

ELECTION REGISTRATION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: Kraig Powell

LONG TITLE

General Description:

This bill modifies the Election Code by amending the statewide voter registration database provisions.

Highlighted Provisions:

This bill:

- ▶ requires the lieutenant governor to establish procedures to maintain the accuracy of the statewide voter registration database by using information available from a voter, a governmental entity, or another state;
- ▶ allows the lieutenant governor to enter into an agreement with a governmental entity or another state to share voter registration information;
- ▶ requires the lieutenant governor to ensure:
 - compliance with the shared records provisions of the Government Records Access and Management Act; and
 - that a shared record is secure from unauthorized use; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-2-109, as last amended by Laws of Utah 2010, Chapter 304

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31 *Be it enacted by the Legislature of the state of Utah:*32 Section 1. Section **20A-2-109** is amended to read:

33 **20A-2-109. Statewide voter registration database -- Lieutenant governor to create**
34 **-- Counties to participate -- Maintenance of database -- Cooperation with governmental**
35 **entities -- Record security -- List of incarcerated felons.**

36 (1) (a) (i) The lieutenant governor shall develop a statewide voter registration database.

37 (ii) (A) The lieutenant governor may compare the information in the statewide voter
38 registration database with information submitted by a registered voter to a state agency to
39 identify a change in a registered voter's principal place of residence or name.

40 (B) The lieutenant governor shall establish matching criteria and security measures for
41 identifying a change described in Subsection (1)(a)(ii)(A) to ensure the accuracy of a voter
42 registration record.

43 (C) The lieutenant governor shall notify the county clerk of the county in which the
44 voter's principal place of residence is located of the change in the registered voter's principal
45 place of residence or name.

46 (b) Each county clerk shall utilize the statewide voter registration database when
47 recording or modifying voter registration records.

48 (2) (a) The lieutenant governor shall establish and implement a procedure to maintain
49 the accuracy of the statewide voter registration database by using information available from:

50 (i) a voter;51 (ii) a governmental entity, as defined by Section 63G-2-103; or52 (iii) another state.

53 (b) Subject to Subsection (2)(c), the lieutenant governor may cooperate or enter into an
54 agreement with a governmental entity or another state to share information to implement the
55 procedure established under Subsection (2)(a).

56 (c) For a record shared under Subsection (2)(b), the lieutenant governor shall ensure:57 (i) that the record is only used to maintain the accuracy of a voter registration database;

58 (ii) compliance with Section 63G-2-206; and
59 (iii) that the record is secure from unauthorized use by employing data encryption or
60 another similar technology security system.

61 [~~2~~] (3) (a) The lieutenant governor shall maintain a current list of all incarcerated
62 felons in Utah.

63 (b) (i) The Department of Corrections shall provide the lieutenant governor's office
64 with a list of the name and last-known address of each person who:

65 (A) was convicted of a felony in a Utah state court; and

66 (B) is currently incarcerated for commission of a felony.

67 (ii) The lieutenant governor shall establish the frequency of receipt of the information
68 and the method of transmitting the information after consultation with the Department of
69 Corrections.

70 (c) (i) The Department of Corrections shall provide the lieutenant governor's office
71 with a list of the name of each convicted felon who is no longer subject to the jurisdiction of
72 the department because the person has been released from incarceration.

73 (ii) The lieutenant governor shall establish the frequency of receipt of the information
74 and the method of transmitting the information after consultation with the Department of
75 Corrections.