

FILLING MIDTERM VACANCIES IN THE LEGISLATURE

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: David Ure

AN ACT RELATING TO ELECTIONS; MODIFYING PROCEDURES FOR FILLING MIDTERM VACANCIES IN THE LEGISLATURE; AND MAKING TECHNICAL CORRECTIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

20A-1-503, as enacted by Chapter 1, Laws of Utah 1993

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **20A-1-503** is amended to read:

20A-1-503. Midterm vacancies in the Legislature.

(1) As used in this section, "central committee" means:

(a) the state central committee, when the legislative district encompasses more than one county; and

(b) the county central committee, when the legislative district is entirely within one county.

(2) When a vacancy occurs for any reason in the office of representative in the Legislature, the governor shall fill the vacancy by:

(a) appointing the person who meets the qualifications for the office whose name was submitted by the central committee of the same political party of the prior officeholder if the process used to nominate the replacement was the standard process used by that political party to select a candidate without a primary election;

(b) appointing a person who meets the qualifications for the office from two persons whose names were submitted by the central committee of the same political party of the prior officeholder if the process used to nominate those persons was the standard process used by that political party to select candidates for the primary election ballot; or

(c) appointing a person who meets the qualifications for the office from three persons

nominated by the central committee of the same political party as the prior officeholder.

(3) (a) When a vacancy occurs for any reason in the office of senator in the Legislature, it shall be filled for the unexpired term at the next regular general election.

(b) The governor shall fill the vacancy until the next regular general election by:

(i) appointing the person who meets the qualifications for the office whose name was submitted by the central committee of the same political party of the prior officeholder if the process used to select that person was the standard process used by that political party to nominate the replacement without a primary election;

(ii) appointing a person who meets the qualifications for the office from two persons whose names were submitted by the central committee of the same political party of the prior officeholder if the process used to nominate those persons was the standard process used by that political party to select candidates for the primary election ballot; or

(iii) appointing a person who meets the qualifications for the office from three persons nominated by the central committee of the same political party as the prior officeholder.