

1 **VOTER INFORMATION WEBSITE**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Wayne A. Harper**

5 Senate Sponsor: Michael G. Waddoups

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Election Code and the Lieutenant Governor Chapter by  
10 establishing the Statewide Electronic Voter Information Website Program administered  
11 by the lieutenant governor.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ establishes the Statewide Electronic Voter Information Website Program
- 15 administered by the lieutenant governor in cooperation with the county clerks;
- 16 ▶ requires the lieutenant governor to develop and implement a website that includes
- 17 all information currently provided in the voter information pamphlet and to include
- 18 information on local races, candidates, and ballot propositions;
- 19 ▶ requires local election officials to submit information to the lieutenant governor for
- 20 each ballot label under the election official's direct responsibility so the information
- 21 may be placed on the website;
- 22 ▶ provides certain deadlines for submitting the election information;
- 23 ▶ provides for the lieutenant governor's review of submitted information;
- 24 ▶ requires certain frequently asked voter questions and answers to be included on the
- 25 website;
- 26 ▶ provides a deadline for the website to be ready for use;
- 27 ▶ allows the expansion of the information to include other elections;



- 28           ▶ requires the filing clerk to inform qualified candidates of the program;
- 29           ▶ amends the duties of the lieutenant governor to provide election information to the
- 30 public by providing it on the Internet; and
- 31           ▶ makes technical changes.

32 **Monies Appropriated in this Bill:**

33           None

34 **Other Special Clauses:**

35           None

36 **Utah Code Sections Affected:**

37 AMENDS:

38           **20A-9-201**, as last amended by Chapter 226, Laws of Utah 2006

39           **20A-9-203**, as last amended by Chapters 28 and 226, Laws of Utah 2006

40           **67-1a-2**, as last amended by Chapter 5, Laws of Utah 2005, First Special Session

41 ENACTS:

42           **20A-7-801**, Utah Code Annotated 1953



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

45           Section 1. Section **20A-7-801** is enacted to read:

46           **20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of**  
47 **the lieutenant governor -- Content -- Duties of local election officials -- Deadlines --**  
48 **Frequently asked voter questions -- Other elections.**

49           (1) There is established the Statewide Electronic Voter Information Website Program  
50 administered by the lieutenant governor in cooperation with the county clerks for general  
51 elections and municipal authorities for municipal elections.

52           (2) In accordance with this section, and as resources become available, the lieutenant  
53 governor, in cooperation with county clerks, shall develop, establish, and maintain a  
54 state-provided Internet website designed to help inform the voters of the state of:

55           (a) the offices and candidates up for election; and

56           (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments  
57 of ballot propositions submitted to the voters.

58           (3) Except as provided under Subsection (6), the website shall include:

59 (a) all information currently provided in the Utah voter information pamphlet under  
60 Title 20A, Chapter 7, Voter Information Pamphlet, including a section prepared, analyzed, and  
61 submitted by the Judicial Council describing the judicial selection and retention process;

62 (b) all information submitted by election officers under Subsection (4) on local office  
63 racers, local office candidates, and local ballot propositions; and

64 (c) other information determined appropriate by the lieutenant governor that is  
65 currently being provided by law, rule, or ordinance in relation to candidates and ballot  
66 questions.

67 (4) (a) An election official shall submit the following information for each ballot label  
68 under the election official's direct responsibility under this title:

69 (i) a list of all candidates for each office;

70 (ii) if submitted by the candidate to the election official's office on or before August 20  
71 at 5 p.m.:

72 (A) a statement of qualifications, not exceeding 200 words in length, for each  
73 candidate;

74 (B) the following biographical information if desired by the candidate, current:

75 (I) age;

76 (II) occupation;

77 (III) city of residence;

78 (IV) years of residence in current city; and

79 (V) email address; and

80 (C) a single web address where voters may access more information about the  
81 candidate and the candidate's views; and

82 (iii) factual information pertaining to all ballot propositions submitted to the voters,  
83 including:

84 (A) a copy of the number and ballot title of each ballot proposition;

85 (B) the final vote cast for each ballot proposition, if any, by a legislative body if the  
86 vote was required to place the ballot proposition on the ballot;

87 (C) a complete copy of the text of each ballot proposition, with all new language  
88 underlined and all deleted language placed within brackets; and

89 (D) other factual information determined helpful by the election official.

90 (b) The information under Subsection (4)(a) shall be submitted to the lieutenant  
91 governor no later than one business day after the deadline under Subsection (4)(a) for each  
92 general election year and each municipal election year.

93 (c) The lieutenant governor shall:

94 (i) review the information submitted under this section prior to placing it on the  
95 website to determine compliance under this section;

96 (ii) refuse to post information submitted under this section on the website if it is not in  
97 compliance with the provisions of this section; and

98 (iii) organize, format, and arrange the information submitted under this section for the  
99 website.

100 (d) The lieutenant governor may refuse to include information the lieutenant governor  
101 determines is not in keeping with:

102 (i) Utah voter needs;

103 (ii) public decency; or

104 (iii) the purposes, organization, or uniformity of the website.

105 (e) A refusal under Subsection (4)(d) is subject to appeal in accordance with  
106 Subsection (5).

107 (5) (a) A person whose information is refused under Subsection (4), and who is  
108 aggrieved by the determination, may appeal by submitting a written notice of appeal to the  
109 lieutenant governor within ten business days after the date of the determination. A notice of  
110 appeal submitted under this Subsection (5)(a) shall contain:

111 (i) a listing of each objection to the lieutenant governor's determination; and

112 (ii) the basis for each objection.

113 (b) The lieutenant governor shall review the notice of appeal and shall issue a written  
114 response within ten business days after the notice of appeal is submitted.

115 (c) An appeal of the response of the lieutenant governor shall be made to the district  
116 court, which shall review the matter de novo.

117 (6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently  
118 enter the voter's address information on the website to retrieve information on which offices,  
119 candidates, and ballot propositions will be on the voter's ballot at the next general election or  
120 municipal election.

121 (b) The information on the website will anticipate and answer frequent voter questions  
122 including the following:

123 (i) what offices are up in the current year for which the voter may cast a vote;

124 (ii) who is running for what office and who is the incumbent, if any;

125 (iii) what address each candidate may be reached at and how the candidate may be  
126 contacted;

127 (iv) for partisan races only, what, if any, is each candidate's party affiliation;

128 (v) what qualifications have been submitted by each candidate;

129 (vi) where additional information on each candidate may be obtained;

130 (vii) what ballot propositions will be on the ballot; and

131 (viii) what judges are up for retention election.

132 (7) By not later than March 1, 2008, the lieutenant governor shall have the Statewide  
133 Electronic Voter Information Website Program ready for use in the next election in accordance  
134 with this section.

135 (8) As resources are made available and in cooperation with the county clerks, the  
136 lieutenant governor may expand the electronic voter information website program to include  
137 the same information as provided under this section for special elections and primary elections.

138 Section 2. Section **20A-9-201** is amended to read:

139 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**  
140 **more than one political party prohibited with exceptions -- General filing and form**  
141 **requirements.**

142 (1) Before filing a declaration of candidacy for election to any office, a person shall:

143 (a) be a United States citizen; and

144 (b) meet the legal requirements of that office.

145 (2) (a) Except as provided in Subsection (2)(b), a person may not:

146 (i) file a declaration of candidacy for, or be a candidate for, more than one office in  
147 Utah during any election year; or

148 (ii) appear on the ballot as the candidate of more than one political party.

149 (b) A person may file a declaration of candidacy for, or be a candidate for, President or  
150 Vice President of the United States and another office, if the person resigns the person's  
151 candidacy for the other office after the person is officially nominated for President or Vice

152 President of the United States.

153 (3) If the final date established for filing a declaration of candidacy is a Saturday or  
154 Sunday, the filing time shall be extended until 5 p.m. on the following business day.

155 (4) (a) (i) Except for presidential candidates, before the filing officer may accept any  
156 declaration of candidacy, the filing officer shall:

157 (A) read to the prospective candidate the constitutional and statutory qualification  
158 requirements for the office that the candidate is seeking; and

159 (B) require the candidate to state whether or not the candidate meets those  
160 requirements.

161 (ii) Before accepting a declaration of candidacy for the office of county attorney, the  
162 county clerk shall ensure that the person filing that declaration of candidacy is:

163 (A) a United States citizen;

164 (B) an attorney licensed to practice law in Utah who is an active member in good  
165 standing of the Utah State Bar;

166 (C) a registered voter in the county in which he is seeking office; and

167 (D) a current resident of the county in which he is seeking office and either has been a  
168 resident of that county for at least one year or was appointed and is currently serving as county  
169 attorney and became a resident of the county within 30 days after appointment to the office.

170 (iii) Before accepting a declaration of candidacy for the office of district attorney, the  
171 county clerk shall ensure that, as of the date of the election, the person filing that declaration of  
172 candidacy is:

173 (A) a United States citizen;

174 (B) an attorney licensed to practice law in Utah who is an active member in good  
175 standing of the Utah State Bar;

176 (C) a registered voter in the prosecution district in which he is seeking office; and

177 (D) a current resident of the prosecution district in which he is seeking office and either  
178 will have been a resident of that prosecution district for at least one year as of the date of the  
179 election or was appointed and is currently serving as district attorney and became a resident of  
180 the prosecution district within 30 days after receiving appointment to the office.

181 (iv) Before accepting a declaration of candidacy for the office of county sheriff, the  
182 county clerk shall ensure that the person filing the declaration of candidacy:

183 (A) as of the date of filing:  
184 (I) is a United States citizen;  
185 (II) is a registered voter in the county in which the person seeks office;  
186 (III) (Aa) has successfully met the standards and training requirements established for  
187 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
188 Certification Act; or

189 (Bb) has passed a certification examination as provided in Section 53-6-206; and  
190 (IV) is qualified to be certified as a law enforcement officer, as defined in Section  
191 53-13-103; and

192 (B) as of the date of the election, shall have been a resident of the county in which the  
193 person seeks office for at least one year.

194 (b) If the prospective candidate states that he does not meet the qualification  
195 requirements for the office, the filing officer may not accept the prospective candidate's  
196 declaration of candidacy.

197 (c) If the candidate states that he meets the requirements of candidacy, the filing officer  
198 shall:

199 (i) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide  
200 Electronic Voter Information Website Program and inform the candidate of the submission  
201 deadline under Subsection 20A-7-801(4)(a);

202 [~~(i)~~] (ii) provide the candidate with a copy of the pledge of fair campaign practices  
203 described under Section 20A-9-206 and inform the candidate that:

204 (A) signing the pledge is voluntary; and

205 (B) signed pledges shall be filed with the filing officer;

206 [~~(ii)~~] (iii) accept the candidate's declaration of candidacy; and

207 [~~(iii)~~] (iv) if the candidate has filed for a partisan office, provide a certified copy of the  
208 declaration of candidacy to the chair of the county or state political party of which the  
209 candidate is a member.

210 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing  
211 officer shall:

212 (i) accept the candidate's pledge; and

213 (ii) if the candidate has filed for a partisan office, provide a certified copy of the

214 candidate's pledge to the chair of the county or state political party of which the candidate is a  
215 member.

216 (5) Except for presidential candidates, the form of the declaration of candidacy shall be  
217 substantially as follows:

218 "State of Utah, County of \_\_\_\_

219 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of  
220 \_\_\_\_ as a candidate for the \_\_\_\_ party. I do solemnly swear that: I can qualify to hold that  
221 office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City or  
222 Town of \_\_\_\_, Utah, Zip Code \_\_\_\_ Phone No. \_\_\_\_; I will not knowingly violate any law  
223 governing campaigns and elections; and I will qualify for the office if elected to it. The  
224 mailing address that I designate for receiving official election notices is  
225 \_\_\_\_\_.

226 \_\_\_\_\_

227 Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

228 Notary Public (or other officer qualified to administer oath.)"

229 (6) (a) Except for presidential candidates, the fee for filing a declaration of candidacy  
230 is:

231 (i) \$25 for candidates for the local school district board; and

232 (ii) 1/8 of 1% of the total salary for the full term of office legally paid to the person  
233 holding the office, but not less than \$5, for all other federal, state, and county offices.

234 (b) Except for presidential candidates, the filing officer shall refund the filing fee to  
235 any candidate:

236 (i) who is disqualified; or

237 (ii) who the filing officer determines has filed improperly.

238 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received  
239 from candidates.

240 (ii) The lieutenant governor shall:

241 (A) apportion to and pay to the county treasurers of the various counties all fees  
242 received for filing of nomination certificates or acceptances; and

243 (B) ensure that each county receives that proportion of the total amount paid to the  
244 lieutenant governor from the congressional district that the total vote of that county for all

245 candidates for representative in Congress bears to the total vote of all counties within the  
246 congressional district for all candidates for representative in Congress.

247 (d) (i) Each person who is unable to pay the filing fee may file a declaration of  
248 candidacy without payment upon a prima facie showing of impecuniosity as evidenced by an  
249 affidavit of impecuniosity filed with the filing officer.

250 (ii) The filing officer shall ensure that the affidavit of impecuniosity is printed in  
251 substantially the following form:

252 "Affidavit of Impecuniosity

253 Individual Name

254 \_\_\_\_\_ Address \_\_\_\_\_

255 Phone Number \_\_\_\_\_

256 I, \_\_\_\_\_ (name), do solemnly [swear] [affirm] that, owing to my  
257 poverty, I am unable to pay the filing fee required by law.

258 Date \_\_\_\_\_ Signature \_\_\_\_\_

259 Affiant

260 Subscribed and sworn to before me on \_\_\_\_\_ (month\day\year)

261 \_\_\_\_\_  
262 (signature)

263 Name and Title of Officer Authorized to Administer Oath \_\_\_\_\_"

264 (7) Any person who fails to file a declaration of candidacy or certificate of nomination  
265 within the time provided in this chapter is ineligible for nomination to office.

266 Section 3. Section **20A-9-203** is amended to read:

267 **20A-9-203. Declarations of candidacy -- Municipal general elections.**

268 (1) (a) A person may become a candidate for any municipal office if the person is a  
269 registered voter and:

270 (i) the person has resided within the municipality in which that person seeks to hold  
271 elective office for the 12 consecutive months immediately before the date of the election; or

272 (ii) if the territory in which the person resides was annexed into the municipality, the  
273 person has resided within the annexed territory or the municipality for 12 months.

274 (b) In addition to the requirements of Subsection (1)(a), candidates for a municipal  
275 council position under the council-mayor or council-manager alternative forms of municipal

276 government shall, if elected from districts, be residents of the council district from which they  
277 are elected.

278 (c) In accordance with Utah Constitution Article IV, Section 6, any mentally  
279 incompetent person, any person convicted of a felony, or any person convicted of treason or a  
280 crime against the elective franchise may not hold office in this state until the right to hold  
281 elective office is restored under Section 20A-2-101.5.

282 (2) (a) Except as provided in Subsection (2)(b) or (2)(c), each person seeking to  
283 become a candidate for a municipal office shall file a declaration of candidacy in person with  
284 the city recorder or town clerk during office hours and not later than 5 p.m. between July 15  
285 and August 15 of any odd numbered year and pay the filing fee, if one is required by municipal  
286 ordinance.

287 (b) (i) As used in this Subsection (2)(b), "registered voters" means the number of  
288 persons registered to vote in the municipality on the January 1 of the municipal election year.

289 (ii) A third, fourth, or fifth class city that used the convention system to nominate  
290 candidates in the last municipal election as authorized by Subsection 20A-9-404(3) or used the  
291 process contained in this Subsection (2)(b) in the last municipal election or a town that used the  
292 convention system to nominate candidates in the last municipal election as authorized by  
293 Subsection 20A-9-404(3) or used the process contained in this Subsection (2)(b) in the last  
294 municipal election may, by ordinance, require, in lieu of the convention system, that candidates  
295 for municipal office file a nominating petition signed by a percentage of registered voters at the  
296 same time that the candidate files a declaration of candidacy.

297 (iii) The ordinance shall specify the number of signatures that the candidate must  
298 obtain on the nominating petition in order to become a candidate for municipal office under  
299 this Subsection (2), but that number may not exceed 5% of registered voters.

300 (c) Any resident of a municipality may nominate a candidate for a municipal office by  
301 filing a nomination petition with the city recorder or town clerk during office hours but not  
302 later than 5 p.m. between July 15 and August 15 of any odd numbered year and pay the filing  
303 fee, if one is required by municipal ordinance.

304 (d) When August 15 is a Saturday or Sunday, the filing time shall be extended until 5  
305 p.m. on the following Monday.

306 (3) (a) Before the filing officer may accept any declaration of candidacy or nomination

307 petition, the filing officer shall:

308 (i) read to the prospective candidate or person filing the petition the constitutional and  
309 statutory qualification requirements for the office that the candidate is seeking; and

310 (ii) require the candidate or person filing the petition to state whether or not the  
311 candidate meets those requirements.

312 (b) If the prospective candidate does not meet the qualification requirements for the  
313 office, the filing officer may not accept the declaration of candidacy or nomination petition.

314 (c) If it appears that the prospective candidate meets the requirements of candidacy, the  
315 filing officer shall:

316 (i) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide  
317 Electronic Voter Information Website Program and inform the candidate of the submission  
318 deadline under Subsection 20A-7-801(4)(a);

319 [(†)] (ii) provide the candidate with a copy of the pledge of fair campaign practices  
320 described under Section 20A-9-206 and inform the candidate that:

321 (A) signing the pledge is voluntary; and

322 (B) signed pledges shall be filed with the filing officer; and

323 [(†)] (iii) accept the declaration of candidacy or nomination petition.

324 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing  
325 officer shall:

326 (i) accept the candidate's pledge; and

327 (ii) if the candidate has filed for a partisan office, provide a certified copy of the  
328 candidate's pledge to the chair of the county or state political party of which the candidate is a  
329 member.

330 (4) The declaration of candidacy shall substantially comply with the following form:

331 "I, (print name) \_\_\_\_, being first sworn, say that I reside at \_\_\_\_ Street, City of \_\_\_\_,  
332 County of \_\_\_\_, state of Utah, Zip Code \_\_\_\_, Telephone Number (if any) \_\_\_\_; that I am a  
333 registered voter; and that I am a candidate for the office of \_\_\_\_ (stating the term). I request  
334 that my name be printed upon the applicable official ballots. (Signed) \_\_\_\_\_

335 Subscribed and sworn to (or affirmed) before me by \_\_\_\_ on this  
336 \_\_\_\_\_(month\day\year).

337 (Signed) \_\_\_\_\_ (Clerk or other officer qualified to administer oath)"

338 (5) (a) In all first and second class cities, and in third, fourth, or fifth class cities that  
339 have not passed the ordinance authorized by Subsection (2)(b) and in towns that have not  
340 passed the ordinance authorized by Subsection (2)(b), any registered voter may be nominated  
341 for municipal office by submitting a petition signed by:

- 342 (i) 25 residents of the municipality who are at least 18 years old; or
- 343 (ii) 20% of the residents of the municipality who are at least 18 years old.

344 (b) (i) The petition shall substantially conform to the following form:

345 "NOMINATION PETITION

346 The undersigned residents of (name of municipality) being 18 years old or older  
347 nominate (name of nominee) to the office of \_\_\_\_ for the (two or four-year term, whichever is  
348 applicable)."

349 (ii) The remainder of the petition shall contain lines and columns for the signatures of  
350 persons signing the petition and their addresses and telephone numbers.

351 (6) (a) In third, fourth, and fifth class cities that have passed the ordinance authorized  
352 by Subsection (2)(b), and in towns that have passed the ordinance authorized by Subsection  
353 (2)(b), any registered voter may be nominated for municipal office by submitting a petition  
354 signed by the same percentage of registered voters in the municipality as required by the  
355 ordinance passed under authority of Subsection (2)(b).

356 (b) (i) The petition shall substantially conform to the following form:

357 "NOMINATION PETITION

358 The undersigned residents of (name of municipality) being 18 years old or older  
359 nominate (name of nominee) to the office of (name of office) for the (two or four-year term,  
360 whichever is applicable)."

361 (ii) The remainder of the petition shall contain lines and columns for the signatures of  
362 persons signing the petition and their addresses and telephone numbers.

363 (7) If the declaration of candidacy or nomination petition fails to state whether the  
364 nomination is for the two or four-year term, the clerk shall consider the nomination to be for  
365 the four-year term.

366 (8) (a) The clerk shall verify with the county clerk that all candidates are registered  
367 voters.

368 (b) Any candidate who is not registered to vote is disqualified and the clerk may not

369 print the candidate's name on the ballot.

370 (9) Immediately after expiration of the period for filing a declaration of candidacy, the  
371 clerk shall:

372 (a) cause the names of the candidates as they will appear on the ballot to be published  
373 in at least two successive publications of a newspaper with general circulation in the  
374 municipality; and

375 (b) notify the lieutenant governor of the names of the candidates as they will appear on  
376 the ballot.

377 (10) (a) A declaration of candidacy or nomination petition filed under this section is  
378 valid unless a written objection is filed with the clerk within five days after the last day for  
379 filing.

380 (b) If an objection is made, the clerk shall:

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

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

384 (c) If the clerk sustains the objection, the candidate may correct the problem by  
385 amending the declaration or petition within three days after the objection is sustained or by  
386 filing a new declaration within three days after the objection is sustained.

387 (d) (i) The clerk's decision upon objections to form is final.

388 (ii) The clerk's decision upon substantive matters is reviewable by a district court if  
389 prompt application is made to the district court.

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

392 (11) Any person who filed a declaration of candidacy and was nominated, and any  
393 person who was nominated by a nomination petition, may, any time up to 23 days before the  
394 election, withdraw the nomination by filing a written affidavit with the clerk.

395 Section 4. Section **67-1a-2** is amended to read:

396 **67-1a-2. Duties enumerated.**

397 (1) The lieutenant governor shall:

398 (a) perform duties delegated by the governor, including assignments to serve in any of  
399 the following capacities:

400 (i) as the head of any one department, if so qualified, with the consent of the Senate,  
401 and, upon appointment at the pleasure of the governor and without additional compensation;

402 (ii) as the chairperson of any cabinet group organized by the governor or authorized by  
403 law for the purpose of advising the governor or coordinating intergovernmental or  
404 interdepartmental policies or programs;

405 (iii) as liaison between the governor and the state Legislature to coordinate and  
406 facilitate the governor's programs and budget requests;

407 (iv) as liaison between the governor and other officials of local, state, federal, and  
408 international governments or any other political entities to coordinate, facilitate, and protect the  
409 interests of the state;

410 (v) as personal advisor to the governor, including advice on policies, programs,  
411 administrative and personnel matters, and fiscal or budgetary matters; and

412 (vi) as chairperson or member of any temporary or permanent boards, councils,  
413 commissions, committees, task forces, or other group appointed by the governor;

414 (b) serve on all boards and commissions in lieu of the governor, whenever so  
415 designated by the governor;

416 (c) serve as the chief election officer of the state as required by Subsection (2);

417 (d) keep custody of the Great Seal of Utah;

418 (e) keep a register of, and attest, the official acts of the governor;

419 (f) affix the Great Seal, with an attestation, to all official documents and instruments to  
420 which the official signature of the governor is required; and

421 (g) furnish a certified copy of all or any part of any law, record, or other instrument  
422 filed, deposited, or recorded in the office of the lieutenant governor to any person who requests  
423 it and pays the fee.

424 (2) (a) As the chief election officer, the lieutenant governor shall:

425 (i) exercise general supervisory authority over all elections;

426 (ii) exercise direct authority over the conduct of elections for federal, state, and  
427 multicounty officers and statewide or multicounty ballot propositions and any recounts  
428 involving those races;

429 (iii) assist county clerks in unifying the election ballot;

430 (iv) (A) prepare election information for the public [~~and~~] as required by statute and as

431 determined appropriate by the lieutenant governor;

432 (B) make [~~that~~] the information under Subsection (2)(a)(iv)(A) available to the public  
433 and to news media on the Internet and in other forms as required by statute or as determined  
434 appropriate by the lieutenant governor;

435 (v) receive and answer election questions and maintain an election file on opinions  
436 received from the attorney general;

437 (vi) maintain election returns and statistics;

438 (vii) certify to the governor the names of those persons who have received the highest  
439 number of votes for any office;

440 (viii) ensure that all voting equipment purchased by the state complies with the  
441 requirements of Subsection 20A-5-302(2) and Sections 20A-5-402.5 and 20A-5-402.7; and

442 (ix) perform other election duties as provided in Title 20A, Election Code.

443 (b) As chief election officer, the lieutenant governor may not assume the  
444 responsibilities assigned to the county clerks, city recorders, town clerks, or other local election  
445 officials by Title 20A, Election Code.

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**Legislative Review Note**  
as of 11-22-06 8:00 AM

**Office of Legislative Research and General Counsel**

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**H.B. 223 - Voter Information Website**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

It is estimated that the Governor will require one-time General Funds of \$31,300 in FY 2008 for website construction and ongoing funds of \$7,500 beginning FY 2009 for annual maintenance.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund	\$0	\$0	\$7,500	\$0	\$0	\$0
General Fund, One-Time	\$0	\$31,300	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$31,300</b>	<b>\$7,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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