

## **Frequently Asked Questions**

#### Utah – General Election 2024

Last Updated: 10/25/2024

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**Note:** This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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# **REGISTERING TO VOTE**

1. **ELIGIBILITY:** Can I register to vote?

To register to vote, a voter must be:1

- A U.S. citizen;
- At least 18 years old by the date of the general election (and, if it is a general or presidential primary election, at least 17 years old by the date of the primary election);
- A resident of Utah for at least 30 days before the election; and
- A current resident of the voting district or precinct where they apply to vote.

<sup>&</sup>lt;sup>1</sup> Utah Code § 20A-2-101(1).

• Some criminal convictions temporarily prevent a person from registering to vote; see questions <u>12</u> and <u>13</u>.

A voter is generally considered a "resident" if their primary residence is within Utah and they intend to live in Utah permanently or indefinitely. Their primary residence is the place where they intend to return whenever they are away. A voter's principal place of residence changes if the voter affirmatively moves from Utah or a precinct within Utah and has the intent to remain in such other state or precinct but a voter's principal place of residence does not change solely because the individual is employed in the service of the United States or Utah, a student, incarcerated or residing on an Indian reservation or military base. A voter may only have one principal place of residence.

For example, even if they have been away from the state within 30 days before election (e.g., a college student that attends school out of state but intends to return to Utah), they may still be eligible to vote so long as they can show they are a "resident" of Utah and currently reside within the precinct where they are registering to vote. Conversely, even if they have lived in Utah temporarily for more than 30 days (e.g., a member of the military stationed in Utah who does not intend to make it their principal place of residence), this may not enable them to vote in the state if they do not intend to live there permanently or indefinitely.

When determining a voter's principal place of residence, an election official or judge will consider the following factors and any other relevant factors for a particular case: where a voter's family resides and their minor children attend school, marital status, age, location of professional, hunting and fishing licenses, location of any real property owned by the voter and where the voter typically sleeps, location of the voter's employment and income sources, where a voter pays utilities, the voter's residence for taxation purposes, and where the voter's motor vehicles are registered. Note, however, that for a voter incarcerated in prison or jail the principal place of residence is where their principal place of residence was before incarceration.

Voters who are eligible to register for the November 5, 2024 general election but have not done so by the deadline (their registration must be received by their county clerk by 5:00 pm 11 days before the date of the election, which is Friday, October 25, 2024) may register by submitting a provisional ballot by the last day of early voting or by the time the polls close on election day if the voter provides valid identification and proof of residence to a poll worker at a polling place.<sup>7</sup>

2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I need to be registered with a political party? Can I change my party registration to vote in another party's primary election? When I voted, the poll worker asked my party affiliation. Are they allowed to do that?

A voter who is currently a member of a political party may change their party affiliation by filing with the county clerk a voter registration or similar form identifying the registered political party with which the voter chooses to affiliate. In 2021, the state legislature passed HB197 which prohibits a voter from changing their affiliation (for the entire 2024 election cycle) from one political party to another after

<sup>&</sup>lt;sup>2</sup> Utah Code §§ 20A-2-101(1)(b), 105(1), 105(4)(a).

<sup>&</sup>lt;sup>3</sup> Utah Code § 20A-2-105(1)(a).

<sup>&</sup>lt;sup>4</sup> Utah Code §§ 20A-2-105(1)(a), 105(4), 105(7).

<sup>&</sup>lt;sup>5</sup> Utah Code § 20A-2-105(6).

<sup>&</sup>lt;sup>6</sup> Utah Code § 20A-2-105(10).

<sup>&</sup>lt;sup>7</sup> Utah Code §§ 20A-2-102.5(2), 202(1)(c)(ii), 207(1).

January 9, 2024. See <u>Question 4</u> for more information on how to register to vote. If a voter changes their party affiliation after the deadline, the change will not take effect until the day after the statewide canvass (in July) for the regular (June) primary election.<sup>8</sup>

If the primary election is a "closed" primary (i.e., the political party has restricted voting in the primary election to only voters registered with such political party), voting is restricted to the voters meeting the party affiliation requirements for the applicable ballots. To accomplish this, election officials may employ different methods including the use of different colored ballots for each party, different voting booths, or other means. This should be accomplished in a way which simplifies the poll workers' task of determining a voter's party affiliation and to protect against fraud. With this in mind, a poll worker is able to inquire about a voter's party affiliation. An individual may also challenge a voter's eligibility on the basis that such voter does not meet the party affiliation requirements for the primary election.

#### 3. **STATUS:** Am I registered to vote?

A voter can determine if they are registered to vote by visiting https://votesearch.utah.gov/voter-search/search/search-by-voter/voter-info.

A voter can update their registration by visiting <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Register to vote or update registration" link.

A voter can also contact their county clerk's office with any questions regarding their registration. Contact information for county clerks can be found here: https://voteinfo.utah.gov/county-clerk-contact-information/.

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

A voter may register or update their registration information through one of the following methods:

- Register online at the website <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Register to vote or update registration" link. A valid Utah driver license or valid Utah ID is required.

https://vote.utah.gov/wp-content/uploads/sites/42/2024/01/Voter-Registration-Form-Revised-1.4.pdf, p. 2 ("You can submit this form by mailing, delivering, or scanning and emailing it to your county clerk's office."); https://voteinfo.utah.gov/learn-about-registering-to-vote/ ("Fill out a paper registration form and mail or email a scanned copy to your county clerk.")

<sup>8</sup> Utah Code §§ 20A-2-107(1), 107(3), 107(4).

<sup>&</sup>lt;sup>9</sup> Utah Code § 20A-9-806(2).

<sup>&</sup>lt;sup>10</sup> Utah Code § 20A-3a-803(1)(k).

<sup>11</sup> Utah Code § 20A-2-202;

<sup>&</sup>lt;sup>12</sup> Utah Code § 20A-2-206.

- Register in person at their county clerk's office. 13 County clerk addresses can be found here: https://voteinfo.utah.gov/county-clerk-contact-information/.
- Same Day Registration at an early voting location or an election day voting location. A voter who
  misses the deadline for pre-election registration may register when they vote by providing
  additional ID and proof of residency, and casting a provisional ballot.<sup>14</sup> See <u>question 7</u> for more
  information on Same Day Registration.
- 5. **IDENTIFICATION:** What ID is required to register to vote?

<u>To register online</u>, a valid Utah driver license or valid Utah ID is required. 15

 If the voter's current address does not match the address on their Driver's License and they are attempting to register online, they must first update their Utah Driver's License address online at <a href="https://secure.utah.gov/dlr/main/info.html">https://secure.utah.gov/dlr/main/info.html</a>.

To register in person at the county clerk's office or by mail, hand-delivery, or email to the county clerk's office, the voter must fill out a paper form that, among other items, asks them to provide their Utah driver license number, a valid Utah ID, or the last four digits of their Social Security number. A copy of the form is available at

https://vote.utah.gov/wp-content/uploads/sites/42/2024/01/Voter-Registration-Form-Revised-1.4.pdf. 17

If the voter does not provide voter ID when they register, they will need to provide ID before voting by mail-in ballot. They can include a copy of a valid photo ID or two proofs of residency when returning their mail-in ballot. <sup>18</sup> See <u>question 19</u> for more information on acceptable forms of voter ID.

<u>To register at an early voting location or an election day voting location (Same Day Registration)</u>, there are additional ID requirements.<sup>19</sup> See <u>questions 25-29</u> for more information on absentee voting and <u>question 7</u> for more information on Same Day Registration.

6. **DEADLINES:** When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

For the November 5, 2024 general election, the voter's registration must be *received* by their county clerk before 5:00 pm on October 25, 2024 (11 calendar days before the date of the election), regardless whether registration is online, by mail, by email, or in person at the county clerk's office.<sup>20</sup> The county clerks' contact information is here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

A voter who registers online, by mail, by email, or in person at the county clerk's office deadline after this deadline will be registered for future elections. The voter can still register for the November 5, 2024

<sup>&</sup>lt;sup>13</sup> Utah Code § 20A-2-201.

<sup>&</sup>lt;sup>14</sup> Utah Code § 20A-2-207.

<sup>&</sup>lt;sup>15</sup> Utah Code §§ 20A-2-206(2), 20A-2-104(2)(a).

<sup>&</sup>lt;sup>16</sup> https://secure.utah.gov/voterreg/index.html.

<sup>&</sup>lt;sup>17</sup> Utah Code § 20A-2-104(2)(a).

<sup>&</sup>lt;sup>18</sup> Utah Code §§ 20A-1-102(76) lists acceptable forms of ID, 20A-3a-202(1)(b).

<sup>&</sup>lt;sup>19</sup> Utah Code § 20A-2-207.

<sup>&</sup>lt;sup>20</sup> Utah Code § 20A-2-102.5(2).

general election during the early voting period, or on election day, at their polling place.<sup>21</sup> They must bring a valid form of voter ID and proof of residence and cast a provisional ballot. See <u>questions 25-29</u> for more information on absentee voting and <u>question 7</u> for information on Same Day Registration.

#### 7. **SAME DAY:** Does my state have Same Day Registration? If so, what is the process?

Yes, Utah has Same Day Registration for both early voting and election day. The voter must bring (1) a valid, government-issued ID with their name and photograph, OR (2) two forms of ID that, when combined, prove their current name and residence.<sup>22</sup> See <u>question 19</u> for the types of ID that qualify.

Registering the same day means the voter will cast a provisional ballot.<sup>23</sup> The provisional ballot will be counted if:<sup>24</sup>

- the voter is legally entitled to vote the ballot,
- the ballot is identical to the ballot for the precinct in which the voter resides,
- the information on the provisional ballot is complete, and
- the voter provides valid voter identification and proof of residence to the poll worker. See <u>question</u> <u>19</u> for the types of ID that qualify.

To be legally entitled to vote the ballot, the voter must:25

- Be a citizen of the United States;
- Have been a resident of Utah for at least the 30 days immediately before the election;
- Be at least 18 years old by the 2024 general election (November 5, 2024); and
- Currently reside within the voting district or precinct where they are applying to vote.

A voter is generally considered a "resident" if their primary residence is within Utah and they intend to live in Utah permanently or indefinitely. The place where they currently "reside" is the place where they intend to return whenever they are away. A voter's principal place of residence changes if the voter affirmatively moves from Utah or a precinct within Utah and has the intent to remain in such other state or precinct but a voter's principal place of residence does not change because the individual is employed in the service of the United States or Utah, a student, incarcerated or residing on an Indian reservation or military base. A voter may only have one principal place of residence.

For example, even if they have been away from the state within 30 days before election (e.g., a college student that attends school out of state but intends on returning to Utah), they may still be eligible to vote so long as they can show they are a "resident" of Utah and currently reside within the precinct where they are registering to vote. Conversely, even if they have lived in Utah temporarily for more than 30 days (e.g., a member of the military stationed in Utah who does not intend to make it their principal

<sup>&</sup>lt;sup>21</sup> Utah Code §§ 20A-2-207(1); 20A-2-202(1).

<sup>&</sup>lt;sup>22</sup> Utah Code §§ 20A-2-207(1); 20A-1-102(76) lists acceptable forms of ID.

<sup>&</sup>lt;sup>23</sup> Utah Code § 20A-2-102.5(2)(c).

<sup>&</sup>lt;sup>24</sup> Utah Code §§ 20A-2-207(1), 20A-3a-205, 20A-4-107(1).

<sup>&</sup>lt;sup>25</sup> Utah Code § 20A-2-101(1).

<sup>&</sup>lt;sup>26</sup> Utah Code §§ 20A-2-105(1), 105(4)(a).

<sup>&</sup>lt;sup>27</sup> Utah Code § 20A-2-105(1)(a).

<sup>&</sup>lt;sup>28</sup> Utah Code § 20A-2-105(4)(a).

<sup>&</sup>lt;sup>29</sup> Utah Code § 20A-2-105(7)(b).

place of residence), this may not enable them to vote in the state if they do not intend to live there permanently or indefinitely.

When determining a voter's principal place of residence, an election official or judge will consider the following factors and any other relevant factors for a particular case: where a voter's family resides and their minor children attend school, marital status, age, location of professional, hunting and fishing licenses, location of any real property owned by the voter and where the voter typically sleeps, location of the voter's employment and income sources, where a voter pays utilities, the voter's residence for taxation purposes, and where the voter's motor vehicles are registered.<sup>30</sup>

#### 8. **PERMANENT MOVE:** I have moved permanently and I didn't update my voter registration, can I vote?

Moved within the same precinct	Moved to a different precinct but within the same county	Moved to a different election jurisdiction (typically county)	Moved from a different state
Yes, they can vote, but they must affirm the change of address orally or in writing to the election judge. <sup>31</sup> They will not need to re-register.	Yes, they can vote, but they must affirm the change of address orally or in writing to the election judge. <sup>32</sup> They will not need to re-register.	Yes, they may cast a provisional ballot if they are eligible to vote in that jurisdiction (see question 1) and they provide valid voter identification and proof of residence to the poll worker. See question 2.33	Yes, they may cast a provisional ballot if they have been a resident of Utah for at least 30 days immediately before the election, are a current resident of the voting district/precinct, and they provide valid voter identification and proof of residence to the poll worker. See question 7.34

#### 9. **TEMPORARY MOVE:** I have moved temporarily. How can I vote?

A voter can only vote in elections for the county where they currently reside.<sup>35</sup> Utah law defines "residence" as the place that a voter intends to return to when they are away.<sup>36</sup> If a voter does not consider their temporary location to be their residence, they should vote in elections for their (permanent) residence, not their temporary location.

A voter who has moved temporarily can vote by mail for elections in the jurisdiction where they reside permanently. If they are an active registered voter, they will automatically receive a ballot in the mail for

<sup>&</sup>lt;sup>30</sup> Utah Code § 20A-2-105(6).

<sup>&</sup>lt;sup>31</sup> Utah Code § 20A-2-307(1).

<sup>&</sup>lt;sup>32</sup> Utah Code § 20A-2-307(1).

<sup>33</sup> Utah Code §§ 20A-2-207, 20A-3a-205.

<sup>34</sup> Utah Code §§ 20A-2-101(2), 20A-2-207, 20A-3a-205.

<sup>&</sup>lt;sup>35</sup> Utah Code § 20A-4-107(1).

<sup>&</sup>lt;sup>36</sup> Utah Code §§ 20A-2-101(1), 105.

the 2024 general election.<sup>37</sup> For the November 5, 2024 general election, county clerks will mail out ballots no sooner than 21 days before election day and no later than 7 days before election day.<sup>38</sup> If a voter did not receive their ballot, contact the county clerk's office: https://voteinfo.utah.gov/county-clerk-contact-information/.

Voters can use this link to update their ballot mailing address: <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Update Ballot Mailing Address" link. For the November 5, 2024 general election, the voter must update their address, if necessary, no later than Friday, October 25, 2024 (11 days before election day). Ballots cannot be forwarded in the mail to a different address. Ballots

10. **STUDENT:** I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

It depends on where the college student's permanent residence is, as described below.

If they are a resident of Utah, attending school away from home, and are registered to vote, they can vote in elections in their home jurisdiction by requesting a mail ballot to be sent to their current address.<sup>41</sup> They can use this link to update the address where their ballot will be mailed, but they must do so no later than Friday, October 25, 2024 for the November 5, 2024 general election (11 days before election day): <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Update Ballot Mailing Address" link.

If they believe they are a resident of Utah but are not registered in Utah, they may still be able to vote in Utah, even if they attend school out of state. They will need to register online at <a href="https://vote.utah.gov/">https://vote.utah.gov/</a> (Click on the "Register to vote or update registration" link), or by mailing in a form available at <a href="https://vote.utah.gov/wp-content/uploads/sites/42/2024/01/Voter-Registration-Form-Revised-1.4.pdf">https://vote.utah.gov/wp-content/uploads/sites/42/2024/01/Voter-Registration-Form-Revised-1.4.pdf</a>.

If they are a student from out of state studying in Utah, they may register to vote in Utah if they can establish their identity and residence in Utah.<sup>43</sup> To establish their residence, they must also prove that their principal place of residence is in the county where they are attempting to register to vote.<sup>44</sup>

When determining a voter's principal place of residence, an election official or judge will consider the following factors and any other relevant factors for a particular case: where a voter's family resides and their minor children attend school, marital status, age, location of professional, hunting and fishing licenses, location of any real property owned by the voter and where the voter typically sleeps, location of the voter's employment and income sources, where a voter pays utilities, the voter's residence for taxation purposes, and where the voter's motor vehicles are registered.<sup>45</sup>

If they do not intend to live permanently or indefinitely in Utah, it may not be possible for them to register to vote in this state. It may be helpful to contact the county clerk for the county where they currently live: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

<sup>&</sup>lt;sup>37</sup> Utah Code § 20A-3a-202(2)(a); https://voteinfo.utah.gov/current-election-information/.

<sup>38</sup> Utah Code § 20A-3a-202(2)(a).

<sup>&</sup>lt;sup>39</sup> Utah Code § 20A-3a-202(3)(c).

<sup>40</sup> https://voteinfo.utah.gov/learn-about-voting-by-mail-and-absentee-voting/.

<sup>&</sup>lt;sup>41</sup> Utah Code § 20A-2-105(4)(c)(ii); <a href="https://voteinfo.utah.gov/learn-about-registering-to-vote/">https://voteinfo.utah.gov/learn-about-registering-to-vote/</a>.

<sup>&</sup>lt;sup>42</sup> Utah Code § 20A-3a-202(3)(c).

<sup>&</sup>lt;sup>43</sup> Utah Code § 20A-2-105.

<sup>&</sup>lt;sup>44</sup> Utah Code §§ 20A-2-101(1), 20A-2-105; <a href="https://voteinfo.utah.gov/learn-about-registering-to-vote/">https://voteinfo.utah.gov/learn-about-registering-to-vote/</a>.

<sup>&</sup>lt;sup>45</sup> Utah Code § 20A-2-105(6).

#### 11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

A U.S. citizen and Utah resident living abroad and/or serving in the military (or National Guard, merchant marine, or commissioned corps) has additional options for registration and voting through the Federal Voting Assistance Program (FVAP).<sup>46</sup>

A voter who is a foreign US citizen (has a principal place of residence outside of the United States and previously had a principal place of residence in Utah or, if no prior principal place of residence in the United States, has a parent, guardian or spouse whose most recent principal place of residence is in Utah) may only vote in federal elections and for candidates for federal office.<sup>47</sup>

They can register and request an absentee ballot online or by submitting a special form to their county clerk by email.<sup>48</sup> The link to register and request a ballot online is here:

https://secure.utah.gov/voterreg/login.html?selection=VOTE\_BY\_MAIL. The link to the paper form is here: https://www.fvap.gov/uploads/FVAP/Forms/fpca.pdf. They may find their county clerk's contact information here: https://voteinfo.utah.gov/county-clerk-contact-information/. For the November 5, 2024 general election, their online registration must be received by 5 pm (Utah time) on October 25, 2024, or their mailed registration must be received by October 25, 2024 (11 days before election day). Their ballot request must be received by 5 pm (Utah time) on November 4, 2024 (1 day before the election). So

Voters can request to receive their ballot by email, fax, or mail, and they can return their ballot by the same methods. <sup>51</sup> If they request or submit their ballot via email or fax, please note that state law requires them to sign a waiver of their right to a secret ballot. If they prefer to keep their ballot secret, they may request a mail ballot instead. <sup>52</sup>

They can also register and vote at the same time using the Federal Write-in Absentee Ballot (FWAB), available here: <a href="https://www.fvap.gov/uploads/FVAP/Forms/fwab.pdf">https://www.fvap.gov/uploads/FVAP/Forms/fwab.pdf</a>. If they are using the FWAB to register, the deadline is November 4, 2024 (If an international or military voter has missed the October 25 registration deadline, they can still register by voting the FWAB.)<sup>53</sup> The FWAB can be submitted to the voter's County Clerk's office by mail, email, or fax. If submitted by email or fax, they will have to sign a waiver of their right to a secret ballot (the secrecy waiver on the "Transmission Cover Sheet").<sup>54</sup>

If they are registered but did not receive a ballot and would like to vote, they can submit the Federal Write-in Absentee Ballot (FWAB), available here: <a href="https://www.fvap.gov/uploads/FVAP/Forms/fwab.pdf">https://www.fvap.gov/uploads/FVAP/Forms/fwab.pdf</a>. 55

If sent by mail, both the Utah absentee ballot and the FWAB must be postmarked before Election Day (by November 4 for the November 5, 2024 general election) and received 13 days after the election (November 18 for the November 5, 2024 general election). If sent by email or fax, both the Utah

<sup>&</sup>lt;sup>46</sup> Utah Code §§ 20A-2-105(4)(c)(i), 20A-16-102, 20A-3a-201(e).

<sup>&</sup>lt;sup>47</sup> Utah Code §§ 20A-16-102(1), 103.

<sup>48</sup> https://voteinfo.utah.gov/military-and-overseas-voters/.

<sup>&</sup>lt;sup>49</sup> Utah Code § 20A-2-102.5.

<sup>&</sup>lt;sup>50</sup> Utah Code § 20A-16-402; <a href="https://www.fvap.gov/utah">https://www.fvap.gov/utah</a>.

<sup>&</sup>lt;sup>51</sup> https://voteinfo.utah.gov/military-and-overseas-voters/.

<sup>52</sup> https://voteinfo.utah.gov/military-and-overseas-voters/.

<sup>53</sup> https://www.fvap.gov/guide/chapter2/utah.

<sup>&</sup>lt;sup>54</sup> https://www.fvap.gov/guide/chapter2/utah.

<sup>55</sup> https://www.fvap.gov/guide/chapter2/utah.

absentee ballot and the FWAB must be sent by 12:01 a.m. (the voter's local time) on the day of the election (November 5, 2024).<sup>56</sup> If they submit their ballot via email or fax, they must sign a waiver of their right to a secret ballot.<sup>57</sup>

12. **CRIMINAL CONVICTION:** I have a felony criminal conviction. Can I register to vote? Does the type of conviction matter? Are there any restrictions after any misdemeanor convictions?

Check the resources at Campaign Legal Restore Your Vote for latest information.

It depends. There are restrictions on those with prior felony and misdemeanor convictions.

If they have been convicted of a misdemeanor, they may vote so long as they were not convicted of an election-related offense. 58

If they have been convicted of a felony, they may vote once they are granted parole, sentenced to probation, or have successfully completed their term of incarceration (i.e., served their time and been released). The type of felony does not matter.<sup>59</sup>

They are also eligible to register and vote if they are detained and awaiting trial and have not yet been convicted.<sup>60</sup>

13. INCARCERATED: I am currently incarcerated. Can I register to vote? Can I vote from jail?

Check the resources at Campaign Legal Restore Your Vote for latest information.

It depends.

If they have been convicted of a misdemeanor, they may vote so long as they were not convicted of an election-related offense.<sup>61</sup>

If they are in jail or prison after a conviction for a felony , they cannot vote. Voting rights for a felony conviction are restored when they are granted parole, sentenced to probation, or have successfully completed their term of incarceration. <sup>62</sup>

If they are detained and awaiting trial and have not yet been convicted, they are eligible to register and vote. <sup>63</sup>

14. **REGISTRATION CHALLENGED:** My registration has been challenged, what should I do?

A voter whose registration has been challenged should provide the election officer or judge determining the voter's eligibility with additional information, supporting documents, affidavits, sworn statements or

<sup>&</sup>lt;sup>56</sup> Utah Code § 20A-16-404; https://www.fvap.gov/guide/chapter2/utah.

<sup>&</sup>lt;sup>57</sup> https://voteinfo.utah.gov/military-and-overseas-voters/.

<sup>&</sup>lt;sup>58</sup> Utah Code § 20A-2-101.3.

<sup>&</sup>lt;sup>59</sup> Utah Code § 20A-2-101.5; <a href="https://voteinfo.utah.gov/learn-about-registering-to-vote/">https://voteinfo.utah.gov/learn-about-registering-to-vote/</a>.

<sup>60</sup> https://voteinfo.utah.gov/learn-about-registering-to-vote/.

<sup>&</sup>lt;sup>61</sup> Utah Code § 20A-2-101.3.

<sup>62</sup> Utah Code §§ 20A-2-101.5; https://voteinfo.utah.gov/learn-about-registering-to-vote/.

<sup>63</sup> https://voteinfo.utah.gov/learn-about-registering-to-vote/.

other evidence in support of their registration either (1) 21 days before the election if the challenge is filed at least 45 days prior to the election or (2) 5 days before the canvass (ballot review) is held if the challenged voter registered to vote within 45 days before the election day.<sup>64</sup> The burden is on the individual who filed the challenge to prove by clear and convincing evidence that a voter is ineligible.<sup>65</sup> A voter can also appeal a decision regarding their eligibility to vote to the district court having jurisdiction over the location where the challenge to their eligibility was filed. The district court will uphold an election officer's decision unless the court determines the decision was arbitrary, capricious, or unlawful.<sup>66</sup>

A challenged voter may also need to submit a provisional ballot by the last day of early voting or by the time the polls close on election day if they provide valid identification and proof of residence to a poll worker. If an election officer ultimately determines that they are not eligible to vote, the election officer will not count the provisional ballot form submitted.<sup>67</sup>

A challenged voter may register to vote or change the location of their registration if otherwise permitted by law.<sup>68</sup>

## **HOW TO VOTE: ELECTION DAY**

15. HOURS: When do the polls open/close on Election Day?

Polls at all elections on the date of the election must open at 7 a.m. and remain open until 8 p.m. that day.<sup>69</sup>

Every voter who arrives at the polls by 8 p.m. is allowed to vote.<sup>70</sup>

16. **POLLING LOCATION:** Where do I vote on Election Day?

They may cast a vote in person at their polling place.<sup>71</sup> They can find their polling place here: https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote.

If they have moved recently but did not update their voter registration, refer to Questions 8 and 9.

They may also drop their absentee ballot in a drop box either at their polling place or at a location that their election officer has designated. The ballot must be deposited before 8:00 p.m. on Election Day.<sup>72</sup> They may find a drop box location here:

https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote73.

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<sup>&</sup>lt;sup>64</sup> Utah Code §§ 20A-2-105(5), 20A-3a-804(3)(b).

<sup>65</sup> Utah Code § 20A-3a-804(4)(b).

<sup>66</sup> Utah Code § 20A-3a-804(6).

<sup>67</sup> Utah Code §§ 20A-2-307(2), 207.

<sup>68</sup> Utah Code § 20A-3a-804(7).

<sup>&</sup>lt;sup>69</sup> Utah Code § 20A-1-302.

<sup>&</sup>lt;sup>70</sup> Utah Code § 20A-1-302.

<sup>&</sup>lt;sup>71</sup> Utah Code § 20A-3a-204(3).

<sup>&</sup>lt;sup>72</sup> Utah Code § 20A-3a-204(2)(d).

<sup>&</sup>lt;sup>73</sup> https://voteinfo.utah.gov/learn-about-voting-by-mail-and-absentee-voting/.

They may contact their county clerk with any questions: https://voteinfo.utah.gov/county-clerk-contact-information/.

#### 17. TIME OFF WORK: Is my employer required to give me time off to vote? Is it paid or unpaid?

Yes, employers are required to allow voters to be absent for up to 2 hours during the time that the polls are open on election day but the voter must request such time off before election day. This time away is paid. A voter is not eligible for this time off if they are otherwise not 'on the clock' for at least 3 hours during the time that the polls are open on election day.<sup>74</sup>

#### 18. **CLOSING:** What if the polls close when I am already in line?

Voters who arrive at the polls by 8 p.m. are allowed to vote. <sup>75</sup> If they have arrived by that time and they are informed by any person that the polling place is closed and they may no longer cast their vote, they should immediately consult the poll workers or the election judge. Poll workers and election judges are people assigned to oversee the administration of the polling place.

If it is the poll workers themselves or the election judge who are informing them that they may no longer cast their vote, they should contact their county clerk: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. You should also alert your shift Captain or Lead.

#### 19. **IDENTIFICATION:** What identification is required to vote?

A registered voter must present:76

**ONE** primary form of ID that is valid (not expired), has their name, and has their photograph ("photo ID"). These types of IDs include:

- Valid Utah driver license
- Valid ID card issued by the state of Utah or the US Government (including military IDs)
- Valid Utah concealed carry permit
- Valid US passport
- Valid Tribal ID, Bureau of Indian Affairs, or Tribal Treaty card (these do not require a photograph)

#### OR

**TWO** forms of ID that, when combined, prove their name and current residence ("proof of residency"). These types of IDs may include:

- Utility bill (or copy) dated within 90 days of the election
- Bank or other financial account statement (or copy)
- Certified birth certificate
- Valid Social Security card
- Check issued by the state or federal government (or copy)

<sup>&</sup>lt;sup>74</sup> Utah Code § 20A-3a-105.

<sup>&</sup>lt;sup>75</sup> Utah Code § 20A-1-302.

<sup>&</sup>lt;sup>76</sup> Utah Code §§ 20A-1-102(76), 20A-3a-203.

- Paycheck issued or the voter's employer (or copy)
- Currently valid Utah hunting or fishing license
- Certified naturalization documents (NOT a green card)
- Currently valid license issued by a U.S. federal agency
- Certified copy of court records showing the voter's adoption or name change
- Valid Medicaid or Medicare or Electronic Benefits Transfer card
- Currently valid ID card issued by a local government within Utah
- Currently valid ID card issued by an employer
- Currently valid ID card issued by a college, university, or technical or professional school in Utah
- Current Utah vehicle registration

If they vote by casting a provisional ballot (i.e., Same Day Registration), they will need to show both a valid photo ID described above *and* proof of residency.<sup>77</sup>

#### 20. **NO IDENTIFICATION:** Can I vote without providing identification?

If a registered voter does not bring valid photo ID or two proof of residency documents, or the poll worker is not satisfied that the voter has presented valid voter identification, the voter will be given a provisional ballot.<sup>78</sup> The voter will have until the close of normal office hours on Monday, November 11, 2024 to present valid photo ID or two proof of residency documents to the county clerk or an election worker.<sup>79</sup>

An unregistered voter may cast a same day provisional ballot without showing proper identification, but for this provisional ballot to count, they must present their valid photo identification and proof of residency to the county clerk or to an election officer by close of normal office hours on the Monday after election day (Monday, November 11, 2024).<sup>80</sup>

21. **NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

Yes, although they may need to cast a provisional ballot.81

If they are not on the roll because they have moved to a new address within the same county, they can vote a regular ballot if they affirm the change of address to the election judges orally or in writing.<sup>82</sup>

If they are not on the roll for any other reason, they must cast a provisional ballot.<sup>83</sup>

For their provisional ballot to count, they will need to have a valid form of identification and proof of residence that establishes they are entitled to vote.<sup>84</sup> See <u>question 19</u> for the acceptable forms of ID and proof of residence.

<sup>77</sup> Utah Code § 20A-2-207(1); https://vote.utah.gov/voter-id-requirements/.

<sup>&</sup>lt;sup>78</sup> Utah Code §§ 20A-3a-203(2), 20A-3a-205(4).

<sup>&</sup>lt;sup>79</sup> Utah Code § 20A-3a-203(2)(c).

<sup>80</sup> Utah Code §§ 20A-3a-205(4), 20A-3a-203(2).

<sup>81</sup> Utah Code § 20A-2-207, 20A-2-307.

<sup>82</sup> Utah Code § 20A-2-307(1).

<sup>83</sup> Utah Code § 20A-2-307(2)(b).

<sup>84</sup> Utah Code § 20A-2-207(1).

Their provisional ballot will not count if an election officer determines that (1) they are not legally entitled to vote the ballot, (2) the ballot is not identical to the ballot for the precinct in which they reside, (3) the information on the provisional ballot form is incomplete, or (4) they fail to provide valid voter identification and proof of residence.<sup>85</sup>

22. GIVEN PROVISIONAL BALLOT: I am being told I have to vote provisionally, what does that mean?

A provisional ballot is essentially a ballot that is subject to further confirmation. A provisional ballot is given to a voter (1) who is not listed on the official register at their polling place, (2) whose eligibility to vote is challenged or (3) whose identity was not sufficiently established by a poll worker (See question 19 for the acceptable forms of ID and proof of residence).<sup>86</sup>

23. **REQUESTING PROVISIONAL BALLOT:** I am being told I can't vote, can I vote provisionally?

Yes. See questions 20 and 21.

24. PROVISIONAL BALLOT NEXT STEPS: I voted a provisional ballot, what now?

If voter is given a provisional ballot because they did not bring valid photo ID or two proof of residency documents, or because the poll worker was not satisfied with the identification provided, the voter will have until the close of normal office hours on Monday, November 11, 2024 to present valid photo ID or two proof of residency documents to the county clerk or an election worker.<sup>87</sup>

If a voter is given a provisional ballot because their registration has been challenged the voter should provide the election officer or judge determining the voter's eligibility with additional information, supporting documents, affidavits, sworn statements or other evidence in support of their registration either (1) 21 days before the election if the challenge is filed at least 45 days prior to the election or (2) 5 days before the canvass (ballot review) is held if the challenged voter registered to vote within 45 days before the election day. 88 If an election officer ultimately determines that they are not eligible to vote, the election officer will not count the provisional ballot form submitted. 89

# HOW TO VOTE: IN-PERSON EARLY VOTING

(in this state defined as: Early Voting)

25. **AVAILABILITY:** Is there early voting in my state (whether called early voting or in person absentee voting)?

<sup>&</sup>lt;sup>85</sup> Utah Code § 20A-2-207(1).

<sup>86</sup> Utah Code § 20A-1-102(55).

<sup>&</sup>lt;sup>87</sup> Utah Code § 20A-3a-203(2)(c).

<sup>88</sup> Utah Code §§ 20A-2-105(5), 20A-3a-804(3)(b).

<sup>89</sup> Utah Code § 20A-2-307(2); 207.

Yes.

#### 26. **ELIGIBILITY:** Do I have to have a reason to vote early?

No, any registered voter can vote early. 90

#### 27. WHEN: When does early voting begin/end?

Generally, early voting begins on the date that is 14 days before the date of the election and continues through the Friday before the election, if the election date is a Tuesday. For the November 5 general election, early voting begins on Tuesday, October 22, 2024 (14 days before the election day) and lasts until Friday, November 1, 2024 (Friday before election day). For the 2024 general election, early voting should be available on every weekday and, depending on the location, on weekends as well.

If they have any questions regarding early voting in their precinct, they are encouraged to contact their county clerk, whose contact information is available here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

#### 28. WHERE: Where do I vote during early voting?

At least 28 days before the date of the election, notice of the dates, time, and locations of early voting will be published on their county's website. 94

For the November 5, 2024 general election, this information must be posted by at least October 8, 2024. They can find their county's website here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>

#### 29. **IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

The identification required for early voting is the same as for voting on Election Day. They must present either a valid form of identification or proof of residence. See <u>question 19</u> for the types of identification in each category.

If the voter does not have an ID, the voter may request a provisional ballot.<sup>96</sup> The voter will have until the close of normal office hours on Monday, November 11, 2024 (the Monday after election day) to present valid photo ID or two proof of residency documents to the county clerk or an election worker.<sup>97</sup>

#### 30. **ASSISTANCE:** What if I need assistance voting early in person?

<sup>90</sup> Utah Code §§ 20A-3a-201, 601(1)(a).

<sup>&</sup>lt;sup>91</sup> Utah Code § 20A-3a-601(2).

<sup>92</sup> Utah Code § 20A-3a-601(2)(a).

<sup>93</sup> Utah Code § 20A-3a-601(4)(b).

<sup>&</sup>lt;sup>94</sup> Utah Code § 20A-3a-604.

<sup>95</sup> Utah Code § 20A-2-102.

<sup>96</sup> Utah Code §§ 20A-3a-203(2), 20A-3a-205(4).

<sup>&</sup>lt;sup>97</sup> Utah Code § 20A-3a-203(2)(c).

If they have any questions regarding early voting in their precinct, they are encouraged to contact their county clerk, whose contact information is available here: https://voteinfo.utah.gov/county-clerk-contact-information/.

## **HOW TO VOTE: VOTE BY MAIL**

(in this state defined as: Voting by Mail)

#### 31. AUTOMATIC MAIL BALLOT: Will I automatically be sent a ballot in the mail?

#### For Registered Active Voters:

- An active registered voter will automatically receive a ballot in the mail.<sup>98</sup>
  - Parties have the ability to choose whether to have an open or closed primary. If it is a closed primary, only registered voters of that political party will be able to vote. If it is open, active registered voters wishing to participate in the open primary (and not registered as a member of the party) can request a ballot by calling their county board of elections.
- They can use this link to determine if they are an active registered voter: <a href="https://votesearch.utah.gov/voter-search/search/search-by-voter/voter-info">https://votesearch.utah.gov/voter-search/search/search-by-voter/voter-info</a>.

#### For Inactive Voters:

- Inactive voters will not receive a ballot by mail unless they request one. 99
- A registered voter can be labeled "inactive" by the county clerk if the county clerk obtains
  information that a voter's address has changed (e.g., a mailed ballot is returned as "undeliverable"),
  they send a voter registration notice to confirm the voter's address and the voter has not (yet)
  responded.<sup>100</sup>
- If an inactive voter wishes to return to active status, they are encouraged to contact their county clerk, whose contact information is available here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

#### For Non-Registered Voters:

If they are not an active registered voter for the 2024 general election, their voter registration must be received by their county clerk before 5:00 p.m. on Friday, October 25, 2024 (11 days before election day), so that their ballot can be mailed to them.<sup>101</sup>

32. **ELIGIBILITY:** Do I need a specific reason to vote by mail?

<sup>98</sup> Utah Code § 20A-3a-202(2)(a); https://voteinfo.utah.gov/current-election-information/

<sup>&</sup>lt;sup>99</sup> Utah Code § 20A-3a-202(2)(b).

<sup>&</sup>lt;sup>100</sup> Utah Code § 20A-2-505.

<sup>&</sup>lt;sup>101</sup> Utah Code § 20A-2-202(1)(c)(ii).

No. For the November 5, 2024 general election, all active registered voters will receive a ballot by mail regardless of whether one was requested. 102

#### 33. APPLICATION DEADLINE: What is the deadline for requesting a mail-in ballot?

The last day for an election officer to mail ballots is seven days before election day, and election officers will begin to mail ballots twenty-one days before election day. For the November 5, 2024 general election this means Tuesday, October 29, 2024 is the last day an election officer may mail a ballot.

To receive such a ballot, the voter must also be registered before the deadline. Voter registration must be received by the county clerk before 5:00 pm on Friday, October 25, 2024 (11 days before election day). They are encouraged to contact their county clerk with any questions.

#### 34. APPLICATION ASSISTANCE: Can someone assist me with filling out the application?

Voters with disabilities, who are blind, unable to read or write, or unable to read or write the English language may be assisted in filling out their ballot by an individual of their choice. The individual providing assistance may not be the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate. The voter's union, or a candidate.

If they have any questions regarding voting by mail in their precinct, they are encouraged to contact their county clerk, whose contact information is available here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

## 35. **APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

If they are a registered voter, their ballot should arrive in a package that includes a return envelope with the name, title, and post office address of an election officer on the front of the envelope. <sup>107</sup> Someone else may return it for them, but the signature on the affidavit in the return envelope with their ballot must match the signature on file with the election officer. <sup>108</sup> This might be relevant if, for instance, their name or signature changed since they last registered. They can update their registration information here: <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Register to vote or update registration" link.

Their mail ballot must be postmarked by the U.S. Post Office before Election Day. <sup>109</sup> For the November 5, 2024 general election, this means it must be postmarked by November 4, 2024 at the latest. To return their ballot by mail, their county is not required to offer prepaid postage. <sup>110</sup>

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<sup>&</sup>lt;sup>102</sup> Utah Code § 20A-3a-202(2)(a); https://voteinfo.utah.gov/current-election-information/.

<sup>&</sup>lt;sup>103</sup> Utah Code § 20A-3a-202(2)(a).

<sup>&</sup>lt;sup>104</sup> Utah Code § 20A-2-202(1)(c)(ii).

<sup>&</sup>lt;sup>105</sup> Utah Code § 20A-3a-208(1).

<sup>&</sup>lt;sup>106</sup> Utah Code § 20A-3a-208(2).

<sup>&</sup>lt;sup>107</sup> Utah Code §§ 20A-3a-202(2)(a), 401; https://voteinfo.utah.gov/current-election-information/.

<sup>&</sup>lt;sup>108</sup> Utah Code §§ 20A-3a-202(2)(a), 202(4), 401; <a href="https://voteinfo.utah.gov/current-election-information/">https://voteinfo.utah.gov/current-election-information/</a>.

<sup>109</sup> Utah Code § 20A-3a-204(2).

<sup>&</sup>lt;sup>110</sup> Utah Code § 20A-3a-202(8)(d).

They can also drop their ballot off at a drop box location in their county, either at their polling place or where their election officer has designated before 8:00 p.m. on Election Day. 111 To find a drop box in their county, use this link:

https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote. If they place their ballot in a drop box in the wrong county, an election officer may, but is not required to, forward their ballot.<sup>112</sup>

36. **IDENTIFICATION:** Are there identification requirements when I return my mail-in ballot application and/or ballot?

A voter must include a copy of their valid photo ID if they did not provide ID at the time of registration (e.g., they registered online or did not submit a copy of their valid ID with their registration form). In this case, they must provide valid voter ID before voting, whether or not their mail ballot contains instructions to include a copy of their valid photo ID with their return mail ballot. Acceptable forms of ID are listed in question 19.

37. **RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

If they desire their ballot to be mailed to an alternative address, they may change their address using the following link, but they must change their address no later than Friday, October 25, 2024 (11 days before election day): <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Lil4 Click on the "Update Ballot Mailing Address" link.

38. MISSED THE APPLICATION DEADLINE: What if I have not requested a mail-in ballot by the deadline?

An active registered voter will automatically receive a ballot in the mail.<sup>115</sup> If the voter has not registered by the deadline or if a voter is inactive, then the voter will need to vote in person during early voting (see <u>question 27</u>) or on Election Day (see <u>question 16</u>).<sup>116</sup>

39. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or mail-in ballot?

They can track the status of their mail ballot by visiting this page: <a href="https://votesearch.utah.gov/voter-search/search/search-by-voter/track-mail-ballot">https://votesearch.utah.gov/voter-search/search/search-by-voter/track-mail-ballot</a>.

40. **APPLICATION OR BALLOT REJECTED:** I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

<sup>&</sup>lt;sup>111</sup> Utah Code § 20A-3a-204(2)(d).

<sup>&</sup>lt;sup>112</sup> Utah Code § 20A-3a-204(2)(c).

<sup>113</sup> Utah Code §§ 20A-3a-202(1)(b), (5).

<sup>114</sup> Utah Code § 20A-3a-202(3)(c); https://voteinfo.utah.gov/learn-about-voting-by-mail-and-absentee-voting/.

<sup>&</sup>lt;sup>115</sup> Utah Code § 20A-3a-202(2)(a).

<sup>&</sup>lt;sup>116</sup> Utah Code §§ 20A-3a-201, 203, 601.

If the ballot is rejected for signature mismatch<sup>117</sup>:

- The voter should receive notice of the rejection by mail, email, text message, or phone.
- For the ballot to be counted, the voter must "cure" the mismatch by completing and giving the county clerk an affidavit (provided by the county clerk) including:
  - Confirmation that the voter voted the ballot;
  - Provides their name, date of birth, and either their driver license number or the last four digits of their social security number;
  - Has the voter's signature;
  - States that by signing the affidavit, they authorize the use of their signature on the affidavit for voter identification purposes; and
  - A checkbox stating whether the voter has a qualifying disability under the Americans with Disabilities Act which impacts their ability to sign their name consistently.
- The deadline for returning the affidavit should be stated on the affidavit form. The deadline for an election officer to receive the affidavit is by 5 p.m. three days before the canvass (ballot review) begins. Depending on the county, the canvass will begin between 7 and 14 days after the election. That means the deadline to cure a ballot can be 4 to 11 days after the election, depending on the county. The method for returning the affidavit may also vary by county clerk. If the deadline and delivery information are not provided on the affidavit form, contact the county clerk's office: https://voteinfo.utah.gov/county-clerk-contact-information/.

If the ballot is rejected for any reason besides signature mismatch:

- The voter should receive notice of the rejection and the reason by mail, email, text message, or phone. 120
  - For the ballot to be counted, the voter must communicate directly with an election worker to confirm the voter's identity, including providing at least two types of personal identifying information,<sup>121</sup> or
  - The voter should be able to use the same affidavit as for signature mismatch, which must be obtained from the county clerk.<sup>122</sup>
- The deadline for the voter's identification to be verified depends on the county's canvass (ballot review) dates<sup>123</sup> (but should be 4 to 11 days after the election, as above) and the method for providing the identifying information may vary by county clerk. If the deadline and delivery information are not provided by the election worker, contact the county clerk's office: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

To request a new ballot (before the deadline), contact their county clerk for instructions: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. Be mindful that it is illegal to attempt to cast two ballots in an election, 124 so voters should first try to cure any deficiencies in

<sup>&</sup>lt;sup>117</sup> Utah Code § 20A-3a-401(5).

<sup>&</sup>lt;sup>118</sup> Utah Code §§ 20A-3a-401(5)(d), (7), (8).

<sup>&</sup>lt;sup>119</sup> 20A-4-301(1)(b).

<sup>&</sup>lt;sup>120</sup> Utah Code § 20A-3a-401(6).

<sup>121</sup> Utah Code § 20A-3a-401(7)(b).

<sup>&</sup>lt;sup>122</sup> Shelly Jackson, Deputy Elections Director, Office of Lieutenant Governor (<a href="mailto:shellyjackson@utah.gov">shellyjackson@utah.gov</a>, 801-538-1746), email communication with hotline volunteer Jessica Gordon, June 9, 2022.

<sup>123</sup> Utah Code §§ 20A-3a-401(5)(d), (7), (8); 20A-4-301(1)(b).

<sup>&</sup>lt;sup>124</sup> Utah Code § 20A-1-603.

their existing ballots before requesting a new ballot and follow all procedures given by the county clerk.

#### 41. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

A mail-in ballot should be completed through the following steps: 125

- Marking the appropriate space with a mark opposite the name of each candidate they intend to cast a vote for;
- Completing and signing the affidavit on the return envelope;
  - The signature on the affidavit in the return envelope with their ballot must match the signature on file with the election officer (usually from their voter registration). <sup>126</sup> If, for instance, their name or signature changed since they last registered, they need to update their registration information. They may do so here: <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Register to vote or update registration" link.
- Including a copy of their valid photo ID if they did not provide ID at the time of registration (e.g., they registered online or did not submit a copy of their valid ID with their registration form). In this case, they must provide valid voter ID before voting, whether or not their absentee ballot contains instructions to include a copy of their valid photo ID with their return absentee ballot.
   Acceptable forms of ID are listed in <u>question 19</u>.
- Placing the voted ballot in the return envelope and securely sealing it;
- Either attaching postage, if necessary, and depositing the return envelope in the mail before the deadline, or placing the return envelope in a ballot drop box that is designated by the election officer for the precinct where they reside.
  - The county is not required to offer prepaid postage. However, the LT. Governor's office has affirmed that ballots will still be delivered without postage if sent by mail.<sup>128</sup>

#### 42. ASSISTANCE COMPLETING BALLOT: Can someone assist me in filling out my ballot?

Voters with disabilities, who are blind, unable to read or write, or unable to read or write the English language may be assisted in filling out their ballot by an individual of their choice. But, the individual providing assistance may not be the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate. So

43. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

<sup>&</sup>lt;sup>125</sup> Utah Code § 20A-3a-204(1).

<sup>126</sup> Utah Code § 20A-3a-202(4)(d).

<sup>127</sup> Utah Code §§ 20A-3a-202(1)(b), (5).

<sup>128</sup> Utah Code § 20A-3a-202(8)(d).

<sup>&</sup>lt;sup>129</sup> Utah Code § 20A-3a-208(1).

<sup>&</sup>lt;sup>130</sup> Utah Code § 20A-3a-208(2).

The mail ballot must be postmarked by the U.S. Post Office before Election Day.<sup>131</sup> For the November 5, 2024 general election, this means it must be postmarked by November 4, 2024 at the latest.

The mail ballot can also be dropped off at a drop box location in their county, either at their polling place or where their election officer has designated before 8:00 p.m. on Election Day. To find a drop box in their county, use this link:

https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote. If they place their ballot in a drop box in the wrong county, an election officer may, but is not required to, forward their ballot.<sup>133</sup>

44. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a ballot (instead of mailing it)?

To find a drop box in their county, they may use this link: <a href="https://votesearch.utah.gov/voter-search/search/search-bv-address/how-and-where-can-i-vote">https://votesearch.utah.gov/voter-search/search/search-bv-address/how-and-where-can-i-vote</a>

45. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

Aside from postal workers, only someone who resides in the voter's household may handle or drop off a ballot unless:

- the voter needs assistance under 20A-3a-208,
- are voting overseas/military, or
- It's an emergency ballot.<sup>134</sup>

If those apply, there must be an affidavit signature for each ballot. 135

46. **LOST OR SPOILED BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

If this happens, contact their county clerk. Please find their contact information here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

If a voter spoils a ballot, they may receive others, one at a time, after they return each spoiled one. If this should happen at the polls, the poll worker will give them a new ballot. 136

Be mindful that it is illegal to attempt to cast two ballots in an election, <sup>137</sup> so always follow the instructions of county clerks and/or poll workers when requesting or casting a replacement ballot.

47. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

<sup>&</sup>lt;sup>131</sup> Utah Code § 20A-3a-204(2).

<sup>132</sup> Utah Code § 20A-3a-204(2)(d).

<sup>&</sup>lt;sup>133</sup> Utah Code § 20A-3a-204(2)(c).

<sup>&</sup>lt;sup>134</sup> Utah Code 20A-3a-501

<sup>135</sup> Utah Code § 20A-3a-204(1)(e).

<sup>&</sup>lt;sup>136</sup> Utah Code § 20A-3a-207.

<sup>&</sup>lt;sup>137</sup> Utah Code § 20A-1-603.

For the November 5, 2024 general election, their county clerk will automatically mail ballots to active registered voters beginning October 15, 2024 and no later than October 29, 2024 (seven days before election day). <sup>138</sup> If the voter does not receive a ballot shortly after this time, they should immediately contact their county clerk's office: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

They can also use this link to update where they would like their ballot sent, but they must do so no later than Friday, October 25, 2024 (11 days before election day): <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. <sup>139</sup> Click on the "Update Ballot Mailing Address" link. Ballots cannot be forwarded in the mail to a different address. <sup>140</sup>

Be mindful that it is illegal to attempt to cast two ballots in an election, <sup>141</sup> so they should always follow the instructions of county clerks and/or poll workers when requesting or casting a replacement ballot.

48. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

A voter may still vote at their polling place, so long as they have not voted (completed and returned) their vote-by-mail ballot. 142

Be mindful that it is illegal to attempt to cast two ballots in an election. 143

## **HOW TO VOTE: ABSENTEE**

(in this state defined as: voting by mail)

49. **ELIGIBILITY:** Am I eligible to request an absentee ballot?

See question 32.

50. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

See question 33.

51. **IDENTIFICATION:** Are there any identification requirements?

See <u>question 36</u>.

52. **EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?

<sup>&</sup>lt;sup>138</sup> Utah Code § 20A-3a-202(2)(a); <a href="https://voteinfo.utah.gov/current-election-information/">https://voteinfo.utah.gov/current-election-information/</a>.

<sup>139</sup> Utah Code § 20A-3a-202(3)(c).

<sup>140</sup> https://voteinfo.utah.gov/learn-about-voting-by-mail-and-absentee-voting/.

<sup>&</sup>lt;sup>141</sup> Utah Code § 20A-1-603.

<sup>&</sup>lt;sup>142</sup> Utah Code § 20A-3a-201.

<sup>&</sup>lt;sup>143</sup> Utah Code § 20A-1-603.

A hospitalized voter can obtain a manual ballot to use as an emergency ballot and vote at any time after the election officer mails manual ballots to the majority of voters and before the close of polls on election day.

Any person may obtain an emergency ballot application, a manual ballot, and a manual ballot envelope from the election officer on behalf of a hospitalized voter by requesting a ballot and application in person at the election officer's office during business hours. The individual to sign a statement identifying the individual and the hospitalized voter.

To vote, the hospitalized voter must complete the emergency ballot application, complete and sign the affidavit on the manual ballot envelope, mark the voter's votes on the manual ballot, place the manual ballot into the envelope, and seal the envelope.

A "hospitalized voter" is a registered voter who:

- is hospitalized or otherwise confined to a medical or long-term care institution;
- does not have a manual ballot in the voter's immediate possession;
- is able to vote a manual ballot; and
- is not able to acquire a manual ballot without the assistance of another individual.
- 53. **APPLICATION RETURN:** Where and how can I return my absentee ballot application? Can someone return it for me?

See question 35.

54. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my absentee ballot application and/or absentee ballot return?

See <u>question 39</u>.

55. **APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

See question 40.

56. COMPLETING BALLOT: How do I complete the absentee ballot?

See question 41.

57. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?

See question 42.

58. **BALLOT DEADLINES:** What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

See question 43.

<sup>&</sup>lt;sup>144</sup> Utah Code § 20A-3a-301.

59. BALLOT DROP OFF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?

See question 44.

60. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?

See <u>question 45</u>.

61. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

See question 46.

62. **NON-RECEIPT OF BALLOT:** What if I requested an absentee ballot but have not received it? Can I do anything?

See question 47.

63. **IN PERSON OPTION:** What if I requested an absentee ballot but I want to vote in person on Election Day?

See question 48.

64. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

See guestion 16 and guestion 28.

## **POLLING PLACE ISSUES**

65. POLLING PLACE NOT OPEN: The polling place is not open. What should I do?

Double check that they are at the correct address and that the polling place is supposed to be open, as the location may have changed. If this occurs, notice of the change in address should be posted to the State's elections website and at the polling place itself.<sup>145</sup>

They can also use the following link to see how they can vote based on their address: <a href="https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote">https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote</a>.

Polls at all elections on the date of the election must open at 7 a.m. and remain open until 8 p.m. that day. <sup>146</sup> If you/they have confirmed that they are at the proper polling place location and it is not open, you/they should call their county clerk, whose contact information is available here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. You should also alert your shift Captain or Lead.

66. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

<sup>&</sup>lt;sup>145</sup> Utah Code § 20A-3a-703.

<sup>&</sup>lt;sup>146</sup> Utah Code § 20A-1-302.

As long as they arrive at the polls by 8 p.m., they are allowed to vote. <sup>147</sup> If they have arrived by that time and they are informed by any person that the polling place is closed and they may no longer cast their vote, they should immediately consult the poll workers or the election judge. <sup>148</sup> (Poll workers and election judges are people assigned to oversee the administration of the polling place.)

If it is the poll workers themselves or the election judge who are informing them that they may no longer cast their vote, they should contact their county clerk: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. You should also alert your shift Captain or Lead.

67. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?

They should alert a poll worker. They should also ask to speak with the election judge and report the issue. 149 You should alert your shift Captain or Lead.

Election officers are required to repair or provide substitute voting devices, equipment, or electronic ballots, if any poll worker reports that, among other issues:<sup>150</sup>

- The voting devices or equipment do not contain the appropriate electronic ballot information;
- The safety devices on the voting devices, equipment, or electronic ballots appear to have been tampered with; or
- The voting devices or equipment do not appear to be functioning properly.

Regardless of technical difficulties, as long as a voter arrives at the polls by 8 p.m., they are allowed to vote. 151

To avoid a potential delay caused by voting equipment, voters are encouraged to consider taking their vote-by-mail ballot with them to the polls, along with voter ID. This can include (1) a valid, government-issued ID with their name and photograph, or (2) two forms of ID that, when combined, prove their current name and residence. See guestion 19 for more info on acceptable forms of ID.

68. **CAMPAIGNING:** What rules apply to people campaigning or "hanging around" my polling place? What counts as campaigning or electioneering? Can people approach me?

It depends.

At a polling place, within 150 feet of the building where a polling place is located, and within 150 feet of a ballot drop box, certain practices are banned. These include "electioneering" (any oral, printed, or written attempt to persuade voters to vote for or against any candidate or issue or to refrain from voting), distributing cards, advertisements or other notices, soliciting signatures to any kind of petition, or engaging in any other practice that interferes with the freedom of voters to vote or that disrupts the

<sup>&</sup>lt;sup>147</sup> Utah Code § 20A-1-302.

<sup>&</sup>lt;sup>148</sup> Utah Code §§ 20A-3a-702(3).

<sup>&</sup>lt;sup>149</sup> Utah Code § 20A-1-102(22), 102(47).

<sup>150</sup> Utah Code § 20A-5-406(2).

<sup>&</sup>lt;sup>151</sup> Utah Code § 20A-1-302.

<sup>&</sup>lt;sup>152</sup> Utah Code § 20A-3a-501(2)(a).

administration of the polling place.<sup>153</sup> Outside of the 150-foot radius, however, a government may only regulate the location and manner of these practices (including political signs) to protect public safety.<sup>154</sup> An individual may also not solicit a voter to show the voter's ballot.<sup>155</sup>

It is illegal to obstruct doors or entries to a building where a polling place is located or prevent free access to or from a polling place (including a drop box). <sup>156</sup>

At all times and in all places, it is illegal to intimidate, threaten, or coerce voters; to compel voters to either vote or refrain from voting for a particular individual or measure; or use force or fraud to impede or otherwise interfere with free exercise of voting rights.<sup>157</sup>

Should any of these activities occur, a voter should notify the election officer or poll workers. If these activities are taking place outside the polling center or drop box and are preventing a voter from approaching, they should contact the police. Alternatively, they could reach out to their county clerk: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. Notify your shift Captain or Lead if a voter reports intimidation or obstruction.

69. **VOTER CONDUCT:** What am I prohibited from wearing or doing in a polling place? Can I take photos inside?

While Utah law does not expressly prohibit certain clothing at a polling place, "electioneering" is banned within 150 feet of the building where a polling place is located, and within 150 feet of a ballot drop box. "Electioneering" includes any oral, printed, or written attempt to persuade voters to vote for or against any candidate or issue or to refrain from voting, which is broad enough to encompass items written or printed on clothing. 159

A voter is permitted to take and share a photo of their own ballot but may not take a photo of another voter's ballot. A voter may also not allow another individual to see their ballot with the intent to reveal how they are about to vote. 160

70. POLL WORKER CONDUCT: What is a poll worker prohibited from wearing or doing in a polling place?

While Utah law does not expressly prohibit certain clothing at a polling place, "electioneering" is banned within 150 feet of the building where a polling place is located, and within 150 feet of a ballot drop box. "Electioneering" includes any oral, printed, or written attempt to persuade voters to vote for or against any candidate or issue or to refrain from voting, which is broad enough to encompass items written or printed on clothing. See <u>question 68</u> for more information on actions banned within close proximity to a polling place or ballot drop box.

<sup>&</sup>lt;sup>153</sup> Utah Code § 20A-3a-501(2)(a).

<sup>154</sup> Utah Code §§ 20A-3a-501(2)(b), (7).

<sup>&</sup>lt;sup>155</sup> Utah Code § 20A-3a-501(4).

<sup>&</sup>lt;sup>156</sup> Utah Code § 20A-3a-501(3).

<sup>&</sup>lt;sup>157</sup> Utah Code § 20A-3a-502.

<sup>&</sup>lt;sup>158</sup> Utah Code § 20A-3a-501(2)(a).

<sup>159</sup> Utah Code § 20A-3a-501(1)(a).

<sup>&</sup>lt;sup>160</sup> Utah Code § 20A-3a-504.

<sup>&</sup>lt;sup>161</sup> Utah Code § 20A-3a-501.

<sup>&</sup>lt;sup>162</sup> Utah Code § 20A-3a-501(1)(a).

It is illegal for any poll worker or other election official or watcher to reveal the candidate a voter has voted for or to give their opinion, belief or impression as to how a voter has voted. <sup>163</sup> It is also illegal to obstruct doors or entries to a building where a polling place is located or prevent free access to or from a polling place (including a drop box). <sup>164</sup>

A poll worker may not permit any individual within 6 feet of voting devices, booths or ballot boxes except for any individual admitted to vote or other election officials. Besides the poll workers and watchers, the poll workers may not allow more than four voters in excess of the number of voting booths provided within six feet of voting devices, voting booths, or the ballot box.<sup>165</sup>

71. **INTIMIDATION:** Are there any other specific restrictions on conduct outside of a polling place? What should I do if I feel unsafe or uncomfortable outside the polling place?

See <u>question 68</u> for more information on restrictions on conduct outside of a polling place.

At all times and in all places, it is illegal to intimidate, threaten, or coerce voters; to compel voters to either vote or refrain from voting for a particular individual or measure; or use force or fraud to impede or otherwise interfere with free exercise of voting rights. <sup>166</sup>

Should any of these activities occur, a voter should notify the election officer or poll workers. If these activities are taking place outside the polling center or drop box and are preventing a voter from approaching, they should contact the police. Alternatively, they could reach out to their county clerk: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. Notify your shift Captain or Lead if a voter reports intimidation or obstruction.

72. CHALLENGE: Someone is formally challenging my vote. What should I do?

If their right to vote is challenged at the polling place: make sure that the individual challenging them is doing so for one of the reasons described below, and that the individual challenging them is a poll worker, a duly registered or certified watcher, or an individual who resides in the county of the polling place. <sup>167</sup>

A poll worker will record the challenge, and the voter will be asked to provide valid voter identification. Even if the poll worker is unsatisfied that they have provided valid voter identification, they will be given a provisional ballot and allowed to enter the voting booth. The voter will have until the close of normal office hours on Monday, November 11, 2024 (Monday after election day) to present valid photo ID and two proof of residency documents to the county clerk or an election worker.

If their right to vote is challenged somewhere other than at a polling place (for example, in the days leading up to the election): the election officer who receives the challenge is required to notify the challenged voter of the challenge and give the challenged voter the opportunity to submit information, a

<sup>&</sup>lt;sup>163</sup> Utah Code § 20A-5-705.

<sup>&</sup>lt;sup>164</sup> Utah Code § 20A-3a-501(3).

<sup>&</sup>lt;sup>165</sup> Utah Code § 20A-5-605.

<sup>&</sup>lt;sup>166</sup> Utah Code § 20A-3a-502.

<sup>&</sup>lt;sup>167</sup> Utah Code §§ 20A-3a-801, 805.

<sup>&</sup>lt;sup>168</sup> Utah Code §§ 20A-3a-203(2), 205(4), 805.

<sup>&</sup>lt;sup>169</sup> Utah Code §§ 20A-3a-203(2)(c), 205, 805.

sworn statement, supporting documents, and any other evidence necessary to rebut the challenge.<sup>170</sup> A challenged voter may also register to vote or change the location of their voter registration if that is otherwise permitted by law.<sup>171</sup>

The basis for a challenge must be one of the following reasons: 172

- The voter is not the person whose name they are using to vote;
- They are not a resident of Utah (see <u>question 1</u> and <u>question 7</u> above for what it means to be a resident);<sup>173</sup>
- They are not a U.S. citizen;
- They have not or will not have resided in Utah for 30 days immediately before the date of the election (see guestion 1 and guestion 7 above for how to determine residence);
- Their principal place of residence is not in the voting precinct that they claim;
- Their principal place of residence is not in the geographic boundaries of the election area;
- They have already voted in the election (for example, they returned a mail ballot and later try to vote in person);
- They are not at least the minimum age required to vote in the election (to vote in the 2024 general election, at least 18 years old by the day of the general election on November 5, 2024);
- They have been convicted of a misdemeanor for an offense under Title 20A of the Utah Code and their right to vote in an election has not been restored;
  - If they have been convicted of a misdemeanor, they may vote so long as they were not convicted of an election-related offense.<sup>174</sup>
- They are a convicted felon and their right to vote in an election has not been restored; and
  - If they have been convicted of a felony, they may vote once they are granted parole, sentenced to probation, or have successfully completed their term of incarceration (i.e., served their time and been released).<sup>175</sup>
- With respect to any primary election, they do not meet the political party affiliation requirements (i.e., to vote in the Republican Party primary, a voter must be a registered member of the Republican Party).

If they are validly challenged and do not resolve the issue, any vote cast will be treated as a provisional ballot. <sup>176</sup> If they are later determined eligible to vote, their provisional ballot will be counted. To determine if they are eligible to vote, please see the section titled "Registering to Vote" above.

73. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

<sup>&</sup>lt;sup>170</sup> Utah Code § 20A-3a-804.

<sup>&</sup>lt;sup>171</sup> Utah Code § 20A-3a-804(7).

<sup>&</sup>lt;sup>172</sup> Utah Code § 20A-3a-803.

<sup>&</sup>lt;sup>173</sup> Utah Code §§ 20A-2-101(1), 20A-2-105.

<sup>&</sup>lt;sup>174</sup> Utah Code § 20A-2-101.3.

<sup>&</sup>lt;sup>175</sup> Utah Code § 20A-2-101.5; https://voteinfo.utah.gov/learn-about-registering-to-vote/.

<sup>&</sup>lt;sup>176</sup> Utah Code § 20A-3a-804(3)(b).

The presence of police at a polling station is not necessarily cause for alarm. Please keep in mind that police officers may be dispatched as part of their duties to maintain order at or near polling places, and they may be invited into the polling place by election officers in order to carry out an arrest or to otherwise maintain order and public safety.<sup>177</sup>

Police officers and members of the military may also be present at the polling place in order to cast a vote themselves.

That being said, a person is neither allowed to: 178

- Induce or compel someone to vote or keep from voting, directly or indirectly, by intimidation, use of force, violence, or restraint; nor
- Impede, prevent, or otherwise interfere with the free exercise of their right to vote.

If a voter believes their right to vote is impeded, prevented, or otherwise interfered with by another individual, even by a member of the police or military, they are encouraged to report it to the police or to an election officer or poll worker. They can also report this behavior to their county clerk: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>. Notify your shift Captain or Lead if a voter reports intimidation or obstruction.

If they are concerned about these circumstances, they may also consider mailing their absentee ballot so that it is postmarked by the U.S. Post Office the day before Election Day, or drop it off in an appropriate drop box before 8:00 p.m. on Election Day.<sup>179</sup> They may use this link to find a drop box near them: <a href="https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote">https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote</a>.

74. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

It is possible the name was removed. A voter's name may be removed from the official register under any of the following circumstances:<sup>180</sup>

- The voter confirmed in writing that the voter has changed residence to a place outside the county;
- The county clerk received confirmation from the Department of Health's Bureau of Vital Records that the voter is deceased;
- The voter requested, in writing, that the voter's name be removed from the official register;
- The county clerk has been notified or obtained evidence that the voter's residence has changed, the county clerk mailed a voter identification notice and received no response and the voter does not vote in two regular general elections;
- The county clerk received a returned voter identification card, and has no further information to contact the voter, and the voter does not vote in two regular general elections<sup>181</sup>;
- The county clerk received notice that a voter has been convicted of any felony or certain misdemeanors and the voter's right to vote has not been restored; or

<sup>&</sup>lt;sup>177</sup> Utah Code § 20A-3a-501(3).

<sup>&</sup>lt;sup>178</sup> Utah Code § 20A-3a-502.

<sup>&</sup>lt;sup>179</sup> Utah Code §§ 20A-3a-202, 204(2).

<sup>&</sup>lt;sup>180</sup> Utah Code §§ 20A-2-504, 505.

<sup>&</sup>lt;sup>181</sup> Utah Code § 20A-2-505(4).

• The county clerk received notice that a voter has registered to vote in another state after the day on which the voter registered to vote in Utah.

Notwithstanding the above, a county clerk may not remove the names of voters from the official register during the 90 days before the election day unless the voter requests, in writing, that the name be removed or if the voter is deceased. If they do not believe they have done this, it is possible their name was inadvertently removed. They may find their voter registration information here: <a href="https://vote.utah.gov/">https://vote.utah.gov/</a>. Click on the "Find my voter registration info" link.

The voter should provide valid voter identification and complete a provisional ballot.<sup>183</sup> If they are later determined eligible to vote, their provisional ballot will be counted.

75. PROVISIONAL BALLOT: I have been offered a provisional ballot. What should I do?

See info in the How to Vote: Election Day Section.

They should ask why they are given a provisional ballot and follow directions of the election officials.

They will be asked to cast a provisional ballot when: 184

- Their name is not found on the official register (possibly because their county clerk did not receive their voter registration by 5:00 pm on Friday, October 25, 2024 (11 days before election day)<sup>185</sup>);
- The poll worker is not satisfied that they have provided valid voter identification (see <u>question 19</u>);
- Their right to vote is challenged for one of the following allegations:<sup>186</sup>
  - They are not the person whose name they are using to try to vote;
  - They are not a resident of Utah (to be a resident of Utah, generally, this means they must intend to live in Utah permanently or indefinitely);<sup>187</sup>
  - They are not a citizen of the United States;
  - They have not or will not have resided in Utah for 30 days immediately before the date of the election;
  - Their principal place of residence is not in the voting precinct that they claim;
  - Their principal place of residence is not in the geographic boundaries of the election area;
  - They have already voted in the election (for example, they returned an absentee ballot and then later try to vote in person);
  - They are not at least the minimum age required to vote in the election (to vote in the 2024 general election, at least 18 years old by the day of the general election on November 5, 2024);

<sup>&</sup>lt;sup>182</sup> Utah Code § 20A-2-505(4).

<sup>&</sup>lt;sup>183</sup> Utah Code § 20A-3a-205.

<sup>&</sup>lt;sup>184</sup> Utah Code § 20A-3a-205.

<sup>&</sup>lt;sup>185</sup> Utah Code § 20A-2-102.5(2).

<sup>&</sup>lt;sup>186</sup> Utah Code § 20A-3a-803(1).

<sup>&</sup>lt;sup>187</sup> Utah Code §§ 20A-2-101(1), 20A-2-105(1).

- They have been convicted of a misdemeanor for an offense under Title 20A of the Utah
   Code, and their right to vote in an election has not been restored;
- They are a convicted felon and their right to vote in an election has not been restored; or
  - If they have been convicted of a misdemeanor, they may vote so long as they were not convicted of an election-related offense.<sup>188</sup>
  - If they have been convicted of a felony, they may vote once they are granted parole, sentenced to probation, or have successfully completed their term of incarceration (i.e., served their time and been released).<sup>189</sup>
- With respect to any primary election, they do not meet the political party affiliation requirements (i.e., to vote in the Republican Party primary, a voter must be a registered member of the Republican Party).

If they have validly been given a provisional ballot, encourage them to vote with it and cast it by providing proper identification. The voter will have until the close of normal office hours on Monday, November 11, 2024 (Monday after the election) to present valid photo ID and two proof of residency documents to the county clerk or an election worker. <sup>190</sup> If they are determined eligible to vote, their provisional ballot will be counted. <sup>191</sup> Provisional ballot status can be <u>tracked here</u>.

Their vote will not count if they cast a provisional ballot and an election officer determines that they are not registered to vote and their provisional ballot cannot be treated as a registration form, or that they are not legally entitled to vote the ballot. To determine if they are eligible and entitled to vote, please see the section titled "Registering to Vote" above.

# **ACCESSIBILITY/ASSISTANCE**

76. **EQUIPMENT ASSISTANCE**: I don't know how to use the voting equipment. Can I get help?

Yes. A voter may ask for further instructions, and poll workers will instruct them. Assistance will be provided by two poll workers, each from a different political party. After providing instructions, poll workers must leave the voting booth before the voter votes. A poll worker providing assistance may not attempt to influence a voter's vote.

77. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

<sup>&</sup>lt;sup>188</sup> Utah Code § 20A-2-101.3.

<sup>&</sup>lt;sup>189</sup> Utah Code § 20A-2-101.5; <a href="https://voteinfo.utah.gov/learn-about-registering-to-vote/">https://voteinfo.utah.gov/learn-about-registering-to-vote/</a>.

<sup>&</sup>lt;sup>190</sup> Utah Code §§ 20A-3a-203(2)(c), 205, 805.

<sup>&</sup>lt;sup>191</sup> Utah Code §§ 20A-3a-203(2), 20A-3a-205(4), 20A-4-107.

<sup>&</sup>lt;sup>192</sup> Utah Code §§ 20A-2-207, 20A-4-107.

<sup>&</sup>lt;sup>193</sup> Utah Code § 20A-3a-209.

<sup>&</sup>lt;sup>194</sup> Utah Code § 20A-5-605(8).

Yes. Each polling place is required to have at least one voting booth or device that is configured to accommodate people with disabilities. A voter who wants to use an accessible voting machine should inform a poll worker when they arrive. He arrive.

Any voter who has a disability or is physically unable to enter a polling place may be given assistance by a poll worker or an individual of the voter's choice, except the voter's employer, an agent of the voter's employer, any union representative, or a candidate. An individual providing assistance may not attempt to influence a voter's vote. 197

In some counties, a voter with a disability can also vote electronically or by email. <sup>198</sup> They should request an online or email ballot through their county clerk's office (contact information here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>).

78. **READING/LANGUAGE ASSISTANCE:** I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Any voter who has a disability, or is blind, unable to read or write, unable to read or write the English language, or is physically unable to enter a polling place may be given assistance by a poll worker or an individual of the voter's choice, except the voter's employer, an agent of the voter's employer, any union representative, or a candidate. An individual providing assistance may not attempt to influence a voter's vote. 199

79. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

Any voter who is unable to read or write the English language may be given assistance by a poll worker or an individual of the voter's choice, except the voter's employer, agent of the employer, any union representative, or a candidate. An individual providing assistance may not attempt to influence a voter's vote. <sup>200</sup> If the voter needs assistance after entering the voting booth, two poll workers from different political parties may enter the booth and give instructions to the voter. <sup>201</sup>

80. **CURBSIDE VOTING:** Is curbside voting available? How do I request it?

<sup>&</sup>lt;sup>195</sup> Utah Code §§ 20A-5-403(2)(b), 3.

<sup>196</sup> https://voteinfo.utah.gov/information-for-voters-with-disabilities/.

Utah Code § 20A-3a-208; <a href="https://voteinfo.utah.gov/information-for-voters-with-disabilities/">https://voteinfo.utah.gov/information-for-voters-with-disabilities/</a>.

<sup>&</sup>lt;sup>198</sup> Utah Code § 20A-6-103; <a href="https://voteinfo.utah.gov/information-for-voters-with-disabilities/">https://voteinfo.utah.gov/information-for-voters-with-disabilities/</a>.

<sup>&</sup>lt;sup>199</sup> Utah Code § 20A-3a-208; <a href="https://voteinfo.utah.gov/information-for-voters-with-disabilities/">https://voteinfo.utah.gov/information-for-voters-with-disabilities/</a>.

<sup>&</sup>lt;sup>200</sup> Utah Code § 20A-3a-208; https://voteinfo.utah.gov/information-for-voters-with-disabilities/.

<sup>&</sup>lt;sup>201</sup> Utah Code § 20A-5-605.

While Utah counties were required to offer outdoor voting for the 2020 general election, this requirement has been repealed. A county may still provide outdoor or curbside voting; check with the county clerk using the contact information here:

https://voteinfo.utah.gov/county-clerk-contact-information/.

Utah law providing for assistance to any voter who is physically unable to enter a polling place suggests that curbside voting could be made available to such voters as an accommodation.

Finally, mail ballots may be returned at curbside drop boxes in the voter's own county. A list of drop box locations is at

https://votesearch.utah.gov/voter-search/search/search-by-address/how-and-where-can-i-vote.

81. **VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

There are no prohibitions preventing a voter from bringing a voting guide or reference notes into the voting booth.

## STATE SPECIFIC SUPPLEMENT

82. VOTING WHILE UNHOUSED: How does an unhoused person establish residency?

A voter who is unhoused may use a nontraditional location as their principal place of residence when registering to vote, which may be a location without a structure. When an election official or judge is making a determination regarding a voter's residency one of the factors to be considered is where the voter typically sleeps.<sup>202</sup>

83. NATIVE VOTERS: Are there any residency and identification requirements specific to native voters?

A registered voter may present a (1) valid tribal identification card, (2) Bureau of Indian Affairs card, or (3) tribal treaty card as their primary form of ID when voting or registering to vote (whether or not such ID includes a photograph of the voter).<sup>203</sup> See <u>question 19</u> for additional information on identification requirements.

A voter's residency is not affected by their residence on an Indian reservation.<sup>204</sup> See <u>questions 7-11</u> for additional information on determining principal place of residence.

84. **QUESTIONS:** Who should I contact if I have questions about any of the above?

Please contact their county clerk with any questions. The contact information is here: <a href="https://voteinfo.utah.gov/county-clerk-contact-information/">https://voteinfo.utah.gov/county-clerk-contact-information/</a>.

<sup>&</sup>lt;sup>202</sup> Utah Code §§ 20A-2-105(6), (7).

<sup>&</sup>lt;sup>203</sup> Utah Code § 20A-1-102(76).

<sup>&</sup>lt;sup>204</sup> Utah Code § 20A-2-105(4)(c)(iv).