

Election Statute Navigator: Utah

The Election Law Program prepared this Election Law Navigator to highlight state election statutes particularly relevant to the 2020 cycle. The Election Law Navigator is updated as of October 19, 2020. Please contact elect@wm.edu with questions or suggestions. To access COVID-specific legal information impacting this state's election process, please use this link: <https://ebenchmark.org/utah/covid/#tracker>.

Voter Registration

- Voter permitted to register up to and including Election Day (aka Same Day Registration) **§ 20A-2-207**
- Voters (other than above) register prior to Election Day **§ 20A-2-102.5**
 - Deadlines: must be received by the county clerk no later than 5 pm eleven calendar days before the election
- Online registration available **§ 20A-2-206**
- Registration via mail available **§ 20A-2-202**
- In-Person registration available **§ 20A-2-201, § 20A-2-204, § 20A-2-205**
 - Locations: office of county clerk, department of motor vehicles, voter registration agencies
- Preregistration allowed **§ 20A-2-101.1**
 - 16- and 17-year-olds may preregister
- Residency requirement **§ 20A-2-105**
 - Resident of Utah
- Prior conviction eligibility – See state code for specifics: **§ 20A-2-101.5**
- Voter list maintenance guidelines **§ 20A-2-305**

State Absentee, Early, and Mail Voting

- State conducts all elections by mail **§ 20A-3a-202**
- Early voting allowed **§ 20A-3-601**
 - 14 days before election until Friday before election
- No-excuse absentee voting **§ 20A-3a-202**
- Absentee ballot verification details **§ 20A-3a-401**
 - The back of the return envelope is printed with an affidavit which must be signed by the voter. The signature on the mail ballot envelope is compared to the signature on file to ensure that they correspond. If the election officer rejects an



individual's mail ballot because the signature on the ballot does not match the individual's signature that is maintained on file, the election officer shall contact the individual by mail, email, text message or phone, and inform the individual how to resolve the issue.

- State allows voters to correct signature discrepancies **§ 20A-3a-401**
- Deadline by which election official must receive absentee/mailed ballots **§ 20A-3a-204**
 - Seven to 14 days after the election (by the county canvass date) if postmarked the day before the election.
- State accepts postmarked ballots that arrive after election day **§ 20A-3a-204**
- Absentee/Mail ballot processing and counting procedures **§ 20A-3a-402**

In-Person Voter ID

- Photo ID not required **§ 20A-1-102(76)**
- Exceptions to Voter ID Requirements:
 - The voter may cast a provisional ballot
- Options for voters without ID: **§ 20A-1-102(76)**
 - Two forms of ID that bear the name of the voter and provide evidence that the voter resides in the precinct

Provisional Voting

- Provisional ballot availability **§ 20A-2-207**
 - Not registered to vote
 - Did not present proper Identification
- Time allotted to determine the status of provisional ballot **§ 20A-4-301**
 - Counted during the official canvass no later than 14 days after the election
- Reasons to count the provisional ballot: **§ 20A-4-107**
 - The person provides valid voter identification to the county clerk or an election officer who is administering the election by the close of normal office hours on Monday after the date of the election

Polling Place

- Polling Place availability and requirements **§ 20A-3a-703**
- Electioneering or campaigning must not be closer than 150 feet to the entrance of the polling place **§ 20A-3a-501**



- Rules governing poll observers **§ 20A-3a-801**
- Poll watcher qualifications **§ 20A-3a-801**
 - Designated by the parties or persons interested in a ballot issue by affidavit; one to watch counting ballots; one to inspect the ballot packages.

State Emergency Rules and How Elections are Affected

- Lieutenant Governor has authority to set rules and procedures (after declaring “election emergency”) **§ 20A-1-308**

Counting Rules

- Voting system requirements **§ 20A-5-302**
- Counting procedures **§ 20A-4-101, § 20A-4-104**

Contest/Protest, Recount Rules

- Contest filing guidelines **§ 20A-4-401**
- Challenging a voter **§ 20A-3a-803**
- Contest/Protest recount **§ 20A-4-401**
 - Triggers: if the difference between the number of votes cast for a winning candidate in the race and a losing candidate in the race is equal to or less than .25% of the total number of votes cast for all candidates in the race, that losing candidate may file a request for a recount

