amended by Laws of Utah 2020, Chapter 31

61 20A-3a-401, as renumbered and amended by Laws of Utah 2020, Chapter 31

62 20A-3a-401.5, as enacted by Laws of Utah 2021, Chapter 100

63 20A-3a-402, as last amended by Laws of Utah 2021, Chapter 62 45 20A-3a-501, as last amended

64 by Laws of Utah 2020, Sixth Special Session, Chapter 17

65 20A-3a-701, as renumbered and amended by Chapter 31, 2020 General Session

66 20A-3a-702, as renumbered and amended by Laws of Utah 2020, Chapter 31

67 20A-4-101, as amended by Chapter 31, 2020 General Session

68 20A-4-102, as amended by Chapter 31, 2020 General Session amended by Chapter 49, 2020

69 General Session

70 20A-4-105, amended by Chapter 31, 2020 General Session, amended by Chapter 49,

71 2020 General Session

72 20A-4-107, as last amended by Laws of Utah 2020, Chapter 31

73 20A-4-202, as amended by Chapter 31, 2020 General Session

74 20A-5-400.1, as amended by Chapter 101, 2021 General Session

75 20A-5-403, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

76 20A-6-101, as last amended by Laws of Utah 2020, Chapter 31

77 **ENACTS:**

78 20A-3a-302, Utah Code Annotated 1953

79 20A-3a-303, Utah Code Annotated 1953

80 20A-3a-304, Utah Code Annotated 1953
81 20A-3a-305, Utah Code Annotated 1953
82 20A-3a-306, Utah Code Annotated 1953
83 20A-3a-404, Utah Code Annotated 1953
84 **REPEALS:**
85 20A-2-207, Utah Code Annotated, amended by Chapter 31, 2020 General Session, amended by
86 Chapter 95, 2020 General Session
87 20A-3a-202, amended by Chapter 100, 2021 General Session
88 20A-3a-6, Utah Code Annotated, renumbered and amended by Chapter 31, 2020 General
89 Session, amended by Chapter 95, 2020 General Session
90 20A-3a-601, Utah Code Annotated, renumbered and amended by Chapter 31, 2020 General
91 Session, Amended by Chapter 95, 2020 General Session
92 20A-3a-602, Utah Code Annotated 2020, renumbered and amended by Chapter 31, 2020
93 General Session
94 20A-3a-603, Utah Code Annotated 2020, renumbered and amended by Chapter 31,
95 2020 General Session
96 20A-3a-604, Utah Code Annotated 2020, amended by Chapter 15, 2021 Special Session
97 20A-3a-605, Utah Code Annotated, renumbered and amended by Chapter 31, 2020 General
98 Session
99 20A-4-602, amended by Chapter 101, 2021 General Session
100 20A-4-603, amended by Chapter 305, 2019 General Session
101 20A-4-604, enacted by Chapter 187, 2018 General Session
102 20A-5-403.5, as last amended by Laws of Utah 2021, First Special Session, Chapter 15
103 20A-6-203.5, enacted by Chapter 187, 2018 General Session

104

105 Be it enacted by the Legislature of the state of Utah:

106

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

108 20A-1-102. Definitions.

109 As used in this title:

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

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

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

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

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

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

120 (b) a constitutional amendment;

121 (c) an initiative;

122 (d) a referendum;

123 (e) a bond proposition;

124 (f) a judicial retention question;

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

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

127 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together
128 using staples or another means in at least three places across the top of the paper in the
129 blank space reserved for securing the paper.

130 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-
131 4-306 to canvass election returns.

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

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

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

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

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

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

144 (13) "Counting center" is either a precinct or the election office designated by the county
145 for the counting of ballots. ~~[means one or more locations selected by the election officer~~
146 ~~in charge of the election for the automatic counting of ballots.]~~

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

149 (15) "Counting room" means a suitable and convenient private place or room for use by
150 the poll workers and counting judges to count ballots that provides adequate space for all
151 poll watchers to observe (within 5 feet of the ballots) the counting of ballots.

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

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

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

156 (b) does not include[=] deadlines established for voting by mail, military-overseas
157 voting, or emergency voting. [~~or (ii) any early voting or early voting period as~~
158 ~~provided under Chapter 3a, Part 6, Early Voting.~~]

159 (18) "Elected official" means:

160 (a) a person elected to an office under Section 20A-1-303 [~~or Chapter 4, Part 6,~~
161 ~~120 Municipal Alternate Voting Methods Pilot Project~~];

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

164 (c) a person who is considered to be elected to a local district office in accordance
165 with 124 Subsection 20A-1-206(3)(c)(ii).

166 (19) "Election" means a regular general election, a municipal general election, a statewide
167 special election, a local special election, a regular primary election, a municipal primary
168 election, and a local district election.

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

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

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

174 (a) preside over other poll workers at a polling place;
175 (b) act as the presiding election judge; or
176 (c) serve as a canvassing judge, counting judge, or receiving judge.

177 (23) "Election officer" means:

178 (a) the lieutenant governor, for all statewide ballots and elections;
179 (b) the county clerk for:
180 (i) a county ballot and election; and
181 (ii) a ballot and election as a provider election officer as provided in
182 Section 20A-5-400.1 or 20A-5-400.5;
183 (c) the municipal clerk for:
184 (i) a municipal ballot and election; and
185 (ii) a ballot and election as a provider election officer as provided in
186 Section 20A-5-400.1 or 20A-5-400.5;
187 (d) the local district clerk or chief executive officer for:
188 (i) a local district ballot and election; and
189 (ii) a ballot and election as a provider election officer as provided in
190 Section 20A-5-400.1 or 20A-5-400.5; or
191 (e) the business administrator or superintendent of a school district for:
192 (i) a school district ballot and election; and
193 (ii) a ballot and election as a provider election officer as provided in
194 Section 20A-5-400.1 or 20A-5-400.5.

195 (24) "Election official" means any person authorized to conduct the election. ~~[election~~
196 ~~officer, election judge, or poll worker.]~~

197 (25) "Election results" means:

198 (a) for an election other than a bond election, the count of votes cast in the election and
199 the election returns requested by the board of canvassers; or

200 (b) for bond elections, the count of those votes cast for and against the bond
201 proposition plus any or all of the election returns that the board of canvassers may
202 request.

203 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
204 registration and voting certificates, ~~[one of]~~ the completed vote tally sheets, any unprocessed
205 ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot
206 disposition form, and the completed total votes cast affidavit ~~[form]~~.

207 (27) "Electronic signature" means an electronic sound, symbol, or process attached to or
208 logically associated with a record and executed or adopted by a person with the intent to sign the
209 record.

210 (28) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under
211 Subsection 20A-2-306(4)(c)(i) or (ii).

212 (29) "Judicial office" means the office filled by any judicial officer.

213 (30) "Judicial officer" means any justice or judge of a court of record or any county court judge.

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

217 (32) "Local district officers" means those local district board members that are required by law
218 to be elected.

219 (33) "Local election" means a regular county election, a regular municipal election, a municipal
220 primary election, a local special election, a local district election, and a bond election.

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

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

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

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

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

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

234 (38) "Municipal executive" means:

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

236 (b) the mayor in the council-manager form of government defined in Subsection
237 10-3b-103(7); or

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

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

242 (40) "Municipal legislative body" means:

243 (a) the council of the city or town in any form of municipal government; or
244 (b) the council of a metro township.

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

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

247 (43) "Municipal primary election" means an election held to nominate candidates for municipal
248 office.

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

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

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

253 (a) the ballot as an official ballot;

254 (b) the date of the election; and

255 (c) (i) for a ballot prepared by an election officer other than a county clerk, the
256 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

257 (ii) for a ballot prepared by a county clerk, the words required by Subsection
258 20A-6-301(1)(b)(iii).

259 (47) "Official register" means the official record furnished to election officials by the election
260 officer that contains the information required by Section 20A-5-401.

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

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

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

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

268 (d) A "Poll worker" may be a volunteer (need not be paid for their services), and must be
269 a registered voter and live within the county where they are assigned to work.

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

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

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

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

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

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

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

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

282 (56) "Provider election officer" means an election officer who enters into a contract or interlocal
283 agreement with a contracting election officer to conduct an election for the contracting election
284 officer's local political subdivision in accordance with Section 20A-5-400.1.

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

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

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

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

289 (58) "Provisional ballot envelope" means an envelope printed in the form required by Section
290 20A-6-105 that is used to identify provisional ballots and to provide information to verify a
291 person's legal right to vote.

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

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

296 (i) elected to public office; or

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

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

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

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

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

305 (64) "Regular general election" means the election held throughout the state on the first Tuesday
306 after the first Monday in November of each even-numbered year for the purposes established in
307 Section 20A-1-201.

308 (65) "Regular primary election" means the election, held on the date specified in Section 20A-1-
309 201.5, to nominate candidates of political parties and candidates for nonpartisan local school
310 board positions to advance to the regular general election.

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

312 (67) "Return envelope" means the envelope, described in Subsection [~~20A-3a-202(4)~~] 20A-3a-
313 303(3), provided to a voter with a manual ballot:

314 (a) into which the voter places the manual ballot after the voter has voted the manual
315 ballot in order to preserve the secrecy of the voter's vote; and

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

317 (68) "Sample ballot" means a mock ballot similar in form to the official ballot printed and
318 distributed as provided in Section 20A-5-405.

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

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

321 (a) is spoiled by the voter;

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

323 (c) lacks the official endorsement.

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

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

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

329 (a) political parties;

330 (b) candidates for an office; or

331 (c) ballot propositions.

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

333 (75) "Vacancy" means the absence of a person to serve in any position created by statute,
334 whether that absence occurs because of death, disability, disqualification, resignation, or other
335 cause.

336 (76) "Valid voter identification" means~~[-(a)]~~ one of the following [a] forms of legal
337 identification issued by the state of Utah that bears the name and photograph of the voter;
338 ~~[which may include:]~~

339 ~~[(i)]~~ (a) a currently valid Utah driver license;

340 ~~[(ii)]~~ (b) a currently valid identification card that is issued by ~~[-(A) (i)]~~ the state of Utah
341 ~~[-or]~~

342 ~~[(B)] (ii)~~ a branch, department, or agency of the United States;]

343 ~~[(iii)]~~ (c) a currently valid Utah permit to carry a concealed weapon;

344 ~~[(iv)] a currently valid United States passport; or]~~

345 ~~[(v)] a currently valid United States military identification card;]~~

346 ~~[(b) one of the following identification cards, whether or not the card includes a~~
347 ~~photograph of the voter:]~~

348 ~~[(i) a valid tribal identification card;]~~

349 ~~[(ii) a Bureau of Indian Affairs card; or]~~

350 ~~[(iii) a tribal treaty card; or]~~

351 ~~[(e) two forms of identification not listed under Subsection (76)(a) or (b) but that bear~~
352 ~~the name of the voter and provide evidence that the voter resides in the voting precinct,~~
353 ~~which may include:]~~

354 ~~[(i) a current utility bill or a legible copy thereof, dated within the 90 days before~~
355 ~~the election;]~~

356 ~~[(ii) a bank or other financial account statement, or a legible copy thereof;]~~

357 ~~[(iii) a certified birth certificate;]~~

358 ~~[(iv) a valid social security card;]~~

359 ~~[(v) a check issued by the state or the federal government or a legible copy~~
360 ~~thereof;]~~

361 ~~[(vi) a paycheck from the voter's employer, or a legible copy thereof;]~~

362 ~~[(vii) a currently valid Utah hunting or fishing license;]~~

363 ~~[(viii) certified naturalization documentation;]~~

364 ~~[(ix) a currently valid license issued by an authorized agency of the United~~
365 ~~States;]~~

366 ~~[(x) a certified copy of court records showing the voter's adoption or name~~
367 ~~change;]~~

368 ~~[(xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer~~
369 ~~Card;]~~

370 ~~[(xii) a currently valid identification card issued by:]~~

371 ~~[(A) a local government within the state;]~~

372 ~~[(B) an employer for an employee; or]~~

373 ~~[(C) a college, university, technical school, or professional school located~~
374 ~~within the state; or]~~

375 ~~[(xiii) a current Utah vehicle registration.]~~

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

378 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by~~[(a)]~~
379 mailing the ballot to the location designated in the mailing~~[: or]~~.

380 ~~[(b) depositing the ballot in a ballot drop box designated by the election officer.]~~

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

382 (a) meets the requirements for voting in an election;
383 (b) meets the requirements of election registration;
384 (c) is registered to vote; and
385 (d) is listed in the official register book.

386 (80) "Voter registration deadline" means the registration deadline provided in Section 20A-2-
387 102.5.

388 (81) "Voting area" means the area within six feet of the voting booths, voting 344 machines, and
389 ballot box.

390 (82) "Voting booth" means:

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

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

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

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

398 (85) "Watcher" means an individual who complies with the requirements described in Section
399 20A-3a-801 to become a watcher for an election.

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

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

403

404 **Section 2. Section 20A-1-603 is amended to read:**

20A-1-603. Fraud, interference, disturbance -- Tampering with ballots or records -- Penalties.

(1) (a) An individual may not fraudulently vote on the individual's behalf or on behalf of another, by:

(i) voting more than once at any one election;

(ii) knowingly handing in two or more ballots folded together or submitted separately;

(iii) changing any ballot after the ballot is cast ~~[or]~~ deposited in the ballot box, ~~[or ballot drop box]~~ or mailed;

(iv) adding or attempting to add any ballot or vote to those legally polled at any election by fraudulently introducing the ballot or vote into the ballot box or vote tally, either before or after the ballots have been counted;

(v) adding to or mixing or attempting to add or mix, other ballots with the ballots lawfully polled while those ballots are being counted or canvassed, or at any other time; or

(vi) voting in a voting district or precinct when the individual knew or should have known that the individual was not eligible for voter registration in that district or precinct, unless the individual is legally entitled to vote the ballot under Section 20A-4-107 or another provision of this title.

(b) A person may not fraudulently interfere with an election in any way, including by:

(i) willfully tampering with, detaining, mutilating, or destroying any election returns;

(ii) in any manner, interfering with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, so as to prevent the election or canvass from being fairly held or lawfully conducted;

(iii) engaging in riotous conduct at any election, or interfering in any manner with any election official in the discharge of the election official's duties;

(iv) inducing any election officer, or officer whose duty it is to ascertain, announce, or declare the result of any election or to give or make any certificate, document, or evidence in relation to any election, to violate or refuse to comply with the election officer's duty or any law regulating the election officer's duty;

436 (v) taking, carrying away, concealing, removing, or destroying any ballot,
437 pollbook, or other thing from a polling place, or from the possession of the
438 person authorized by law to have the custody of that thing; or

439 [~~(vi) taking, carrying away, concealing, removing, or destroying a ballot drop~~
440 ~~box or the contents of a ballot drop box; or~~]

441 [~~(vii)~~] (vi) aiding, counseling, providing, procuring, advising, or assisting any
442 person to do any of the acts described in this section.

443 (2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), a person who
444 commits an offense under Subsection (1) is guilty of a class A misdemeanor for each offense.

445

446 **Section 3. Section 20A-1-605 is amended to read:**

447 20A-1-605. Mutilating certificate of nomination -- Forging declination or resignation --
448 Tampering with ballots.

449 (1) It is unlawful for any person to:

450 (a) falsely mark or willfully deface or destroy:

451 (i) any certificate of nomination or any part of a certificate of nomination; or

452 (ii) any letter of declination or resignation;

453 (b) file any certificate of nomination or letter of declination or resignation knowing it, or
454 any part of it, to be falsely made;

455 (c) suppress any certificate of nomination, or letter of declination or resignation, or any
456 part of a certificate of nomination or letter of declination or resignation that has been
457 legally filed;

458 (d) forge any letter of declination or resignation;

459 (e) falsely make the official endorsement on any ballot;

460 (f) willfully destroy or deface any ballot;

461 (g) willfully delay the delivery of any ballots;

462 (h) examine any ballot offered or cast at the polls or found in any ballot box [~~or ballot~~
463 ~~drop box~~] for any purpose other than to determine which candidate was elected; [~~and~~] or

(i) make or place any mark or device on any ballot in order to determine the name of any person for whom the elector has voted.

(2) In addition to the penalties established in Subsections 20A-1-609(2) and (3), any person convicted of any of the offenses established by this section is guilty of a class A misdemeanor for each offense.

Section 4. Section 20A-2-104 is amended to read:

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

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

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

(A) who files a declaration of candidacy for a public office;

(B) who files a notice of intent to gather signatures under Section 20A-9-408; or

(C) employed by, under contract with, or a volunteer of, an individual described in Subsection (1)(a)(i)(A) or (B) for political campaign purposes.

(ii) "Dating violence" means the same as that term is defined in Section 78B-7-402 and the federal Violence Against Women Act of 1994, as amended.

(iii) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the federal Violence Against Women Act of 1994, as amended.

(b) An individual applying for voter registration, or an individual preregistering to vote, shall complete a voter registration form in substantially the following form:

UTAH ELECTION REGISTRATION FORM

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

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

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

491 If you checked "no" to the above question, are you 16 or 17 years of age and preregistering to
492 vote? Yes No

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

494 Name of Voter

495

496	First	Middle	Last
-----	-------	--------	------

497 Utah Driver License, ~~or~~ Utah Identification Card or a valid Utah permit to carry a concealed
498 weapon

499 Number_____

500 Date of Birth _____

501 Street Address of Principal Place of Residence

502

503	City	County	State	Zip Code
-----	------	--------	-------	----------

504 Telephone Number (optional) _____

505 Email Address (optional) _____

506 Last four digits of Social Security Number _____

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

508

509 City County State Zip Code

510 Political Party

511 (a listing of each registered political party, as defined in Section 20A-8-101 and maintained by
512 the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)

513 Unaffiliated (no political party preference) Other (Please specify)_____

514 I do swear (or affirm), subject to penalty of law for false statements, that the information
515 contained in this form is true, and that I am a citizen of the United States and a resident of the
516 state of Utah, residing at the above address. Unless I have indicated above that I am
517 preregistering to vote in a later election, I will be at least 18 years of age and will have resided

518 in Utah for 30 days immediately before the next election. I am not a convicted felon currently
519 incarcerated for commission of a felony.

520 Signed and sworn

521 _____

522 Voter's Signature

523 _____(month/day/year).

524 **PRIVACY INFORMATION**

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

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

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

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

539 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

540 In addition to the protections provided above, you may request that all information on your
541 voter registration records be withheld from all political parties, candidates for public office, and
542 their contractors, employees, and volunteers, by submitting a withholding request form, and any
543 required verification, as described in the following paragraphs. A person may request that all
544 information on the person's voter registration records be withheld from all political parties,
545 candidates for public office, and their contractors, employees, and volunteers, by submitting a
546 withholding request form with this registration record, or to the lieutenant governor or a county
547 clerk, if the person is or is likely to be, or resides with a person who is or is likely to be, a victim
548 of domestic violence or dating violence. A person may request that all information on the
549 person's voter registration records be withheld from all political parties, candidates for public
550 office, and their contractors, employees, and volunteers, by submitting a withholding request

551 form and any required verification with this registration form, or to the lieutenant governor or a
552 county clerk, if the person is, or resides with a person who is, a law enforcement officer, a
553 member of the armed forces, a public figure, or protected by a protective order or a protection
554 order.

555 CITIZENSHIP AFFIDAVIT

556 Name:

557 Name at birth, if different:

558 Place of birth:

559 Date of birth:

560 Date and place of naturalization (if applicable):

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

563 _____

564 Signature of Applicant

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

568 NOTICE: IN ORDER TO BE ALLOWED TO VOTE IN PERSON, YOU MUST PRESENT
569 VALID VOTER IDENTIFICATION TO THE POLL WORKER. IF VOTING BY MAIL
570 YOU MUST SUBMIT A COPY OF VALID VOTER IDENTIFICATION WITH THE
571 BALLOT. [BEFORE VOTING,] THIS [WHICH MUST BE A VALID] FORM OF PHOTO
572 IDENTIFICATION [THAT] MUST SHOW[S] YOUR NAME, [AND] PHOTOGRAPH [;
573 OR TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME]
574 AND CURRENT ADDRESS.

575 FOR OFFICIAL USE ONLY

576 Type of I.D. _____

577 Voting Precinct _____

578 Voting I.D. Number _____

579 -----

580 (c) Beginning May 1, 2022, the voter registration form described in Subsection (1)(b) shall
581 include a section in substantially the following form:

582 -----

583 BALLOT NOTIFICATIONS

584 If you have provided a phone number or email address, you can receive notifications by text
585 message or email regarding the status of a ballot that ~~[is mailed to you or a ballot that you~~
586 ~~deposit in the mail or in a ballot drop box]~~ you cast, by indicating here: _____ Yes, I would
587 like to receive electronic notifications regarding the status of my ballot.

588 -----

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

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

594 (3) (a) Each county clerk shall retain lists of currently registered voters.

595 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.

596 (c) If there are any discrepancies between the two lists, the county clerk's list is the
597 official list.

598 (d) The lieutenant governor and the county clerks may charge the fees established
599 under the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a
600 copy of the list of registered voters.

601 (4) (a) As used in this Subsection (4), "qualified person" means:

602 (i) a government official or government employee acting in the government
603 official's or government employee's capacity as a government official or a
604 government employee;

605 (ii) a health care provider, as defined in Section 26-33a-102, or an agent,
606 employee, or independent contractor of a health care provider;

607 (iii) an insurance company, as defined in Section 67-4a-102, or an agent,
608 employee, or independent contractor of an insurance company;

609 (iv) a financial institution, as defined in Section 7-1-103, or an agent,
610 employee, or independent contractor of a financial institution;

611 (v) a political party, or an agent, employee, or independent contractor of a
612 political party;

613 (vi) a candidate for public office, or an employee, independent contractor, or
614 volunteer of a candidate for public office; or

615 (vii) a person, or an agent, employee, or independent contractor of the person,
616 who:

617 (A) provides the year of birth of a registered voter that is obtained from
618 the list of registered voters only to a person who is a qualified person;

619 (B) verifies that a person, described in Subsection (4)(a)(vii)(A), to
620 whom a year of birth that is obtained from the list of registered voters is
621 provided, is a qualified person;

622 (C) ensures, using industry standard security measures, that the year of
623 birth of a registered voter that is obtained from the list of registered
624 voters may not be accessed by a person other than a qualified person;

625 (D) verifies that each qualified person, other than a qualified person
626 described in Subsection (4)(a)(i), (v), or (vi), to whom the person
627 provides the year of birth of a registered voter that is obtained from the
628 list of registered voters, will only use the year of birth to verify the
629 accuracy of personal information submitted by an individual or to
630 confirm the identity of a person in order to prevent fraud, waste, or
631 abuse;

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

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

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

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

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

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

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

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

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

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

(F) a statement that if the person obtains the year of birth of a registered voter from the list of registered voters under false pretenses, or provides or uses the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law, is guilty of a class A misdemeanor and is subject to a civil fine;

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

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

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

674 ~~{(i)}~~ is not a qualified person or a person described in Subsection (4)(l).~~[- or~~

675 ~~[(ii) will provide or use the year of birth in a manner prohibited by law.]~~

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

680 (i) a government official or government employee acting in the government
681 official's or government employee's capacity as a government official or
682 government employee; or

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

685 (e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant
686 governor or county clerk shall exclude the information described in Subsection 63G-2-
687 302(1)(j), other than the year of birth.

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

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

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

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

698 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)
699 under false pretenses;

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

703 (v) unlawfully discloses or obtains a voter registration record withheld under
704 Subsection (7) or a withholding request form described in Subsections (7) and
705 (8); or (vi) unlawfully discloses or obtains information from a voter registration

706 record withheld under Subsection (7) or a withholding request form described in
707 Subsections (7) and (8).

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

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

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

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

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

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

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

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

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

727 (ii) \$200.

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

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

734 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains
735 or uses the year of birth only to verify the accuracy of personal information

736 submitted by an individual or to confirm the identity of a person in order to
737 prevent fraud, waste, or abuse;

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

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

745 ~~[(1) The lieutenant governor or a county clerk may provide a year of birth to a member~~
746 ~~of the media, in relation to an individual designated by the member of the media, in~~
747 ~~order for the member of the media to verify the identity of the individual.]~~

748 ~~(ml)~~ A person described in Subsection (4)(a)(v) or (vi) may not use or disclose
749 information from a voter registration record for a purpose other than a political
750 purpose.

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

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

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

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

762 (7) The lieutenant governor or a county clerk shall withhold from a person, other than a person
763 described in Subsection (4)(a)(i), the voter registration record, and information obtained from
764 the voter registration record, of an individual:

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

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

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

772 (A) a law enforcement officer;

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

774 (C) a public figure; or

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

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

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

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

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

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

793

794 **Section 5. Section 20A-2-108 is amended to read:**

795 20A-2-108. Driver license or state identification card registration form -- Transmittal of
796 information.

797 (1) As used in this section, "qualifying form" means:

- 798 (a) a driver license application form; or
- 799 (b) a state identification card application form.
- 800 (2) The lieutenant governor and the Driver License Division shall design each qualifying form to
- 801 include:
- 802 (a) the following question, which an applicant is required to answer: "Do you authorize
- 803 the use of information in this form for voter registration purposes? YES ____ NO ____";
- 804 (b) the following statement:

805

806 "PRIVACY INFORMATION

807 Voter registration records contain some information that is available to the public, such as your

808 name and address, some information that is available only to government entities, and some

809 information that is available only to certain third parties in accordance with the requirements of

810 law.

811 Your driver license number, identification card number, social security number, email address,

812 full date of birth, and phone number are available only to government entities. Your year of birth

813 is available to political parties, candidates for public office, certain third parties, and their

814 contractors, employees, and volunteers, in accordance with the requirements of law. You may

815 request that all information on your voter registration records be withheld from all persons other

816 than government entities, political parties, candidates for public office, and their contractors,

817 employees, and volunteers, by indicating here:

818 ____ Yes, I request that all information on my voter registration records be withheld from all

819 persons other than government entities, political parties, candidates for public office, and their

820 contractors, employees, and volunteers.

821 REQUEST FOR ADDITIONAL PRIVACY PROTECTION In addition to the protections

822 provided above, you may request that all information on your voter registration records be

823 withheld from all political parties, candidates for public office, and their contractors, employees,

824 and volunteers, by submitting a withholding request form, and any required verification, as

825 described in the following paragraphs. A person may request that all information on the person's

826 voter registration records be withheld from all political parties, candidates for public office, and

827 their contractors, employees, and volunteers, by submitting a withholding request form with this

828 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely to

829 be, or resides with a person who is or is likely to be, a victim of domestic violence or dating

830 violence. A person may request that all information on the person's voter registration records be

831 withheld from all political parties, candidates for public office, and their contractors, employees,
832 and volunteers, by submitting a withholding request form and any required verification with this
833 registration form, or to the lieutenant governor or a county clerk, if the person is, or resides with
834 a person who is, a law enforcement officer, a member of the armed forces, a public figure, or
835 protected by a protective order or a protection order."; and (c) beginning May 1, 2022, a section
836 in substantially the following form:

837 -----

838 BALLOT NOTIFICATIONS

839 If you have provided a phone number or email address, you can receive notifications by text
840 message or email regarding the status of a ballot [~~that is mailed to you or a ballot that you~~
841 ~~deposit in the mail or in a ballot drop box,~~] you cast by indicating here:

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

843 -----

844 (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form
845 contains:

846 (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and
847 Utah residency, and that the information provided in the form is true;

848 (b) a records disclosure that is similar to the records disclosure on a voter registration
849 form described in Section 20A-2-104;

850 (c) a statement that if an applicant declines to register or preregister to vote, the fact
851 that the applicant has declined to register or preregister will remain confidential and
852 will be used only for voter registration purposes;

853 (d) a statement that if an applicant does register or preregister to vote, the office
854 at which the applicant submits a voter registration application will remain
855 confidential and will be used only for voter registration purposes; and

856 (e) if the applicant answers "yes" to the question described in Subsection (2)(a), a
857 space where an individual may, if desired:

858 (i) indicate the individual's desired political affiliation from a listing of each
859 registered political party, as defined in Section 20A-8-101;

860 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with
861 which the individual desires to affiliate; or

862 (iii) indicate that the individual does not wish to affiliate with a political
863 party.

864

865 **Section 6. Section 20A-2-201 is amended to read:**

866 20A-2-201. Registering to vote at office of county clerk.

867 (1) Except as provided in Subsection (3), the county clerk shall register to vote each
868 individual who registers in person at the county clerk's office during designated office hours
869 if the individual will, on the date of the election, be legally eligible to vote in a voting
870 precinct in the county in accordance with Section 20A-2-101.

871 (2) If an individual who is registering to vote submits a registration form in person at the
872 office of the county clerk no later than 5 p.m. ~~{14}~~ 30 calendar days before the date of the
873 election, the county clerk shall:

874 (a) accept and process the voter registration form;

875 (b) unless the individual named in the form is preregistering to vote:

876 (i) enter the individual's name on the list of registered voters for the voting
877 precinct in which the individual resides; and

878 (ii) notify the individual that the individual is registered to vote in the
879 upcoming election; and

880 (c) if the individual named in the form is preregistering to vote, comply with Section
881 20A-2-101.1.

882 (3) If an individual who is registering to vote and who will be legally qualified and entitled
883 to vote in a voting precinct in the county on the date of an election appears in person, during
884 designated office hours, and submits a registration form after the deadline described in
885 Subsection (2), the county clerk shall accept the registration form and, except as provided in
886 Subsection 20A-2-207(6), inform the individual that the individual will not be registered to
887 vote in the pending election ~~[, unless the individual registers to vote by provisional ballot~~
888 ~~during the early voting period, if applicable, or on election day,]~~ in accordance with Section
889 20A-2-207.

890

891 **Section 7. Section 20A-2-301 is amended to read:**

892 20A-2-301. County clerk responsibilities -- Voter registration forms.

893 (1) Each county clerk shall provide voter registration forms for use in the voter
894 registration process.

895 (2) (a) Each county clerk shall provide a copy of the voter registration form to each
896 public assistance agency and discretionary voter registration agency.

897 (b) Each county clerk may provide a copy of the voter registration form to
898 public school districts and nonpublic schools as provided in Section 20A-2-
899 302.

900 (3) (a) The clerk shall make a copy of the voter registration form available to any
901 person upon request.

902 ~~[(b) A person may make multiple copies of the voter registration form at the~~
903 ~~person's own expense.]~~

904 (c) A person shall provide all completed voter registration forms in the person's
905 possession to the county clerk at or before 5 p.m. on the day of the voter
906 registration deadline.

907 (4) The county clerk may not refuse to register an individual to vote for failing to
908 provide a telephone number on the voter registration form.

909 (5) (a) It is unlawful for any person in possession of a completed voter registration
910 form, other than the person's own completed voter registration form, to willfully
911 fail or refuse to timely deliver the completed voter registration form to the
912 county clerk.

913 (b) A person who violates this Subsection (5) is guilty of a class B
914 misdemeanor.

915 (6) This section does not authorize an individual to possess or control a completed or
916 signed voter registration form in violation of Section 20A-3a-501.

917

918 **Section 8. Section 20A-2-306 is amended to read:**

919 20A-2-306. Removing names from the official register -- Determining and confirming
920 change of residence.

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

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

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

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

930 (2) (a) When a county clerk obtains information that a voter's address has changed and it
931 appears that the voter still resides within the same county, the county clerk shall[-

932 ~~[(i) change the official register to show the voter's new address; and]~~

933 ~~[(ii)]~~ send to the voter, by forwardable mail, the notice required by Subsection
934 (3) printed on a postage prepaid, preaddressed return form.

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

939 (3) (a) This notice shall be mailed in an envelope with the following clearly displayed:
940 "Official notification: Please respond to maintain voter registration status".

941 ~~[(a)]~~ (b) Each county clerk shall use ~~[substantially]~~ the following form to notify voters
942 whose addresses have changed:

943

944 "VOTER REGISTRATION NOTICE

945 We have been notified that your residence has changed. Please read, complete, and return this
946 form ~~[so that we can update our voter registration records.]~~ in order to maintain your
947 registration status.

948 What is your current street address?

949 _____

950	Street	City	County	State	Zip
-----	--------	------	--------	-------	-----

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

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

953 If you have not changed your residence or have moved but stayed within the same county, you
954 must complete and return this form to the county clerk so that it is received by the county clerk
955 before 5 p.m. no later than 30 days before the date of the election. If you fail to return this form
956 within that time your registration will be cancelled.

957 • If your response to the voter registration notice states that the clerk's information that
958 you have moved is in error, you are required to enclose evidence to support your
959 assertion.

960
961 • If you have moved within the county, remember you must show valid identification
962 which includes current address before you can vote.

963
964 • If you have changed your residence and have moved to another county in Utah, you
965 must contact the county clerk in your new county to register to vote.

966

967 [~~you may be required to evidence of your address to the poll worker before being allowed to~~
968 ~~vote in either of the next two regular general elections; or]~~

969 [~~if you fail to vote at least once from the date this notice was mailed until the passing of two~~
970 ~~regular general elections, you will no longer be registered to vote. If you have changed your~~
971 ~~residence and have moved to a different county in Utah, you may register to vote by contacting~~
972 ~~the county clerk in your county.]~~

973 _____

974 Signature of Voter

975 PRIVACY INFORMATION

976 Voter registration records contain some information that is available to the public, such as your
977 name and address, some information that is available only to government entities, and some

978 information that is available only to certain third parties in accordance with the requirements of
979 law.

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

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

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

990 REQUEST FOR ADDITIONAL PRIVACY PROTECTION In addition to the protections
991 provided above, you may request that all information on your voter registration records be
992 withheld from all political parties, candidates for public office, and their contractors,
993 employees, and volunteers, by submitting a withholding request form, and any required
994 verification, as described in the following paragraphs. A person may request that all
995 information on the person's voter registration records be withheld from all political parties,
996 candidates for public office, and their contractors, employees, and volunteers, by submitting a
997 withholding request form with this registration record, or to the lieutenant governor or a county
998 clerk, if the person is or is likely to be, or resides with a person who is or is likely to be, a
999 victim of domestic violence or dating violence. A person may request that all information on
1000 the person's voter registration records be withheld from all political parties, candidates for
1001 public office, and their contractors, employees, and volunteers, by submitting a withholding
1002 request form and any required verification with this registration form, or to the lieutenant
1003 governor or a county clerk, if the person is, or resides with a person who is, a law enforcement
1004 officer, a member of the armed forces, a public figure, or protected by a protective order or a
1005 protection order." (b) Beginning May 1, 2022, the form described in Subsection (3)(a) shall
1006 also include a section in substantially the following form:

1007 -----

1008 BALLOT NOTIFICATIONS

1009 If you have provided a phone number or email address, you can receive notifications by text
1010 message or email regarding the status of a ballot ~~[that is mailed to you or a ballot that you~~

1011 ~~deposit in the mail or in a ballot drop box,]~~ you cast by indicating here: _____ Yes, I would
1012 like to receive electronic notifications regarding the status of my ballot.

1013 -----

1014 (4) (a) Except as provided in Subsection (4)(b), the county clerk may not remove the names
1015 of any voters from the official register during the 90 days before a regular primary
1016 election and the 90 days before a regular general election.

1017 (b) The county clerk may remove the names of voters from the official register during
1018 the 90 days before a regular primary election and the 90 days before a regular general
1019 election if:

1020 (i) the voter requests, in writing, that the voter's name be removed;

1021 (ii) the voter has died~~[-]~~;

1022 (iii) the voter states in returning the voter registration notice that they have
1023 moved out of the county;

1024 (iv) the voter sent a voter registration notice fails to return it no later than 30
1025 days before the election.

1026 (c) ~~[(i) After a county clerk mails a notice as required in this section, the county~~
1027 ~~clerk may list that voter as inactive.]~~

1028 ~~[(ii)]~~ (i) If a county clerk receives a returned voter identification card,
1029 determines that there was no clerical error causing the card to be returned, and
1030 has no further information to contact the voter, the county clerk may remove the
1031 voter from the rolls. ~~[list that voter as inactive.]~~

1032 ~~[(iii)]~~ (ii) An inactive voter shall be allowed to vote, sign petitions, and
1033 have all other privileges of a registered voter.

1034 ~~[(iv)]~~ (iii) A county is ~~[not]~~ required to send routine mailings to an inactive
1035 voter to verify the voter's address.

1036 (iv) The county [and] is [not] required to count inactive voters when dividing
1037 precincts[and preparing supplies].

1038 (v) The county is not required to count inactive voters when preparing
1039 supplies.

1040 (5) Beginning on or before January 1, 2022, the lieutenant governor shall make available to
1041 a county clerk United States Social Security Administration data received by the lieutenant
1042 governor regarding deceased individuals.

1043 (6) A county clerk shall, within ten business days after the day on which the county clerk
1044 receives the information described in Subsection (5) or Subsections 26-2-13(11) and (12)
1045 relating to a decedent whose name appears on the official register, remove the decedent's
1046 name from the official register.

1047 (7) Ninety days before a regular primary election and 90 days before a regular general
1048 election the lieutenant governor shall compare the information the lieutenant governor has
1049 received under Subsection 26-2-13(11) with the official register of voters to ensure that all
1050 deceased voters have been removed from the official register.

1051 (8) If the voter moves within the same county, the voter must update their voter
1052 identification and return a voter registration notice to reflect the move at least 30 days
1053 before the election to be able to vote.

1054

1055 **Section 9. Section 20A-2-307 is amended to read:**

1056 20A-2-307. County clerks' instructions to election judges.

1057 ~~[(1) Each county clerk shall instruct election judges to allow a voter to vote a regular ballot~~
1058 ~~if:]~~

1059 ~~[(a) the voter has moved from one address within a county to another address within~~
1060 ~~the same county; and]~~

1061 ~~[(b) the voter affirms the change of address orally or in writing before the election~~
1062 ~~judges.]~~

1063 (1) [(2)] Each county clerk shall instruct election judges to allow an individual to vote a
1064 provisional ballot if:

1065 ~~[(a) the individual is not registered to vote, but is otherwise legally entitled to vote~~
1066 ~~under Section 20A-2-207;]~~

1067 ~~[(b) the voter's name does not appear on the official register; or]~~

1068 (a) the voter asserts that they are legally registered to vote in the precinct and shows
1069 valid voter identification but the voter's name does not appear on the official register;

1070 ~~[(e)]~~ (b) the voter is challenged as provided in Section 20A-3a-803.

1071

1072 **Section 10. Section 20A-2-308 is amended to read:**

1073 20A-2-308. Lieutenant governor and county clerks to preserve records.

1074 (1) As used in this section:

1075 (a) "Voter registration record" means a record concerning the implementation of
1076 programs and activities conducted for the purpose of ensuring that the official register
1077 is accurate and current.

1078 (b) "Voter registration record" does not include a record that:

1079 (i) relates to a person's decision to decline to register to vote; or

1080 (ii) identifies the particular public assistance agency, discretionary voter
1081 registration agency, or Driver License Division through which a particular voter
1082 registered to vote.

1083 (2) The lieutenant governor and each county clerk shall:

1084 (a) preserve for at least ~~[two]~~ three years all records relating to voter registration,
1085 including:

1086 (i) the official register~~[-; and]~~ of voters who were qualified to cast a ballot for
1087 each election.

1088 (ii) the names and addresses of all persons to whom the notice required by
1089 Section 20A-2-306 was sent and a notation as to whether or not the person
1090 responded to the notice;

1091 (b) make a voter registration record available for public inspection, except for a voter
1092 registration record, or part of a voter registration record that is classified as private
1093 under Section 63G-2-302; and

1094 (c) allow a record or part of a record described in Subsection (2)(b) that is not
1095 classified as a private record to be photocopied for a reasonable cost.

1096

1097 **Section 11. Section 20A-3a-201 is amended to read:**

1098 20A-3a-201. Voting methods.

1099 (1) Except for an election on a referendum challenging a local tax law that is conducted
1100 entirely by mail under Section 20A-7-609.5, a voter may vote as follows: ~~[(a) by mail; (b) at~~
1101 ~~a polling location during early voting hours; [(c)]]~~

1102 (a) at a polling [location] place on election day when the polls are open;

1103 ~~[(d) (b) if the voter is an individual with a disability, by voting remotely, via a~~
1104 ~~mechanical ballot or via electronic means if approved by the election officer;]~~

1105 ~~[(e)]~~ (b) electronically or via a federal write-in absentee ballot if the voter is a covered
1106 voter, as defined in Section 20A-16-102; or

1107 ~~[(f)]~~ (c) by emergency ballot, in accordance with Part 3, Emergency Ballots[-];

1108 (d) by absentee ballot, in accordance with Sections 20A-3a-302, 20A-3a-303, and
1109 20A-3a-304.

1110 (2) A voter may not vote at a polling place if the voter voted ~~[by mail or]~~ remotely or in a
1111 manner described in Subsections (1)~~(d)~~ through ~~(f)~~d.

1112

1113 **Section 12. Section 20A-3a-202 is amended to read:**

1114 20A-3a-202. Conducting an election.

1115 (1) Except ~~[as otherwise provided]~~ for an election on a referendum challenging a local tax law
1116 that is conducted entirely by mail under Section 20A-7-609.5, an election officer shall
1117 administer an election primarily by ~~[mail]~~ in-person voting at a unique polling place designated
1118 for each precinct, in accordance with this section.

1119 ~~[(2) An election officer who administers an election:]~~

1120 ~~[(a) shall in accordance with Subsection (3), no sooner than 21 days before election day~~
1121 ~~and no later than seven days before election day, mail to each active voter within a voting~~
1122 ~~precinct;]~~

1123 ~~[(i) a manual ballot;]~~

1124 ~~[(ii) a return envelope;]~~

1125 ~~[(iii) instructions for returning the ballot that include an express notice about any~~
1126 ~~relevant deadlines that the voter must meet in order for the voter's vote to be~~
1127 ~~counted;]~~

1128 ~~[(iv) for an election administered by a county clerk, information regarding the~~
1129 ~~location and hours of operation of any election day voting center at which the~~
1130 ~~voter may vote or a website address where the voter may view this information;]~~

1131 ~~[(v) for an election administered by an election officer other than a county clerk,~~
1132 ~~if the election officer does not operate a polling location or an election day voting~~
1133 ~~center, a warning, on a separate page of colored paper in bold face print,~~
1134 ~~indicating that if the voter fails to follow the instructions included with the ballot,~~
1135 ~~the voter will be unable to vote in that election because there will be no polling~~
1136 ~~place for the voting precinct on the day of the election; and]~~

1137 ~~[(vi) after May 1, 2022, instructions on how a voter may sign up to receive~~
1138 ~~electronic ballot status notifications via the ballot tracking system described in~~
1139 ~~Section 20A-3a-401.5; and]~~

1140 ~~[(b) may not mail a ballot under this section to:]~~

1141 ~~[(i) an inactive voter, unless the inactive voter requests a manual ballot; or]~~

1142 ~~[(ii) a voter whom the election officer is prohibited from sending a ballot under~~
1143 ~~Subsection (10)(c)(ii).]~~

1144 ~~[(3) — (a) An election officer who mails a manual ballot under Subsection (2) shall mail the~~
1145 ~~manual ballot to the address:]~~

1146 ~~[(i) provided at the time of registration; or]~~

1147 ~~[(ii) if, at or after the time of registration, the voter files an alternate address~~
1148 ~~request form described in Subsection (3)(b), the alternate address indicated on~~
1149 ~~the form.]~~

1150 ~~[(b) The lieutenant governor shall make available to voters an alternate address request~~
1151 ~~form that permits a voter to request that the election officer mail the voter's ballot to a~~
1152 ~~location other than the voter's residence.]~~

1153 ~~[(c) A voter shall provide the completed alternate address request form to the election~~
1154 ~~officer no later than 11 days before the day of the election.]~~

1155 ~~[(4) The return envelope shall include:]~~

1156 ~~[(a) the name, official title, and post office address of the election officer on the front~~
1157 ~~of the envelope;]~~

1158 ~~[(b) a space where a voter may write an email address and phone number by which the~~
1159 ~~election officer may contact the voter if the voter's ballot is rejected;]~~

1160 ~~[(c) a printed affidavit in substantially the following form:]~~

1161 ~~["County of _____ State of _____]~~

1162 ~~[I, _____, solemnly swear that: I am a qualified resident voter of the _____ voting precinct in~~
1163 ~~_____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon~~
1164 ~~currently incarcerated for commission of a felony.]~~

1165 ~~[_____]~~

1166 ~~[Signature of Voter"; and]~~

1167 ~~[(d) a warning that the affidavit must be signed by the individual to whom the ballot~~
1168 ~~was sent and that the ballot will not be counted if the signature on the affidavit does not~~
1169 ~~match the signature on file with the election officer of the individual to whom the~~
1170 ~~ballot was sent.]~~

1171 ~~[(5) If the election officer determines that the voter is required to show valid voter~~
1172 ~~identification, the election officer may:]~~

1173 ~~[(a) mail a ballot to the voter; and]~~

1174 ~~[(b) instruct the voter to include a copy of the voter's valid voter identification with the~~
1175 ~~return ballot.]~~

1176 ~~[(6)]~~ (2) An election officer who administers an election shall:

1177 (a) prepare an adequate number of manual ballots for the election;

1178 ~~[(a)]~~ (b) (i) before the election, obtain the signatures of each voter qualified to vote in
1179 the election; or

1180 (ii) obtain the signature of each voter within the voting precinct from the county
1181 clerk; and

1182 ~~[(b)]~~ (c) maintain the signatures on file in the election officer's office[-]; and

1183 (d) give access to signature copies to precinct poll workers.

1184 ~~[(7)]~~ (3) Upon receipt of a returned absentee ballot, the election officer shall direct the
1185 review and ~~[process]~~ processing of the ballot under Section 20A-3a-401.

1186 ~~[(8)]~~ (4) Other than persons with disabilities requiring the use of a voting device located at an
1187 Election Day Voting Center, all in-person voting is to be conducted at the assigned precinct
1188 polling location. A county that administers an election:

1189 (a) shall provide at least one election day voting center in accordance with Chapter
1190 3a, Part 7, Election Day Voting Center~~[-and at least one additional election day~~
1191 ~~voting center for every 5,000 active voters in the county who have requested to not~~
1192 ~~receive a ballot by mail];~~

1193 (b) shall ensure that each election day voting center operated by the county has at
1194 least one voting device that is accessible, in accordance with the Help America Vote
1195 Act of 2002, Pub. L. No. 107-252, for individuals with disabilities;

1196 ~~[(c)]~~ ~~may reduce the early voting period described in Section 20A-3a-601, if: (i) the~~
1197 ~~county clerk conducts early voting on at least four days; (ii) the early voting days are~~
1198 ~~within the period beginning on the date that is 14 days before the date of the election~~
1199 ~~and ending on the day before the election; and (iii) the county clerk provides notice of~~
1200 ~~the reduced early voting period in accordance with Section 20A-3a-604]; and~~

1201 ~~[(d)]~~ ~~is not required to pay return postage for a ballot; and]~~

1202 ~~[(e)]~~ (c) is subject to an audit conducted under Subsection 5 [9].

1203 ~~[(9)-(a)]~~ ~~The lieutenant governor shall:]~~

1204 ~~[(i)]~~ ~~develop procedures for conducting an audit of affidavit signatures on ballots~~
1205 ~~cast in an election conducted under this section; and]~~

1206 ~~[(ii)]~~ ~~after each primary, general, or special election conducted under this~~
1207 ~~section, select a number of ballots, in varying jurisdictions, to audit in~~
1208 ~~accordance with the procedures developed under Subsection [(9)] (5)(a)(i).]~~

1209 ~~[(b)]~~ ~~The lieutenant governor shall post the results of an audit conducted under this~~
1210 ~~Subsection 9 on the lieutenant governor's website.]~~

1211 ~~[(10)]~~ ~~(a) An individual may request that the election officer not send the individual a ballot~~
1212 ~~by mail in the next and subsequent elections by submitting a written request to the~~
1213 ~~election officer.]~~

1214 ~~[(b) An individual shall submit the request described in Subsection (10)(a) to the~~
1215 ~~election officer before 5 p.m. no later than 60 days before an election if the individual~~
1216 ~~does not wish to receive a ballot by mail in that election.]~~

1217 ~~[(c) An election officer who receives a request from an individual under Subsection~~
1218 ~~(10)(a):]~~

1219 ~~[(i) shall remove the individual's name from the list of voters who will receive a~~
1220 ~~ballot by mail; and]~~

1221 ~~[(ii) may not send the individual a ballot by mail for:]~~

1222 ~~[(A) the next election, if the individual submits the request described in~~
1223 ~~Subsection (10)(a) before the deadline described in Subsection (10)(b);~~
1224 ~~or]~~

1225 ~~[(B) an election after the election described in Subsection~~
1226 ~~(10)(c)(ii)(A).]~~

1227 ~~[(d) An individual who submits a request under Subsection (10)(a) may resume the~~
1228 ~~individual's receipt of a ballot by mail by submitting a written request to the election~~
1229 ~~officer.]~~

1230 (5) (a) After the election, a candidate for office or an initiative committee may select up to
1231 three precincts within the contested jurisdiction for the purpose of conducting an audit
1232 of a sample of the preliminary election results. This sample audit may include:

1233 (i) an examination of the pollbooks and ballots,

1234 (ii) a re-tabulation of ballots cast,

1235 (iii) a reconciliation of registered voters with ballots cast, and

1236 (iv) a telephone canvass of up to 10% of registered voters within the precinct to
1237 verify the accuracy of the record of their participation in the election.

1238 (b) The sample audit must be initiated on the Tuesday following election day and be
1239 completed within seven days.

1240 (c) The audit findings must be announced publicly and reported to canvassing boards
1241 with jurisdiction upon completion.

1242 (d) The candidate or initiative committee requesting the sample audit must pay for the
1243 actual costs incurred to conduct the sample audit.

1244 (e) All candidates retain the ability to challenge election's results as per Section 20A-4.

1245

1246 **Section 13. Section 20A-3a-204 is amended to read:**

1247 20A-3a-204. Marking and depositing ballots.

1248 (1) To vote [~~by mail~~] by manual ballot:

1249 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual ballot
1250 by marking the appropriate space with a mark opposite the name of each candidate of the
1251 voter's choice for each office to be filled;

1252 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
1253 appropriate space with a mark opposite the answer the voter intends to make;

1254 (c) except as provided in Subsection (6), the voter shall record a write-in vote in
1255 accordance with Subsection 20A-3a-206(1);

1256 (d) except as provided in Subsection (6), a mark is not required opposite the name of a
1257 write-in candidate; and

1258 [~~(e) the voter shall:~~]

1259 [~~(i) complete and sign the affidavit on the return envelope;~~]

1260 [~~(ii) place the voted ballot in the return envelope;~~]

1261 [~~(iii) securely seal the return envelope; and~~]

1262 [~~(iv) —(A) attach postage, if necessary, and deposit the return envelope in the~~
1263 ~~mail; or~~]

1264 [~~(B) place the return envelope in a ballot drop box, designated by the~~
1265 ~~election officer, for the precinct where the voter resides.~~]

1266 (e) the voter shall place the ballot in the ballot box.

1267 (2) [~~(a)~~] Except as otherwise provided in Section 20A-16-404, to be valid, [~~a~~] an absentee ballot
1268 that is mailed must include a copy of a valid photo identification and be:

1269 [~~(i)~~] (a) clearly postmarked by the Friday before election day, or [~~otherwise clearly~~
1270 ~~marked by the post office as received by the post office before election day; and~~]

1271 ~~[(ii)] (b) be returned to an election official by the Friday before the election. [received in~~
1272 ~~the office of the election officer before noon on the day of the official canvass following~~
1273 ~~the election.]~~

1274 ~~[(b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls~~
1275 ~~close on election day, be deposited in:]~~

1276 ~~[(i) a ballot box at a polling place; or]~~

1277 ~~[(ii) a ballot drop box designated by an election officer for the jurisdiction to~~
1278 ~~which the ballot relates.]~~

1279 ~~[(c) An election officer may, but is not required to, forward a ballot deposited in a ballot~~
1280 ~~drop box in the wrong jurisdiction to the correct jurisdiction.]~~

1281 ~~[(d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a~~
1282 ~~ballot drop box, with a sealed return envelope containing a ballot in the voter's~~
1283 ~~possession, to deposit the ballot in the ballot drop box.]~~

1284 (3) Except as provided in Subsection (4), to vote at a polling place the voter shall, ~~[after]~~ in
1285 addition to complying with Subsections (1)(a) through (d):

1286 (a) sign the official register or pollbook; and

1287 (b) (i) place the ballot in the ballot box; or

1288 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot
1289 envelope, complete the information printed on the provisional ballot envelope,
1290 and deposit the provisional ballot envelope in the provisional ballot box.

1291 (4) ~~[(a)]~~ An individual ~~[with a]~~ who, due to disability, is unable to vote a manual ballot may
1292 vote a mechanical ballot at any location within the county where one is available. ~~[polling~~
1293 ~~place.]~~

1294 ~~[(b) An individual other than an individual with a disability may vote a mechanical~~
1295 ~~ballot at a polling place if permitted by the election officer.]~~

1296 (5) To vote a mechanical ballot, the voter shall:

1297 (a) make the selections according to the instructions provided for the voting device;
1298 and

1299 (b) subject to Subsection (6), record a write-in vote by:

1300 (i) selecting the appropriate position for entering a write-in candidate; and

1301 (ii) using the voting device to enter the name of the valid write-in candidate for
1302 whom the voter wishes to vote.

1303 [~~(6) To vote in an instant runoff voting race under Title 20A, Chapter 4, Part 6,~~
1304 ~~Municipal Alternate Voting Methods Pilot Project, a voter:]~~

1305 [~~(a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's~~
1306 ~~first preference for the office; and]~~

1307 [~~(b) may indicate, as directed on the ballot, the names of the remaining candidates in order of~~
1308 ~~the voter's preference.]~~

1309 [~~(7)~~ (6) A voter who votes at a polling place:

1310 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting area
1311 after voting; and (b) may not:

1312 (i) occupy a voting booth occupied by another, except as provided in Section
1313 20A-3a-208;

1314 (ii) remain within the voting area more than 10 minutes; or

1315 (iii) occupy a voting booth for more than five minutes if all booths are in use and
1316 other voters are waiting to occupy a voting booth.

1317 [~~(8)~~ (7) If the official register shows any voter as having voted, that voter may not reenter the
1318 voting area during that election unless that voter is an election official or watcher.

1319 [~~(9)~~ (8) A poll worker may not, at a polling place, allow more than four voters more than the
1320 number of voting booths into the voting area at one time unless those excess voters are:

1321 (a) election officials;

1322 (b) watchers; or

1323 (c) assisting voters with a disability.

1324

1325 **Section 14. Section 20A-3a-205** is amended to read:

1326 20A-3a-205 Manner of voting -- Provisional ballot

1327 (1) The poll workers shall follow the procedures and requirements of this section when:

1328 (a) the individual's right to vote is challenged as provided in Section 20A-3a-803 or
1329 20A-3a-805; or

1330 (b) the individual's name is not found on the official register; ~~or~~

1331 ~~[(c) the poll worker is not satisfied that the voter has provided valid voter identification.]~~

1332 (2) When faced with one of the circumstances described in Subsection (1)(a) or (b), the poll
1333 worker shall:

1334 (a) request that the individual provide valid voter identification; and

1335 (b) review the identification provided by the individual.

1336 (3) If the poll worker is satisfied that the individual has provided valid voter identification that
1337 establishes the individual's identity and ~~[residence in the voting precinct]~~ the voter alleges that
1338 the voter is legally registered to vote and the name of the voter should appear in the poll book:

1339 (a) the poll worker in charge of the official register shall:

1340 (i) record in the official register the type of identification that established the
1341 individual's identity and place of residence;

1342 (ii) record the provisional ballot envelope number in association with the name
1343 of the individual; and

1344 (iii) direct the individual to sign the individual's name in the official register or
1345 pollbook; and

1346 (b) the poll worker having charge of the ballots shall:

1347 (i) give the individual a provisional ballot; and

1348 (ii) allow the individual to enter the voting booth.

1349 ~~[(4) If the poll worker is not satisfied that the individual has provided valid voter identification~~
1350 ~~that establishes the individual's identity and residence in the voting precinct:]~~

1351 ~~[(a) the poll worker in charge of the official register shall:]~~

1352 ~~[(i) record in the official register that the voter did not provide valid voter~~
1353 ~~identification;]~~

1354 ~~[(ii) record in the official register the type of identification that was provided by~~
1355 ~~the individual, if any;]~~

1356 ~~[(iii) record the provisional ballot envelope number in association with the name~~
1357 ~~of the individual; and]~~

1358 ~~[(iv) direct the individual to sign the individual's name in the official register or~~
1359 ~~pollbook; and]~~

1360 ~~[(b) the poll worker having charge of the ballots shall:]~~

1361 ~~[(i) give the individual a provisional ballot; and]~~

1362 ~~[(ii) allow the individual to enter the voting booth.]~~

1363 (5) When, at a polling place, the election officer is required to furnish more than one version of
1364 a ballot, the poll workers at that polling place shall give the registered voter the version of the
1365 ballot that the voter is qualified to vote.

1366

1367 **Section 15. Section 20A-3a-301 is amended to read:**

1368 Part 3. Emergency and Absentee Ballots

1369 20A-3a-301. Emergency ballots.

1370 (1) As used in this section, a voter eligible for an emergency ballot: ~~["hospitalized voter" means~~
1371 ~~a registered voter who:]~~

1372 (a) is hospitalized, ~~[or otherwise]~~ confined to a medical or long-term care institution, or
1373 requiring home convalescence as attested to by a medical doctor; or

1374 (b) is subject to an unforeseen family, work, or other emergency that prevents in-person
1375 voting on election day.

1376 ~~[(b)]~~ (c) does not have ~~[a manual]~~ an absentee ballot in the voter's immediate
1377 possession;

1378 ~~[(e)]~~ (d) is able to vote a manual ballot; and

1379 ~~[(d)]~~ (e) is not able to timely acquire ~~[a manual ballot without the assistance of another~~
1380 ~~individual]~~ an absentee ballot.

1381 (2) A hospitalized and emergency voter may, in accordance with this section, obtain a manual
1382 ballot to use as an emergency ballot and vote at any time after the absentee ballot application
1383 deadline ~~[election officer mails manual ballots to the majority of voters]~~ and before noon on the
1384 day before the election. ~~[and before the close of polls on election day.]~~

1385 (3) (a) Any individual may obtain an emergency ballot application, a manual ballot, and [a
1386 ~~manual~~] an emergency ballot envelope from the election officer on behalf of a
1387 hospitalized voter by requesting a ballot and application in person at the election
1388 officer's office during business hours.

1389 (b) The election officer shall require the individual to sign a statement identifying ~~[the]~~
1390 that individual and the voter requiring an emergency ballot and the reason such ballot is
1391 required. ~~[hospitalized voter.]~~

1392 (4) To vote, the emergency ~~[hospitalized]~~ voter shall complete ~~[the]~~ an emergency ballot
1393 application, complete and sign the affidavit on the ~~[manual]~~ emergency ballot envelope, mark
1394 the voter's votes on the manual ballot, place the manual ballot into the envelope along with a
1395 copy of the hospitalized voter's valid voter identification, and seal the envelope unless a
1396 different method is authorized under Section 20A-1-308.

1397 (5) To be counted, ~~[the]~~ an emergency voter application and the sealed ~~[manual]~~ emergency
1398 ballot envelope must be returned to the election officer's office in accordance with the
1399 requirements of this chapter.

1400

1401 **Section 16. Section 20A-3a-302 is enacted to read:**

1402 20A-3a-302. Application for absentee ballot.

1403 (1) An individual who votes under the provisions of Chapter 16, Uniform Military and Overseas
1404 Voters Act, is not required to comply with the provisions of this part.

1405 (2) An individual who is registered to vote may apply for an absentee ballot if the individual:

1406 (a) is eligible to vote in the election for which the individual applies for an absentee
1407 ballot[; and]

1408 [~~(b) is not able to vote at a polling place during early voting or on election day~~]:

1409 (i) due to a disability that will prevent the person from voting in-
1410 person;

1411 (ii) due to the individual's age that will prevent the person from voting
1412 in-person;

1413 (iii) due to anticipated hospitalization or other anticipated medical
1414 treatment that will prevent the person from voting in-person; or

1415 (iv) due to having no opportunity to vote in person [~~during early voting~~
1416 ~~and~~ on election day.

1417 (3) The lieutenant governor shall create an absentee ballot request form that includes
1418 the following:

1419 (a) for a general election:

1420 I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah
1421 apply for an official absentee ballot to be voted by me for the _____ election, to be held
1422 on _____.

1423 I am not able to vote at my precinct on election day [~~or during early voting~~] for this
1424 election (check all that apply):

1425 _____ due to a disability that will prevent me from voting in-person;

1426 _____ due to my age that will prevent me from voting in-person;

1427 _____ I will be hospitalized or undergoing other medical treatment that will prevent me
1428 from voting in-person; or

1429 _____ I shall have no opportunity to vote in person on that day.

1430 Reason why I am unable to vote in-person: _____.

1431

1432 Date(month\day\year)

1433 Signed

1434 _____ Voter; and

1435 (b) for a primary election:

1436 I, _____, a qualified elector, residing at _____ Street, _____ City, _____ County, Utah
1437 apply for an official absentee ballot to be voted by me for the _____
1438 political party for the _____ election, to be held on _____.

1439 I am not able to vote at my precinct on election day [~~or during early voting~~] for this
1440 election (check all that apply):

1441 _____ due to a disability that will prevent me from voting in-person;

1442 _____ due to my age that will prevent me from voting in-person;

1443 _____ I will be hospitalized or undergoing other medical treatment that will prevent me
1444 from voting in-person; or

1445 _____ I shall have no opportunity to vote in person on that day.

1446 Reason why I am unable to vote in-person:_____.

1447 I understand that I must be affiliated with or authorized to vote the political party's
1448 ballot that I request.

1449 Dated(month\day\year)

1450 Signed

1451 _____

1452 Voter.

1453 (4) An individual described in Subsection (2) who desires to vote via absentee ballot
1454 shall:

1455 (a) complete and submit the absentee ballot request form described in
1456 Subsection (3) to the election officer for the jurisdiction where the individual is
1457 eligible to vote; and

1458 (b) include with the application a copy of the individual's valid voter
1459 identification.

1460 (5) In order to receive an absentee ballot, the election officer must receive the
1461 documents described in Subsection (4) no later than 15 days before the day of the
1462 election.

1463 (6) Except as provided in Subsection 20A-3a-304(3), a registered voter may not vote
1464 in-person if the voter voted by absentee ballot.

1465

1466 **Section 17. Section 20A-3a-303** is enacted to read:

1467 20A-3a-303. Mailing absentee ballots -- Return envelopes for absentee or emergency
1468 ballots.

1469 (1) An election officer shall, no sooner than 21 days before election day and no later -
1470 than seven days before election day, mail to each individual who submits a valid,
1471 timely request for an absentee ballot in accordance with Section 20A-3a-302:

1472 (a) a manual ballot;

1473 (b) a return absentee envelope;

1474 (c) instructions for the individual to include a copy of the individual's valid
1475 voter identification in the return absentee envelope;

1476 (d) instructions for returning the ballot that include notice of any relevant
1477 deadlines that the individual must meet in order for the individual's vote to be
1478 counted;

1479 (e) instructions on how a voter may cancel an absentee ballot application; and

1480 (f) after May 1, 2022, instructions on how a voter may sign up to receive
1481 electronic ballot status notifications via the ballot tracking system described in
1482 Section 20A-3a-401.5.

1483 (2) An election officer shall mail the items described in Subsection (1) to the address
1484 provided on the absentee ballot request form but not before election officers have at
1485 least seven days to process a timely absentee ballot application.

1486 (3) The return envelope for an absentee ballot shall include:

1487 (a) the name, official title, and post office address of the election officer on the
1488 front of the envelope;

1489 (b) a space where a voter may write an email address and phone number by
1490 which the election officer may contact the voter if the voter's ballot is rejected;

1491 (c) a printed affidavit in substantially the following form: "County of ____ State
1492 of ____ I, ____, solemnly swear that: I am a qualified resident voter of the
1493 voting precinct in ____ County, Utah and that I am entitled to vote in this
1494 election. I am not a convicted felon currently incarcerated for commission of a
1495 felony.

1496 _____

1497 Signature of Absentee Voter"; and

1498 (d) a warning that the affidavit must be signed by the individual to whom the
1499 ballot was sent or provided and that the ballot will not be counted if the
1500 signature on the affidavit does not match the signature on file with the election
1501 officer of the individual to whom the ballot was sent or provided.

1502 (4) Upon receipt of a returned absentee or emergency ballot, the election officer shall
1503 review and process the ballot under Section 20A-3a-401.

1504 (5) (a) A county clerk shall establish an absentee and emergency voter list
1505 containing the name of each voter who:

1506 (i) requests absentee or emergency voter status for a particular election;
1507 and

1508 (ii) meets the requirements of this section.

1509 (b) The clerk shall provide a copy of the absentee and emergency voter lists to
1510 election officers for use in elections.

1511 (c) The clerk shall also provide a copy of the absentee and emergency voter
1512 lists to the precinct pollworkers.

1513

1514 **Section 18. Section 20A-3a-304 is enacted to read:**

1515 20A-3a-304. Voting and returning an absentee or emergency ballot.

1516 (1) To vote an absentee or emergency ballot, the voter shall:

1517 (a) complete and sign the affidavit on the return envelope;

1518 (b) mark the votes on the absentee or emergency ballot;

1519 (c) place the voted absentee or emergency ballot and a copy of the voter's valid voter
1520 identification in the return envelope;

1521 (d) securely seal the envelope; and

1522 (e) (i) for an absentee ballot, attach postage if necessary and deposit the envelope in
1523 the mail to the election officer from whom the ballot was obtained; or

1524 (ii) for an emergency ballot, provide the sealed envelope to the individual who
1525 delivered the emergency ballot to the voter.

1526 (2) An absentee or emergency ballot is not valid unless the ballot is:

1527 (a) (i) for an absentee ballot it must be received by the Friday before the election; or
1528 clearly postmarked by Friday before election day, or otherwise clearly marked
1529 by the post office as received by the post office by Friday before the election
1530 day;

1531 (ii) for an emergency ballot it must be received by noon the day before the
1532 election; or

1533 (iii) in the case of a military-overseas ballot, submitted in accordance with
1534 Section 20A-16-404.

1535 (b) accompanied by valid voter identification; and

1536 (c) received in the office of the election officer before noon on the day of the official
1537 canvass following the election;

1538 (3) Absentee and emergency ballots may not be dropped off at the polls on election day. An in-
1539 person ballot may be voted on election day in substitution for an absentee or emergency ballot
1540 returned on election day. The returned ballot will be declared spoiled.

1541 (4) (a) Upon receipt of an envelope containing the absentee or emergency ballot, the clerk
1542 or recorder shall forthwith enclose the same, unopened, together with the written
1543 application of the absent voter, in a designated envelope, which shall be

1544 (i) securely sealed

1545 (ii) identified with the name or number of the proper precinct the name and title
1546 of the clerk or recorder,

1547 (iii) and the words, "This envelope contains absentee or emergency voter ballots
1548 to be opened at polls on election day. The envelope may not be opened before
1549 election day."

1550 (b) and such clerk or recorder shall safely keep at his office until it is delivered by him
1551 to the proper election judges.

1552

1553 **Section 19. Section 20A-3a-305 is enacted to read:**

1554 **20A-3a-305. Delivery of valid ballots to election judges**

1555 (1) A copy of the emergency or absentee ballot applications and valid ballots must be
1556 delivered to the appropriate precinct election judges by the clerk or recorder in order
1557 that they may be processed at the precinct on the election day. Only if an absentee
1558 ballot is received too late for delivery on election day to election judges, the clerk or
1559 recorder shall retain it in a safe place and process it after election day at times when
1560 poll watchers may be present.

1561

1562 **Section 20. Section 20A-3a-306 is enacted to read:**

1563 20A-3a-305. Absentee ballots in custody of election judges

1564 (1) Envelopes containing absentee ballots which are in the custody of election judges
1565 on election day shall be opened at the polling places during the time the polls are
1566 open.

1567

1568 **Section 21. Section 20A-3a-401 is amended to read:**

1569 20A-3a-401. Custody of voted absentee and emergency ballots -- Disposition -- Notice.

1570 (1) This section governs absentee ballots returned by mail [or via a ballot drop box] or returned
1571 to the election office. All absentee ballots and emergency ballots shall be delivered by the
1572 election office in a timely manner to the assigned precinct for counting.

1573 (2) (a) Poll workers shall open return envelopes containing ~~[manual]~~ absentee or
1574 emergency ballots that are in the custody of the poll workers in accordance with
1575 Subsection (2)(b).

1576 (b) The poll workers shall, first, compare the signature of the voter on the affidavit of
1577 the ~~[return]~~ absentee or emergency ballot envelope to the signature of the voter in the
1578 voter registration records.

1579 (3) After complying with Subsection (2), the poll workers shall determine whether:

1580 (a) the signatures correspond;

1581 (b) the affidavit is sufficient;

1582 (c) the voter is registered to vote in the correct precinct;

1583 (d) the voter's right to vote the ballot has been challenged;

1584 (e) the voter has already voted in the election; and

1585 ~~[(f) the voter is required to provide valid voter identification; and]~~

1586 ~~[(g) if the voter is required to provide valid voter identification, whether]~~

1587 (f) the voter has provided valid voter identification.

1588 (4) (a) The poll workers shall take the action described in Subsection (4)(b) if the poll
1589 workers determine that:

1590 (i) the signatures correspond;

1591 (ii) the affidavit is sufficient;

1592 (iii) the voter is registered to vote in the correct precinct;

1593 (iv) the voter's right to vote the ballot has not been challenged;

1594 (v) the voter has not already voted in the election; and

1595 (vi) ~~[for a voter required to provide valid voter identification,]~~ that the voter has

1596 provided valid voter identification.

1597 (b) If the poll workers make all of the findings described in Subsection (4)(a), the poll

1598 workers shall:

1599 (i) remove the manual ballot from the return envelope in a manner that does not

1600 destroy the affidavit on the ~~[return]~~ envelope;

1601 (ii) ensure that the ballot does not unfold and is not otherwise examined in

1602 connection with the return envelope; and

1603 (iii) place the ballot with the other ballots to be counted.

1604 (c) If the poll workers do not make all of the findings described in Subsection (4)(a), the

1605 poll workers shall:

1606 (i) disallow the vote;

1607 (ii) without opening the return envelope, mark across the face of the ~~[return]~~

1608 envelope:

1609 (A) "Rejected as defective"; or

1610 (B) "Rejected as not a registered voter"; and

1611 (iii) place the return envelope, unopened, with the other rejected return

1612 envelopes.

1613 (5) (a) If the poll workers reject an individual's ballot because the poll workers determine

1614 that the signature on the return envelope does not match the individual's signature in the

1615 voter registration records, regardless of party affiliation, the election officer shall contact

1616 the individual in accordance with Subsection (7) by mail, email, text message, or phone,

1617 and inform the individual:

1618 (i) that the individual's signature is in question;

1619 (ii) how the individual may resolve the issue;

1620 (iii) that, in order for the ballot to be counted, the individual is required to deliver

1621 to the election officer a correctly completed affidavit, provided by the county

1622 clerk, that meets the requirements described in Subsection (5)(b).

1623 (b) An affidavit described in Subsection (5)(a)(iii) shall include:

1624 (i) an attestation that the individual voted the ballot;

1625 (ii) a space for the individual to enter the individual's name, date of birth, and

1626 driver license number or the last four digits of the individual's social security

1627 number;

1628 (iii) a space for the individual to sign the affidavit; and

1629 (iv) a statement that, by signing the affidavit, the individual authorizes the

1630 lieutenant governor's and county clerk's use of the individual's signature on the

1631 affidavit for voter identification purposes.

1632 (c) In order for an individual described in Subsection (5)(a) to have the individual's ballot

1633 counted, the individual shall deliver the affidavit described in Subsection (5)(b) and valid

1634 voter identification to the election officer.

1635 (d) An election officer who receives a signed affidavit under Subsection (5)(c) shall

1636 immediately:

1637 (i) scan the signature on the affidavit electronically and keep the signature on file

1638 in the statewide voter registration database developed under Section 20A-2-109;

1639 and

1640 (ii) if the election officer receives the affidavit and valid voter identification no

1641 later than 5 p.m. seven days after the election [~~the day before the canvass~~], count

1642 the individual's ballot.

1643 (6) If the poll workers reject an individual's ballot for any reason, other than the reason described

1644 in Subsection (5)(a), the election officer shall notify the individual of the rejection in accordance

1645 with Subsection (7) by mail, email, text message, or phone and specify the reason for the

1646 rejection.

1647 (7) An election officer who is required to give notice under Subsection (5) or (6) shall give the

1648 notice no later than:

1649 (a) if the election officer rejects the ballot before election day:

1650 (i) one business day after the day on which the election officer rejects the ballot, if
1651 the election officer gives the notice by email or text message; or

1652 (ii) two business days after the day on which the election officer rejects the ballot,
1653 if the election officer gives the notice by postal mail or phone;

1654 (b) seven days after election day if the election officer rejects the ballot on election day;
1655 or

1656 (c) seven days after the canvass if the election officer rejects the ballot after election day
1657 and before the end of the canvass.

1658 (8) An election officer may not count the ballot of an individual whom the election officer
1659 contacts under Subsection (5) or (6) unless the election officer receives a signed affidavit and
1660 valid voter identification from the individual under Subsection (5)(b) [~~or is otherwise able to~~
1661 ~~establish contact with the individual to confirm the individual's identity~~].

1662 (9) The election officer shall retain and preserve the return envelopes in the manner provided by
1663 law for the retention and preservation of ballots voted at that election.

1664

1665 **Section 22. Section 20A-3a-401.5 is amended to read:**

1666 20A-3a-401.5. Ballot tracking system.

1667 (1) As used in this section:

1668 (a) "Ballot tracking system" means the system described in this section to track and
1669 confirm the status of trackable ballots.

1670 (b) "Change in the status" includes:

1671 (i) when a trackable ballot is mailed to a voter;

1672 (ii) when an election official receives a voted trackable ballot; and

1673 (iii) when a voted trackable ballot is counted.

1674 (c) "Trackable ballot" means a manual ballot that [~~is:~~] includes a sequential number as
1675 described in Subsection 20A-6-101(1)(f)(i).

1676 [~~(i) mailed to a voter in accordance with Section 20A-3a-202;~~] [(ii) deposited in
1677 the mail by a voter in accordance with Section 20A-3a-204; or] [(iii) deposited in
1678 a ballot drop box by a voter in accordance with Section 20A-3a-204.]

1679 (d) "Voter registration database" means the statewide voter registration database
1680 described in Section 20A-2-109.

1681 (2) (a) The lieutenant governor shall develop and maintain a statewide or locally based
1682 system to track and confirm when there is a change in the status of a trackable ballot.

1683 (b) The ballot tracking system shall be operational on or before May 1, 2022.

1684 (3) Beginning on May 1, 2022, if a voter elects to receive electronic notifications regarding the
1685 status of the voter's trackable ballot, the ballot tracking system shall, when there is a change in
1686 the status of the voter's trackable ballot:

1687 (a) send a text message notification to the voter if the voter's information in the voter
1688 registration database includes a mobile telephone number;

1689 (b) send an email notification to the voter if the voter's information in the voter
1690 registration database includes an email address; and

1691 (c) send a notification by another electronic means directed by the lieutenant governor.

1692 (4) The lieutenant governor shall ensure that the ballot tracking system and the state-provided
1693 website described in Section 20A-7-801 automatically share appropriate information to ensure
1694 that a voter is able to confirm the status of the voter's trackable ballot via the state-provided
1695 website free of charge.

1696 (5) The ballot tracking system shall include a toll-free telephone number or other offline method
1697 by which a voter can confirm the status of the voter's trackable ballot.

1698 (6) The lieutenant governor shall ensure that the ballot tracking system:

1699 (a) is secure from unauthorized use by employing data encryption or other security
1700 measures; and

1701 (b) is only used for the purposes described in this section.

1702

1703 **Section 23. Section 20A-3a-402 is amended to read:**

1704 20A-3a-402. Custody of ballots voted at a polling place -- Disposition -- Counting -- Release of
1705 number of ballots cast.

1706 (1) This section governs ballots voted at a polling place.

1707 (2) (a) The election officer shall deliver all return envelopes containing valid ballots and
 1708 valid provisional ballots that are in the election officer's custody to the location of the
 1709 official canvass following the election ~~[counting center]~~ before noon on the day of the
 1710 official canvass following the election.

1711 (b) Valid ballots, including valid provisional ballots, may be processed and counted:

1712 (i) by the election officer, or poll workers acting under the supervision of the
 1713 election officer, before the date of the canvass; and

1714 (ii) at the canvass, by the election officer or poll workers, acting under the
 1715 supervision of the official canvassers of the election.

1716 (c) When processing ballots, the election officer and poll workers shall comply with the
 1717 procedures and requirements of Section 20A-3a-401 in opening envelopes, verifying
 1718 signatures, confirming eligibility of the ballots, and depositing ballots in preparation for
 1719 counting.

1720 (3) (a) After all valid ballots, including valid provisional ballots have been deposited, the
 1721 ballots shall be counted in the usual manner.

1722 (b) ~~[After the polls close on]~~ On the date of the election, the election officer shall
 1723 publicly release the results of those ballots, including provisional ballots, that ~~[have been~~
 1724 ~~counted on or before the date of the election]~~ are counted and processed on election day.

1725 (c) Except as provided in Subsection (3)(d), on each day, beginning on the day after the
 1726 date of the election and ending on the day before the date of the canvass, the election
 1727 officer shall publicly release:

1728 (i) the results of all ballots, including provisional ballots, counted on that day;
 1729 and

1730 (ii) an estimate of the total number of voted ballots in the custody of the election
 1731 officer that have not yet been counted.

1732 (d) (i) If complying with Subsection (3)(c) on a particular day will likely result in
 1733 disclosing a vote cast by an individual voter, the election officer shall request
 1734 permission from the lieutenant governor to delay compliance for the minimum
 1735 number of days necessary to protect against disclosure of the voter's vote.

1736 (ii) The lieutenant governor shall grant a request made under Subsection (3)(d)(i)
 1737 if the lieutenant governor finds that the delay is necessary to protect against
 1738 disclosure of a voter's vote.

- 1739 (e) On the date of the canvass, the election officer shall provide a tally of all ballots,
1740 including provisional ballots, counted, and the resulting tally shall be added to the
1741 official canvass of the election.
- 1742 (4) (a) On the day after the date of the election, the election officer shall determine the
1743 number of ballots received by the election officer at that time and shall make that number
1744 available to the public.
- 1745 (b) The election officer [~~may elect to~~] shall publicly release updated totals for the
1746 number of ballots received by the election officer up through the date of the canvass.

1747

1748 **Section 24. Section 20A-3a-404 is enacted to read:**

1749 20A-3a-404. Counting ballots.

1750 (1) No ballots shall be counted before election day. All ballots shall be counted in the assigned
1751 precinct on election day with the exception of military ballots, overseas ballots, mechanical
1752 ballots, or absentee ballots that arrive after election day.

1753 (2) At least three judges of election to superintend the casting of ballots at each precinct polling
1754 place at the next ensuing general election shall be designated at the time of their appointment as
1755 receiving judges, and at least three judges who canvass and make returns of the ballots cast at
1756 such election shall be designated at the time of their appointment as counting judges.

1757 (3) The receiving judges may assist the counting judges and the counting judges may assist the
1758 receiving judges.

1759

1760 **Section 25. Section 20A-3a-501 is amended to read:**

1761 20A-3a-501. Prohibited conduct at polling place -- Other prohibited activities.

1762 (1) As used in this section:

1763 (a) "electioneering" includes any oral, printed, or written attempt to persuade persons to
1764 refrain from voting or to vote for or vote against any candidate or issue; and

1765 (b) "polling place" means the physical place where ballots are cast [~~and includes the~~
1766 ~~physical place where a ballot drop box is located~~].

1767 (2) (a) An individual may not, within a polling place or in any public area within 150 feet of
1768 the building where a polling place is located:

1769 (i) do any electioneering;
 1770 (ii) circulate cards or handbills of any kind;
 1771 (iii) solicit signatures to any kind of petition; or
 1772 (iv) engage in any practice that interferes with the freedom of voters to vote or
 1773 disrupts the administration of the polling place.

1774 (b) A county, municipality, school district, or local district may not prohibit
 1775 electioneering that occurs more than 150 feet from the building where a polling place is
 1776 located, but may regulate the place and manner of that electioneering to protect the
 1777 public safety.

1778 (3) (a) An individual may not obstruct the doors or entries to a building in which a polling
 1779 place is located or prevent free access to and from any polling place.

1780 (b) A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the
 1781 obstruction of the entrance to a polling place and may arrest an individual creating an
 1782 obstruction.

1783 (4) An individual may not solicit any voter to show the voter's ballot.

1784 (5) (a) An individual may not knowingly possess or control another individual's voted
 1785 manual ballot, unless:

1786 (i) the individual is an election official or postal worker acting in the capacity of
 1787 an election official or postal worker;

1788 (ii) the individual possesses or controls the voted ballot in accordance with
 1789 Section 20A-3a-301, relating to emergency ballots;

1790 (iii) the possession or control is authorized in order to deliver a military-overseas
 1791 ballot in accordance with Chapter 16, Uniform Military and Overseas Voters
 1792 Act;

1793 (iv) subject to Section 20A-3a-208, the individual is authorized by a voter to
 1794 possess or control the voter's voted ballot if the voter needs assistance delivering
 1795 the ballot due to the voter's age, illness, or disability; or

1796 (v) the individual resides in the same household as the voter.

1797 (b) A violation of Subsection (5)(a) does not invalidate the ballot.

1798 (6) (a) An individual may not knowingly possess or control another individual's completed
1799 or signed voter registration form, unless:

1800 (i) the individual is an election official or postal worker acting in the capacity of
1801 an election official or postal worker;

1802 (ii) the individual is a government employee who possesses or controls the voter
1803 registration form in fulfillment of a job responsibility of the government
1804 employee;

1805 (iii) the individual possesses or controls the registration form in accordance with
1806 Chapter 16, Uniform Military and Overseas Voters Act;

1807 (iv) the individual is authorized by the other individual to possess or control the
1808 other individual's voter registration form because the other individual needs
1809 assistance delivering the ballot due to the voter's age, illness, or disability; or

1810 (v) the individual resides in the same household as the voter.

1811 (b) A violation of Subsection (6)(a) does not invalidate the voter registration form.

1812 ~~[(6)]~~ (7) An individual who violates any provision of this section is, in addition to the penalties
1813 described in Subsections 20A-1-609(2) and (3), guilty of a class A misdemeanor.

1814 ~~[(7)]~~ (8) A political subdivision may not prohibit political signs that are located more than 150
1815 feet away from a polling place, but may regulate their placement to protect public safety.

1816

1817 **Section 26. Section 20A-3a-701 is amended to read:**

1818 20A-3a-701. Definitions.

1819 As used in this part:

1820 (1) "Election day voting center" means a special polling place designated by an election officer
1821 to provide for voting on election day for an individual who:

1822 (a) is eligible to vote; and

1823 (b) ~~[resides within the political subdivision holding the election]~~

1824 ~~[(c)]~~ requires access to a voting device, in accordance with the Help America Vote Act of
1825 2002, Pub. L. No. 107-252, for individuals with disabilities.

1826 ~~[(2) "Voting center ballot" means a regular ballot that:~~

1827 ~~[(a) is provided at an election day voting center; and]~~

1828 ~~[(b) may be retrieved by the election official during the canvass if the voter cast a ballot~~

1829 ~~at another location or before election day.]~~

1830

1831 **Section 27. Section 20A-3a-702 is amended to read:**

1832 20A-3a-702. Election day voting center -- Hours of operation -- Compliance with Election Code.

1833 (1) Except as provided in Section 20A-7-609.5, an election officer may operate an election day

1834 voting center in one or more locations designated under Section 20A-3a-703.

1835 (2) An election officer shall provide for voting at an election day voting center by:

1836 (a) regular ballot if:

1837 (i) (A) the election day voting center is designated under Section 20A-5-403

1838 as the polling place for the voting precinct in which an eligible voter

1839 resides, or ~~[the voting precinct in which the voter resides; and]~~

1840 (B) the voter is eligible to vote a regular ballot at the election day voting

1841 center in accordance with this title; ~~[or]~~ and

1842 (C) the voter requires access to a voting device, in accordance with the

1843 Help America Vote Act of 2002, Pub. L. No. 107-252, for individuals with

1844 disabilities.

1845 ~~[(ii) — (A) the voter resides within the political subdivision holding the election;]~~

1846 ~~[(B) the voter is otherwise eligible to vote a regular ballot in accordance~~

1847 ~~with this title; and]~~

1848 ~~[(C) the jurisdiction holding the election uses a method that confirms that~~

1849 ~~the voter has not voted previously in the election;]~~

1850 ~~[(b) voting center ballot if:]~~

1851 ~~[(i) the election day voting center is not designated under Section 20A-5-403 as~~

1852 ~~the polling place for the voting precinct in which the voter resides;]~~

1853 ~~[(ii) the voter resides within the political subdivision holding the election; and]~~

1854 ~~[(iii) the voter is otherwise eligible to vote a regular ballot in accordance with this~~

1855 ~~title; or]~~

1856 ~~{(e)}~~ (b) provisional ballot if the voter is only eligible to vote using a provisional ballot in
1857 accordance with this title.

1858 (3) An election officer shall ensure that an election day voting center:

1859 (a) is open on election day during the time period specified under Section 20A-1-302;

1860 (b) allows an eligible voter to vote if the voter[:]

1861 ~~[(i) resides within the political subdivision holding an election; and]~~

1862 ~~[(ii) arrives at the election day voting center by the designated closing time in~~
1863 ~~accordance with Section 20A-1-302; and~~

1864 (c) is administered according to the requirements of this title.

1865 ~~[(4) An individual may submit a completed manual ballot at an election day voting center for the~~
1866 ~~political subdivision in which the individual resides.]~~

1867

1868 **Section 28. Section 20A-4-101 is amended to read:**

1869 Section 20A-4-101, Manual ballots cast at a polling place -- Counting manual ballots at
1870 polling place on day of election ~~[before polls close]~~.

1871 (1) Each county legislative body, municipal legislative body, and each poll worker shall
1872 comply with the requirements of this section ~~[when]~~in counting manual ballots on the day
1873 of an election, ~~[if]~~when:

1874 (a) the ballots are cast at a polling place; and

1875 (b) all the uncontested ballots are counted manually at the polling place until they
1876 are all counted. ~~[before the polls close.]~~

1877 (2) (a) Each county legislative body or municipal legislative body shall provide:

1878 (i) two sets of ballot boxes for each ~~[all]~~ voting precinct[s] ~~[where both~~
1879 ~~receiving and counting judges have been appointed]; and~~

1880 (ii) a secure counting room for the use of the poll workers and observers
1881 counting the ballots during the day. Poll watchers must be easily able to
1882 observe within 5 feet of the counting.

1883 (b) At any election in any voting precinct ~~[in which both receiving and counting~~
1884 ~~judges have been appointed,]~~ when at least 20 votes have been cast, the receiving
1885 judges shall:

1886 (i) close the first ballot box and deliver it to the counting judges; and

1887 (ii) prepare and use another ballot box to receive voted ballots.

1888 (c) Except as provided in Subsection (2)(f), upon receipt of the ballot box, the
1889 counting judges shall:

1890 (i) take the ballot box to the counting room;

1891 (ii) count the votes on the regular ballots in the ballot box;

1892 (iii) place the provisional ballot envelopes in the envelope or container
1893 provided for them for return to the election officer; and

1894 (iv) when they have finished counting the votes in the ballot box, return the
1895 emptied box to the receiving judges.

1896 (d) (i) During the course of election day, whenever there are at least 20 ballots
1897 contained in a ballot box, the receiving judges shall deliver that ballot box
1898 to the counting judges for counting; and

1899 (ii) the counting judges shall immediately count the regular ballots and
1900 segregate the provisional ballots contained in that box.

1901 (e) The counting judges shall continue to exchange the ballot boxes and count
1902 ballots until the polls close. After the polls close the election judges shall continue
1903 to count the remaining ballots until all ballots are counted.

1904 ~~[(f)(i) The director of elections within the Office of the Lieutenant Governor shall~~
1905 ~~make rules in accordance with Title 63G, Chapter 3, Utah Administrative~~
1906 ~~Rulemaking Act, describing the procedures that a counting judge is required to~~
1907 ~~follow for counting ballots in an instant runoff voting race under Title 20A,~~
1908 ~~Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project.]~~

1909 ~~[(ii) When counting ballots in an instant runoff voting race described in~~
1910 ~~Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot~~
1911 ~~Project, a counting judge shall comply with the procedures established~~
1912 ~~under Subsection (2)(f)(i) and Title 20A, Chapter 4, Part 6, Municipal~~
1913 ~~Alternate Voting Methods Pilot Project.]~~

(f) Such counting may be witnessed by one representative from each political party and who shall be designated in writing by the chairman and secretary of the respective county central committees. If applicable, representatives of qualified candidates who are not a nominee of a political party who is represented upon the official ballot may also witness the counting. Each representative shall take and subscribe an oath before one of the judges of the election that they will not prior to the closing of the polls communicate in any matter, directly or indirectly, by word or sign, the progress of the counting or the result so far ascertained, or any information whatsoever in relationship thereto. Such representatives and the counting judges shall be confined to the room or the place provided and shall not leave the same during the count, except in case of necessity; nor shall any election judge or party representative in any manner, by word or sign, disclose or communicate the progress of the counting of the results so far as ascertained, or any information whatsoever in relation thereto, until they have completed counting. Any person who shall intentionally ascertain or attempt to ascertain the progress or state of the count before the count is completed in the voting district and in no place before 8 p.m. even though the count is completed prior to that hour, and any judge of election, or party representative designated as aforesaid, who violates any of the provisions of this section is guilty of a felony, and shall be punished by a fine not to exceed \$10,000 or incarceration for a period not to exceed one year or by both such fine and imprisonment.

(i) As the ballots are opened and read the judges shall, upon tally lists prepared for that purpose, carefully mark down the votes each person shall have received, in separate lines, with the name of such person at the beginning of the line, and the office it is designed by the voter such person shall fill. The judge shall certify the tally lists substantially as follows:

(A) We, the undersigned, judges of election for district No., County of....., State of Utah, do hereby certify that the foregoing is a true and correct list of all the persons voted for at the election held in said district on the day of, 20...., and the number of votes cast for each for the offices respectively named.

.....

.....

1949 _____
1950 _____
1951 _____ Judges.
1952 (g) All the judges of the elections shall join in announcing the results of their
1953 counting to the clerk or recorder and to the public.
1954 (3) To resolve questions that arise during the counting of ballots, a counting judge shall
1955 apply the standards and requirements of[=]
1956 [(a) to the extent applicable,] Section 20A-4-105,[-; and]
1957 [(b) as applicable, for an instant runoff voting race under Title 20A, Chapter 4,
1958 Part 6, Municipal Alternate Voting Methods Pilot Project, Subsection 20A-4-
1959 603(3).]
1960
1961 **Section 29. Section 20A-4-102 is amended to read:**
1962 20A-4-102. Manual ballots cast at a polling place -- Counting manual ballots at polling
1963 place on day of election after polls close.
1964 (1) (a) Counting judges count all legal votes cast in, or delivered to the precinct, until
1965 the count is completed. [This section governs counting manual ballots on the day
1966 of an election, if:]
1967 [(i) the ballots are cast at a polling place; and]
1968 [(ii) the ballots are counted at the polling place after the polls close.]
1969 (b) Except as provided in Subsection (2) [~~or a rule made under Subsection [20A-4-~~
1970 ~~101(2)(f)(i)] (1)(d)], as soon as the polls have been closed and the last qualified~~
1971 voter has voted, the election judges shall continue to count the ballots by
1972 performing the tasks specified in this section in the order that they are specified.
1973 (c) To resolve questions that arise during the counting of ballots, a counting judge
1974 shall apply the standards and requirements of:-
1975 [(i) to the extent applicable,] Section 20A-4-105,[-; and]
1976 [(ii) as applicable, for an instant runoff voting race under Part 6, Municipal
1977 Alternate Voting Methods Pilot Project, Subsection 20A-4-603(3).]

1978 (2) (a) First, the election judges shall count the number of ballots in the ballot box.

1979 (b) (i) If there are more ballots in the ballot box than there are names entered in

1980 the pollbook, the judges shall examine the official endorsements on the

1981 ballots.

1982 (ii) If, in the unanimous opinion of the judges, any of the ballots do not bear

1983 the proper official endorsement, the judges shall put those ballots in an excess

1984 ballot file and not count them.

1985 (c) (i) If, after examining the official endorsements, there are still more ballots in

1986 the ballot box than there are names entered in the pollbook, the judges shall

1987 place the remaining ballots back in the ballot box.

1988 (ii) One of the judges, without looking, shall draw a number of ballots equal

1989 to the excess from the ballot box.

1990 (iii) The judges shall put those excess ballots into the excess ballot envelope

1991 and not count them.

1992 (d) When the ballots in the ballot box equal the number of names entered in the

1993 pollbook, the judges shall count the votes.

1994 (3) The judges shall:

1995 (a) place all unused ballots in the envelope or container provided for return to the

1996 county clerk or city recorder; and

1997 (b) seal that envelope or container.

1998 (4) The judges shall:

1999 (a) place all of the provisional ballot envelopes in the envelope provided for them for

2000 return to the election officer; and

2001 (b) seal that envelope or container.

2002 (5) (a) In counting the votes, the election judges shall read and count each ballot

2003 separately.

2004 ~~[(b) In regular primary elections the judges shall:]~~

2005 ~~[(i) count the number of ballots cast for each party;]~~

2006 ~~[(ii) place the ballots cast for each party in separate piles; and]~~

2007 [~~(iii) count all the ballots for one party before beginning to count the ballots~~
2008 ~~cast for other parties.~~]

2009 (6) (a) In all elections, the counting judges shall~~[-except as provided in Part 6, Municipal~~
2010 ~~Alternate Voting Methods Pilot Project, or a rule made under Subsection 20A-4-~~
2011 ~~101(2)(f)(i)]~~:

2012 (i) count one vote for each candidate designated by the marks in the squares
2013 next to the candidate's name;

2014 (ii) count each vote for each write-in candidate who has qualified by filing a
2015 declaration of candidacy under Section 20A-9-601;

2016 (iii) read every name marked on the ballot and mark every name upon the tally
2017 sheets before another ballot is counted;

2018 (iv) evaluate each ballot and each vote based on the standards and
2019 requirements of Section 20A-4-105;

2020 (v) write the word "spoiled" on the back of each ballot that lacks the official
2021 endorsement and deposit it in the spoiled ballot envelope; and

2022 (vi) read, count, and record upon the tally sheets the votes that each candidate
2023 and ballot proposition received from all ballots, except excess or spoiled
2024 ballots.

2025 (b) Election judges need not tally write-in votes for fictitious persons, nonpersons, or
2026 persons clearly not eligible to qualify for office.

2027 (c) The judges shall certify to the accuracy and completeness of the tally list in the
2028 space provided on the tally list.

2029 (d) When the judges have counted all of the voted ballots, they shall record the results
2030 on the total votes cast form.

2031 (e) The election judges shall sign an affidavit attesting that the ballots were legally
2032 processed and the accuracy of the tally results.

2033 (f) The results shall then be reported to an election officer and the public.

2034 (7) Only ~~[an]~~ election judges and ~~[a]~~ watchers may be present at the place where counting is
2035 conducted until the count is completed.

2036

2037 **Section 30. Section 20A-4-105 is amended to read:**

2038 20A-4-105. Standards and requirements for evaluating voter's ballot choice.

2039 (1) (a) An election officer shall ensure that when a question arises regarding a vote
2040 recorded on a manual ballot, two counting judges jointly adjudicate the ballot ~~;~~
2041 ~~except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot~~
2042 ~~Project,~~ in accordance with the requirements of this section.

2043 (b) If the counting judges disagree on the disposition of a vote recorded on a ballot
2044 that is adjudicated under this section, the counting judges may not count the vote.

2045 (2) Except as provided in Subsection (10), Subsection 20A-3a-204 ~~[-, or Part 6, Municipal~~
2046 ~~Alternate Voting Methods Pilot Project,]~~ if a voter marks more names than there are
2047 individuals to be elected to an office, or if the counting judges cannot determine a voter's
2048 choice for an office, the counting judges may not count the voter's vote for that office.

2049 (3) ~~[Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot~~
2050 ~~Project, -]~~ The counting judges shall count a defective or incomplete mark on a manual ballot
2051 if:

2052 (a) the defective or incomplete mark is in the proper place; and

2053 (b) there is no other mark or cross on the ballot indicating the voter's intent to vote
2054 other than as indicated by the incomplete or defective mark.

2055 (4) ~~[Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot~~
2056 ~~Project, -]~~ The counting judges may not reject a ballot marked by the voter because of marks
2057 on the ballot other than those marks allowed by this section unless the extraneous marks on a
2058 ballot show an intent by an individual to mark the individual's ballot so that the individual's
2059 ballot can be identified.

2060 (5) (a) In counting the ballots, the counting judges shall give full consideration to the
2061 intent of the voter.

2062 (b) The counting judges may not invalidate a ballot because of mechanical or
2063 technical defects in voting or failure on the part of the voter to follow strictly the rules
2064 for balloting required by Chapter 3a, Voting.

2065 (6) The counting judges may not reject a ballot because of an error in:

2066 (a) stamping or writing an official endorsement; or

2067 (b) delivering the wrong ballots to a polling place.

2068 (7) The counting judges may not count a manual ballot that does not have the official
2069 endorsement by an election officer.

2070 (8) The counting judges may not count a ballot proposition vote or candidate vote for which
2071 the voter is not legally entitled to vote, as defined in Section 20A-4-107.

2072 (9) If the counting judges discover that the name of a candidate is misspelled on a ballot, or
2073 that the initial letters of a candidate's given name are transposed or omitted in whole or in
2074 part on a ballot, the counting judges shall count a voter's vote for the candidate if it is
2075 apparent that the voter intended to vote for the candidate.

2076 (10) The counting judges shall count a vote for the president and the vice president of any
2077 political party as a vote for the presidential electors selected by the political party.

2078 (11) ~~Except as otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot~~
2079 ~~Project, i}~~ In counting the valid write-in votes, if, by casting a valid write-in vote, a voter has
2080 cast more votes for an office than that voter is entitled to vote for that office, the counting
2081 judges shall count the valid write-in vote as being the obvious intent of the voter.

2082

2083 **Section 31. Section 20A-4-107 is amended to read:**

2084 20A-4-107. Review and disposition of provisional ballot envelopes.

2085 (1) As used in this section, an individual is "legally entitled to vote" if:

2086 (a) the individual:

2087 (i) is registered to vote in the state;

2088 (ii) is at the correct precinct,

2089 (iii) is listed in the poll book,

2090 (iv) is not be shown to have already voted, and

2091 (v) ~~votes the ballot for the voting precinct in which the individual resides;~~
2092 ~~and (iii)~~ provides valid voter identification to the poll worker;

2093 (2) A person who claims to be legally entitled to vote but whose name does not appear in the
2094 poll book due to some alleged clerical error shall be given a provisional ballot. The
2095 provisional ballot shall not be counted and be kept separate from the other ballots until
2096 adjudicated at the election office.

2097 ~~[(b) the individual:]~~

2098 ~~[(i) is registered to vote in the state;~~

2099 ~~[(ii) [(A)] provided valid voter identification to the poll worker; [or] and~~

2100 ~~[(B) either failed to provide valid voter identification or the documents~~

2101 ~~provided as valid voter identification were inadequate and the poll~~

2102 ~~worker recorded that fact in the official register but the county clerk~~

2103 ~~verifies the individual's identity and residence through some other~~

2104 ~~means; and]~~

2105 ~~[(iii) did not vote in the individual's precinct of residence, but the ballot~~

2106 ~~that the individual voted was from the individual's county of residence~~

2107 ~~and includes one or more candidates or ballot propositions on the ballot~~

2108 ~~voted in the individual's precinct of residence; or]~~

2109 ~~[(c) the individual:]~~

2110 ~~[(i) is registered to vote in the state;]~~

2111 ~~[(ii) either failed to provide valid voter identification or the documents~~

2112 ~~provided as valid voter identification were inadequate and the poll~~

2113 ~~worker recorded that fact in the official register; and]~~

2114 ~~[(iii) (A) the county clerk verifies the individual's identity and residence~~

2115 ~~through some other means as reliable as photo identification; or]~~

2116 ~~[(B)] (iii) the individual provides valid voter identification to the county~~

2117 ~~clerk or an election officer who is administering the election [by] before~~

2118 ~~the close of normal office hours on Monday after the date of the~~

2119 ~~election.]~~

2120 ~~[(2) — (a) Upon receipt of a provisional ballot form, the election officer shall review~~

2121 ~~the affirmation on the provisional ballot form and determine if the individual~~

2122 ~~signing the affirmation is:]~~

2123 ~~[(i) registered to vote in this state; and]~~

2124 ~~[(ii) legally entitled to vote:]~~

2125 ~~[(A) the ballot that the individual voted; or]~~

2126 ~~[(B) if the ballot is from the individual's county of residence, for~~
2127 ~~at least one ballot proposition or candidate on the ballot that the~~
2128 ~~individual voted.]~~

2129 ~~[(b) Except as provided in Section 20A-2-207, if the election officer determines~~
2130 ~~that the individual is not registered to vote in this state or is not legally entitled~~
2131 ~~to vote in the county or for any of the ballot propositions or candidates on the~~
2132 ~~ballot that the individual voted, the election officer shall retain the ballot form,~~
2133 ~~uncounted, for the period specified in Section 20A-4-202 unless ordered by a~~
2134 ~~court to produce or count it.]~~

2135 ~~[(c) If the election officer determines that the individual is registered to vote in~~
2136 ~~this state and is legally entitled to vote in the county and for at least one of the~~
2137 ~~ballot propositions or candidates on the ballot that the individual voted, the~~
2138 ~~election officer shall place the provisional ballot with the regular ballots to be~~
2139 ~~counted with those ballots at the canvass.]~~

2140 ~~[(d) The election officer may not count, or allow to be counted a provisional~~
2141 ~~ballot unless the individual's identity and residence is established by a~~
2142 ~~preponderance of the evidence.]~~

2143 ~~[(3) If the election officer determines that the individual is registered to vote in this~~
2144 ~~state, or if the voter registers to vote in accordance with Section 20A-2-207, the~~
2145 ~~election officer shall ensure that the voter registration records are updated to reflect the~~
2146 ~~information provided on the provisional ballot form.]~~

2147 ~~[(4) Except as provided in Section 20A-2-207, if the election officer determines that the~~
2148 ~~individual is not registered to vote in this state and the information on the provisional~~
2149 ~~ballot form is complete, the election officer shall:]~~

2150 ~~[(a) consider the provisional ballot form a voter registration form for the~~
2151 ~~individual's county of residence; and]~~

2152 ~~[(b) —(i) register the individual if the individual's county of residence is within~~
2153 ~~the county; or]~~

2154 ~~[(ii) forward the voter registration form to the election officer of the~~
2155 ~~individual's county of residence, which election officer shall register the~~
2156 ~~individual.]~~

2157 ~~[(5) Notwithstanding any provision of this section, the election officer shall place a~~
2158 ~~provisional ballot with the regular ballots to be counted with those ballots at the~~
2159 ~~canvass, if:]~~

2160 ~~[(a) — (i) the election officer determines, in accordance with the provisions of~~
2161 ~~this section, that the sole reason a provisional ballot may not otherwise~~
2162 ~~be counted is because the voter registration was filed less than 11 days~~
2163 ~~before the election;]~~

2164 ~~[(ii) 11 or more days before the election, the individual who cast the~~
2165 ~~provisional ballot;]~~

2166 ~~[(A) completed and signed the voter registration; and]~~

2167 ~~[(B) provided the voter registration to another person to file;]~~

2168 ~~[(iii) the late filing was made due to the individual described in~~
2169 ~~Subsection (5)(a)(ii)(B) filing the voter registration late; and]~~

2170 ~~[(iv) the election officer receives the voter registration before 5 p.m. no~~
2171 ~~later than one day before the day of the election; or]~~

2172 ~~[(b) the provisional ballot is cast on or before election day and is not otherwise~~
2173 ~~prohibited from being counted under the provisions of this chapter.]~~

2174

2175 **Section 32. Section 20A-4-202 is amended to read:**

2176 20A-4-202. Election officers -- Disposition of ballots -- Release of number of
2177 provisional ballots cast.

2178 (1) Upon receipt of the election returns from the poll workers, the election officer shall:

2179 (a) ensure that the poll workers have provided all of the ballots and election
2180 returns;

2181 (b) inspect the ballots and election returns to ensure that they are sealed;

2182 (c) for manual ballots, deposit and lock the ballots and election returns in a safe
2183 and secure place;

2184 (d) for mechanical ballots:

2185 (i) count the ballots; and

2186 (ii) deposit and lock the ballots and election returns in a safe and secure
2187 place; and

2188 (e) for bond elections, provide a copy of the election results to the board of
2189 canvassers of the local political subdivision that called the bond election.

2190 (2) Each election officer shall:

2191 (a) before 5 p.m. on the day after the date of the election, determine the number
2192 of provisional ballots cast within the election officer's jurisdiction and make that
2193 number available to the public;

2194 (b) preserve all documents related to the election process, including but not
2195 limited to, all ballots and tally sheets, signature envelopes, poll books, poll
2196 worker affidavits, and canvass documentation for ~~[22 months]~~ 3 years after the
2197 election or until the time has expired during which the ballots could be used in
2198 an election contest;

2199 (c) preserve all other official election returns for at least ~~[22 months]~~ 3 years
2200 after an election; ~~and~~

2201 (d) preserve a record for at least 3 years of registered voters who were qualified
2202 to participate in each election; and

2203 (e) [del(d)] after that time, destroy them without opening or examining them.

2204 (3) (a) The election officer shall package and retain all tabulating cards and other
2205 materials used in the programming of the automatic tabulating equipment.

2206 (b) The election officer:

2207 (i) may access these tabulating cards and other materials;

2208 (ii) may make copies of these materials and make changes to the copies;

2209 (iii) may not alter or make changes to the materials themselves; and

2210 (iv) within ~~[22 months]~~ 3 years after the election in which they were
2211 used, may dispose of those materials or retain them.

2212 (4) (a) If an election contest is begun within 12 months, the election officer shall:

2213 (i) keep the ballots and election returns unopened and unaltered until the
2214 contest is complete; or

2215 (ii) surrender the ballots and election returns to the custody of the court
2216 having jurisdiction of the contest when ordered or subpoenaed to do so
2217 by that court.

2218 (b) When all election contests arising from an election are complete, the
2219 election officer shall either:

2220 (i) retain the ballots and election returns until the time for preserving
2221 them under this section has run; or

2222 (ii) destroy the ballots and election returns remaining in the election
2223 officer's custody without opening or examining them if the time for
2224 preserving them under this section has run.

2225

2226 **Section 33. Section 20A-5-400.1 is amended to read:**

2227 20A-5-400.1. Contracting with an election officer to conduct elections -- Fees -- Contracts and
2228 interlocal agreements -- Private providers.

2229 (1) (a) In accordance with this section, a local political subdivision may enter into a contract
2230 or interlocal agreement as provided in Title 11, Chapter 13, Interlocal Cooperation Act,
2231 with a provider election officer to conduct an election.

2232 (b) If the boundaries of a local political subdivision holding the election extend beyond a
2233 single local political subdivision, the local political subdivision may have more than one
2234 provider election officer conduct an election.

2235 ~~[(c) Upon approval by the lieutenant governor, a municipality may enter into a contract or~~
2236 ~~agreement under Subsection (1)(a) with any local political subdivision in the state,~~
2237 ~~regardless of whether the municipality is located in, next to, or near, the local political~~
2238 ~~subdivision, to conduct an election during which the municipality is participating in the~~
2239 ~~Municipal Alternate Voting Methods Pilot Project.]~~

2240 (d) If a municipality enters into a contract or agreement, under Subsection (1)(c), with a
2241 local political subdivision other than a county within which the municipality exists, the
2242 municipality, the local political subdivision, and the county within which the
2243 municipality exists shall enter into a cooperative agreement to ensure the proper
2244 functioning of the election.

2245 (2) A provider election officer shall conduct an election only:

2246 (a) under the direction of the contracting election officer; and

2247 (b) in accordance with a contract or interlocal agreement.

2248 (3) A provider election officer shall establish fees for conducting an election for a contracting
2249 election officer that:

2250 (a) are consistent with the contract or interlocal agreement; and

2251 (b) do not exceed the actual costs incurred by the provider election officer.

2252 (4) The contract or interlocal agreement under this section may specify that a contracting election
2253 officer request, within a specified number of days before the election, that the provider election
2254 officer conduct the election to allow adequate preparations by the provider election officer.

2255 (5) An election officer conducting an election may appoint or employ an agent or professional
2256 service to assist in conducting the election.

2257 (6) No non-governmental entity or individual shall contribute funds for conducting any
2258 registration or election activities in the state of Utah.

2259

2260 **Section 34. Section 20A-5-403 is amended to read:**

2261 20A-5-403. Polling places -- Booths -- Ballot boxes -- Inspections --Arrangements.

2262 (1) Except as provided in Section 20A-7-609.5, each election officer shall:

2263 (a) designate polling places for each voting precinct in the jurisdiction; and

2264 (b) obtain the approval of the county or municipal legislative body or local
2265 district governing board for those polling places.

2266 (c) ensure there are voting devices in each county that are configured to
2267 accommodate persons with special disabilities in a sufficient number of
2268 locations to comply with federal law.

2269 (2) (a) For each polling place, the election officer shall provide:

2270 (i) an American flag;

2271 (ii) a sufficient number of voting booths or compartments;

2272 (iii) ~~the voting devices,~~ voting booths, ballots, ballot boxes, and any
2273 other records and supplies necessary to enable a voter to vote;

2274 (iv) the constitutional amendment cards required by Part 1, Election
2275 Notices and Instructions;

2276 (v) the instructions required by Section 20A-5-102; and

2277 (vi) a sign, to be prominently displayed in the polling place, indicating
2278 that valid voter identification is required for every voter before the voter
2279 may vote and listing the forms of identification that constitute valid
2280 voter identification.

2281 (b) Each election officer shall ensure that:

2282 (i) each voting booth is at a convenient height for writing, and is
2283 arranged so that the voter can prepare the voter's ballot screened from
2284 observation; and

2285 (ii) there are a sufficient number of voting booths or voting devices to
2286 accommodate the voters at that polling place; and

2287 (iii) there is at least one voting booth [~~or voting device~~] that is
2288 configured to accommodate persons with disabilities.

2289 (c) Each county clerk shall provide [a] two ballot boxes for each polling place
2290 that are [~~is~~] large enough to properly receive and hold the ballots to be cast.

2291 (3) (a) All polling places shall be physically inspected by each county clerk or a
2292 designated election officer to ensure access by a person with a disability.

2293 (b) Any issues concerning inaccessibility to polling places by a person with a
2294 disability discovered during the inspections referred to in Subsection (3)(a) or
2295 reported to the county clerk shall be:

2296 (i) forwarded to the Office of the Lieutenant Governor; and

2297 (ii) within six months of the time of the complaint, the issue of
2298 inaccessibility shall be either:

2299 (A) remedied at the particular location by the county clerk;

2300 (B) the county clerk shall designate an alternative accessible
2301 location for the particular precinct; or

2302 (C) if no practical solution can be identified, file with the Office
2303 of the Lieutenant Governor a written explanation identifying the
2304 reasons compliance cannot reasonably be met.

2305 (c) An election officer may not operate a drive-through polling location.

2306 (4) (a) The municipality in which the election is held shall pay the cost of
2307 conducting each municipal election, including the cost of printing and supplies.

2308 (b) (i) Costs assessed by a county clerk to a municipality under this section
 2309 may not exceed the actual costs incurred by the county clerk.

2310 (ii) The actual costs shall include:

2311 (A) costs of or rental fees associated with the use of election
 2312 equipment and supplies; and

2313 (B) reasonable and necessary administrative costs.

2314 (5) The county clerk shall make detailed entries of all proceedings had under this
 2315 chapter.

2316 (6) (a) Each county clerk shall, to the extent possible, ensure that the amount of
 2317 time that an individual waits in line before the individual can vote at a polling
 2318 location in the county does not exceed 30 minutes.

2319 (b) The lieutenant governor may require a county clerk to submit a line
 2320 management plan before the next election if an individual waits in line at a
 2321 polling location in the county longer than 30 minutes before the individual can
 2322 vote.

2323 (c) The lieutenant governor may consider extenuating circumstances in deciding
 2324 whether to require the county clerk to submit a plan described in Subsection
 2325 (6)(b).

2326 (d) The lieutenant governor shall review each plan submitted under Subsection
 2327 (6)(b) and consult with the county clerk submitting the plan to ensure, to the
 2328 extent possible, that the amount of time an individual waits in line before the
 2329 individual can vote at a polling location in the county does not exceed 30
 2330 minutes.

2331

2332 **Section 35. Section 20A-6-101 is amended to read:**

2333 20A-6-101. General requirements for manual ballots.

2334 (1) The lieutenant governor [~~An election officer~~] shall ensure that manual ballots:

2335 (a) are printed using precisely the same quality and tint of plain white paper through
 2336 which the printing or writing cannot be seen;

2337 (b) are printed using precisely the same quality and kind of type;

2338 (c) are printed using precisely the same quality and tint of plain black ink;
2339 (d) are uniform in size for all the voting precincts within the state of Utah ~~[election~~
2340 ~~officer's jurisdiction; and]~~
2341 (e) include, on a ticket for a race in which a voter is authorized to cast a write-in vote and
2342 in which a write-in candidate is qualified under Section 20A-9-601, a space for a write-in
2343 candidate immediately following the last candidate listed on that ticket[-]; and
2344 (f) include the following security features:
2345 (i) a unique, sequential number with a county and precinct designation; and
2346 (ii) a light-sensitive watermark.
2347 (2) Whenever the vote for candidates is to be limited to the voters of a particular political
2348 division, the election officer shall ensure that the names of those candidates are printed only
2349 upon those ballots provided to that political division.

2350

2351 **Section 36. Effective Date**

2352 This Act shall take effect July 1, 2022.

2353

2354 **Section 37. Severability**

2355 It is the intent of the People that the provisions of this act are severable and that if any provision
2356 of this act or the application thereof to any person or circumstance is held invalid, the remainder
2357 of the act shall be given effect without the invalid provision or application.

2358

2359 **Section 38. Repealer**

2360 This bill repeals:

2361 Section 20A-2-207

2362 Section 20A-3a-202. Conducting election by mail.

2363 Section 20A-3a-6. Early voting.

2364 Section 20A-3a-601. Early Voting.

2365 Section 20A-3a-602. Hours for early voting.

2366 Section 20A-3a-603. Early voting polling places.

2367 Section 20A-3a-604. Notice of time and place of early voting.

2368 Section 20A-3a-605. Exemptions of early voting.

2369 Section 20A-4-602. Municipal Alternate Voting Methods Pilot Project -- Creation --
2370 Participation.

2371 Section 20A-4-603. Instant Voting Runoff.

2372 Section 20A-4-604. Batch elimination.

2373 Section 20A-5-403.5. Ballot drop boxes.

2374 Section 20A-6-203.5. Instant runoff voting ballot.

2375

2376 **END OF SECURE VOTE UTAH INITIATIVE**

2377 Persons gathering signatures may be paid to do so.