

Michael K. McKell proposes the following substitute bill:

**Election Modifications**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael K. McKell**

House Sponsor:

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to elections.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires the lieutenant governor to create a written conflict of interest avoidance plan;
- modifies provisions relating to filling an office vacancy;
- provides that if a vacancy in an elected office is filled by appointment, the appointee shall be a member of the same political party of which the prior officeholder was a member at the time the prior officeholder was last elected or appointed;
- establishes a process to fill a vacancy created by an officeholder who was not affiliated with a political party at the time the officeholder was last elected or appointed;
- provides a process for an election officer to independently determine whether a registered voter is a citizen of the United States;
- provides a process to challenge a determination of non-citizenship under 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, beginning on January 1, 2028, where:
  - 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

29 system;

30       ▶ establishes procedures for administration of the bifurcated ballot system;

31       ▶ modifies voter registration list requirements in relation to the bifurcated ballot system;

32       ▶ subject to certain exceptions, provides that, when poll workers verify a voter's identity in

33 relation to a ballot returned by mail, the poll workers are required to verify the signature

34 on the affidavit in addition to the last four digits of an identification number;

35       ▶ modifies and recodifies provisions relating to:

36           • the information in a voter registration record that is available to a person based on the

37 capacity in which the person requests the information; and

38           • the requirements to obtain additional privacy protection for a voter registration record;

39       ▶ provides that a voter's voter registration record that, before January 1, 2027, was

40 classified as private without requiring a reason for the classification will be reclassified

41 as a public voter registration record, unless the voter takes certain action to obtain

42 additional protection for the voter's voter registration record;

43       ▶ requires an election officer to notify a voter whose voter registration is subject to

44 reclassification as described in the preceding paragraph in order to give the voter an

45 opportunity to apply for additional protection for the voter's voter registration record;

46       ▶ requires the assignment of new voter identification numbers;

47       ▶ modifies the voter registration form to reflect the changes made in this bill and to give a

48 voter the option of opting into receiving electronic communications from a political

49 party with which the voter affiliates;

50       ▶ provides for release to a political party of information relating to the number of at-risk

51 voters in the state and in individual state House of Representatives districts;

52       ▶ establishes additional requirements to ensure the removal of deceased individuals from

53 voter registration records;

54       ▶ modifies penalties that may be imposed in relation to the unlawful disclosure of a voter

55 registration record;

56       ▶ places a cap on the fee that may be charged to obtain an electronic copy of the voter

57 registration list;

58       ▶ requires the lieutenant governor to conduct an audit of voter registration records to

59 determine whether the lieutenant governor or a county clerk has documentary proof of

60 United States citizenship for each record and to notify registered voters for whom the

61 lieutenant governor or a county clerk does not have documentary proof of United States

62 citizenship;

- 63           ▶ modifies the number of signatures that a qualified political party candidate for a county  
64 office is required to collect to qualify for placement on the primary election ballot;
- 65           ▶ requires an incumbent county clerk who is running for reelection to contract with another  
66 county clerk to provide certain services in relation to verifying candidate signatures for  
67 the race;
- 68           ▶ modifies a provision relating to the frequency of an elections audit performed by the  
69 Office of the Legislative Auditor General;
- 70           ▶ permits the use of campaign funds for certain goods or services relating to security; and  
71           ▶ makes technical and conforming changes.

72 **Money Appropriated in this Bill:**

73 None

74 **Other Special Clauses:**

75 This bill provides a special effective date.

76 **Utah Code Sections Affected:**

77 AMENDS:

78 **17-69-202 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,  
79 First Special Session, Chapter 13

80 **17-70-403 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,  
81 First Special Session, Chapter 13

82 **20A-1-102 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special  
83 Session, Chapter 6

84 **20A-1-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

85 **20A-1-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

86 **20A-1-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 90

87 **20A-1-508 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
88 Session, Chapter 16

89 **20A-1-509.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second  
90 Special Session, Chapter 2

91 **20A-1-509.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
92 Session, Chapter 16

93 **20A-1-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

94 **20A-2-101.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 448

95 **20A-2-104 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,  
96 448

97           **20A-2-108 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381  
98           **20A-2-204 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,  
99           448  
100          **20A-2-206 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 381  
101          **20A-2-304 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 448  
102          **20A-2-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,  
103          448  
104          **20A-2-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448  
105          **20A-2-505 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,  
106          448  
107          **20A-3a-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,  
108          448  
109          **20A-3a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special  
110          Session, Chapter 6  
111          **20A-5-410 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 188,  
112          448  
113          **20A-6-105 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 381,  
114          448  
115          **20A-9-408 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Second Special  
116          Session, Chapter 2  
117          **20A-11-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 447  
118          **20A-11-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,  
119          448  
120          **20A-11-1303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,  
121          448  
122          **20A-11-1604 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,  
123          448  
124          **36-12-15.2 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 156  
125          **63G-2-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 188  
126          **63G-2-301 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special  
127          Session, Chapter 9  
128          **63G-2-302 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 172  
129          **63G-2-303 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 208

130       ENACTS:

131 **20A-1-109 (Effective 05/06/26)**, Utah Code Annotated 1953  
 132 **20A-2-508 (Effective 05/06/26)**, Utah Code Annotated 1953  
 133 **20A-2-601 (Effective 05/06/26)**, Utah Code Annotated 1953  
 134 **20A-2-602 (Effective 05/06/26)**, Utah Code Annotated 1953  
 135 **20A-2-603 (Effective 01/01/27)**, Utah Code Annotated 1953  
 136 **20A-2-603.5 (Effective 01/01/27)**, Utah Code Annotated 1953  
 137 **20A-2-604 (Effective 01/01/27)**, Utah Code Annotated 1953  
 138 **20A-2-605 (Effective 01/01/27)**, Utah Code Annotated 1953  
 139 **20A-2-606 (Effective 01/01/27)**, Utah Code Annotated 1953  
 140 **20A-2-607 (Effective 01/01/27)**, Utah Code Annotated 1953  
 141 **20A-3a-201.5 (Effective 05/06/26)**, Utah Code Annotated 1953  
 142 **20A-9-408.4 (Effective 05/06/26)**, Utah Code Annotated 1953

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

145 Section 1. Section **17-69-202** is amended to read:

146 **17-69-202 (Effective 05/06/26). Qualifications for a county auditor in a county of**  
 147 **the first class.**

148 (1) In a county of the first class, in addition to the requirements described in Section  
 149 17-66-201, an individual filing a declaration of candidacy for the office of county  
 150 auditor, an individual elected to the office of county auditor, or an interim replacement  
 151 appointed under Subsection 20A-1-508(3) or (4), shall have one or more of the  
 152 following professional certifications active and in good standing:

- 153 (a) certified public accountant;
- 154 (b) certified internal auditor;
- 155 (c) certified fraud examiner;
- 156 (d) certified management accountant; or
- 157 (e) certified information systems auditor.

158 (2) Subsection (1) does not apply to any other position within an auditor's office, except  
 159 that a chief deputy or other individual filling the vacancy of an elected auditor in a  
 160 county of the first class may not be appointed as an interim replacement under  
 161 Subsection 20A-1-508(3) or (4) unless the individual meets the qualifications of  
 162 Subsection (1) and Section 17-66-201.

163 Section 2. Section **17-70-403** is amended to read:

164 **17-70-403 (Effective 05/06/26). Campaign financial disclosure in county elections.**

- 165 (1) A county shall adopt an ordinance establishing campaign finance disclosure  
166 requirements for:
- 167 (a) candidates for county office; and  
168 (b) candidates for local school board office who reside in that county.
- 169 (2) The ordinance required by Subsection (1) shall include:
- 170 (a) a requirement that each candidate for county office or local school board office  
171 report the candidate's itemized and total campaign contributions and expenditures at  
172 least once within the two weeks before the election and at least once within two  
173 months after the election;
- 174 (b) a definition of "contribution" and "expenditure" that requires reporting of  
175 nonmonetary contributions such as in-kind contributions and contributions of  
176 tangible things;
- 177 (c) a requirement that the financial reports identify:
- 178 (i) for each contribution, the name of the donor of the contribution, if known, and the  
179 amount of the contribution; and  
180 (ii) for each expenditure, the name of the recipient and the amount of the expenditure;
- 181 (d) a requirement that a candidate for county office or local school board office deposit a  
182 contribution in a separate campaign account into a financial institution;
- 183 (e) a prohibition against a candidate for county office or local school board office  
184 depositing or mingling any contributions received into a personal or business account;
- 185 (f) a requirement that a candidate for county office who receives a contribution that is  
186 cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is  
187 unknown, shall, within 30 days after receiving the contribution, disburse the amount  
188 of the contribution to:
- 189 (i) the treasurer of the state or a political subdivision for deposit into the state's or  
190 political subdivision's general fund; or  
191 (ii) an organization that is exempt from federal income taxation under Section  
192 501(c)(3), Internal Revenue Code;
- 193 (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a  
194 county office or local school board office file the financial report described in  
195 Subsection (2)(c) with the county clerk:
- 196 (i) for a county office vacancy described in Subsection 20A-1-508(3)~~[-or (7)]~~, (4), or  
197 (9), no later than three business days before the day on which the political party of  
198 the prior officeholder submits the candidate's name to the county legislative body

- 199 as the individual the political party selects to fill the vacancy;
- 200 (ii) for a county or district attorney office vacancy described in Subsection
- 201 20A-1-509.1(5)(a), no later than three business days before the day on which the
- 202 political party of the prior officeholder submits the candidate's name to the county
- 203 legislative body as one of the three individuals the party nominates to fill the
- 204 vacancy;
- 205 (iii) for a county or district attorney office vacancy described in Section 20A-1-509.2:
- 206 (A) no later than the deadline for the candidate to submit an application to fill the
- 207 vacancy under Subsection 20A-1-509.2(2)(c); and
- 208 (B) if, under Subsection 20A-1-509.2(3), more than three attorneys submit an
- 209 application to fill the vacancy, no later than three business days before the day
- 210 on which the political party of the prior officeholder submits the candidate's
- 211 name to the county legislative body as one of the three individuals the party
- 212 nominates to fill the vacancy; or
- 213 (iv) for a local school board office vacancy, no later than three business days before
- 214 the day on which the local school board meets to interview each candidate
- 215 interested in filling the vacancy in accordance with Section 20A-1-511; and
- 216 (h) a requirement that, upon receipt of the financial report described in Subsection (2)(g),
- 217 the county clerk immediately submit a copy of the report to the county legislative
- 218 body.
- 219 (3)(a) As used in this Subsection (3), "account" means an account in a financial
- 220 institution:
- 221 (i) that is not described in Subsection (2)(d); and
- 222 (ii) into which or from which a person who, as a candidate for an office, other than a
- 223 county office for which the person files a declaration of candidacy or federal
- 224 office, or as a holder of an office, other than a county office for which the person
- 225 files a declaration of candidacy or federal office, deposits a contribution or makes
- 226 an expenditure.
- 227 (b) The ordinance required by Subsection (1) shall include a requirement that a
- 228 candidate for county office or local school board office include on a financial report
- 229 filed in accordance with the ordinance a contribution deposited in or an expenditure
- 230 made from an account:
- 231 (i) since the last financial report was filed; or
- 232 (ii) that has not been reported under a statute or ordinance that governs the account.

- 233 (4) If any county fails to adopt a campaign finance disclosure ordinance described in  
234 Subsection (1), candidates for county office, other than community council office, and  
235 candidates for local school board office shall comply with the financial reporting  
236 requirements contained in Subsections (5) through (10).
- 237 (5) A candidate for elective office in a county or local school board office:  
238 (a) shall deposit a contribution into a separate campaign account in a financial  
239 institution; and  
240 (b) may not deposit or mingle any contributions received into a personal or business  
241 account.
- 242 (6) Each candidate for elective office in any county who is not required to submit a  
243 campaign financial statement to the lieutenant governor, and each candidate for local  
244 school board office, shall file a signed campaign financial statement with the county  
245 clerk:  
246 (a) seven days before the date of the regular general election, reporting each contribution  
247 and each expenditure as of 10 days before the date of the regular general election; and  
248 (b) no later than 30 days after the date of the regular general election.
- 249 (7)(a) The statement filed seven days before the regular general election shall include:  
250 (i) a list of each contribution received by the candidate, and the name of the donor, if  
251 known; and  
252 (ii) a list of each expenditure for political purposes made during the campaign period,  
253 and the recipient of each expenditure.
- 254 (b) The statement filed 30 days after the regular general election shall include:  
255 (i) a list of each contribution received after the cutoff date for the statement filed  
256 seven days before the election, and the name of the donor; and  
257 (ii) a list of all expenditures for political purposes made by the candidate after the  
258 cutoff date for the statement filed seven days before the election, and the recipient  
259 of each expenditure.
- 260 (8)(a) As used in this Subsection (8), "account" means an account in a financial  
261 institution:  
262 (i) that is not described in Subsection (5)(a); and  
263 (ii) into which or from which a person who, as a candidate for an office, other than a  
264 county office for which the person filed a declaration of candidacy or federal  
265 office, or as a holder of an office, other than a county office for which the person  
266 filed a declaration of candidacy or federal office, deposits a contribution or makes

- 267 an expenditure.
- 268 (b) A county office candidate and a local school board office candidate shall include on  
269 any campaign financial statement filed in accordance with Subsection (6) or (7):
- 270 (i) a contribution deposited into an account:
- 271 (A) since the last campaign finance statement was filed; or
- 272 (B) that has not been reported under a statute or ordinance that governs the  
273 account; or
- 274 (ii) an expenditure made from an account:
- 275 (A) since the last campaign finance statement was filed; or
- 276 (B) that has not been reported under a statute or ordinance that governs the  
277 account.
- 278 (9) Within 30 days after receiving a contribution that is cash or a negotiable instrument,  
279 exceeds \$50, and is from a donor whose name is unknown, a county office candidate  
280 shall disburse the amount of the contribution to:
- 281 (a) the treasurer of the state or a political subdivision for deposit into the state's or  
282 political subdivision's general fund; or
- 283 (b) an organization that is exempt from federal income taxation under Section 501(c)(3),  
284 Internal Revenue Code.
- 285 (10) Candidates for elective office in any county, and candidates for local school board  
286 office, who are eliminated at a primary election shall file a signed campaign financial  
287 statement containing the information required by this section not later than 30 days after  
288 the primary election.
- 289 (11)(a) A candidate seeking appointment to fill a midterm vacancy in a county office or  
290 local school board office shall:
- 291 (i) comply with Subsections (5) and (9); and
- 292 (ii) file a signed campaign financial statement with the county clerk no later than the  
293 deadline described in Subsection (2)(g).
- 294 (b) Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii),  
295 the county clerk shall immediately submit a copy of the statement to the county  
296 legislative body.
- 297 (12) Any individual who fails to comply with this section is guilty of an infraction.
- 298 (13)(a) Counties may, by ordinance, enact requirements that:
- 299 (i) require greater disclosure of campaign contributions and expenditures; and  
300 (ii) impose additional penalties.

301 (b) The requirements described in Subsection (13)(a) apply to a local school board office  
302 candidate who resides in that county.

303 (14) If a candidate fails to file an interim report due before the election, the county clerk:

304 (a) may send an electronic notice to the candidate and the political party of which the  
305 candidate is a member, if any, that states:

306 (i) that the candidate failed to timely file the report; and

307 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for  
308 filing the report, the candidate will be disqualified and the political party will not  
309 be permitted to replace the candidate; and

310 (b) impose a fine of \$100 on the candidate.

311 (15)(a) The county clerk shall disqualify a candidate and inform the appropriate election  
312 officials that the candidate is disqualified if the candidate fails to file an interim  
313 report described in Subsection (14) within 24 hours after the deadline for filing the  
314 report.

315 (b) The political party of a candidate who is disqualified under Subsection (15)(a) may  
316 not replace the candidate.

317 (c) A candidate who is disqualified under Subsection (15)(a) shall file with the county  
318 clerk a complete and accurate campaign finance statement within 30 days after the  
319 day on which the candidate is disqualified.

320 (16) If a candidate is disqualified under Subsection (15)(a), the election official:

321 (a) shall:

322 (i) notify every opposing candidate for the county office that the candidate is  
323 disqualified;

324 (ii) send an email notification to each voter who is eligible to vote in the county  
325 election office race for whom the election official has an email address informing  
326 the voter that the candidate is disqualified and that votes cast for the candidate will  
327 not be counted;

328 (iii) post notice of the disqualification on the county's website; and

329 (iv) if practicable, remove the candidate's name from the ballot by blacking out the  
330 candidate's name before the ballots are delivered to voters; and

331 (b) may not count any votes for that candidate.

332 (17) An election official may fulfill the requirement described in Subsection (16)(a) in  
333 relation to a mailed ballot, including a military or overseas ballot, by including with the  
334 ballot a written notice directing the voter to the county's website to inform the voter

- 335 whether a candidate on the ballot is disqualified.
- 336 (18) A candidate is not disqualified if:
- 337 (a) the candidate files the interim reports described in Subsection (14) no later than 24
- 338 hours after the applicable deadlines for filing the reports;
- 339 (b) the reports are completed, detailing accurately and completely the information
- 340 required by this section except for inadvertent omissions or insignificant errors or
- 341 inaccuracies; and
- 342 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the
- 343 next scheduled report.
- 344 (19)(a) A report is considered timely filed if:
- 345 (i) the report is received in the county clerk's office no later than midnight, Mountain
- 346 Time, at the end of the day on which the report is due;
- 347 (ii) the report is received in the county clerk's office with a United States Postal
- 348 Service postmark three days or more before the date that the report was due; or
- 349 (iii) the candidate has proof that the report was mailed, with appropriate postage and
- 350 addressing, three days before the report was due.
- 351 (b) For a county clerk's office that is not open until midnight at the end of the day on
- 352 which a report is due, the county clerk shall permit a candidate to file the report via
- 353 email or another electronic means designated by the county clerk.
- 354 (20)(a) Any private party in interest may bring an action in a court with jurisdiction
- 355 under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of
- 356 this section or any ordinance adopted under this section.
- 357 (b) In a civil action filed under Subsection (20)(a), the court shall award costs and
- 358 attorney fees to the prevailing party.
- 359 (21) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access
- 360 and Management Act, the county clerk shall:
- 361 (a) make each campaign finance statement filed by a candidate available for public
- 362 inspection and copying no later than one business day after the statement is filed; and
- 363 (b) make the campaign finance statement filed by a candidate available for public
- 364 inspection by:
- 365 (i) posting an electronic copy or the contents of the statement on the county's website
- 366 no later than seven business days after the day on which the statement is filed; and
- 367 (ii) in order to meet the requirements of Subsection 20A-11-103(4)(b)(ii), providing
- 368 the lieutenant governor with a link to the electronic posting described in

369 Subsection (21)(b)(i) no later than two business days after the day the statement is  
370 filed.

371 Section 3. Section **20A-1-102** is amended to read:

372 **20A-1-102 (Effective 01/01/27). Definitions.**

373 As used in this title:

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

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

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

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

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

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

384 (b) a constitutional amendment;

385 (c) an initiative;

386 (d) a referendum;

387 (e) a bond proposition;

388 (f) a judicial retention question;

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

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

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

394 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and  
395 20A-4-306 to canvass election returns.

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

398 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not  
399 a holiday.

400 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by  
401 the sender.

402 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday,

- 403 a business day, or any other type of day.
- 404 (11) "Canvass" means the review of election returns and the official declaration of election  
405 results by the board of canvassers.
- 406 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the  
407 canvass.
- 408 (13) "Contracting election officer" means an election officer who enters into a contract or  
409 interlocal agreement with a provider election officer.
- 410 (14) "Convention" means the political party convention at which party officers and  
411 delegates are selected.
- 412 (15) "Counting center" means one or more locations selected by the election officer in  
413 charge of the election for the automatic counting of ballots.
- 414 (16) "Counting judge" means a poll worker designated to count the ballots during election  
415 day.
- 416 (17) "Counting room" means a suitable and convenient private place or room for use by the  
417 poll workers and counting judges to count ballots.
- 418 (18) "County officers" means those county officers that are required by law to be elected.
- 419 (19) "Date of the election" or "election day" or "day of the election":
- 420 (a) means the day that is specified in the calendar year as the day on which the election  
421 occurs; and
- 422 (b) does not include:
- 423 (i) deadlines established for voting by mail, military-overseas voting, or emergency  
424 voting; or
- 425 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,  
426 Early Voting.
- 427 (20) "Documentary proof of United States citizenship" means:
- 428 (a) a Utah driver license number that verifies United States citizenship;
- 429 (b) a Utah state identification card number that verifies United States citizenship;
- 430 (c) a legible copy of an individual's birth certificate that verifies United States  
431 citizenship;
- 432 (d) a legible copy of the pages of an individual's United States passport that identify the  
433 individual and the individual's passport number;
- 434 (e) an alien registration number that verifies United States citizenship;
- 435 (f) a legible copy of the voter's United States naturalization documents;
- 436 (g) a Bureau of Indian Affairs card number, tribal treaty card number, or tribal

- 437 enrollment number;  
438 (h) a legible copy of a certificate of degree of Indian blood or a Bureau of Indian Affairs  
439 affidavit of birth;  
440 (i) verification of citizenship from the Systematic Alien Verification for Entitlements  
441 program, operated by the United States Department of Homeland Security; or  
442 (j) other documents or methods of proving United States citizenship that are established  
443 in accordance with the Immigration Reform and Control Act of 1986.

444 [~~20~~] (21) "Elected official" means:

- 445 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,  
446 Municipal Alternate Voting Methods Pilot Project;  
447 (b) a person who is considered to be elected to a municipal office in accordance with  
448 Subsection 20A-1-206(1)(c)(ii); or  
449 (c) a person who is considered to be elected to a special district office in accordance  
450 with Subsection 20A-1-206(3)(b)(ii).

451 [~~21~~] (22) "Election" means a regular general election, a municipal general election, a  
452 statewide special election, a local special election, a regular primary election, a  
453 municipal primary election, and a special district election.

454 [~~22~~] (23) "Election Assistance Commission" means the commission established by the  
455 Help America Vote Act of 2002, Pub. L. No. 107-252.

456 [~~23~~] (24) "Election cycle" means the period beginning on the first day on which  
457 individuals are eligible to file declarations of candidacy and ending when the canvass is  
458 completed.

459 [~~24~~] (25) "Election judge" means a poll worker that is assigned to:

- 460 (a) preside over other poll workers at a polling place;  
461 (b) act as the presiding election judge; or  
462 (c) serve as a canvassing judge, counting judge, or receiving judge.

463 [~~25~~] (26) "Election material" includes:

- 464 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);  
465 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);  
466 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);  
467 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:  
468 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and  
469 (ii) the batch log described in Subsection 20A-3a-401.1(5);  
470 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);

- 471 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 472 (g) the physical and electronic log of replicated ballots described in Subsection
- 473 20A-4-104(3);
- 474 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 475 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 476 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 477 (k) scanned copies of return envelopes;
- 478 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 479 (m) the materials used in the programming of the automatic tabulating equipment.

480 [~~(26)~~] (27) "Election officer" means:

- 481 (a) the lieutenant governor, for all statewide ballots and elections;
- 482 (b) the county clerk for:
  - 483 (i) a county ballot and election; and
  - 484 (ii) a ballot and election as a provider election officer as provided in Section
  - 485 20A-5-400.1 or 20A-5-400.5;
- 486 (c) the municipal clerk for:
  - 487 (i) a municipal ballot and election; and
  - 488 (ii) a ballot and election as a provider election officer as provided in Section
  - 489 20A-5-400.1 or 20A-5-400.5;
- 490 (d) the special district clerk or chief executive officer for:
  - 491 (i) a special district ballot and election; and
  - 492 (ii) a ballot and election as a provider election officer as provided in Section
  - 493 20A-5-400.1 or 20A-5-400.5; or
- 494 (e) the business administrator or superintendent of a school district for:
  - 495 (i) a school district ballot and election; and
  - 496 (ii) a ballot and election as a provider election officer as provided in Section
  - 497 20A-5-400.1 or 20A-5-400.5.

498 [~~(27)~~] (28) "Election official" means any election officer, election judge, or poll worker.

499 [~~(28)~~] (29) "Election results" means:

- 500 (a) for an election other than a bond election, the count of votes cast in the election and
- 501 the election returns requested by the board of canvassers; or
- 502 (b) for bond elections, the count of those votes cast for and against the bond proposition
- 503 plus any or all of the election returns that the board of canvassers may request.

504 [~~(29)~~] (30) "Election results database" means the following information generated by voting

505 equipment:

506 (a) one or more electronic files that contains a digital interpretation of each ballot that is  
507 counted in an election;

508 (b) a ballot image; and

509 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.

510 [~~(30)~~] (31) "Election returns" means:

511 (a) the pollbook;

512 (b) the military and overseas absentee voter registration and voting certificates;

513 (c) one of the tally sheets;

514 (d) any unprocessed ballots;

515 (e) all counted ballots;

516 (f) all excess ballots;

517 (g) all unused ballots;

518 (h) all spoiled ballots;

519 (i) all ballot disposition forms, including any provisional ballot disposition forms;

520 (j) the final election results database described in Section 20A-5-802.5;

521 (k) all return envelopes;

522 (l) any provisional ballot envelopes; and

523 (m) the total votes cast form.

524 [~~(31)~~] (32) "Electronic signature" means an electronic sound, symbol, or process attached to  
525 or logically associated with a record and executed or adopted by a person with the intent  
526 to sign the record.

527 (33) "Federal ballot" means a ballot that includes only the federal races that are to be  
528 presented for a vote in a particular election.

529 [~~(32)~~] (34) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).

530 [~~(33)~~] (35) "Inactive voter" means a registered voter who is listed as inactive by a county  
531 clerk under Subsection 20A-2-505(4)(c)(i) or (ii).

532 [~~(34)~~] (36) "Judicial office" means the office filled by any judicial officer.

533 [~~(35)~~] (37) "Judicial officer" means any justice or judge of a court of record or any county  
534 court judge.

535 [~~(36)~~] (38) "Local election" means a regular county election, a regular municipal election, a  
536 municipal primary election, a local special election, a special district election, and a  
537 bond election.

538 [~~(37)~~] (39) "Local political subdivision" means a county, a municipality, a special district, or

539 a local school district.

540 [(38)] (40) "Local special election" means a special election called by the governing body of  
541 a local political subdivision in which all registered voters of the local political  
542 subdivision may vote.

543 [(39)] (41) "Manual ballot" means a paper document produced by an election officer on  
544 which an individual records an individual's vote by directly placing a mark on the paper  
545 document using a pen or other marking instrument.

546 [(40)] (42) "Mechanical ballot" means a record, including a paper record, electronic record,  
547 or mechanical record, that:

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

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

552 [(41)] (43) "Municipal executive" means:

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

554 (b) the mayor in the council-manager form of government defined in Subsection  
555 10-3b-103(6).

556 [(42)] (44) "Municipal general election" means the election held in municipalities and, as  
557 applicable, special districts on the first Tuesday after the first Monday in November of  
558 each odd-numbered year for the purposes established in Section 20A-1-202.

559 [(43)] (45) "Municipal legislative body" means the council of the city or town in any form  
560 of municipal government.

561 [(44)] (46) "Municipal office" means an elective office in a municipality.

562 [(45)] (47) "Municipal officers" means those municipal officers that are required by law to  
563 be elected.

564 [(46)] (48) "Municipal primary election" means an election held to nominate candidates for  
565 municipal office.

566 [(47)] (49) "Municipality" means a city or town.

567 [(48)] (50) "Official ballot" means the ballots distributed by the election officer for voters to  
568 record their votes.

569 [(49)] (51) "Official endorsement" means the information on the ballot that identifies:

570 (a) the ballot as an official ballot;

571 (b) the date of the election; and

572 (c)(i) for a ballot prepared by an election officer other than a county clerk, the

573 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or  
574 (ii) for a ballot prepared by a county clerk, the words required by Subsection  
575 20A-6-301(1)(b)(iii).

576 ~~[(50)]~~ (52) "Official register" means the official record furnished to election officials by the  
577 election officer that contains the information required by Section 20A-5-401.

578 ~~[(51)]~~ (53) "Political party" means an organization of registered voters that has qualified to  
579 participate in an election by meeting the requirements of Chapter 8, Political Party  
580 Formation and Procedures.

581 ~~[(52)]~~ (54)(a) "Poll worker" means a person assigned by an election official to assist with  
582 an election, voting, or counting votes.  
583 (b) "Poll worker" includes election judges.  
584 (c) "Poll worker" does not include a watcher.

585 ~~[(53)]~~ (55) "Pollbook" means a record of the names of voters in the order that the voters  
586 appear to cast votes.

587 ~~[(54)]~~ (56) "Polling place" means a building where voting is conducted.

588 ~~[(55)]~~ (57) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
589 in which the voter marks the voter's choice.

590 ~~[(56)]~~ (58) "Presidential Primary Election" means the election established in Chapter 9, Part  
591 8, Presidential Primary Election.

592 ~~[(57)]~~ (59) "Primary convention" means the political party conventions held during the year  
593 of the regular general election.

594 ~~[(58)]~~ (60) "Protective counter" means a separate counter, which cannot be reset, that:  
595 (a) is built into a voting machine; and  
596 (b) records the total number of movements of the operating lever.

597 ~~[(59)]~~ (61) "Provider election officer" means an election officer who enters into a contract or  
598 interlocal agreement with a contracting election officer to conduct an election for the  
599 contracting election officer's local political subdivision in accordance with Section  
600 20A-5-400.1.

601 ~~[(60)]~~ (62) "Provisional ballot" means a ballot voted provisionally by a person:  
602 (a) whose name is not listed on the official register at the polling place;  
603 (b) whose legal right to vote is challenged as provided in this title; or  
604 (c) whose identity was not sufficiently established by a poll worker.

605 ~~[(61)]~~ (63) "Provisional ballot envelope" means an envelope printed in the form required by  
606 Section 20A-6-105 that is used to identify provisional ballots and to provide information

607 to verify a person's legal right to vote.

608 ~~[(62)]~~ (64)(a) "Public figure" means an individual who, due to the individual being  
609 considered for, holding, or having held a position of prominence in a public or  
610 private capacity, or due to the individual's celebrity status, has an increased risk to the  
611 individual's safety.

612 ~~[(b) "Public figure" does not include an individual:]~~

613 ~~[(i) elected to public office; or]~~

614 ~~[(ii) appointed to fill a vacancy in an elected public office.]~~

615 (b) "Public figure" includes an individual who is elected to public office, appointed to  
616 fill a vacancy in an elected public office, or employed by a government entity if, in  
617 relation to the individual's service in public office or employment as an employee of  
618 a government entity, the individual has received a threat of harm to a person or  
619 property.

620 ~~[(63)]~~ (65) "Qualify" or "qualified" means to take the oath of office and begin performing  
621 the duties of the position for which the individual was elected.

622 ~~[(64)]~~ (66) "Receiving judge" means the poll worker that checks the voter's name in the  
623 official register at a polling place and provides the voter with a ballot.

624 ~~[(65)]~~ (67) "Registration form" means a form by which an individual may register to vote  
625 under this title.

626 ~~[(66)]~~ (68) "Regular ballot" means a ballot that is not a provisional ballot.

627 ~~[(67)]~~ (69) "Regular general election" means the election held throughout the state on the  
628 first Tuesday after the first Monday in November of each even-numbered year for the  
629 purposes established in Section 20A-1-201.

630 ~~[(68)]~~ (70) "Regular primary election" means the election, held on the date specified in  
631 Section 20A-1-201.5, to nominate candidates of political parties and candidates for  
632 nonpartisan local school board positions to advance to the regular general election.

633 ~~[(69)]~~ (71) "Resident" means a person who resides within a specific voting precinct in Utah.

634 ~~[(70)]~~ (72) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),  
635 provided to a voter with a manual ballot:

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

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

639 ~~[(71)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot,  
640 published as provided in Section 20A-5-405.

- 641 ~~[(72)]~~ (74) "Special district" means a local government entity under Title 17B, Limited  
642 Purpose Local Government Entities - Special Districts, and includes a special service  
643 district under Title 17D, Chapter 1, Special Service District Act.
- 644 ~~[(73)]~~ (75) "Special district officers" means those special district board members who are  
645 required by law to be elected.
- 646 ~~[(74)]~~ (76) "Special election" means an election held as authorized by Section 20A-1-203.
- 647 ~~[(75)]~~ (77) "Spoiled ballot" means each ballot that:
- 648 (a) is spoiled by the voter;
- 649 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 650 (c) lacks the official endorsement.
- 651 (78) "Standard ballot" means a ballot that includes all races and ballot propositions that are  
652 to be presented for a vote in a particular election.
- 653 ~~[(76)]~~ (79) "Statewide special election" means a special election called by the governor or  
654 the Legislature in which all registered voters in Utah may vote.
- 655 ~~[(77)]~~ (80) "Tabulation system" means a device or system designed for the sole purpose of  
656 tabulating votes cast by voters at an election.
- 657 ~~[(78)]~~ (81) "Ticket" means a list of:
- 658 (a) political parties;
- 659 (b) candidates for an office; or
- 660 (c) ballot propositions.
- 661 ~~[(79)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the  
662 counting center.
- 663 ~~[(80)]~~ (83) "Vacancy" means:
- 664 (a) except as provided in Subsection ~~[(80)(b)]~~ (83)(b), the absence of an individual to  
665 serve in a position created by state constitution or state statute, whether that absence  
666 occurs because of death, disability, disqualification, resignation, or other cause; or
- 667 (b) in relation to a candidate for a position created by state constitution or state statute,  
668 the removal of a candidate due to the candidate's death, resignation, or  
669 disqualification.
- 670 ~~[(81)]~~ (84) "Valid voter identification" means:
- 671 (a) a form of identification that bears the name and photograph of the voter which may  
672 include:
- 673 (i) a currently valid Utah driver license;
- 674 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,

- 675 Identification Card Act;
- 676 (iii) a currently valid identification card that is issued by:
- 677 (A) the state; or
- 678 (B) a branch, department, or agency of the United States;
- 679 (iv) a currently valid Utah permit to carry a concealed weapon;
- 680 (v) a currently valid United States passport; or
- 681 (vi) a currently valid United States military identification card;
- 682 (b) one of the following identification cards, regardless of whether the card includes a
- 683 photograph of the voter:
- 684 (i) a valid tribal identification card;
- 685 (ii) a Bureau of Indian Affairs card; or
- 686 (iii) a tribal treaty card; or
- 687 (c) two forms of identification not listed under Subsection [~~(81)(a) or (b)~~] (84)(a) or (b)
- 688 but that bear the name of the voter and provide evidence that the voter resides in the
- 689 voting precinct, which may include:
- 690 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more
- 691 than 90 calendar days before the date of the election;
- 692 (ii) before January 1, 2029, an original or copy of a bank or other financial account
- 693 statement, dated no more than 90 calendar days before the date of the election;
- 694 (iii) a certified birth certificate;
- 695 (iv) a valid social security card;
- 696 (v) an original or copy of a check issued by the state or the federal government, dated
- 697 no more than 90 calendar days before the date of the election;
- 698 (vi) an original or copy of a paycheck from the voter's employer, dated no more than
- 699 90 calendar days before the date of the election;
- 700 (vii) a currently valid Utah hunting or fishing license;
- 701 (viii) certified naturalization documentation;
- 702 (ix) a currently valid license issued by an authorized agency of the United States;
- 703 (x) a certified copy of court records showing the voter's adoption or name change;
- 704 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- 705 (xii) a currently valid identification card issued by:
- 706 (A) a local government within the state;
- 707 (B) an employer for an employee; or
- 708 (C) a college, university, technical school, or professional school located within

- 709 the state; or
- 710 (xiii) a current Utah vehicle registration.
- 711 [~~(82)~~] (85) "Valid write-in candidate" means a candidate who has qualified as a write-in
- 712 candidate by following the procedures and requirements of this title.
- 713 [~~(83)~~] (86) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter,
- 714 by:
- 715 (a) mailing the ballot to the location designated in the mailing; or
- 716 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 717 [~~(84)~~] (87) "Voter" means an individual who:
- 718 (a) meets the requirements for voting in an election;
- 719 (b) meets the requirements of election registration;
- 720 (c) is registered to vote; and
- 721 (d) is listed in the official register.
- 722 [~~(85)~~] (88) "Voter registration deadline" means the registration deadline provided in Section
- 723 20A-2-102.5.
- 724 [~~(86)~~] (89) "Voting area" means the area within six feet of the voting booths, voting
- 725 machines, and ballot box.
- 726 [~~(87)~~] (90) "Voting booth" means:
- 727 (a) the space or compartment within a polling place that is provided for the preparation
- 728 of ballots, including the voting enclosure or curtain; or
- 729 (b) a voting device that is free standing.
- 730 [~~(88)~~] (91) "Voting device" means any device provided by an election officer for a voter to
- 731 vote a mechanical ballot.
- 732 [~~(89)~~] (92) "Voting precinct" means the smallest geographical voting unit, established under
- 733 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.
- 734 [~~(90)~~] (93) "Watcher" means an individual who complies with the requirements described in
- 735 Section 20A-3a-801 to become a watcher for an election.
- 736 [~~(91)~~] (94) "Write-in ballot" means a ballot containing any write-in votes.
- 737 [~~(92)~~] (95) "Write-in vote" means a vote cast for an individual, whose name is not printed on
- 738 the ballot, in accordance with the procedures established in this title.
- 739 Section 4. Section **20A-1-109** is enacted to read:
- 740 **20A-1-109 (Effective 05/06/26). Lieutenant governor conflict of interest**
- 741 **avoidance plan -- Creation and presentation.**
- 742 (1) The lieutenant governor shall, before August 31, 2026, create a written conflict of

- 743 interest risk avoidance plan that:
- 744 (a) identifies specific types of decisions or actions the lieutenant governor may take, in  
745 the course and scope of the duties or powers of the office of lieutenant governor, that  
746 could create a conflict of interest by influencing, or being perceived to influence, the  
747 lieutenant governor's candidacy for an office;
- 748 (b) for each type of decision or action identified under Subsection (1)(a), establishes  
749 procedures and actions the lieutenant governor will take to mitigate or avoid the  
750 conflict, including:
- 751 (i) recusal from making the decision or taking the action; and  
752 (ii) designating the person who will make the decision or take the action in the event  
753 of a recusal; and
- 754 (c) for each type of decision or action considered in relation to creating the plan that the  
755 lieutenant governor concludes does not constitute a conflict of interest:
- 756 (i) a description of the type of decision or action; and  
757 (ii) an explanation of why the type of decision or action does not constitute a conflict  
758 of interest or the appearance of a conflict of interest.
- 759 (2) The lieutenant governor shall:
- 760 (a) forward a copy of the plan described in Subsection (1) to the Government Operations  
761 Interim Committee on or before September 1, 2026;
- 762 (b) if requested by the chairs of the Government Operations Interim Committee, present  
763 the plan to the committee at a meeting of the committee specified by the chairs of the  
764 committee; and
- 765 (c) keep a copy of the plan available for public review on the lieutenant governor's  
766 website.
- 767 (3) Beginning on January 1, 2029, when a new lieutenant governor first takes office, the  
768 lieutenant governor shall, within 90 days after first taking office:
- 769 (a)(i) adopt the written conflict of interest risk avoidance plan used by the previous  
770 lieutenant governor; or
- 771 (ii) create a new written conflict of interest avoidance plan in accordance with the  
772 requirements described in Subsection (1);
- 773 (b) forward a copy of the plan described in Subsection (3)(a) to the Government  
774 Operations Interim Committee;
- 775 (c) if requested by the chairs of the Government Operations Interim Committee, present  
776 the plan to the committee at a meeting of the committee specified by the chairs of the

- 777 committee; and
- 778 (d) keep a copy of the plan available for public review on the lieutenant governor's  
779 website.
- 780 (4) If, at any time during the lieutenant governor's term of office, the lieutenant governor  
781 revises the written conflict of interest avoidance plan, the lieutenant governor shall:
- 782 (a) forward a copy of the revised plan to the Government Operations Interim Committee;  
783 (b) if requested by the chairs of the Government Operations Interim Committee, present  
784 the revised plan to the committee at a meeting of the committee specified by the  
785 chairs of the committee; and
- 786 (c) keep a copy of the revised plan available for public review on the lieutenant  
787 governor's website.
- 788 (5) The lieutenant governor shall comply with the written conflict of interest avoidance plan  
789 adopted or created by the lieutenant governor under this section.

790 Section 5. Section **20A-1-502** is amended to read:

791 **20A-1-502 (Effective 05/06/26). Midterm vacancy in office of United States**  
792 **senator.**

- 793 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of  
794 United States senator, the governor shall, within seven calendar days after the day on  
795 which the vacancy occurs, issue a proclamation calling a special congressional election  
796 to fill the vacancy that:
- 797 (a) sets a date for a primary congressional special election, and a later date for a general  
798 congressional special election, on the same day as one of the following elections:  
799 (i) a municipal general election;  
800 (ii) a presidential primary election;  
801 (iii) a regular primary election; or  
802 (iv) a regular general election;
- 803 (b) sets the date of the primary congressional special election on the same day as the  
804 next election described in Subsections (1)(a)(i) through (iv) that is more than 90  
805 calendar days after the day on which the governor issues the proclamation;
- 806 (c) sets the date of the general special congressional election on the same day as the next  
807 election described in Subsection (1)(a) that is more than 90 calendar days after the  
808 primary special congressional election described in Subsection (1)(b);
- 809 (d) provides each registered political party that is not a qualified political party at least  
810 21 calendar days, but no more than 28 calendar days, to select one candidate, in a

- 811 manner determined by the registered political party, as a candidate for the registered  
812 political party;
- 813 (e) for each qualified political party, provides at least 21 calendar days, but no more than  
814 28 calendar days:
- 815 (i) for the qualified political party to select one candidate, using the convention  
816 process described in Section 20A-9-407, as a candidate for the qualified political  
817 party; and
- 818 (ii) for a member of the qualified political party to submit signatures to qualify as a  
819 candidate for the qualified political party using the signature-gathering process  
820 described in Section 20A-9-408;
- 821 (f) consistent with the requirements of this section, establishes the deadlines, time  
822 frames, and procedures for filing a declaration of candidacy, giving notice of an  
823 election, and other election requirements; and
- 824 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform  
825 Military and Overseas Voters Act.
- 826 (2)(a) The governor may set a date for a primary special congressional election or a  
827 general special congressional election on a date other than a date described in  
828 Subsection (1)(a) if:
- 829 (i) on the same day on which the governor issues the proclamation described in  
830 Subsection (1) the governor calls a special session for the Legislature to  
831 appropriate money to hold the election on a different day; or
- 832 (ii) if the governor issues the proclamation described in Subsection (1) on or after  
833 January 1, but before the end of the general session of the Legislature, and  
834 requests in the proclamation described in Subsection (1) that the Legislature  
835 appropriate money to hold the election on a different day.
- 836 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the  
837 election on a different day, the proclamation described in Subsection (1) is void and  
838 the governor shall, within seven calendar days after the day on which the Legislature  
839 declines to appropriate money to hold the election on a different day, issue a  
840 proclamation, in accordance with Subsection (1), that sets the special congressional  
841 primary and general elections on dates described in Subsections (1)(a)(i) through (iv).
- 842 (3) A special congressional election to fill a vacancy in the office of United States senator  
843 will not be held if:
- 844 (a) the next regular general election that occurs after the day on which the vacancy

845 occurs is the regular general election that occurs immediately before the six-year term  
846 for the senate office ends; and

847 (b) the vacancy occurs after August 1 of the year before the regular general election  
848 described in Subsection (3)(a).

849 (4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the office  
850 of United States senator from one of three individuals nominated by the Legislature,  
851 each of whom [~~is a member of the political party of which the prior officeholder was~~  
852 ~~a member at the time the prior officeholder was elected.~~] meets the qualifications for  
853 the office, as follows:

854 (i) if the prior officeholder was a member of a registered political party when the  
855 prior officeholder last took office, either by election or by appointment under this  
856 section, the individuals nominated by the Legislature shall be members of the  
857 registered political party of which the prior officeholder was a member when last  
858 elected or appointed; or

859 (ii) if the prior officeholder was not a member of a registered political party when the  
860 prior officeholder last took office, either by election or by appointment under this  
861 section, the individuals nominated by the Legislature may be members of any  
862 registered political party or unaffiliated with a registered political party.

863 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator  
864 until the earlier of the day on which:

865 (i) the vacancy is filled by election under Subsection (1) or (2); or

866 (ii) the six-year term for the senate office ends.

867 (5) An individual elected to fill a vacancy under this section shall serve until the end of the  
868 current term in which the vacancy filled by the election occurs.

869 (6) A vacancy in the office of United States senator does not occur unless the senator:

870 (a) has left the office; or

871 (b) submits an irrevocable letter of resignation to the governor or to the president of the  
872 United States Senate.

873 Section 6. Section **20A-1-503** is amended to read:

874 **20A-1-503 (Effective 05/06/26). Midterm vacancies in the Legislature.**

875 (1) As used in this section:

876 (a) "Filing deadline" means the final date for filing:

877 (i) a declaration of candidacy as provided in Section 20A-9-202; and

878 (ii) a certificate of nomination as provided in Section 20A-9-503.

879 (b) "Party liaison" means the political party officer designated to serve as a liaison with  
880 the lieutenant governor on all matters relating to the political party's relationship with  
881 the state as required by Section 20A-8-401.

882 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,  
883 the governor shall fill the vacancy [~~by immediately appointing the person whose name~~  
884 ~~was submitted by the party liaison of the same political party as the prior representative.]~~  
885 as follows:

886 (a) if the prior officeholder was a member of a registered political party when the prior  
887 officeholder last took office, either by election or by appointment under this section,  
888 by immediately appointing the individual whose name is submitted by the party  
889 liaison of the same registered political party of which the prior officeholder was a  
890 member when last elected or appointed, if the individual meets the qualifications for  
891 office; or

892 (b) if the prior officeholder was not a member of a registered political party when the  
893 prior officeholder last took office, either by election or by appointment under this  
894 section, by immediately appointing one of three individuals, who meet the  
895 qualifications for office, nominated by the House of Representatives, regardless of  
896 whether the individual is a member of a particular registered political party or is  
897 unaffiliated with a registered political party.

898 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in  
899 the office of senator in the Legislature, [~~it~~] the vacancy shall be filled for the  
900 unexpired term at the next regular general election.

901 (b) The governor shall fill the vacancy until the next regular general election [~~by~~  
902 ~~immediately appointing the person whose name was submitted by the party liaison of~~  
903 ~~the same political party as the prior senator.] as follows:~~

904 (i) if the prior officeholder was a member of a registered political party when the  
905 prior officeholder last took office, either by election or by appointment under this  
906 section, by immediately appointing the individual whose name is submitted by the  
907 party liaison of the same registered political party of which the prior officeholder  
908 was a member when last elected or appointed, if the individual meets the  
909 qualifications for office; or

910 (ii) if the prior officeholder was not a member of a registered political party when the  
911 prior officeholder last took office, either by election or by appointment under this  
912 section, by immediately appointing one of three individuals, who meet the

913 qualifications for office, nominated by the Senate, regardless of whether the  
914 individual is a member of a particular registered political party or is unaffiliated  
915 with a registered political party.

916 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but  
917 before August 31 of an even-numbered year in which the term of office does not  
918 expire, the lieutenant governor shall:

919 (i) establish a date and time, which is before the date for a candidate to be certified  
920 for the ballot under Section 20A-9-701 and no later than 21 calendar days after the  
921 day on which the vacancy occurred, by which a person intending to obtain a  
922 position on the ballot for the vacant office shall file:

923 (A) a declaration of candidacy; or

924 (B) a certificate of nomination; and

925 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):

926 (A) on the lieutenant governor's website; and

927 (B) to each registered political party.

928 (b) A person intending to obtain a position on the ballot for the vacant office shall:

929 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of  
930 candidacy or certificate of nomination according to the procedures and  
931 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;  
932 and

933 (ii) run in the regular general election if:

934 (A) nominated as a party candidate; or

935 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate  
936 Qualifications and Nominating Procedures.

937 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in  
938 Subsection 20A-9-202(1)(b) and before August 31, of an even-numbered year in  
939 which the term of office does not expire, a party liaison from each registered political  
940 party may submit a name of a person described in Subsection (4)(b) to the lieutenant  
941 governor before 5 p.m. no later than August 30 for placement on the regular general  
942 election ballot.

943 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an  
944 even-numbered year in which a term does not expire, the governor shall fill the vacancy  
945 for the unexpired term [~~by immediately appointing the person whose name was~~  
946 ~~submitted by the party liaison of the same political party as the prior senator.] in~~

- 947 accordance with Subsection (3)(b).
- 948 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill  
 949 a vacancy described in this section shall, no later than the deadline for the individual  
 950 to file an interim report under Subsection 20A-11-303(3)(a), make a complete  
 951 conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- 952 (b) An individual described in Subsection (6)(a) is not required to comply with  
 953 Subsection (6)(a) if the individual:
- 954 (i)(A) currently holds the office of senator and is seeking appointment as a  
 955 representative; or
- 956 (B) currently holds the office of representative and is seeking appointment as a  
 957 senator;
- 958 (ii) already, that same year, filed a conflict of interest disclosure for the office  
 959 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 960 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written  
 961 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)  
 962 is updated and accurate as of the date of the written statement.
- 963 (7) The lieutenant governor shall make each conflict of interest disclosure made by an  
 964 individual described in Subsection (6)(a) available for public inspection in accordance  
 965 with Subsection 20A-11-1603(4).
- 966 (8) A vacancy in the office of senator or representative of the Legislature does not occur  
 967 unless the senator or representative:
- 968 (a) has left the office; or
- 969 (b) submits an irrevocable letter of resignation to:
- 970 (i) for a senator, the president of the Senate; or
- 971 (ii) for a representative, the speaker of the House of Representatives.
- 972 Section 7. Section **20A-1-504** is amended to read:
- 973 **20A-1-504 (Effective 05/06/26). Midterm vacancies in the offices of attorney**  
 974 **general, state treasurer, state auditor, State Board of Education member, and lieutenant**  
 975 **governor.**
- 976 (1)(a) When a vacancy occurs for any reason in the office of attorney general, state  
 977 treasurer, state auditor, or State Board of Education member, the vacancy shall be  
 978 filled for the unexpired term at the next regular general election.
- 979 ~~[(b) The governor shall fill the vacancy until the next regular general election by:]~~
- 980 ~~[(i) appointing a person who meets the qualifications for the office from three persons~~

981 nominated by the state central committee of the same political party as the prior  
982 officeholder; or]

983 [(ii) for a State Board of Education vacancy, if the individual who is being replaced:]  
984 [(A) was elected at a nonpartisan State Board of Education election, by  
985 appointing, with the advice and consent of the Senate, an individual who meets  
986 the qualifications and residency requirements for filling the vacancy described  
987 in Section 20A-14-103;]  
988 [(B) was elected at a partisan State Board of Education election, but is not a  
989 member of a political party, by appointing, with the advice and consent of the  
990 Senate, an individual who meets the qualifications and residency requirements  
991 for filling the vacancy described in Section 20A-14-103; or]  
992 [(C) was elected at a partisan State Board of Education election, and is a member  
993 of a political party, by appointing an individual who meets the qualifications  
994 for the office from three persons nominated by the state central committee of  
995 the same political party as the prior officeholder.]

996 (b) The governor shall fill a vacancy described in Subsection (1)(a) until the next general  
997 election, as follows:

998 (i) if the prior officeholder was a member of a registered political party when the  
999 prior officeholder last took office, either by election or by appointment under this  
1000 section, by immediately appointing the individual whose name is submitted by the  
1001 party liaison of the same registered political party of which the prior officeholder  
1002 was a member when last elected or appointed, if the individual meets the  
1003 qualifications for office; or

1004 (ii) if the prior officeholder was not a member of a registered political party when the  
1005 prior officeholder last took office, either by election or by appointment under this  
1006 section, by appointing, with the advice and consent of the Senate, an individual  
1007 who meets the qualifications for office, regardless of whether the individual is a  
1008 member of a particular registered political party or is unaffiliated with a registered  
1009 political party.

1010 (2) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the  
1011 advice and consent of the Senate, appoint a person to hold the office until the next  
1012 regular general election at which the governor stands for election.

1013 (3)(a) Except as provided in Subsection (3)(b), an individual seeking appointment to fill  
1014 a vacancy described in this section shall make a complete conflict of interest

- 1015 disclosure on the website described in Section 20A-11-1602.5:
- 1016 (i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer,  
1017 or state auditor, no later than the deadline for the individual to file an interim  
1018 report under Subsection 20A-11-204(3)(a); or
- 1019 (ii) for a vacancy in the office of State Board of Education member, no later than the  
1020 deadline for the individual to file an interim report under Subsection  
1021 20A-11-1303(2)(a).
- 1022 (b) An individual described in Subsection (3)(a) is not required to comply with  
1023 Subsection (3)(a) if the individual:
- 1024 (i) currently holds an office described in Subsection (1)(a) or (2);  
1025 (ii) already, that same year, filed a conflict of interest disclosure for the office  
1026 described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and  
1027 (iii) no later than the deadline described in Subsection (3)(a), indicates, in a written  
1028 statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii)  
1029 is updated and accurate as of the date of the written statement.
- 1030 (4) The lieutenant governor shall make each conflict of interest disclosure made by an  
1031 individual described in Subsection (3)(a) available for public inspection in accordance  
1032 with Subsection 20A-11-1603(4).
- 1033 (5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the  
1034 individual occupying the office:
- 1035 (a) has left the office; or  
1036 (b) submits an irrevocable letter of resignation to the governor.
- 1037 Section 8. Section **20A-1-508** is amended to read:
- 1038 **20A-1-508 (Effective 05/06/26). Midterm vacancies in county elected offices --**  
1039 **Temporary manager -- Interim replacement.**
- 1040 (1) As used in this section:
- 1041 (a)(i) "County offices" includes the county executive, members of the county  
1042 legislative body, the county treasurer, the county sheriff, the county clerk, the  
1043 county auditor, the county recorder, the county surveyor, and the county assessor.  
1044 (ii) "County offices" does not include the office of county attorney, district attorney,  
1045 or judge.
- 1046 (b) "Party liaison" means the political party officer designated to serve as a liaison with  
1047 each county legislative body on all matters relating to the political party's relationship  
1048 with a county as required by Section 20A-8-401.

- 1049 (2)(a) Except as provided in Subsection (2)(d), until a county legislative body appoints  
1050 an interim replacement to fill a vacant county office under Subsection (3), or the  
1051 governor appoints an interim replacement under Subsection (4), the following shall  
1052 temporarily discharge the duties of the county office as a temporary manager:
- 1053 (i) for a county office with one chief deputy, the chief deputy;
  - 1054 (ii) for a county office with more than one chief deputy:
    - 1055 (A) the chief deputy with the most cumulative time served as a chief deputy for
    - 1056 the county office; or
    - 1057 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer
    - 1058 vacates the office, the county officer files with the county clerk a written
    - 1059 statement designating one of the county officer's chief deputies to discharge the
    - 1060 duties of the county office in the event the county officer vacates the office, the
    - 1061 designated chief deputy; or
    - 1062 (iii) for a county office without a chief deputy:
      - 1063 (A) if one management-level employee serving under the county office has a
      - 1064 higher-seniority management level than any other employee serving under the
      - 1065 county office, that management-level employee;
      - 1066 (B) if two or more management-level employees serving under the county office
      - 1067 have the same and highest-seniority management level, the highest-seniority
      - 1068 management-level employee with the most cumulative time served in the
      - 1069 employee's current position; or
      - 1070 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county
      - 1071 officer vacates the office, the county officer files with the county clerk a
      - 1072 written statement designating one of the county officer's employees to
      - 1073 discharge the county officer's duties in the event the county officer vacates the
      - 1074 office, the designated employee.
  - 1075 (b) Except as provided in Subsection (2)(c), a temporary manager described in
  - 1076 Subsection (2)(a) who temporarily discharges the duties of a county office holds the
  - 1077 powers and duties of the county office until the county legislative body appoints an
  - 1078 interim replacement under Subsection (3) or the governor appoints an interim
  - 1079 replacement under Subsection (4).
  - 1080 (c) The temporary manager described in Subsection (2)(a) who temporarily discharges
  - 1081 the duties of a county office:
    - 1082 (i) may not take an oath of office for the county office as a temporary manager;

- 1083 (ii) shall comply with Title 17, Chapter 63, Fiscal Authority and Processes, and the  
 1084 county's budget ordinances and policies;
- 1085 (iii) unless approved by the county legislative body, may not change the  
 1086 compensation of an employee;
- 1087 (iv) unless approved by the county legislative body, may not promote or demote an  
 1088 employee or change an employee's job title;
- 1089 (v) may terminate an employee only if the termination is conducted in accordance  
 1090 with:
- 1091 (A) personnel rules described in Subsection 17-75-602(2) that are approved by the  
 1092 county legislative body; and
- 1093 (B) applicable law;
- 1094 (vi) unless approved by the county legislative body, may not exceed by more than 5%  
 1095 an expenditure that was planned before the county office for which the temporary  
 1096 manager discharges duties was vacated;
- 1097 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or  
 1098 compensation; and
- 1099 (viii) if approved by the county legislative body, may receive a performance award  
 1100 after:
- 1101 (A) the county legislative body appoints an interim replacement under Subsection  
 1102 (3) or the governor appoints an interim replacement under Subsection (4); and
- 1103 (B) the interim replacement is sworn into office.
- 1104 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative  
 1105 body member.
- 1106 (3)(a) Until a replacement is selected as provided in this section and has qualified, the  
 1107 county legislative body shall appoint an interim replacement to fill the vacant office  
 1108 by following the procedures and requirements of this Subsection (3) through  
 1109 Subsection (5).
- 1110 (b) In addition to this Subsection (3), or Subsection (4) as applicable, an interim  
 1111 replacement appointed to the office of county auditor in a county of the first class is  
 1112 subject to the requirements described in Section 17-69-202.
- 1113 (c)[(†)] To appoint an interim replacement, the county legislative body shall, within  
 1114 10 calendar days after the day on which the vacancy occurs, give notice of the  
 1115 vacancy[-to]:
- 1116 [~~(A)~~] (i) to the county clerk; and

1117 ~~[(B) the party liaison of the same political party of the prior office holder.]~~  
 1118 (ii) if the prior officeholder was a member of a registered political party when the  
 1119 prior officeholder last took office, either by election or by appointment under this  
 1120 section, to the party liaison of that registered political party.

1121 ~~[(ii)] (d) [The] If the prior officeholder was a member of a registered political party when~~  
 1122 the prior officeholder last took office, either by election or by appointment under this  
 1123 section:

1124 (i) the county legislative body shall invite the party liaison described in Subsection [  
 1125 ~~(3)(e)(i)(B)~~ (3)(c)(ii) to submit the name of an individual to fill the vacancy[-] ;

1126 ~~[(iii)] (ii) [The] the party liaison described in Subsection (3)(c)(ii) shall, no later than 5~~  
 1127 p.m. on the first business day that is at least 30 calendar days, after the day on  
 1128 which the party liaison receives the notice described in Subsection ~~[(3)(e)(i)(B)]~~  
 1129 (3)(c)(ii), or if the party liaison does not receive the notice, no later than 5 p.m. on  
 1130 the first business day that is at least 40 calendar days after the day on which the  
 1131 vacancy occurs, submit to the county legislative body the name of an individual  
 1132 who the party selects in accordance with the party's constitution or bylaws, and  
 1133 who meets the qualifications for the office, to serve as the interim replacement[-] ;  
 1134 and

1135 ~~[(iv)] (iii) [The] the county legislative body shall, no later than seven calendar days~~  
 1136 after the day on which a party liaison submits the name of [the] an individual who  
 1137 meets the qualifications for office to serve as the interim replacement, appoint the  
 1138 individual to serve out the unexpired term.

1139 (e) If the prior officeholder was not a member of a registered political party when the  
 1140 prior officeholder last took office, either by election or by appointment under this  
 1141 section, the county legislative body shall, no later than 5 p.m. on the first business  
 1142 day that is at least 30 calendar days after the day on which the county legislative  
 1143 body provides the notice described in Subsection (3)(c)(i), appoint an individual who  
 1144 meets the qualifications for the office to serve as the interim replacement, regardless  
 1145 of whether the individual is a member of a particular registered political party or is  
 1146 unaffiliated with a registered political party.

1147 ~~[(d)] (4)[(i)] If the county legislative body fails to appoint an interim replacement to~~  
 1148 fill the vacancy in accordance with Subsection ~~[(3)(e)(iv),-]~~ (3)(d) or (e), as  
 1149 applicable:

1150 (a) the county clerk shall, no later than seven calendar days after the day of the deadline

1151 described in Subsection ~~[(3)(e)(iv)]~~ (3)(d)(iii) or (e), as applicable, send to the  
 1152 governor a letter that:

1153 ~~[(A)]~~ (i) informs the governor that the county legislative body has failed to appoint a  
 1154 replacement within the statutory time period;~~and~~

1155 (ii) states whether the prior officeholder is an officeholder described in Subsection  
 1156 (3)(d) or (e); and

1157 ~~[(B)]~~ (iii) ~~[contains]~~ if the prior officeholder is an officeholder described in Subsection  
 1158 (3)(d), states the name of the individual submitted by the party liaison to fill the  
 1159 vacancy[-] ; and

1160 ~~[(ii)]~~ (b) ~~[The]~~ the governor shall, within 10 calendar days after the day on which the  
 1161 governor receives the letter described in Subsection ~~[(3)(d)(i);]~~ (4)(a):

1162 (i) if the prior officeholder is an officeholder described in Subsection (3)(d), appoint  
 1163 the individual named by the party liaison as an interim replacement to fill the  
 1164 vacancy[-] , if the individual meets the qualifications for office; or

1165 (ii) if the prior officeholder is an officeholder described in Subsection (3)(e), appoint  
 1166 an individual who meets the qualifications for the office to serve out the unexpired  
 1167 term, regardless of whether the individual is a member of a particular registered  
 1168 political party or is unaffiliated with a registered political party.

1169 ~~[(e)]~~ (5) An individual appointed as interim replacement under ~~[this Subsection (3)]~~  
 1170 Subsection (3) or (4) shall hold office until a successor is elected and has qualified.

1171 ~~[(4)]~~ (6)(a) The requirements of this Subsection ~~[(4)]~~ (6) apply to all county offices that  
 1172 become vacant if:

1173 (i) the vacant office has an unexpired term of two years or more; and

1174 (ii) the vacancy occurs after the election at which the officeholder was elected, or  
 1175 after the officeholder was appointed under this section, but before the first day of  
 1176 the declaration of candidacy filing period described in Section 20A-9-201.5.

1177 (b)(i) When the conditions described in Subsection ~~[(4)(a)]~~ (6)(a) are met, the county  
 1178 clerk shall as soon as practicable, but no later than 180 calendar days before the  
 1179 next regular general election, notify the public and each registered political party  
 1180 that the vacancy exists.

1181 (ii) An individual intending to become a party candidate for the vacant office shall  
 1182 file a declaration of candidacy in accordance with:

1183 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;  
 1184 and

1185 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if  
 1186 applicable.

1187 (iii) An individual who is nominated as a party candidate, who qualifies as an  
 1188 unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not  
 1189 Affiliated with a Party, or who qualifies as a write-in candidate for the vacant  
 1190 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular  
 1191 general election.

1192 [~~(5)~~] (7)(a) The requirements of this Subsection [~~(5)~~] (7) apply to all county offices that  
 1193 become vacant if:

1194 (i) the vacant office has an unexpired term of two years or more; and

1195 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing  
 1196 period described in Section 20A-9-201.5, but more than 75 calendar days before  
 1197 the regular primary election.

1198 (b) When the conditions described in Subsection [~~(5)~~(a)] (7)(a) are met, the county clerk  
 1199 shall as soon as practicable, but no later than 70 calendar days before the next regular  
 1200 primary election, notify the public and each registered political party:

1201 (i) that the vacancy exists; and

1202 (ii) of the deadlines described in Subsection [~~(5)~~(e)(i)] (7)(c)(i) and the deadlines  
 1203 established under Subsection [~~(5)~~(d)(ii)] (7)(d)(ii).

1204 (c)(i) An individual intending to become a party candidate for a vacant office shall,  
 1205 no later than 5 p.m. on the first business day that is at least five calendar days after  
 1206 the day on which the notice is given, file a declaration of candidacy for the vacant  
 1207 office in accordance with:

1208 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;  
 1209 and

1210 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if  
 1211 applicable.

1212 (ii) The county central committee of each party shall:

1213 (A) select a candidate or candidates from among those qualified candidates who  
 1214 have filed declarations of candidacy; and

1215 (B) certify the name of the candidate or candidates to the county clerk as soon as  
 1216 practicable, but no later than 5 p.m. on the last business day that is at least 60  
 1217 calendar days before the day of the regular primary election.

1218 (d)(i) Except as provided in Subsection [~~(5)~~(d)(ii)] (7)(d)(ii), an individual intending

- 1219 to become a candidate for a vacant office who does not wish to affiliate with a  
 1220 registered political party shall file a verified certificate of nomination described in  
 1221 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,  
 1222 Candidates not Affiliated with a Party.
- 1223 (ii)(A) The county clerk shall establish, in the clerk's reasonable discretion, a  
 1224 deadline that is no later than 5 p.m. on the last business day that is at least 65  
 1225 calendar days before the day of the next regular general election by which an  
 1226 individual who is not affiliated with a registered political party is required to  
 1227 submit a certificate of nomination under Subsection [~~(5)(d)(i)~~] (7)(d)(i).
- 1228 (B) The county clerk shall establish the deadline described in Subsection [  
 1229 ~~(5)(d)(ii)(A)~~] (7)(d)(ii)(A) in a manner that gives an unaffiliated candidate an  
 1230 equal opportunity to access the regular general election ballot.
- 1231 (e) An individual who is nominated as a party candidate for the vacant office, who  
 1232 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,  
 1233 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the  
 1234 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular  
 1235 general election.
- 1236 [~~(6)~~] (8)(a) The requirements of this Subsection [~~(6)~~] (8) apply to all county offices that  
 1237 become vacant:
- 1238 (i) if the vacant office has an unexpired term of two years or more; and  
 1239 (ii) when 75 calendar days or less remain before the day of the regular primary  
 1240 election but more than 65 calendar days remain before the day of the regular  
 1241 general election.
- 1242 (b) When the conditions described in Subsection [~~(6)(a)~~] (8)(a) are met, the county clerk  
 1243 shall, as soon as practicable, notify the public and each registered political party:  
 1244 (i) that the vacancy exists; and  
 1245 (ii) of the deadlines established under Subsection [~~(6)(d)~~] (8)(d).
- 1246 (c)(i) Before the deadline that the county clerk establishes under Subsection [  
 1247 ~~(6)(d)(i)(A)~~] (8)(d)(i)(A), the county central committee of each registered political  
 1248 party that wishes to submit a candidate for the office shall certify the name of one  
 1249 candidate to the county clerk for placement on the regular general election ballot.
- 1250 (ii) Before the deadline that the county clerk establishes under Subsection [  
 1251 ~~(6)(d)(i)(B)~~] (8)(d)(i)(B), a candidate who does not wish to affiliate with a  
 1252 registered political party shall file a verified certificate of nomination described in

- 1253 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,  
 1254 Candidates not Affiliated with a Party.
- 1255 (iii) Before the deadline that the county clerk establishes under Subsection [  
 1256 ~~(6)(d)(i)(C)~~] (8)(d)(i)(C), a write-in candidate shall submit to the county clerk a  
 1257 declaration of candidacy described in Section 20A-9-601.
- 1258 (d)(i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines  
 1259 that are no later than 5 p.m. on the last business day that is at least 65 calendar  
 1260 days before the day of the next regular general election by which:
- 1261 (A) a registered political party is required to certify a name under Subsection [  
 1262 ~~(6)(e)(i)~~] (8)(c)(i);
- 1263 (B) an individual who does not wish to affiliate with a registered political party is  
 1264 required to submit a certificate of nomination under Subsection [~~(6)(e)(ii)~~]  
 1265 (8)(c)(ii); and
- 1266 (C) a write-in candidate is required to submit a declaration of candidacy under  
 1267 Subsection [~~(6)(e)(iii)~~] (8)(c)(iii).
- 1268 (ii) The county clerk shall establish deadlines under Subsection [~~(6)(d)(i)~~] (8)(d)(i) in  
 1269 a manner that gives an unaffiliated candidate or a write-in candidate an equal  
 1270 opportunity to access the regular general election ballot.
- 1271 (e) An individual who is certified as a party candidate for the vacant office, who  
 1272 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,  
 1273 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the  
 1274 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular  
 1275 general election.
- 1276 [~~(7)~~] (9)(a) The requirements of this Subsection [~~(7)~~] (9) apply to all county offices that  
 1277 become vacant:
- 1278 (i) if the vacant office has an unexpired term of less than two years; or  
 1279 (ii) if the vacant office has an unexpired term of two years or more but 65 calendar  
 1280 days or less remain before the day of the next regular general election.
- 1281 [~~(b)(i) When the conditions described in Subsection (7)(a) are met, the county~~  
 1282 ~~legislative body shall as soon as practicable, but no later than 10 calendar days~~  
 1283 ~~after the day on which the vacancy occurs, give notice of the vacancy to:]~~
- 1284 [~~(A) the county clerk; and]~~
- 1285 [~~(B) the party liaison of the same political party as the prior office holder.]~~
- 1286 [(ii) The county legislative body shall invite the party liaison described in Subsection

- 1287 ~~(7)(b)(i)(B) to submit the name of an individual to fill the vacancy.]~~
- 1288 [(iii) The party liaison shall, no later than 5 p.m. on the first business day that is at
- 1289 least 30 calendar days after the day on which the party liaison receives the notice
- 1290 described in Subsection (7)(b)(i)(B), or if the party liaison does not receive the
- 1291 notice, no later than 5 p.m. on the first business day that is at least 40 calendar
- 1292 days after the day on which the vacancy occurs, submit to the county legislative
- 1293 body the name of an individual to fill the vacancy.]
- 1294 [(iv) The county legislative body shall, no later than seven calendar days after the day
- 1295 on which a party liaison submits the name of the individual to fill the vacancy,
- 1296 appoint the individual to serve out the unexpired term.]
- 1297 [(e)(i) If the county legislative body fails to appoint an individual to fill the vacancy
- 1298 in accordance with Subsection (7)(b)(iv), the county clerk shall send to the
- 1299 governor a letter that:]
- 1300 [(A) informs the governor that the county legislative body has failed to appoint an
- 1301 individual to fill the vacancy within the statutory time period; and]
- 1302 [(B) contains the name of the individual submitted by the party liaison to fill the
- 1303 vacancy.]
- 1304 [(ii) The governor shall, within 10 calendar days after the day on which the governor
- 1305 receives the letter described in Subsection (7)(e)(i), appoint the individual named
- 1306 by the party liaison to fill the vacancy.]
- 1307 (b) When the conditions described in Subsection (9)(a) are met:
- 1308 (i) the county legislative body shall fill the vacancy for the remainder of the term by
- 1309 following the same procedures, described in Subsections (3)(b) through (e), as
- 1310 required to appoint an interim replacement;
- 1311 (ii) if the county legislative body fails to appoint an individual to fill the vacancy
- 1312 under Subsection (9)(b)(i), the county clerk and the governor shall take the actions
- 1313 described in Subsection (4) to fill the vacancy for the remainder of the term, using
- 1314 the same procedures described in Subsection (4) for appointing an interim
- 1315 replacement; and
- 1316 [(d)] (iii) [An] an individual appointed to fill the vacancy under this Subsection [(7)] (9)
- 1317 shall hold office until a successor is elected and has qualified.
- 1318 [(8)] (10) Except as otherwise provided by law, the county legislative body may appoint
- 1319 replacements to fill all vacancies that occur in those offices filled by appointment of the
- 1320 county legislative body.

- 1321 ~~[(9)]~~ (11) Nothing in this section prohibits a candidate that does not wish to affiliate with a  
 1322 political party from filing a certificate of nomination for a vacant office within the same  
 1323 time limits as a candidate that is affiliated with a political party.
- 1324 ~~[(10)]~~ (12)(a) Each individual elected under Subsection ~~[(4), (5), or (6)]~~ (6), (7), or (8) to  
 1325 fill a vacancy in a county office shall serve for the remainder of the unexpired term of  
 1326 the individual who created the vacancy and until a successor is elected and qualified.
- 1327 (b) ~~[Nothing in this section may be construed to]~~ This section does not contradict or alter  
 1328 the provisions of Section 17-66-202.
- 1329 ~~[(11)]~~ (13)(a) Except as provided in Subsection ~~[(11)(b)]~~ (13)(b), for an individual  
 1330 seeking appointment to fill a vacancy described in Subsection ~~[(3) or (7)]~~ (3), (4), or  
 1331 (9), the individual shall, no later than the deadline for the individual to file a financial  
 1332 report under Section 17-70-403:
- 1333 (i) complete a conflict of interest disclosure statement in accordance with Section  
 1334 17-70-304; and
- 1335 (ii) submit the conflict of interest disclosure statement to the county legislative body  
 1336 and the county clerk.
- 1337 (b) An individual described in Subsection ~~[(11)(a)]~~ (13)(a) is not required to comply with  
 1338 Subsection ~~[(11)(a)]~~ (13)(a) if the individual:
- 1339 (i) currently holds an office described in Subsection (1)(a)(i);
- 1340 (ii) already, that same year, filed a conflict of interest disclosure statement for the  
 1341 office described in Subsection ~~[(11)(b)(i)]~~ (13)(b)(i), in accordance with Section  
 1342 17-70-509; and
- 1343 (iii) no later than the deadline described in Subsection ~~[(11)(a)]~~ (13)(a), indicates, in a  
 1344 written notice submitted to the county clerk, that the conflict of interest disclosure  
 1345 statement described in Subsection ~~[(11)(b)(ii)]~~ (13)(b)(ii) is updated and accurate  
 1346 as of the date of the written notice.
- 1347 ~~[(12)]~~ (14)(a) The county clerk shall make each conflict of interest disclosure statement  
 1348 made by an individual described in Subsection ~~[(11)(a)]~~ (13)(a) available for public  
 1349 inspection by posting an electronic copy of the statement on the county's website for  
 1350 at least 10 calendar days after the day on which ~~[the county legislative body]~~:
- 1351 (i) the county legislative body appoints an interim replacement under Subsection (3);  
 1352 ~~or]~~
- 1353 (ii) the governor appoints an interim replacement under Subsection (4);
- 1354 ~~[(ii)]~~ (iii) the county legislative body appoints an individual to fill a vacancy under

- 1355                    Subsection (9)(b)(i); or
- 1356                    (iv) the governor appoints an individual to fill a vacancy under Subsection [~~(7)~~]
- 1357                    (9)(b)(ii).
- 1358                    (b) The county clerk shall post the electronic statement described in Subsection [~~(12)(a)~~]
- 1359                    (14)(a) no later than two business days after the day on which the county clerk
- 1360                    receives the statement.
- 1361                    [~~(13)~~] (15) A vacancy in a county office does not occur unless the individual occupying the
- 1362                    office:
- 1363                    (a) has left the office; or
- 1364                    (b) submits an irrevocable letter of resignation to the county legislative body.
- 1365                    Section 9. Section **20A-1-509.1** is amended to read:
- 1366                    **20A-1-509.1 (Effective 05/06/26). Procedure for filling midterm vacancy in**
- 1367                    **county or district with 15 or more attorneys.**
- 1368                    (1) When a vacancy occurs in the office of county or district attorney in a county or district
- 1369                    having 15 or more attorneys who are licensed active members in good standing with the
- 1370                    Utah State Bar and registered voters, the vacancy shall be filled as provided in this
- 1371                    section.
- 1372                    (2)(a) The requirements of this Subsection (2) apply when the office of county attorney
- 1373                    or district attorney becomes vacant and:
- 1374                    (i) the vacant office has an unexpired term of two years or more; and
- 1375                    (ii) the vacancy occurs before the first day of the applicable declaration of candidacy
- 1376                    filing period described in Section 20A-9-201.5.
- 1377                    (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
- 1378                    notify the public and each registered political party that the vacancy exists.
- 1379                    (c) All persons intending to become candidates for the vacant office shall:
- 1380                    (i) file a declaration of candidacy according to the procedures and requirements of
- 1381                    Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
- 1382                    (ii) if nominated as a party candidate or qualified as an independent or write-in
- 1383                    candidate under Chapter 9, Candidate Qualifications and Nominating Procedures,
- 1384                    run in the regular general election; and
- 1385                    (iii) if elected, complete the unexpired term of the person who created the vacancy.
- 1386                    (d) If the vacancy occurs during the applicable declaration of candidacy filing period
- 1387                    described in Section 20A-9-201.5:
- 1388                    (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be

- 1389 extended until 5 p.m. on the first business day that is no later than seven calendar  
1390 days after the last day of the applicable declaration of candidacy filing period  
1391 described in Section 20A-9-201.5; and
- 1392 (ii) the county clerk shall notify the public and each registered political party that the  
1393 vacancy exists.
- 1394 (3)(a) The requirements of this Subsection (3) apply when the office of county attorney  
1395 or district attorney becomes vacant and:
- 1396 (i) the vacant office has an unexpired term of two years or more; and  
1397 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year  
1398 but more than 75 calendar days before the regular primary election.
- 1399 (b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:
- 1400 (i) notify the public and each registered political party that the vacancy exists; and  
1401 (ii) identify the date and time by which a person interested in becoming a candidate  
1402 shall file a declaration of candidacy.
- 1403 (c) All persons intending to become candidates for the vacant office shall:
- 1404 (i) no later than 5 p.m. on the first business day that is at least five calendar days after  
1405 the day on which the county clerk gives the notice described in Subsection (3)(b)(i),  
1406 file a declaration of candidacy for the vacant office as required by Chapter 9, Part  
1407 2, Candidate Qualifications and Declarations of Candidacy; and  
1408 (ii) if elected, complete the unexpired term of the person who created the vacancy.
- 1409 (d) The county central committee of each party shall:
- 1410 (i) select a candidate or candidates from among those qualified candidates who have  
1411 filed declarations of candidacy; and  
1412 (ii) certify the name of the candidate or candidates to the county clerk:
- 1413 (A) no later than 5 p.m. on the last business day that is at least 60 calendar days  
1414 before the day of the regular primary election; or  
1415 (B) electronically, before midnight no later than 60 calendar days before the day  
1416 of the regular primary election.
- 1417 (4)(a) The requirements of this Subsection (4) apply when the office of county attorney  
1418 or district attorney becomes vacant and:
- 1419 (i) the vacant office has an unexpired term of two years or more; and  
1420 (ii) 75 calendar days or less remain before the regular primary election but more than  
1421 65 calendar days remain before the regular general election.
- 1422 (b) When the conditions established in Subsection (4)(a) are met, the county central

1423 committees of each registered political party that wishes to submit a candidate for the  
 1424 office shall, not later than five calendar days after the day on which the vacancy  
 1425 occurs, certify the name of one candidate to the county clerk for placement on the  
 1426 regular general election ballot.

1427 (c) The candidate elected shall complete the unexpired term of the person who created  
 1428 the vacancy.

1429 (5)(a) The requirements of this Subsection (5) apply when the office of county attorney  
 1430 or district attorney becomes vacant and:

1431 (i) the vacant office has an unexpired term of less than two years; or

1432 (ii) the vacant office has an unexpired term of two years or more but 65 calendar days  
 1433 or less remain before the next regular general election.

1434 (b) When the conditions established in Subsection (5)(a) are met, the county legislative  
 1435 body shall give notice of the vacancy to:

1436 (i) the county clerk; and

1437 [~~(ii) the county central committee of the same political party of the prior officeholder.~~]

1438 (ii) if the prior officeholder was a member of a registered political party when the  
 1439 prior officeholder last took office, either by election or by appointment under this  
 1440 section, the county central committee of that registered political party.

1441 (c) [~~The~~] If the prior officeholder was a member of a registered political party when the  
 1442 prior officeholder last took office, either by election or appointment under this  
 1443 section:

1444 (i) the county legislative body shall invite the committee described in Subsection [  
 1445 (5)(b)(ii)] (5)(b)(ii) to submit the names of three nominees to fill the vacancy[-] ;

1446 [~~(d)~~] (ii) [The] the county central committee shall, [within 30 calendar days after the  
 1447 day on which the county legislative body gives the notice described in Subsection  
 1448 (5)(b)(ii)] no later than 5 p.m. on the first business day that is at least 45 calendar  
 1449 days after the day on which the county central committee receives the notice  
 1450 described in Subsection (5)(b)(ii), submit to the county legislative body the names  
 1451 of three nominees who meet the qualifications for the office to fill the vacancy[-] ;  
 1452 and

1453 [~~(e)~~] (iii) [The] the county legislative body shall, within 45 calendar days after the day  
 1454 on which the vacancy occurs, appoint one of those nominees to serve out the  
 1455 unexpired term.

1456 (d) If the prior officeholder was not a member of a registered political party when the

1457 prior officeholder last took office, either by election or appointment under this  
 1458 section, the county legislative body shall, no later than 5 p.m. on the first business  
 1459 day that is at least 45 calendar days after the day on which the county legislative  
 1460 body posts the notice described in Subsection (5)(b)(i), appoint an individual who  
 1461 meets the qualifications for the office to fill the vacancy, regardless of whether the  
 1462 individual is a member of a particular registered political party or is unaffiliated with  
 1463 a registered political party.

1464 [(f)] (e) If the county legislative body fails to appoint a person to fill the vacancy [~~within~~  
 1465 ~~45 calendar days,~~] in accordance with Subsection (5)(c) or (d), as applicable:

1466 (i) the county clerk shall, no later than the deadline described in Subsection (5)(c)(iii)  
 1467 or (d), as applicable, send to the governor a letter that:

1468 [(i)] (A) informs the governor that the county legislative body has failed to appoint [  
 1469 a person] an individual to fill the vacancy within the statutory time period;[~~and~~

1470 (B) states whether the prior officeholder is an officeholder described in Subsection  
 1471 (5)(c) or (d); and

1472 [(ii)] (C) [~~contains~~] if the prior officeholder is an officeholder described in  
 1473 Subsection (5)(c), includes the [list] names of the nominees submitted by the  
 1474 party central committee[.]; and

1475 [(g)] (f) [~~The~~] the governor shall[ ~~appoint a person to fill the vacancy from that list of~~  
 1476 nominees], within 30 calendar days after the day on which the governor receives the  
 1477 letter described in Subsection (5)(f)[.]:

1478 (i) if the prior officeholder is an officeholder described in Subsection (5)(c), appoint  
 1479 one of the nominees described in Subsection (5)(c)(ii) to fill the vacancy; or

1480 (ii) if the prior officeholder is an officeholder described in Subsection (5)(d), appoint  
 1481 an individual who meets the qualifications for the office to fill the vacancy,  
 1482 regardless of whether the individual is a member of a particular registered political  
 1483 party or is unaffiliated with a registered political party.

1484 [(h)] (g) [~~A person~~] An individual appointed to fill the vacancy under this Subsection (5)  
 1485 shall complete the unexpired term of the [person] individual who created the vacancy.

1486 (6) [~~A person~~] An individual seeking appointment to fill a vacancy described in Subsection [  
 1487 (5)(a)] (5) shall, no later than the deadline for the [person] individual to file a financial  
 1488 report under Section 17-70-403:

1489 (a) complete a conflict of interest disclosure statement in accordance with Section  
 1490 17-70-304; and

1491 (b) submit the conflict of interest disclosure statement to the county legislative body and  
 1492 the county clerk.

1493 (7)(a) The county clerk shall make each conflict of interest disclosure statement made by [  
 1494 a person] an individual described in Subsection (6) available for public inspection by  
 1495 posting an electronic copy of the statement on the county's website for at least 10  
 1496 calendar days after the day on which the county legislative body appoints [a person]  
 1497 the individual to fill the vacancy.

1498 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no  
 1499 later than two business days after the day on which the county clerk receives the  
 1500 statement.

1501 (8) A vacancy in the office described in Subsection (1) does not occur unless the [person]  
 1502 individual occupying the office:

1503 (a) has left the office; or

1504 (b) submits an irrevocable letter of resignation to the county legislative body.

1505 (9) Nothing in this section prevents or prohibits independent candidates from filing a  
 1506 declaration of candidacy for the office within the required time limits.

1507 Section 10. Section **20A-1-509.2** is amended to read:

1508 **20A-1-509.2 (Effective 05/06/26). Procedure for filling vacancy in county or**  
 1509 **district with fewer than 15 attorneys.**

1510 (1) When a vacancy occurs in the office of county or district attorney, including a vacancy  
 1511 created by the failure of a person to file as a candidate for the office of county or district  
 1512 attorney in an election, in a county or district having fewer than 15 attorneys who are  
 1513 licensed, active members in good standing with the Utah State Bar and registered voters,  
 1514 the vacancy shall be filled as provided in this section.

1515 (2) The county clerk shall send a letter to each attorney residing in the county or district  
 1516 who is a licensed, active member in good standing with the Utah State Bar and a  
 1517 registered voter that:

1518 (a) informs the attorney of the vacancy;

1519 (b) invites the attorney to apply for the vacancy; and

1520 (c) informs the attorney that if the attorney does not respond before 5 p.m. on the first  
 1521 business day that is at least 10 calendar days after the day on which the county clerk  
 1522 sends the letter, the attorney's candidacy to fill the vacancy will not be considered.

1523 [~~(3)(a)(i) If, before the deadline described in Subsection (2)(c), more than three~~  
 1524 ~~attorneys who are licensed, active members in good standing with the Utah State~~

- 1525 Bar and registered voters in the county or district have applied for the vacancy, the  
 1526 county clerk shall, except as provided in Subsection (3)(a)(ii), submit the  
 1527 applications to the county central committee of the same political party of the  
 1528 prior officeholder.]
- 1529 [(ii) In multicounty prosecution districts, the clerk shall submit the applications to the  
 1530 county central committee of each county within the prosecution district.]
- 1531 [(b) The central committee shall nominate three of the applicants and forward the  
 1532 applicants' names to the county legislative body no later than 5 p.m. on the first  
 1533 business day that is at least 20 calendar days after the day on which the county clerk  
 1534 submits the applicants' names under Subsection (3)(a).]
- 1535 [(c) The county legislative body shall appoint one of the nominees to fill the vacant  
 1536 position.]
- 1537 [(d) If the central committee of the political party fails to submit at least three names to  
 1538 the county legislative body before the deadline described in Subsection (3)(b), the  
 1539 county legislative body shall appoint one of the applicants to fill the vacant position.]
- 1540 [(e) If the county legislative body fails to appoint a person to fill the vacancy within 120  
 1541 calendar days after the day on which the vacancy occurs, the county clerk shall mail  
 1542 to the governor:]
- 1543 [(i) a letter informing the governor that the county legislative body has failed to  
 1544 appoint a person to fill the vacancy; and]
- 1545 [(ii)(A) the list of nominees, if any, submitted by the central committee of the  
 1546 political party; or]
- 1547 [(B) if the party central committee has not submitted a list of at least three  
 1548 nominees within the required time, the names of the persons who submitted  
 1549 applications for the vacant position to the county clerk.]
- 1550 [(f) The governor shall appoint, within 30 calendar days after the day on which the  
 1551 governor receives the letter described in Subsection (3)(e), a person from the list to  
 1552 fill the vacancy.]
- 1553 (3) If, before the deadline described in Subsection (2)(c), more than three attorneys who are  
 1554 licensed, active members in good standing with the Utah State Bar and registered voters  
 1555 in the county or district have applied for the vacancy:
- 1556 (a) if the prior officeholder was a member of a registered political party when the prior  
 1557 officeholder last took office, either by election or by appointment under this section:
- 1558 (i) the county clerk shall:

- 1559           (A) except as provided in Subsection (3)(a)(i)(B), submit the applications to the  
1560           county central committee of the same registered political party of which the  
1561           prior officeholder was a member when the prior officeholder last took office; or  
1562           (B) for a multicounty prosecution district, submit the applications to the county  
1563           central committee of the same registered political party of which the prior  
1564           officeholder was a member when the prior officeholder last took office, for  
1565           each county within the multicounty prosecution district;  
1566           (ii)(A) except as provided in Subsection (3)(a)(ii)(B), the county central  
1567           committee described in Subsection (3)(a)(i)(A) shall nominate three of the  
1568           applicants and forward the applicants' names to the county legislative body no  
1569           later than 5 p.m. on the first business day that is at least 20 calendar days after  
1570           the day on which the county clerk submits the applicants' names under  
1571           Subsection (3)(a)(i)(A); or  
1572           (B) for a multicounty prosecution district, the county central committees described  
1573           in Subsection (3)(a)(i)(B) shall jointly nominate three of the applicants and  
1574           forward the applicants' names to the county legislative bodies in the  
1575           multicounty prosecution districts no later than 5 p.m. on the first business day  
1576           that is at least 20 calendar days after the day on which the county clerk submits  
1577           the applicants' names under Subsection (3)(a)(i)(B); and  
1578           (iii)(A) except as provided in Subsection (3)(a)(iii)(B), the county legislative body  
1579           shall appoint one of the nominees to fill the vacant position; or  
1580           (B) for a multicounty prosecution district, the county legislative bodies shall  
1581           jointly appoint one of the nominees to fill the vacant position; or  
1582           (b) if the prior officeholder was not a member of a registered political party when the  
1583           prior officeholder last took office, either by election or by appointment under this  
1584           section:  
1585           (i) the county clerk shall:  
1586           (A) except as provided in Subsection (3)(b)(i)(B), submit the applications to the  
1587           county legislative body; or  
1588           (B) for a multicounty prosecution district, submit the applications to the county  
1589           legislative bodies of each county within the multicounty prosecution district;  
1590           and  
1591           (ii)(A) except as provided in Subsection (3)(b)(ii)(B), the county legislative body  
1592           described in Subsection (3)(b)(i)(A) shall appoint one of the applicants to fill

1593 the vacant position; or  
1594 (B) for a multicounty prosecution district, the county legislative bodies described  
1595 in Subsection (3)(b)(i)(B) shall jointly appoint one of the applicants to fill the  
1596 vacant position.

1597 (4)(a) Except as provided in Subsection (4)(b), if the central committee described in  
1598 Subsection (3)(a)(ii)(A) fails to submit at least three names to the county legislative  
1599 body before the deadline described in Subsection (3)(a)(ii)(A), the county legislative  
1600 body shall appoint one of the applicants to fill the vacant position.

1601 (b) If the central committees described in Subsection (3)(a)(ii)(B) fail to jointly submit  
1602 at least three names to the county legislative bodies before the deadline described in  
1603 Subsection (3)(a)(ii)(B), the county legislative bodies shall jointly appoint one of the  
1604 applicants to fill the vacant position.

1605 (5) If, within 120 calendar days after the day on which the vacancy occurs, the county  
1606 legislative body fails under Subsection (3)(a)(iii)(A) or (4)(a) to appoint an individual to  
1607 fill the vacancy, or the county legislative bodies fail under Subsection (3)(a)(iii)(B) or  
1608 (4)(b) to jointly appoint an individual to fill the vacancy, the county clerk shall send the  
1609 governor notice that:

1610 (a) states that the county legislative body or bodies have failed to timely appoint a  
1611 person to fill the vacancy; and

1612 (b) includes the following:

1613 (i) for a vacancy where the prior officeholder was a member of a registered political  
1614 party when the prior officeholder last took office:

1615 (A) if the applicable central committee or applicable central committees timely  
1616 submitted at least three nominees, the names of the nominees; or

1617 (B) if the applicable central committee or applicable central committees failed to  
1618 timely submit at least three nominees, the names of the applicants; or

1619 (ii) for a vacancy where the prior officeholder was not a member of a political party  
1620 when the prior officeholder last took office, the names of the applicants.

1621 (6) The governor shall, within 30 calendar days after the day on which the governor  
1622 receives the notice described in Subsection (5)(a), appoint an individual from the names  
1623 provided under Subsection (5)(b), to fill the vacancy.

1624 [(4)] (7)(a) If, before the deadline described in Subsection (2)(c), three or fewer attorneys  
1625 who are licensed, active members in good standing with the Utah State Bar and  
1626 registered voters in the county or district have applied for the vacancy, the county

- 1627 legislative body, or, for a prosecution district, the county legislative bodies jointly,  
 1628 may:
- 1629 (i) appoint one of [~~them~~] the attorneys to be county or district attorney; or  
 1630 (ii) solicit additional applicants and appoint a county or district attorney as provided  
 1631 in Subsection [~~(4)(b)~~] (7)(b).
- 1632 (b)(i) If three or fewer attorneys who are licensed members in good standing of the  
 1633 Utah State Bar and registered voters in the county or district submit applications,  
 1634 the county legislative body or county legislative bodies may publicly solicit and  
 1635 accept additional applications for the position from licensed, active members in  
 1636 good standing of the Utah State Bar who are not residents of the county or  
 1637 prosecution district.
- 1638 (ii) The county legislative body or county legislative bodies shall consider the  
 1639 applications submitted by the attorneys who are residents of and registered voters  
 1640 in the county or prosecution district and the applications submitted by the  
 1641 attorneys who are not residents of the county or prosecution district and shall  
 1642 appoint one of the applicants to be county attorney or district attorney.
- 1643 (c) If the county legislative body [~~fails~~] or county legislative bodies fail to appoint [~~a~~  
 1644 ~~person~~] an attorney to fill the vacancy within 120 calendar days after the day on  
 1645 which the vacancy occurs, the county clerk shall:
- 1646 (i) notify the governor that the county legislative body [~~has~~] or county legislative  
 1647 bodies have failed to fill the vacancy within the required time period; and  
 1648 (ii) provide the governor with a list of all the applicants.
- 1649 (d) The governor shall appoint [~~a person~~] an attorney to fill the vacancy within 30  
 1650 calendar days after the day on which the governor receives the notification described  
 1651 in Subsection [~~(4)(e)~~] (7)(c).
- 1652 [~~(5)~~] (8) [~~The person~~] An attorney appointed to fill [~~the~~] a vacancy described in this section  
 1653 shall serve for the unexpired term of the [~~person~~] attorney who created the vacancy.
- 1654 [~~(6)~~] (9) [~~A person~~] An attorney seeking appointment to fill a vacancy under this section  
 1655 shall, no later than the deadline for the [~~person~~] attorney to file a financial report under  
 1656 Section 17-70-403:
- 1657 (a) complete a conflict of interest disclosure statement in accordance with Section  
 1658 17-70-304; and  
 1659 (b) submit the conflict of interest disclosure statement to the county legislative body and  
 1660 the county clerk.

1661 [(7)] (10)(a) The county clerk shall make each conflict of interest disclosure statement  
 1662 made by [a person] an attorney described in Subsection [(6)] (9) available for public  
 1663 inspection by posting an electronic copy of the statement on the county's website for  
 1664 at least 10 calendar days after the day on which the county legislative body appoints [  
 1665 a person] an attorney to fill the vacancy.

1666 (b) The county clerk shall post the electronic statement described in Subsection [(7)(a)]  
 1667 (10)(a) no later than two business days after the day on which the county clerk  
 1668 receives the statement.

1669 [(8)] (11) A vacancy in the office described in Subsection (1) does not occur until the [  
 1670 person] attorney occupying the office:

1671 (a) has left the office; or

1672 (b) submits an irrevocable letter of resignation to the county legislative body.

1673 Section 11. Section **20A-1-513** is amended to read:

1674 **20A-1-513 (Effective 05/06/26). Temporary absence in elected office of a political**  
 1675 **subdivision for military service.**

1676 (1) As used in this section:

1677 (a)(i) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps,  
 1678 Space Force, and Coast Guard.

1679 (ii) "Armed forces" includes the National Guard.

1680 (b)(i) "Elected official" means an individual who holds an office of a political  
 1681 subdivision that is required by law to be filled by an election.

1682 (ii) "Elected official" includes an individual who is appointed to fill a vacancy in an  
 1683 office described in Subsection (1)(b)(i).

1684 (c) "Elected official reservist" means an elected official who is:

1685 (i) a member of the armed forces reserves component;

1686 (ii) a member of the National Guard; or

1687 (iii) a retired member of the armed forces who may be called to active, full-time duty  
 1688 in the armed forces under Title 10, U.S.C., Armed Forces.

1689 (d)(i) "Military leave" means the temporary absence from an office:

1690 (A) by an elected official reservist called to active, full-time duty in the armed  
 1691 forces; and

1692 (B) for a period of time that exceeds 30 calendar days and does not exceed 400  
 1693 calendar days.

1694 (ii) "Military leave" includes the time an individual on leave, as described in

- 1695 Subsection (1)(d)(i), spends for:
- 1696 (A) out processing;
- 1697 (B) an administrative delay;
- 1698 (C) accrued leave; and
- 1699 (D) on rest and recuperation leave program of the armed forces.
- 1700 (e) "Political subdivision's governing body" means:
- 1701 (i) for a county, city, or town, the legislative body of the county, city, or town;
- 1702 (ii) for a special district, the board of trustees of the special district;
- 1703 (iii) for a local school district, the local school board;
- 1704 (iv) for a special service district:
- 1705 (A) the legislative body of the county, city, or town that established the special
- 1706 service district, if no administrative control board has been appointed under
- 1707 Section 17D-1-301; or
- 1708 (B) the administrative control board of the special service district, if an
- 1709 administrative control board has been appointed under Section 17D-1-301; and
- 1710 (v) for a political subdivision not listed in Subsections (1)(e)(i) through (iv), the body
- 1711 that governs the affairs of the political subdivision.
- 1712 (f) "Temporary replacement" means the individual appointed by the political
- 1713 subdivision's governing body in accordance with this section to exercise the powers
- 1714 and duties of the office of an elected official reservist who takes military leave.
- 1715 (2) An elected official reservist who takes military leave in accordance with this section
- 1716 does not create a vacancy in the elected official's office.
- 1717 (3)(a) An elected official reservist who is called to active, full-time duty in the armed
- 1718 forces under Title 10, U.S.C., Armed Forces, shall notify the political subdivision's
- 1719 governing body of the elected official's orders no later than 5 p.m. on the first
- 1720 business day that is at least five calendar days after the day on which the elected
- 1721 official receives the orders.
- 1722 (b) An elected official reservist described in Subsection (3)(a) may:
- 1723 (i) if the period of active, full-time duty does not exceed 270 calendar days:
- 1724 (A) continue to carry out the elected official's duties if possible while on active,
- 1725 full-time duty; or
- 1726 (B) take military leave if the elected official submits to the political subdivision's
- 1727 governing body written notice of the intent to take military leave and the
- 1728 expected duration of the military leave; or

- 1729 (ii) if the period of active, full-time duty exceeds 270 calendar days but does not  
1730 exceed 400 calendar days, take military leave if the elected official submits to the  
1731 political subdivision's governing body:
- 1732 (A) written notice of the intent to take military leave and the expected duration of  
1733 the military leave; and
- 1734 (B) written certification that the secretary of the armed force of which the elected  
1735 official is a member granted the elected official permission under [U.S.] United  
1736 States Department of Defense Directive 1344.10 to continue to hold the elected  
1737 official's office while on active, full-time duty.
- 1738 (4)(a) An elected official reservist who chooses to continue to carry out the elected  
1739 official's duties under Subsection (3)(b)(i)(A) shall, no later than 10 calendar days  
1740 after the day of the elected official's deployment, confirm in writing to the political  
1741 subdivision's governing body that the elected official has the ability to carry out the  
1742 elected official's duties.
- 1743 (b) If an elected official reservist does not submit the confirmation to the political  
1744 subdivision's governing body before the deadline described in Subsection (4)(a), the  
1745 political subdivision's governing body shall:
- 1746 (i) place the elected official in military leave status; and  
1747 (ii) appoint a temporary replacement in accordance with Subsection (8).
- 1748 (5)(a) An elected official reservist who chooses to take military leave under Subsection  
1749 (3)(b)(ii) shall, no later than 21 calendar days after the date of the elected official's  
1750 deployment, submit to the political subdivision's governing body the written notice  
1751 and certification described in Subsection (3)(b)(ii).
- 1752 (b) If an elected official reservist does not submit the notice and certification to the  
1753 political subdivision's governing body before the deadline described in Subsection  
1754 (5)(a):
- 1755 (i) the political subdivision's governing body may not appoint a temporary  
1756 replacement under Subsection (8); and  
1757 (ii) the elected official reservist creates a vacancy in the elected official's office.
- 1758 (6) An elected official reservist who is called to active, full-time duty in the armed forces  
1759 under Title 10, U.S.C., Armed Forces, for a period of more than 400 calendar days  
1760 creates a vacancy in the elected official's office.
- 1761 (7) An elected official reservist's military leave:
- 1762 (a) begins:

- 1763 (i) for an elected official reservist described in Subsection (3)(b)(i), the later of:
- 1764 (A) the day after the day on which the elected official notifies the political
- 1765 subdivision's governing body of the intent to take military leave;
- 1766 (B) 11 calendar days after the day of the elected official's deployment if no
- 1767 confirmation is received by the political subdivision's governing body in
- 1768 accordance with Subsection (4)(a); or
- 1769 (C) the day on which the elected official begins active, full-time duty in the armed
- 1770 forces; or
- 1771 (ii) for an elected official reservist described in Subsection (3)(b)(ii), the day after the
- 1772 day on which the elected official submits to the political subdivision's governing
- 1773 body the written notice and certification described in Subsection (3)(b)(ii); and
- 1774 (b) ends the sooner of:
- 1775 (i) the expiration of the elected official reservist's term of office; or
- 1776 (ii) the day on which the elected official reservist ends active, full-time duty in the
- 1777 armed forces.
- 1778 (8) A temporary replacement shall:
- 1779 (a) meet the qualifications required to hold the office; and
- 1780 (b) be appointed:
- 1781 (i) when an elected official reservist:
- 1782 (A) takes military leave under Subsection (3)(b)(i)(B) or (b)(ii); or
- 1783 (B) is placed in military leave status under Subsection (4)(b)(i); and
- 1784 (ii) by the political subdivision's governing body:
- 1785 (A) if a registered political party nominated the elected official reservist as a
- 1786 candidate for the office, in the same manner as provided in Subsection
- 1787 20A-1-508(3) or (4) for the appointment of an interim replacement; or
- 1788 (B) if a registered political party did not nominate the elected official reservist as a
- 1789 candidate for the office, after submitting an application in accordance with
- 1790 Subsection (10)(b).
- 1791 (9)(a) A temporary replacement shall exercise the powers and duties of the office for
- 1792 which the temporary replacement is appointed for the duration of the elected official
- 1793 reservist's military leave.
- 1794 (b) An elected reservist may not exercise the powers or duties of the office while on
- 1795 military leave.
- 1796 (c) If a temporary replacement is not appointed as required by Subsection (8)(b), no

1797 individual may exercise the powers and duties of the elected official reservist's office  
1798 during the elected official's military leave.

1799 (10) The political subdivision's governing body shall establish:

1800 (a) the distribution of the emoluments of the office between the elected official reservist  
1801 and the temporary replacement; and

1802 (b) an application form and the date and time before which an individual shall submit  
1803 the application to be considered by the political subdivision's governing body for  
1804 appointment as a temporary replacement.

1805 (11) This section does not apply to an elected official who is not an elected official reservist.

1806 Section 12. Section **20A-2-101.1** is amended to read:

1807 **20A-2-101.1 (Effective 01/01/27). Preregistering to vote.**

1808 (1) ~~[A]~~ Subject to Section 20A-3a-201.5, an individual may preregister to vote if the  
1809 individual:

1810 (a) is 16 or 17 years ~~[of age]~~ old;

1811 (b) is not eligible to register to vote because the individual does not comply with the age  
1812 requirements described in Subsection 20A-2-101(1)(c);

1813 (c) is a citizen of the United States;

1814 (d) has been a resident of Utah for at least 30 calendar days; and

1815 (e) currently resides within the voting district or precinct in which the individual  
1816 preregisters to vote.

1817 (2) An individual described in Subsection (1) may not vote in an election and is not  
1818 registered to vote until:

1819 (a) the individual is otherwise eligible to register to vote because the individual complies  
1820 with the age requirements described in Subsection 20A-2-101(1)(c); and

1821 (b) the county clerk registers the individual to vote under Subsection (4).

1822 (3) An individual who preregisters to vote shall:

1823 (a) complete a voter registration form, including an indication that the individual is  
1824 preregistering to vote; and

1825 (b) submit the voter registration form to a county clerk in person, by mail, or in any  
1826 other manner authorized by this chapter for the submission of a voter registration  
1827 form.

1828 (4)(a) A county clerk shall:

1829 (i) retain the voter registration form of an individual who meets the qualifications for  
1830 preregistration and who submits a completed voter registration form to the county

- 1831 clerk under Subsection (3)(b);
- 1832 (ii) subject to Section 20A-3a-201.5, register the individual to vote in the next
- 1833 election in which the individual will be eligible to vote, before the voter
- 1834 registration deadline established in Section 20A-2-102.5 for that election; and
- 1835 (iii) send a notice to the individual that:
- 1836 (A) informs the individual that the individual's voter registration form has been
- 1837 accepted as an application for preregistration;
- 1838 (B) informs the individual that the individual will be registered to vote in the next
- 1839 election in which the individual will be eligible to vote; and
- 1840 (C) indicates in which election the individual will be registered to vote.
- 1841 (b) An individual who the county clerk registers under Subsection (4)(a)(ii) is
- 1842 considered to have applied for voter registration on the earlier of:
- 1843 (i) the day of the voter registration deadline immediately preceding the election day
- 1844 on which the individual will be at least 18 years ~~[of age]~~ old; or
- 1845 (ii) the day on which the individual turns 18 years ~~[of age]~~ old.
- 1846 (c) A county clerk shall refer a voter registration form to the county attorney for
- 1847 investigation and possible prosecution if the clerk or the clerk's designee believes the
- 1848 individual is attempting to preregister to vote in an election in which the individual
- 1849 will not be legally entitled to vote.
- 1850 (5)(a) The lieutenant governor or a county clerk shall classify the voter registration
- 1851 record of an individual who preregisters to vote as a private record until the day on
- 1852 which the individual turns 18 years ~~[of age]~~ old.
- 1853 (b) ~~[On]~~ Subject to Subsection 63G-2-301(2)(l), and except as otherwise provided in
- 1854 Subsections 63G-2-302(1)(j) through (m), on the day on which the individual
- 1855 described in Subsection (5)(a) turns 18 years [of age] old, the lieutenant governor or
- 1856 county clerk shall classify the individual's voter registration record as a public record[
- 1857 in accordance with Subsection 63G-2-301(2)(l)].
- 1858 (6) If an individual who is at least 18 years ~~[of age]~~ old erroneously indicates on the voter
- 1859 registration form that the individual is preregistering to vote, the county clerk shall
- 1860 consider the form as a voter registration form and shall process the form in accordance
- 1861 with this chapter.

1862 Section 13. Section **20A-2-104** is amended to read:

1863 **20A-2-104 (Effective 01/01/27). Voter registration form -- Registered voter lists**

1864 **-- Fees for copies.**

- 1865 [(1) As used in this section:]
- 1866 [(a) "Candidate for public office" means an individual:]
- 1867 [(i) who files a declaration of candidacy for a public office;]
- 1868 [(ii) who files a notice of intent to gather signatures under Section 20A-9-408; or]
- 1869 [(iii) employed by, under contract with, or a volunteer of, an individual described in
- 1870 Subsection (1)(a)(i) or (ii) for political campaign purposes.]
- 1871 [(b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and
- 1872 the federal Violence Against Women Act of 1994, as amended.]
- 1873 [(c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and
- 1874 the federal Violence Against Women Act of 1994, as amended.]
- 1875 [(d) "Hash Code" means a code generated by applying an algorithm to a set of data to
- 1876 produce a code that:]
- 1877 [(i) uniquely represents the set of data;]
- 1878 [(ii) is always the same if the same algorithm is applied to the same set of data; and]
- 1879 [(iii) cannot be reversed to reveal the data applied to the algorithm.]
- 1880 [(e) "Protected individual" means an individual:]
- 1881 [(i) who submits a withholding request form with the individual's voter registration
- 1882 record, or to the lieutenant governor or a county clerk, if the individual indicates
- 1883 on the form that the individual, or an individual who resides with the individual, is
- 1884 a victim of domestic violence or dating violence or is likely to be a victim of
- 1885 domestic violence or dating violence;]
- 1886 [(ii) who submits a withholding request form with the individual's voter registration
- 1887 record, or to the lieutenant governor or a county clerk, if the individual indicates
- 1888 on the form and provides verification that the individual, or an individual who
- 1889 resides with the individual, is a law enforcement officer, a member of the armed
- 1890 forces as defined in Section 20A-1-513, a public figure, or protected by a
- 1891 protective order or protection order; or]
- 1892 [(iii) whose voter registration record was classified as a private record at the request
- 1893 of the individual before May 12, 2020.]
- 1894 [(2)] (1)(a) An individual applying for voter registration, or an individual preregistering
- 1895 to vote, shall complete [a] the voter registration form[in substantially the following
- 1896 form:] described in this Subsection (1)(a).
- 1897 (i) The first portion of the voter registration form shall contain the following:



1933 • By text or phone call, at the phone number you provided above? Yes No

1934 Last four digits of Social Security Number \_\_\_\_\_

1935 Last former address at which I was registered to vote (if

1936 known)\_\_\_\_\_

1937 \_\_\_\_\_

1938 City County State Zip Code

1939 Political Party

1940 (a listing of each registered political party, as defined in Section 20A-8-101 and

1941 maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded

1942 by a checkbox)

1943 Unaffiliated (no political party preference) Other (Please

1944 specify)\_\_\_\_\_

1945 I do swear [(or affirm)], subject to penalty of law for false statements, that the  
1946 information contained in this form is true, and that I am a citizen of the United States and a  
1947 resident of the state of Utah, residing at the above address.[-] Unless I have indicated above  
1948 that I am preregistering to vote in a later election, I will be at least 18 years [of age] old and  
1949 will have resided in Utah for 30 calendar days immediately before the next election. I am not  
1950 a convicted felon currently incarcerated for commission of a felony.

1951 Signed and sworn

1952 \_\_\_\_\_

1953 Voter's Signature

1954 \_\_\_\_\_(month/day/year).

1955 **PRIVACY INFORMATION**

1956 Voter registration records contain some information that is available to the public, such  
1957 as your name, address, and year of birth. Your full date of birth, driver license number, state  
1958 identification card number, and social security number are available only to an authorized  
1959 government entity. Your email address and phone number are also only available to an  
1960 authorized government entity, unless you have consented, above, to disclose them to the  
1961 political party with which you choose to affiliate and candidates for that political party.

1962 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

1963 In addition to the protections provided above, you may request that your voter registration  
1964 record be withheld from public disclosure if you or someone you live with:

1965 • is at risk of domestic violence;

1966 • is a law enforcement officer;

1967 • is a member of the military who is deployed away from home;

1968 • is a public figure; or

1969 • is protected by a court order.

1970 To make this request for additional privacy protection, you must prove that you qualify by  
 1971 submitting an at-risk voter request form, and any required proof, to the county clerk.

1972 [~~Voter registration records contain some information that is available to the public, such as~~  
 1973 ~~your name and address, some information that is available only to government entities, and~~  
 1974 ~~some information that is available only to certain third parties in accordance with the~~  
 1975 ~~requirements of law.~~

1976 ~~Your driver license number, identification card number, social security number, email~~  
 1977 ~~address, full date of birth, and phone number are available only to government entities. Your~~  
 1978 ~~year of birth is available to political parties, candidates for public office, certain third parties,~~  
 1979 ~~and their contractors, employees, and volunteers, in accordance with the requirements of law.~~

1980 ~~You may request that all information on your voter registration records be withheld~~  
 1981 ~~from all persons other than government entities, political parties, candidates for public office,~~  
 1982 ~~and their contractors, employees, and volunteers, by indicating here:~~

1983 ~~\_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld~~  
 1984 ~~from all persons other than government entities, political parties, candidates for public office,~~  
 1985 ~~and their contractors, employees, and volunteers.~~

#### 1986 ~~REQUEST FOR ADDITIONAL PRIVACY PROTECTION~~

1987 ~~In addition to the protections provided above, you may request that identifying~~  
 1988 ~~information on your voter registration records be withheld from all political parties, candidates~~  
 1989 ~~for public office, and their contractors, employees, and volunteers, by submitting a~~  
 1990 ~~withholding request form, and any required verification, as described in the following~~  
 1991 ~~paragraphs.~~

1992 ~~A person may request that identifying information on the person's voter registration~~  
 1993 ~~records be withheld from all political parties, candidates for public office, and their~~  
 1994 ~~contractors, employees, and volunteers, by submitting a withholding request form with this~~  
 1995 ~~registration record, or to the lieutenant governor or a county clerk, if the person is or is likely~~  
 1996 ~~to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating~~  
 1997 ~~violence.~~

1998 ~~A person may request that identifying information on the person's voter registration~~  
 1999 ~~records be withheld from all political parties, candidates for public office, and their~~  
 2000 ~~contractors, employees, and volunteers, by submitting a withholding request form and any~~

2001 required verification with this registration form, or to the lieutenant governor or a county clerk,  
2002 if the person is, or resides with a person who is, a law enforcement officer, a member of the  
2003 armed forces, a public figure, or protected by a protective order or a protection order.]

2004 CITIZENSHIP AFFIDAVIT

2005 Name:  
2006 Name at birth, if different:  
2007 Place of birth:  
2008 Date of birth:  
2009 Date and place of naturalization (if applicable):

2010 I hereby swear [~~and~~] or affirm, under penalties for voting fraud set forth below, that I am  
2011 a citizen and that to the best of my knowledge and belief the information above is true and  
2012 correct.

2013 \_\_\_\_\_  
2014 Signature of Applicant

2015 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or  
2016 allowing yourself to be registered or preregistered to vote if you know you are not entitled to  
2017 register or preregister to vote is up to one year in jail and a fine of up to \$2,500.

2018 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID  
2019 VOTER IDENTIFICATION TO THE POLL WORKER, IN ACCORDANCE WITH THE  
2020 REQUIREMENTS OF LAW.

2021 FOR OFFICIAL USE ONLY

2022 Type of I.D. \_\_\_\_\_  
2023 Voting Precinct \_\_\_\_\_  
2024 Voting I.D. Number \_\_\_\_\_

2025 -----  
2026 ".  
2027

(b) The voter registration form described in Subsection [~~(2)(a)~~] (1)(a) shall include:

2028 (i) a section in substantially the following form:

2029 "-----"

2030 BALLOT NOTIFICATIONS

2031 Do you consent to receive communications about the status of your ballot and other official  
2032 communications, by text, at the phone number you provided above? Yes No

2033 -----";

2034 and

2035 (ii) no later than November 5, 2025, the following, immediately after the question described in  
 2036 Subsection ~~[(2)(b)(i)]~~ (1)(b)(i):

2037 "Indicate below how you want to vote in upcoming elections:

2038 \_\_\_\_\_ Mail a ballot to me.

2039 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

2040 (c)(i) Except as provided under Subsection ~~[(2)(e)(ii)]~~ (1)(c)(ii), the county clerk shall  
 2041 retain a copy of each voter registration form in a permanent countywide  
 2042 alphabetical file, which may be electronic or some other recognized system.

2043 (ii) The county clerk may transfer a superseded voter registration form to the  
 2044 Division of Archives and Records Service created under Section 63A-12-101.

2045 ~~[(3)]~~ (d)~~[(a)]~~ (i) Each county clerk shall retain lists of currently registered voters.

2046 ~~[(b)]~~ (ii) The lieutenant governor shall maintain a list of registered voters in electronic  
 2047 form.

2048 ~~[(e)]~~ (iii) If there are any discrepancies between the two lists, the county clerk's list is  
 2049 the official list.

2050 ~~[(d)]~~ (iv) [The] Subject to Subsection (1)(d)(v), the lieutenant governor [and the  
 2051 county clerks] or a county clerk may charge the fees established under the  
 2052 authority of Subsection 63G-2-203(10) to [individuals who wish] a person who  
 2053 wishes to obtain a copy of the list of registered voters.

2054 (v) The fee to obtain an electronic copy of the list of registered voters may not exceed  
 2055 \$200.

2056 (e) The back of the voter registration form shall include the following statement:

2057 "Proof of United States citizenship may be established by one of the following  
 2058 methods:

2059 • a Utah driver license number that verifies United States citizenship;

2060 • a Utah state identification card number that verifies United States citizenship;

2061 • a legible copy of your birth certificate that verifies United States citizenship;

2062 • a legible copy of the pages of a United States passport that identifies you and  
 2063 your passport number;

2064 • an alien registration number that verifies United States citizenship;

2065 • a legible copy of your United States naturalization documents;

2066 • a Bureau of Indian Affairs card number, tribal treaty card number, or tribal  
 2067 enrollment number;

2068 • a legible copy of a certificate of degree of Indian blood or a Bureau of Indian

2069 Affairs affidavit of birth;  
 2070 • verification of citizenship from the Systematic Alien Verification for Entitlements  
 2071 program, operated by the United States Department of Homeland Security; or  
 2072 • other documents or methods of proving United States citizenship that are  
 2073 established in accordance with the Immigration Reform and Control Act of 1986."

2074 [(4)(a) As used in this Subsection (4), "qualified person" means:]

2075 [(i) a government official or government employee acting in the government official's  
 2076 or government employee's capacity as a government official or a government  
 2077 employee;]

2078 [(ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee,  
 2079 or independent contractor of a health care provider;]

2080 [(iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee,  
 2081 or independent contractor of an insurance company;]

2082 [(iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or  
 2083 independent contractor of a financial institution;]

2084 [(v) a political party, or an agent, employee, or independent contractor of a political  
 2085 party;]

2086 [(vi) a candidate for public office, or an employee, independent contractor, or  
 2087 volunteer of a candidate for public office;]

2088 [(vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a  
 2089 year of birth from the list of registered voters:]

2090 [(A) provides the year of birth only to a person described in Subsections (4)(a)(i)  
 2091 through (vi);]

2092 [(B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person  
 2093 described in Subsections (4)(a)(i) through (vi);]

2094 [(C) ensures, using industry standard security measures, that the year of birth may  
 2095 not be accessed by a person other than a person described in Subsections  
 2096 (4)(a)(i) through (vi);]

2097 [(D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to  
 2098 whom the person provides the year of birth will only use the year of birth to  
 2099 verify the accuracy of personal information submitted by an individual or to  
 2100 confirm the identity of a person in order to prevent fraud, waste, or abuse;]

2101 [(E) verifies that each person described in Subsection (4)(a)(i) to whom the person  
 2102 provides the year of birth will only use the year of birth in the person's capacity

2103 as a government official or government employee; and]

2104 [(F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the

2105 person provides the year of birth will only use the year of birth for a political

2106 purpose of the political party or candidate for public office; or]

2107 [(viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining

2108 information under Subsection (4)(n) and (o);]

2109 [(A) provides the information only to another person described in Subsection

2110 (4)(a)(v) or (vi);]

2111 [(B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a

2112 person described in Subsection (4)(a)(v) or (vi);]

2113 [(C) ensures, using industry standard security measures, that the information may

2114 not be accessed by a person other than a person described in Subsection

2115 (4)(a)(v) or (vi); and]

2116 [(D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom

2117 the person provides the information will only use the information for a political

2118 purpose of the political party or candidate for public office.]

2119 [(b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in

2120 Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall,

2121 when providing the list of registered voters to a qualified person under this section,

2122 include, with the list, the years of birth of the registered voters, if:]

2123 [(i) the lieutenant governor or a county clerk verifies the identity of the person and

2124 that the person is a qualified person; and]

2125 [(ii) the qualified person signs a document that includes the following:]

2126 [(A) the name, address, and telephone number of the person requesting the list of

2127 registered voters;]

2128 [(B) an indication of the type of qualified person that the person requesting the list

2129 claims to be;]

2130 [(C) a statement regarding the purpose for which the person desires to obtain the

2131 years of birth;]

2132 [(D) a list of the purposes for which the qualified person may use the year of birth

2133 of a registered voter that is obtained from the list of registered voters;]

2134 [(E) a statement that the year of birth of a registered voter that is obtained from the

2135 list of registered voters may not be provided or used for a purpose other than a

2136 purpose described under Subsection (4)(b)(ii)(D);]

- 2137           ~~[(F) a statement that if the person obtains the year of birth of a registered voter~~  
 2138           ~~from the list of registered voters under false pretenses, or provides or uses the~~  
 2139           ~~year of birth of a registered voter that is obtained from the list of registered~~  
 2140           ~~voters in a manner that is prohibited by law, is guilty of a class A misdemeanor~~  
 2141           ~~and is subject to a civil fine;]~~
- 2142           ~~[(G) an assertion from the person that the person will not provide or use the year~~  
 2143           ~~of birth of a registered voter that is obtained from the list of registered voters in~~  
 2144           ~~a manner that is prohibited by law; and]~~
- 2145           ~~[(H) notice that if the person makes a false statement in the document, the person~~  
 2146           ~~is punishable by law under Section 76-8-504.]~~
- 2147   ~~[(e) The lieutenant governor or a county clerk:]~~
- 2148           ~~[(i) may not disclose the year of birth of a registered voter to a person that the~~  
 2149           ~~lieutenant governor or county clerk reasonably believes:]~~
- 2150           ~~[(A) is not a qualified person or a person described in Subsection (4)(l); or]~~  
 2151           ~~[(B) will provide or use the year of birth in a manner prohibited by law; and]~~
- 2152           ~~[(ii) may not disclose information under Subsections (4)(n) or (o) to a person that the~~  
 2153           ~~lieutenant governor or county clerk reasonably believes:]~~
- 2154           ~~[(A) is not a person described in Subsection (4)(a)(v) or (vi); or]~~  
 2155           ~~[(B) will provide or use the information in a manner prohibited by law.]~~
- 2156   ~~[(d) The lieutenant governor or a county clerk may not disclose the voter registration~~  
 2157   ~~form of a person, or information included in the person's voter registration form,~~  
 2158   ~~whose voter registration form is classified as private under Subsection (4)(h) to a~~  
 2159   ~~person other than:]~~
- 2160           ~~[(i) a government official or government employee acting in the government official's~~  
 2161           ~~or government employee's capacity as a government official or government~~  
 2162           ~~employee; or]~~
- 2163           ~~[(ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for~~  
 2164           ~~a political purpose.]~~
- 2165   ~~[(e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or~~  
 2166   ~~information under Subsection (4)(d)(ii), the lieutenant governor or county clerk~~  
 2167   ~~shall exclude the information described in Subsection 63G-2-302(1)(j), other than~~  
 2168   ~~the year of birth.]~~
- 2169           ~~[(ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the~~  
 2170           ~~voter registration record of a protected individual, the lieutenant governor or~~

- 2171 county clerk shall comply with Subsections (4)(n) through (p).]
- 2172 [(f) The lieutenant governor or a county clerk may not disclose a withholding request  
2173 form, described in Subsections (7) and (8), submitted by an individual, or information  
2174 obtained from that form, to a person other than a government official or government  
2175 employee acting in the government official's or government employee's capacity as a  
2176 government official or government employee.]
- 2177 [(g) A person is guilty of a class A misdemeanor if the person:]
- 2178 [(i) obtains from the list of registered voters, under false pretenses, the year of birth  
2179 of a registered voter or information described in Subsection (4)(n) or (o);]
- 2180 [(ii) uses or provides the year of birth of a registered voter, or information described  
2181 in Subsection (4)(n) or (o), that is obtained from the list of registered voters in a  
2182 manner that is not permitted by law;]
- 2183 [(iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)  
2184 under false pretenses;]
- 2185 [(iv) uses or provides information obtained from a voter registration record described  
2186 in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;]
- 2187 [(v) unlawfully discloses or obtains a voter registration record withheld under  
2188 Subsection (7) or a withholding request form described in Subsections (7) and (8);  
2189 or]
- 2190 [(vi) unlawfully discloses or obtains information from a voter registration record  
2191 withheld under Subsection (7) or a withholding request form described in  
2192 Subsections (7) and (8).]
- 2193 [(h) The lieutenant governor or a county clerk shall classify the voter registration record  
2194 of a voter as a private record if the voter:]
- 2195 [(i) submits a written application, created by the lieutenant governor, requesting that  
2196 the voter's voter registration record be classified as private;]
- 2197 [(ii) requests on the voter's voter registration form that the voter's voter registration  
2198 record be classified as a private record; or]
- 2199 [(iii) submits a withholding request form described in Subsection (7) and any  
2200 required verification.]
- 2201 [(i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a  
2202 county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a  
2203 voter registration record, or information obtained from a voter registration record, if  
2204 the record is withheld under Subsection (7).]

- 2205            [(j) In addition to any criminal penalty that may be imposed under this section, the  
 2206            lieutenant governor may impose a civil fine against a person who violates a provision  
 2207            of this section, in an amount equal to the greater of:]
- 2208            [(i) the product of 30 and the square root of the total number of:]
- 2209                    [(A) records obtained, provided, or used unlawfully, rounded to the nearest whole  
 2210                    dollar; or]
- 2211                    [(B) records from which information is obtained, provided, or used unlawfully,  
 2212                    rounded to the nearest whole dollar; or]
- 2213            [(ii) \$200.]
- 2214            [(k) A qualified person may not obtain, provide, or use the year of birth of a registered  
 2215            voter, if the year of birth is obtained from the list of registered voters or from a voter  
 2216            registration record, unless the person:]
- 2217                    [(i) is a government official or government employee who obtains, provides, or uses  
 2218                    the year of birth in the government official's or government employee's capacity  
 2219                    as a government official or government employee;]
- 2220                    [(ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or  
 2221                    uses the year of birth only to verify the accuracy of personal information  
 2222                    submitted by an individual or to confirm the identity of a person in order to  
 2223                    prevent fraud, waste, or abuse;]
- 2224                    [(iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,  
 2225                    provides, or uses the year of birth for a political purpose of the political party or  
 2226                    candidate for public office; or]
- 2227                    [(iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or  
 2228                    uses the year of birth to provide the year of birth to another qualified person to  
 2229                    verify the accuracy of personal information submitted by an individual or to  
 2230                    confirm the identity of a person in order to prevent fraud, waste, or abuse.]
- 2231            [(l) The lieutenant governor or a county clerk may provide a year of birth to a member  
 2232            of the media, in relation to an individual designated by the member of the media, in  
 2233            order for the member of the media to verify the identity of the individual.]
- 2234            [(m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose  
 2235            information from a voter registration record for a purpose other than a political  
 2236            purpose.]
- 2237            [(n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a  
 2238            county clerk shall, when providing the list of registered voters to a qualified person

2239 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose  
 2240 record is withheld under Subsection (7), the information described in Subsection  
 2241 (4)(o), if:]

2242 [(i) the lieutenant governor or a county clerk verifies the identity of the person and  
 2243 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and]

2244 [(ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document  
 2245 that includes the following:]

2246 [(A) the name, address, and telephone number of the person requesting the list of  
 2247 registered voters;]

2248 [(B) an indication of the type of qualified person that the person requesting the list  
 2249 claims to be;]

2250 [(C) a statement regarding the purpose for which the person desires to obtain the  
 2251 information;]

2252 [(D) a list of the purposes for which the qualified person may use the information;]

2253 [(E) a statement that the information may not be provided or used for a purpose  
 2254 other than a purpose described under Subsection (4)(n)(ii)(D);]

2255 [(F) a statement that if the person obtains the information under false pretenses, or  
 2256 provides or uses the information in a manner that is prohibited by law, the  
 2257 person is guilty of a class A misdemeanor and is subject to a civil fine;]

2258 [(G) an assertion from the person that the person will not provide or use the  
 2259 information in a manner that is prohibited by law; and]

2260 [(H) notice that if the person makes a false statement in the document, the person  
 2261 is punishable by law under Section 76-8-504.]

2262 [(o) Except as provided in Subsection (4)(p), the information that the lieutenant  
 2263 governor or a county clerk is required to provide, under Subsection (4)(n), from the  
 2264 record of a protected individual is:]

2265 [(i) a single hash code, generated from a string of data that includes both the voter's  
 2266 voter identification number and residential address;]

2267 [(ii) the voter's residential address;]

2268 [(iii) the voter's mailing address, if different from the voter's residential address;]

2269 [(iv) the party affiliation of the voter;]

2270 [(v) the precinct number for the voter's residential address;]

2271 [(vi) the voter's voting history; and]

2272 [(vii) a designation of which age group, of the following age groups, the voter falls

2273 within:]

2274 [(A) 25 or younger;]

2275 [(B) 26 through 35;]

2276 [(C) 36 through 45;]

2277 [(D) 46 through 55;]

2278 [(E) 56 through 65;]

2279 [(F) 66 through 75; or]

2280 [(G) 76 or older.]

2281 [(p) The lieutenant governor or a county clerk may not disclose:]

2282 [(i) information described in Subsection (4)(o) that, due to a small number of voters  
2283 affiliated with a particular political party, or due to another reason, would likely  
2284 reveal the identity of a voter if disclosed; or]

2285 [(ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the  
2286 county clerk determines that the nature of the address would directly reveal  
2287 sensitive information about the voter.]

2288 [(q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain,  
2289 provide, or use the information described in Subsection (4)(n) or (o), except to the  
2290 extent that the qualified person uses the information for a political purpose of a  
2291 political party or candidate for public office.]

2292 [(5)] (2) When political parties not listed on the voter registration form qualify as registered  
2293 political parties under Chapter 8, Political Party Formation and Procedures, the  
2294 lieutenant governor shall inform the county clerks of the name of the new political party  
2295 and direct the county clerks to ensure that the voter registration form is modified to  
2296 include that political party.

2297 [(6)] (3) Upon receipt of a voter registration form from an applicant, the county clerk or the  
2298 clerk's designee shall:

2299 (a) review each voter registration form for completeness and accuracy; and

2300 (b) if the county clerk believes, based upon a review of the form, that an individual may  
2301 be seeking to register or preregister to vote who is not legally entitled to register or  
2302 preregister to vote, refer the form to the county attorney for investigation and  
2303 possible prosecution.

2304 (4) Beginning on January 1, 2028, an individual who registers to vote using a federal voter  
2305 registration form is limited to voting a federal ballot, unless the individual provides  
2306 documentary proof of United States citizenship.

- 2307 [~~(7) The lieutenant governor or a county clerk shall withhold from a person, other than a~~  
 2308 ~~person described in Subsection (4)(a)(i), the voter registration record, and information~~  
 2309 ~~obtained from the voter registration record, of a protected individual.]~~
- 2310 [~~(8)(a) The lieutenant governor shall design and distribute a withholding request form~~  
 2311 ~~for the purpose described in Subsections (1)(e)(i), (1)(e)(ii), (7), and this Subsection~~  
 2312 ~~(8) to each election officer and to each agency that provides a voter registration form.]~~
- 2313 [~~(b) An individual described in Subsection (1)(e)(i) is not required to provide~~  
 2314 ~~verification, other than the individual's attestation and signature on the withholding~~  
 2315 ~~request form, that the individual, or an individual who resides with the individual, is a~~  
 2316 ~~victim of domestic violence or dating violence or is likely to be a victim of domestic~~  
 2317 ~~violence or dating violence.]~~
- 2318 [~~(c) The director of elections within the Office of the Lieutenant Governor shall make~~  
 2319 ~~rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~  
 2320 ~~establishing requirements for providing the verification described in Subsection~~  
 2321 ~~(1)(e)(ii).]~~
- 2322 [~~(9) An election officer or an employee of an election officer may not encourage an~~  
 2323 ~~individual to submit, or discourage an individual from submitting, a withholding request~~  
 2324 ~~form.]~~
- 2325 [~~(10)(a) The lieutenant governor shall make and execute a plan to provide notice to~~  
 2326 ~~registered voters who are protected individuals, that includes the following~~  
 2327 ~~information:]~~
- 2328 [~~(i) that the voter's classification of the record as private remains in effect;]~~
- 2329 [~~(ii) that certain non-identifying information from the voter's voter registration record~~  
 2330 ~~may, under certain circumstances, be released to political parties and candidates~~  
 2331 ~~for public office;]~~
- 2332 [~~(iii) that the voter's name, driver license or identification card number, social~~  
 2333 ~~security number, email address, phone number, and the voter's day, month, and~~  
 2334 ~~year of birth will remain private and will not be released to political parties or~~  
 2335 ~~candidates for public office;]~~
- 2336 [~~(iv) that a county clerk will only release the information to political parties and~~  
 2337 ~~candidates in a manner that does not associate the information with a particular~~  
 2338 ~~voter; and]~~
- 2339 [~~(v) that a county clerk may, under certain circumstances, withhold other information~~  
 2340 ~~that the county clerk determines would reveal identifying information about the~~

- 2341 voter.]
- 2342 ~~[(b) The lieutenant governor may include in the notice described in this Subsection (10)~~
- 2343 ~~a statement that a voter may obtain additional information on the lieutenant~~
- 2344 ~~governor's website.]~~
- 2345 ~~[(e) The plan described in Subsection (10)(a) may include providing the notice described~~
- 2346 ~~in Subsection (10)(a) by:]~~
- 2347 ~~[(i) publication on the Utah Public Notice Website, created in Section 63A-16-601;]~~
- 2348 ~~[(ii) publication on the lieutenant governor's website or a county's website;]~~
- 2349 ~~[(iii) posting the notice in public locations;]~~
- 2350 ~~[(iv) publication in a newspaper;]~~
- 2351 ~~[(v) sending notification to the voters by electronic means;]~~
- 2352 ~~[(vi) sending notice by other methods used by government entities to communicate~~
- 2353 ~~with citizens; or]~~
- 2354 ~~[(vii) providing notice by any other method.]~~
- 2355 ~~[(d) The lieutenant governor shall provide the notice included in a plan described in this~~
- 2356 ~~Subsection (10) before June 16, 2023.]~~

2357 Section 14. Section **20A-2-108** is amended to read:

2358 **20A-2-108 (Effective 01/01/27). Driver license or state identification card**

2359 **registration form -- Transmittal of information.**

- 2360 (1) As used in this section, "qualifying form" means:
- 2361 (a) a driver license application form; or
- 2362 (b) a state identification card application form.
- 2363 (2) The lieutenant governor and the Driver License Division shall design each qualifying
- 2364 form to include:
- 2365 (a)(i) the following question, which an applicant is required to answer: "Do you
- 2366 authorize the use of information in this form for voter registration purposes?
- 2367 YES\_\_\_\_ NO\_\_\_\_"; and
- 2368 (ii) no later than November 5, 2025, the following:
- 2369 "Indicate below how you want to vote in upcoming elections:
- 2370 \_\_\_\_\_ Mail a ballot to me.
- 2371 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person.";
- 2372 (b) the following statement:

2373 "PRIVACY INFORMATION

2374 Voter registration records contain some information that is available to the public, such

2375 as your name, address, and year of birth. Your full date of birth, driver license number, state  
 2376 identification card number, and social security number are available only to an authorized  
 2377 government entity. Your email address and phone number are also only available to an  
 2378 authorized government entity, unless you have consented, above, to disclose them to the  
 2379 political party with which you choose to affiliate and candidates for that political party.

2380 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2381 In addition to the protections provided above, you may request that your voter registration  
 2382 record be withheld from public disclosure if you or someone you live with:

- 2383 • is at risk of domestic violence;
- 2384 • is a law enforcement officer;
- 2385 • is a member of the military who is deployed away from home;
- 2386 • is a public figure; or
- 2387 • is protected by a court order.

2388 To make this request for additional privacy protection, you must prove that you qualify by  
 2389 submitting an at-risk voter request form, and any required proof, to the county clerk."; and  
 2390 [Voter registration records contain some information that is available to the public, such as  
 2391 your name and address, some information that is available only to government entities, and  
 2392 some information that is available only to certain third parties in accordance with the  
 2393 requirements of law.

2394 Your driver license number, identification card number, social security number, email  
 2395 address, full date of birth, and phone number are available only to government entities. Your  
 2396 year of birth is available to political parties, candidates for public office, certain third parties,  
 2397 and their contractors, employees, and volunteers, in accordance with the requirements of law.

2398 You may request that all information on your voter registration records be withheld  
 2399 from all persons other than government entities, political parties, candidates for public office,  
 2400 and their contractors, employees, and volunteers, by indicating here:

2401 \_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld  
 2402 from all persons other than government entities, political parties, candidates for public office,  
 2403 and their contractors, employees, and volunteers.

2404 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2405 In addition to the protections provided above, you may request that identifying  
 2406 information on your voter registration records be withheld from all political parties, candidates  
 2407 for public office, and their contractors, employees, and volunteers, by submitting a  
 2408 withholding request form, and any required verification, as described in the following

2409 paragraphs.

2410 A person may request that identifying information on the person's voter registration  
2411 records be withheld from all political parties, candidates for public office, and their  
2412 contractors, employees, and volunteers, by submitting a withholding request form with this  
2413 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely  
2414 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating  
2415 violence.

2416 A person may request that identifying information on the person's voter registration  
2417 records be withheld from all political parties, candidates for public office, and their  
2418 contractors, employees, and volunteers, by submitting a withholding request form and any  
2419 required verification with this registration form, or to the lieutenant governor or a county clerk,  
2420 if the person is, or resides with a person who is, a law enforcement officer, a member of the  
2421 armed forces, a public figure, or protected by a protective order or a protection order."; and]

2422 (c) a section in substantially the following form:

2423 "-----  
2424 **BALLOT NOTIFICATIONS**  
2425 Do you consent to receive communications about the status of your ballot and other official  
2426 communications, by text, at the phone number you provided above? Yes No  
2427 -----".

2428 (3) The lieutenant governor and the Driver License Division shall ensure that a qualifying  
2429 form contains:

- 2430 (a) a place for an individual to swear or affirm the individual's citizenship, voting  
2431 eligibility, and Utah residency, and that the information provided in the form is true;
- 2432 (b) a records disclosure that is similar to the records disclosure on a voter registration  
2433 form described in Section 20A-2-104;
- 2434 (c) a statement that if an applicant declines to register or preregister to vote, the fact that  
2435 the applicant has declined to register or preregister will remain confidential and will  
2436 be used only for voter registration purposes;
- 2437 (d) a statement that if an applicant does register or preregister to vote, the office at which  
2438 the applicant submits a voter registration application will remain confidential and will  
2439 be used only for voter registration purposes;[-and]
- 2440 (e) if the applicant answers "yes" to the question described in Subsection [(2)(a)] (2)(a)(i),  
2441 a space where an individual may, if desired:  
2442 (i) indicate the individual's desired political affiliation from a listing of each

2443 registered political party, as defined in Section 20A-8-101;  
 2444 (ii) specify a political party that is not listed under Subsection (3)(e)(i) with which the  
 2445 individual desires to affiliate; or

2446 (iii) indicate that the individual does not wish to affiliate with a political party[-] ;

2447 (f) beginning on January 1, 2028, the following statement:

2448 "You must be a United States citizen to vote. If you fail to provide proof of United  
 2449 States citizenship, you will only be permitted to vote for federal offices. Information  
 2450 on how to provide proof of citizenship is included on the back of this form."; and

2451 (g) on the back of the form, the statement described in Subsection 20A-2-104(1)(e).

2452 Section 15. Section **20A-2-204** is amended to read:

2453 **20A-2-204 (Effective 01/01/27). Registering to vote when applying for or**  
 2454 **renewing a driver license or other qualifying form.**

2455 (1) As used in this section, "voter registration form" means, when an individual named on a  
 2456 qualifying form, as defined in Section 20A-2-108, answers "yes" to the question  
 2457 described in Subsection 20A-2-108(2)(a)(i), the information on the qualifying form that  
 2458 can be used for voter registration purposes.

2459 (2)(a) Except as provided in Subsection (2)(b), a citizen who is qualified to vote may  
 2460 register to vote, and a citizen who is qualified to preregister to vote may preregister to  
 2461 vote, by answering "yes" to the question described in Subsection 20A-2-108(2)(a)(i)  
 2462 and completing the voter registration form.

2463 (b) A citizen who is a program participant in the Safe at Home Program created in  
 2464 Section 77-38-602 is not eligible to register to vote as described in Subsection (2)(a),  
 2465 but is eligible to register to vote by any other means described in this part.

2466 (3) The Driver License Division shall:

2467 (a) assist an individual in completing the voter registration form unless the individual  
 2468 refuses assistance;

2469 (b) electronically transmit each address change to the lieutenant governor on or before  
 2470 the first business day that is at least five calendar days after the day on which the  
 2471 division receives the address change; and

2472 (c) on or before the first business day that is at least five calendar days after the day on  
 2473 which the division receives a voter registration form, electronically transmit the form  
 2474 to the [~~Office of the Lieutenant Governor~~] lieutenant governor, including the  
 2475 following for the individual named on the form:

2476 (i) the name, date of birth, driver license or state identification card number, last four

- 2477 digits of the social security number, Utah residential address, place of birth, and  
 2478 signature;
- 2479 (ii) a mailing address, if different from the individual's Utah residential address;  
 2480 (iii) an email address and phone number, if available;  
 2481 (iv) the desired political affiliation, if indicated;  
 2482 [~~(v) an indication of whether the individual requested that the individual's voter~~  
 2483 ~~registration record be classified as a private record under Subsection~~  
 2484 ~~20A-2-108(2)(b); and]~~
- 2485 [~~(vi)~~] (v) [~~a withholding~~] an at-risk voter request form described in [~~Subsections~~  
 2486 ~~20A-2-104(7) and (8)~~] Subsection 20A-2-606(5) and any verification submitted  
 2487 with the form[-] ; and
- 2488 (vi) an indication regarding whether the individual provided proof of United States  
 2489 citizenship.
- 2490 (4) Upon receipt of an individual's voter registration form from the Driver License Division  
 2491 under Subsection (3), the lieutenant governor or county clerk shall:
- 2492 (a) enter the information into the statewide voter registration database; [~~and]~~  
 2493 (b) make a record of the indication described in Subsection (3)(c)(vi); and  
 2494 [~~(b)~~] (c) if the individual [~~requests on the individual's voter registration form that the~~  
 2495 ~~individual's voter registration record be classified as a private record or the individual~~  
 2496 ~~submits a withholding request form described in Subsections 20A-2-104(7) and (8)]~~  
 2497 submits an at-risk voter request form described in Subsection 20A-2-606(5) and any  
 2498 required verification, classify the individual's voter registration record as a private  
 2499 record.
- 2500 (5) The county clerk of an individual whose information is entered into the statewide voter  
 2501 registration database under Subsection (4) shall:
- 2502 (a) ensure that the individual meets the qualifications to be registered or preregistered to  
 2503 vote; and
- 2504 (b)(i) if the individual meets the qualifications to be registered to vote:  
 2505 (A) ensure that the individual is assigned to the proper voting precinct; and  
 2506 (B) send the individual the notice described in Section 20A-2-304; [~~or~~]
- 2507 (ii) if the individual meets the qualifications to be preregistered to vote, process the  
 2508 form in accordance with the requirements of Section 20A-2-101.1[-] ;
- 2509 (iii) determine whether the individual has provided documentary proof of United  
 2510 States citizenship; and

- 2511 (iv) if the individual has not provided documentary proof of United States  
 2512 citizenship, notify the individual, in accordance with Subsection (8):  
 2513 (A) that the individual has not provided proof of United States citizenship;  
 2514 (B) that, beginning on January 1, 2028, if the individual fails to provide proof of  
 2515 United States citizenship, the individual will only be permitted to vote for  
 2516 federal offices; and  
 2517 (C) of the methods by which the individual may provide documentary proof of  
 2518 United States citizenship.
- 2519 (6)(a) When the county clerk receives a correctly completed voter registration form  
 2520 under this section, the clerk shall:
- 2521 (i) comply with the applicable provisions of this Subsection (6); or  
 2522 (ii) if the individual is preregistering to vote, comply with Section 20A-2-101.1.
- 2523 (b) If the county clerk receives a correctly completed voter registration form under this  
 2524 section no later than 5 p.m. or, if submitting the form electronically, midnight, 11  
 2525 calendar days before the date of an election, the county clerk shall:
- 2526 (i) accept the voter registration form; [~~and~~]  
 2527 (ii) beginning on January 1, 2028, comply with Subsection 20A-2-304(3);  
 2528 [~~(iii)~~] (iii) unless the individual is preregistering to vote, and subject to Section  
 2529 20A-3a-201.5:
- 2530 (A) enter the individual's name on the list of registered voters for the voting  
 2531 precinct in which the individual resides; and  
 2532 (B) notify the individual that the individual is registered to vote in the upcoming  
 2533 election; and  
 2534 [~~(iii)~~] (iv) if the individual named in the form is preregistering to vote, comply with  
 2535 Section 20A-2-101.1.
- 2536 (c) If the county clerk receives a correctly completed voter registration form under this  
 2537 section after the deadline described in Subsection (6)(b), the county clerk shall,  
 2538 unless the individual named in the form is preregistering to vote, and subject to  
 2539 Section 20A-3a-201.5:
- 2540 (i) accept the application for registration of the individual;  
 2541 (ii) process the voter registration form; and  
 2542 (iii) unless the individual is preregistering to vote, and except as provided in  
 2543 Subsection 20A-2-207(6), inform the individual that the individual will not be  
 2544 registered to vote in the pending election, unless the individual registers to vote by

2545 provisional ballot during the early voting period, if applicable, or on election day,  
2546 in accordance with Section 20A-2-207.

2547 (7)(a) If the county clerk determines that an individual's voter registration form received  
2548 from the Driver License Division is incorrect because of an error, because the form is  
2549 incomplete, or because the individual does not meet the qualifications to be registered  
2550 to vote, the county clerk shall mail notice to the individual stating that the individual  
2551 has not been registered or preregistered because of an error, because the registration  
2552 form is incomplete, or because the individual does not meet the qualifications to be  
2553 registered to vote.

2554 (b) If a county clerk believes, based upon a review of a voter registration form, that an  
2555 individual, who knows that the individual is not legally entitled to register or  
2556 preregister to vote, may be intentionally seeking to register or preregister to vote, the  
2557 county clerk shall refer the form to the county attorney for investigation and possible  
2558 prosecution.

2559 (8) A county clerk who provides notice under Subsection (5)(b)(iv) shall send the notice, in  
2560 writing, to the individual:

2561 (a) by mail, at the most recent address the county clerk has for the individual; and

2562 (b)(i) by email, if the county clerk has an email address for the individual;

2563 (ii) by text to a phone number, if the county clerk has a phone number for the  
2564 individual and has received consent from the individual to send text messages to  
2565 the phone number.

2566 Section 16. Section **20A-2-206** is amended to read:

2567 **20A-2-206 (Effective 01/01/27). Electronic registration -- Requesting to receive a**  
2568 **ballot by mail.**

2569 (1) The lieutenant governor shall create and maintain an electronic system that is publicly  
2570 available on the [~~Internet~~] internet for an individual to:

2571 (a) apply for voter registration or preregistration; or

2572 (b) [~~beginning no later than July 1, 2025,~~]request to receive a ballot by mail.

2573 (2) The electronic system described in Subsection (1) shall require, to register to vote, the  
2574 applicant to:

2575 (a) enter the applicant's name, address, date of birth, driver license number or state  
2576 identification card number, and any other information determined to be necessary by  
2577 the lieutenant governor;

2578 (b) provide the information required by Section 20A-2-104, except that the applicant's

- 2579 signature may be obtained in the manner described in Subsections (2)(d) and (5);
- 2580 (c) attest to the truth of the information provided; and
- 2581 (d) authorize the lieutenant governor's and county clerk's use of the applicant's:
- 2582 (i) driver license or identification card signature, obtained under Title 53, Chapter 3,
- 2583 Uniform Driver License Act, for voter registration or preregistration purposes; or
- 2584 (ii) signature on file in the lieutenant governor's statewide voter registration database
- 2585 developed under Section 20A-2-502, for voter registration or preregistration
- 2586 purposes.
- 2587 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system described
- 2588 in Subsection (1) is not required to complete a printed registration form.
- 2589 (4) A system created and maintained under this section shall provide to an individual who is
- 2590 registering to vote the notices concerning a voter's presentation of identification
- 2591 described in Subsection [~~20A-2-104(2)~~] 20A-2-104(1).
- 2592 (5) The lieutenant governor shall, in relation to an individual who is registering to vote:
- 2593 (a) obtain a digital copy of the applicant's driver license signature or identification card
- 2594 signature from the Driver License Division; or
- 2595 (b) ensure that the applicant's signature is on file in the lieutenant governor's statewide
- 2596 voter registration database developed under Section 20A-2-502.
- 2597 (6) The lieutenant governor shall send the information described in Subsections (2) and (5)
- 2598 to the county clerk for the county in which the applicant's principal place of residence is
- 2599 found for further action as required by Section 20A-2-304 after:
- 2600 (a) receiving all information from an applicant; [~~and~~]
- 2601 (b) [(+)] receiving all information from the Driver License Division, if applicable; and
- 2602 [(+)] (c) ensuring that the applicant's signature is on file in the lieutenant governor's
- 2603 statewide voter registration database developed under Section 20A-2-502.
- 2604 (7) The lieutenant governor may use additional security measures to ensure the accuracy
- 2605 and integrity of information submitted electronically under this section.
- 2606 (8) If an individual applies to register under this section no later than 11 calendar days
- 2607 before the date of an election, the county clerk shall:
- 2608 (a) accept and process the voter registration form;
- 2609 (b) unless the individual named in the form is preregistering to vote, and subject to
- 2610 Section 20A-3a-201.5:
- 2611 (i) enter the applicant's name on the list of registered voters for the voting precinct in
- 2612 which the applicant resides; and

- 2613 (ii) notify the individual that the individual is registered to vote in the upcoming  
 2614 election; and
- 2615 (c) if the individual named in the form is preregistering to vote, comply with Section  
 2616 20A-2-101.1.
- 2617 (9) If an individual applies to register under this section after the deadline described in  
 2618 Subsection (8), the county clerk shall, unless the individual is preregistering to vote:  
 2619 (a) accept the application for registration; and  
 2620 (b) except as provided in Subsection 20A-2-207(6), and subject to Section 20A-3a-201.5,  
 2621 if possible, promptly inform the individual that the individual will not be registered to  
 2622 vote in the pending election, unless the individual registers to vote by provisional  
 2623 ballot during the early voting period, if applicable, on election day, in accordance  
 2624 with Section 20A-2-207.
- 2625 (10) The lieutenant governor shall provide a means by which a registered voter shall sign  
 2626 the application form.
- 2627 (11) For an individual who is registering to vote or is already registered to vote, the electronic  
 2628 system described in Subsection (1) shall include the following:  
 2629 "Indicate below how you want to vote in upcoming elections:  
 2630 \_\_\_\_\_ Mail a ballot to me.  
 2631 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."  
 2632 Section 17. Section **20A-2-304** is amended to read:  
 2633 **20A-2-304 (Effective 01/01/27). County clerk's responsibilities -- Notice of**  
 2634 **disposition.**  
 2635 [~~Each~~] Subject to Section 20A-3a-201.5, a county clerk shall:  
 2636 (1) register to vote each individual who meets the requirements for registration and who:  
 2637 (a) submits a completed voter registration form to the county clerk;  
 2638 (b) submits a completed voter registration form, as defined in [~~Section 20A-2-204~~]  
 2639 Subsection 20A-2-204(1), to the Driver License Division;  
 2640 (c) submits a completed voter registration form to a public assistance agency or a  
 2641 discretionary voter registration agency; or  
 2642 (d) mails a completed voter registration form to the county clerk; [~~and~~]  
 2643 (2) within 30 calendar days after the day on which the county clerk processes a voter  
 2644 registration form, send a notice to the individual who submits the form that:  
 2645 (a)(i) informs the individual that the individual's voter registration form has been  
 2646 accepted and that the individual is registered to vote;

- 2647 (ii) informs the individual of the procedure for designating or changing the  
 2648 individual's political affiliation;
- 2649 (iii) informs the individual of the procedure to cancel a voter registration;
- 2650 (iv) provides instructions to the voter on how the voter may sign up to receive  
 2651 electronic ballot status notifications via the ballot tracking system described in  
 2652 Section 20A-3a-401.5; and
- 2653 (v) confirms that the individual has chosen to receive electronic ballot status  
 2654 notifications if the individual opted to receive electronic ballot status notifications  
 2655 on the voter registration form;
- 2656 (b) informs the individual that the individual's voter registration form has been rejected  
 2657 and the reason for the rejection; or
- 2658 (c)(i) informs the individual that the individual's voter registration form is being  
 2659 returned to the individual for further action because the form is incomplete; and  
 2660 (ii) gives instructions to the individual on how to properly complete the form[-] ; and
- 2661 (3) beginning on January 1, 2028, for each voter registration record of an individual who is  
 2662 limited to voting in a federal race only, indicate the limitation on the voter's voter  
 2663 registration record.

2664 Section 18. Section **20A-2-502** is amended to read:

2665 **20A-2-502 (Effective 05/06/26). Statewide voter registration system --**  
 2666 **Maintenance and update of system -- Record security -- List of incarcerated felons --**  
 2667 **Public document showing compliance by county clerks.**

- 2668 (1) The lieutenant governor shall:
- 2669 (a) develop, manage, and maintain a statewide voter registration system to be used by  
 2670 county clerks to maintain an updated statewide voter registration database in  
 2671 accordance with this section and rules made under Section 20A-2-507;
- 2672 (b) except as provided in Subsection (2)(c), regularly update the system with  
 2673 information relevant to voter registration, as follows:
- 2674 (i) on at least a weekly basis, information received from the Driver License Division  
 2675 in relation to:
- 2676 (A) voter registration;
- 2677 (B) a registered voter's change of address; or
- 2678 (C) a registered voter's change of name;
- 2679 (ii) on at least a weekly basis, the information described in Subsection 26B-8-114(11)  
 2680 from the state registrar, regarding deceased individuals;

- 2681 (iii) on at least a monthly basis, the information described in Subsection (3), received  
2682 from the Department of Corrections regarding incarcerated individuals;
- 2683 (iv) on at least a monthly basis, information received from other states, including  
2684 information received under an agreement described in Subsection (2); and
- 2685 (v) within 31 calendar days after the day on which the lieutenant governor receives  
2686 information relevant to voter registration, other than the information described in  
2687 Subsections (1)(b)(i) through (iv);
- 2688 (c) regularly monitor the system to ensure that each county clerk complies with the  
2689 requirements of this part and rules made under Section 20A-2-507;
- 2690 (d) establish matching criteria and security measures for identifying a change described  
2691 in Subsection (1)(b) to ensure the accuracy of a voter registration record;
- 2692 (e) on at least a monthly basis:
- 2693 (i) use the matching criteria and security measures described in Subsection (1)(d) to  
2694 compare information in the database to identify duplicate data, contradictory data,  
2695 and changes in data;
- 2696 (ii) notify the applicable county clerk of the data identified; and
- 2697 (iii) notify the county clerk of the county in which a voter's principal place of  
2698 residence is located of a change in a registered voter's principal place of residence  
2699 or name;
- 2700 (f) before April 1, 2026, develop a procedure to evaluate voter registration based on  
2701 addresses to identify potential anomalies, including eight or more voters at a  
2702 single-family home address;
- 2703 (g) develop procedures to investigate the validity of a voter registration when a ballot  
2704 mailed by the county clerk is returned by the post office as undeliverable;
- 2705 (h) before June 1, 2026, register with the Systematic Alien Verification for Entitlements  
2706 program, operated by the United States Department of Homeland Security; and
- 2707 (i) as part of maintaining the voter registration database, analyze the database at least 90  
2708 calendar days before the day of each regular primary election and each regular  
2709 general election to ensure the accuracy of the voter registration record, and to inform  
2710 county clerks of action needed, by identifying errors in the database, including errors  
2711 based on:
- 2712 (i) change of incarceration status;
- 2713 (ii) the death of a voter;
- 2714 (iii) duplicate voters;

- 2715 (iv) identical identification numbers used by multiple voters; or  
2716 (v) other reasons identified by the lieutenant governor that would render a voter  
2717 ineligible to vote.
- 2718 (2)(a) Subject to Subsection (2)(b), the lieutenant governor may cooperate or enter into  
2719 an agreement with a governmental entity or another state to share information and  
2720 increase the accuracy of the database.
- 2721 (b) For a record shared under Subsection (2)(a), the lieutenant governor shall ensure:  
2722 (i) that the record is only used to maintain the accuracy of the database;  
2723 (ii) compliance with Section 63G-2-206; and  
2724 (iii) that the record is secure from unauthorized use by employing data encryption or  
2725 another similar technology security system.
- 2726 (c) The lieutenant governor is not required to comply with an updating requirement  
2727 described in Subsection (1)(b) to the extent that the person responsible to provide the  
2728 information to the lieutenant governor fails to provide the information.
- 2729 (3)(a) The lieutenant governor shall maintain a current list of all incarcerated felons in  
2730 Utah.
- 2731 (b) The Department of Corrections shall provide the lieutenant governor's office with:  
2732 (i) the name and last-known address of each individual who:  
2733 (A) was convicted of a felony in a Utah state court; and  
2734 (B) is currently incarcerated for commission of a felony; and  
2735 (ii) the name of each convicted felon who has been released from incarceration.
- 2736 (4) The lieutenant governor shall seek to enter into an agreement with the federal courts to  
2737 provide that, in exchange for receiving information from the state's voter registration list  
2738 or from a list maintained by the Driver License Division to use in relation to federal  
2739 juries, the federal courts will notify the lieutenant governor or a county clerk when an  
2740 individual disclosed from one of the lists is disqualified from jury service due to a  
2741 conviction or non-citizenship.
- 2742 (5) The lieutenant governor shall maintain on the lieutenant governor's website a document  
2743 that:  
2744 (a) describes the utilities and tools within the system that a county clerk is required to  
2745 run;  
2746 (b) describes the actions, if any, that a county clerk is required to take in relation to the  
2747 results of running a utility or tool;  
2748 (c) lists, by date, the recurring deadlines by which a county clerk must comply with

- 2749 Subsection (5)(a) or (b); and
- 2750 (d) indicates, by county:
- 2751 (i) whether the county clerk timely complies with each deadline described in
- 2752 Subsection (5)(c); and
- 2753 (ii) if the county clerk fails to timely comply with a deadline described in Subsection
- 2754 (5)(c), whether the county clerk subsequently complies with the deadline and the
- 2755 date on which the county clerk complies.
- 2756 (6)(a) The lieutenant governor shall, before January 1, 2028, conduct an audit of all
- 2757 voter registration records, with the assistance of the county clerks if requested by the
- 2758 lieutenant governor, to determine whether the lieutenant governor or a county clerk
- 2759 has documentary proof of United States citizenship for each individual registered to
- 2760 vote in Utah.
- 2761 (b) If the lieutenant governor discovers a voter registration record for which the
- 2762 lieutenant governor or a county clerk does not have documentary proof of United
- 2763 States citizenship, the lieutenant governor or a county clerk shall send written notice
- 2764 to the registered voter, at the most recent address that the lieutenant governor has for
- 2765 the voter:
- 2766 (i) that the lieutenant governor or county clerk does not have documentary proof of
- 2767 United States citizenship for the registered voter;
- 2768 (ii) that if the voter does not provide documentary proof of United States citizenship
- 2769 before January 1, 2028, the voter will only be permitted to vote for candidates for
- 2770 federal office, in elections held on or after January 1, 2028, until the voter
- 2771 provides documentary proof of United States citizenship; and
- 2772 (iii) of the methods by which an individual may provide documentary proof of United
- 2773 States citizenship.
- 2774 Section 19. Section **20A-2-504** is amended to read:
- 2775 **20A-2-504 (Effective 05/06/26). Removing names from the official register --**
- 2776 **General requirements -- Deceased individuals.**
- 2777 (1) The county clerk may not remove a voter's name from the official register solely
- 2778 because the voter has failed to vote in an election.
- 2779 (2) The county clerk shall remove a voter's name from the official register if:
- 2780 (a) the voter dies and the requirements of Subsection [~~(3)~~] (4) are met;
- 2781 (b) the county clerk, after complying with the requirements of Section 20A-2-505,
- 2782 receives written confirmation from the voter that the voter no longer resides within

- 2783 the county clerk's county;
- 2784 (c)(i) the county clerk obtains evidence that the voter's residence has changed;
- 2785 (ii) the county clerk mails notice to the voter as required under Section 20A-2-505;
- 2786 (iii) the county clerk:
- 2787 (A) receives no response from the voter; or
- 2788 (B) does not receive information that confirms the voter's residence; and
- 2789 (iv) the voter does not vote or appear to vote in an election during the period
- 2790 beginning on the date of the notice described in Section 20A-2-505 and ending on
- 2791 the day after the date of the second regular general election occurring after the
- 2792 date of the notice;
- 2793 (d) the voter requests, in writing, that the voter's name be removed from the official
- 2794 register;
- 2795 (e) the county clerk receives notice that a voter has been convicted of any felony or a
- 2796 misdemeanor for an offense under this title and the voter's right to vote has not been
- 2797 restored as provided in Section 20A-2-101.3 or 20A-2-101.5; or
- 2798 (f) the county clerk receives notice that a voter has registered to vote in another state
- 2799 after the day on which the voter registered to vote in this state.
- 2800 (3) The lieutenant governor shall make available to a county clerk the United States Social
- 2801 Security Administration data received by the lieutenant governor regarding deceased
- 2802 individuals.
- 2803 [~~3~~] (4) The county clerk shall remove a voter's name from the official register within five
- 2804 business days after the day on which the county clerk[-] :
- 2805 (a) receives, from the lieutenant governor, the information described in Subsection (3) or
- 2806 26B-8-114(11) in relation to the voter; or
- 2807 (b) receives confirmation from the Office of Vital Records that the voter is deceased.
- 2808 [~~4~~] (5) No later than 90 calendar days before each primary election day and general
- 2809 election day[-] :
- 2810 (a) the county clerk shall update the official register by reviewing the official register
- 2811 and taking the actions permitted or required by law under this section, Section
- 2812 20A-2-503, and Section 20A-2-505[-] ; and
- 2813 (b) the lieutenant governor shall compare the records that the lieutenant governor
- 2814 receives under Subsections (3) and 26B-8-114(11) to the official register to ensure
- 2815 that each county clerk complies with Subsection (4).
- 2816 Section 20. Section **20A-2-505** is amended to read:

2817 **20A-2-505 (Effective 01/01/27). Removing names from the official register --**  
2818 **Determining and confirming change of residence.**

2819 (1) A county clerk may not remove a voter's name from the official register on the grounds  
2820 that the voter has changed residence unless the voter:

2821 (a) confirms in writing that the voter has changed residence to a place outside the  
2822 county; or

2823 (b)(i) does not vote in an election during the period beginning on the date of the  
2824 notice described in Subsection (3), and ending on the day after the date of the  
2825 second regular general election occurring after the date of the notice; and

2826 (ii) does not respond to the notice described in Subsection (3).

2827 (2)(a) Within 31 calendar days after the day on which a county clerk obtains information  
2828 that a voter's address has changed, if it appears that the voter still resides within the  
2829 same county, the county clerk shall:

2830 (i) change the official register to show the voter's new address; and

2831 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

2832 (b) When a county clerk obtains information that a voter's address has changed and it  
2833 appears that the voter now resides in a different county, the county clerk shall verify  
2834 the changed residence by sending to the voter, by forwardable mail, the notice  
2835 described in Subsection (3), printed on a postage prepaid, preaddressed return form.

2836 (3)(a) Each county clerk shall use substantially the following form to notify voters whose  
2837 addresses have changed:

2838 "VOTER REGISTRATION NOTICE

2839 We have been notified that your residence has changed. Please read, complete, and  
2840 return this form so that we can update our voter registration records. What is your current  
2841 street address?

2842 \_\_\_\_\_

2843 Street City County State Zip

2844 What is your current phone number (optional)? \_\_\_\_\_

2845 What is your current email address (optional)? \_\_\_\_\_

2846 Do you consent to receive communications from the political party with which you  
2847 affiliate, and candidates for that political party, as follows (optional):

2848 • At the email address you provided above? Yes No

2849 • By text or phone call, at the phone number you provided above? Yes No

2850 If you have not changed your residence, or have moved but stayed within the same county,

2851 you must complete and return this form to the county clerk so that it is received by the county  
 2852 clerk before 5 p.m. no later than 30 calendar days before the date of the election. If you fail to  
 2853 return this form within that time:

2854 - you may be required to show evidence of your address to the poll worker before being  
 2855 allowed to vote in either of the next two regular general elections; or

2856 - if you fail to vote at least once, from the date this notice was mailed until the passing of  
 2857 two regular general elections, you will no longer be registered to vote. If you have changed  
 2858 your residence and have moved to a different county in Utah, you may register to vote by  
 2859 contacting the county clerk in your county.

2860

2861 \_\_\_\_\_  
 Signature of Voter

2862

#### PRIVACY INFORMATION

2863 Voter registration records contain some information that is available to the public, such  
 2864 as your name, address, and year of birth. Your full date of birth, driver license number, state  
 2865 identification card number, and social security number are available only to an authorized  
 2866 government entity. Your email address and phone number are also only available to an  
 2867 authorized government entity, unless you have consented, above, to disclose them to the  
 2868 political party with which you choose to affiliate and candidates for that political party.

#### 2869 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2870 In addition to the protections provided above, you may request that your voter registration  
 2871 record be withheld from public disclosure if you or someone you live with:

- 2872 • is at risk of domestic violence;
- 2873 • is a law enforcement officer;
- 2874 • is a member of the military who is deployed away from home;
- 2875 • is a public figure; or
- 2876 • is protected by a court order.

2877 To make this request for additional privacy protection, you must prove that you qualify by  
 2878 submitting an at-risk voter request form, and any required proof, to the county clerk."

2879 ~~[Voter registration records contain some information that is available to the public, such as~~  
 2880 ~~your name and address, some information that is available only to government entities, and~~  
 2881 ~~some information that is available only to certain third parties in accordance with the~~  
 2882 ~~requirements of law.~~

2883 ~~Your driver license number, identification card number, social security number, email~~  
 2884 ~~address, full date of birth, and phone number are available only to government entities. Your~~

2885 year of birth is available to political parties, candidates for public office, certain third parties,  
2886 and their contractors, employees, and volunteers, in accordance with the requirements of law.

2887 You may request that all information on your voter registration records be withheld  
2888 from all persons other than government entities, political parties, candidates for public office,  
2889 and their contractors, employees, and volunteers, by indicating here:

2890 \_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld  
2891 from all persons other than government entities, political parties, candidates for public office,  
2892 and their contractors, employees, and volunteers.

2893 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

2894 In addition to the protections provided above, you may request that identifying  
2895 information on your voter registration records be withheld from all political parties, candidates  
2896 for public office, and their contractors, employees, and volunteers, by submitting a  
2897 withholding request form, and any required verification, as described in the following  
2898 paragraphs.

2899 A person may request that identifying information on the person's voter registration  
2900 records be withheld from all political parties, candidates for public office, and their  
2901 contractors, employees, and volunteers, by submitting a withholding request form with this  
2902 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely  
2903 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating  
2904 violence.

2905 A person may request that identifying information on the person's voter registration  
2906 records be withheld from all political parties, candidates for public office, and their  
2907 contractors, employees, and volunteers, by submitting a withholding request form and any  
2908 required verification with this registration form, or to the lieutenant governor or a county clerk,  
2909 if the person is, or resides with a person who is, a law enforcement officer, a member of the  
2910 armed forces, a public figure, or protected by a protective order or a protection order."]

2911 (b) The form described in Subsection (3)(a) shall also include:

2912 (i) a section in substantially the following form:

2913 "-----

2914 BALLOT NOTIFICATIONS

2915

2916

2917 Do you consent to receive communications about the status of your ballot and other official  
2918 communications, by text, at the phone number you provided above? Yes No

2919 -----";

2920 and

2921 (ii) no later than November 5, 2025, the following, immediately after the question described in  
2922 Subsection (3)(b)(i):

2923 "Indicate below how you want to vote in upcoming elections:

2924 \_\_\_\_\_ Mail a ballot to me.

2925 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

2926 (4)(a) Except as provided in Subsection (4)(b), the county clerk may not remove the  
2927 names of any voters from the official register during the 90 calendar days before a  
2928 regular primary election or the 90 calendar days before a regular general election.

2929 (b) The county clerk may remove the names of voters from the official register during  
2930 the 90 calendar days before a regular primary election or the 90 calendar days before  
2931 a regular general election if:

2932 (i) the voter requests, in writing, that the voter's name be removed; or

2933 (ii) the voter dies.

2934 (c)(i) After a county clerk mails a notice under this section, the county clerk shall,  
2935 unless otherwise prohibited by law, list that voter as inactive.

2936 (ii) If a county clerk receives a returned voter identification card, determines that  
2937 there was no clerical error causing the card to be returned, and has no further  
2938 information to contact the voter, the county clerk shall, unless otherwise  
2939 prohibited by law, list that voter as inactive.

2940 (iii) An inactive voter may vote, sign petitions, and have all other privileges of a  
2941 registered voter.

2942 (iv) A county is not required to:

2943 (A) send routine mailings to an inactive voter; or

2944 (B) count inactive voters when dividing precincts and preparing supplies.

2945 [~~(5) The lieutenant governor shall make available to a county clerk United States Social  
2946 Security Administration data received by the lieutenant governor regarding deceased  
2947 individuals.]~~

2948 [~~(6) A county clerk shall, within 10 business days after the day on which the county clerk  
2949 receives the information described in Subsection (5) or Subsections 26B-8-114(11) and  
2950 (12) relating to a decedent whose name appears on the official register, remove the  
2951 decedent's name from the official register.]~~

2952 [~~(7) Ninety calendar days before each primary and general election the lieutenant governor~~

2953 shall compare the information the lieutenant governor has received under Subsection  
 2954 26B-8-114(11) with the official register of voters to ensure that all deceased voters have  
 2955 been removed from the official register.]

2956 Section 21. Section **20A-2-508** is enacted to read:

2957 **20A-2-508 (Effective 05/06/26). Independent investigation of citizenship --**

2958 **Identification of non-citizens -- Opportunity to challenge -- Provisional ballot option.**

2959 (1)(a) An election officer shall, to the extent that the review can be conducted in a  
 2960 uniform, nondiscriminatory manner, conduct a review of the voter registration  
 2961 records to independently determine whether an individual who is registered to vote is  
 2962 not a citizen of the United States.

2963 (b) To conduct the review described in Subsection (1)(a), the election officer:

2964 (i) except as provided in Subsection (3), may not require an individual who registers  
 2965 to vote only in a federal race to provide documentary proof of United States  
 2966 citizenship; and

2967 (ii) shall use any tools lawfully available to the election officer, including:

2968 (A) the Systematic Alien Verification for Entitlements program, operated by the  
 2969 United States Department of Homeland Security;

2970 (B) information received from the federal courts under Subsection 20A-2-502(4);  
 2971 and

2972 (C) data collected by a state agency.

2973 (2) If, in accordance with Subsection (1), an election officer determines that an individual  
 2974 who is registered to vote is not a citizen of the United States, the election officer shall:

2975 (a) notify the individual, in writing, of the determination and the reason for the  
 2976 determination;

2977 (b) give the individual an opportunity to refute the determination; and

2978 (c) if the individual fails to refute the determination within a reasonable time frame  
 2979 specified by the election officer in the notification described in Subsection (2)(a),  
 2980 remove the individual from the list of registered voters.

2981 (3) Except as provided in Subsection (4), an individual described in Subsection (2) may not  
 2982 vote in an election unless, before voting, the individual provides documentary proof of  
 2983 United States citizenship to the election officer.

2984 (4) An individual described in Subsection (2) may cast a provisional ballot pending the  
 2985 resolution of a dispute under Subsection (2).

2986 (5) An election officer may not count a provisional ballot cast by an individual under

2987 Subsection (4) unless, on or before the last business day before the day on which the  
 2988 applicable canvass occurs, the individual provides documentary proof of citizenship to  
 2989 the election officer.

2990 (6) An election officer shall comply with Subsection 20A-2-204(5)(b)(iv) if the election  
 2991 officer discovers a voter registration record for which:

2992 (a) the county clerk does not make the determination described in Subsection (2); and

2993 (b) proof of United States citizenship has not been established, unless the individual has  
 2994 expressed an intent:

2995 (i) to not provide proof of United States citizenship; or

2996 (ii) to vote for federal offices only.

2997 (7) A county clerk who provides notice under Subsection (2) shall send the notice, in  
 2998 writing, to the individual:

2999 (a) by mail, at the most recent address the county clerk has for the individual; and

3000 (b)(i) by email, if the county clerk has an email address for the individual; or

3001 (ii) by text to a phone number, if the county clerk has a phone number for the  
 3002 individual and has received consent from the individual to send text messages to  
 3003 the phone number.

3004 Section 22. Section **20A-2-601** is enacted to read:

3005 **20A-2-601 (Effective 05/06/26). Definitions.**

3006 As used in this part:

3007 (1)(a) "At-risk voter" means:

3008 (i) a voter who is designated as an at-risk voter under Subsection 20A-2-606(2) or (6),  
 3009 regardless of whether the voter files a subsequent voter registration form after  
 3010 receiving the designation, unless the voter loses status as an at-risk voter:

3011 (A) under Subsection 20A-2-606(7)(b); or

3012 (B) by requesting that the lieutenant governor or county clerk remove the voter's  
 3013 status as an at-risk voter; or

3014 (ii) a preregistered voter.

3015 (b) "At-risk voter," until the lieutenant governor takes the action described in Subsection  
 3016 20A-2-602(2), includes a voter with a segregated record.

3017 (2)(a) "Candidate for public office" means an individual:

3018 (i) who files a declaration of candidacy for a public office;

3019 (ii) who files a notice of intent to gather signatures under Section 20A-9-408; or

3020 (iii) who is employed by, under contract with, or a volunteer of, an individual

3021 described in Subsection (2)(a)(i) or (ii), who is authorized to act on behalf of the  
3022 individual described in Subsection (2)(a)(i) or (ii) for political purposes.

3023 (b) "Candidate for public office" does not include:

3024 (i) an individual described in Subsection (2)(a)(i) or (ii) who is eliminated as a  
3025 candidate for:

3026 (A) failure to qualify for the primary election ballot via signature gathering or  
3027 convention;

3028 (B) failure to advance to the general election; or

3029 (C) any other reason provided by law; or

3030 (ii) an individual who is employed by, under contract with, or a volunteer of, an  
3031 individual described in Subsection (2)(b)(i).

3032 (3) "Dating violence" means the same as that term is defined in Section 78B-7-102 and the  
3033 federal Violence Against Women Act of 1994, as amended.

3034 (4) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the  
3035 federal Violence Against Women Act of 1994, as amended.

3036 (5)(a) "Government entity" means:

3037 (i) the state; or

3038 (ii) a county, city, town, school district, special district, special service district, or  
3039 other political subdivision of the state.

3040 (b) "Government entity" includes an agency, bureau, office, department, division, board,  
3041 commission, institution, laboratory, or other instrumentality of an entity described in  
3042 Subsection (5)(a).

3043 (6) "Government official" means:

3044 (a) an elected or appointed officer of a government entity; or

3045 (b) an employee of a government entity.

3046 (7) "Political party" means the same as that term is defined in Section 20A-1-102.

3047 (8) "Public office" means the office of governor, lieutenant governor, attorney general, state  
3048 auditor, state treasurer, state senator, state representative, state school board member, or  
3049 an elective office of a local political subdivision.

3050 (9) "Public registered voter" means a registered voter who is not an at-risk voter.

3051 (10) "Qualified family member," when used in relation to a remotely-deployed member of  
3052 the armed forces, means an individual who:

3053 (a) resides with the remotely-deployed member of the armed forces; or

3054 (b) would reside with the remotely-deployed member of the armed forces, but for the

3055 deployment.

3056 (11) "Remotely-deployed member of the armed forces" means a member of the armed  
 3057 forces, as defined in Section 20A-1-513, who is deployed to a location where the  
 3058 member of the armed forces would not live but for the deployment.

3059 (12) "Segregated record" means a voter registration record that was classified as a private  
 3060 record by a voter:

3061 (a) via the method that existed before May 12, 2020; or

3062 (b) via a method that existed on or after May 12, 2020, other than the method of  
 3063 submitting a withholding request form.

3064 (13) "Standard voter data" means the following information from a voter registration record:

3065 (a) the voter's full legal name;

3066 (b) the voter's voter identification number and federal information processing series  
 3067 geographic code;

3068 (c) the voter's year of birth;

3069 (d) the voter's complete residential address, including the unit type and number;

3070 (e) the voter's county of residence;

3071 (f) the voter's mailing address, including the city;

3072 (g) the voter's precinct, congressional district, state House of Representatives district,  
 3073 state Senate district, state school board district, local school board district, county  
 3074 council district, and city council district;

3075 (h) the voter's party affiliation or status as unaffiliated;

3076 (i) the voter's status as active or inactive;

3077 (j) beginning on January 1, 2028, whether the voter is restricted to vote a federal ballot  
 3078 only;

3079 (k) the last day on which the voter's voter registration record was updated; and

3080 (l) subject to the provisions of Section 20A-5-410, the voter's voting history record for  
 3081 the preceding eight years.

3082 (14) "Withheld status" means the status granted, before January 1, 2027, to the voter  
 3083 registration record of a voter that prevented the disclosure of the voter registration  
 3084 record to a person other than an official or employee of a government entity acting in the  
 3085 official's or employee's capacity as an official or employee of a governmental entity.

3086 Section 23. Section **20A-2-602** is enacted to read:

3087 **20A-2-602 (Effective 05/06/26). Change of voter registration record privacy**  
 3088 **status -- Notice -- Redesignation of status -- New voter identification number.**

- 3089 (1) The lieutenant governor shall, on or before January 1, 2027, mail to each voter who has  
3090 a segregated record, at the last known address of the voter, a notice that includes the  
3091 following information:
- 3092 (a) that the privacy status of the voter's voter registration record will change on July 1,  
3093 2027, and, unless the voter applies for and receives designation as an at-risk voter  
3094 before July 1, 2027, the voter will be redesignated as a public registered voter on that  
3095 date;
- 3096 (b) that, as a public registered voter, the following information from the voter's voter  
3097 registration record is public:
- 3098 (i) the voter's full legal name;
- 3099 (ii) the voter's voter identification number and federal information processing series  
3100 geographic code;
- 3101 (iii) the voter's year of birth;
- 3102 (iv) the voter's complete residential address, including the unit type and number;
- 3103 (v) the voter's county of residence;
- 3104 (vi) the voter's mailing address, including the city;
- 3105 (vii) the voter's precinct, congressional district, state House of Representatives  
3106 district, state Senate district, state school board district, local school board district,  
3107 county council district, and city council district;
- 3108 (viii) the voter's party affiliation or status as unaffiliated;
- 3109 (ix) the voter's status as an active or inactive voter;
- 3110 (x) beginning on January 1, 2028, whether the voter is restricted to vote a federal  
3111 ballot only;
- 3112 (xi) the last day on which the voter's voter registration record was updated; and  
3113 (xii) the voter's voting history for the preceding eight years;
- 3114 (c) that:
- 3115 (i) the voter may apply for designation as an at-risk voter in accordance with Section  
3116 20A-2-606; and
- 3117 (ii) if the voter is designated as an at-risk voter under Section 20A-2-606, the voter's  
3118 entire voter registration record will be withheld from all persons other than an  
3119 authorized government entity;
- 3120 (d) instructions on how the voter may apply for designation as an at-risk voter; and
- 3121 (e) information on how the voter may obtain a copy of the at-risk voter request form,  
3122 described in Section 20A-2-606, online or by mail.

3123 (2) Unless, before July 1, 2027, a voter with a segregated record is designated as an at-risk  
 3124 voter under Section 20A-2-606, the lieutenant governor or a county clerk shall, on July  
 3125 1, 2027, designate a voter who has a segregated record as a public registered voter.

3126 (3) On July 1, 2027, each county clerk shall, under the direction of the lieutenant governor:

3127 (a) assign a new voter identification number to each registered voter in Utah; and

3128 (b) ensure that the new voter identification number:

3129 (i) is not the same as a number previously assigned to the registered voter; and

3130 (ii) cannot be used, by the number alone, to identify the voter.

3131 Section 24. Section **20A-2-603** is enacted to read:

3132 **20A-2-603 (Effective 01/01/27). General request for voter registration records.**

3133 Except as otherwise provided in this section or another express provision of law, upon  
 3134 receiving a request from a person for voter registration records, the lieutenant governor or a  
 3135 county clerk:

3136 (1) shall disclose to the person the standard voter data from a public registered voter's voter  
 3137 registration record; and

3138 (2) may not disclose to the person:

3139 (a) information from a public registered voter's voter registration record that is not  
 3140 standard voter data; or

3141 (b) any information from an at-risk voter's voter registration record.

3142 Section 25. Section **20A-2-603.5** is enacted to read:

3143 **20A-2-603.5 (Effective 01/01/27). Request by candidate for consensual disclosure**  
 3144 **of contact information.**

3145 (1) As used in this section, "qualified candidate" means an individual who:

3146 (a) is affiliated with a registered political party; and

3147 (b) is a candidate who:

3148 (i) is seeking the nomination of the registered political party with whom the candidate  
 3149 is affiliated; or

3150 (ii) has obtained the nomination of the registered political party with whom the  
 3151 candidate is affiliated.

3152 (2) Subject to Subsections (3) and (4), and except as provided in Subsection (5), the  
 3153 lieutenant governor or a county clerk shall, upon the request of a qualified candidate,  
 3154 provide to the qualified candidate, for each public registered voter who is affiliated with  
 3155 the same registered political party as the qualified candidate:

3156 (a) subject to Subsection (6), the voter's phone number; and

- 3157 (b) subject to Subsection (6), the voter's email address.
- 3158 (3) A qualified candidate that receives information under Subsection (2)(a) or (b), or an
- 3159 authorized agent of the qualified candidate:
- 3160 (a) shall ensure, using industry standard security measures, that the information may not
- 3161 be accessed by a person other than the qualified candidate or an authorized agent of
- 3162 the qualified candidate;
- 3163 (b) may only use the information to communicate with an individual in relation to the
- 3164 qualified candidate's candidacy or for a political purpose;
- 3165 (c) may not:
- 3166 (i) use or share the information for a purpose other than a purpose described in
- 3167 Subsection (3)(b); or
- 3168 (ii) grant access to the information to a person other than an authorized agent of the
- 3169 qualified candidate; and
- 3170 (d) notwithstanding Subsection (3)(a) or (b), may not grant access to the information or
- 3171 share the information with a person whom the qualified candidate or the agent of the
- 3172 qualified candidate believes:
- 3173 (i) will use or share the information in a manner other than a manner described in
- 3174 Subsection (3)(b); or
- 3175 (ii) will not comply with Subsection (3)(a), (b), or (c).
- 3176 (4) Before providing the information described in Subsection (2)(a) or (b) to an individual
- 3177 claiming to be a qualified candidate:
- 3178 (a) the lieutenant governor or county clerk shall verify that the individual requesting the
- 3179 information is a qualified candidate of the registered political party to which the
- 3180 information sought relates; and
- 3181 (b) the qualified candidate requesting the information under Subsection (2)(a) shall sign
- 3182 a request form that includes:
- 3183 (i) the name, address, and telephone number of the qualified candidate who is seeking
- 3184 the information;
- 3185 (ii) the qualified candidate's name, address, and telephone number;
- 3186 (iii) a statement that the qualified candidate is a qualified candidate for the registered
- 3187 political party to which the information sought relates and has presented to the
- 3188 lieutenant governor or the county clerk valid verification that the qualified
- 3189 candidate is the qualified candidate whom the qualified candidate claims to be;
- 3190 (iv) a statement that the qualified candidate will comply with the requirements

- 3191 described in Subsection (3);
- 3192 (v) a statement that the qualified candidate, or an agent of the qualified candidate,
- 3193 will not provide or use the information in a manner that is prohibited by law;
- 3194 (vi) a statement that obtaining the information under false pretenses, or providing or
- 3195 using the information in a manner that is prohibited by law, is punishable as a
- 3196 class A misdemeanor and by a civil fine; and
- 3197 (vii) notice that if a person makes a false statement in the request form, the person is
- 3198 punishable by law under Section 76-8-504.
- 3199 (5) The lieutenant governor or a county clerk may not disclose the information described in
- 3200 Subsection (2)(a) or (b) to an individual requesting the information under this section if
- 3201 the lieutenant governor or county clerk has probable cause to believe that the individual:
- 3202 (a) is not a qualified candidate of the registered political party or an agent of the
- 3203 qualified candidate; or
- 3204 (b) will use or share the information in a manner prohibited by law.
- 3205 (6)(a) A qualified candidate who is affiliated with the same political party as the public
- 3206 registered voter to whom the information described in Subsection (2)(a) or (b) relates:
- 3207 (i) will receive the public registered voter's phone number, under Subsection (2)(a),
- 3208 only if the voter consents, on the voter's voter registration form, to receive
- 3209 notifications from the political party and the political party's candidates by text to
- 3210 the phone number indicated on the form; and
- 3211 (ii) will receive the public registered voter's email address, under Subsection (2)(b),
- 3212 only if the voter consents, on the voter's voter registration form, to receive
- 3213 notifications from the political party and the political party's candidates at the
- 3214 email address indicated on the form.
- 3215 (b) If an at-risk voter consents, on the voter's voter registration form, to provide the
- 3216 political party with which the voter chooses to affiliate, and the party's candidates,
- 3217 with the voter's phone number or email address, the county clerk or the lieutenant
- 3218 governor:
- 3219 (i) may not provide the phone number or email address to the qualified candidate; and
- 3220 (ii) shall notify the at-risk voter that the voter must contact the political party, or a
- 3221 candidate of the political party, directly to provide the voter's phone number or
- 3222 email address to the political party or to the candidate or to consent to receive
- 3223 communications from the political party or the candidate.

3224 Section 26. Section **20A-2-604** is enacted to read:

- 3225           **20A-2-604 (Effective 01/01/27). Request for voter registration records by**  
 3226 **political party -- Confirmation of political party affiliation.**
- 3227 (1) Except as otherwise provided in this section or another express provision of law, upon  
 3228 receiving a request from a political party for voter registration records, the lieutenant  
 3229 governor or a county clerk:
- 3230 (a) for each public registered voter who is not affiliated with the political party:
- 3231 (i) shall provide to the political party the voter's standard voter data; and  
 3232 (ii) may not provide to the political party any information from the public registered  
 3233 voter's voter registration record that is not standard voter data;
- 3234 (b) for each public registered voter who is affiliated with the political party:
- 3235 (i) shall, subject to Subsections (2) and (3), and except as provided in Subsection (4),  
 3236 provide to the political party:
- 3237 (A) subject to Subsection (5), the voter's phone number;  
 3238 (B) subject to Subsection (5), the voter's email address; and  
 3239 (C) the voter's standard voter data; and
- 3240 (ii) may not provide to the political party any information relating to the voter other  
 3241 than the information provided in accordance with Subsection (1)(b)(i);
- 3242 (c) may not provide to the political party any information from an at-risk voter's voter  
 3243 registration record;
- 3244 (d) shall provide the following information to the political party:
- 3245 (i) for the entire state:
- 3246 (A) the total number of at-risk voters in the state; and  
 3247 (B) the total number of at-risk voters in the state who are affiliated with the  
 3248 political party; and
- 3249 (ii) for each state House of Representatives district in the state:
- 3250 (A) the total number of at-risk voters in the district; and  
 3251 (B) the total number of at-risk voters in the district who are affiliated with the  
 3252 political party.
- 3253 (2) A political party, or an agent of a political party, that receives information under  
 3254 Subsection (1)(b)(i)(A) or (B):
- 3255 (a) shall ensure, using industry standard security measures, that the information may not  
 3256 be accessed by a person other than the political party or an authorized agent of the  
 3257 political party;
- 3258 (b) may only use the information:

- 3259            (i) to communicate with an individual who is affiliated with the political party in  
3260            relation to the business of the political party or for a political purpose;  
3261            (ii) to verify that the voter is a member of the political party; or  
3262            (iii) to conduct demographic or other analysis for a political purpose;  
3263            (c) may not:  
3264            (i) use or share the information for a purpose other than a purpose described in  
3265            Subsection (2)(b); or  
3266            (ii) grant access to the information to a person other than an authorized agent of the  
3267            political party;  
3268            (d) notwithstanding Subsection (2)(a) or (b), may not grant access to the information or  
3269            share the information with a person whom the political party believes:  
3270            (i) will use or share the information in a manner other than a manner described in  
3271            Subsection (2)(b); or  
3272            (ii) will not comply with Subsection (2)(a), (b), or (c); and  
3273            (e) may limit access by an authorized agent to only the portion of the information  
3274            needed for the authorized agent to fulfill a purpose for which the authorized agent is:  
3275            (i) permitted by law to use the information; and  
3276            (ii) authorized by the state political party to use the information.  
3277            (3) Before providing the information described in Subsection (1)(b)(i)(A) or (B) to a  
3278            political party:  
3279            (a) the lieutenant governor or county clerk shall verify that the individual requesting the  
3280            information on behalf of the political party is an authorized agent of the political  
3281            party; and  
3282            (b) the individual requesting the information under Subsection (3)(a) shall sign a request  
3283            form that includes:  
3284            (i) the name, address, and telephone number of the political party that is seeking the  
3285            information;  
3286            (ii) the individual's name, address, and telephone number;  
3287            (iii) a statement that the individual is an authorized agent of the political party and  
3288            has presented to the lieutenant governor or the county clerk valid verification that  
3289            the individual is an authorized agent of the political party;  
3290            (iv) a statement that the political party and the individual will comply with the  
3291            requirements described in Subsection (2);  
3292            (v) a statement that the political party, or an agent of the political party, will not

- 3293 provide or use the information obtained from the list of registered voters in a  
 3294 manner that is prohibited by law;
- 3295 (vi) a statement that obtaining the information under false pretenses, or providing or  
 3296 using the information in a manner that is prohibited by law, is punishable as a  
 3297 class A misdemeanor and by a civil fine; and
- 3298 (vii) notice that if a person makes a false statement in the request form, the person is  
 3299 punishable by law under Section 76-8-504.
- 3300 (4) The lieutenant governor or a county clerk may not disclose the information described in  
 3301 Subsection (1)(b)(i)(A) or (B) to a person requesting the information under this section  
 3302 if the lieutenant governor or county clerk has probable cause to believe that the person:
- 3303 (a) is not a political party or an agent of the political party; or  
 3304 (b) will use or share the information in a manner prohibited by law.
- 3305 (5)(a) A political party with which a public registered voter chooses to affiliate:
- 3306 (i) will receive the public registered voter's phone number, under Subsection  
 3307 (1)(b)(i)(A), only if the voter consents, on the voter's voter registration form, to  
 3308 receive notifications from the political party and candidates for that political party  
 3309 by text to the phone number indicated on the form; and
- 3310 (ii) will receive the public registered voter's email address, under Subsection  
 3311 (1)(b)(i)(B), only if the voter consents, on the voter's voter registration form, to  
 3312 receive notifications from the political party and candidates for that political party  
 3313 at the email address indicated on the form.
- 3314 (b) If an at-risk voter consents, on the voter's voter registration form, to provide the  
 3315 political party with which the voter chooses to affiliate with the voter's phone number  
 3316 or email address, the county clerk or the lieutenant governor:
- 3317 (i) may not provide the phone number or email address to the political party; and  
 3318 (ii) shall notify the at-risk voter that the voter must contact the political party directly  
 3319 to provide the voter's phone number or email address to the political party or to  
 3320 consent to receive communications from the political party.
- 3321 (6) The lieutenant governor will provide a political party with the capability, on the  
 3322 lieutenant governor's website, to verify that an individual is affiliated with the political  
 3323 party by entering only the individual's name and address.

3324 Section 27. Section **20A-2-605** is enacted to read:

3325 **20A-2-605 (Effective 01/01/27). Request for voter registration records by a**  
 3326 **government official.**

- 3327 (1) Except as otherwise provided in this section or another express provision of law, upon  
3328 request by a government official acting in the government official's capacity as a  
3329 government official, the lieutenant governor or a county clerk:
- 3330 (a) shall disclose to the government official the information in a voter registration record  
3331 necessary to permit the government official to fulfill an official duty imposed by law  
3332 on the government official; and
- 3333 (b) may not disclose to the government official the information in a voter registration  
3334 record that is not necessary to permit the government official to fulfill an official duty  
3335 imposed by law on the government official.
- 3336 (2) A government official who receives information under Subsection (1)(a):
- 3337 (a) shall ensure, using industry standard security measures, that the information may not  
3338 be accessed by a person other than the government official or the government entity  
3339 that the government official represents;
- 3340 (b) may only use the information to the extent necessary to fulfill a duty of the  
3341 government official; and
- 3342 (c) may not disclose the information to a person other than a person needing the  
3343 information to fulfill a duty of the government official or the government entity that  
3344 the government official represents.
- 3345 (3) Before providing the information described in Subsection (1)(a) to a government  
3346 official:
- 3347 (a) the lieutenant governor or county clerk shall verify that:
- 3348 (i) the person requesting the information is a government official; and  
3349 (ii) it is necessary to provide the information requested to permit the government  
3350 official to fulfill an official duty imposed by law on the government official; and
- 3351 (b) the government official requesting the information shall sign a request form that  
3352 includes:
- 3353 (i) the name, address, and telephone number of the government official;  
3354 (ii) the government official's position or title;  
3355 (iii) a description of the information requested;  
3356 (iv) a description of the official duty imposed by law on the government official that  
3357 requires the requested information;  
3358 (v) a statement that the government official will ensure, using industry standard  
3359 security measures, that the information may not be accessed by a person other  
3360 than the government official or the government entity that the government official

- 3361                    represents;
- 3362                    (vi) a statement that the government official will only use the information to the
- 3363                    extent necessary to fulfill an official duty imposed by law on the government
- 3364                    official;
- 3365                    (vii) an assertion that the government official will not provide or use the information
- 3366                    obtained from the voter registration records in a manner that is prohibited by law;
- 3367                    (viii) a statement that obtaining the information under false pretenses, or providing or
- 3368                    using the information from the voter registration records in a manner that is
- 3369                    prohibited by law, is punishable as a class A misdemeanor and a civil fine; and
- 3370                    (ix) notice that if the person signing the request form makes a false statement in the
- 3371                    request form, the person is punishable by law under Section 76-8-504.

3372 (4) The lieutenant governor or a county clerk may not disclose the information under this

3373 section if the lieutenant governor or county clerk reasonably believes that the person:

- 3374                    (a) is not a government official;
- 3375                    (b) does not need the information requested to fulfill an official duty imposed by law on
- 3376                    the government official; or
- 3377                    (c) will provide or use the information in a manner prohibited by law.

3378                    Section 28. Section **20A-2-606** is enacted to read:

3379                    **20A-2-606 (Effective 01/01/27). At-risk registered voter -- Application --**

3380 **Designation -- Change of status.**

3381 (1) Except to the extent expressly authorized in this part or otherwise expressly provided by

3382 law, the lieutenant governor or a county clerk may not disclose an at-risk voter's voter

3383 registration record, or any information from an at-risk voter's voter registration record.

3384 (2) On January 1, 2027, each county clerk shall designate as an at-risk voter each voter

3385 whose voter registration record had withheld status on December 31, 2026, for one of

3386 the following reasons:

- 3387                    (a) the voter:
- 3388                    (i) submitted a withholding request form:
- 3389                    (A) with the individual's voter registration record; or
- 3390                    (B) directly to the lieutenant governor or a county clerk; and
- 3391                    (ii) indicated on the form that the voter, or an individual who resides with the voter,
- 3392                    is a victim of domestic violence or dating violence or is likely to be a victim of
- 3393                    domestic violence or dating violence; or

3394                    (b) the voter:

- 3395           (i) submitted a withholding request form:
- 3396                (A) with the individual's voter registration record;
- 3397                (B) to the lieutenant governor; or
- 3398                (C) to a county clerk; and
- 3399           (ii) indicated on the form and provided verification that the voter, or an individual
- 3400                who resides with the voter, is a law enforcement officer, a member of the armed
- 3401                forces as defined in Section 20A-1-513, a public figure, or protected by a
- 3402                protective order or protection order.
- 3403   (3)(a) The lieutenant governor shall design and distribute an at-risk voter request form to
- 3404                each election officer and to each agency that provides a voter registration form.
- 3405   (b) The director of elections within the Office of the Lieutenant Governor may make
- 3406                rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 3407                establishing requirements for providing the proof described in Subsections (5)(a)(ii),
- 3408                (b)(ii), and (c)(ii).
- 3409   (4) The following may not encourage an individual to submit, or discourage an individual
- 3410                from submitting, an at-risk voter request form:
- 3411                (a) an election officer;
- 3412                (b) an agency described in Subsection (3)(a); or
- 3413                (c) an employee of a person described in Subsection (4)(a) or (b).
- 3414   (5) A voter may apply for designation as an at-risk voter by submitting, either with the
- 3415                voter's voter registration form, or separately to the lieutenant governor or a county clerk:
- 3416                (a)(i) an at-risk voter request form indicating that the voter, or an individual who
- 3417                resides with the voter, is a victim of domestic violence or dating violence or is
- 3418                likely to be a victim of domestic violence or dating violence; and
- 3419                (ii) in accordance with any rules made under Subsection (3)(b), proof of the
- 3420                indication described in Subsection (5)(a)(i) in the form of a sworn affidavit where
- 3421                the voter swears to the following statement: "I am applying for designation as an
- 3422                at-risk voter because either myself, or someone who resides with me, is a victim
- 3423                of domestic violence or dating violence or is likely to be a victim of domestic
- 3424                violence or dating violence.";
- 3425                (b)(i) an at-risk voter request form indicating that the voter, or an individual who
- 3426                resides with the voter, is a law enforcement officer, a public figure, or protected
- 3427                by a protective order or protection order; and
- 3428                (ii) in accordance with any rules made under Subsection (3)(b), proof of the

- 3429 indication described in Subsection (5)(b)(i); or  
 3430 (c)(i) an at-risk voter request form indicating that the voter is, or is a qualified family  
 3431 member of, a remotely-deployed member of the armed forces; and  
 3432 (ii) in accordance with any rules made under Subsection (3)(b), proof of the  
 3433 indication described in Subsection (5)(c)(i).
- 3434 (6) Beginning on January 1, 2027, a county clerk or the lieutenant governor shall, in  
 3435 addition to the voters designated as at-risk voters under Subsection (2), designate a voter  
 3436 as an at-risk voter if the voter:
- 3437 (a)(i) is a victim of domestic violence or dating violence or is likely to be a victim of  
 3438 domestic violence or dating violence;  
 3439 (ii) is, or resides with an individual who is, a law enforcement officer, a public figure,  
 3440 or protected by a protective order or protection order; or  
 3441 (iii) is, or is a qualified family member of, a remotely-deployed member of the armed  
 3442 forces; and
- 3443 (b) complies with Subsection (5).
- 3444 (7) A county clerk shall, beginning in 2030, and every five years after 2030, before July 15:
- 3445 (a) mail to each voter who, for at least the last year, has been designated as an at-risk  
 3446 voter:
- 3447 (i) notice that the voter is designated as an at-risk voter and the grounds for the  
 3448 designation;  
 3449 (ii) a list of the grounds for designating a voter as an at-risk voter;  
 3450 (iii) an inquiry regarding whether the voter still qualifies as an at-risk voter; and  
 3451 (iv) a self-addressed envelope, with postage prepaid, for the voter to mail the voter's  
 3452 response to the inquiry described in Subsection (7)(a)(iii); and
- 3453 (b) remove the designation of a voter as an at-risk voter if the voter responds that the  
 3454 voter no longer qualifies as an at-risk voter.
- 3455 Section 29. Section **20A-2-607** is enacted to read:
- 3456 **20A-2-607 (Effective 01/01/27). Applicability and enforcement -- Transition.**
- 3457 (1) This part does not govern or restrict the release of a voter registration record:
- 3458 (a) to an election officer or an employee of an election officer;  
 3459 (b) for a government purpose relating to maintaining the voter registration list or the  
 3460 administration of an election;  
 3461 (c) to the federal government to comply with, or verify compliance with, the  
 3462 requirements of law;

3463 (d) pursuant to an order of a court with jurisdiction; or  
 3464 (e) to a federal, state, or local law enforcement agency for a legitimate law enforcement  
 3465 purpose.

3466 (2) It is unlawful for a person to:

3467 (a) obtain information from the list of registered voters under false pretenses;

3468 (b) obtain or use information from the list of registered voters in a manner that is not  
 3469 permitted by law; or

3470 (c) knowingly disclose information from the list of registered voters in a manner that is  
 3471 not permitted by law.

3472 (3)(a) A violation of Subsection (2)(a) is a class A misdemeanor.

3473 (b) A violation of Subsection (2)(b) or (c) is a class B misdemeanor.

3474 (4) Beginning on January 1, 2027, and ending on March 1, 2027, a response to a request for  
 3475 the voter registration list, a voter registration record, or information from the list or  
 3476 record, may be delayed until the earlier of:

3477 (a) the first business day after the day on which the new software system that will be  
 3478 implemented by the lieutenant governor on January 1, 2027, is fully functioning; or

3479 (b) March 1, 2027.

3480 Section 30. Section **20A-3a-201.5** is enacted to read:

3481 **20A-3a-201.5 (Effective 05/06/26). Proof of citizenship required for state**

3482 **elections -- Separate federal ballots for registered voters who do not provide proof of**  
 3483 **citizenship.**

3484 (1) Except as provided in Subsection (2), beginning on January 1, 2028, for an election that  
 3485 includes a race for federal office:

3486 (a) an election officer shall:

3487 (i) for each precinct, produce a standard ballot; and

3488 (ii) for each congressional district, produce a federal ballot;

3489 (b) only a voter who has, at the time of voter registration or before voting, provided  
 3490 documentary proof of United States citizenship may vote a standard ballot; and

3491 (c) a voter who has not provided documentary proof of United States citizenship, at the  
 3492 time of voter registration or before voting, may only vote a federal ballot.

3493 (2) Beginning on January 1, 2028, a voter who has not, at the time of registration or before  
 3494 voting, provided documentary proof of United States citizenship may cast a standard  
 3495 ballot as a provisional ballot, but an election officer may only count votes for federal  
 3496 office cast using the standard ballot unless the voter provides documentary proof of

3497 United States citizenship within 10 calendar days after the day of the election.

3498 (3) Beginning on January 1, 2028, except as otherwise provided in Section 20A-2-508:

3499 (a) an election officer may not require a voter to provide documentary proof of United  
 3500 States citizenship to vote a federal ballot; and

3501 (b) a voter who has previously provided documentary proof of United States citizenship  
 3502 to an election officer is not required to provide documentary proof of citizenship  
 3503 when the voter subsequently registers to vote.

3504 Section 31. Section **20A-3a-202** is amended to read:

3505 **20A-3a-202 (Effective 05/06/26). Conducting election in person and by mail --**  
 3506 **Mailing ballots to voters -- Exceptions.**

3507 (1)(a) Except as otherwise provided for an election conducted entirely by mail under  
 3508 Section 20A-7-609.5, an election officer shall administer an election primarily by  
 3509 mail, in accordance with this section.

3510 (b) An individual who did not provide valid voter identification at the time the voter  
 3511 registered to vote shall provide valid voter identification before voting.

3512 (2) An election officer who administers an election:

3513 (a) shall in accordance with Subsection (3), no sooner than 21 calendar days before  
 3514 election day and no later than seven calendar days before election day, mail to the  
 3515 applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to  
 3516 Subsection 20A-3a-202.5(4):

3517 (i) a manual ballot;

3518 (ii) a return envelope;

3519 (iii) instructions for returning the ballot that include an express notice about any  
 3520 relevant deadlines that the voter must meet in order for the voter's vote to be  
 3521 counted;

3522 (iv) information regarding the location and hours of operation of any election day  
 3523 voting center at which the voter may vote or a website address where the voter  
 3524 may view this information; and

3525 (v) instructions on how a voter may sign up to receive electronic ballot status  
 3526 notifications via the ballot tracking system described in Section 20A-3a-401.5;

3527 (b) may not mail a ballot under this section to:

3528 (i) an inactive voter, unless the inactive voter requests a manual ballot;[-~~or~~]

3529 (ii) a voter whom the election officer is prohibited from sending a ballot under  
 3530 Subsection 20A-3a-202.5(4); or

- 3531            (iii) for an election held on or after January 1, 2028, a voter who is only eligible to  
3532            vote a federal ballot, if the election does not include a race for federal office;
- 3533            (c) shall, on the outside of the envelope in which the election officer mails the ballot,  
3534            include instructions for returning the ballot if the individual to whom the election  
3535            officer mails the ballot does not live at the address to which the ballot is sent;
- 3536            (d) shall provide a method of accessible voting to a voter with a disability who is not  
3537            able to vote by mail; and
- 3538            (e) shall include, on the election officer's website and with each ballot mailed,  
3539            instructions regarding how a voter described in Subsection (2)(d) may vote.
- 3540            (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the  
3541            manual ballot to the address:
- 3542            (i) provided at the time of registration or updated by the voter after the time of  
3543            registration; or
- 3544            (ii) if, at or after the time of registration, the voter files an alternate address request  
3545            form described in Subsection (3)(b), the alternate address indicated on the form.
- 3546            (b) The lieutenant governor shall make available to voters an alternate address request  
3547            form that permits a voter to request that the election officer mail the voter's ballot to a  
3548            location other than the voter's residence.
- 3549            (c) A voter shall provide the completed alternate address request form to the election  
3550            officer no later than 11 calendar days before the day of the election.
- 3551            (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall  
3552            include, with each ballot mailed to a voter, a separate paper document containing the following  
3553            statements:
- 3554            "WARNING
- 3555            If you have a valid Utah driver license or a valid Utah state identification card, failure to  
3556            provide the last four digits of the license or card number may result in your ballot not being  
3557            counted. You also have the option of providing the last four digits of your social security  
3558            number as identification. If you do not have any of these identification types, your ballot will  
3559            still be counted if your signature on the affidavit on this envelope matches your signature on  
3560            file with the election officer.
- 3561            NOTICE
- 3562            Beginning in 2029, you will not receive a ballot by mail unless you request to receive a  
3563            ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource  
3564            locator where the voter can make the request online]. If you are unable to make a request

3565 online, contact your county clerk's office at the following number for instructions on how to  
3566 make the request in person or by mail [insert phone number here]."

3567 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a  
3568 voter, a separate paper document containing the following statement:

3569 "WARNING

3570 If you have a valid Utah driver license or a valid Utah state identification card, failure to  
3571 provide the last four digits of your license or card number will result in your ballot not being  
3572 counted.

3573 If you do not have a license or card described above, you may enter the last four digits of  
3574 your social security number as identification, or include a photocopy of one of the following in  
3575 the return envelope:

3576 • a currently valid identification card that is issued by the state or a branch, department, or  
3577 agency of the United States;

3578 • a currently valid Utah permit to carry a concealed weapon;

3579 • a currently valid United States passport;

3580 • a currently valid United States military identification card; or

3581 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty  
3582 card.

3583 If you do not have any of the forms of identification listed above, you must vote in person  
3584 at a polling place, unless you qualify for an exemption from this requirement. You may obtain  
3585 information regarding an exemption at [insert a uniform resource locator where the voter can  
3586 view this information] or by calling [insert a phone number that a voter may call to access this  
3587 information]."

3588 (4) The return envelope shall include:

3589 (a) the name, official title, and post office address of the election officer on the front of  
3590 the envelope;

3591 (b) subject to Subsection (9), beginning on or before January 1, 2026, a place for the  
3592 voter to enter the last four digits of the voter's Utah driver license number, Utah state  
3593 identification card number, or social security number;

3594 (c) the following statement:

3595 "IMPORTANT: See the warning and notice enclosed with your ballot.";

3596 (d) a space where a voter may write an email address and phone number by which the  
3597 election officer may contact the voter if the voter's ballot is rejected; and

3598 (e) a printed affidavit in substantially the following form:

3599 "County of \_\_\_\_ State of \_\_\_\_

3600 I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct  
3601 in \_\_\_\_ County, Utah and that I am entitled to vote in this election. I am not a convicted felon  
3602 currently incarcerated for commission of a felony.

3603 \_\_\_\_\_

3604 Signature of Voter

3605 WARNING

3606 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a  
3607 FELONY for any other individual to sign the above affidavit, even if the voter to whom the  
3608 ballot is addressed gives permission for another to sign the affidavit for the voter."

3609 (5) If the election officer determines that the voter has not yet provided valid voter  
3610 identification with the voter's voter registration, the election officer may:

3611 (a) mail a ballot to the voter;

3612 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the  
3613 return envelope; and

3614 (c) provide instructions to the voter on how the voter may sign up to receive electronic  
3615 ballot status notifications via the ballot tracking system described in Section  
3616 20A-3a-401.5.

3617 (6) An election officer who administers an election shall:

3618 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the  
3619 election; or

3620 (ii) obtain the signature of each voter within the voting precinct from the county  
3621 clerk; and

3622 (b) maintain the signatures on file in the election officer's office.

3623 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot  
3624 under Section 20A-3a-401.

3625 (8) A county that administers an election:

3626 (a) shall provide at least one election day voting center in accordance with Part 7,  
3627 Election Day Voting Center, and at least one additional election day voting center for  
3628 every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not  
3629 receive a ballot by mail;

3630 (b) shall ensure that each election day voting center operated by the county has at least  
3631 one voting device that is accessible, in accordance with the Help America Vote Act  
3632 of 2002, Pub. L. No. 107-252, for individuals with disabilities;

- 3633 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 3634 (i) the county clerk conducts early voting on at least four days;
- 3635 (ii) the early voting days are within the period beginning on the date that is 14
- 3636 calendar days before the date of the election and ending on the day before the
- 3637 election; and
- 3638 (iii) the county clerk provides notice of the reduced early voting period in accordance
- 3639 with Section 20A-3a-604; and
- 3640 (d) is not required to pay return postage for a return envelope.
- 3641 (9) A return envelope shall be designed in a manner that the information described in
- 3642 Subsections (4)(b) and (d), and the voter's signature, is covered from view after the
- 3643 return envelope is sealed.
- 3644 (10) A county clerk shall, at least 90 calendar days before an election administered by the
- 3645 county clerk, contact local post offices to:
- 3646 (a) coordinate the handling of mail-in ballots for the upcoming election; and
- 3647 (b) take measures to ensure that:
- 3648 (i) ballots are clearly and properly postmarked, or otherwise marked in accordance
- 3649 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was
- 3650 mailed; and
- 3651 (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of
- 3652 ballots.

3653 Section 32. Section **20A-3a-401** is amended to read:

3654 **20A-3a-401 (Effective 05/06/26). Custody of voted ballots mailed or deposited in**

3655 **a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.**

- 3656 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal
- 3657 means.
- 3658 (2) Poll workers shall process return envelopes containing manual ballots that are in the
- 3659 custody of the poll workers in accordance with this section.
- 3660 (3) Poll workers shall examine a return envelope to make the determinations described in
- 3661 Subsection (4).
- 3662 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers
- 3663 determine:
- 3664 (a) for an election held before January 1, 2029:
- 3665 (i) ~~[that]~~ if the return envelope contains a four digit number on the portion of the
- 3666 return envelope for a voter to enter the last four digits of the voter's Utah driver

- 3667 license number, Utah state identification card number, or social security number,  
 3668 that the four digit number correctly identifies the last four digits of one of those  
 3669 numbers for the voter to whom the return envelope relates; [or]
- 3670 (ii) if the return envelope does not contain [~~the digits described in Subsection (4)(a)(i)]~~  
 3671 a four digit number on the portion of the return envelope described in Subsection  
 3672 (4)(a)(i), that:
- 3673 (A) in accordance with the rules made under Subsection (13), the signature on the  
 3674 affidavit of the return envelope is reasonably consistent with the individual's  
 3675 signature in the voter registration records; or
- 3676 (B) for an individual who checks the box described in Subsection (7)(d)(v), the  
 3677 signature is verified by alternative means; and
- 3678 (iii) if the return envelope contains the correct four digit number under Subsection  
 3679 (4)(a)(i), that:
- 3680 (A) in accordance with the rules made under Subsection (13), the signature on the  
 3681 affidavit of the return envelope is reasonably consistent with the individual's  
 3682 signature in the voter registration records; or
- 3683 (B) for an individual who checks the box described in Subsection (7)(d)(v), the  
 3684 signature is verified by alternative means;
- 3685 (b) for an election held on or after January 1, 2029:
- 3686 (i)(A) that the return envelope contains the last four digits of the voter's Utah  
 3687 driver license number, Utah state identification card number, or social security  
 3688 number;
- 3689 [~~(ii)~~] (B) if the return envelope does not contain the digits described in Subsection  
 3690 (4)(b)(i), that the voter included in the return envelope a copy of the  
 3691 identification described in Subsection 20A-3a-204(2)(c)(ii); or
- 3692 [~~(iii)~~] (C) for a voter described in Subsection 20A-3a-301(7), that the voter  
 3693 complied with Subsection 20A-3a-301(7); and
- 3694 (ii) that:
- 3695 (A) in accordance with the rules made under Subsection (13), the signature on the  
 3696 affidavit of the return envelope is reasonably consistent with the individual's  
 3697 signature in the voter registration records; or
- 3698 (B) for an individual who checks the box described in Subsection (7)(d)(v), the  
 3699 signature is verified by alternative means;
- 3700 (c) that the affidavit is sufficient;

- 3701 (d) that the voter is registered to vote in the correct precinct;
- 3702 (e) that the voter's right to vote the ballot has not been challenged;
- 3703 (f) that the voter has not already voted in the election; and
- 3704 (g) for a voter who has not yet provided valid voter identification with the voter's voter
- 3705 registration, whether the voter has provided valid voter identification with the return
- 3706 envelope.
- 3707 (5)(a) [Hf] Subject to Sections 20A-2-508 and 20A-3a-201.5, if the poll workers make all
- 3708 of the findings described in Subsection (4), the poll workers shall:
- 3709 (i) remove the manual ballot from the return envelope in a manner that does not
- 3710 destroy the affidavit on the return envelope;
- 3711 (ii) ensure that the ballot is not examined in connection with the return envelope; and
- 3712 (iii) place the ballot with the other ballots to be counted.
- 3713 (b) If the poll workers do not make all of the findings described in Subsection (4), the
- 3714 poll workers shall:
- 3715 (i) disallow the vote;
- 3716 (ii) except as provided in Subsection (6), without opening the return envelope, record
- 3717 the ballot as "rejected" and state the reason for the rejection; and
- 3718 (iii) except as provided in Subsection (6), place the return envelope, unopened, with
- 3719 the other rejected return envelopes.
- 3720 (6) A poll worker may open a return envelope, if necessary, to determine compliance with
- 3721 Subsection (4)(b)(ii), (4)(b)(iii), or (4)(g).
- 3722 (7)(a) If the poll workers reject an individual's ballot because the poll workers determine
- 3723 that the return envelope does not comply with Subsection (4), the election officer
- 3724 shall:
- 3725 (i) contact the individual in accordance with Subsection (8); and
- 3726 (ii) inform the individual:
- 3727 (A) that the identification information provided on the return envelope is in
- 3728 question;
- 3729 (B) how the individual may resolve the issue; and
- 3730 (C) that, in order for the ballot to be counted, the individual is required to deliver
- 3731 to the election officer a correctly completed affidavit, provided by the county
- 3732 clerk, that meets the requirements described in Subsection (7)(d).
- 3733 (b) If, under Subsection [~~(4)(a)(ii)(A)~~] (4)(a) or (b), the poll workers reject an individual's
- 3734 ballot because the poll workers determine, in accordance with rules made under

3735 Subsection (13), that the signature on the return envelope is not reasonably consistent  
3736 with the individual's signature in the voter registration records, the election officer  
3737 shall:

3738 (i) contact the individual in accordance with Subsection (8); and

3739 (ii) inform the individual:

3740 (A) that the individual's signature is in question;

3741 (B) how the individual may resolve the issue; and

3742 (C) that, in order for the ballot to be counted, the individual is required to deliver  
3743 to the election officer a correctly completed affidavit, provided by the county  
3744 clerk, that meets the requirements described in Subsection (7)(d).

3745 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b)  
3746 includes:

3747 (i) when communicating the notice by mail, a printed copy of the affidavit described  
3748 in Subsection (7)(d) and a courtesy reply envelope;

3749 (ii) when communicating the notice electronically, a link to a copy of the affidavit  
3750 described in Subsection (7)(d) or information on how to obtain a copy of the  
3751 affidavit; or

3752 (iii) when communicating the notice by phone, either during a direct conversation  
3753 with the voter or in a voicemail, arrangements for the voter to receive a copy of  
3754 the affidavit described in Subsection (7)(d), either in person from the clerk's  
3755 office, by mail, or electronically.

3756 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:

3757 (i) an attestation that the individual voted the ballot;

3758 (ii) a space for the individual to enter the individual's name, date of birth, and driver  
3759 license number or the last four digits of the individual's social security number;

3760 (iii) a space for the individual to sign the affidavit;

3761 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant  
3762 governor's and county clerk's use of the information in the affidavit and the  
3763 individual's signature on the affidavit for voter identification purposes; and

3764 (v) a check box accompanied by language in substantially the following form: "I am  
3765 a voter with a qualifying disability under the Americans with Disabilities Act that  
3766 impacts my ability to sign my name consistently. I can provide appropriate  
3767 documentation upon request. To discuss accommodations, I can be contacted at  
3768 \_\_\_\_\_".

- 3769 (e) In order for an individual described in Subsection (7)(a) or (b) to have the  
3770 individual's ballot counted, the individual shall deliver the affidavit described in  
3771 Subsection (7)(d) to the election officer.
- 3772 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall  
3773 immediately:
- 3774 (i) scan the signature on the affidavit electronically and keep the signature on file in  
3775 the statewide voter registration database developed under Section 20A-2-502;  
3776 (ii) if the election officer receives the affidavit no later than noon on the last business  
3777 day before the day on which the canvass begins, count the individual's ballot; and  
3778 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the  
3779 rules described in Subsection (13)(c).
- 3780 (8)(a) The election officer shall, within two business days after the day on which an  
3781 individual's ballot is rejected, notify the individual of the rejection and the reason for  
3782 the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:
- 3783 (i) the ballot is cured within one business day after the day on which the ballot is  
3784 rejected; or
- 3785 (ii) the ballot is rejected because the ballot is received late or for another reason that  
3786 cannot be cured.
- 3787 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the  
3788 election officer shall notify the individual of the rejection and the reason for the  
3789 rejection by phone, mail, email, or, if consent is obtained, text message, within the  
3790 later of:
- 3791 (i) 30 calendar days after the day of the rejection; or  
3792 (ii) 30 calendar days after the day of the election.
- 3793 (c) The election officer may, when notifying an individual by phone under this  
3794 Subsection (8), use auto-dial technology.
- 3795 (9) An election officer may not count the ballot of an individual whom the election officer  
3796 contacts under Subsection (7) or (8) unless, no later than noon on the last business day  
3797 before the day on which the canvass begins, the election officer:
- 3798 (a) receives a signed affidavit from the individual under Subsection (7); or  
3799 (b)(i) contacts the individual;  
3800 (ii) if the election officer has reason to believe that an individual, other than the voter  
3801 to whom the ballot was sent, signed the ballot affidavit, informs the individual that  
3802 it is unlawful to sign a ballot affidavit for another person, even if the person gives

- 3803 permission;
- 3804 (iii) verifies the identity of the individual by:
- 3805 (A) requiring the individual to provide at least two types of personal identifying
- 3806 information for the individual; and
- 3807 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records
- 3808 relating to the individual that are in the possession or control of an election
- 3809 officer; and
- 3810 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 3811 (A) the name and voter identification number of the individual contacted;
- 3812 (B) the name of the individual who conducts the verification;
- 3813 (C) the date and manner of the communication;
- 3814 (D) the type of personal identifying information provided by the individual;
- 3815 (E) a description of the records against which the personal identifying information
- 3816 provided by the individual is compared and verified; and
- 3817 (F) other information required by the lieutenant governor.
- 3818 (10)(a) The election officer shall retain and preserve:
- 3819 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 3820 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection
- 3821 20A-4-202(3).
- 3822 (b) If the election officer complies with Subsection (10)(a)(ii) by including the
- 3823 documentation in the voter's voter registration record, the election officer shall make,
- 3824 retain, and preserve a record of the name and voter identification number of each
- 3825 voter contacted under Subsection (9)(b).
- 3826 (11)(a) The election officer shall record the following in the database used in the
- 3827 verification process:
- 3828 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day
- 3829 after the day on which the election officer rejects the ballot; and
- 3830 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business
- 3831 day after the day on which the ballot rejection is resolved.
- 3832 (b) An election officer shall include, in the canvass report, a final report of the
- 3833 disposition of all rejected and resolved ballots, including, for ballots rejected, the
- 3834 following:
- 3835 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 3836 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in

3837 records on file, do not correspond.

3838 (12) Willful failure to comply with this section constitutes willful neglect of duty under  
3839 Section 20A-5-701.

3840 (13) The director of elections within the Office of the Lieutenant Governor shall make  
3841 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to  
3842 establish:

- 3843 (a) criteria and processes for use by poll workers in determining if a signature  
3844 corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);  
3845 (b) training and certification requirements for election officers and employees of election  
3846 officers regarding the criteria and processes described in Subsection (13)(a); and  
3847 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.  
3848 Secs. 12131 through 12165, an alternative means of verifying the identity of an  
3849 individual who checks the box described in Subsection (7)(d)(v).

3850 (14)(a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may  
3851 disclose the name and address of a voter whose ballot has been rejected and not yet  
3852 resolved with:

- 3853 (i) a candidate in the election;  
3854 (ii) an individual who represents the candidate's campaign;  
3855 (iii) the sponsors of an initiative or referendum appearing on the ballot; or  
3856 (iv) for a ballot proposition appearing on the ballot, an individual who represents a  
3857 political issues committee, as defined in Section 20A-11-101, if the political  
3858 issues committee supports or opposes the ballot proposition.

3859 (b) If an election officer discloses the information described in Subsection (14)(a), the  
3860 election officer shall:

- 3861 (i) make the disclosure within two business days after the day on which the request is  
3862 made;  
3863 (ii) respond to each request in the order the requests were made; and  
3864 (iii) make each disclosure in a manner, and within a period of time, that does not  
3865 reflect favoritism to one requestor over another.

3866 (c)(i) ~~[A] Before January 1, 2027, a disclosure described in this Subsection (14) may~~  
3867 ~~not include the name or address of a [protected individual, as defined in~~  
3868 ~~Subsection 20A-2-104(1)] voter with a segregated record, as defined in Section~~  
3869 ~~20A-2-601.~~

3870 (ii) Beginning on January 1, 2027, a disclosure described in this Subsection (14) may

3871 not include any information relating to an at-risk voter, as defined in Section  
 3872 20A-2-601.

3873 Section 33. Section **20A-5-410** is amended to read:

3874 **20A-5-410 (Effective 01/01/27). Election officer to provide voting history**  
 3875 **information and status -- Restrictions.**

3876 (1) As used in this section, "voting history record" means the following information relating  
 3877 to a registered voter:

3878 (a) the information [~~in the voter's voter registration record~~] described in Subsections  
 3879 20A-2-601(a) through (k), in relation to the voter, other than the information  
 3880 classified as private under Subsection 63G-2-302(1)(j);

3881 (b) the voter's privacy status;

3882 [~~(e) the voter's status as active or inactive;~~]

3883 [~~(d) the voter's voter identification number;~~]

3884 [~~(e) the voter's federal information processing system code;~~]

3885 [~~(f) the voter's precinct;~~]

3886 [~~(g) each political district in which the voter is a resident;~~]

3887 [~~(h)~~] (c) a list of elections in which the voter voted;

3888 [~~(i)~~] (d) whether the voter voted in person on election day;

3889 [~~(j)~~] (e) whether the voter voted in person before election day;

3890 [~~(k)~~] (f) whether the voter returned a mailed ballot;

3891 [~~(l)~~] (g) whether the voter's ballot was mailed to an alternate address; and

3892 [~~(m)~~] (h) the date on which the voter voted or on which the voter returned a mailed ballot.

3893 (2)(a) Each election officer shall maintain, in the election officer's office, a voting  
 3894 history record of those voters registered to vote in the election officer's jurisdiction.

3895 (b) The voting history record is a public record under Title 63G, Chapter 2, Government  
 3896 Records Access and Management Act, except:

3897 (i) as it relates to a voter whose voter registration record is classified as private under  
 3898 Subsection 63G-2-302(1)(k) or (l); ~~or~~

3899 (ii) a record or information described in Subsection [~~63G-2-302(1)(n);~~]  
 3900 63G-2-302(1)(m) or (n); or

3901 (iii) as provided in Subsection (3).

3902 (3)(a) When an election officer reports voting history for an election, the election officer  
 3903 shall, for each [~~voter whose voter registration is classified as private under~~  
 3904 Subsection 20A-2-104(4)(h), report the following, for that election only, ] at-risk

- 3905 voter, as defined in Section 20A-2-601, without disclosing the identity of the at-risk  
 3906 voter, report, for that election only, only the following information:
- 3907 (i) for voting by mail, the information described in Subsection (4)(a);  
 3908 (ii) for early voting, the date the individual voted; and  
 3909 (iii) for voting on election day, the date the individual voted.
- 3910 (b) In relation to the information of [~~a voter whose voter registration is classified as~~  
 3911 ~~private under Subsection 20A-2-104(4)(h)] an at-risk voter, as defined in Section  
 3912 20A-2-601, a report described in Subsection (3)(a) may not disclose, by itself or in  
 3913 conjunction with any other public information, the identity or any other personal  
 3914 identifying information of the voter.~~
- 3915 (4) Subject to Subsection (5), the election officer shall ensure that the voting history record  
 3916 kept by the election officer for each voting precinct contains:
- 3917 (a) for voting by mail:  
 3918 (i) the date that the manual ballot was mailed to the voter; and  
 3919 (ii) the date that the voted manual ballot was received by the election officer;
- 3920 (b) for early voting:  
 3921 (i) the name and address of each individual who participated in early voting; and  
 3922 (ii) the date the individual voted; and
- 3923 (c) for voting on election day, the name and address of each individual who voted on  
 3924 election day.
- 3925 (5) Subsection (4) does not authorize the disclosure of the information described in  
 3926 Subsection (4) beyond the extent expressly provided in Subsections (2) and (3).
- 3927 (6)(a) Notwithstanding the time limits for response to a request for records under  
 3928 Section 63G-2-204 or the time limits for a request for records established in any  
 3929 ordinance, the election officer shall ensure that the information required to be  
 3930 disclosed under this section is recorded and made available to the public no later than  
 3931 one business day after the day on which the election officer receives the information.
- 3932 (b) Notwithstanding the fee requirements of Section 63G-2-203 or the fee requirements  
 3933 established in any ordinance, the election officer shall, subject to Subsection  
 3934 20A-2-104(1)(c)(v), make copies of the voting history record available to the public,  
 3935 in accordance with this section, for the actual cost of production or copying.
- 3936 Section 34. Section **20A-6-105** is amended to read:  
 3937 **20A-6-105 (Effective 01/01/27). Provisional ballot envelopes.**  
 3938 (1) Each election officer shall ensure that provisional ballot envelopes are printed in

3939 substantially the following form:

3940 (a)(i) the envelope shall include the following statement:

3941 "AFFIRMATION

3942 Are you a citizen of the United States of America? Yes No

3943 Will you be 18 years old on or before election day? Yes No

3944 If you checked "no" in response to either of the two above questions, do not complete  
3945 this form.";

3946 (ii) beginning on January 1, 2028, the envelope shall include the following statement:

3947 "You must be a United States citizen to vote. If you fail to provide proof of  
3948 United States citizenship, you will only be permitted to vote for federal offices.  
3949 Information on how to provide proof of citizenship is included on or with this  
3950 form.";

3951 (iii) the envelope shall include the following:

3952 "Name of Voter \_\_\_\_\_

3953 First Middle Last

3954 Driver License or Identification Card Number \_\_\_\_\_

3955 State of Issuance of Driver License or Identification Card Number \_\_\_\_\_

3956 Date of Birth \_\_\_\_\_

3957 Street Address of Principal Place of Residence

3958 \_\_\_\_\_

3959 City County State Zip Code

3960 Tribal Identification Number or Alien Registration Number (optional)

3961 \_\_\_\_\_

3962 Telephone Number (optional) \_\_\_\_\_

3963 Email Address (optional) \_\_\_\_\_

3964 Do you consent to receive communications from the political party with which you  
3965 affiliate, and candidates for that political party, as follows (optional):

3966 • At the email address you provided above? Yes No

3967 • By text or phone call, at the phone number you provided above? Yes No

3968 Last four digits of Social Security Number \_\_\_\_\_

3969 Last former address at which I was registered to vote (if known)

3970 \_\_\_\_\_

3971 City County State Zip Code

3972 Voting Precinct (if known) \_\_\_\_\_

3973 I, (please print your full name)\_\_\_\_\_do solemnly swear or  
3974 affirm:

3975 That I am eligible to vote in this election; that I have not voted in this election in any  
3976 other precinct; that I am eligible to vote in this precinct; and that I request that I be permitted  
3977 to vote in this precinct; and

3978 Subject to penalty of law for false statements, that the information contained in this form  
3979 is true, and that I am a citizen of the United States and a resident of Utah, residing at the above  
3980 address; and that I am at least 18 years old and have resided in Utah for the 30 calendar days  
3981 immediately before this election.

3982 Signed

3983 \_\_\_\_\_

3984 Dated

3985 \_\_\_\_\_

3986 In accordance with Section 20A-3a-506, wilfully providing false information above is a  
3987 class B misdemeanor under Utah law and is punishable by imprisonment and by fine.

3988 PRIVACY INFORMATION

3989 Voter registration records contain some information that is available to the public, such as  
3990 your name, address, and year of birth. Your full date of birth, driver license number, state  
3991 identification card number, and social security number are available only to an authorized  
3992 government entity. Your email address and phone number are also only available to an  
3993 authorized government entity, unless you have consented, above, to disclose them to the  
3994 political party with which you choose to affiliate and candidates for that political party.

3995 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

3996 In addition to the protections provided above, you may request that your voter registration  
3997 record be withheld from public disclosure if you or someone you live with:

- 3998 • is at risk of domestic violence;
- 3999 • is a law enforcement officer;
- 4000 • is a member of the military who is deployed away from home;
- 4001 • is a public figure; or
- 4002 • is protected by a court order.

4003 To make this request for additional privacy protection, you must prove that you qualify by  
4004 submitting an at-risk voter request form, and any required proof, to the county clerk.

4005 [~~Voter registration records contain some information that is available to the public, such as~~  
4006 ~~your name and address, some information that is available only to government entities, and~~

4007 some information that is available only to certain third parties in accordance with the  
4008 requirements of law.

4009 ~~Your driver license number, identification card number, social security number, email  
4010 address, full date of birth, and phone number are available only to government entities. Your  
4011 year of birth is available to political parties, candidates for public office, certain third parties,  
4012 and their contractors, employees, and volunteers, in accordance with the requirements of law.~~

4013 ~~You may request that all information on your voter registration records be withheld  
4014 from all persons other than government entities, political parties, candidates for public office,  
4015 and their contractors, employees, and volunteers, by indicating here:~~

4016 ~~\_\_\_\_\_ Yes, I request that all information on my voter registration records be withheld  
4017 from all persons other than government entities, political parties, candidates for public office,  
4018 and their contractors, employees, and volunteers.~~

4019 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

4020 ~~In addition to the protections provided above, you may request that identifying  
4021 information on your voter registration records be withheld from all political parties, candidates  
4022 for public office, and their contractors, employees, and volunteers, by submitting a  
4023 withholding request form, and any required verification, as described in the following  
4024 paragraphs.~~

4025 ~~A person may request that identifying information on the person's voter registration  
4026 records be withheld from all political parties, candidates for public office, and their  
4027 contractors, employees, and volunteers, by submitting a withholding request form with this  
4028 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely  
4029 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating  
4030 violence.~~

4031 ~~A person may request that identifying information on the person's voter registration  
4032 records be withheld from all political parties, candidates for public office, and their  
4033 contractors, employees, and volunteers, by submitting a withholding request form and any  
4034 required verification with this registration form, or to the lieutenant governor or a county clerk,  
4035 if the person is, or resides with a person who is, a law enforcement officer, a member of the  
4036 armed forces, a public figure, or protected by a protective order or a protection order.]~~

4037 **CITIZENSHIP AFFIDAVIT**

4038 Name:

4039 Name at birth, if different:

4040 Place of birth:

4041 Date of birth:

4042 Date and place of naturalization (if applicable):

4043 I hereby swear [~~and~~] or affirm, under penalties for voting fraud set forth below, that I am  
4044 a citizen and that to the best of my knowledge and belief the information above is true and  
4045 correct.

4046 \_\_\_\_\_  
4047 Signature of Applicant

4048 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or  
4049 allowing yourself to be registered to vote if you know you are not entitled to register to vote is  
4050 up to one year in jail and a fine of up to \$2,500."; and

4051 (iv) on or with the form on the envelope, the statement described in Subsection  
4052 Subsection 20A-2-104(1)(e):

4053 (b) the following statement shall appear after the [~~statement described in~~] provisions required  
4054 under Subsection (1)(a):

4055 "BALLOT NOTIFICATIONS

4056 Do you consent to receive communications about the status of your ballot and other official  
4057 communications, by text, at the phone number you provided above? Yes No  
4058 "; and

4059 (c) no later than November 5, 2025, after the statement described in Subsection (1)(b), the  
4060 following:

4061 "Indicate below how you want to vote in upcoming elections:

4062 \_\_\_\_\_ Mail a ballot to me.

4063 \_\_\_\_\_ Do not mail a ballot to me. I will vote in person."

4064 (2) The provisional ballot envelope shall include:

4065 (a) a unique number;

4066 (b) a detachable part that includes the unique number;

4067 (c) a telephone number, internet address, or other indicator of a means, in accordance  
4068 with Section 20A-6-105.5, where the voter can find out if the provisional ballot was  
4069 counted; and

4070 (d) an insert containing written instructions on how a voter may sign up to receive ballot  
4071 status notifications via the ballot tracking system described in Section 20A-3a-401.5.

4072 Section 35. Section **20A-9-408** is amended to read:

4073 **20A-9-408 (Effective 01/01/27). Signature-gathering process to seek the**  
4074 **nomination of a qualified political party -- Removal of signature.**

- 4075 (1) This section describes the requirements for a member of a qualified political party who  
4076 is seeking the nomination of the qualified political party for an elective office through  
4077 the signature-gathering process described in this section.
- 4078 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy  
4079 for a member of a qualified political party who is nominated by, or who is seeking the  
4080 nomination of, the qualified political party under this section shall be substantially as  
4081 described in Section 20A-9-408.5.
- 4082 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection  
4083 20A-9-202(4), a member of a qualified political party who, under this section, is seeking  
4084 the nomination of the qualified political party for an elective office that is to be filled at  
4085 the next general election shall:
- 4086 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable  
4087 declaration of candidacy filing period described in Section 20A-9-201.5, and before  
4088 gathering signatures under this section, file with the filing officer on a form approved  
4089 by the lieutenant governor a notice of intent to gather signatures for candidacy that  
4090 includes:
- 4091 (i) the name of the member who will attempt to become a candidate for a registered  
4092 political party under this section;
- 4093 (ii) the name of the registered political party for which the member is seeking  
4094 nomination;
- 4095 (iii) the office for which the member is seeking to become a candidate;
- 4096 (iv) the address and telephone number of the member; and
- 4097 (v) other information required by the lieutenant governor;
- 4098 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in  
4099 person, with the filing officer during the applicable declaration of candidacy filing  
4100 period described in Section 20A-9-201.5; and
- 4101 (c) pay the filing fee.
- 4102 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party  
4103 who, under this section, is seeking the nomination of the qualified political party for the  
4104 office of district attorney within a multicounty prosecution district that is to be filled at  
4105 the next general election shall:
- 4106 (a) during the applicable declaration of candidacy filing period described in Section  
4107 20A-9-201.5, and before gathering signatures under this section, file with the filing  
4108 officer on a form approved by the lieutenant governor a notice of intent to gather

- 4109 signatures for candidacy that includes:
- 4110 (i) the name of the member who will attempt to become a candidate for a registered  
4111 political party under this section;
- 4112 (ii) the name of the registered political party for which the member is seeking  
4113 nomination;
- 4114 (iii) the office for which the member is seeking to become a candidate;
- 4115 (iv) the address and telephone number of the member; and
- 4116 (v) other information required by the lieutenant governor;
- 4117 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in  
4118 person, with the filing officer during the applicable declaration of candidacy filing  
4119 period described in Section 20A-9-201.5; and
- 4120 (c) pay the filing fee.
- 4121 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who  
4122 files as the joint-ticket running mate of an individual who is nominated by a qualified  
4123 political party, under this section, for the office of governor shall, during the applicable  
4124 declaration of candidacy filing period described in Section 20A-9-201.5, file a  
4125 declaration of candidacy and submit a letter from the candidate for governor that names  
4126 the lieutenant governor candidate as a joint-ticket running mate.
- 4127 (6) The lieutenant governor shall ensure that the certification described in Subsection  
4128 20A-9-701(1) also includes the name of each candidate nominated by a qualified  
4129 political party under this section.
- 4130 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is  
4131 nominated by a qualified political party under this section, designate the qualified  
4132 political party that nominated the candidate.
- 4133 (8) A member of a qualified political party may seek the nomination of the qualified  
4134 political party for an elective office by:
- 4135 (a) complying with the requirements described in this section; and
- 4136 (b) collecting signatures, on a form approved by the lieutenant governor that complies  
4137 with Subsection 20A-9-405(3), during the period beginning on the day on which the  
4138 member files a notice of intent to gather signatures and ending at the applicable  
4139 deadline described in Subsection (12), in the following amounts:
- 4140 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
4141 permitted by the qualified political party to vote for the qualified political party's  
4142 candidates in a primary election;

- 4143 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000  
4144 signatures of registered voters who are residents of the congressional district and  
4145 are permitted by the qualified political party to vote for the qualified political  
4146 party's candidates in a primary election;
- 4147 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
4148 residents of the state Senate district and are permitted by the qualified political  
4149 party to vote for the qualified political party's candidates in a primary election;
- 4150 (iv) for a state House district race, 1,000 signatures of registered voters who are  
4151 residents of the state House district and are permitted by the qualified political  
4152 party to vote for the qualified political party's candidates in a primary election;
- 4153 (v) for a State Board of Education race, the lesser of:  
4154 (A) 2,000 signatures of registered voters who are residents of the State Board of  
4155 Education district and are permitted by the qualified political party to vote for  
4156 the qualified political party's candidates in a primary election; or  
4157 (B) 3% of the registered voters of the qualified political party who are residents of  
4158 the applicable State Board of Education district; and
- 4159 (vi) for a county office race, the lesser of:  
4160 (A) 2,000 signatures of registered voters who are residents of the area permitted to  
4161 vote for the county office and are permitted by the qualified political party to  
4162 vote for the qualified political party's candidates in a primary election; or  
4163 (B) signatures of [3%] 1.5% of the registered voters who are residents of the area  
4164 permitted to vote for the county office and are permitted by the qualified  
4165 political party to vote for the qualified political party's candidates in a primary  
4166 election.
- 4167 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 4168 (b) In order for a member of the qualified political party to qualify as a candidate for the  
4169 qualified political party's nomination for an elective office under this section, using  
4170 the manual candidate qualification process, the member shall:  
4171 (i) collect the signatures on a form approved by the lieutenant governor, using the  
4172 same circulation and verification requirements described in Sections 20A-7-105  
4173 and 20A-7-204; and  
4174 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election  
4175 officer before the applicable deadline described in Subsection (12).
- 4176 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in

- 4177 accordance with Section 20A-9-408.3, the election officer shall, no later than the  
4178 earlier of 14 calendar days after the day on which the election officer receives the  
4179 signatures, or one day before the day on which the qualified political party holds the  
4180 convention to select a nominee for the elective office to which the signature packets  
4181 relate:
- 4182 (i) check the name of each individual who completes the verification for a signature  
4183 packet to determine whether each individual is at least 18 years old;
  - 4184 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at  
4185 least 18 years old to the attorney general and the county attorney;
  - 4186 (iii) with the assistance of the county clerk as applicable, determine whether each  
4187 signer is a registered voter who is qualified to sign the petition, using the same  
4188 method, described in Section 20A-1-1002, used to verify a signature on a petition;  
4189 and
  - 4190 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
4191 signature packet.
- 4192 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)  
4193 may have the voter's signature removed from the form by, no later than 5 p.m.  
4194 three business days after the day on which the member submits the signature form  
4195 to the election officer, submitting to the election officer a statement requesting  
4196 that the voter's signature be removed.
- 4197 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements  
4198 described in Subsection 20A-1-1003(2).
  - 4199 (iii) With the assistance of the county clerk as applicable, the election officer shall  
4200 use the procedures described in Subsection 20A-1-1003(3) to determine whether  
4201 to remove an individual's signature after receiving a timely, valid statement  
4202 requesting removal of the signature.
- 4203 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules  
4204 made under Section 20A-3a-106, conduct regular audits of signature comparisons  
4205 made between signatures gathered under this section and voter signatures  
4206 maintained by the election officer.
- 4207 (ii) An individual who conducts an audit of signature comparisons under this section  
4208 may not audit the individual's own work.
  - 4209 (iii) The election officer shall:
    - 4210 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to

- 4211 determine the accuracy of the comparisons made;
- 4212 (B) record the individuals who conducted the audit;
- 4213 (C) record the audit results;
- 4214 (D) provide additional training or staff reassignments, as needed, based on the
- 4215 results of an audit described in Subsection (9)(e)(i); and
- 4216 (E) record any remedial action taken.
- 4217 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 4218 (f) An election officer who certifies signatures under Subsection (9)(c) or
- 4219 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
- 4220 has reached the applicable signature threshold described in Subsection (8) or
- 4221 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the
- 4222 candidate in excess of the number of signatures required, until the election officer
- 4223 either:
- 4224 (i) certifies signatures equal to 110% of the applicable signature threshold; or
- 4225 (ii) has reviewed all signatures submitted for the candidate before reaching an
- 4226 amount equal to 110% of the applicable signature threshold.
- 4227 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
- 4228 process.
- 4229 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 4230 qualified political party's nomination for an elective office under this section, the
- 4231 member shall, before the deadline described in Subsection (12), collect signatures
- 4232 electronically:
- 4233 (i) in accordance with Section 20A-21-201; and
- 4234 (ii) using progressive screens, in a format approved by the lieutenant governor, that
- 4235 complies with Subsection 20A-9-405(4).
- 4236 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
- 4237 election officer shall, no later than the earlier of 14 calendar days after the day on
- 4238 which the election officer receives the signatures, or one day before the day on which
- 4239 the qualified political party holds the convention to select a nominee for the elective
- 4240 office to which the signature packets relate:
- 4241 (i) check the name of each individual who completes the verification for a signature
- 4242 to determine whether each individual is at least 18 years old; and
- 4243 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
- 4244 at least 18 years old to the attorney general and the county attorney.

- 4245 (11)(a) An individual may not gather signatures under this section until after the  
4246 individual files a notice of intent to gather signatures for candidacy described in this  
4247 section.
- 4248 (b) An individual who files a notice of intent to gather signatures for candidacy,  
4249 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the  
4250 individual files the notice of intent to gather signatures for candidacy:
- 4251 (i) required to comply with the reporting requirements that a candidate for office is  
4252 required to comply with; and
- 4253 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
4254 apply to a candidate for office in relation to the reporting requirements described  
4255 in Subsection (11)(b)(i).
- 4256 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or  
4257 Subsections (8) and (10)(b), the election officer shall, no later than the day before the  
4258 day on which the qualified political party holds the convention to select a nominee  
4259 for the elective office to which the signature packets relate, notify the qualified  
4260 political party and the lieutenant governor of the name of each member of the  
4261 qualified political party who qualifies as a nominee of the qualified political party,  
4262 under this section, for the elective office to which the convention relates.
- 4263 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this  
4264 section, the lieutenant governor shall post the notice of intent to gather signatures for  
4265 candidacy on the lieutenant governor's website in the same location that the  
4266 lieutenant governor posts a declaration of candidacy.
- 4267 (12) The deadline before which a member of a qualified political party must collect and  
4268 submit signatures to the election officer under this section is 5 p.m. on the last business  
4269 day that is at least 14 calendar days before the day on which the qualified political  
4270 party's convention for the office begins.
- 4271 (13) For the 2026 election year only, an individual who desires to gather signatures to seek  
4272 the nomination of a qualified political party for the office of United States representative  
4273 shall:
- 4274 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures  
4275 during the period beginning at 8 a.m. on the first business day of January and ending  
4276 at 5 p.m. on March 13, 2026; and
- 4277 (b) during the period beginning on the day on which the individual files the notice of  
4278 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form

4279 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),  
 4280 collect 7,000 signatures of registered voters who are residents of the state and are  
 4281 permitted by the qualified political party to vote for the qualified political party's  
 4282 candidates in a primary election.

4283 Section 36. Section **20A-9-408.4** is enacted to read:

4284 **20A-9-408.4 (Effective 05/06/26). Incumbent county clerk required to contract**  
 4285 **for certain services relating to a race for reelection.**

4286 In relation to a race in which an incumbent county clerk is running for reelection, the  
 4287 incumbent county clerk:

4288 (1) shall contract with another county clerk to fulfill the responsibilities described in:

4289 (a) Subsection 20A-9-403(3)(d);

4290 (b) Subsection 20A-9-405(10)(c);

4291 (c) Subsections 20A-9-408(9)(c), (d)(iii), and (f);

4292 (d) Subsections 20A-9-408(10)(c), (11)(c); and

4293 (e) Subsections 20A-9-408.3(2) through (3) and (5) through (7);

4294 (2) no later than one business day after the day on which the incumbent county clerk

4295 receives a signature packet for the race, deliver the signature packet to the county clerk  
 4296 described in Subsection (1); and

4297 (3) on the same business day on which the incumbent county clerk receives a document

4298 requesting the removal of a signature form a signature packet for the race, electronically  
 4299 send a clear image of the document to the county clerk described in Subsection (1).

4300 Section 37. Section **20A-11-104** is amended to read:

4301 **20A-11-104 (Effective 05/06/26). Personal use expenditure -- Authorized and**  
 4302 **prohibited uses of campaign funds -- Enforcement -- Penalties.**

4303 (1)(a) As used in this chapter, "personal use expenditure" means an expenditure that:

4304 (i)(A) is not excluded from the definition of personal use expenditure by

4305 Subsection (2); and

4306 (B) primarily furthers a personal interest of a candidate or officeholder or a

4307 candidate's or officeholder's family, which interest is not connected with the

4308 performance of an activity as a candidate or an activity or duty of an

4309 officeholder; or

4310 (ii) would likely cause the candidate or officeholder to recognize the expenditure as

4311 taxable income under federal or state law.

4312 (b) "Personal use expenditure" includes:

- 4313 (i) a mortgage, rent, utility, or vehicle payment;
- 4314 (ii) a household food item or supply;
- 4315 (iii) a clothing expense, except:
- 4316 (A) clothing bearing the candidate's name or campaign slogan or logo that is used
- 4317 in the candidate's campaign;
- 4318 (B) clothing bearing the logo or name of a jurisdiction, district, government
- 4319 organization, government entity, caucus, or political party that the officeholder
- 4320 represents or of which the officeholder is a member; or
- 4321 (C) repair or replacement of clothing that is damaged while the candidate or
- 4322 officeholder is engaged in an activity of a candidate or officeholder;
- 4323 (iv) an admission to a sporting, artistic, or recreational event or other form of
- 4324 entertainment;
- 4325 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
- 4326 (vi) a salary payment made to:
- 4327 (A) a candidate or officeholder; or
- 4328 (B) a person who has not provided a bona fide service to a candidate or
- 4329 officeholder;
- 4330 (vii) a vacation;
- 4331 (viii) a vehicle expense;
- 4332 (ix) a meal expense;
- 4333 (x) a travel expense;
- 4334 (xi) a payment of an administrative, civil, or criminal penalty;
- 4335 (xii) a satisfaction of a personal debt;
- 4336 (xiii) a personal service, including the service of an attorney, accountant, physician,
- 4337 or other professional person;
- 4338 (xiv) a membership fee for a professional or service organization; and
- 4339 (xv) a payment in excess of the fair market value of the item or service purchased.
- 4340 (2) As used in this chapter, "personal use expenditure" does not include an expenditure
- 4341 made:
- 4342 (a) for a political purpose;
- 4343 (b) for candidacy for public office;
- 4344 (c) to fulfill a duty or activity of an officeholder;
- 4345 (d) for a donation to a registered political party;
- 4346 (e) for a contribution to another candidate's campaign account, including sponsorship of

- 4347 or attendance at an event, the primary purpose of which is to solicit a contribution for  
4348 another candidate's campaign account;
- 4349 (f) to return all or a portion of a contribution to a contributor;
- 4350 (g) for the following items, if made in connection with the candidacy for public office or  
4351 an activity or duty of an officeholder:
- 4352 (i)(A) a mileage allowance at the rate established by the Division of Finance under  
4353 Section 63A-3-107; or
- 4354 (B) for motor fuel or special fuel, as defined in Section 59-13-102;
- 4355 (ii) a food expense, including food or beverages:
- 4356 (A) served at a campaign event;
- 4357 (B) served at a charitable event;
- 4358 (C) consumed, or provided to others, by a candidate while the candidate is  
4359 engaged in campaigning;
- 4360 (D) consumed, or provided to others, by an officeholder while the officeholder is  
4361 acting in the capacity of an officeholder; or
- 4362 (E) provided as a gift to an individual who works on a candidate's campaign or  
4363 who assists an officeholder in the officeholder's capacity as an officeholder;
- 4364 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to  
4365 the candidate's campaign, including airfare, car rental, other transportation, hotel,  
4366 or other expenses incidental to the travel;
- 4367 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of  
4368 the travel by the individual is to assist the candidate with the candidate's  
4369 campaign, including an expense described in Subsection (2)(g)(iii);
- 4370 (v) a travel expense of an officeholder, if the primary purpose of the travel is related  
4371 to an activity or duty of the officeholder, including an expense described in  
4372 Subsection (2)(g)(iii);
- 4373 (vi) a travel expense of an individual assisting an officeholder, if the primary purpose  
4374 of the travel by the individual is to assist the officeholder in an activity or duty of  
4375 an officeholder, including an expense described in Subsection (2)(g)(iii);
- 4376 (vii) a payment for a service provided by an attorney or accountant;
- 4377 (viii) a tuition payment or registration fee for participation in a meeting or conference;
- 4378 (ix) a gift;
- 4379 (x) a payment for the following items in connection with an office space:
- 4380 (A) rent;

- 4381 (B) utilities;
- 4382 (C) a supply; or
- 4383 (D) furnishing;
- 4384 (xi) a booth at a meeting or event;
- 4385 (xii) educational material; or
- 4386 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty
- 4387 of an officeholder;
- 4388 (h) to purchase or mail informational material, a survey, or a greeting card;
- 4389 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including
- 4390 admission to or sponsorship of an event, the primary purpose of which is charitable
- 4391 solicitation, as defined in Section 13-22-2;
- 4392 (j) to repay a loan a candidate makes from the candidate's personal account to the
- 4393 candidate's campaign account;
- 4394 (k) to pay membership dues to a national organization whose primary purpose is to
- 4395 address general public policy;
- 4396 (l) for admission to or sponsorship of an event, the primary purpose of which is to
- 4397 promote the social, educational, or economic well-being of the state or the candidate's
- 4398 or officeholder's community;
- 4399 (m) for one or more guests of an officeholder or candidate to attend an event, meeting,
- 4400 or conference described in this Subsection (2), including related travel expenses and
- 4401 other expenses, if attendance by the guest is for a primary purpose described in
- 4402 Subsection (2)(g)(iv) or (vi); ~~or~~
- 4403 (n) to pay childcare expenses of:
- 4404 (i) a candidate while the candidate is engaging in campaign activity; or
- 4405 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder~~[-]~~ ;
- 4406 or
- 4407 (o) by a candidate or officeholder to purchase reasonably necessary goods, other than
- 4408 weapons, or services, for the purpose of protecting the security of the candidate or
- 4409 officeholder, the candidate's or officeholder's family, or the candidate's or
- 4410 officeholder's staff, which may include:
- 4411 (i) a security system for use at the candidate's or officeholder's home, place of
- 4412 business, or campaign office; or
- 4413 (ii) security services while the candidate or officeholder is traveling to or from, or
- 4414 attending:

- 4415                   (A) a campaign event; or  
 4416                   (B) for an officeholder, an event relating to an activity or duty of the officeholder.

4417 (3)(a) The lieutenant governor shall enforce this chapter prohibiting a personal use  
 4418 expenditure by:

- 4419                   (i) evaluating a financial statement to identify a personal use expenditure; and  
 4420                   (ii) commencing an informal adjudicative proceeding in accordance with Title 63G,  
 4421                   Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable  
 4422                   cause to believe a candidate or officeholder has made a personal use expenditure.

4423 (b) Following the proceeding, the lieutenant governor may issue a signed order requiring  
 4424 a candidate or officeholder who has made a personal use expenditure to:

- 4425                   (i) remit an administrative penalty of an amount equal to 50% of the personal use  
 4426                   expenditure to the lieutenant governor; and  
 4427                   (ii) deposit the amount of the personal use expenditure in the campaign account from  
 4428                   which the personal use expenditure was disbursed.

4429 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) [~~in~~]  
 4430 into the General Fund.

4431 Section 38. Section **20A-11-204** is amended to read:

4432                   **20A-11-204 (Effective 05/06/26). State office candidate and state officeholder --**  
 4433 **Financial reporting requirements -- Interim reports.**

4434 (1) As used in this section:

4435                   (a) "Campaign account" means a separate campaign account required under Subsection  
 4436                   20A-11-201(1)(a) or (c).

4437                   (b) "Received" means:

4438                   (i) for a cash contribution, that the cash is given to a state office candidate or a  
 4439                   member of the state office candidate's personal campaign committee;

4440                   (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
 4441                   instrument or check is negotiated;

4442                   (iii) for a direct deposit made into a campaign account by a person not associated  
 4443                   with the campaign, the earlier of:

4444                   (A) the day on which the state office candidate or a member of the state office  
 4445                   candidate's personal campaign committee becomes aware of the deposit and  
 4446                   the source of the deposit;

4447                   (B) the day on which the state office candidate or a member of the state office  
 4448                   candidate's personal campaign committee receives notice of the deposit and the

- 4449 source of the deposit by mail, email, text, or similar means; or
- 4450 (C) 31 calendar days after the day on which the direct deposit occurs; or
- 4451 (iv) for any other type of contribution, that any portion of the contribution's benefit
- 4452 inures to the state office candidate.
- 4453 (2) Except as provided in Subsection (3), each state office candidate shall file an interim
- 4454 report at the following times in any year in which the candidate has filed a declaration of
- 4455 candidacy for a public office:
- 4456 (a)(i) seven calendar days before the candidate's political convention; or
- 4457 (ii) for an unaffiliated candidate, the fourth Saturday in March;
- 4458 (b) seven calendar days before the regular primary election date;
- 4459 (c) September 30; and
- 4460 (d) seven calendar days before the regular general election date.
- 4461 (3) If a state office candidate is a state office candidate seeking appointment for a midterm
- 4462 vacancy, the state office candidate:
- 4463 (a) shall file an interim report:
- 4464 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(i), no later than three
- 4465 business days before the day on which the political party of the party for which
- 4466 the state office candidate seeks nomination meets to declare a nominee for the
- 4467 governor to appoint[~~in accordance with Subsection 20A-1-504(1)(a); or~~];
- 4468 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii), no later than three
- 4469 business days before the day on which the Senate meets to consider the governor's
- 4470 nomination; or
- 4471 [~~(ii)~~] (iii) if a state office candidate decides to seek the appointment with less than
- 4472 three business days before the [~~day on which the political party meets~~] applicable
- 4473 day described in Subsection (3)(a)(i) or (ii), or the political party or the Senate
- 4474 schedules the [~~meeting to declare a nominee~~] applicable meeting described in
- 4475 Subsection (3)(a)(i) or (ii) less than three business days before the day of the
- 4476 meeting, no later than 5 p.m. on the last day of business before the day on which
- 4477 the political party or the Senate meets; and
- 4478 (b) is not required to file an interim report at the times described in Subsection (2).
- 4479 (4) Each interim report shall include the following information:
- 4480 (a) the net balance of the last summary report, if any;
- 4481 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 4482 reports, if any, during the calendar year in which the interim report is due;

- 4483 (c) a single figure equal to the total amount of expenditures reported on all prior interim  
4484 reports, if any, filed during the calendar year in which the interim report is due;
- 4485 (d) a detailed listing of:
- 4486 (i) for a state office candidate, each contribution received since the last summary  
4487 report that has not been reported in detail on a prior interim report; or
- 4488 (ii) for a state officeholder, each contribution and public service assistance received  
4489 since the last summary report that has not been reported in detail on a prior  
4490 interim report;
- 4491 (e) for each nonmonetary contribution:
- 4492 (i) the fair market value of the contribution with that information provided by the  
4493 contributor; and
- 4494 (ii) a specific description of the contribution;
- 4495 (f) a detailed listing of each expenditure made since the last summary report that has not  
4496 been reported in detail on a prior interim report;
- 4497 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 4498 (h) a net balance for the year consisting of the net balance from the last summary report,  
4499 if any, plus all receipts since the last summary report minus all expenditures since the  
4500 last summary report;
- 4501 (i) a summary page in the form required by the lieutenant governor that identifies:
- 4502 (i) beginning balance;
- 4503 (ii) total contributions and public service assistance received during the period since  
4504 the last statement;
- 4505 (iii) total contributions and public service assistance received to date;
- 4506 (iv) total expenditures during the period since the last statement; and
- 4507 (v) total expenditures to date; and
- 4508 (j) the name of a political action committee for which the state office candidate or state  
4509 officeholder is designated as an officer who has primary decision-making authority  
4510 under Section 20A-11-601.
- 4511 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as  
4512 of five calendar days before the required filing date of the report.
- 4513 (b) Any negotiable instrument or check received by a state office candidate or state  
4514 officeholder more than five calendar days before the required filing date of a report  
4515 required by this section shall be included in the interim report.

4516 Section 39. Section **20A-11-1303** is amended to read:

4517 **20A-11-1303 (Effective 05/06/26). School board office candidate and school**  
 4518 **board officeholder -- Financial reporting requirements -- Interim reports.**

4519 (1)(a) As used in this section, "received" means:

4520 (i) for a cash contribution, that the cash is given to a school board office candidate or  
 4521 a member of the school board office candidate's personal campaign committee;

4522 (ii) for a contribution that is a check or other negotiable instrument, that the check or  
 4523 other negotiable instrument is negotiated;

4524 (iii) for a direct deposit made into a campaign account by a person not associated  
 4525 with the campaign, the earlier of:

4526 (A) the day on which the school board office candidate or a member of the school  
 4527 board office candidate's personal campaign committee becomes aware of the  
 4528 deposit and the source of the deposit;

4529 (B) the day on which the school board office candidate or a member of the school  
 4530 board office candidate's personal campaign committee receives notice of the  
 4531 deposit and the source of the deposit by mail, email, text, or similar means; or

4532 (C) 31 calendar days after the day on which the direct deposit occurs; or

4533 (iv) for any other type of contribution, that any portion of the contribution's benefit  
 4534 inures to the school board office candidate.

4535 (b) As used in this Subsection (1), "campaign account" means a separate campaign  
 4536 account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).

4537 (c) Except as provided in Subsection (2), each school board office candidate shall file an  
 4538 interim report at the following times in any year in which the candidate has filed a  
 4539 declaration of candidacy for a public office:

4540 (i) May 15;

4541 (ii) seven calendar days before the regular primary election date;

4542 (iii) September 30; and

4543 (iv) seven calendar days before the regular general election date.

4544 (2) If a school board office candidate is a school board office candidate seeking  
 4545 appointment for a midterm vacancy, the school board office candidate:

4546 (a) shall file an interim report:

4547 (i) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(A) or (B)~~]

4548 20A-1-504(1)(b)(ii), no later than three business days before the day on which the  
 4549 Senate meets to consider the school board office candidate's nomination; [~~or~~]

4550 (ii) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(C):~~]

- 4551                    20A-1-504(1)(b)(i).
- 4552                    [~~(A)~~] no later than three business days before the day on which the political party
- 4553                    of the party for which the school board office candidate seeks nomination
- 4554                    meets to declare a nominee for the governor to appoint; or
- 4555                    [~~(B)~~] (iii) if the school board office candidate decides to seek the appointment with
- 4556                    less than three business days before the [~~day on which the political party meets~~]
- 4557                    applicable day described in Subsection (2)(a)(i) or (ii), or the political party or the
- 4558                    Senate schedules the [~~meeting to declare a nominee~~] applicable meeting described
- 4559                    in Subsection (2)(a)(i) or (ii) less than three business days before the day of the
- 4560                    meeting, no later than 5 p.m. on the last day of business before the day on which
- 4561                    the political party or the Senate meets; and
- 4562                    (b) is not required to file an interim report at the times described in Subsection (1)(c).
- 4563                    (3) Each interim report shall include the following information:
- 4564                    (a) the net balance of the last summary report, if any;
- 4565                    (b) a single figure equal to the total amount of receipts reported on all prior interim
- 4566                    reports, if any, during the calendar year in which the interim report is due;
- 4567                    (c) a single figure equal to the total amount of expenditures reported on all prior interim
- 4568                    reports, if any, filed during the calendar year in which the interim report is due;
- 4569                    (d) a detailed listing of:
- 4570                    (i) for a school board office candidate, each contribution received since the last
- 4571                    summary report that has not been reported in detail on a prior interim report; or
- 4572                    (ii) for a school board officeholder, each contribution and public service assistance
- 4573                    received since the last summary report that has not been reported in detail on a
- 4574                    prior interim report;
- 4575                    (e) for each nonmonetary contribution:
- 4576                    (i) the fair market value of the contribution with that information provided by the
- 4577                    contributor; and
- 4578                    (ii) a specific description of the contribution;
- 4579                    (f) a detailed listing of each expenditure made since the last summary report that has not
- 4580                    been reported in detail on a prior interim report;
- 4581                    (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 4582                    (h) a net balance for the year consisting of the net balance from the last summary report,
- 4583                    if any, plus all receipts since the last summary report minus all expenditures since the
- 4584                    last summary report;

- 4585 (i) a summary page in the form required by the lieutenant governor that identifies:  
 4586 (i) beginning balance;  
 4587 (ii) total contributions during the period since the last statement;  
 4588 (iii) total contributions to date;  
 4589 (iv) total expenditures during the period since the last statement; and  
 4590 (v) total expenditures to date; and  
 4591 (j) the name of a political action committee for which the school board office candidate  
 4592 or school board officeholder is designated as an officer who has primary  
 4593 decision-making authority under Section 20A-11-601.
- 4594 (4)(a) In preparing each interim report, all receipts and expenditures shall be reported as  
 4595 of five calendar days before the required filing date of the report.
- 4596 (b) Any negotiable instrument or check received by a school board office candidate or  
 4597 school board officeholder more than five calendar days before the required filing date  
 4598 of a report required by this section shall be included in the interim report.

4599 Section 40. Section **20A-11-1604** is amended to read:

4600 **20A-11-1604 (Effective 05/06/26). Failure to disclose conflict of interest -- Failure**  
 4601 **to comply with reporting requirements.**

- 4602 (1)(a) Before or during the execution of any order, settlement, declaration, contract, or  
 4603 any other official act of office in which a state constitutional officer has actual  
 4604 knowledge that the state constitutional officer has a conflict of interest that is not  
 4605 stated in the conflict of interest disclosure, the state constitutional officer shall  
 4606 publicly declare that the state constitutional officer may have a conflict of interest  
 4607 and what that conflict of interest is.
- 4608 (b) Before or during any vote on legislation or any legislative matter in which a  
 4609 legislator has actual knowledge that the legislator has a conflict of interest that is not  
 4610 stated in the conflict of interest disclosure, the legislator shall orally declare to the  
 4611 committee or body before which the matter is pending that the legislator may have a  
 4612 conflict of interest and what that conflict is.
- 4613 (c) Before or during any vote on any rule, resolution, order, or any other board matter in  
 4614 which a member of the State Board of Education has actual knowledge that the  
 4615 member has a conflict of interest that is not stated in the conflict of interest  
 4616 disclosure, the member shall orally declare to the board that the member may have a  
 4617 conflict of interest and what that conflict of interest is.
- 4618 (2) Any public declaration of a conflict of interest that is made under Subsection (1) shall

- 4619 be noted:
- 4620 (a) on the official record of the action taken, for a state constitutional officer;
- 4621 (b) in the minutes of the committee meeting or in the Senate or House Journal, as
- 4622 applicable, for a legislator; or
- 4623 (c) in the minutes of the meeting or on the official record of the action taken, for a
- 4624 member of the State Board of Education.
- 4625 (3) A state constitutional officer shall make a complete conflict of interest disclosure on the
- 4626 website:
- 4627 (a)(i) no sooner than January 1 each year, and before January 11 each year; or
- 4628 (ii) if the state constitutional officer takes office after January 10, within 10 calendar
- 4629 days after the day on which the state constitutional officer takes office; and
- 4630 (b) each time the state constitutional officer changes employment.
- 4631 (4) A legislator shall make a complete conflict of interest disclosure on the website:
- 4632 (a)(i) no sooner than January 1 each year, and before January 11 each year; or
- 4633 (ii) if the legislator takes office after January 10, within 10 calendar days after the
- 4634 day on which the legislator takes office; and
- 4635 (b) each time the legislator changes employment.
- 4636 (5) A member of the State Board of Education shall make a complete conflict of interest
- 4637 disclosure on the website:
- 4638 (a)(i) no sooner than January 1 each year, and before January 11 each year; or
- 4639 (ii) if the member takes office after January 10, within 10 calendar days after the day
- 4640 on which the member takes office; and
- 4641 (b) each time the member changes employment.
- 4642 (6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall include:
- 4643 (a) the regulated officeholder's name;
- 4644 (b) subject to Subsection (7):
- 4645 (i) the name and address of each of the regulated officeholder's current employers and
- 4646 each of the regulated officeholder's employers during the preceding year; and
- 4647 (ii) for each employer described in this Subsection (6)(b), a brief description of the
- 4648 employment, including the regulated officeholder's occupation and, as applicable,
- 4649 job title;
- 4650 (c) for each entity in which the regulated officeholder is an owner or officer, or was an
- 4651 owner or officer during the preceding year:
- 4652 (i) the name of the entity;

- 4653 (ii) a brief description of the type of business or activity conducted by the entity; and  
4654 (iii) the regulated officeholder's position in the entity;
- 4655 (d) in accordance with Subsection (8), for each individual from whom, or entity from  
4656 which, the regulated officeholder has received \$5,000 or more in income during the  
4657 preceding year:
- 4658 (i) the name of the individual or entity; and  
4659 (ii) a brief description of the type of business or activity conducted by the individual  
4660 or entity;
- 4661 (e) for each entity in which the regulated officeholder holds any stocks or bonds having  
4662 a fair market value of \$5,000 or more as of the date of the disclosure form or during  
4663 the preceding year, but excluding funds that are managed by a third party, including  
4664 blind trusts, managed investment accounts, and mutual funds:
- 4665 (i) the name of the entity; and  
4666 (ii) a brief description of the type of business or activity conducted by the entity;
- 4667 (f) for each entity not listed in Subsections (6)(c) through (e) in which the regulated  
4668 officeholder currently serves, or served in the preceding year, in a paid leadership  
4669 capacity or in a paid or unpaid position on a board of directors:
- 4670 (i) the name of the entity or organization;  
4671 (ii) a brief description of the type of business or activity conducted by the entity; and  
4672 (iii) the type of position held by the regulated officeholder;
- 4673 (g) at the option of the regulated officeholder, a description of any real property in which  
4674 the regulated officeholder holds an ownership or other financial interest that the  
4675 regulated officeholder believes may constitute a conflict of interest, including a  
4676 description of the type of interest held by the regulated officeholder in the property;
- 4677 (h) subject to Subsection (7):
- 4678 (i) the name of the regulated officeholder's spouse; and  
4679 (ii) the name of each of the regulated officeholder's spouse's current employers and  
4680 each of the regulated officeholder's spouse's employers during the preceding year,  
4681 if the regulated officeholder believes the employment may constitute a conflict of  
4682 interest;
- 4683 (i) the name of any adult residing in the regulated officeholder's household who is not  
4684 related to the officeholder by blood;
- 4685 (j) for each adult described in Subsection (6)(i), a brief description of the adult's  
4686 employment or occupation, if the regulated officeholder believes the adult's presence

- 4687 in the regulated officeholder's household may constitute a conflict of interest;
- 4688 (k) at the option of the regulated officeholder, a description of any other matter or
- 4689 interest that the regulated officeholder believes may constitute a conflict of interest;
- 4690 (l) the date the form was completed;
- 4691 (m) a statement that the regulated officeholder believes that the form is true and accurate
- 4692 to the best of the regulated officeholder's knowledge; and
- 4693 (n) the signature of the regulated officeholder.
- 4694 (7)(a) In making the disclosure described in Subsection (6)(b) or (h), if a regulated
- 4695 officeholder or regulated officeholder's spouse is an at-risk government employee, as
- 4696 that term is defined in Subsection [~~63G-2-303(1)(a)~~] 63G-2-303(2)(a), the regulated
- 4697 officeholder may request the filing officer to redact from the conflict of interest
- 4698 disclosure:
- 4699 (i) the regulated officeholder's employment information under Subsection (6)(b); and
- 4700 (ii) the regulated officeholder's spouse's name and employment information under
- 4701 Subsection (6)(h).
- 4702 (b) A filing officer who receives a redaction request under Subsection (7)(a) shall redact
- 4703 the disclosures made under Subsection (6)(b) or (h) before the filing officer makes
- 4704 the conflict of interest disclosure available for public inspection.
- 4705 (8) In making the disclosure described in Subsection (6)(d), a regulated officeholder who
- 4706 provides goods or services to multiple customers or clients as part of a business or a
- 4707 licensed profession is only required to provide the information described in Subsection
- 4708 (6)(d) in relation to the entity or practice through which the regulated officeholder
- 4709 provides the goods or services and is not required to provide the information described
- 4710 in Subsection (6)(d) in relation to the regulated officeholder's individual customers or
- 4711 clients.
- 4712 (9) The disclosure requirements described in this section do not prohibit a regulated
- 4713 officeholder from voting or acting on any matter.
- 4714 (10) A regulated officeholder may amend a conflict of interest disclosure described in this
- 4715 part at any time.
- 4716 (11) A regulated officeholder who violates the requirements of Subsection (1) is guilty of a
- 4717 class B misdemeanor.
- 4718 (12)(a) A regulated officeholder who intentionally or knowingly violates a provision of
- 4719 this section, other than Subsection (1), is guilty of a class B misdemeanor.
- 4720 (b) In addition to the criminal penalty described in Subsection (12)(a), the lieutenant

4721 governor shall impose a civil penalty of \$100 against a regulated officeholder who  
4722 violates a provision of this section, other than Subsection (1).

4723 Section 41. Section **36-12-15.2** is amended to read:

4724 **36-12-15.2 (Effective 05/06/26). Elections audit.**

- 4725 (1) As used in this section, "office" means the Office of the Legislative Auditor General.
- 4726 (2) In addition to other audits performed by the office, the office shall, [~~each~~  
4727 ~~even-numbered year, in accordance with this section and under the direction of the~~  
4728 ~~Legislative Audit Subcommittee]~~ as frequently as determined necessary by the office or  
4729 the Legislative Audit Subcommittee, conduct a comprehensive performance audit of the  
4730 state's election system and controls[-] :
- 4731 (a) in accordance with this section; and
- 4732 (b) under the direction of the Legislative Audit Subcommittee.
- 4733 (3) The audit may include the entire election process for the elections held in an  
4734 even-numbered year, including:
- 4735 (a) procedures and practices that occur before or after the beginning of the year to  
4736 prepare for the elections; and
- 4737 (b) procedures, practices, and standards relating to:
- 4738 (i) voter registration;
- 4739 (ii) candidate filing and selection;
- 4740 (iii) the preparation, printing, distribution, handling, examining, counting, and all  
4741 other handling of ballots; and
- 4742 (iv) the entire election process, including the regular primary election, the regular  
4743 general election, and the determination of election results.
- 4744 (4) The audit extends to the functions of all persons involved in the election process,  
4745 including the Office of the Lieutenant Governor, each county clerk's office, and each  
4746 board of canvassers.
- 4747 (5) At a minimum, the office shall conduct a survey to audit the work of the Office of the  
4748 Lieutenant Governor and each county election office.
- 4749 (6) Based on the results of the survey described in Subsection (5), the office shall conduct a  
4750 more comprehensive audit of the jurisdictions or practices that, in the opinion of the  
4751 office, present the highest risk.
- 4752 (7) In addition to auditing the jurisdictions and practices described in Subsection (6), the  
4753 office may audit any other jurisdictions or entities, or any practices or procedures, that  
4754 the office determines necessary to ensure the success of a comprehensive performance

- 4755 audit of the election system.
- 4756 (8) To conduct an audit described in this section, the office has the full authority described  
4757 in Section 36-12-15, including:
- 4758 (a) full access to closely observe, examine, and copy all records, documents, recordings,  
4759 and other information the office determines to be useful in conducting an audit  
4760 described in this section;
- 4761 (b) full access to closely observe, examine, and copy ballots, ballot envelopes, vote  
4762 tallies, canvassing records, and voter registration records;
- 4763 (c) full access to closely observe and examine all facilities, storage areas, and  
4764 equipment, and to closely observe, examine, or copy all materials, that the office  
4765 determines to be useful in conducting an audit described in this section;
- 4766 (d) full access to all staff, including full-time, part-time, and volunteer staff;
- 4767 (e) full access to closely observe, examine, and copy all records and information relating  
4768 to election audits that are conducted by the Office of the Lieutenant Governor, a  
4769 county clerk, or any other person;
- 4770 (f) the right to, within the scope of the audit, attend any meeting, including a closed  
4771 meeting;
- 4772 (g) the right to, within the scope of the audit, closely observe and examine any work or  
4773 other process; and
- 4774 (h) all other authority described in Section 36-12-15.
- 4775 (9) As with any audit conducted under the authority described in Section 36-12-15, all  
4776 officials and staff shall fully assist, and cooperate with, the office in conducting an audit  
4777 described in this section.
- 4778 (10) In conducting an audit described in this section, the office:
- 4779 (a) shall preserve the right of a voter to a secret ballot;
- 4780 (b) shall, when examining election returns, allow the election officer or a designee of the  
4781 election officer to be present to ensure the chain of custody of the election returns;  
4782 and
- 4783 (c) may not, while votes are being counted, communicate in any manner, directly or  
4784 indirectly, by word or sign, the progress of the vote, the current result of the vote  
4785 count, or any other information about the vote count.
- 4786 (11) An election officer, or an election officer's designee, who is present under Subsection  
4787 (10)(b) may not interfere with the performance of the audit.
- 4788 Section 42. Section **63G-2-202** is amended to read:

4789           **63G-2-202 (Effective 05/06/26). Access to private, controlled, and protected**  
 4790 **documents.**

4791 (1) Except as provided in Subsection (11)(a), a governmental entity:

4792       (a) shall, upon request, disclose a private record to:

4793           (i) the subject of the record;

4794           (ii) the parent or legal guardian of an unemancipated minor who is the subject of the  
 4795               record;

4796           (iii) the legal guardian of a legally incapacitated individual who is the subject of the  
 4797               record;

4798           (iv) any other individual who:

4799               (A) has a power of attorney from the subject of the record;

4800               (B) submits a notarized release from the subject of the record or the individual's  
 4801               legal representative dated no more than 90 days before the date the request is  
 4802               made; or

4803               (C) if the record is a medical record described in Subsection 63G-2-302(1)(b), is a  
 4804               health care provider, as defined in Section 26B-8-501, if releasing the record or  
 4805               information in the record is consistent with normal professional practice and  
 4806               medical ethics; or

4807           (v) any person to whom the record must be provided pursuant to:

4808               (A) court order as provided in Subsection (7); or

4809               (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative  
 4810               Subpoena Powers; and

4811       (b) may disclose a private record described in Subsections 63G-2-302(1)(j) through (n),  
 4812       without complying with Section 63G-2-206, to another governmental entity for a  
 4813       purpose related to administering:

4814           (i) the voter registration list; or

4815           (ii) [~~the administration of~~]an election.

4816 (2)(a) Upon request, a governmental entity shall disclose a controlled record to:

4817       (i) a physician, physician assistant, psychologist, certified social worker, insurance  
 4818       provider or producer, or a government public health agency upon submission of:

4819           (A) a release from the subject of the record that is dated no more than 90 days [  
 4820           ~~prior to~~] before the date the request is made; and

4821           (B) a signed acknowledgment of the terms of disclosure of controlled information  
 4822           as provided by Subsection (2)(b); and

- 4823 (ii) any person to whom the record must be disclosed pursuant to:  
4824 (A) a court order as provided in Subsection (7); or  
4825 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative  
4826 Subpoena Powers.
- 4827 (b) A person who receives a record from a governmental entity in accordance with  
4828 Subsection (2)(a)(i) may not disclose controlled information from that record to any  
4829 person, including the subject of the record.
- 4830 (3) If there is more than one subject of a private or controlled record, the portion of the  
4831 record that pertains to another subject shall be segregated from the portion that the  
4832 requester is entitled to inspect.
- 4833 (4) Upon request, and except as provided in Subsection (11)(b), a governmental entity shall  
4834 disclose a protected record to:  
4835 (a) the person that submitted the record;  
4836 (b) any other individual who:  
4837 (i) has a power of attorney from all persons, governmental entities, or political  
4838 subdivisions whose interests were sought to be protected by the protected  
4839 classification; or  
4840 (ii) submits a notarized release from all persons, governmental entities, or political  
4841 subdivisions whose interests were sought to be protected by the protected  
4842 classification or from their legal representatives dated no more than 90 days [~~prior~~  
4843 ~~to~~] before the date the request is made;
- 4844 (c) any person to whom the record must be provided pursuant to:  
4845 (i) a court order as provided in Subsection (7); or  
4846 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
4847 Powers; or
- 4848 (d) the owner of a mobile home park, subject to the conditions of Subsection  
4849 41-1a-116(5).
- 4850 (5) Except as provided in Subsection (1)(b), a governmental entity may disclose a private,  
4851 controlled, or protected record to another governmental entity, political subdivision,  
4852 state, the United States, or a foreign government only as provided by Section 63G-2-206.
- 4853 (6) Before releasing a private, controlled, or protected record, the governmental entity shall  
4854 obtain evidence of the requester's identity.
- 4855 (7) A governmental entity shall disclose a record pursuant to the terms of a court order  
4856 signed by a judge from a court of competent jurisdiction, [~~provided that~~] if:

- 4857 (a) the record deals with a matter in controversy over which the court has jurisdiction;  
4858 (b) the court has considered the merits of the request for access to the record;  
4859 (c) the court has considered and, where appropriate, limited the requester's use and  
4860 further disclosure of the record in order to protect:  
4861 (i) privacy interests in the case of private or controlled records;  
4862 (ii) business confidentiality interests in the case of records protected under  
4863 Subsection 63G-2-305(1), (2), (40)(a)(ii), or (40)(a)(vi); and  
4864 (iii) privacy interests or the public interest in the case of other protected records;  
4865 (d) to the extent the record is properly classified private, controlled, or protected, the  
4866 interests favoring access, considering limitations thereon, are greater than or equal to  
4867 the interests favoring restriction of access; and  
4868 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection  
4869 63G-2-201(3)(b), the court has authority independent of this chapter to order  
4870 disclosure.
- 4871 (8)(a) Except as provided in Subsection (8)(d), a governmental entity may disclose or  
4872 authorize disclosure of private or controlled records for research purposes if the  
4873 governmental entity:  
4874 (i) determines that the research purpose cannot reasonably be accomplished without  
4875 use or disclosure of the information to the researcher in individually identifiable  
4876 form;  
4877 (ii) determines that:  
4878 (A) the proposed research is bona fide; and  
4879 (B) the value of the research is greater than or equal to the infringement upon  
4880 personal privacy;  
4881 (iii)(A) requires the researcher to assure the integrity, confidentiality, and security  
4882 of the records; and  
4883 (B) requires the removal or destruction of the individual identifiers associated  
4884 with the records as soon as the purpose of the research project has been  
4885 accomplished;  
4886 (iv) prohibits the researcher from:  
4887 (A) disclosing the record in individually identifiable form, except as provided in  
4888 Subsection (8)(b); or  
4889 (B) using the record for purposes other than the research approved by the  
4890 governmental entity; and

- 4891 (v) secures from the researcher a written statement of the researcher's understanding  
4892 of and agreement to the conditions of this Subsection (8) and the researcher's  
4893 understanding that violation of the terms of this Subsection (8) may subject the  
4894 researcher to criminal prosecution under Section 63G-2-801.
- 4895 (b) A researcher may disclose a record in individually identifiable form if the record is  
4896 disclosed for the purpose of auditing or evaluating the research program and no  
4897 subsequent use or disclosure of the record in individually identifiable form will be  
4898 made by the auditor or evaluator except as provided by this section.
- 4899 (c) A governmental entity may require indemnification as a condition of permitting  
4900 research under this Subsection (8).
- 4901 (d) A governmental entity may not disclose or authorize disclosure of a private record  
4902 for research purposes as described in this Subsection (8) if the private record is a  
4903 record described in Subsection 63G-2-302(1)(x).
- 4904 (9)(a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity  
4905 may disclose to persons other than those specified in this section records that are:
- 4906 (i) private under Section 63G-2-302; or  
4907 (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for  
4908 business confidentiality has been made under Section 63G-2-309.
- 4909 (b) Under Subsection 63G-2-403(11)(b), the State Records Committee may require the  
4910 disclosure to persons other than those specified in this section of records that are:
- 4911 (i) private under Section 63G-2-302;  
4912 (ii) controlled under Section 63G-2-304; or  
4913 (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for  
4914 business confidentiality has been made under Section 63G-2-309.
- 4915 (c) Under Subsection 63G-2-404(7), the court may require the disclosure of records that  
4916 are private under Section 63G-2-302, controlled under Section 63G-2-304, or  
4917 protected under Section 63G-2-305 to persons other than those specified in this  
4918 section.
- 4919 (10)(a) A private record described in Subsection 63G-2-302(2)(f) may only be disclosed  
4920 as provided in Subsection (1)(a)(v).
- 4921 (b) A protected record described in Subsection 63G-2-305(43) may only be disclosed as  
4922 provided in Subsection (4)(c) or Section 26B-6-212.
- 4923 (11)(a) A private, protected, or controlled record described in Section 26B-1-506 shall  
4924 be disclosed as required under:

- 4925 (i) Subsections 26B-1-506(1)(b) and (2); and  
4926 (ii) Subsections 26B-1-507(1) and (6).
- 4927 (b) A record disclosed under Subsection (11)(a) shall retain its character as private,  
4928 protected, or controlled.
- 4929 Section 43. Section **63G-2-301** is amended to read:  
4930 **63G-2-301 (Effective 01/01/27). Public records.**
- 4931 (1) As used in this section:
- 4932 (a) "Business address" means a single address of a governmental agency designated for  
4933 the public to contact an employee or officer of the governmental agency.
- 4934 (b) "Business email address" means a single email address of a governmental agency  
4935 designated for the public to contact an employee or officer of the governmental  
4936 agency.
- 4937 (c) "Business telephone number" means a single telephone number of a governmental  
4938 agency designated for the public to contact an employee or officer of the  
4939 governmental agency.
- 4940 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 4941 (2) The following records are public except to the extent they contain information expressly  
4942 permitted to be treated confidentially under the provisions of Subsections  
4943 63G-2-201(3)(b) and (6)(a):
- 4944 (a) laws;
- 4945 (b) the name, gender, gross compensation, job title, job description, business address,  
4946 business email address, business telephone number, number of hours worked per pay  
4947 period, dates of employment, and relevant education, previous employment, and  
4948 similar job qualifications of a current or former employee or officer of the  
4949 governmental entity, excluding:
- 4950 (i) undercover law enforcement personnel; and  
4951 (ii) investigative personnel if disclosure could reasonably be expected to impair the  
4952 effectiveness of investigations or endanger any individual's safety;
- 4953 (c) final opinions, including concurring and dissenting opinions, and orders that are  
4954 made by a governmental entity in an administrative, adjudicative, or judicial  
4955 proceeding except that if the proceedings were properly closed to the public, the  
4956 opinion and order may be withheld to the extent that they contain information that is  
4957 private, controlled, or protected;
- 4958 (d) final interpretations of statutes or rules by a governmental entity unless classified as

- 4959 protected as provided in Subsection 63G-2-305(17) or (18);
- 4960 (e) information contained in or compiled from a transcript, minutes, or report of the open
- 4961 portions of a meeting of a governmental entity as provided by Title 52, Chapter 4,
- 4962 Open and Public Meetings Act, including the records of all votes of each member of
- 4963 the governmental entity;
- 4964 (f) judicial records unless a court orders the records to be restricted under the rules of
- 4965 civil or criminal procedure or unless the records are private under this chapter;
- 4966 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of
- 4967 records filed with or maintained by county recorders, clerks, treasurers, surveyors,
- 4968 zoning commissions, the Division of Forestry, Fire, and State Lands, the School and
- 4969 Institutional Trust Lands Administration, the Division of Oil, Gas, and Mining, the
- 4970 Division of Water Rights, or other governmental entities that give public notice of:
- 4971 (i) titles or encumbrances to real property;
- 4972 (ii) restrictions on the use of real property;
- 4973 (iii) the capacity of persons to take or convey title to real property; or
- 4974 (iv) tax status for real and personal property;
- 4975 (h) records of the Department of Commerce that evidence incorporations, mergers, name
- 4976 changes, and uniform commercial code filings;
- 4977 (i) data on individuals that would otherwise be private under this chapter if the
- 4978 individual who is the subject of the record has given the governmental entity written
- 4979 permission to make the records available to the public;
- 4980 (j) documentation of the compensation that a governmental entity pays to a contractor or
- 4981 private provider;
- 4982 (k) summary data;
- 4983 ~~[(l) voter registration records, including an individual's voting history, except for a voter~~
- 4984 ~~registration record or those parts of a voter registration record that are classified as~~
- 4985 ~~private under Subsections 63G-2-302(1)(j) through (n) or withheld under Subsection~~
- 4986 ~~20A-2-104(7);]~~
- 4987 (l) standard voter data, as defined in Section 20A-2-601, in the voter registration record
- 4988 of a public registered voter, as defined in Section 20A-2-601;
- 4989 (m) for an elected official, as defined in Section 11-47-102, a telephone number, if
- 4990 available, and email address, if available, where that elected official may be reached
- 4991 as required in Title 11, Chapter 47, Access to Elected Officials;
- 4992 (n) for a school community council member, a telephone number, if available, and email

- 4993 address, if available, where that elected official may be reached directly as required  
4994 in Section 53G-7-1203;
- 4995 (o) annual audited financial statements of the Utah Educational Savings Plan described  
4996 in Section 53H-10-210; and
- 4997 (p) an initiative packet, as defined in Section 20A-7-101, and a referendum packet, as  
4998 defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 4999 (3) The following records are normally public, but to the extent that a record is expressly  
5000 exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b),  
5001 Section 63G-2-302, 63G-2-304, or 63G-2-305:
- 5002 (a) administrative staff manuals, instructions to staff, and statements of policy;
- 5003 (b) records documenting a contractor's or private provider's compliance with the terms  
5004 of a contract with a governmental entity;
- 5005 (c) records documenting the services provided by a contractor or a private provider to  
5006 the extent the records would be public if prepared by the governmental entity;
- 5007 (d) contracts entered into by a governmental entity;
- 5008 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds  
5009 by a governmental entity;
- 5010 (f) records relating to government assistance or incentives publicly disclosed, contracted  
5011 for, or given by a governmental entity, encouraging a person to expand or relocate a  
5012 business in Utah, except as provided in Subsection 63G-2-305(35);
- 5013 (g) chronological logs and initial contact reports;
- 5014 (h) correspondence by and with a governmental entity in which the governmental entity  
5015 determines or states an opinion upon the rights of the state, a political subdivision,  
5016 the public, or any person;
- 5017 (i) empirical data contained in drafts if:
- 5018 (i) the empirical data is not reasonably available to the requester elsewhere in similar  
5019 form; and
- 5020 (ii) the governmental entity is given a reasonable opportunity to correct any errors or  
5021 make nonsubstantive changes before release;
- 5022 (j) drafts that are circulated to anyone other than:
- 5023 (i) a governmental entity;
- 5024 (ii) a political subdivision;
- 5025 (iii) a federal agency if the governmental entity and the federal agency are jointly  
5026 responsible for implementation of a program or project that has been legislatively

- 5027 approved;
- 5028 (iv) a government-managed corporation; or
- 5029 (v) a contractor or private provider;
- 5030 (k) drafts that have never been finalized but were relied upon by the governmental entity
- 5031 in carrying out action or policy;
- 5032 (l) original data in a computer program if the governmental entity chooses not to
- 5033 disclose the program;
- 5034 (m) arrest warrants after issuance, except that, for good cause, a court may order
- 5035 restricted access to arrest warrants [~~prior to~~] before service;
- 5036 (n) search warrants after execution and filing of the return, except that a court, for good
- 5037 cause, may order restricted access to search warrants [~~prior to~~] before trial;
- 5038 (o) records that would disclose information relating to formal charges or disciplinary
- 5039 actions against a past or present governmental entity employee if:
- 5040 (i) the disciplinary action has been completed and all time periods for administrative
- 5041 appeal have expired; and
- 5042 (ii) the charges on which the disciplinary action was based were sustained;
- 5043 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and
- 5044 Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that
- 5045 evidence mineral production on government lands;
- 5046 (q) final audit reports;
- 5047 (r) occupational and professional licenses;
- 5048 (s) business licenses;
- 5049 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar
- 5050 records used to initiate proceedings for discipline or sanctions against persons
- 5051 regulated by a governmental entity, but not including records that initiate employee
- 5052 discipline; and
- 5053 (u)(i) records that disclose a standard, regulation, policy, guideline, or rule regarding
- 5054 the operation of a correctional facility or the care and control of inmates
- 5055 committed to the custody of a correctional facility; and
- 5056 (ii) records that disclose the results of an audit or other inspection assessing a
- 5057 correctional facility's compliance with a standard, regulation, policy, guideline, or
- 5058 rule described in Subsection (3)(u)(i).
- 5059 (4) The list of public records in this section is not exhaustive and should not be used to limit
- 5060 access to records.

5061 Section 44. Section **63G-2-302** is amended to read:

5062 **63G-2-302 (Effective 01/01/27). Private records.**

5063 (1) The following records are private:

5064 (a) records concerning an individual's eligibility for unemployment insurance benefits,  
5065 social services, welfare benefits, or the determination of benefit levels;

5066 (b) records containing data on individuals describing medical history, diagnosis,  
5067 condition, treatment, evaluation, or similar medical data;

5068 (c) records of publicly funded libraries that when examined alone or with other records  
5069 identify a patron;

5070 (d) records received by or generated by or for:

5071 (i) the Independent Legislative Ethics Commission, except for:

5072 (A) the commission's summary data report that is required under legislative rule;

5073 and

5074 (B) any other document that is classified as public under legislative rule; or

5075 (ii) a Senate or House Ethics Committee in relation to the review of ethics

5076 complaints, unless the record is classified as public under legislative rule;

5077 (e) records received by, or generated by or for, the Independent Executive Branch Ethics  
5078 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,  
5079 Review of Executive Branch Ethics Complaints;

5080 (f) records received or generated for a Senate confirmation committee concerning  
5081 character, professional competence, or physical or mental health of an individual:

5082 (i) if, [~~prior to~~] before the meeting, the chair of the committee determines release of  
5083 the records:

5084 (A) reasonably could be expected to interfere with the investigation undertaken by  
5085 the committee; or

5086 (B) would create a danger of depriving a person of a right to a fair proceeding or  
5087 impartial hearing; and

5088 (ii) after the meeting, if the meeting was closed to the public;

5089 (g) employment records concerning a current or former employee of, or applicant for  
5090 employment with, a governmental entity that would disclose that individual's home  
5091 address, home telephone number, social security number, insurance coverage, marital  
5092 status, or payroll deductions;

5093 (h) records or parts of records under Section 63G-2-303 that a current or former  
5094 employee identifies as private according to the requirements of that section;

- 5095 (i) that part of a record indicating a person's social security number or federal employer  
 5096 identification number if provided under Section 31A-23a-104, 31A-25-202,  
 5097 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 5098 (j) that part of a voter registration record[-] :
- 5099 (i) identifying a voter's:
- 5100 [(i)] (A) driver license or identification card number;
- 5101 [(ii)] (B) social security number, or last four digits of the social security number;
- 5102 [(iii)] (C) email address;
- 5103 [(iv)] (D) [~~date~~] day and month of birth; or
- 5104 [(v)] (E) phone number;
- 5105 (ii) submitted by the voter as proof of United States citizenship;
- 5106 (iii) indicating whether the voter has provided proof of United States citizenship; or
- 5107 (iv) indicating whether the voter is restricted to voting a federal ballot;
- 5108 (k) a voter registration record that is classified as a private record by the lieutenant  
 5109 governor or a county clerk under Subsection 20A-2-101.1(5)(a)[, 20A-2-104(4)(h), or  
 5110 20A-2-204(4)(b)] or 20A-2-204(4)(c);
- 5111 (l) a voter registration record [~~that is withheld under Subsection 20A-2-104(7)] of an  
 5112 at-risk voter, as defined in Section 20A-2-601;~~
- 5113 (m) the following forms and supporting verification:
- 5114 (i) a withholding request form used, before January 1, 2027, to request that a voter's  
 5115 voter registration be withheld as a private record, and any verification submitted  
 5116 in support of the form; and
- 5117 (ii) an at-risk voter request form described in [Subsections 20A-2-104(7) and (8)]  
 5118 Subsection 20A-2-606(5) and any verification submitted in support of the form;
- 5119 (n) a record or information regarding whether a voter returned a ballot with postage  
 5120 attached;
- 5121 (o) a record that:
- 5122 (i) contains information about an individual;
- 5123 (ii) is voluntarily provided by the individual; and
- 5124 (iii) goes into an electronic database that:
- 5125 (A) is designated by and administered under the authority of the [~~Chief~~  
 5126 ~~Information Officer~~] chief information officer; and
- 5127 (B) acts as a repository of information about the individual that can be  
 5128 electronically retrieved and used to facilitate the individual's online interaction

- 5129 with a state agency;
- 5130 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance
- 5131 under:
- 5132 (i) Subsection 31A-23a-115(3)(a);
- 5133 (ii) Subsection 31A-23a-302(4); or
- 5134 (iii) Subsection 31A-26-210(4);
- 5135 (q) information obtained through a criminal background check under Title 11, Chapter
- 5136 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 5137 (r) information provided by an offender that is:
- 5138 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and
- 5139 Child Abuse Offender Registry; and
- 5140 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 5141 (s) a statement and any supporting documentation filed with the attorney general in
- 5142 accordance with Section 34-45-107, if the federal law or action supporting the filing
- 5143 involves homeland security;
- 5144 (t) electronic toll collection customer account information received or collected under
- 5145 Section 72-6-118 and customer information described in Section 17B-2a-815
- 5146 received or collected by a public transit district, including contact and payment
- 5147 information and customer travel data;
- 5148 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 5149 (v) a completed military-overseas ballot that is electronically transmitted under Title
- 5150 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 5151 (w) records received by or generated by or for the Political Subdivisions Ethics Review
- 5152 Commission established in Section 63A-15-201, except for:
- 5153 (i) the commission's summary data report that is required in Section 63A-15-202; and
- 5154 (ii) any other document that is classified as public in accordance with Title 63A,
- 5155 Chapter 15, Political Subdivisions Ethics Review Commission;
- 5156 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an
- 5157 incident or threat;
- 5158 (y) a criminal background check or credit history report conducted in accordance with
- 5159 Section 63A-3-201;
- 5160 (z) a record described in Subsection 53-5a-104(7);
- 5161 (aa) on a record maintained by a county for the purpose of administering property taxes,
- 5162 an individual's:

- 5163 (i) email address;
- 5164 (ii) phone number; or
- 5165 (iii) personal financial information related to a person's payment method;
- 5166 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 5167 exemption, deferral, abatement, or relief under:
- 5168 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 5169 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 5170 (cc) a record provided by the State Tax Commission in response to a request under
- 5171 Subsection 59-1-403(4)(y)(iii);
- 5172 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 5173 child welfare case, as described in Subsection 36-33-103(3);
- 5174 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 5175 63A-17-1004;
- 5176 (ff) a record relating to a request by a state elected official or state employee who has
- 5177 been threatened to the Division of Technology Services to remove personal
- 5178 identifying information from the open web under Section 63A-16-109;
- 5179 (gg) a record including confidential information as that term is defined in Section
- 5180 67-27-106; and
- 5181 (hh) a record or notice received or generated under Title 53, Chapter 30, Security
- 5182 Improvements Act, relating to:
- 5183 (i) an application for certification described in Section 53-30-201; or
- 5184 (ii) a security improvement, including a building permit application or building
- 5185 permit for a security improvement described in Section 53-30-301.
- 5186 (2) The following records are private if properly classified by a governmental entity:
- 5187 (a) records concerning a current or former employee of, or applicant for employment
- 5188 with a governmental entity, including performance evaluations and personal status
- 5189 information such as race, religion, or disabilities, but not including records that are
- 5190 public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under
- 5191 Subsection (1)(b);
- 5192 (b) records describing an individual's finances, except that the following are public:
- 5193 (i) records described in Subsection 63G-2-301(2);
- 5194 (ii) information provided to the governmental entity for the purpose of complying
- 5195 with a financial assurance requirement; or
- 5196 (iii) records that must be disclosed in accordance with another statute;

- 5197 (c) records of independent state agencies if the disclosure of those records would  
 5198 conflict with the fiduciary obligations of the agency;
- 5199 (d) other records containing data on individuals the disclosure of which constitutes a  
 5200 clearly unwarranted invasion of personal privacy;
- 5201 (e) records provided by the United States or by a government entity outside the state that  
 5202 are given with the requirement that the records be managed as private records, if the  
 5203 providing entity states in writing that the record would not be subject to public  
 5204 disclosure if retained by it;
- 5205 (f) any portion of a record in the custody of the Division of Aging and Adult Services,  
 5206 created in Section 26B-6-102, that may disclose, or lead to the discovery of, the  
 5207 identity of a person who made a report of alleged abuse, neglect, or exploitation of a  
 5208 vulnerable adult; and
- 5209 (g) audio and video recordings created by a body-worn camera, as defined in Section  
 5210 77-7a-103, that record sound or images inside a home or residence except for  
 5211 recordings that:
- 5212 (i) depict the commission of an alleged crime;
- 5213 (ii) record any encounter between a law enforcement officer and a person that results  
 5214 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 5215 (iii) record any encounter that is the subject of a complaint or a legal proceeding  
 5216 against a law enforcement officer or law enforcement agency;
- 5217 (iv) contain an officer-involved critical incident as defined in Subsection  
 5218 76-2-408(1)(f); or
- 5219 (v) have been requested for reclassification as a public record by a subject or  
 5220 authorized agent of a subject featured in the recording.
- 5221 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,  
 5222 statements, history, diagnosis, condition, treatment, and evaluation.
- 5223 (b) Medical records in the possession of the University of Utah Hospital, its clinics,  
 5224 doctors, or affiliated entities are not private records or controlled records under  
 5225 Section 63G-2-304 when the records are sought:
- 5226 (i) in connection with any legal or administrative proceeding in which the patient's  
 5227 physical, mental, or emotional condition is an element of any claim or defense; or
- 5228 (ii) after a patient's death, in any legal or administrative proceeding in which any  
 5229 party relies upon the condition as an element of the claim or defense.
- 5230 (c) Medical records are subject to production in a legal or administrative proceeding

5231 according to state or federal statutes or rules of procedure and evidence as if the  
 5232 medical records were in the possession of a nongovernmental medical care provider.

5233 Section 45. Section **63G-2-303** is amended to read:

5234 **63G-2-303 (Effective 01/01/27). Private information concerning certain**  
 5235 **government employees.**

5236 (1) As used in this section:

5237 (a) "At-risk government employee" means a current or former:

5238 (i) peace officer as specified in Section 53-13-102;

5239 (ii) state or federal judge of an appellate, district, justice, or juvenile court, or court  
 5240 commissioner;

5241 (iii) judge authorized by Title 39A, Chapter 5, Utah Code of Military Justice;

5242 (iv) judge authorized by Armed Forces, Title 10, United States Code;

5243 (v) federal prosecutor;

5244 (vi) prosecutor appointed pursuant to Armed Forces, Title 10, United States Code;

5245 (vii) law enforcement official as defined in Section 53-5a-311;

5246 (viii) prosecutor authorized by Title 39A, Chapter 5, Utah Code of Military Justice; or  
 5247 (ix) state or local government employee who, because of the unique nature of the  
 5248 employee's regular work assignments or because of one or more recent credible  
 5249 threats directed to or against the employee, would be at immediate and substantial  
 5250 risk of physical harm if the employee's personal information is disclosed.

5251 (b) "Family member" means the spouse, child, sibling, parent, or grandparent of an  
 5252 at-risk government employee who is living with the employee.

5253 (c) "Personal information" means the employee's or the employee's family member's  
 5254 home address, home telephone number, personal mobile telephone number, personal  
 5255 pager number, personal email address, social security number, insurance coverage,  
 5256 marital status, or payroll deductions.

5257 (2)(a) Pursuant to Subsection 63G-2-302(1)(h), an at-risk government employee may  
 5258 file a written application that:

5259 (i) gives notice of the employee's status as an at-risk government employee to each  
 5260 agency of a government entity holding a record or a part of a record that would  
 5261 disclose the employee's personal information; and

5262 (ii) requests that the government agency classify those records or parts of records as  
 5263 private.

5264 (b) An at-risk government employee desiring to file an application under this section

5265 may request assistance from the government agency to identify the individual records  
5266 containing personal information.

5267 (c) Each government agency shall develop a form that:

5268 (i) requires the at-risk government employee to designate each specific record or part  
5269 of a record containing the employee's personal information that the applicant  
5270 desires to be classified as private;

5271 (ii) affirmatively requests that the government entity holding those records classify  
5272 them as private;

5273 (iii) informs the employee that by submitting a completed form the employee may  
5274 not receive official announcements affecting the employee's property, including  
5275 notices about proposed municipal annexations, incorporations, or zoning  
5276 modifications; and

5277 (iv) contains a place for the signature required under Subsection (2)(d).

5278 (d) A form submitted by an employee under Subsection (2)(c) shall be signed by the  
5279 highest ranking elected or appointed official in the employee's chain of command  
5280 certifying that the employee submitting the form is an at-risk government employee.

5281 (3) A county recorder, county treasurer, county auditor, or a county tax assessor may fully  
5282 satisfy the requirements of this section by:

5283 (a) providing a method for the assessment roll and index and the tax roll and index that  
5284 will block public access to the home address, home telephone number, situs address,  
5285 and ~~[Social Security]~~ social security number; and

5286 (b) providing the at-risk government employee requesting the classification with a  
5287 disclaimer informing the employee that the employee may not receive official  
5288 announcements affecting the employee's property, including notices about proposed  
5289 annexations, incorporations, or zoning modifications.

5290 (4) A government agency holding records of an at-risk government employee classified as  
5291 private under this section may release the record or part of the record if:

5292 (a) the employee or former employee gives written consent;

5293 (b) a court orders release of the records; or

5294 (c) the government agency receives a certified death certificate for the employee or  
5295 former employee~~;~~ or .

5296 ~~[(d) as it relates to the employee's voter registration record:]~~

5297 ~~[(i) the person to whom the record or part of the record is released is a qualified~~  
5298 ~~person under Subsection 20A-2-104(4)(n); and]~~

5299 [(ii) the government agency's release of the record or part of the record complies with  
5300 the requirements of Subsection 20A-2-104(4)(e).]

5301 (5)(a) If the government agency holding the private record receives a subpoena for the  
5302 records, the government agency shall attempt to notify the at-risk government  
5303 employee or former employee by mailing a copy of the subpoena to the employee's  
5304 last-known mailing address together with a request that the employee either:

5305 (i) authorize release of the record; or

5306 (ii) within 10 days of the date that the copy and request are mailed, deliver to the  
5307 government agency holding the private record a copy of a motion to quash filed  
5308 with the court who issued the subpoena.

5309 (b) The government agency shall comply with the subpoena if the government agency  
5310 has:

5311 (i) received permission from the at-risk government employee or former employee to  
5312 comply with the subpoena;

5313 (ii) not received a copy of a motion to quash within 10 days of the date that the copy  
5314 of the subpoena was mailed; or

5315 (iii) received a court order requiring release of the records.

5316 (6)(a) Except as provided in Subsection (6)(b), a form submitted under this section  
5317 remains in effect until the earlier of:

5318 (i) four years after the date the employee signs the form, regardless of whether [~~or not~~]  
5319 the employee's employment terminates before the end of the four-year period; and

5320 (ii) one year after the government agency receives official notice of the death of the  
5321 employee.

5322 (b) A form submitted under this section may be rescinded at any time by:

5323 (i) the at-risk government employee who submitted the form; or

5324 (ii) if the at-risk government employee is deceased, a member of the employee's  
5325 immediate family.

5326 **Section 46. Effective Date.**

5327 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

5328 (2) The actions affecting the following sections take effect on January 1, 2027:

5329 (a) Section 20A-1-102 (Effective 01/01/27);

5330 (b) Section 20A-2-101.1 (Effective 01/01/27);

5331 (c) Section 20A-2-104 (Effective 01/01/27);

5332 (d) Section 20A-2-108 (Effective 01/01/27);

- 5333 (e) Section 20A-2-204 (Effective 01/01/27);
- 5334 (f) Section 20A-2-206 (Effective 01/01/27);
- 5335 (g) Section 20A-2-304 (Effective 01/01/27);
- 5336 (h) Section 20A-2-505 (Effective 01/01/27);
- 5337 (i) Section 20A-2-603 (Effective 01/01/27);
- 5338 (j) Section 20A-2-603.5 (Effective 01/01/27);
- 5339 (k) Section 20A-2-604 (Effective 01/01/27);
- 5340 (l) Section 20A-2-605 (Effective 01/01/27);
- 5341 (m) Section 20A-2-606 (Effective 01/01/27);
- 5342 (n) Section 20A-2-607 (Effective 01/01/27);
- 5343 (o) Section 20A-5-410 (Effective 01/01/27);
- 5344 (p) Section 20A-6-105 (Effective 01/01/27);
- 5345 (q) Section 20A-9-408 (Effective 01/01/27);
- 5346 (r) Section 63G-2-301 (Effective 01/01/27);
- 5347 (s) Section 63G-2-302 (Effective 01/01/27); and
- 5348 (t) Section 63G-2-303 (Effective 01/01/27).