

VOTING AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kera Birkeland

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions relating to mailed ballots.

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:



- 28 **20A-1-102**, as last amended by Laws of Utah 2022, Chapters 18, 170
- 29 **20A-2-104**, as last amended by Laws of Utah 2021, Chapter 100
- 30 **20A-2-306**, as last amended by Laws of Utah 2022, Chapter 121
- 31 **20A-3a-202**, as last amended by Laws of Utah 2022, Chapters 18, 121 and 156
- 32 **20A-5-804**, as last amended by Laws of Utah 2020, Chapter 31
- 33 **20A-6-105**, as last amended by Laws of Utah 2021, Chapter 100
- 34 **63I-2-220**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6

35 ENACTS:

36 **20A-3a-202.5**, Utah Code Annotated 1953



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

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

40 **20A-1-102. Definitions.**

41 As used in this title:

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

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

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

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

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

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

52 (b) a constitutional amendment;

53 (c) an initiative;

54 (d) a referendum;

55 (e) a bond proposition;

56 (f) a judicial retention question;

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

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

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

62 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
63 20A-4-306 to canvass election returns.

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

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

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

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

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

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

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

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

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

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

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

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

87 (b) does not include:

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

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

92 (18) "Elected official" means:

93 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,

94 Municipal Alternate Voting Methods Pilot Project;

95 (b) a person who is considered to be elected to a municipal office in accordance with

96 Subsection 20A-1-206(1)(c)(ii); or

97 (c) a person who is considered to be elected to a local district office in accordance with

98 Subsection 20A-1-206(3)(b)(ii).

99 (19) "Election" means a regular general election, a municipal general election, a

100 statewide special election, a local special election, a regular primary election, a municipal

101 primary election, and a local district election.

102 (20) "Election Assistance Commission" means the commission established by the Help

103 America Vote Act of 2002, Pub. L. No. 107-252.

104 (21) "Election cycle" means the period beginning on the first day persons are eligible to

105 file declarations of candidacy and ending when the canvass is completed.

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

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

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

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

110 (23) "Election officer" means:

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

112 (b) the county clerk for:

113 (i) a county ballot and election; and

114 (ii) a ballot and election as a provider election officer as provided in Section

115 20A-5-400.1 or 20A-5-400.5;

116 (c) the municipal clerk for:

117 (i) a municipal ballot and election; and

118 (ii) a ballot and election as a provider election officer as provided in Section

119 20A-5-400.1 or 20A-5-400.5;

120 (d) the local district clerk or chief executive officer for:

- 121 (i) a local district ballot and election; and
- 122 (ii) a ballot and election as a provider election officer as provided in Section
- 123 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 124 (e) the business administrator or superintendent of a school district for:
- 125 (i) a school district ballot and election; and
- 126 (ii) a ballot and election as a provider election officer as provided in Section
- 127 [20A-5-400.1](#) or [20A-5-400.5](#).
- 128 (24) "Election official" means any election officer, election judge, or poll worker.
- 129 (25) "Election results" means:
- 130 (a) for an election other than a bond election, the count of votes cast in the election and
- 131 the election returns requested by the board of canvassers; or
- 132 (b) for bond elections, the count of those votes cast for and against the bond
- 133 proposition plus any or all of the election returns that the board of canvassers may request.
- 134 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
- 135 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted
- 136 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
- 137 the total votes cast form.
- 138 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
- 139 or logically associated with a record and executed or adopted by a person with the intent to sign
- 140 the record.
- 141 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
- 142 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).
- 143 (29) "Judicial office" means the office filled by any judicial officer.
- 144 (30) "Judicial officer" means any justice or judge of a court of record or any county
- 145 court judge.
- 146 (31) "Local district" means a local government entity under Title 17B, Limited Purpose
- 147 Local Government Entities - Local Districts, and includes a special service district under Title
- 148 17D, Chapter 1, Special Service District Act.
- 149 (32) "Local district officers" means those local district board members that are required
- 150 by law to be elected.
- 151 (33) "Local election" means a regular county election, a regular municipal election, a

152 municipal primary election, a local special election, a local district election, and a bond
153 election.

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

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

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

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

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

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

167 (38) "Municipal executive" means:

168 (a) the mayor in the council-mayor form of government defined in Section [10-3b-102](#);

169 (b) the mayor in the council-manager form of government defined in Subsection
170 [10-3b-103](#)(7); or

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

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

175 (40) "Municipal legislative body" means:

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

177 (b) the council of a metro township.

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

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

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

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

214 (56) "Provider election officer" means an election officer who enters into a contract or
215 interlocal agreement with a contracting election officer to conduct an election for the
216 contracting election officer's local political subdivision in accordance with Section
217 [20A-5-400.1](#).

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

- 219 (a) whose name is not listed on the official register at the polling place;
- 220 (b) whose legal right to vote is challenged as provided in this title; or
- 221 (c) whose identity was not sufficiently established by a poll worker.

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

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

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

- 229 (i) elected to public office; or
- 230 (ii) appointed to fill a vacancy in an elected public office.

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

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

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

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

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

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

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

245 (67) "Return envelope" means the envelope, described in Subsection [~~20A-3a-202(4)~~
246 [20A-3a-202\(5\)](#)], provided to a voter with a manual ballot:

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

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

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

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

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

254 (a) is spoiled by the voter;

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

256 (c) lacks the official endorsement.

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

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

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

262 (a) political parties;

263 (b) candidates for an office; or

264 (c) ballot propositions.

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

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

270 (76) "Valid voter identification" means:

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

273 (i) a currently valid Utah driver license;

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

275 (A) the state; or

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

307 candidate by following the procedures and requirements of this title.

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

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

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

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

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

313 (b) meets the requirements of election registration;

314 (c) is registered to vote; and

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

316 (80) "Voter registration deadline" means the registration deadline provided in Section

317 [20A-2-102.5](#).

318 (81) "Voting area" means the area within six feet of the voting booths, voting

319 machines, and ballot box.

320 (82) "Voting booth" means:

321 (a) the space or compartment within a polling place that is provided for the preparation

322 of ballots, including the voting enclosure or curtain; or

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

324 (83) "Voting device" means any device provided by an election officer for a voter to

325 vote a mechanical ballot.

326 (84) "Voting precinct" means the smallest geographical voting unit, established under

327 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

328 (85) "Watcher" means an individual who complies with the requirements described in

329 Section [20A-3a-801](#) to become a watcher for an election.

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

331 (87) "Write-in vote" means a vote cast for an individual, whose name is not printed on

332 the ballot, in accordance with the procedures established in this title.

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

334 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

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

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

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

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

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

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

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

347 -----

348 UTAH ELECTION REGISTRATION FORM

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

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

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

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

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

355 Name of Voter

356 _____
 357 First Middle Last

358 Utah Driver License or Utah Identification Card

359 Number _____

360 Date of Birth _____

361 Street Address of Principal Place of Residence

362 _____
 363 City County State Zip Code

364 Telephone Number (optional) _____

365 Email Address (optional) _____

366 Last four digits of Social Security Number _____

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

368 known)_____

369 _____

370 City County State Zip Code

371 Political Party

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

375 Unaffiliated (no political party preference) Other (Please
376 specify)_____

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

383 Signed and sworn

384 _____

385 Voter's Signature

386 _____(month/day/year).

387 PRIVACY INFORMATION

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

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

396 You may request that all information on your voter registration records be withheld
397 from all persons other than government entities, political parties, candidates for public office,

398 and their contractors, employees, and volunteers, by indicating here:

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

402 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

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

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

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

418 **CITIZENSHIP AFFIDAVIT**

419 Name:

420 Name at birth, if different:

421 Place of birth:

422 Date of birth:

423 Date and place of naturalization (if applicable):

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

427 _____

428 Signature of Applicant

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

432 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT
433 VALID VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH
434 MUST BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME
435 AND PHOTOGRAPH; OR

436 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME
437 AND CURRENT ADDRESS.

438 FOR OFFICIAL USE ONLY

439 Type of I.D. _____

440 Voting Precinct _____

441 Voting I.D. Number _____

442 -----

443 (c) [~~Beginning May 1, 2022, the~~] The voter registration form described in Subsection
444 (1)(b) shall include a section in substantially the following form:

445 -----

446 REQUEST TO RECEIVE BALLOTS BY MAIL

447 You may request to receive your ballot by mail in all future elections by indicating here:

448 Yes, I would like to receive my ballot by mail in all future elections.

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

451 REQUEST TO RECEIVE BALLOT NOTIFICATIONS

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

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

457 -----

458 (2) (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy
459 of each voter registration form in a permanent countywide alphabetical file, which may be

460 electronic or some other recognized system.

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

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

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

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

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

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

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

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

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

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

479 (v) a political party, or an agent, employee, or independent contractor of a political
480 party;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

542 (e) When disclosing a record or information under Subsection (4)(d)(ii), the lieutenant
543 governor or county clerk shall exclude the information described in Subsection
544 [63G-2-302\(1\)\(j\)](#), other than the year of birth.

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

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

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

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

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

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

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

561 (vi) unlawfully discloses or obtains information from a voter registration record
562 withheld under Subsection (7) or a withholding request form described in Subsections (7) and
563 (8).

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

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

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

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

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

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

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

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

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

583 (ii) \$200.

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

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

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

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

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

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

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

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

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

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

613 (b) if the county clerk believes, based upon a review of the form, that an individual
614 may be seeking to register or preregister to vote who is not legally entitled to register or

615 preregister to vote, refer the form to the county attorney for investigation and possible
616 prosecution.

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

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

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

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

627 (A) a law enforcement officer;

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

629 (C) a public figure; or

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

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

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

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

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

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

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

647 **20A-2-306. Removing names from the official register -- Determining and**
648 **confirming change of residence.**

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

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

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

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

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

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

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

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

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

668 "VOTER REGISTRATION NOTICE

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

672 _____
673 Street City County State Zip
674 What is your current phone number (optional)? _____
675 What is your current email address (optional)? _____

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

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

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

686 _____
687 Signature of Voter

688 PRIVACY INFORMATION

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

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

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

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

703 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

704 In addition to the protections provided above, you may request that all information on
705 your voter registration records be withheld from all political parties, candidates for public
706 office, and their contractors, employees, and volunteers, by submitting a withholding request

707 form, and any required verification, as described in the following paragraphs.

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

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

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

721 -----

722 REQUEST TO RECEIVE BALLOTS BY MAIL

723 You may request to receive your ballot by mail in all future elections by indicating here:

724 Yes, I would like to receive my ballot by mail in all future elections.

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

727 REQUEST TO RECEIVE BALLOT NOTIFICATIONS

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

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

733 -----

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

737 (b) The county clerk may remove the names of voters from the official register during

738 the 90 days before a regular primary election and the 90 days before a regular general election
739 if:

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

741 (ii) the voter has died.

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

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

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

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

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

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

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

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

763 **20A-3a-202. Conducting an election.**

764 (1) As used in this section:

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

766 (i) an active voter who has requested, on a voter registration form or another form
767 provided by a clerk, to receive a ballot by mail; or

768 (ii) a covered voter.

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

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

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

775 (3) ~~[(2)]~~ (a) ~~[An]~~ Except as provided in Subsection (3)(b), an election officer who
776 administers an election~~[:(a)]~~ shall, in accordance with Subsection ~~[(3)]~~ (4), no sooner than 21
777 days before election day and no later than seven days before election day, mail to each ~~[active]~~
778 by-mail voter within a voting precinct:

779 (i) a manual ballot;

780 (ii) a return envelope;

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

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

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

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

793 (i) a manual ballot;

794 (ii) a return envelope;

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

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

800 the election; and

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

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

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

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

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

808 ~~[(ii)]~~ (B) a voter whom the election officer is prohibited from sending a ballot under
809 Subsection ~~[(10)(c)(ii)]~~ (11)(c)(ii); and

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

813 ~~[(3)]~~ (4) (a) An election officer who mails a manual ballot under Subsection ~~[(2)]~~ (3)
814 shall mail the manual ballot to the address:

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

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

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

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

823 ~~[(4)]~~ (5) ~~[The]~~ A return envelope shall include:

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

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

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

829 "County of ____ State of ____

830 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct

831 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
832 currently incarcerated for commission of a felony.

833 _____

834 Signature of Voter"; and

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

838 [(5)] (6) If the election officer determines that the voter is required to show valid voter
839 identification, the election officer may:

840 (a) mail a ballot to the voter;

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

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

845 [(6)] (7) An election officer who administers an election shall:

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

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

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

851 [(7)] (8) Upon receipt of a returned ballot, the election officer shall review and process
852 the ballot under Section 20A-3a-401.

853 [(8)] (9) A county that administers an election:

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

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

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

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

893 election officer.

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

895 **20A-3a-202.5. Request for ballot by mail -- Notice.**

896 No sooner than July 1, 2023, and no later than September 1, 2023, a county clerk shall
897 mail to each active voter, other than a covered voter, whose principal place of residence is in
898 the county:

899 (1) a notice informing the voter that, except in limited circumstances, the voter will not
900 receive a ballot by mail for an election held after 2023, unless the voter requests otherwise in
901 writing; and

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

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

905 **20A-5-804. Voting Equipment Grant Program -- Qualifications for receipt --**
906 **Matching funds -- Acceptable uses.**

907 (1) As used in this section:

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

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

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

911 (ii) the quotient of:

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

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

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

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

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

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

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

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

923 (iii) describe how the county plans to comply with the requirements described in

924 Subsection (4), including:

925 (A) a description of how the county plans to provide the matching funds described in
926 Subsection (4)(b) if the proposal is accepted; and

927 (B) a schedule by which the requirements will be met; and

928 (iv) contain a detailed estimate of the gross cost of procuring a new voting equipment
929 system.

930 (4) A county that receives funds through a program grant:

931 (a) shall use the funds to purchase a new voting equipment system that:

932 (i) meets the requirements of Section [20A-5-802](#);

933 (ii) creates a secure and auditable paper record of each vote; and

934 (iii) complies with any additional binding requirement made under Subsection
935 [20A-5-803](#)(8) by the Voting Equipment Selection Committee;

936 (b) shall, for the purpose of purchasing a new voting equipment system, appropriate
937 matching funds equal to or greater than the difference of:

938 (i) the amount described in Subsection (3)(b)(iv) in the proposal that the lieutenant
939 governor accepts under Subsection (6)(b); and

940 (ii) the amount the lieutenant governor is required to disburse to the county under
941 Subsection (7)(a);

942 (c) may not use funds disbursed under Subsection (6)(b)(i)(D) or appropriated under
943 Subsection (4)(b) for a purpose or in a manner that is not authorized by this section;

944 (d) except as provided in Subsection (5), may not, after using a new voting equipment
945 system in an election that was purchased under this section, use voting equipment that does not
946 meet the requirements described in Subsection (4)(a); and

947 (e) shall purchase a new voting equipment system described under Subsection (4)(a)
948 that provides the best value to the county with consideration for the new voting equipment
949 system's:

950 (i) cost of maintenance;

951 (ii) estimated operational lifetime; and

952 (iii) cost of replacement.

953 (5) A county that receives funds through the program may use voting equipment that
954 does not comply with the requirements described in Subsection (4)(a)(ii) or (iii):

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

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

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

963 (a) review the proposal to ensure that:

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

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

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

968 (A) accept the proposal;

969 (B) notify the county clerk of the county that submitted the proposal that the proposal
970 is accepted;

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

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

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

977 (A) reject the proposal; and

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

980 (7) The lieutenant governor:

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

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

984 (ii) the proportional reimbursement rate; and

985 (b) may not disburse funds under Subsection (6)(b)(i)(D):

986 (i) until the county appropriates the matching funds described in Subsection (4)(b); or
987 (ii) if the disbursement would cause the county's total receipt of funds from the
988 program to exceed the proportional reimbursement rate.

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

990 **20A-6-105. Provisional ballot envelopes.**

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

993 "AFFIRMATION

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

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

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

998 Name of Voter _____

999 City Middle Last

1000 Driver License or Identification Card Number _____

1001 State of Issuance of Driver License or Identification Card Number _____

1002 Date of Birth _____

1003 Street Address of Principal Place of Residence

1004 _____

1005 City County State Zip Code

1006 Telephone Number (optional) _____

1007 Email Address (optional) _____

1008 Last four digits of Social Security Number _____

1009 Last former address at which I was registered to vote (if known)

1010 _____

1011 City County State Zip Code

1012 Voting Precinct (if known)

1013 _____

1014 I, (please print your full name) _____ do solemnly swear or
1015 affirm:

1016 That I am eligible to vote in this election; that I have not voted in this election in any

1017 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted to
1018 vote in this precinct; and

1019 Subject to penalty of law for false statements, that the information contained in this
1020 form is true, and that I am a citizen of the United States and a resident of Utah, residing at the
1021 above address; and that I am at least 18 years old and have resided in Utah for the 30 days
1022 immediately before this election.

1023 Signed _____

1024 Dated _____

1025 In accordance with Section 20A-3a-506, wilfully providing false information above is a
1026 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

1027 REQUEST TO RECEIVE BALLOTS BY MAIL

1028 You may request to receive your ballot by mail in all future elections by indicating here:

1029 Yes, I would like to receive my ballot by mail in all future elections.

1030 You may, at a later date, submit a written request to the county clerk to stop receiving
1031 ballots by mail.

1032 PRIVACY INFORMATION

1033 Voter registration records contain some information that is available to the public, such
1034 as your name and address, some information that is available only to government entities, and
1035 some information that is available only to certain third parties in accordance with the
1036 requirements of law.

1037 Your driver license number, identification card number, social security number, email
1038 address, full date of birth, and phone number are available only to government entities. Your
1039 year of birth is available to political parties, candidates for public office, certain third parties,
1040 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1041 You may request that all information on your voter registration records be withheld
1042 from all persons other than government entities, political parties, candidates for public office,
1043 and their contractors, employees, and volunteers, by indicating here:

1044 _____ Yes, I request that all information on my voter registration records be withheld
1045 from all persons other than government entities, political parties, candidates for public office,
1046 and their contractors, employees, and volunteers.

1047 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1048 In addition to the protections provided above, you may request that all information on
1049 your voter registration records be withheld from all political parties, candidates for public
1050 office, and their contractors, employees, and volunteers, by submitting a withholding request
1051 form, and any required verification, as described in the following paragraphs.

1052 A person may request that all information on the person's voter registration records be
1053 withheld from all political parties, candidates for public office, and their contractors,
1054 employees, and volunteers, by submitting a withholding request form with this registration
1055 record, or to the lieutenant governor or a county clerk, if the person is or is likely to be, or
1056 resides with a person who is or is likely to be, a victim of domestic violence or dating violence.

1057 A person may request that all information on the person's voter registration records be
1058 withheld from all political parties, candidates for public office, and their contractors,
1059 employees, and volunteers, by submitting a withholding request form and any required
1060 verification with this registration form, or to the lieutenant governor or a county clerk, if the
1061 person is, or resides with a person who is, a law enforcement officer, a member of the armed
1062 forces, a public figure, or protected by a protective order or a protection order.

1063 CITIZENSHIP AFFIDAVIT

1064 Name:

1065 Name at birth, if different:

1066 Place of birth:

1067 Date of birth:

1068 Date and place of naturalization (if applicable):

1069 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
1070 citizen and that to the best of my knowledge and belief the information above is true and
1071 correct.

1072 _____
1073 Signature of Applicant

1074 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
1075 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
1076 up to one year in jail and a fine of up to \$2,500."

1077 (2) The provisional ballot envelope shall include:

1078 (a) a unique number;

1079 (b) a detachable part that includes the unique number;
1080 (c) a telephone number, internet address, or other indicator of a means, in accordance
1081 with Section [20A-6-105.5](#), where the voter can find out if the provisional ballot was counted;
1082 and
1083 (d) beginning May 1, 2022, an insert containing written instructions on how a voter
1084 may sign up to receive ballot status notifications via the ballot tracking system described in
1085 Section [20A-3a-401.5](#).

1086 Section 8. Section **63I-2-220** is amended to read:

1087 **63I-2-220. Repeal dates: Title 20A.**

1088 (1) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is
1089 repealed January 1, 2026.

1090 (2) Subsection [20A-5-803](#)(8) is repealed July 1, 2023.

1091 (3) Section [20A-5-804](#) is repealed July 1, 2023.

1092 Section 9. **Effective date.**

1093 (1) Except as provided in Subsection (2), this bill takes effect on May 3, 2023.

1094 (2) The actions affecting Section [20A-3a-202](#) take effect on January 1, 2024.