

2022 ELECTION UTAH LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within the Utah Election Code, Title 20a (§20a-1-101 through §20a-20-303).

- ▶ Interfering in any manner with any election official in the discharge of the election official's duties is a misdemeanor.
- ▶ Taking, carrying away, concealing, removing, or destroying a ballot drop box or the contents of a ballot drop box is a misdemeanor.
- ▶ Offering money in exchange for voting (or not voting) is a felony.

VOTING HOURS

Early Voting

October 24 - November 4
Times Vary

Election Day

November 8, 7 a.m. to 8 p.m.

REPORT SUSPICIOUS BEHAVIOR TO

Lieutenant Governor

Monday - Friday, 8 a.m. to 5 p.m.
1-801-538-1041

Your Local Election Official

Officer or Watcher Revealing Vote

Utah Code Ann. § 20A-5-705

It is unlawful for any election official or watcher to reveal to any other person the name of any candidate for whom a voter has voted, or to communicate to another the election official's or watcher's opinion, belief, or impression as to how or for whom a voter has voted. It is an exception to the application of this section that the candidate: (1) is not within plain view or hearing of the persons in the voting area in which voters are being accepted for voting, and (2) is not engaged in campaign activity.

A person who violates this section is guilty of a class A misdemeanor.

Bribery in Elections

Utah Code Ann. § 20A-1-601

A person may not, directly, indirectly, or through any other person pay, loan, or contribute, or offer or promise to pay, loan, or contribute any money or other valuable consideration to or for any voter or to or for any other person to induce the voter to vote or refrain from voting at any election provided by law.

A person who violates this section is guilty of a third degree felony.

Fraud, Interference, Disturbance – Tampering with Ballots or Records

Utah Code Ann. § 20A-1-601

A person may not fraudulently interfere with an election by:

- i. willfully tampering with, detaining, mutilating, or destroying any election returns;
- ii. in any manner, interfering with the officers holding an election or conducting a canvass, or with the voters

lawfully exercising their rights of voting at an election, so as to prevent the election or canvass from being fairly held or lawfully conducted;

- iii. engaging in riotous conduct at any election, or interfering in any manner with any election official in the discharge of the election official's duties;
- iv. inducing any election officer, or officer whose duty it is to ascertain, announce, or declare the result of any election or to give or make any certificate, document, or evidence in relation to any election, to violate or refuse to comply with the election officer's duty or any law regulating the election officer's duty;
- v. taking, carrying away, concealing, removing, or destroying any ballot, pollbook, or other thing from a polling place, or from the possession of the person authorized by law to have the custody of that thing;
- vi. taking, carrying away, concealing, removing, or destroying a ballot drop box or the contents of a ballot drop box; or
- vii. aiding, counseling, providing, procuring, advising, or assisting any person to do any of the acts described in this section.

A person who commits an offense under Subsection (1) is guilty of a class A misdemeanor.

Destroying or altering voter instructions, sample ballots, or election paraphernalia

Utah Code Ann. § 20A-1-601

A person may not, without lawful authority granted by an election officer:

- a. willfully alter, deface, or destroy any list of candidates posted in accordance with the provisions of this title;
- b. willfully alter, deface, tear down, remove or destroy any

- voter instructions or sample ballot, printed or posted for the instruction of voters during an election;
- c. willfully alter, remove, or destroy any of the supplies or conveniences furnished to enable a voter to prepare the voter's ballot during an election; or
- d. willfully hinder the voting of others.

A person who commits an offense under Subsection (1) is guilty of an infraction.

Election Official or Watcher Revealing Vote

Utah Code Ann. § 20A-3a-806

It is unlawful for an election official or watcher to reveal to another person the name of a candidate or ballot proposition for whom a voter has voted or to communicate to another person the election official or watcher's opinion, belief, or impression regarding for whom or what a voter has voted.

A person who violates this section is guilty of a class A misdemeanor.

Prohibited Conduct at Polling Place – Other Prohibited Activities

Utah Code Ann. § 20A-3a-501

An individual may not, within a polling place or in any public area within 150 feet of the building where a polling place is located:

- i. do any electioneering;
- ii. circulate cards or handbills of any kind;
- iii. solicit signatures to any kind of petition; or
- iv. engage in any practice that interferes with the freedom of voters to vote or disrupts the administration of the polling place.

A county, municipality, school district, or local district may

not prohibit electioneering that occurs more than 150 feet from the building where a polling place is located, but may regulate the place and manner of that electioneering to protect the public safety.

As used in this section:

- a. "electioneering" includes any oral, printed, or written attempt to persuade persons to refrain from voting or to vote for or vote against any candidate or issue; and
- b. "polling place" means the physical place where ballots are cast and includes the physical place where a ballot drop box is located.

(3)

- a. An individual may not obstruct the doors or entries to a building in which a polling place is located or prevent free access to and from any polling place.
- b. A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the obstruction of the entrance to a polling place and may arrest an individual creating an obstruction.

(5)

- a. An individual may not knowingly possess or control another individual's voted manual ballot, unless:
 - i. the individual is an election official or postal worker acting in the capacity of an election official or postal worker;
 - ii. (the individual possesses or controls the voted ballot in accordance with Section 20A-3a-301, relating to emergency ballots;
 - iii. the possession or control is authorized in order to

- deliver a military-overseas ballot in accordance with Chapter 16, Uniform Military and Overseas Voters Act;
- iv. subject to Section 20A-3a-208, the individual is authorized by a voter to possess or control the voter's voted ballot if the voter needs assistance delivering the ballot due to the voter's age, illness, or disability; or
 - v. the individual resides in the same household as the voter.

An individual who violates any provision of this section is guilty of a class A misdemeanor.

Intimidation – Undue Influence

Utah Code Ann. § 20A-3a-502

It is unlawful for a person to induce or compel an individual to vote or refrain from voting at an election provided by law or to vote or refrain from voting for a particular individual or measure at an election provided by law, directly or indirectly, by: (a) using force, violence, or restraint; (b) inflicting or threatening to inflict injury, damage, harm, or loss; or (c) by intimidation.

It is unlawful for a person to, by abduction, force, or fraud, impede, prevent, or otherwise interfere with the free exercise of the elective franchise of any voter, either in voting at any election provided by law or voting or refraining from voting for a particular individual or measure at an election provided by law.

Violation of this section is a class B misdemeanor.

Communicating About the Count

Utah Code Ann. § 20A-4-505

It is unlawful for any poll worker to communicate in any manner, directly or indirectly, by word or sign, the progress of the count, the result so far, or any other information about the count.

Any person who violates this section is guilty of a third degree felony.

Interfering with Count

Utah Code Ann. § 20A-4-504

It is unlawful for any person to intentionally ascertain, or attempt to ascertain, the progress or state of the count before the ballot count is completed in the voting precinct, or before 8 p.m., whichever is later.

Any person who violates this section is guilty of a third degree felony.

Destroying or Concealing Ballots

Utah Code Ann. § 20A-5-702

It is unlawful for any person, or officer having charge of official ballots, to destroy, suppress, or conceal them, except authorized by this title.

Any person who violates this section is guilty of a third degree felony.

Watchers

Utah Code Ann. § 20A-3-801

A watcher may not divulge information related to the number of votes counted, tabulated, or cast for a candidate or ballot proposition until after the election officer makes the information public.

A person who violates this section is guilty of a third degree felony.



Committee for
**SAFE AND SECURE
ELECTIONS**

