

**Effective 1/1/2015**

**Superseded 3/17/2016**

**20A-1-501 Candidate vacancies -- Procedure for filling.**

- (1) The state central committee of a political party, for candidates for United States senator, United States representative, governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for legislative candidates whose legislative districts encompass more than one county, and the county central committee of a political party, for all other party candidates seeking an office elected at a regular general election, may certify the name of another candidate to the appropriate election officer if:
  - (a) for a registered political party that will have a candidate on a ballot in a primary election, after the close of the period for filing a declaration of candidacy and continuing through the day before the day on which the lieutenant governor provides the list described in Subsection 20A-9-403(4)(a):
    - (i) only one or two candidates from that party have filed a declaration of candidacy for that office; and
    - (ii) one or both:
      - (A) dies;
      - (B) resigns because of acquiring a physical or mental disability, certified by a physician, that prevents the candidate from continuing the candidacy; or
      - (C) is disqualified by an election officer for improper filing or nominating procedures;
  - (b) for a registered political party that does not have a candidate on the ballot in a primary, but that will have a candidate on the ballot for a general election, after the close of the period for filing a declaration of candidacy and continuing through the day before the day on which the lieutenant governor makes the certification described in Section 20A-5-409, the party's candidate:
    - (i) dies;
    - (ii) resigns because of acquiring a physical or mental disability as certified by a physician;
    - (iii) is disqualified by an election officer for improper filing or nominating procedures; or
    - (iv) resigns to become a candidate for president or vice president of the United States; or
  - (c) for a registered political party with a candidate certified as winning a primary election, after the deadline described in Subsection (1)(a) and continuing through the day before that day on which the lieutenant governor makes the certification described in Section 20A-5-409, the party's candidate:
    - (i) dies;
    - (ii) resigns because of acquiring a physical or mental disability as certified by a physician;
    - (iii) is disqualified by an election officer for improper filing or nominating procedures; or
    - (iv) resigns to become a candidate for president or vice president of the United States.
- (2) If no more than two candidates from a political party have filed a declaration of candidacy for an office elected at a regular general election and one resigns to become the party candidate for another position, the state central committee of that political party, for candidates for governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for legislative candidates whose legislative districts encompass more than one county, and the county central committee of that political party, for all other party candidates, may certify the name of another candidate to the appropriate election officer.
- (3) Each replacement candidate shall file a declaration of candidacy as required by Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.
- (4)

- (a) The name of a candidate who is certified under Subsection (1)(a) after the deadline described in Subsection (1)(a) may not appear on the primary election ballot.
- (b) The name of a candidate who is certified under Subsection (1)(b) after the deadline described in Subsection (1)(b) may not appear on the general election ballot.
- (c) The name of a candidate who is certified under Subsection (1)(c) after the deadline described in Subsection (1)(c) may not appear on the general election ballot.