

1 **VOTER REGISTRATION MODIFICATIONS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karianne Lisonbee**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to voter registration.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ amends the driver license application and renewal forms;
- 13 ▶ requires the Driver License Division to submit certain information to the lieutenant
14 governor for entry into the statewide voter registration database;
- 15 ▶ requires a county clerk to review and take certain action in relation to the
16 information entered; and
- 17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **20A-2-108**, as last amended by Laws of Utah 2015, Chapter 130

25 **20A-2-204**, as last amended by Laws of Utah 2015, Chapter 130

26 **63I-2-220**, as last amended by Laws of Utah 2017, Chapters 32 and 452



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

29 Section 1. Section **20A-2-108** is amended to read:

30 **20A-2-108. Driver license or state identification card registration form --**

31 **Transmittal of information.**

32 (1) The lieutenant governor and the Driver License Division shall design the driver
33 license application and renewal forms to include the following questions in at least 14-point
34 bold type:

35 (a) "If you are not registered to vote where you live now, would you like to register to
36 vote today?"; and

37 (b) "If you are 16 or 17 years of age, and will not be 18 years of age before the date of
38 the next election, would you like to preregister to vote today?"

39 (2) (a) The lieutenant governor and the Driver License Division shall design a motor
40 voter registration form to be used in conjunction with driver license application and renewal
41 forms.

42 (b) Each driver license application and renewal form shall contain:

43 (i) an explanation, in at least 14-point bold type, that an applicant may decline to
44 register or preregister to vote, including a place for the applicant to decline to register or
45 preregister to vote;

46 (ii) an eligibility statement in substantially the following form:

47 "I do swear (or affirm), subject to penalty of law for false statements, that the
48 information contained in this form is true, and that I am a citizen of the United States and a
49 resident of the state of Utah, residing at the above address. Unless I have indicated above that I
50 am preregistering to vote in a later election, I will be at least 18 years of age and will have
51 resided in Utah for 30 days immediately before the next election.

52 Signed and sworn

53 _____

54 Voter's Signature

55 _____(month\day\year)";

56 (iii) a citizenship affidavit in substantially the following form:

57 "CITIZENSHIP AFFIDAVIT

58 Name:

59 Name at birth, if different:

60 Place of birth:

61 Date of birth:

62 Date and place of naturalization (if applicable):

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

66 _____

67 Signature of Applicant

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

71 (iv) a statement that if an applicant declines to register or preregister to vote, the fact
72 that the applicant has declined to register or preregister will remain confidential and will be
73 used only for voter registration purposes;

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

77 (vi) the following statement:

78 "The portion of a voter registration form that lists a person's driver license or
79 identification card number, Social Security number, and email address is a private record. The
80 portion of a voter registration form that lists a person's date of birth is a private record, the use
81 of which is restricted to government officials, government employees, political parties, or
82 certain other persons.

83 If you believe that disclosure of any information contained in this voter registration
84 form to a person other than a government official or government employee is likely to put you
85 or a member of your household's life or safety at risk, or to put you or a member of your
86 household at risk of being stalked or harassed, you may apply to the lieutenant governor or your
87 county clerk to have your entire voter registration record classified as private."

88 (3) ~~[Upon receipt of a voter registration form from an applicant, the]~~ The county clerk
89 of an individual whose information is entered into the statewide voter registration database

90 under Subsection [20A-2-204\(4\)](#), or the clerk's designee, shall:

91 (a) review the [~~voter registration form~~] information for completeness and accuracy; and

92 (b) if the county clerk believes, based upon a review of the [~~form~~] information, that a
93 person may be seeking to register or preregister to vote who is not legally entitled to register or
94 preregister to vote, refer the form to the county attorney for investigation and possible
95 prosecution.

96 (4) The Driver License Division may use a paper driver license application or renewal
97 form that does not comply with Subsections (1) and (2)(b)(i) if the paper form:

98 (a) was printed before May 8, 2018; and

99 (b) complies with the requirements of this section that were in effect on May 7, 2018.

100 (5) Beginning on May 8, 2018, the Driver License Division may not print a paper
101 driver license application or renewal form that does not comply with Subsections (1) and
102 (2)(b)(i).

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

104 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

105 (1) As used in this section, "voter registration form" means the driver license
106 application/voter registration form and the driver license renewal/voter registration form
107 required by Section [20A-2-108](#) .

108 (2) Any citizen who is qualified to vote may register to vote, and any citizen who is
109 qualified to preregister to vote may preregister to vote, by completing the voter registration
110 form.

111 (3) The Driver License Division shall:

112 (a) assist applicants in completing the voter registration form unless the applicant
113 refuses assistance;

114 [~~(b) accept a completed voter registration form and transmit the form to the county~~
115 ~~clerk of the county in which the applicant resides within five days after the day on which the~~
116 ~~division receives the form;]~~

117 [~~(c)~~] (b) electronically transmit each address change to the lieutenant governor within
118 five days after the day on which the division receives the address change; and

119 [~~(d) transmit electronically to the lieutenant governor's office the name, address, birth~~
120 ~~date, and driver license number of each individual who answers "yes" to a question described~~

121 in Subsection ~~20A-2-108~~(1), and indicate whether the individual is registering or preregistering
122 to vote.]

123 ~~[(4) (a) Upon receipt of a correctly completed voter registration form from an
124 individual who is registering to vote, the county clerk shall:]~~

125 ~~[(i) enter the applicant's name on the list of registered voters for the voting precinct in
126 which the applicant resides; and]~~

127 ~~[(ii) notify the applicant of registration.]~~

128 ~~[(b) Upon receipt of a correctly completed voter registration form from an individual
129 who is preregistering to vote, the county clerk shall]~~

130 (c) within five days after the day on which the division receives a voter registration
131 form, electronically transmit the form to the Office of the Lieutenant Governor.

132 (4) Upon receipt of an individual's voter registration form from the Driver License
133 Division under Subsection (3), the lieutenant governor shall enter the information on the form
134 into the statewide voter registration database.

135 (5) The county clerk of an individual whose information is entered into the statewide
136 voter registration database under Subsection (4) shall:

137 (a) (i) ensure that the individual meets the qualifications to be registered or
138 preregistered to vote; and

139 (ii) if the individual meets the qualifications to be registered to vote:

140 (A) ensure that the individual is assigned to the proper voting precinct; and

141 (B) send the individual the notice described in Section ~~20A-2-304~~; or

142 (b) if the individual meets the qualifications to be preregistered to vote, process the
143 form in accordance with the requirements of Section ~~20A-2-101.1~~.

144 ~~[(5)]~~ (6) (a) If the county clerk receives a correctly completed voter registration form
145 under this section that is dated after the voter registration deadline, the county clerk shall,
146 unless the individual named in the form is preregistering to vote:

147 (i) register the ~~[applicant]~~ individual after the next election; and

148 (ii) if possible, promptly phone or mail a notice to the ~~[applicant]~~ individual before the
149 election, informing the ~~[applicant]~~ individual that ~~[his]~~ the individual's registration will not be
150 effective until after the election.

151 (b) When the county clerk receives a correctly completed voter registration form at

152 least seven days before an election that is dated on or before the voter registration deadline, the
153 county clerk shall, unless the individual named in the form is preregistering to vote:

- 154 (i) process the voter registration form; and
155 (ii) record the ~~[new voter]~~ individual in the official register.

156 ~~[(6)]~~ (7) If the county clerk determines that ~~[a]~~ an individual's voter registration form
157 received from the Driver License Division is incorrect because of an error ~~[or]~~, because ~~[it]~~ the
158 form is incomplete, or because the individual does not meet the qualifications to be registered
159 or preregistered to vote, the county clerk shall mail notice to the individual ~~[attempting to~~
160 ~~register or preregister to vote,]~~ stating that the individual has not been registered or
161 preregistered because of an error ~~[or]~~, because the form is incomplete, or because the
162 individual does not meet the qualifications to be registered or preregistered to vote.

163 Section 3. Section **63I-2-220** is amended to read:

164 **63I-2-220. Repeal dates, Title 20A.**

165 (1) Subsections 20A-2-108(4) and (5) are repealed July 1, 2021.

166 ~~[(+)]~~ (2) Subsection 20A-5-803(8) is repealed July 1, 2023.

167 ~~[(2)]~~ (3) Section 20A-5-804 is repealed July 1, 2023.

168 ~~[(3)]~~ (4) On July 1, 2018, in Subsection 20A-11-101(21), the language that states "
169 10-2a-302," is repealed.