

**20A-8-401 Registered political parties -- Bylaws -- Report name of midterm vacancy candidate.**

- (1)
  - (a) Each registered state political party shall file a copy of its constitution and bylaws with the lieutenant governor by January 1, 1995.
  - (b) Each new or unregistered state political party that seeks to become a registered political party under the authority of this chapter shall file a copy of its proposed constitution and bylaws at the time it files its registration information.
  - (c) Each registered state political party shall file revised copies of its constitution or bylaws with the lieutenant governor within 15 days after the constitution or bylaws are adopted or amended.
- (2) Each state political party, each new political party seeking registration, and each unregistered political party seeking registration shall ensure that its constitution or bylaws contain:
  - (a) provisions establishing party organization, structure, membership, and governance that include:
    - (i) a description of the position, selection process, qualifications, duties, and terms of each party officer and committees defined by constitution and bylaws;
    - (ii) a provision requiring a designated party officer to serve as liaison with:
      - (A) the lieutenant governor on all matters relating to the political party's relationship with the state; and
      - (B) each county legislative body on matters relating to the political party's relationship with a county;
    - (iii) a description of the requirements for participation in party processes;
    - (iv) the dates, times, and quorum of any regularly scheduled party meetings, conventions, or other conclaves; and
    - (v) a mechanism for making the names of delegates, candidates, and elected party officers available to the public shortly after they are selected;
  - (b) a procedure for selecting party officers that allows active participation by party members;
  - (c) a procedure for selecting party candidates at the federal, state, and county levels that allows active participation by party members;
  - (d)
    - (i) a procedure for selecting electors who are pledged to cast their votes in the electoral college for the party's candidates for president and vice president of the United States; and
    - (ii) a procedure for filling vacancies in the office of presidential elector because of death, refusal to act, failure to attend, ineligibility, or any other cause;
  - (e) a procedure for filling vacancies in the office of representative or senator or a county office, as described in Section 20A-1-508, because of death, resignation, or ineligibility;
  - (f) a provision requiring the governor and lieutenant governor to run as a joint ticket;
  - (g) a procedure for replacing party candidates who die, acquire a disability that prevents the candidate from continuing the candidacy, or are disqualified before a primary or regular general election;
  - (h) provisions governing the deposit and expenditure of party funds, and governing the accounting for, reporting, and audit of party financial transactions;
  - (i) provisions governing access to party records;
  - (j) a procedure for amending the constitution or bylaws that allows active participation by party members or their representatives;
  - (k) a process for resolving grievances against the political party; and

- (l) if desired by the political party, a process for consulting with, and obtaining the opinion of, the political party's Utah Senate and Utah House members about:
  - (i) the performance of the two United States Senators from Utah, including specifically:
    - (A) their views and actions regarding the defense of state's rights and federalism; and
    - (B) their performance in representing Utah's interests;
  - (ii) the members' opinion about, or rating of, and support or opposition to the policy positions of any candidates for United States Senate from Utah, including incumbents, including specifically:
    - (A) their views and actions regarding the defense of state's rights and federalism; and
    - (B) their performance in representing Utah's interests; and
  - (iii) the members' collective or individual endorsement or rating of a particular candidate for United States Senate from Utah.
- (3) If, in accordance with a political party's constitution or bylaws, a person files a declaration or otherwise notifies the party of the person's candidacy as a legislative office candidate or state office candidate, as defined in Section 20A-11-101, to be appointed and fill a midterm vacancy in the office of representative or senator in the Legislature, as described in Section 20A-1-503, or in a state office as described in Section 20A-1-504, the party shall forward a copy of that declaration or notification to the lieutenant governor no later than 5 p.m. of the day following the day on which the party receives the declaration or notification.

Amended by Chapter 170, 2013 General Session