

A. Cory Maloy proposes the following substitute bill:

**Voting Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: A. Cory Maloy**

Senate Sponsor: Ronald M. Winterton

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to voting.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides a process for an election officer to independently determine whether a registered voter is not a citizen of the United States;
- ▶ provides a process to challenge a determination described in the preceding paragraph;
- ▶ prohibits an individual from voting if an election officer independently determines that the voter is not a citizen of the United States and the individual does not successfully dispute the determination;
- ▶ creates a bifurcated ballot system where, for an election held on or after November 1, 2026:
  - a voter chooses whether to provide documentary proof of United States citizenship when registering to vote or before voting; and
  - a voter who does not provide documentary proof of United States citizenship may only vote in races for federal office;
- ▶ modifies voter registration forms and requirements consistent with the bifurcated ballot system;
- ▶ establishes procedures for administration of the bifurcated ballot system;
- ▶ establishes or modifies deadlines to cure a ballot or to provide proof of citizenship, as needed, for a rejected ballot or a provisional ballot;
- ▶ modifies voter registration list requirements in relation to the bifurcated ballot system; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **20A-1-102**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6

35 **20A-2-101.1**, as last amended by Laws of Utah 2025, Chapter 448

36 **20A-2-104**, as last amended by Laws of Utah 2025, Chapters 381, 448

37 **20A-2-108**, as last amended by Laws of Utah 2025, Chapter 381

38 **20A-2-204**, as last amended by Laws of Utah 2025, Chapters 381, 448

39 **20A-2-206**, as last amended by Laws of Utah 2025, Chapter 381

40 **20A-2-304**, as last amended by Laws of Utah 2025, Chapter 448

41 **20A-3a-202**, as last amended by Laws of Utah 2025, Chapters 381, 448

42 **20A-3a-203**, as last amended by Laws of Utah 2025, Chapters 381, 448

43 **20A-3a-401**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6

44 **20A-4-107**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6

45 **20A-6-105**, as last amended by Laws of Utah 2025, Chapters 381, 448

46 **63G-2-301**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

47 **63G-2-302**, as last amended by Laws of Utah 2025, Chapter 172

48 ENACTS:

49 **20A-2-508**, Utah Code Annotated 1953

50 **20A-3a-201.5**, Utah Code Annotated 1953



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

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

54 **20A-1-102 . Definitions.**

55 As used in this title:

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

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

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

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

- 63 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on  
64 the ballot for their approval or rejection including:
- 65 (a) an opinion question specifically authorized by the Legislature;
  - 66 (b) a constitutional amendment;
  - 67 (c) an initiative;
  - 68 (d) a referendum;
  - 69 (e) a bond proposition;
  - 70 (f) a judicial retention question;
  - 71 (g) an incorporation of a city or town; or
  - 72 (h) any other ballot question specifically authorized by the Legislature.
- 73 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together  
74 using staples or another means in at least three places across the top of the paper in the  
75 blank space reserved for securing the paper.
- 76 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and  
77 20A-4-306 to canvass election returns.
- 78 (7) "Bond election" means an election held for the purpose of approving or rejecting the  
79 proposed issuance of bonds by a government entity.
- 80 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not  
81 a holiday.
- 82 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by  
83 the sender.
- 84 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday,  
85 a business day, or any other type of day.
- 86 (11) "Canvass" means the review of election returns and the official declaration of election  
87 results by the board of canvassers.
- 88 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the  
89 canvass.
- 90 (13) "Contracting election officer" means an election officer who enters into a contract or  
91 interlocal agreement with a provider election officer.
- 92 (14) "Convention" means the political party convention at which party officers and  
93 delegates are selected.
- 94 (15) "Counting center" means one or more locations selected by the election officer in  
95 charge of the election for the automatic counting of ballots.
- 96 (16) "Counting judge" means a poll worker designated to count the ballots during election

97 day.

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

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

101 (19) "Date of the election" or "election day" or "day of the election":

102 (a) means the day that is specified in the calendar year as the day on which the election  
103 occurs; and

104 (b) does not include:

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

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

109 (20) "Documentary proof of United States citizenship" means:

110 (a) a Utah driver license number that verifies United States citizenship;

111 (b) a Utah state identification card number that verifies United States citizenship;

112 (c) a legible copy of an individual's birth certificate that verifies United States  
113 citizenship;

114 (d) a legible copy of the pages of an individual's United States passport that identifies  
115 the individual and the individual's passport number;

116 (e) an alien registration number that verifies United States citizenship;

117 (f) a legible copy of the voter's United States naturalization documents;

118 (g) a Bureau of Indian Affairs card number, tribal treaty card number, or tribal  
119 enrollment number;

120 (h) a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs  
121 affidavit of birth;

122 (i) verification of citizenship from the Systematic Alien Verification for Entitlements  
123 program, operated by the United States Department of Homeland Security; or

124 (j) other documents or methods of proving United States citizenship that are established  
125 in accordance with the Immigration Reform and Control Act of 1986.

126 [~~20~~] (21) "Elected official" means:

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

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

- 131 (c) a person who is considered to be elected to a special district office in accordance  
132 with Subsection 20A-1-206(3)(b)(ii).
- 133 [~~(21)~~] (22) "Election" means a regular general election, a municipal general election, a  
134 statewide special election, a local special election, a regular primary election, a  
135 municipal primary election, and a special district election.
- 136 [~~(22)~~] (23) "Election Assistance Commission" means the commission established by the  
137 Help America Vote Act of 2002, Pub. L. No. 107-252.
- 138 [~~(23)~~] (24) "Election cycle" means the period beginning on the first day on which  
139 individuals are eligible to file declarations of candidacy and ending when the canvass is  
140 completed.
- 141 [~~(24)~~] (25) "Election judge" means a poll worker that is assigned to:
- 142 (a) preside over other poll workers at a polling place;  
143 (b) act as the presiding election judge; or  
144 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 145 [~~(25)~~] (26) "Election material" includes:
- 146 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);  
147 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);  
148 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);  
149 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:  
150 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and  
151 (ii) the batch log described in Subsection 20A-3a-401.1(5);  
152 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);  
153 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);  
154 (g) the physical and electronic log of replicated ballots described in Subsection  
155 20A-4-104(3);  
156 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;  
157 (i) the record of voter database access described in Subsection 20A-5-905(2);  
158 (j) the reports on military and overseas voters described in Section 20A-16-202;  
159 (k) scanned copies of return envelopes;  
160 (l) a copy of the final election results database described in Section 20A-5-802.5; and  
161 (m) the materials used in the programming of the automatic tabulating equipment.
- 162 [~~(26)~~] (27) "Election officer" means:
- 163 (a) the lieutenant governor, for all statewide ballots and elections;  
164 (b) the county clerk for:

- 165 (i) a county ballot and election; and  
166 (ii) a ballot and election as a provider election officer as provided in Section  
167 20A-5-400.1 or 20A-5-400.5;
- 168 (c) the municipal clerk for:  
169 (i) a municipal ballot and election; and  
170 (ii) a ballot and election as a provider election officer as provided in Section  
171 20A-5-400.1 or 20A-5-400.5;
- 172 (d) the special district clerk or chief executive officer for:  
173 (i) a special district ballot and election; and  
174 (ii) a ballot and election as a provider election officer as provided in Section  
175 20A-5-400.1 or 20A-5-400.5; or
- 176 (e) the business administrator or superintendent of a school district for:  
177 (i) a school district ballot and election; and  
178 (ii) a ballot and election as a provider election officer as provided in Section  
179 20A-5-400.1 or 20A-5-400.5.
- 180 [~~(27)~~] (28) "Election official" means any election officer, election judge, or poll worker.  
181 [~~(28)~~] (29) "Election results" means:  
182 (a) for an election other than a bond election, the count of votes cast in the election and  
183 the election returns requested by the board of canvassers; or  
184 (b) for bond elections, the count of those votes cast for and against the bond proposition  
185 plus any or all of the election returns that the board of canvassers may request.
- 186 [~~(29)~~] (30) "Election results database" means the following information generated by voting  
187 equipment:  
188 (a) one or more electronic files that contains a digital interpretation of each ballot that is  
189 counted in an election;  
190 (b) a ballot image; and  
191 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 192 [~~(30)~~] (31) "Election returns" means:  
193 (a) the pollbook;  
194 (b) the military and overseas absentee voter registration and voting certificates;  
195 (c) one of the tally sheets;  
196 (d) any unprocessed ballots;  
197 (e) all counted ballots;  
198 (f) all excess ballots;

- 199 (g) all unused ballots;
- 200 (h) all spoiled ballots;
- 201 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 202 (j) the final election results database described in Section 20A-5-802.5;
- 203 (k) all return envelopes;
- 204 (l) any provisional ballot envelopes; and
- 205 (m) the total votes cast form.
- 206 ~~[(31)]~~ (32) "Electronic signature" means an electronic sound, symbol, or process attached to  
207 or logically associated with a record and executed or adopted by a person with the intent  
208 to sign the record.
- 209 (33) "Federal ballot" means a ballot that includes only the federal races that are to be  
210 presented for a vote in a particular election.
- 211 ~~[(32)]~~ (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 212 ~~[(33)]~~ (35) "Inactive voter" means a registered voter who is listed as inactive by a county  
213 clerk under Subsection 20A-2-505(4)(c)(i) or (ii).
- 214 ~~[(34)]~~ (36) "Judicial office" means the office filled by any judicial officer.
- 215 ~~[(35)]~~ (37) "Judicial officer" means any justice or judge of a court of record or any county  
216 court judge.
- 217 ~~[(36)]~~ (38) "Local election" means a regular county election, a regular municipal election, a  
218 municipal primary election, a local special election, a special district election, and a  
219 bond election.
- 220 ~~[(37)]~~ (39) "Local political subdivision" means a county, a municipality, a special district, or  
221 a local school district.
- 222 ~~[(38)]~~ (40) "Local special election" means a special election called by the governing body of  
223 a local political subdivision in which all registered voters of the local political  
224 subdivision may vote.
- 225 ~~[(39)]~~ (41) "Manual ballot" means a paper document produced by an election officer on  
226 which an individual records an individual's vote by directly placing a mark on the paper  
227 document using a pen or other marking instrument.
- 228 ~~[(40)]~~ (42) "Mechanical ballot" means a record, including a paper record, electronic record,  
229 or 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

- 233 voter's vote.
- 234 [~~(41)~~] (43) "Municipal executive" means:
- 235 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
- 236 (b) the mayor in the council-manager form of government defined in Subsection
- 237 10-3b-103(6).
- 238 [~~(42)~~] (44) "Municipal general election" means the election held in municipalities and, as
- 239 applicable, special districts on the first Tuesday after the first Monday in November of
- 240 each odd-numbered year for the purposes established in Section 20A-1-202.
- 241 [~~(43)~~] (45) "Municipal legislative body" means the council of the city or town in any form
- 242 of municipal government.
- 243 [~~(44)~~] (46) "Municipal office" means an elective office in a municipality.
- 244 [~~(45)~~] (47) "Municipal officers" means those municipal officers that are required by law to
- 245 be elected.
- 246 [~~(46)~~] (48) "Municipal primary election" means an election held to nominate candidates for
- 247 municipal office.
- 248 [~~(47)~~] (49) "Municipality" means a city or town.
- 249 [~~(48)~~] (50) "Official ballot" means the ballots distributed by the election officer for voters to
- 250 record their votes.
- 251 [~~(49)~~] (51) "Official endorsement" means the information on the ballot that identifies:
- 252 (a) the ballot as an official ballot;
- 253 (b) the date of the election; and
- 254 (c)(i) for a ballot prepared by an election officer other than a county clerk, the
- 255 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
- 256 (ii) for a ballot prepared by a county clerk, the words required by Subsection
- 257 20A-6-301(1)(b)(iii).
- 258 [~~(50)~~] (52) "Official register" means the official record furnished to election officials by the
- 259 election officer that contains the information required by Section 20A-5-401.
- 260 [~~(51)~~] (53) "Political party" means an organization of registered voters that has qualified to
- 261 participate in an election by meeting the requirements of Chapter 8, Political Party
- 262 Formation and Procedures.
- 263 [~~(52)~~] (54)(a) "Poll worker" means a person assigned by an election official to assist with
- 264 an election, voting, or counting votes.
- 265 (b) "Poll worker" includes election judges.
- 266 (c) "Poll worker" does not include a watcher.

- 267 [~~(53)~~] (55) "Pollbook" means a record of the names of voters in the order that the voters  
268 appear to cast votes.
- 269 [~~(54)~~] (56) "Polling place" means a building where voting is conducted.
- 270 [~~(55)~~] (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
271 in which the voter marks the voter's choice.
- 272 [~~(56)~~] (58) "Presidential Primary Election" means the election established in Chapter 9, Part  
273 8, Presidential Primary Election.
- 274 [~~(57)~~] (59) "Primary convention" means the political party conventions held during the year  
275 of the regular general election.
- 276 [~~(58)~~] (60) "Protective counter" means a separate counter, which cannot be reset, that:  
277 (a) is built into a voting machine; and  
278 (b) records the total number of movements of the operating lever.
- 279 [~~(59)~~] (61) "Provider election officer" means an election officer who enters into a contract or  
280 interlocal agreement with a contracting election officer to conduct an election for the  
281 contracting election officer's local political subdivision in accordance with Section  
282 20A-5-400.1.
- 283 [~~(60)~~] (62) "Provisional ballot" means a ballot voted provisionally by a person:  
284 (a) whose name is not listed on the official register at the polling place;  
285 (b) whose legal right to vote is challenged as provided in this title; or  
286 (c) whose identity was not sufficiently established by a poll worker.
- 287 [~~(61)~~] (63) "Provisional ballot envelope" means an envelope printed in the form required by  
288 Section 20A-6-105 that is used to identify provisional ballots and to provide information  
289 to verify a person's legal right to vote.
- 290 [~~(62)~~] (64)(a) "Public figure" means an individual who, due to the individual being  
291 considered for, holding, or having held a position of prominence in a public or  
292 private capacity, or due to the individual's celebrity status, has an increased risk to the  
293 individual's safety.
- 294 (b) "Public figure" does not include an individual:  
295 (i) elected to public office; or  
296 (ii) appointed to fill a vacancy in an elected public office.
- 297 [~~(63)~~] (65) "Qualify" or "qualified" means to take the oath of office and begin performing  
298 the duties of the position for which the individual was elected.
- 299 [~~(64)~~] (66) "Receiving judge" means the poll worker that checks the voter's name in the  
300 official register at a polling place and provides the voter with a ballot.

- 301 ~~[(65)]~~ (67) "Registration form" means a form by which an individual may register to vote  
302 under this title.
- 303 ~~[(66)]~~ (68) "Regular ballot" means a ballot that is not a provisional ballot.
- 304 ~~[(67)]~~ (69) "Regular general election" means the election held throughout the state on the  
305 first Tuesday after the first Monday in November of each even-numbered year for the  
306 purposes established in Section 20A-1-201.
- 307 ~~[(68)]~~ (70) "Regular primary election" means the election, held on the date specified in  
308 Section 20A-1-201.5, to nominate candidates of political parties and candidates for  
309 nonpartisan local school board positions to advance to the regular general election.
- 310 ~~[(69)]~~ (71) "Resident" means a person who resides within a specific voting precinct in Utah.
- 311 ~~[(70)]~~ (72) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),  
312 provided to a voter with a manual ballot:
- 313 (a) into which the voter places the manual ballot after the voter has voted the manual  
314 ballot in order to preserve the secrecy of the voter's vote; and
- 315 (b) that includes the voter affidavit and a place for the voter's signature.
- 316 ~~[(71)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot,  
317 published as provided in Section 20A-5-405.
- 318 ~~[(72)]~~ (74) "Special district" means a local government entity under Title 17B, Limited  
319 Purpose Local Government Entities - Special Districts, and includes a special service  
320 district under Title 17D, Chapter 1, Special Service District Act.
- 321 ~~[(73)]~~ (75) "Special district officers" means those special district board members who are  
322 required by law to be elected.
- 323 ~~[(74)]~~ (76) "Special election" means an election held as authorized by Section 20A-1-203.
- 324 ~~[(75)]~~ (77) "Spoiled ballot" means each ballot that:
- 325 (a) is spoiled by the voter;
- 326 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 327 (c) lacks the official endorsement.
- 328 (78) "Standard ballot" means a ballot that includes all races and ballot propositions that are  
329 to be presented for a vote in a particular election.
- 330 ~~[(76)]~~ (79) "Statewide special election" means a special election called by the governor or  
331 the Legislature in which all registered voters in Utah may vote.
- 332 ~~[(77)]~~ (80) "Tabulation system" means a device or system designed for the sole purpose of  
333 tabulating votes cast by voters at an election.
- 334 ~~[(78)]~~ (81) "Ticket" means a list of:

335 (a) political parties;

336 (b) candidates for an office; or

337 (c) ballot propositions.

338 [(79)] (82) "Transfer case" means the sealed box used to transport voted ballots to the  
339 counting center.

340 [(80)] (83) "Vacancy" means:

341 (a) except as provided in Subsection [(80)(b)] (83)(b), the absence of an individual to  
342 serve in a position created by state constitution or state statute, whether that absence  
343 occurs because of death, disability, disqualification, resignation, or other cause; or

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

347 [(81)] (84) "Valid voter identification" means:

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

350 (i) a currently valid Utah driver license;

351 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,  
352 Identification Card Act;

353 (iii) a currently valid identification card that is issued by:

354 (A) the state; or

355 (B) a branch, department, or agency of the United States;

356 (iv) a currently valid Utah permit to carry a concealed weapon;

357 (v) a currently valid United States passport; or

358 (vi) a currently valid United States military identification card;

359 (b) one of the following identification cards, regardless of whether the card includes a  
360 photograph of the voter:

361 (i) a valid tribal identification card;

362 (ii) a Bureau of Indian Affairs card; or

363 (iii) a tribal treaty card; or

364 (c) two forms of identification not listed under Subsection [(81)(a) or (b)] (84)(a) or (b)  
365 but that bear the name of the voter and provide evidence that the voter resides in the  
366 voting precinct, which may include:

367 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more  
368 than 90 calendar days before the date of the election;

- 369 (ii) before January 1, 2029, an original or copy of a bank or other financial account  
 370 statement, dated no more than 90 calendar days before the date of the election;
- 371 (iii) a certified birth certificate;
- 372 (iv) a valid social security card;
- 373 (v) an original or copy of a check issued by the state or the federal government, dated  
 374 no more than 90 calendar days before the date of the election;
- 375 (vi) an original or copy of a paycheck from the voter's employer, dated no more than  
 376 90 calendar days before the date of the election;
- 377 (vii) a currently valid Utah hunting or fishing license;
- 378 (viii) certified naturalization documentation;
- 379 (ix) a currently valid license issued by an authorized agency of the United States;
- 380 (x) a certified copy of court records showing the voter's adoption or name change;
- 381 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- 382 (xii) a currently valid identification card issued by:
- 383 (A) a local government within the state;
- 384 (B) an employer for an employee; or
- 385 (C) a college, university, technical school, or professional school located within  
 386 the state; or
- 387 (xiii) a current Utah vehicle registration.
- 388 [~~(82)~~] (85) "Valid write-in candidate" means a candidate who has qualified as a write-in  
 389 candidate by following the procedures and requirements of this title.
- 390 [~~(83)~~] (86) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter,  
 391 by:
- 392 (a) mailing the ballot to the location designated in the mailing; or
- 393 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 394 [~~(84)~~] (87) "Voter" means an individual who:
- 395 (a) meets the requirements for voting in an election;
- 396 (b) meets the requirements of election registration;
- 397 (c) is registered to vote; and
- 398 (d) is listed in the official register.
- 399 [~~(85)~~] (88) "Voter registration deadline" means the registration deadline provided in Section  
 400 20A-2-102.5.
- 401 [~~(86)~~] (89) "Voting area" means the area within six feet of the voting booths, voting  
 402 machines, and ballot box.

403 [(87)] (90) "Voting booth" means:

- 404 (a) the space or compartment within a polling place that is provided for the preparation  
405 of ballots, including the voting enclosure or curtain; or  
406 (b) a voting device that is free standing.

407 [(88)] (91) "Voting device" means any device provided by an election officer for a voter to  
408 vote a mechanical ballot.

409 [(89)] (92) "Voting precinct" means the smallest geographical voting unit, established under  
410 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

411 [(90)] (93) "Watcher" means an individual who complies with the requirements described in  
412 Section 20A-3a-801 to become a watcher for an election.

413 [(91)] (94) "Write-in ballot" means a ballot containing any write-in votes.

414 [(92)] (95) "Write-in vote" means a vote cast for an individual, whose name is not printed on  
415 the ballot, in accordance with the procedures established in this title.

416 Section 2. Section **20A-2-101.1** is amended to read:

417 **20A-2-101.1 . Preregistering to vote.**

418 (1) [~~An~~] Subject to Section 20A-3a-201.5, an individual may preregister to vote if the  
419 individual:

- 420 (a) is 16 or 17 years [~~of age~~] old;
- 421 (b) is not eligible to register to vote because the individual does not comply with the age  
422 requirements described in Subsection 20A-2-101(1)(c);
- 423 (c) is a citizen of the United States;
- 424 (d) has been a resident of Utah for at least 30 calendar days; and
- 425 (e) currently resides within the voting district or precinct in which the individual  
426 preregisters to vote.

427 (2) An individual described in Subsection (1) may not vote in an election and is not  
428 registered to vote until:

- 429 (a) the individual is otherwise eligible to register to vote because the individual complies  
430 with the age requirements described in Subsection 20A-2-101(1)(c); and
- 431 (b) the county clerk registers the individual to vote under Subsection (4).

432 (3) An individual who preregisters to vote shall:

- 433 (a) complete a voter registration form, including an indication that the individual is  
434 preregistering to vote; and
- 435 (b) submit the voter registration form to a county clerk in person, by mail, or in any  
436 other manner authorized by this chapter for the submission of a voter registration

- 437 form.
- 438 (4)(a) A county clerk shall:
- 439 (i) retain the voter registration form of an individual who meets the qualifications for
- 440 preregistration and who submits a completed voter registration form to the county
- 441 clerk under Subsection (3)(b);
- 442 (ii) subject to Section 20A-3a-201.5, register the individual to vote in the next
- 443 election in which the individual will be eligible to vote, before the voter
- 444 registration deadline established in Section 20A-2-102.5 for that election; and
- 445 (iii) send a notice to the individual that:
- 446 (A) informs the individual that the individual's voter registration form has been
- 447 accepted as an application for preregistration;
- 448 (B) informs the individual that the individual will be registered to vote in the next
- 449 election in which the individual will be eligible to vote; and
- 450 (C) indicates in which election the individual will be registered to vote.
- 451 (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is
- 452 considered to have applied for voter registration on the earlier of:
- 453 (i) the day of the voter registration deadline immediately preceding the election day
- 454 on which the individual will be at least 18 years [~~of age~~] old; or
- 455 (ii) the day on which the individual turns 18 years [~~of age~~] old.
- 456 (c) A county clerk shall refer a voter registration form to the county attorney for
- 457 investigation and possible prosecution if the clerk or the clerk's designee believes the
- 458 individual is attempting to preregister to vote in an election in which the individual
- 459 will not be legally entitled to vote.
- 460 (5)(a) The lieutenant governor or a county clerk shall classify the voter registration
- 461 record of an individual who preregisters to vote as a private record until the day on
- 462 which the individual turns 18 years [~~of age~~] old.
- 463 (b) On the day on which the individual described in Subsection (5)(a) turns 18 years [~~of~~
- 464 ~~age~~] old, the lieutenant governor or county clerk shall classify the individual's voter
- 465 registration record as a public record in accordance with Subsection 63G-2-301(2)(l).
- 466 (6) If an individual who is at least 18 years [~~of age~~] old erroneously indicates on the voter
- 467 registration form that the individual is preregistering to vote, the county clerk shall
- 468 consider the form as a voter registration form and shall process the form in accordance
- 469 with this chapter.

470 Section 3. Section **20A-2-104** is amended to read:

471 **20A-2-104 . Voter registration form -- Registered voter lists -- Fees for copies.**

472 (1) As used in this section:

473 (a) "Candidate for public office" means an individual:

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

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

476 (iii) employed by, under contract with, or a volunteer of, an individual described in  
477 Subsection (1)(a)(i) or (ii) for political campaign purposes.

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

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

482 (d) "Hash Code" means a code generated by applying an algorithm to a set of data to  
483 produce a code that:

484 (i) uniquely represents the set of data;

485 (ii) is always the same if the same algorithm is applied to the same set of data; and

486 (iii) cannot be reversed to reveal the data applied to the algorithm.

487 (e) "Protected individual" means an individual:

488 (i) who submits a withholding request form with the individual's voter registration  
489 record, or to the lieutenant governor or a county clerk, if the individual indicates  
490 on the form that the individual, or an individual who resides with the individual, is  
491 a victim of domestic violence or dating violence or is likely to be a victim of  
492 domestic violence or dating violence;

493 (ii) who submits a withholding request form with the individual's voter registration  
494 record, or to the lieutenant governor or a county clerk, if the individual indicates  
495 on the form and provides verification that the individual, or an individual who  
496 resides with the individual, is a law enforcement officer, a member of the armed  
497 forces as defined in Section 20A-1-513, a public figure, or protected by a  
498 protective order or protection order; or

499 (iii) whose voter registration record was classified as a private record at the request of  
500 the individual before May 12, 2020.

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

503 -----

504

UTAH ELECTION REGISTRATION FORM

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

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

507 Will you be 18 years [~~of age~~] old on or before election day? Yes No

508 If you checked "no" to the above question, are you 16 or 17 years [~~of age~~] old and  
509 preregistering to vote? Yes No

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

511 You must be a United States citizen to vote. If you fail to provide proof of United States  
512 citizenship, you will only be permitted to vote for federal offices. Information on how to  
513 provide proof of citizenship is included on the back of this form.

514 Name of Voter

515 \_\_\_\_\_

516 First Middle Last

517 Utah Driver License or Utah Identification Card

518 Number \_\_\_\_\_

519 Date of Birth \_\_\_\_\_

520 Street Address of Principal Place of Residence

521 \_\_\_\_\_

522 City County State Zip Code

523 Tribal Identification Number or Alien Registration Number (optional)

524 \_\_\_\_\_

525 Telephone Number (optional) \_\_\_\_\_

526 Email Address (optional) \_\_\_\_\_

527 Last four digits of Social Security Number \_\_\_\_\_

528 Last former address at which I was registered to vote (if  
529 known) \_\_\_\_\_

530 \_\_\_\_\_

531 City County State Zip Code

532 Political Party

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

536  Unaffiliated (no political party preference)  Other (Please  
537 specify) \_\_\_\_\_

538 I do swear (or affirm), subject to penalty of law for false statements, that the information

539 contained in this form is true, and that I am a citizen of the United States and a resident of the  
 540 state of Utah, residing at the above address. Unless I have indicated above that I am  
 541 preregistering to vote in a later election, I will be at least 18 years of age and will have resided  
 542 in Utah for 30 calendar days immediately before the next election. I am not a convicted felon  
 543 currently incarcerated for commission of a felony.

544 Signed and sworn

545 \_\_\_\_\_  
 546 Voter's Signature

547 \_\_\_\_\_(month/day/year).

#### 548 PRIVACY INFORMATION

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

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

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

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

#### 563 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

569 A person may request that identifying information on the person's voter registration  
 570 records be withheld from all political parties, candidates for public office, and their  
 571 contractors, employees, and volunteers, by submitting a withholding request form with this  
 572 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely

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

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

581 CITIZENSHIP AFFIDAVIT

582 Name:

583 Name at birth, if different:

584 Place of birth:

585 Date of birth:

586 Date and place of naturalization (if applicable):

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

590 \_\_\_\_\_

591 Signature of Applicant

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

595 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID  
596 VOTER IDENTIFICATION TO THE POLL WORKER, IN ACCORDANCE WITH THE  
597 REQUIREMENTS OF LAW.

598 FOR OFFICIAL USE ONLY

599 Type of I.D. \_\_\_\_\_

600 Voting Precinct \_\_\_\_\_

601 Voting I.D. Number \_\_\_\_\_

602 -----

603 (b) The voter registration form described in Subsection (2)(a) shall include:

604 (i) a section in substantially the following form:

605 "-----  
606

BALLOT NOTIFICATIONS

607 Do you consent to receive communications about the status of your ballot and other official  
 608 communications, by text, at the phone number you provided above? Yes No  
 609 -----";

610 and

611 (ii) no later than November 5, 2025, the following, immediately after the question described in  
 612 Subsection (2)(b)(i):

613 "Indicate below how you want to vote in upcoming elections:

614 \_\_\_\_\_ Mail a ballot to me.

615 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

616 (c)(i) Except as provided under Subsection (2)(c)(ii), the county clerk shall retain a  
 617 copy of each voter registration form in a permanent countywide alphabetical file,  
 618 which may be electronic or some other recognized system.

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

621 (d) The back of the voter registration form shall include the following statement:

622 "Proof of United States citizenship may be established by one of the following  
 623 methods:

- 624 • a Utah driver license number that verifies United States citizenship;
- 625 • a Utah state identification card number that verifies United States citizenship;
- 626 • a legible copy of your birth certificate that verifies United States citizenship;
- 627 • a legible copy of the pages of a United States passport that identifies you and  
 628 your passport number;
- 629 • an alien registration number that verifies United States citizenship;
- 630 • a legible copy of your United States naturalization documents;
- 631 • a Bureau of Indian Affairs card number, tribal treaty card number, or tribal  
 632 enrollment number;
- 633 • a legible copy of a certificate of degree of Indian blood or a Bureau of Indian  
 634 Affairs affidavit of birth;
- 635 • verification of citizenship from the Systematic Alien Verification for Entitlements  
 636 program, operated by the United States Department of Homeland Security; or  
 637 • other documents or methods of proving United States citizenship that are  
 638 established in accordance with the Immigration Reform and Control Act of 1986."

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

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

- 641 (c) If there are any discrepancies between the two lists, the county clerk's list is the  
642 official list.
- 643 (d) The lieutenant governor and the county clerks may charge the fees established under  
644 the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy  
645 of the list of registered voters.
- 646 (4)(a) As used in this Subsection (4), "qualified person" means:
- 647 (i) a government official or government employee acting in the government official's  
648 or government employee's capacity as a government official or a government  
649 employee;
- 650 (ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee, or  
651 independent contractor of a health care provider;
- 652 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee,  
653 or independent contractor of an insurance company;
- 654 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or  
655 independent contractor of a financial institution;
- 656 (v) a political party, or an agent, employee, or independent contractor of a political  
657 party;
- 658 (vi) a candidate for public office, or an employee, independent contractor, or  
659 volunteer of a candidate for public office;
- 660 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a  
661 year of birth from the list of registered voters:
- 662 (A) provides the year of birth only to a person described in Subsections (4)(a)(i)  
663 through (vi);
- 664 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person  
665 described in Subsections (4)(a)(i) through (vi);
- 666 (C) ensures, using industry standard security measures, that the year of birth may  
667 not be accessed by a person other than a person described in Subsections  
668 (4)(a)(i) through (vi);
- 669 (D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to  
670 whom the person provides the year of birth will only use the year of birth to  
671 verify the accuracy of personal information submitted by an individual or to  
672 confirm the identity of a person in order to prevent fraud, waste, or abuse;
- 673 (E) verifies that each person described in Subsection (4)(a)(i) to whom the person  
674 provides the year of birth will only use the year of birth in the person's capacity

- 675 as a government official or government employee; and
- 676 (F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 677 person provides the year of birth will only use the year of birth for a political
- 678 purpose of the political party or candidate for public office; or
- 679 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining
- 680 information under Subsection (4)(n) and (o):
- 681 (A) provides the information only to another person described in Subsection
- 682 (4)(a)(v) or (vi);
- 683 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a
- 684 person described in Subsection (4)(a)(v) or (vi);
- 685 (C) ensures, using industry standard security measures, that the information may
- 686 not be accessed by a person other than a person described in Subsection
- 687 (4)(a)(v) or (vi); and
- 688 (D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 689 person provides the information will only use the information for a political
- 690 purpose of the political party or candidate for public office.
- 691 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in
- 692 Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall,
- 693 when providing the list of registered voters to a qualified person under this section,
- 694 include, with the list, the years of birth of the registered voters, if:
- 695 (i) the lieutenant governor or a county clerk verifies the identity of the person and
- 696 that the person is a qualified person; and
- 697 (ii) the qualified person signs a document that includes the following:
- 698 (A) the name, address, and telephone number of the person requesting the list of
- 699 registered voters;
- 700 (B) an indication of the type of qualified person that the person requesting the list
- 701 claims to be;
- 702 (C) a statement regarding the purpose for which the person desires to obtain the
- 703 years of birth;
- 704 (D) a list of the purposes for which the qualified person may use the year of birth
- 705 of a registered voter that is obtained from the list of registered voters;
- 706 (E) a statement that the year of birth of a registered voter that is obtained from the
- 707 list of registered voters may not be provided or used for a purpose other than a
- 708 purpose described under Subsection (4)(b)(ii)(D);

- 709 (F) a statement that if the person obtains the year of birth of a registered voter  
710 from the list of registered voters under false pretenses, or provides or uses the  
711 year of birth of a registered voter that is obtained from the list of registered  
712 voters in a manner that is prohibited by law, is guilty of a class A misdemeanor  
713 and is subject to a civil fine;
- 714 (G) an assertion from the person that the person will not provide or use the year of  
715 birth of a registered voter that is obtained from the list of registered voters in a  
716 manner that is prohibited by law; and
- 717 (H) notice that if the person makes a false statement in the document, the person is  
718 punishable by law under Section 76-8-504.
- 719 (c) The lieutenant governor or a county clerk:
- 720 (i) may not disclose the year of birth of a registered voter to a person that the  
721 lieutenant governor or county clerk reasonably believes:
- 722 (A) is not a qualified person or a person described in Subsection (4)(l); or  
723 (B) will provide or use the year of birth in a manner prohibited by law; and
- 724 (ii) may not disclose information under Subsections (4)(n) or (o) to a person that the  
725 lieutenant governor or county clerk reasonably believes:
- 726 (A) is not a person described in Subsection (4)(a)(v) or (vi); or  
727 (B) will provide or use the information in a manner prohibited by law.
- 728 (d) The lieutenant governor or a county clerk may not disclose the voter registration  
729 form of a person, or information included in the person's voter registration form,  
730 whose voter registration form is classified as private under Subsection (4)(h) to a  
731 person other than:
- 732 (i) a government official or government employee acting in the government official's  
733 or government employee's capacity as a government official or government  
734 employee; or
- 735 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for  
736 a political purpose.
- 737 (e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or  
738 information under Subsection (4)(d)(ii), the lieutenant governor or county clerk  
739 shall exclude the information described in Subsection 63G-2-302(1)(j), other than  
740 the year of birth.
- 741 (ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the  
742 voter registration record of a protected individual, the lieutenant governor or

- 743 county clerk shall comply with Subsections (4)(n) through (p).
- 744 (f) The lieutenant governor or a county clerk may not disclose a withholding request  
745 form, described in Subsections [~~(7) and~~](8) and (9), submitted by an individual, or  
746 information obtained from that form, to a person other than a government official or  
747 government employee acting in the government official's or government employee's  
748 capacity as a government official or government employee.
- 749 (g) A person is guilty of a class A misdemeanor if the person:
- 750 (i) obtains from the list of registered voters, under false pretenses, the year of birth of  
751 a registered voter or information described in Subsection (4)(n) or (o);
- 752 (ii) uses or provides the year of birth of a registered voter, or information described in  
753 Subsection (4)(n) or (o), that is obtained from the list of registered voters in a  
754 manner that is not permitted by law;
- 755 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)  
756 under false pretenses;
- 757 (iv) uses or provides information obtained from a voter registration record described  
758 in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;
- 759 (v) unlawfully discloses or obtains a voter registration record withheld under  
760 Subsection [~~(7)~~] (8) or a withholding request form described in [~~Subsections (7)~~  
761 ~~and (8)~~] Subsection (9); or
- 762 (vi) unlawfully discloses or obtains information from a voter registration record  
763 withheld under Subsection [~~(7)~~] (8) or a withholding request form described in [  
764 ~~Subsections (7) and (8)~~] Subsection (9).
- 765 (h) The lieutenant governor or a county clerk shall classify the voter registration record  
766 of a voter as a private record if the voter:
- 767 (i) submits a written application, created by the lieutenant governor, requesting that  
768 the voter's voter registration record be classified as private;
- 769 (ii) requests on the voter's voter registration form that the voter's voter registration  
770 record be classified as a private record; or
- 771 (iii) submits a withholding request form described in Subsection [~~(7)~~] (9) and any  
772 required verification.
- 773 (i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a  
774 county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a  
775 voter registration record, or information obtained from a voter registration record, if  
776 the record is withheld under Subsection [~~(7)~~] (8).

- 777 (j) In addition to any criminal penalty that may be imposed under this section, the  
778 lieutenant governor may impose a civil fine against a person who violates a provision  
779 of this section, in an amount equal to the greater of:
- 780 (i) the product of 30 and the square root of the total number of:
    - 781 (A) records obtained, provided, or used unlawfully, rounded to the nearest whole  
782 dollar; or
    - 783 (B) records from which information is obtained, provided, or used unlawfully,  
784 rounded to the nearest whole dollar; or
  - 785 (ii) \$200.
- 786 (k) A qualified person may not obtain, provide, or use the year of birth of a registered  
787 voter, if the year of birth is obtained from the list of registered voters or from a voter  
788 registration record, unless the person:
- 789 (i) is a government official or government employee who obtains, provides, or uses  
790 the year of birth in the government official's or government employee's capacity  
791 as a government official or government employee;
  - 792 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or  
793 uses the year of birth only to verify the accuracy of personal information  
794 submitted by an individual or to confirm the identity of a person in order to  
795 prevent fraud, waste, or abuse;
  - 796 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,  
797 provides, or uses the year of birth for a political purpose of the political party or  
798 candidate for public office; or
  - 799 (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or  
800 uses the year of birth to provide the year of birth to another qualified person to  
801 verify the accuracy of personal information submitted by an individual or to  
802 confirm the identity of a person in order to prevent fraud, waste, or abuse.
- 803 (l) The lieutenant governor or a county clerk may provide a year of birth to a member of  
804 the media, in relation to an individual designated by the member of the media, in  
805 order for the member of the media to verify the identity of the individual.
- 806 (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose  
807 information from a voter registration record for a purpose other than a political  
808 purpose.
- 809 (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a  
810 county clerk shall, when providing the list of registered voters to a qualified person

- 811 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose  
812 record is withheld under Subsection [~~(7)~~] (8), the information described in Subsection  
813 (4)(o), if:
- 814 (i) the lieutenant governor or a county clerk verifies the identity of the person and  
815 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and
  - 816 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document  
817 that includes the following:
    - 818 (A) the name, address, and telephone number of the person requesting the list of  
819 registered voters;
    - 820 (B) an indication of the type of qualified person that the person requesting the list  
821 claims to be;
    - 822 (C) a statement regarding the purpose for which the person desires to obtain the  
823 information;
    - 824 (D) a list of the purposes for which the qualified person may use the information;
    - 825 (E) a statement that the information may not be provided or used for a purpose  
826 other than a purpose described under Subsection (4)(n)(ii)(D);
    - 827 (F) a statement that if the person obtains the information under false pretenses, or  
828 provides or uses the information in a manner that is prohibited by law, the  
829 person is guilty of a class A misdemeanor and is subject to a civil fine;
    - 830 (G) an assertion from the person that the person will not provide or use the  
831 information in a manner that is prohibited by law; and
    - 832 (H) notice that if the person makes a false statement in the document, the person is  
833 punishable by law under Section 76-8-504.
  - 834 (o) Except as provided in Subsection (4)(p), the information that the lieutenant governor  
835 or a county clerk is required to provide, under Subsection (4)(n), from the record of a  
836 protected individual is:
    - 837 (i) a single hash code, generated from a string of data that includes both the voter's  
838 voter identification number and residential address;
    - 839 (ii) the voter's residential address;
    - 840 (iii) the voter's mailing address, if different from the voter's residential address;
    - 841 (iv) the party affiliation of the voter;
    - 842 (v) the precinct number for the voter's residential address;
    - 843 (vi) the voter's voting history; and
    - 844 (vii) a designation of which age group, of the following age groups, the voter falls

845 within:

846 (A) 25 or younger;

847 (B) 26 through 35;

848 (C) 36 through 45;

849 (D) 46 through 55;

850 (E) 56 through 65;

851 (F) 66 through 75; or

852 (G) 76 or older.

853 (p) The lieutenant governor or a county clerk may not disclose:

854 (i) information described in Subsection (4)(o) that, due to a small number of voters  
855 affiliated with a particular political party, or due to another reason, would likely  
856 reveal the identity of a voter if disclosed; or

857 (ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the  
858 county clerk determines that the nature of the address would directly reveal  
859 sensitive information about the voter.

860 (q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain, provide,  
861 or use the information described in Subsection (4)(n) or (o), except to the extent that  
862 the qualified person uses the information for a political purpose of a political party or  
863 candidate for public office.

864 (5) When political parties not listed on the voter registration form qualify as registered  
865 political parties under Chapter 8, Political Party Formation and Procedures, the  
866 lieutenant governor shall inform the county clerks of the name of the new political party  
867 and direct the county clerks to ensure that the voter registration form is modified to  
868 include that political party.

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

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

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

876 (7) An individual who registers to vote using a federal voter registration form is limited to  
877 voting a federal ballot, unless the individual provides documentary proof of United  
878 States citizenship.

879     ~~[(7)]~~ (8) The lieutenant governor or a county clerk shall withhold from a person, other than a  
880             person described in Subsection (4)(a)(i), the voter registration record, and information  
881             obtained from the voter registration record, of a protected individual.

882     ~~[(8)]~~ (9)(a) The lieutenant governor shall design and distribute a withholding request  
883             form for the purpose described in Subsections (1)(e)(i), (1)(e)(ii), ~~[(7)]~~ (8), and this  
884             Subsection ~~[(8)]~~ (9) to each election officer and to each agency that provides a voter  
885             registration form.

886             (b) An individual described in Subsection (1)(e)(i) is not required to provide  
887             verification, other than the individual's attestation and signature on the withholding  
888             request form, that the individual, or an individual who resides with the individual, is a  
889             victim of domestic violence or dating violence or is likely to be a victim of domestic  
890             violence or dating violence.

891             (c) The director of elections within the Office of the Lieutenant Governor shall make  
892             rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
893             establishing requirements for providing the verification described in Subsection  
894             (1)(e)(ii).

895     ~~[(9)]~~ (10) An election officer or an employee of an election officer may not encourage an  
896             individual to submit, or discourage an individual from submitting, a withholding request  
897             form.

898     ~~[(10)]~~ (11)(a) The lieutenant governor shall make and execute a plan to provide notice to  
899             registered voters who are protected individuals, that includes the following  
900             information:

- 901             (i) that the voter's classification of the record as private remains in effect;
- 902             (ii) that certain non-identifying information from the voter's voter registration record  
903             may, under certain circumstances, be released to political parties and candidates  
904             for public office;
- 905             (iii) that the voter's name, driver license or identification card number, social security  
906             number, email address, phone number, and the voter's day, month, and year of  
907             birth will remain private and will not be released to political parties or candidates  
908             for public office;
- 909             (iv) that a county clerk will only release the information to political parties and  
910             candidates in a manner that does not associate the information with a particular  
911             voter; and
- 912             (v) that a county clerk may, under certain circumstances, withhold other information

913 that the county clerk determines would reveal identifying information about the  
914 voter.

915 (b) The lieutenant governor may include in the notice described in this Subsection [~~(10)~~]  
916 (11) a statement that a voter may obtain additional information on the lieutenant  
917 governor's website.

918 (c) The plan described in Subsection [~~(10)(a)~~] (11)(a) may include providing the notice  
919 described in Subsection [~~(10)(a)~~] (11)(a) by:

920 (i) publication on the Utah Public Notice Website, created in Section 63A-16-601;

921 (ii) publication on the lieutenant governor's website or a county's website;

922 (iii) posting the notice in public locations;

923 (iv) publication in a newspaper;

924 (v) sending notification to the voters by electronic means;

925 (vi) sending notice by other methods used by government entities to communicate  
926 with citizens; or

927 (vii) providing notice by any other method.

928 (d) The lieutenant governor shall provide the notice included in a plan described in this  
929 Subsection [~~(10)~~] (11) before June 16, 2023.

930 Section 4. Section **20A-2-108** is amended to read:

931 **20A-2-108 . Driver license or state identification card registration form --**

932 **Transmittal of information.**

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

934 (a) a driver license application form; or

935 (b) a state identification card application form.

936 (2) The lieutenant governor and the Driver License Division shall design each qualifying  
937 form to include:

938 (a)(i) the following question, which an applicant is required to answer: "Do you  
939 authorize the use of information in this form for voter registration purposes?

940 YES\_\_\_ NO\_\_\_"; and

941 (ii) no later than November 5, 2025, the following:

942 "Indicate below how you want to vote in upcoming elections:

943 \_\_\_ Mail a ballot to me.

944 \_\_\_ Do not mail a ballot to me. I will vote in person.";

945 (b) the following statement:

946 "PRIVACY INFORMATION

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

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

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

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

#### 961 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

979 (c) a section in substantially the following form:

980 "-----"

BALLOT NOTIFICATIONS

Do you consent to receive communications about the status of your ballot and other official communications, by text, at the phone number you provided above?      Yes      No

-----".

- (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying form contains:
  - (a) a place for an individual to affirm the individual's citizenship, voting eligibility, and Utah residency, and that the information provided in the form is true;
  - (b) a records disclosure that is similar to the records disclosure on a voter registration form described in Section 20A-2-104;
  - (c) a statement that if an applicant declines to register or preregister to vote, the fact that the applicant has declined to register or preregister will remain confidential and will be used only for voter registration purposes;
  - (d) a statement that if an applicant does register or preregister to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;~~and~~
  - (e) if the applicant answers "yes" to the question described in Subsection ~~[(2)(a)]~~ (2)(a)(i), a space where an individual may, if desired:
    - (i) indicate the individual's desired political affiliation from a listing of each registered political party, as defined in Section 20A-8-101;
    - (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the individual desires to affiliate; or
    - (iii) indicate that the individual does not wish to affiliate with a political party~~[-]~~ ; ~~§~~

**and** ~~←§~~

(f) the following statement:

"You must be a United States citizen to vote. If you fail to provide proof of United States citizenship, you will only be permitted to vote for federal offices. Information on how to provide proof of citizenship is included ~~§~~ → [on the back of] with ←§ this form." ~~§~~ → [; and]

~~[(g)]~~ **(4) [on the back of the form,] The lieutenant governor and the Driver License Division shall ensure that ←§ the statement described in Subsection 20A-2-104(2)(d) § → is provided with a qualifying form ←§ .**

Section 5. Section **20A-2-204** is amended to read:

**20A-2-204 . Registering to vote when applying for or renewing a driver license or**

1011 **other qualifying form.**

1012 (1) As used in this section, "voter registration form" means, when an individual named on a  
 1013 qualifying form, as defined in Section 20A-2-108, answers "yes" to the question  
 1014 described in Subsection 20A-2-108(2)(a)(i), the information on the qualifying form that  
 1015 can be used for voter registration purposes.

1016 (2)(a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may  
 1017 register to vote, and a citizen who is qualified to preregister to vote may preregister to  
 1018 vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a)(i)  
 1019 and completing the voter registration form.

1020 (b) A citizen who is a program participant in the Safe at Home Program created in  
 1021 Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a),  
 1022 but is eligible to register to vote by any other means described in this part.

1023 (3) The Driver License Division shall:

1024 (a) assist an individual in completing the voter registration form unless the individual  
 1025 refuses assistance;

1026 (b) electronically transmit each address change to the lieutenant governor on or before  
 1027 the first business day that is at least five calendar days after the day on which the  
 1028 division receives the address change; and

1029 (c) on or before the first business day that is at least five calendar days after the day on  
 1030 which the division receives a voter registration form, electronically transmit the form  
 1031 to the [~~Office of the Lieutenant Governor~~] lieutenant governor, including the  
 1032 following for the individual named on the form:

1033 (i) the name, date of birth, driver license or state identification card number, last four  
 1034 digits of the social security number, Utah residential address, place of birth, and  
 1035 signature;

1036 (ii) a mailing address, if different from the individual's Utah residential address;

1037 (iii) an email address and phone number, if available;

1038 (iv) the desired political affiliation, if indicated;

1039 (v) an indication of whether the individual requested that the individual's voter  
 1040 registration record be classified as a private record under Subsection

1041 20A-2-108(2)(b);~~[-and]~~

1042 (vi) a withholding request form described in Subsections [~~20A-2-104(7) and (8)~~]

1043 20A-2-104(8) and (9) and any verification submitted with the form[-] ; and

1044 (vii) an indication regarding whether the individual provided proof of United States

- 1045                    citizenship.
- 1046            (4) Upon receipt of an individual's voter registration form from the Driver License Division  
1047            under Subsection (3), the lieutenant governor shall:
- 1048            (a) enter the information into the statewide voter registration database;~~and~~  
1049            (b) make a record of the indication described in Subsection (3)(c)(vii) ; and  
1050            ~~(b)~~ (c) if the individual requests on the individual's voter registration form that the  
1051            individual's voter registration record be classified as a private record or the individual  
1052            submits a withholding request form described in Subsections [20A-2-104(7) and (8)]  
1053            20A-2-104(8) and (9) and any required verification, classify the individual's voter  
1054            registration record as a private record.
- 1055            (5) The county clerk of an individual whose information is entered into the statewide voter  
1056            registration database under Subsection (4) shall:
- 1057            (a) ensure that the individual meets the qualifications to be registered or preregistered to  
1058            vote; and
- 1059            (b)(i) if the individual meets the qualifications to be registered to vote:
- 1060                    (A) ensure that the individual is assigned to the proper voting precinct; and  
1061                    (B) send the individual the notice described in Section 20A-2-304;~~or~~
- 1062            (ii) if the individual meets the qualifications to be preregistered to vote, process the  
1063            form in accordance with the requirements of Section 20A-2-101.1[-] ;
- 1064            (iii) determine whether the individual has provided documentary proof of United  
1065            States citizenship; and
- 1066            (iv) if the individual has not provided documentary proof or United States  
1067            citizenship, notify the individual, in accordance with Subsection (8):  
1068                    (A) that the individual has not provided proof of United States citizenship;  
1069                    (B) that if the individual fails to provide proof of United States citizenship, the  
1070                    individual will only be permitted to vote for federal offices; and  
1071                    (C) of the methods by which the individual may provide documentary proof of  
1072                    United States citizenship.
- 1073            (6)(a) When the county clerk receives a correctly completed voter registration form  
1074            under this section, the clerk shall:
- 1075                    (i) comply with the applicable provisions of this Subsection (6); or  
1076                    (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.
- 1077            (b) If the county clerk receives a correctly completed voter registration form under this  
1078            section no later than 5 p.m. or, if submitting the form electronically, midnight, 11

- 1079 calendar days before the date of an election, the county clerk shall:
- 1080 (i) accept the voter registration form;[~~and~~]
- 1081 (ii) comply with Subsection 20A-2-304(3);
- 1082 [~~(ii)~~] (iii) unless the individual is preregistering to vote, and subject to Section
- 1083 20A-3a-201.5:
- 1084 (A) enter the individual's name on the list of registered voters for the voting
- 1085 precinct in which the individual resides; and
- 1086 (B) notify the individual that the individual is registered to vote in the upcoming
- 1087 election; and
- 1088 [~~(iii)~~] (iv) if the individual named in the form is preregistering to vote, comply with
- 1089 Section 20A-2-101.1.
- 1090 (c) If the county clerk receives a correctly completed voter registration form under this
- 1091 section after the deadline described in Subsection (6)(b), the county clerk shall,
- 1092 unless the individual named in the form is preregistering to vote, and subject to
- 1093 Section 20A-3a-201.5:
- 1094 (i) accept the application for registration of the individual;
- 1095 (ii) process the voter registration form; and
- 1096 (iii) unless the individual is preregistering to vote, and except as provided in
- 1097 Subsection 20A-2-207(6), inform the individual that the individual will not be
- 1098 registered to vote in the pending election, unless the individual registers to vote by
- 1099 provisional ballot during the early voting period, if applicable, or on election day,
- 1100 in accordance with Section 20A-2-207.
- 1101 (7)(a) If the county clerk determines that an individual's voter registration form received
- 1102 from the Driver License Division is incorrect because of an error, because the form is
- 1103 incomplete, or because the individual does not meet the qualifications to be registered
- 1104 to vote, the county clerk shall mail notice to the individual stating that the individual
- 1105 has not been registered or preregistered because of an error, because the registration
- 1106 form is incomplete, or because the individual does not meet the qualifications to be
- 1107 registered to vote.
- 1108 (b) If a county clerk believes, based upon a review of a voter registration form, that an
- 1109 individual, who knows that the individual is not legally entitled to register or
- 1110 preregister to vote, may be intentionally seeking to register or preregister to vote, the
- 1111 county clerk shall refer the form to the county attorney for investigation and possible
- 1112 prosecution.

- 1113 (8) A county clerk who provides notice under Subsection (5)(b)(iv) shall send the notice, in  
 1114 writing, to the individual:  
 1115 (a) by mail, at the most recent address the county clerk has for the individual; and  
 1116 (b)(i) by email, if the county clerk has an email address for the individual; or  
 1117 (ii) by text to a phone number, if the county clerk has a phone number for the  
 1118 individual and has received consent from the individual to send text messages to  
 1119 the phone number.

1120 Section 6. Section **20A-2-206** is amended to read:

1121 **20A-2-206 . Electronic registration -- Requesting to receive a ballot by mail.**

- 1122 (1) The lieutenant governor shall create and maintain an electronic system that is publicly  
 1123 available on the [~~Internet~~] internet for an individual to:  
 1124 (a) apply for voter registration or preregistration; or  
 1125 (b) [~~beginning no later than July 1, 2025,~~] request to receive a ballot by mail.
- 1126 (2) The electronic system described in Subsection (1) shall require, to register to vote, the  
 1127 applicant to:  
 1128 (a) enter the applicant's name, address, date of birth, driver license number or state  
 1129 identification card number, and any other information determined to be necessary by  
 1130 the lieutenant governor;  
 1131 (b) provide the information required by Section 20A-2-104, except that the applicant's  
 1132 signature may be obtained in the manner described in Subsections (2)(d) and (5);  
 1133 (c) attest to the truth of the information provided; and  
 1134 (d) authorize the lieutenant governor's and county clerk's use of the applicant's:  
 1135 (i) driver license or identification card signature, obtained under Title 53, Chapter 3,  
 1136 Uniform Driver License Act, for voter registration or preregistration purposes; or  
 1137 (ii) signature on file in the lieutenant governor's statewide voter registration database  
 1138 developed under Section 20A-2-502, for voter registration or preregistration  
 1139 purposes.
- 1140 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system described  
 1141 in Subsection (1) is not required to complete a printed registration form.
- 1142 (4) A system created and maintained under this section shall provide to an individual who is  
 1143 registering to vote the notices concerning a voter's presentation of identification  
 1144 described in Subsection 20A-2-104(2).
- 1145 (5) The lieutenant governor shall, in relation to an individual who is registering to vote:  
 1146 (a) obtain a digital copy of the applicant's driver license signature or identification card

- 1147 signature from the Driver License Division; or
- 1148 (b) ensure that the applicant's signature is on file in the lieutenant governor's statewide  
1149 voter registration database developed under Section 20A-2-502.
- 1150 (6) The lieutenant governor shall send the information described in Subsections (2) and (5)  
1151 to the county clerk for the county in which the applicant's principal place of residence is  
1152 found for further action as required by Section 20A-2-304 after:
- 1153 (a) receiving all information from an applicant;[~~and~~]
- 1154 (b)[~~(i)~~] receiving all information from the Driver License Division, if applicable; and  
1155 [~~(ii)~~] (c) ensuring that the applicant's signature is on file in the lieutenant governor's  
1156 statewide voter registration database developed under Section 20A-2-502.
- 1157 (7) The lieutenant governor may use additional security measures to ensure the accuracy  
1158 and integrity of information submitted electronically under this section.
- 1159 (8) If an individual applies to register under this section no later than 11 calendar days  
1160 before the date of an election, the county clerk shall:
- 1161 (a) accept and process the voter registration form;
- 1162 (b) unless the individual named in the form is preregistering to vote, and subject to  
1163 Section 20A-3a-201.5:
- 1164 (i) enter the applicant's name on the list of registered voters for the voting precinct in  
1165 which the applicant resides; and
- 1166 (ii) notify the individual that the individual is registered to vote in the upcoming  
1167 election; and
- 1168 (c) if the individual named in the form is preregistering to vote, comply with Section  
1169 20A-2-101.1.
- 1170 (9) If an individual applies to register under this section after the deadline described in  
1171 Subsection (8), the county clerk shall, unless the individual is preregistering to vote:
- 1172 (a) accept the application for registration; and
- 1173 (b) except as provided in Subsection 20A-2-207(6), and subject to Section 20A-3a-201.5,  
1174 if possible, promptly inform the individual that the individual will not be registered to  
1175 vote in the pending election, unless the individual registers to vote by provisional  
1176 ballot during the early voting period, if applicable, on election day, in accordance  
1177 with Section 20A-2-207.
- 1178 (10) The lieutenant governor shall provide a means by which a registered voter shall sign  
1179 the application form.
- 1180 (11) For an individual who is registering to vote or is already registered to vote, the electronic

1181 system described in Subsection (1) shall include the following:

1182 "Indicate below how you want to vote in upcoming elections:

1183 \_\_\_\_\_ Mail a ballot to me.

1184 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

1185 (12) The lieutenant governor shall provide the ability for a registered voter to:

1186 (a) determine whether, for an election held on or after November 1, 2026, the voter is  
 1187 eligible to vote a standard ballot or only a federal ballot; and

1188 (b) view the options for providing documentary proof of United States citizenship in  
 1189 order to vote a standard ballot.

1190 Section 7. Section **20A-2-304** is amended to read:

1191 **20A-2-304 . County clerk's responsibilities -- Notice of disposition.**

1192 [Each] Subject to Section 20A-3a-201.5, a county clerk shall:

1193 (1) register to vote each individual who meets the requirements for registration and who:

1194 (a) submits a completed voter registration form to the county clerk;

1195 (b) submits a completed voter registration form, as defined in Section 20A-2-204, to the  
 1196 Driver License Division;

1197 (c) submits a completed voter registration form to a public assistance agency or a  
 1198 discretionary voter registration agency; or

1199 (d) mails a completed voter registration form to the county clerk; [~~and~~]

1200 (2) within 30 calendar days after the day on which the county clerk processes a voter  
 1201 registration form, send a notice to the individual who submits the form that:

1202 (a)(i) informs the individual that the individual's voter registration form has been  
 1203 accepted and that the individual is registered to vote;

1204 (ii) informs the individual of the procedure for designating or changing the  
 1205 individual's political affiliation;

1206 (iii) informs the individual of the procedure to cancel a voter registration;

1207 (iv) provides instructions to the voter on how the voter may sign up to receive  
 1208 electronic ballot status notifications via the ballot tracking system described in  
 1209 Section 20A-3a-401.5; and

1210 (v) confirms that the individual has chosen to receive electronic ballot status  
 1211 notifications if the individual opted to receive electronic ballot status notifications  
 1212 on the voter registration form;

1213 (b) informs the individual that the individual's voter registration form has been rejected  
 1214 and the reason for the rejection; or

- 1215 (c)(i) informs the individual that the individual's voter registration form is being  
 1216 returned to the individual for further action because the form is incomplete; and  
 1217 (ii) gives instructions to the individual on how to properly complete the form[-] ; and  
 1218 (3) for each voter registration record of an individual who is limited to voting in a federal  
 1219 race only:  
 1220 (a) before March 1, 2027, segregate the record in a manner that identifies the voter's  
 1221 voter registration record as belonging to an individual who is limited to voting in a  
 1222 federal race only; or  
 1223 (b) beginning on March 1, 2027, indicate the limitation on the voter's voter registration  
 1224 record.

1225 Section 8. Section **20A-2-508** is enacted to read:

1226 **20A-2-508 . Independent investigation of citizenship -- Identification of**  
 1227 **non-citizens -- Opportunity to challenge -- Provisional ballot option -- Action taken when**  
 1228 **lack of documentary proof of citizenship discovered.**

- 1229 (1)(a) An election officer shall, to the extent that the review can be conducted in a  
 1230 uniform, nondiscriminatory manner, conduct a review of the voter registration  
 1231 records to independently determine whether an individual who is registered to vote is  
 1232 not a citizen of the United States.  
 1233 (b) To conduct the review described in Subsection (1)(a), the election officer:  
 1234 (i) except as provided in Subsection (3), may not require an individual who registers  
 1235 to vote only in a federal race to provide documentary proof of United States  
 1236 citizenship; and  
 1237 (ii) shall use any tools lawfully available to the election officer, including:  
 1238 (A) the Systematic Alien Verification for Entitlements program, operated by the  
 1239 United States Department of Homeland Security;  
 1240 (B) information received from the federal courts under Subsection 20A-2-502(4);  
 1241 and  
 1242 (C) data collected by a state agency.  
 1243 (2) If, in accordance with Subsection (1), an election officer determines that an individual  
 1244 who is registered to vote is not a citizen of the United States, the election officer shall, in  
 1245 accordance with Subsection (7):  
 1246 (a) notify the individual of the determination and the reason for the determination;  
 1247 (b) give the individual an opportunity to dispute the determination; and  
 1248 (c) if the individual fails to refute the determination within 30 days after the day on

1249 which the election officer sends the notice described in Subsection (2)(a), remove the  
 1250 individual from the list of registered voters.

1251 (3) Except as provided in Subsection (4), an individual described in Subsection (2) may not  
 1252 vote in an election unless, before voting, the individual provides documentary proof of  
 1253 United States citizenship to the election officer.

1254 (4) An individual described in Subsection (2) may cast a provisional ballot pending the  
 1255 resolution of a dispute under Subsection (2).

1256 (5) An election officer may not count a provisional ballot cast by an individual under  
 1257 Subsection (4) unless, before noon on the last business day before the day of the  
 1258 applicable canvass, the individual provides documentary proof of citizenship to the  
 1259 election officer.

1260 (6) An election officer shall comply with Subsection 20A-2-204(5)(b)(iv) if the election  
 1261 officer discovers a voter registration record for which:

1262 (a) the the election officer does not make the determination described in Subsection (2);  
 1263 and

1264 (b) proof of United States citizenship has not been established, unless the individual has  
 1265 expressed an intent:

1266 (i) to not provide proof of United States citizenship; or

1267 (ii) to vote for federal offices only.

1268 (7) An election officer who provides notice under Subsection (2) shall send the notice, in  
 1269 writing, to the individual:

1270 (a) by mail, at the most recent address the election officer has for the individual; and

1271 (b)(i) by email, if the election officer has an email address for the individual; or

1272 (ii) by text to a phone number, if the election officer has a phone number for the  
 1273 individual and has received consent from the individual to send text messages to  
 1274 the phone number.

1275 (8) No later July 1, 2026, the lieutenant governor shall, with the assistance of the county  
 1276 clerks as needed:

1277 (a) conduct the review described in Subsection (1); and

1278 (b) provide the notice described in Subsections (7) and (8).

1279 Section 9. Section **20A-3a-201.5** is enacted to read:

1280 **20A-3a-201.5 . Proof of citizenship required for state elections -- Separate federal**  
 1281 **ballots for registered voters who do not provide proof of citizenship.**

1282 (1) Except as provided in Subsection (2), for an election held on or after November 1, 2026,

- 1283 that includes a race for federal office:
- 1284 (a) an election officer shall:
- 1285 (i) for each precinct, produce a standard ballot; and
- 1286 (ii) for each congressional district, produce a federal ballot;
- 1287 (b) only a voter who has, at the time of voter registration or before voting, provided
- 1288 documentary proof of United States citizenship may vote a standard ballot; and
- 1289 (c) a voter who has not provided documentary proof of United States citizenship, at the
- 1290 time of voter registration or before voting, may only vote a federal ballot.
- 1291 (2) A voter who has not, at the time of registration or before voting, provided documentary
- 1292 proof of United States citizenship may cast a standard ballot as a provisional ballot, but
- 1293 an election officer may only count votes for federal office cast using the standard ballot
- 1294 unless the voter provides documentary proof of United States citizenship before noon on
- 1295 the last business day before the day of the applicable canvass.
- 1296 (3) Except as otherwise provided in Section 20A-2-508:
- 1297 (a) an election officer may not require a voter to provide documentary proof of United
- 1298 States citizenship to vote a federal ballot; and
- 1299 (b) a voter who has previously provided documentary proof of United States citizenship
- 1300 to an election officer is not required to provide documentary proof of citizenship
- 1301 when the voter subsequently registers to vote.
- 1302 (4) If, due to marriage or another legally-recognized method of changing an individual's
- 1303 name, a voter's name has changed from the name appearing on the voter's documentary
- 1304 proof of United States citizenship, the voter may provide documentary proof of the name
- 1305 change, together with the voter's documentary proof of United States citizenship, to
- 1306 establish that the voter is a United States citizen.
- 1307 Section 10. Section **20A-3a-202** is amended to read:
- 1308 **20A-3a-202 . Conducting election in person and by mail -- Mailing ballots to**
- 1309 **voters -- Exceptions.by mail.**
- 1310 (1)(a) Except as otherwise provided for an election conducted entirely by mail under
- 1311 Section 20A-7-609.5, an election officer shall administer an election primarily by
- 1312 mail, in accordance with this section.
- 1313 (b) An individual who did not provide valid voter identification at the time the voter
- 1314 registered to vote shall provide valid voter identification before voting.
- 1315 (2) An election officer who administers an election:
- 1316 (a) shall in accordance with Subsection (3), no sooner than 21 calendar days before

- 1317 election day and no later than seven calendar days before election day, mail to the  
1318 applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to  
1319 Subsection 20A-3a-202.5(4):
- 1320 (i) a manual ballot;
  - 1321 (ii) a return envelope;
  - 1322 (iii) instructions for returning the ballot that include an express notice about any  
1323 relevant deadlines that the voter must meet in order for the voter's vote to be  
1324 counted;
  - 1325 (iv) information regarding the location and hours of operation of any election day  
1326 voting center at which the voter may vote or a website address where the voter  
1327 may view this information; and
  - 1328 (v) instructions on how a voter may sign up to receive electronic ballot status  
1329 notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 1330 (b) may not mail a ballot under this section to:
- 1331 (i) an inactive voter, unless the inactive voter requests a manual ballot;[~~or~~]
  - 1332 (ii) a voter whom the election officer is prohibited from sending a ballot under  
1333 Subsection 20A-3a-202.5(4); or
  - 1334 (iii) for an election held on or after November 1, 2026, a voter who is only eligible to  
1335 vote a federal ballot, if the election does not include a race for federal office;
- 1336 (c) shall, on the outside of the envelope in which the election officer mails the ballot,  
1337 include instructions for returning the ballot if the individual to whom the election  
1338 officer mails the ballot does not live at the address to which the ballot is sent;
- 1339 (d) shall provide a method of accessible voting to a voter with a disability who is not  
1340 able to vote by mail; and
- 1341 (e) shall include, on the election officer's website and with each ballot mailed,  
1342 instructions regarding how a voter described in Subsection (2)(d) may vote.
- 1343 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the  
1344 manual ballot to the address:
- 1345 (i) provided at the time of registration or updated by the voter after the time of  
1346 registration; or
  - 1347 (ii) if, at or after the time of registration, the voter files an alternate address request  
1348 form described in Subsection (3)(b), the alternate address indicated on the form.
- 1349 (b) The lieutenant governor shall make available to voters an alternate address request  
1350 form that permits a voter to request that the election officer mail the voter's ballot to a

1351 location other than the voter's residence.

1352 (c) A voter shall provide the completed alternate address request form to the election  
1353 officer no later than 11 calendar days before the day of the election.

1354 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall  
1355 include, with each ballot mailed to a voter, a separate paper document containing the following  
1356 statements:

1357 "WARNING

1358 If you have a valid Utah driver license or a valid Utah state identification card, failure to  
1359 provide the last four digits of the license or card number may result in your ballot not being  
1360 counted. You also have the option of providing the last four digits of your social security  
1361 number as identification. If you do not have any of these identification types, your ballot will  
1362 still be counted if your signature on the affidavit on this envelope matches your signature on  
1363 file with the election officer.

1364 NOTICE

1365 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a  
1366 ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource  
1367 locator where the voter can make the request online]. If you are unable to make a request  
1368 online, contact your county clerk's office at the following number for instructions on how to  
1369 make the request in person or by mail [insert phone number here]."

1370 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a  
1371 voter, a separate paper document containing the following statement:

1372 "WARNING

1373 If you have a valid Utah driver license or a valid Utah state identification card, failure to  
1374 provide the last four digits of your license or card number will result in your ballot not being  
1375 counted.

1376 If you do not have a license or card described above, you may enter the last four digits of  
1377 your social security number as identification, or include a photocopy of one of the following in  
1378 the return envelope:

1379 • a currently valid identification card that is issued by the state or a branch, department, or  
1380 agency of the United States;

1381 • a currently valid Utah permit to carry a concealed weapon;

1382 • a currently valid United States passport;

1383 • a currently valid United States military identification card; or

1384 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty

1385 card.  
1386 If you do not have any of the forms of identification listed above, you must vote in person  
1387 at a polling place, unless you qualify for an exemption from this requirement. You may obtain  
1388 information regarding an exemption at [insert a uniform resource locator where the voter can  
1389 view this information] or by calling [insert a phone number that a voter may call to access this  
1390 information]."

1391 (4) The return envelope shall include:

1392 (a) the name, official title, and post office address of the election officer on the front of  
1393 the envelope;

1394 (b) subject to Subsection (9), beginning on or before January 1, 2026, a place for the  
1395 voter to enter the last four digits of the voter's Utah driver license number, Utah state  
1396 identification card number, or social security number;

1397 (c) the following statement:

1398 "IMPORTANT: See the warning and notice enclosed with your ballot.";

1399 (d) a space where a voter may write an email address and phone number by which the  
1400 election officer may contact the voter if the voter's ballot is rejected; and

1401 (e) a printed affidavit in substantially the following form:

1402 "County of \_\_\_\_ State of \_\_\_\_

1403 I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct  
1404 in \_\_\_\_ County, Utah and that I am entitled to vote in this election. I am not a convicted felon  
1405 currently incarcerated for commission of a felony.

1406 \_\_\_\_\_

1407 Signature of Voter

1408 WARNING

1409 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a  
1410 FELONY for any other individual to sign the above affidavit, even if the voter to whom the  
1411 ballot is addressed gives permission for another to sign the affidavit for the voter."

1412 (5) If the election officer determines that the voter has not yet provided valid voter  
1413 identification with the voter's voter registration, the election officer may:

1414 (a) mail a ballot to the voter;

1415 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the  
1416 return envelope; and

1417 (c) provide instructions to the voter on how the voter may sign up to receive electronic  
1418 ballot status notifications via the ballot tracking system described in Section

- 1419 20A-3a-401.5.
- 1420 (6) An election officer who administers an election shall:
- 1421 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
- 1422 election; or
- 1423 (ii) obtain the signature of each voter within the voting precinct from the county
- 1424 clerk; and
- 1425 (b) maintain the signatures on file in the election officer's office.
- 1426 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot
- 1427 under Section 20A-3a-401.
- 1428 (8) A county that administers an election:
- 1429 (a) shall provide at least one election day voting center in accordance with Part 7,
- 1430 Election Day Voting Center, and at least one additional election day voting center for
- 1431 every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not
- 1432 receive a ballot by mail;
- 1433 (b) shall ensure that each election day voting center operated by the county has at least
- 1434 one voting device that is accessible, in accordance with the Help America Vote Act
- 1435 of 2002, Pub. L. No. 107-252, for individuals with disabilities;
- 1436 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 1437 (i) the county clerk conducts early voting on at least four days;
- 1438 (ii) the early voting days are within the period beginning on the date that is 14
- 1439 calendar days before the date of the election and ending on the day before the
- 1440 election; and
- 1441 (iii) the county clerk provides notice of the reduced early voting period in accordance
- 1442 with Section 20A-3a-604; and
- 1443 (d) is not required to pay return postage for a return envelope.
- 1444 (9) A return envelope shall be designed in a manner that the information described in
- 1445 Subsections (4)(b) and (d), and the voter's signature, is covered from view after the
- 1446 return envelope is sealed.
- 1447 (10) A county clerk shall, at least 90 calendar days before an election administered by the
- 1448 county clerk, contact local post offices to:
- 1449 (a) coordinate the handling of mail-in ballots for the upcoming election; and
- 1450 (b) take measures to ensure that:
- 1451 (i) ballots are clearly and properly postmarked, or otherwise marked in accordance
- 1452 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was

1453 mailed; and

1454 (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of  
1455 ballots.

1456 Section 11. Section **20A-3a-203** is amended to read:

1457 **20A-3a-203 . Voting at a polling place.**

1458 (1) A registered voter may vote at a polling place in an election in accordance with this  
1459 section.

1460 (2)(a) The voter shall give the voter's name, and, if requested, the voter's residence, to  
1461 one of the poll workers.

1462 (b) The voter shall present valid voter identification to one of the poll workers, as  
1463 follows:

1464 (i) the voter shall present a currently valid Utah driver license or Utah state  
1465 identification card;

1466 (ii) if the voter does not have the type of identification described in Subsection  
1467 (2)(b)(i), the voter shall present:

1468 (A) a currently valid identification card issued by the state, or a branch,  
1469 department, or agency of the United States;

1470 (B) a currently valid Utah permit to carry a concealed weapon;

1471 (C) a currently valid United States passport;

1472 (D) a currently valid United States military identification card; or

1473 (E) a valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty  
1474 card; or

1475 (iii) if the voter does not have the type of identification described in Subsection  
1476 (2)(b)(i) or (ii), the voter shall present other valid voter identification.

1477 (c) If the poll worker is not satisfied that the voter has presented valid voter  
1478 identification in accordance with Subsection (2)(b), the poll worker shall:

1479 (i) indicate on the official register that the voter was not properly identified;

1480 (ii) issue the voter a provisional ballot;

1481 (iii) notify the voter that the voter will have until [~~the close of normal office hours on~~  
1482 ~~Monday after the day of the election or, if Monday is a holiday, on the first~~  
1483 ~~business day after the holiday]~~ noon on the last business day before the day of the  
1484 applicable canvass, to present valid voter identification:

1485 (A) to the county clerk at the county clerk's office; or

1486 (B) to an election officer who is administering the election; and

- 1487 (iv) follow the procedures and requirements of Section 20A-3a-205.
- 1488 (d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the poll  
1489 worker shall follow the procedures and requirements of Section 20A-3a-205.
- 1490 (3) A poll worker shall check the official register to determine:
- 1491 (a) whether a voter is registered to vote; and
- 1492 (b) if the election is a regular primary election or a presidential primary election,  
1493 whether a voter's party affiliation designation in the official register allows the voter  
1494 to vote the ballot that the voter requests.
- 1495 (4)(a) Except as provided in Subsection (5), if the voter's name is not found on the  
1496 official register, the poll worker shall follow the procedures and requirements of  
1497 Section 20A-3a-205.
- 1498 (b) If, in a regular primary election or a presidential primary election, the official register  
1499 does not affirmatively identify the voter as being affiliated with a registered political  
1500 party or if the official register identifies the voter as being "unaffiliated," the voter  
1501 shall be considered to be "unaffiliated."
- 1502 (5) In a regular primary election or a presidential primary election:
- 1503 (a) if a voter's name is not found on the official register, and if it is not unduly disruptive  
1504 to the election process, the poll worker may attempt to contact the county clerk's  
1505 office to request oral verification of the voter's registration; and
- 1506 (b) if oral verification is received from the county clerk's office, the poll worker shall:
- 1507 (i) record the verification on the official register;
- 1508 (ii) determine the voter's party affiliation and the ballot that the voter is qualified to  
1509 vote; and
- 1510 (iii) except as provided in Subsection (6), comply with Subsection (3).
- 1511 (6)(a) Except as provided in Subsection (6)(b), if, in a regular primary election or a  
1512 presidential primary election, the voter's political party affiliation listed in the official  
1513 register does not allow the voter to vote the ballot that the voter requested, the poll  
1514 worker shall inform the voter of that fact and inform the voter of the ballot or ballots  
1515 that the voter's party affiliation does allow the voter to vote.
- 1516 (b) If, in a regular primary election or a presidential primary election, the voter is listed  
1517 in the official register as unaffiliated, or if the official register does not affirmatively  
1518 identify the voter as either unaffiliated or affiliated with a registered political party,  
1519 and the voter, as an unaffiliated voter, is not authorized to vote the ballot that the  
1520 voter requests, the poll worker shall:

- 1521 (i) ask the voter if the voter wishes to vote another registered political party ballot  
 1522 that the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and  
 1523 (ii)(A) if the voter wishes to vote another registered political party ballot that the  
 1524 unaffiliated voter is authorized to vote, the poll worker shall proceed as  
 1525 required by Subsection (3); or  
 1526 (B) if the voter wishes to remain unaffiliated and does not wish to vote another  
 1527 ballot that unaffiliated voters are authorized to vote, the poll worker shall  
 1528 instruct the voter that the voter may not vote.

1529 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions of  
 1530 Subsection (6), if the poll worker determines that the voter is registered, a poll worker  
 1531 shall:

- 1532 (a) direct the voter to sign the voter's name in the official register;  
 1533 (b) provide to the voter the ballot that the voter is qualified to vote; and  
 1534 (c) allow the voter to enter the voting booth.

1535 (8)(a) The official register shall include the statement described in Subsection (8)(b):

- 1536 (i) at the top of each page of the register where a voter signs the register; or  
 1537 (ii) adjacent to the place where each voter signs the register.

1538 (b) The statement described in Subsection (8)(a) shall appear as follows:

1539 **AFFIDAVIT**

1540 By signing this register I am signing an affidavit where, UNDER PENALTY OF  
 1541 PERJURY, I affirm that the identification I presented to the poll worker is valid voter  
 1542 identification that accurately identifies me as the person indicated.

1543 (9) A voter who votes at a polling place may submit a request to a poll worker that a ballot  
 1544 be mailed to the voter in upcoming elections.

1545 Section 12. Section **20A-3a-401** is amended to read:

1546 **20A-3a-401 . Custody of voted ballots mailed or deposited in a ballot drop box --**  
 1547 **Disposition -- Notice -- Disclosures relating to unresolved ballots.**

1548 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal  
 1549 means.

1550 (2) Poll workers shall process return envelopes containing manual ballots that are in the  
 1551 custody of the poll workers in accordance with this section.

1552 (3) Poll workers shall examine a return envelope to make the determinations described in  
 1553 Subsection (4).

1554 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers

- 1555 determine:
- 1556 (a) for an election held before January 1, 2029:
- 1557 (i) that the return envelope contains the last four digits of the voter's Utah driver
- 1558 license number, Utah state identification card number, or social security number;
- 1559 or
- 1560 (ii) if the return envelope does not contain the digits described in Subsection (4)(a)(i),
- 1561 that:
- 1562 (A) in accordance with the rules made under Subsection (13), the signature on the
- 1563 affidavit of the return envelope is reasonably consistent with the individual's
- 1564 signature in the voter registration records; or
- 1565 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
- 1566 signature is verified by alternative means;
- 1567 (b) for an election held on or after January 1, 2029:
- 1568 (i) that the return envelope contains the last four digits of the voter's Utah driver
- 1569 license number, Utah state identification card number, or social security number;
- 1570 (ii) if the return envelope does not contain the digits described in Subsection (4)(b)(i),
- 1571 that the voter included in the return envelope a copy of the identification described
- 1572 in Subsection 20A-3a-204(2)(c)(ii); or
- 1573 (iii) for a voter described in Subsection 20A-3a-301(7), that the voter complied with
- 1574 Subsection 20A-3a-301(7);
- 1575 (c) that the affidavit is sufficient;
- 1576 (d) that the voter is registered to vote in the correct precinct;
- 1577 (e) that the voter's right to vote the ballot has not been challenged;
- 1578 (f) that the voter has not already voted in the election; and
- 1579 (g) for a voter who has not yet provided valid voter identification with the voter's voter
- 1580 registration, whether the voter has provided valid voter identification with the return
- 1581 envelope.
- 1582 (5)(a) [Hf] Subject to Sections 20A-2-508 and 20A-3a-201.5, if the poll workers make all
- 1583 of the findings described in Subsection (4), the poll workers shall:
- 1584 (i) remove the manual ballot from the return envelope in a manner that does not
- 1585 destroy the affidavit on the return envelope;
- 1586 (ii) ensure that the ballot is not examined in connection with the return envelope; and
- 1587 (iii) place the ballot with the other ballots to be counted.
- 1588 (b) If the poll workers do not make all of the findings described in Subsection (4), the

- 1589 poll workers shall:
- 1590 (i) disallow the vote;
- 1591 (ii) except as provided in Subsection (6), without opening the return envelope, record
- 1592 the ballot as "rejected" and state the reason for the rejection; and
- 1593 (iii) except as provided in Subsection (6), place the return envelope, unopened, with
- 1594 the other rejected return envelopes.
- 1595 (6) A poll worker may open a return envelope, if necessary, to determine compliance with
- 1596 Subsection (4)(b)(ii), (4)(b)(iii), or (4)(g).
- 1597 (7)(a) If the poll workers reject an individual's ballot because the poll workers determine
- 1598 that the return envelope does not comply with Subsection (4), the election officer
- 1599 shall:
- 1600 (i) contact the individual in accordance with Subsection (8); and
- 1601 (ii) inform the individual:
- 1602 (A) that the identification information provided on the return envelope is in
- 1603 question;
- 1604 (B) how the individual may resolve the issue; and
- 1605 (C) that, in order for the ballot to be counted, the individual is required to deliver
- 1606 to the election officer a correctly completed affidavit, provided by the county
- 1607 clerk, that meets the requirements described in Subsection (7)(d).
- 1608 (b) If, under Subsection (4)(a)(ii)(A), the poll workers reject an individual's ballot
- 1609 because the poll workers determine, in accordance with rules made under Subsection
- 1610 (13), that the signature on the return envelope is not reasonably consistent with the
- 1611 individual's signature in the voter registration records, the election officer shall:
- 1612 (i) contact the individual in accordance with Subsection (8); and
- 1613 (ii) inform the individual:
- 1614 (A) that the individual's signature is in question;
- 1615 (B) how the individual may resolve the issue; and
- 1616 (C) that, in order for the ballot to be counted, the individual is required to deliver
- 1617 to the election officer a correctly completed affidavit, provided by the county
- 1618 clerk, that meets the requirements described in Subsection (7)(d).
- 1619 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b)
- 1620 includes:
- 1621 (i) when communicating the notice by mail, a printed copy of the affidavit described
- 1622 in Subsection (7)(d) and a courtesy reply envelope;

- 1623 (ii) when communicating the notice electronically, a link to a copy of the affidavit  
 1624 described in Subsection (7)(d) or information on how to obtain a copy of the  
 1625 affidavit; or
- 1626 (iii) when communicating the notice by phone, either during a direct conversation  
 1627 with the voter or in a voicemail, arrangements for the voter to receive a copy of  
 1628 the affidavit described in Subsection (7)(d), either in person from the clerk's  
 1629 office, by mail, or electronically.
- 1630 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- 1631 (i) an attestation that the individual voted the ballot;
- 1632 (ii) a space for the individual to enter the individual's name, date of birth, and driver  
 1633 license number or the last four digits of the individual's social security number;
- 1634 (iii) a space for the individual to sign the affidavit;
- 1635 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant  
 1636 governor's and county clerk's use of the information in the affidavit and the  
 1637 individual's signature on the affidavit for voter identification purposes; and
- 1638 (v) a check box accompanied by language in substantially the following form: "I am  
 1639 a voter with a qualifying disability under the Americans with Disabilities Act that  
 1640 impacts my ability to sign my name consistently. I can provide appropriate  
 1641 documentation upon request. To discuss accommodations, I can be contacted at  
 1642 \_\_\_\_\_".
- 1643 (e) In order for an individual described in Subsection (7)(a) or (b) to have the  
 1644 individual's ballot counted, the individual shall deliver the affidavit described in  
 1645 Subsection (7)(d) to the election officer.
- 1646 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall  
 1647 immediately:
- 1648 (i) scan the signature on the affidavit electronically and keep the signature on file in  
 1649 the statewide voter registration database developed under Section 20A-2-502;
- 1650 (ii) if the election officer receives the affidavit no later than [~~noon on the last business~~  
 1651 ~~day before the day on which the canvass begins~~] noon on the last business day  
 1652 before the day of the applicable canvass, count the individual's ballot; and
- 1653 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the  
 1654 rules described in Subsection (13)(c).
- 1655 (8)(a) The election officer shall, within two business days after the day on which an  
 1656 individual's ballot is rejected, notify the individual of the rejection and the reason for

- 1657 the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:
- 1658 (i) the ballot is cured within one business day after the day on which the ballot is
- 1659 rejected; or
- 1660 (ii) the ballot is rejected because the ballot is received late or for another reason that
- 1661 cannot be cured.
- 1662 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the
- 1663 election officer shall notify the individual of the rejection and the reason for the
- 1664 rejection by phone, mail, email, or, if consent is obtained, text message, within the
- 1665 later of:
- 1666 (i) 30 calendar days after the day of the rejection; or
- 1667 (ii) 30 calendar days after the day of the election.
- 1668 (c) The election officer may, when notifying an individual by phone under this
- 1669 Subsection (8), use auto-dial technology.
- 1670 (9) An election officer may not count the ballot of an individual whom the election officer
- 1671 contacts under Subsection (7) or (8) unless, no later than noon on the last business day
- 1672 before the day on which the canvass begins, the election officer:
- 1673 (a) receives a signed affidavit from the individual under Subsection (7); or
- 1674 (b)(i) contacts the individual;
- 1675 (ii) if the election officer has reason to believe that an individual, other than the voter
- 1676 to whom the ballot was sent, signed the ballot affidavit, informs the individual that
- 1677 it is unlawful to sign a ballot affidavit for another person, even if the person gives
- 1678 permission;
- 1679 (iii) verifies the identity of the individual by:
- 1680 (A) requiring the individual to provide at least two types of personal identifying
- 1681 information for the individual; and
- 1682 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records
- 1683 relating to the individual that are in the possession or control of an election
- 1684 officer; and
- 1685 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 1686 (A) the name and voter identification number of the individual contacted;
- 1687 (B) the name of the individual who conducts the verification;
- 1688 (C) the date and manner of the communication;
- 1689 (D) the type of personal identifying information provided by the individual;
- 1690 (E) a description of the records against which the personal identifying information

- 1691 provided by the individual is compared and verified; and  
1692 (F) other information required by the lieutenant governor.
- 1693 (10)(a) The election officer shall retain and preserve:  
1694 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and  
1695 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection  
1696 20A-4-202(3).
- 1697 (b) If the election officer complies with Subsection (10)(a)(ii) by including the  
1698 documentation in the voter's voter registration record, the election officer shall make,  
1699 retain, and preserve a record of the name and voter identification number of each  
1700 voter contacted under Subsection (9)(b).
- 1701 (11)(a) The election officer shall record the following in the database used in the  
1702 verification process:  
1703 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day  
1704 after the day on which the election officer rejects the ballot; and  
1705 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business  
1706 day after the day on which the ballot rejection is resolved.
- 1707 (b) An election officer shall include, in the canvass report, a final report of the  
1708 disposition of all rejected and resolved ballots, including, for ballots rejected, the  
1709 following:  
1710 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and  
1711 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in  
1712 records on file, do not correspond.
- 1713 (12) Willful failure to comply with this section constitutes willful neglect of duty under  
1714 Section 20A-5-701.
- 1715 (13) The director of elections within the Office of the Lieutenant Governor shall make  
1716 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to  
1717 establish:  
1718 (a) criteria and processes for use by poll workers in determining if a signature  
1719 corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);  
1720 (b) training and certification requirements for election officers and employees of election  
1721 officers regarding the criteria and processes described in Subsection (13)(a); and  
1722 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.  
1723 Secs. 12131 through 12165, an alternative means of verifying the identity of an  
1724 individual who checks the box described in Subsection (7)(d)(v).

- 1725 (14)(a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may  
 1726 disclose the name and address of a voter whose ballot has been rejected and not yet  
 1727 resolved with:
- 1728 (i) a candidate in the election;
  - 1729 (ii) an individual who represents the candidate's campaign;
  - 1730 (iii) the sponsors of an initiative or referendum appearing on the ballot; or
  - 1731 (iv) for a ballot proposition appearing on the ballot, an individual who represents a  
 1732 political issues committee, as defined in Section 20A-11-101, if the political  
 1733 issues committee supports or opposes the ballot proposition.
- 1734 (b) If an election officer discloses the information described in Subsection (14)(a), the  
 1735 election officer shall:
- 1736 (i) make the disclosure within two business days after the day on which the request is  
 1737 made;
  - 1738 (ii) respond to each request in the order the requests were made; and
  - 1739 (iii) make each disclosure in a manner, and within a period of time, that does not  
 1740 reflect favoritism to one requestor over another.
- 1741 (c) A disclosure described in this Subsection (14) may not include the name or address  
 1742 of a protected individual, as defined in Subsection 20A-2-104(1).
- 1743 Section 13. Section **20A-4-107** is amended to read:
- 1744 **20A-4-107 . Review and disposition of provisional ballot envelopes.**
- 1745 (1) As used in this section, an individual is "legally entitled to vote" if:
- 1746 (a) the individual:
    - 1747 (i) is registered to vote in the state;
    - 1748 (ii) votes the ballot for the voting precinct in which the individual resides; and
    - 1749 (iii) provides valid voter identification to the poll worker;
  - 1750 (b) the individual:
    - 1751 (i) is registered to vote in the state;
    - 1752 (ii)(A) provided valid voter identification to the poll worker; or
    - 1753 (B) either failed to provide valid voter identification or the documents provided as  
 1754 valid voter identification were inadequate and the poll worker recorded that  
 1755 fact in the official register but the county clerk verifies the individual's identity  
 1756 and residence through some other means; and
    - 1757 (iii) did not vote in the individual's precinct of residence, but the ballot that the  
 1758 individual voted was from the individual's county of residence and includes one or

- 1759 more candidates or ballot propositions on the ballot voted in the individual's  
1760 precinct of residence; or
- 1761 (c) the individual:
- 1762 (i) is registered to vote in the state;
- 1763 (ii) either failed to provide valid voter identification or the documents provided as  
1764 valid voter identification were inadequate and the poll worker recorded that fact in  
1765 the official register; and
- 1766 (iii)(A) the county clerk verifies the individual's identity and residence through  
1767 some other means as reliable as photo identification; or
- 1768 (B) the individual provides valid voter identification to the county clerk or an  
1769 election officer who is administering the election [~~by the close of normal office~~  
1770 ~~hours on Monday after the date of the election]~~ before noon on the last business  
1771 day before the day of the applicable canvass.
- 1772 (2)(a) Upon receipt of a provisional ballot form, the election officer shall review the  
1773 affirmation on the provisional ballot form and determine if the individual signing the  
1774 affirmation is:
- 1775 (i) registered to vote in this state; and
- 1776 (ii) legally entitled to vote:
- 1777 (A) the ballot that the individual voted; or
- 1778 (B) if the ballot is from the individual's county of residence, for at least one ballot  
1779 proposition or candidate on the ballot that the individual voted.
- 1780 (b) Except as provided in Section 20A-2-207, if the election officer determines that the  
1781 individual is not registered to vote in this state or is not legally entitled to vote in the  
1782 county or for any of the ballot propositions or candidates on the ballot that the  
1783 individual voted, the election officer shall retain the ballot form, uncounted, for the  
1784 period specified in Subsection 20A-4-202(2) unless ordered by a court to produce or  
1785 count it.
- 1786 (c) If the election officer determines that the individual is registered to vote in this state  
1787 and is legally entitled to vote in the county and for at least one of the ballot  
1788 propositions or candidates on the ballot that the individual voted, the election officer  
1789 shall place the provisional ballot with the regular ballots to be counted with those  
1790 ballots at the canvass.
- 1791 (d) The election officer may not count, or allow to be counted a provisional ballot unless  
1792 the individual's identity and residence is established by a preponderance of the

- 1793 evidence.
- 1794 (3) If the election officer determines that the individual is registered to vote in this state, or  
1795 if the voter registers to vote in accordance with Section 20A-2-207, the election officer  
1796 shall ensure that the voter registration records are updated to reflect the information  
1797 provided on the provisional ballot form.
- 1798 (4) Except as provided in Section 20A-2-207, if the election officer determines that the  
1799 individual is not registered to vote in this state and the information on the provisional  
1800 ballot form is complete, the election officer shall:
- 1801 (a) consider the provisional ballot form a voter registration form for the individual's  
1802 county of residence; and
- 1803 (b)(i) register the individual if the individual's county of residence is within the  
1804 county; or
- 1805 (ii) forward the voter registration form to the election officer of the individual's  
1806 county of residence, which election officer shall register the individual.
- 1807 (5) Notwithstanding any provision of this section, the election officer shall place a  
1808 provisional ballot with the regular ballots to be counted with those ballots at the canvass,  
1809 if:
- 1810 (a)(i) the election officer determines, in accordance with the provisions of this  
1811 section, that the sole reason a provisional ballot may not otherwise be counted is  
1812 because the voter registration was filed less than 11 days before the election;
- 1813 (ii) 11 or more days before the election, the individual who cast the provisional ballot:
- 1814 (A) completed and signed the voter registration; and  
1815 (B) provided the voter registration to another person to file;
- 1816 (iii) the late filing was made due to the individual described in Subsection  
1817 (5)(a)(ii)(B) filing the voter registration late; and
- 1818 (iv) the election officer receives the voter registration before 5 p.m. no later than one  
1819 day before the day of the election; or
- 1820 (b) the provisional ballot is cast on or before election day and is not otherwise prohibited  
1821 from being counted under the provisions of this chapter.
- 1822 Section 14. Section **20A-6-105** is amended to read:
- 1823 **20A-6-105 . Provisional ballot envelopes.**
- 1824 (1) Each election officer shall ensure that provisional ballot envelopes are printed in  
1825 substantially the following form:
- 1826 (a) the envelope shall include the following statement:

1827 "AFFIRMATION

1828 Are you a citizen of the United States of America? Yes No

1829 Will you be 18 years old on or before election day? Yes No

1830 If you checked "no" in response to either of the two above questions, do not complete  
1831 this form.

1832 You must be a United States citizen to vote. If you fail to provide proof of United States  
1833 citizenship, you will only be permitted to vote for federal offices. Information on how to  
1834 provide proof of citizenship is included on or with this form.

1835 Name of Voter \_\_\_\_\_

1836 First Middle Last

1837 Driver License or Identification Card Number \_\_\_\_\_

1838 State of Issuance of Driver License or Identification Card Number \_\_\_\_\_

1839 Date of Birth \_\_\_\_\_

1840 Street Address of Principal Place of Residence

1841 \_\_\_\_\_

1842 City County State Zip Code

1843 Tribal Identification Number or Alien Registration Number (optional)

1844 \_\_\_\_\_

1845 Telephone Number (optional) \_\_\_\_\_

1846 Email Address (optional) \_\_\_\_\_

1847 Last four digits of Social Security Number \_\_\_\_\_

1848 Last former address at which I was registered to vote (if known)

1849 \_\_\_\_\_

1850 City County State Zip Code

1851 Voting Precinct (if known) \_\_\_\_\_

1852 I, (please print your full name) \_\_\_\_\_ do solemnly swear or

1853 affirm:

1854 That I am eligible to vote in this election; that I have not voted in this election in any  
1855 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted  
1856 to vote in this precinct; and

1857 Subject to penalty of law for false statements, that the information contained in this form  
1858 is true, and that I am a citizen of the United States and a resident of Utah, residing at the above  
1859 address; and that I am at least 18 years old and have resided in Utah for the 30 calendar days  
1860 immediately before this election.

1861 Signed

1862

---

1863 Dated

1864

---

1865 In accordance with Section 20A-3a-506, wilfully providing false information above is a  
 1866 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

1867 **PRIVACY INFORMATION**

1868 Voter registration records contain some information that is available to the public, such  
 1869 as your name and address, some information that is available only to government entities, and  
 1870 some information that is available only to certain third parties in accordance with the  
 1871 requirements of law.

1872 Your driver license number, identification card number, social security number, email  
 1873 address, full date of birth, and phone number are available only to government entities. Your  
 1874 year of birth is available to political parties, candidates for public office, certain third parties,  
 1875 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1876 You may request that all information on your voter registration records be withheld from  
 1877 all persons other than government entities, political parties, candidates for public office, and  
 1878 their contractors, employees, and volunteers, by indicating here:

1879 \_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld  
 1880 from all persons other than government entities, political parties, candidates for public office,  
 1881 and their contractors, employees, and volunteers.

1882 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

1883 In addition to the protections provided above, you may request that identifying  
 1884 information on your voter registration records be withheld from all political parties, candidates  
 1885 for public office, and their contractors, employees, and volunteers, by submitting a  
 1886 withholding request form, and any required verification, as described in the following  
 1887 paragraphs.

1888 A person may request that identifying information on the person's voter registration  
 1889 records be withheld from all political parties, candidates for public office, and their  
 1890 contractors, employees, and volunteers, by submitting a withholding request form with this  
 1891 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely  
 1892 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating  
 1893 violence.

1894 A person may request that identifying information on the person's voter registration

1895 records be withheld from all political parties, candidates for public office, and their  
 1896 contractors, employees, and volunteers, by submitting a withholding request form and any  
 1897 required verification with this registration form, or to the lieutenant governor or a county clerk,  
 1898 if the person is, or resides with a person who is, a law enforcement officer, a member of the  
 1899 armed forces, a public figure, or protected by a protective order or a protection order.

1900 CITIZENSHIP AFFIDAVIT

1901 Name:

1902 Name at birth, if different:

1903 Place of birth:

1904 Date of birth:

1905 Date and place of naturalization (if applicable):

1906 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a  
 1907 citizen and that to the best of my knowledge and belief the information above is true and  
 1908 correct.

1909

1910 \_\_\_\_\_  
 Signature of Applicant

1911 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or  
 1912 allowing yourself to be registered to vote if you know you are not entitled to register to vote is  
 1913 up to one year in jail and a fine of up to \$2,500.";

1914 (b) the following statement shall appear after the statement described in Subsection (1)(a):

1915 "BALLOT NOTIFICATIONS

1916 Do you consent to receive communications about the status of your ballot and other official  
 1917 communications, by text, at the phone number you provided above? Yes No

1918 "; and

1919 (c) no later than November 5, 2025, after the statement described in Subsection (1)(b), the  
 1920 following:

1921 "Indicate below how you want to vote in upcoming elections:

1922 \_\_\_\_\_ Mail a ballot to me.

1923 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

1924 (2) The provisional ballot envelope shall include:

1925 (a) a unique number;

1926 (b) a detachable part that includes the unique number;

1927 (c) a telephone number, internet address, or other indicator of a means, in accordance

1928 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was

- 1929 counted;[-and]
- 1930 (d) an insert containing written instructions on how a voter may sign up to receive ballot
- 1931 status notifications via the ballot tracking system described in Section 20A-3a-401.5[-]
- 1932 ; and
- 1933 (e) on or with the form on the envelope, the statement described in Subsection
- 1934 20A-2-104(2)(d).
- 1935 Section 15. Section **63G-2-301** is amended to read:
- 1936 **63G-2-301 . Public records.**
- 1937 (1) As used in this section:
- 1938 (a) "Business address" means a single address of a governmental agency designated for
- 1939 the public to contact an employee or officer of the governmental agency.
- 1940 (b) "Business email address" means a single email address of a governmental agency
- 1941 designated for the public to contact an employee or officer of the governmental
- 1942 agency.
- 1943 (c) "Business telephone number" means a single telephone number of a governmental
- 1944 agency designated for the public to contact an employee or officer of the
- 1945 governmental agency.
- 1946 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 1947 (2) The following records are public except to the extent they contain information expressly
- 1948 permitted to be treated confidentially under the provisions of Subsections
- 1949 63G-2-201(3)(b) and (6)(a):
- 1950 (a) laws;
- 1951 (b) the name, gender, gross compensation, job title, job description, business address,
- 1952 business email address, business telephone number, number of hours worked per pay
- 1953 period, dates of employment, and relevant education, previous employment, and
- 1954 similar job qualifications of a current or former employee or officer of the
- 1955 governmental entity, excluding:
- 1956 (i) undercover law enforcement personnel; and
- 1957 (ii) investigative personnel if disclosure could reasonably be expected to impair the
- 1958 effectiveness of investigations or endanger any individual's safety;
- 1959 (c) final opinions, including concurring and dissenting opinions, and orders that are
- 1960 made by a governmental entity in an administrative, adjudicative, or judicial
- 1961 proceeding except that if the proceedings were properly closed to the public, the
- 1962 opinion and order may be withheld to the extent that they contain information that is

- 1963 private, controlled, or protected;
- 1964 (d) final interpretations of statutes or rules by a governmental entity unless classified as
- 1965 protected as provided in Subsection 63G-2-305(17) or (18);
- 1966 (e) information contained in or compiled from a transcript, minutes, or report of the open
- 1967 portions of a meeting of a governmental entity as provided by Title 52, Chapter 4,
- 1968 Open and Public Meetings Act, including the records of all votes of each member of
- 1969 the governmental entity;
- 1970 (f) judicial records unless a court orders the records to be restricted under the rules of
- 1971 civil or criminal procedure or unless the records are private under this chapter;
- 1972 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of
- 1973 records filed with or maintained by county recorders, clerks, treasurers, surveyors,
- 1974 zoning commissions, the Division of Forestry, Fire, and State Lands, the School and
- 1975 Institutional Trust Lands Administration, the Division of Oil, Gas, and Mining, the
- 1976 Division of Water Rights, or other governmental entities that give public notice of:
- 1977 (i) titles or encumbrances to real property;
- 1978 (ii) restrictions on the use of real property;
- 1979 (iii) the capacity of persons to take or convey title to real property; or
- 1980 (iv) tax status for real and personal property;
- 1981 (h) records of the Department of Commerce that evidence incorporations, mergers, name
- 1982 changes, and uniform commercial code filings;
- 1983 (i) data on individuals that would otherwise be private under this chapter if the
- 1984 individual who is the subject of the record has given the governmental entity written
- 1985 permission to make the records available to the public;
- 1986 (j) documentation of the compensation that a governmental entity pays to a contractor or
- 1987 private provider;
- 1988 (k) summary data;
- 1989 (l) voter registration records, including an individual's voting history, except for a voter
- 1990 registration record or those parts of a voter registration record that are classified as
- 1991 private under Subsections 63G-2-302(1)(j) through (n) or withheld under Subsection [
- 1992 20A-2-104(7)] 20A-2-104(8);
- 1993 (m) for an elected official, as defined in Section 11-47-102, a telephone number, if
- 1994 available, and email address, if available, where that elected official may be reached
- 1995 as required in Title 11, Chapter 47, Access to Elected Officials;
- 1996 (n) for a school community council member, a telephone number, if available, and email

- 1997 address, if available, where that elected official may be reached directly as required  
1998 in Section 53G-7-1203;
- 1999 (o) annual audited financial statements of the Utah Educational Savings Plan described  
2000 in Section 53H-10-210; and
- 2001 (p) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as  
2002 defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 2003 (3) The following records are normally public, but to the extent that a record is expressly  
2004 exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b),  
2005 Section 63G-2-302, 63G-2-304, or 63G-2-305:
- 2006 (a) administrative staff manuals, instructions to staff, and statements of policy;
- 2007 (b) records documenting a contractor's or private provider's compliance with the terms  
2008 of a contract with a governmental entity;
- 2009 (c) records documenting the services provided by a contractor or a private provider to  
2010 the extent the records would be public if prepared by the governmental entity;
- 2011 (d) contracts entered into by a governmental entity;
- 2012 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds  
2013 by a governmental entity;
- 2014 (f) records relating to government assistance or incentives publicly disclosed, contracted  
2015 for, or given by a governmental entity, encouraging a person to expand or relocate a  
2016 business in Utah, except as provided in Subsection 63G-2-305(35);
- 2017 (g) chronological logs and initial contact reports;
- 2018 (h) correspondence by and with a governmental entity in which the governmental entity  
2019 determines or states an opinion upon the rights of the state, a political subdivision,  
2020 the public, or any person;
- 2021 (i) empirical data contained in drafts if:
- 2022 (i) the empirical data is not reasonably available to the requester elsewhere in similar  
2023 form; and
- 2024 (ii) the governmental entity is given a reasonable opportunity to correct any errors or  
2025 make nonsubstantive changes before release;
- 2026 (j) drafts that are circulated to anyone other than:
- 2027 (i) a governmental entity;
- 2028 (ii) a political subdivision;
- 2029 (iii) a federal agency if the governmental entity and the federal agency are jointly  
2030 responsible for implementation of a program or project that has been legislatively

- 2031 approved;
- 2032 (iv) a government-managed corporation; or
- 2033 (v) a contractor or private provider;
- 2034 (k) drafts that have never been finalized but were relied upon by the governmental entity
- 2035 in carrying out action or policy;
- 2036 (l) original data in a computer program if the governmental entity chooses not to
- 2037 disclose the program;
- 2038 (m) arrest warrants after issuance, except that, for good cause, a court may order
- 2039 restricted access to arrest warrants prior to service;
- 2040 (n) search warrants after execution and filing of the return, except that a court, for good
- 2041 cause, may order restricted access to search warrants prior to trial;
- 2042 (o) records that would disclose information relating to formal charges or disciplinary
- 2043 actions against a past or present governmental entity employee if:
- 2044 (i) the disciplinary action has been completed and all time periods for administrative
- 2045 appeal have expired; and
- 2046 (ii) the charges on which the disciplinary action was based were sustained;
- 2047 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and
- 2048 Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that
- 2049 evidence mineral production on government lands;
- 2050 (q) final audit reports;
- 2051 (r) occupational and professional licenses;
- 2052 (s) business licenses;
- 2053 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar
- 2054 records used to initiate proceedings for discipline or sanctions against persons
- 2055 regulated by a governmental entity, but not including records that initiate employee
- 2056 discipline; and
- 2057 (u)(i) records that disclose a standard, regulation, policy, guideline, or rule regarding
- 2058 the operation of a correctional facility or the care and control of inmates
- 2059 committed to the custody of a correctional facility; and
- 2060 (ii) records that disclose the results of an audit or other inspection assessing a
- 2061 correctional facility's compliance with a standard, regulation, policy, guideline, or
- 2062 rule described in Subsection (3)(u)(i).
- 2063 (4) The list of public records in this section is not exhaustive and should not be used to limit
- 2064 access to records.

2065 Section 16. Section **63G-2-302** is amended to read:

2066 **63G-2-302 . Private records.**

2067 (1) The following records are private:

2068 (a) records concerning an individual's eligibility for unemployment insurance benefits,  
2069 social services, welfare benefits, or the determination of benefit levels;

2070 (b) records containing data on individuals describing medical history, diagnosis,  
2071 condition, treatment, evaluation, or similar medical data;

2072 (c) records of publicly funded libraries that when examined alone or with other records  
2073 identify a patron;

2074 (d) records received by or generated by or for:

2075 (i) the Independent Legislative Ethics Commission, except for:

2076 (A) the commission's summary data report that is required under legislative rule;  
2077 and

2078 (B) any other document that is classified as public under legislative rule; or

2079 (ii) a Senate or House Ethics Committee in relation to the review of ethics  
2080 complaints, unless the record is classified as public under legislative rule;

2081 (e) records received by, or generated by or for, the Independent Executive Branch Ethics  
2082 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,  
2083 Review of Executive Branch Ethics Complaints;

2084 (f) records received or generated for a Senate confirmation committee concerning  
2085 character, professional competence, or physical or mental health of an individual:

2086 (i) if, prior to the meeting, the chair of the committee determines release of the  
2087 records:

2088 (A) reasonably could be expected to interfere with the investigation undertaken by  
2089 the committee; or

2090 (B) would create a danger of depriving a person of a right to a fair proceeding or  
2091 impartial hearing; and

2092 (ii) after the meeting, if the meeting was closed to the public;

2093 (g) employment records concerning a current or former employee of, or applicant for  
2094 employment with, a governmental entity that would disclose that individual's home  
2095 address, home telephone number, social security number, insurance coverage, marital  
2096 status, or payroll deductions;

2097 (h) records or parts of records under Section 63G-2-303 that a current or former  
2098 employee identifies as private according to the requirements of that section;

- 2099 (i) that part of a record indicating a person's social security number or federal employer  
 2100 identification number if provided under Section 31A-23a-104, 31A-25-202,  
 2101 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 2102 (j) that part of a voter registration record[-] :
- 2103 (i) identifying a voter's:
- 2104 [(i)] (A) driver license or identification card number;
- 2105 [(ii)] (B) social security number, or last four digits of the social security number;
- 2106 [(iii)] (C) email address;
- 2107 [(iv)] (D) date of birth; or
- 2108 [(v)] (E) phone number;
- 2109 (ii) submitted by the voter as proof of United States citizenship;
- 2110 (iii) indicating whether the voter has provided proof of United States citizenship; or
- 2111 (iv) indicating whether the voter is restricted to voting a federal ballot;
- 2112 (k) a voter registration record:
- 2113 (i) [~~that~~] is classified as a private record by the lieutenant governor or a county clerk  
 2114 under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or [~~20A-2-204(4)(b)]~~  
 2115 20A-2-204(4)(c); or
- 2116 (l) a voter registration record:
- 2117 (i) that is withheld under Subsection [~~20A-2-104(7)]~~ 20A-2-104(8); or
- 2118 (ii) before January 1, 2027, a voter registration record of a voter who is limited to  
 2119 voting a federal ballot only;
- 2120 (m) a withholding request form described in Subsections [~~20A-2-104(7) and (8)]~~  
 2121 20A-2-104(8) and (9) and any verification submitted in support of the form;
- 2122 (n) a record or information regarding whether a voter returned a ballot with postage  
 2123 attached;
- 2124 (o) a record that:
- 2125 (i) contains information about an individual;
- 2126 (ii) is voluntarily provided by the individual; and
- 2127 (iii) goes into an electronic database that:
- 2128 (A) is designated by and administered under the authority of the [~~Chief~~  
 2129 ~~Information Officer~~] chief information officer; and
- 2130 (B) acts as a repository of information about the individual that can be  
 2131 electronically retrieved and used to facilitate the individual's online interaction  
 2132 with a state agency;

- 2133 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance  
2134 under:
- 2135 (i) Subsection 31A-23a-115(3)(a);  
2136 (ii) Subsection 31A-23a-302(4); or  
2137 (iii) Subsection 31A-26-210(4);
- 2138 (q) information obtained through a criminal background check under Title 11, Chapter  
2139 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 2140 (r) information provided by an offender that is:
- 2141 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and  
2142 Child Abuse Offender Registry; and
- 2143 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 2144 (s) a statement and any supporting documentation filed with the attorney general in  
2145 accordance with Section 34-45-107, if the federal law or action supporting the filing  
2146 involves homeland security;
- 2147 (t) electronic toll collection customer account information received or collected under  
2148 Section 72-6-118 and customer information described in Section 17B-2a-815  
2149 received or collected by a public transit district, including contact and payment  
2150 information and customer travel data;
- 2151 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 2152 (v) a completed military-overseas ballot that is electronically transmitted under Title  
2153 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 2154 (w) records received by or generated by or for the Political Subdivisions Ethics Review  
2155 Commission established in Section 63A-15-201, except for:
- 2156 (i) the commission's summary data report that is required in Section 63A-15-202; and  
2157 (ii) any other document that is classified as public in accordance with Title 63A,  
2158 Chapter 15, Political Subdivisions Ethics Review Commission;
- 2159 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an  
2160 incident or threat;
- 2161 (y) a criminal background check or credit history report conducted in accordance with  
2162 Section 63A-3-201;
- 2163 (z) a record described in Subsection 53-5a-104(7);
- 2164 (aa) on a record maintained by a county for the purpose of administering property taxes,  
2165 an individual's:
- 2166 (i) email address;

- 2167 (ii) phone number; or
- 2168 (iii) personal financial information related to a person's payment method;
- 2169 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 2170 exemption, deferral, abatement, or relief under:
- 2171 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 2172 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 2173 (cc) a record provided by the State Tax Commission in response to a request under
- 2174 Subsection 59-1-403(4)(y)(iii);
- 2175 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 2176 child welfare case, as described in Subsection 36-33-103(3);
- 2177 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 2178 63A-17-1004;
- 2179 (ff) a record relating to a request by a state elected official or state employee who has
- 2180 been threatened to the Division of Technology Services to remove personal
- 2181 identifying information from the open web under Section 63A-16-109;
- 2182 (gg) a record including confidential information as that term is defined in Section
- 2183 67-27-106; and
- 2184 (hh) a record or notice received or generated under Title 53, Chapter 30, Security
- 2185 Improvements Act, relating to:
- 2186 (i) an application for certification described in Section 53-30-201; or
- 2187 (ii) a security improvement, including a building permit application or building
- 2188 permit for a security improvement described in Section 53-30-301.
- 2189 (2) The following records are private if properly classified by a governmental entity:
- 2190 (a) records concerning a current or former employee of, or applicant for employment
- 2191 with a governmental entity, including performance evaluations and personal status
- 2192 information such as race, religion, or disabilities, but not including records that are
- 2193 public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under
- 2194 Subsection (1)(b);
- 2195 (b) records describing an individual's finances, except that the following are public:
- 2196 (i) records described in Subsection 63G-2-301(2);
- 2197 (ii) information provided to the governmental entity for the purpose of complying
- 2198 with a financial assurance requirement; or
- 2199 (iii) records that must be disclosed in accordance with another statute;
- 2200 (c) records of independent state agencies if the disclosure of those records would

- 2201 conflict with the fiduciary obligations of the agency;
- 2202 (d) other records containing data on individuals the disclosure of which constitutes a  
2203 clearly unwarranted invasion of personal privacy;
- 2204 (e) records provided by the United States or by a government entity outside the state that  
2205 are given with the requirement that the records be managed as private records, if the  
2206 providing entity states in writing that the record would not be subject to public  
2207 disclosure if retained by it;
- 2208 (f) any portion of a record in the custody of the Division of Aging and Adult Services,  
2209 created in Section 26B-6-102, that may disclose, or lead to the discovery of, the  
2210 identity of a person who made a report of alleged abuse, neglect, or exploitation of a  
2211 vulnerable adult; and
- 2212 (g) audio and video recordings created by a body-worn camera, as defined in Section  
2213 77-7a-103, that record sound or images inside a home or residence except for  
2214 recordings that:
- 2215 (i) depict the commission of an alleged crime;
- 2216 (ii) record any encounter between a law enforcement officer and a person that results  
2217 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 2218 (iii) record any encounter that is the subject of a complaint or a legal proceeding  
2219 against a law enforcement officer or law enforcement agency;
- 2220 (iv) contain an officer-involved critical incident as defined in Subsection  
2221 76-2-408(1)(f); or
- 2222 (v) have been requested for reclassification as a public record by a subject or  
2223 authorized agent of a subject featured in the recording.
- 2224 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,  
2225 statements, history, diagnosis, condition, treatment, and evaluation.
- 2226 (b) Medical records in the possession of the University of Utah Hospital, its clinics,  
2227 doctors, or affiliated entities are not private records or controlled records under  
2228 Section 63G-2-304 when the records are sought:
- 2229 (i) in connection with any legal or administrative proceeding in which the patient's  
2230 physical, mental, or emotional condition is an element of any claim or defense; or
- 2231 (ii) after a patient's death, in any legal or administrative proceeding in which any  
2232 party relies upon the condition as an element of the claim or defense.
- 2233 (c) Medical records are subject to production in a legal or administrative proceeding  
2234 according to state or federal statutes or rules of procedure and evidence as if the

2235 medical records were in the possession of a nongovernmental medical care provider.

2236 Section 17. **Effective Date.**

2237 This bill takes effect:

2238 (1) except as provided in Subsection (2), May 6, 2026; or

2239 (2) if approved by two-thirds of all members elected to each house:

2240 (a) upon approval by the governor;

2241 (b) without the governor's signature, the day following the constitutional time limit of  
2242 Utah Constitution, Article VII, Section 8; or

2243 (c) in the case of a veto, the date of veto override.