

28 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
29 candidacy to the lieutenant governor within one working day after it is filed.

30 (ii) Each day during the filing period, each county clerk shall notify the lieutenant governor
31 electronically or by telephone of legislative candidates who have filed in their office.

32 (d) [Each] Unless the person has complied with the requirements of Subsection (5), each
33 person seeking to become a candidate for elective office for any federal office or constitutional
34 office that is to be filled at the next regular general election shall:

35 (i) file a declaration of candidacy in person with the lieutenant governor between the
36 March 7 and before 5 p.m. on the March 17 before the next regular general election; and

37 (ii) pay the filing fee.

38 (e) Each person seeking the office of lieutenant governor, the office of district attorney,
39 or the office of President or Vice President of the United States shall comply with the specific
40 declaration of candidacy requirements established by this section.

41 (2) (a) [Each] Unless the person has complied with the requirements of Subsection (5),
42 each person intending to become a candidate for the office of district attorney within a multicounty
43 prosecution district that is to be filled at the next regular general election shall:

44 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
45 creating the prosecution district between the March 7 and before 5 p.m. on the March 17 before
46 the next regular general election; and

47 (ii) pay the filing fee.

48 (b) The designated clerk shall provide to the county clerk of each county in the prosecution
49 district a certified copy of each declaration of candidacy filed for the office of district attorney.

50 (3) (a) Within five working days of nomination, each lieutenant governor candidate shall:

51 (i) file a declaration of candidacy with the lieutenant governor; and

52 (ii) pay the filing fee.

53 (b) (i) Any candidate for lieutenant governor who fails to file within five working days is
54 disqualified.

55 (ii) If a lieutenant governor is disqualified, another candidate shall be nominated to replace
56 the disqualified candidate.

57 (4) Each registered political party shall:

58 (a) certify the names of its candidates for President and Vice President of the United States

59 to the lieutenant governor by August 30; or

60 (b) provide written authorization for the lieutenant governor to accept the certification of
61 candidates for President and Vice President of the United States from the national office of the
62 registered political party.

63 (5) (a) A person who is unable to file a declaration of candidacy during the time period
64 established in this section because the person will not be physically present in Utah during any of
65 the dates and hours when the lieutenant governor and county clerk are accepting declarations of
66 candidacy may file an early declaration of candidacy, in person, between February 20 and March
67 6 as provided in Subsection (5)(b).

68 (b) A person who meets the requirements of Subsection (5)(a) shall:

69 (i) file the declaration of candidacy and pay the filing fee as provided in this section;

70 (ii) comply with the other requirements for filing a declaration of candidacy required by
71 this section; and

72 (iii) sign an affidavit attesting to the fact that the person will be absent from Utah during
73 the dates and hours when the lieutenant governor and county clerk are accepting declarations of
74 candidacy.

75 ~~[(5)]~~ (6) (a) A declaration of candidacy filed under this section is valid unless a written
76 objection is filed with the clerk or lieutenant governor within five days after the last day for filing.

77 (b) If an objection is made, the clerk or lieutenant governor shall:

78 (i) mail or personally deliver notice of the objection to the affected candidate immediately;
79 and

80 (ii) decide any objection within 48 hours after it is filed.

81 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
82 problem by amending the declaration or petition within three days after the objection is sustained
83 or by filing a new declaration within three days after the objection is sustained.

84 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

85 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
86 by a district court if prompt application is made to the court.

87 (iii) The decision of the district court is final unless the Supreme Court, in the exercise of
88 its discretion, agrees to review the lower court decision.

89 ~~[(6)]~~ (7) Any person who filed a declaration of candidacy may withdraw as a candidate by

90 filing a written affidavit with the clerk.

Legislative Review Note
as of 2-24-00 6:30 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel