

**36-1-102 Election of senators -- Staggered terms.**

- (1) Unless otherwise provided by law, each senator elected from Senate Districts 2, 3, 5, 9, 11, 12, 15, 17, 18, 21, 22, and 26 at the 2010 General Election shall serve out the term of office for which he or she was elected and shall represent the realigned district if he or she resides in that district.
- (2) At the general election to be held in 2012, senators elected from Senate Districts 1, 6, 7, 8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29 shall be elected to serve a term of office of four years.
- (3)
  - (a) Because the senator from Senate District 28 was appointed to fill a mid-term vacancy that occurred more than two years before the next regular general election, Subsection 20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general election.
  - (b) Consequently:
    - (i) at the general election to be held in 2012, the senator elected from Senate District 28 shall be elected to serve a term of office of two years; and
    - (ii) at the general election to be held in 2014, the senator elected from Senate District 28 shall be elected to serve a term of office of four years.
- (4)
  - (a) If one of the incumbent senators from new Senate District 4 files written notice with the lieutenant governor by close of business on January 3, 2012, that the senator will not seek election to the Senate from that Senate District 4, that incumbent senator may serve until January 1, 2013, and the other incumbent senator from District 4 shall serve out the term for which the member was elected, which is until January 1, 2015.
  - (b)
    - (i) If one of the incumbent senators in Senate District 4 does not file the written notice authorized by Subsection (4)(a), the lieutenant governor shall designate Senate District 4 as an office to be filled in the 2012 regular general election in the notice of election required by Section 20A-5-101.
    - (ii) If the Subsection (4)(b)(i) contingency occurs:
      - (A) the senator elected from Senate District 4 at the 2012 regular general election shall be elected to serve a term of office of two years; and
      - (B) the senator elected from Senate District 4 at the 2014 regular general election shall be elected to serve a term of office of four years.

Amended by Chapter 7, 2011 Special Session 3

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