

Superseded 5/12/2015

20A-1-204 Date of special election -- Legal effect.

- (1)
- (a) Except as provided by Subsection (1)(d), the governor, Legislature, or the legislative body of a local political subdivision calling a statewide special election or local special election under Section 20A-1-203 shall schedule the special election to be held on:
 - (i) the fourth Tuesday in June;
 - (ii) the first Tuesday after the first Monday in November; or
 - (iii) for an election of town officers of a newly incorporated town under Section 10-2-128, on any date that complies with the requirements of that subsection.
 - (b) Except as provided in Subsection (1)(c), the governor, Legislature, or the legislative body of a local political subdivision calling a statewide special election or local special election under Section 20A-1-203 may not schedule a special election to be held on any other date.
 - (c)
 - (i) Notwithstanding the requirements of Subsection (1)(b) or (1)(d), the legislative body of a local political subdivision may call a local special election on a date other than those specified in this section if the legislative body:
 - (A) determines and declares that there is a disaster, as defined in Section 53-2a-102, requiring that a special election be held on a date other than the ones authorized in statute;
 - (B) identifies specifically the nature of the disaster, as defined in Section 53-2a-102, and the reasons for holding the special election on that other date; and
 - (C) votes unanimously to hold the special election on that other date.
 - (ii) The legislative body of a local political subdivision may not call a local special election for the date established in Chapter 9, Part 8, Western States Presidential Primary, for Utah's Western States Presidential Primary.
 - (d) The legislative body of a local political subdivision may only call a special election for a ballot proposition related to a bond, debt, leeway, levy, or tax on the first Tuesday after the first Monday in November.
 - (e) Nothing in this section prohibits:
 - (i) the governor or Legislature from submitting a matter to the voters at the regular general election if authorized by law; or
 - (ii) a local government from submitting a matter to the voters at the regular municipal election if authorized by law.
- (2)
- (a) Two or more entities shall comply with Subsection (2)(b) if those entities hold a special election within a county on the same day as:
 - (i) another special election;
 - (ii) a regular general election; or
 - (iii) a municipal general election.
 - (b) Entities described in Subsection (2)(a) shall, to the extent practicable, coordinate:
 - (i) polling places;
 - (ii) ballots;
 - (iii) election officials; and
 - (iv) other administrative and procedural matters connected with the election.