

ELECTION MODIFICATIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

Senate Sponsor: _____

LONG TITLE

Committee Note:

The Government Operations Interim Committee recommended this bill.

Legislative Vote: 8 voting for 4 voting against 2 absent

General Description:

This bill modifies provisions of the Election Code.

Highlighted Provisions:

This bill:

- ▶ authorizes an election officer to receive a voter registration form;
- ▶ for a voter that changes party affiliation or becomes unaffiliated from a political party, modifies the day the voter can vote in a regular primary or presidential primary election;
- ▶ establishes consistent deadlines for various election-related notices;
- ▶ modifies the frequency of the lieutenant governor's audit report of the voter registration database;
- ▶ modifies the requirements for a printed ballot for municipal primary elections;
- ▶ eliminates the requirement to include a ballot proposition insert with an official ballot if the information appearing on the insert is printed on the ballot;
- ▶ defines the term "filing officer" to include a state school board;
- ▶ specifies the time the filing period begins for a declaration of candidacy;
- ▶ requires a filing officer to notify a candidate if the candidate fails to make a



28 conflict-of-interest disclosure; and
29 ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 AMENDS:

- 36 **20A-2-102.5**, as last amended by Laws of Utah 2020, Chapter 31
- 37 **20A-2-107**, as last amended by Laws of Utah 2022, Chapter 170
- 38 **20A-2-107.5**, as last amended by Laws of Utah 2021, Chapter 430
- 39 **20A-3a-604**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15
- 40 **20A-4-104**, as last amended by Laws of Utah 2022, Chapter 380
- 41 **20A-5-101**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15
- 42 **20A-5-403.5**, as last amended by Laws of Utah 2022, Chapter 156
- 43 **20A-5-405**, as last amended by Laws of Utah 2022, Chapter 170
- 44 **20A-5-901**, as enacted by Laws of Utah 2022, Chapter 156
- 45 **20A-6-401**, as last amended by Laws of Utah 2020, Chapter 31
- 46 **20A-7-209**, as last amended by Laws of Utah 2022, Chapter 251
- 47 **20A-7-210**, as last amended by Laws of Utah 2019, Chapter 275
- 48 **20A-7-308**, as last amended by Laws of Utah 2022, Chapter 251
- 49 **20A-7-508**, as last amended by Laws of Utah 2022, Chapter 251
- 50 **20A-7-608**, as last amended by Laws of Utah 2022, Chapter 251
- 51 **20A-9-101**, as last amended by Laws of Utah 2022, Chapters 13, 325
- 52 **20A-9-201.5**, as enacted by Laws of Utah 2022, Chapter 13
- 53 **20A-11-1603**, as last amended by Laws of Utah 2021, Chapter 20



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

56 Section 1. Section **20A-2-102.5** is amended to read:

57 **20A-2-102.5. Voter registration deadline.**

58 (1) Except as otherwise provided in Chapter 16, Uniform Military and Overseas Voters

59 Act, an individual who fails to timely submit a correctly completed voter registration form may
60 not vote in the election.

61 (2) The voter registration deadline is as follows:

62 (a) the voter registration must be received by the [~~county clerk~~] election officer no later
63 than 5 p.m. 11 calendar days before the date of the election, if the individual registers to vote:

64 (i) at the office of the county clerk, in accordance with Section 20A-2-201;

65 (ii) by mail, in accordance with Section 20A-2-202;

66 (iii) via an application for a driver license, in accordance with Section 20A-2-204;

67 (iv) via a public assistance agency or a discretionary voter registration agency, in
68 accordance with Section 20A-2-205; or

69 (v) via electronic registration, in accordance with Section 20A-2-206;

70 (b) before the polls close on the last day of early voting, described in Section
71 20A-3a-601, if the individual registers by casting a provisional ballot at an early voting
72 location in accordance with Section 20A-2-207; or

73 (c) before polls close on the date of the election, if the individual registers to vote on
74 the date of the election by casting a provisional ballot, in accordance with Section 20A-2-207.

75 Section 2. Section 20A-2-107 is amended to read:

76 **20A-2-107. Designating or changing party affiliation -- Times permitted.**

77 (1) The county clerk shall:

78 (a) except as provided in Subsection (3) or [~~20A-2-107.5(1)(c)~~] 20A-2-107.5(1)(b),
79 record the party affiliation designated by the voter on the voter registration form as the voter's
80 party affiliation; or

81 (b) if no political party affiliation is designated by the voter on the voter registration
82 form:

83 (i) except as provided in Subsection (1)(b)(ii), record the voter's party affiliation as the
84 party that the voter designated the last time that the voter designated a party on a voter
85 registration form, unless the voter more recently registered as "unaffiliated"; or

86 (ii) record the voter's party affiliation as "unaffiliated" if the voter:

87 (A) did not previously designate a party;

88 (B) most recently designated the voter's party affiliation as "unaffiliated"; or

89 (C) did not previously register.

90 (2) (a) Any registered voter may designate or change the voter's political party
91 affiliation by complying with the procedures and requirements of this Subsection (2).

92 (b) A registered voter may designate or change the voter's political party affiliation by
93 filing a signed form with the county clerk that identifies the registered political party with
94 which the voter chooses to affiliate.

95 (c) Except as provided in Subsection (2)(d), a signed form designating or changing a
96 voter's political party affiliation takes effect when the county clerk receives the signed form.

97 (d) In an even-numbered year, a form described in Subsection (2)(c) received by the
98 county clerk after March 31 takes effect on the day after the statewide canvass for that year's
99 regular primary election if the form changes a registered voter's affiliation with one political
100 party to affiliate with another political party.

101 (e) Any part of a form described in Subsection (2)(d), other than the voter's designation
102 or change of political party affiliation, takes effect when the county clerk receives the signed
103 form.

104 (f) For purposes of Subsection (2)(d), a signed form described in Subsection (2)(c) is
105 received by the county clerk on or before March 31 if:

106 (i) the individual submits the form in person at the county clerk's office no later than 5
107 p.m. on the last business day before April 1;

108 (ii) the individual submits the form electronically through the system described in
109 Section [20A-2-206](#), at or before 11:59 p.m. on March 31; or

110 (iii) the individual's form is clearly postmarked on or before March 31.

111 (g) Subsection (2)(d) does not apply to the party affiliation designated by a voter on the
112 voter registration form if:

113 (i) the voter has not previously been registered to vote in the state; or

114 (ii) the voter's most recent party affiliation was changed to "unaffiliated" by a county
115 clerk under Subsection (3).

116 (3) If the most recent party affiliation designated by a voter is for a political party that
117 is no longer a registered political party, the county clerk shall:

118 (a) change the voter's party affiliation to "unaffiliated"; and

119 (b) notify the voter electronically or by mail:

120 (i) that the voter's affiliation has been changed to "unaffiliated" because the most recent

121 party affiliation designated by the voter is for a political party that is no longer a registered
122 political party; and

123 (ii) of the methods and deadlines for changing the voter's party affiliation.

124 Section 3. Section **20A-2-107.5** is amended to read:

125 **20A-2-107.5. Designating or changing party affiliation -- Regular primary**
126 **election and presidential primary election.**

127 (1) At any regular primary election or presidential primary election:

128 [~~(a) each county clerk shall provide change of party affiliation forms to the poll~~
129 ~~workers for each voting precinct within the county;~~]

130 [~~(b) except as provided in Subsection (1)(c), a registered voter who is classified as~~
131 ~~"unaffiliated" may affiliate with a political party by completing the form and giving it to the~~
132 ~~poll worker; and]~~

133 [~~(c) for an unaffiliated voter who was affiliated with a political party at any time~~
134 ~~between April 1 and the date of the regular primary election, a form described in Subsection~~
135 ~~(1)(a) takes effect on the day after the regular primary election.];~~

136 (a) a registered voter who is classified as "unaffiliated" may affiliate with a political
137 party by completing a change of party affiliation form or voter registration form and submitting
138 the form to the county clerk or a poll worker; and

139 (b) the party affiliation of a voter who changes party affiliation, or who becomes
140 unaffiliated from a political party, at any time between April 1 and the date of the regular
141 primary election, takes effect on the day after the statewide canvass for the regular primary
142 election.

143 (2) An unaffiliated voter who affiliates with a political party [~~as provided in]~~ under
144 Subsection [(1)(b)] (1)(a) may vote in that party's primary election.

145 Section 4. Section **20A-3a-604** is amended to read:

146 **20A-3a-604. Notice of time and place of early voting.**

147 (1) Except as provided in Section **20A-1-308** or Subsection **20A-3a-603(2)**, the
148 election officer shall, at least [~~19~~] 28 days before the date of the election, provide notice of the
149 dates, times, and locations of early voting:

150 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
151 the county;

152 (ii) by posting one notice, and at least one additional notice per 2,000 population of the
153 county, in places within the county that are most likely to give notice to the residents in the
154 county, subject to a maximum of 10 notices; or

155 (iii) by mailing notice to each registered voter in the county;

156 (b) by posting notice at each early voting polling place;

157 (c) by posting notice on the Utah Public Notice Website, created in Section
158 63A-16-601, for ~~[19]~~ 28 days before the day of the election; and

159 (d) by posting notice on the county's website for ~~[19]~~ 28 days before the day of the
160 election.

161 (2) Instead of specifying all dates, times, and locations of early voting, a notice
162 required under Subsection (1) may specify the following sources where a voter may view or
163 obtain a copy of all dates, times, and locations of early voting:

164 (a) the county's website;

165 (b) the physical address of the county's offices; and

166 (c) a mailing address and telephone number.

167 (3) The election officer shall include in the notice described in Subsection (1):

168 (a) the address of the Statewide Electronic Voter Information Website and, if available,
169 the address of the election officer's website, with a statement indicating that the election officer
170 will post on the website the location of each early voting polling place, including any changes
171 to the location of an early voting polling place and the location of additional early voting
172 polling places; and

173 (b) a phone number that a voter may call to obtain information regarding the location
174 of an early voting polling place.

175 Section 5. Section **20A-4-104** is amended to read:

176 **20A-4-104. Counting ballots electronically.**

177 (1) (a) Before beginning to count ballots using automatic tabulating equipment, the
178 election officer shall test the automatic tabulating equipment to ensure that it will accurately
179 count the votes cast for all offices and all measures.

180 (b) The election officer shall provide public notice of the time and place of the test:

181 (i) (A) by publishing notice at least ~~[48 hours]~~ 10 days before the test in a newspaper of
182 general circulation in the county, municipality, or jurisdiction where the equipment is used;

183 (B) at least 10 days before the day of the test, by posting one notice, and at least one
184 additional notice per 2,000 population of the county, municipality, or jurisdiction, in places
185 within the county, municipality, or jurisdiction that are most likely to give notice to the voters
186 in the county, municipality, or jurisdiction, subject to a maximum of 10 notices; or

187 (C) at least 10 days before the day of the test, by mailing notice to each registered voter
188 in the county, municipality, or jurisdiction where the equipment is used;

189 (ii) by posting notice on the Utah Public Notice Website, created in Section
190 [63A-16-601](#), for four weeks before the day of the test; and

191 (iii) if the county, municipality, or jurisdiction has a website, by posting notice on the
192 website for four weeks before the day of the test.

193 (c) The election officer shall conduct the test by processing a preaudited group of
194 ballots.

195 (d) The election officer shall ensure that:

196 (i) a predetermined number of valid votes for each candidate and measure are recorded
197 on the ballots;

198 (ii) for each office, one or more ballots have votes in excess of the number allowed by
199 law in order to test the ability of the automatic tabulating equipment to reject those votes; and

200 (iii) a different number of valid votes are assigned to each candidate for an office, and
201 for and against each measure.

202 (e) If any error is detected, the election officer shall determine the cause of the error
203 and correct it.

204 (f) The election officer shall ensure that:

205 (i) the automatic tabulating equipment produces an errorless count before beginning
206 the actual counting; and

207 (ii) the automatic tabulating equipment passes the same test at the end of the count
208 before the election returns are approved as official.

209 (2) (a) The election officer or the election officer's designee shall supervise and direct
210 all proceedings at the counting center.

211 (b) (i) Proceedings at the counting center are public and may be observed by interested
212 persons.

213 (ii) Only those persons authorized to participate in the count may touch any ballot or

214 return.

215 (c) The election officer shall deputize and administer an oath or affirmation to all
216 persons who are engaged in processing and counting the ballots that they will faithfully
217 perform their assigned duties.

218 (3) (a) If any ballot is damaged or defective so that it cannot properly be counted by the
219 automatic tabulating equipment, the election officer shall ensure that two counting judges
220 jointly:

- 221 (i) make a true replication of the ballot with an identifying serial number;
- 222 (ii) substitute the replicated ballot for the damaged or defective ballot;
- 223 (iii) label the replicated ballot "replicated"; and
- 224 (iv) record the replicated ballot's serial number on the damaged or defective ballot.

225 (b) The lieutenant governor shall provide to each election officer a standard form on
226 which the election officer shall maintain a log of all replicated ballots, that includes, for each
227 ballot:

- 228 (i) the serial number described in Subsection (3)(a);
- 229 (ii) the identification of the individuals who replicated the ballot;
- 230 (iii) the reason for the replication; and
- 231 (iv) any other information required by the lieutenant governor.

232 (c) An election officer shall:

233 (i) maintain the log described in Subsection (3)(b) in a complete and legible manner, as
234 ballots are replicated;

235 (ii) at the end of each day during which one or more ballots are replicated, make an
236 electronic copy of the log; and

237 (iii) keep each electronic copy made under Subsection (3)(c)(ii) for at least 22 months.

238 (4) The election officer may:

239 (a) conduct an unofficial count before conducting the official count in order to provide
240 early unofficial returns to the public;

241 (b) release unofficial returns from time to time after the polls close; and

242 (c) report the progress of the count for each candidate during the actual counting of
243 ballots.

244 (5) Beginning on the day after the date of the election, if an election officer releases

245 early unofficial returns or reports the progress of the count for each candidate under Subsection
246 (4), the election officer shall, with each release or report, disclose an estimate of the total
247 number of voted ballots in the election officer's custody that have not yet been counted.

248 (6) The election officer shall review and evaluate the provisional ballot envelopes and
249 prepare any valid provisional ballots for counting as provided in Section [20A-4-107](#).

250 (7) (a) The election officer or the election officer's designee shall:

251 (i) separate, count, and tabulate any ballots containing valid write-in votes; and

252 (ii) complete the standard form provided by the clerk for recording valid write-in votes.

253 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
254 more votes for an office than that voter is entitled to vote for that office, the poll workers shall
255 count the valid write-in vote as being the obvious intent of the voter.

256 (8) (a) The election officer shall certify the return printed by the automatic tabulating
257 equipment, to which have been added write-in and absentee votes, as the official return of each
258 voting precinct.

259 (b) Upon completion of the count, the election officer shall make official returns open
260 to the public.

261 (9) If for any reason it becomes impracticable to count all or a part of the ballots with
262 tabulating equipment, the election officer may direct that they be counted manually according
263 to the procedures and requirements of this part.

264 (10) After the count is completed, the election officer shall seal and retain the
265 programs, test materials, and ballots as provided in Section [20A-4-202](#).

266 Section 6. Section **20A-5-101** is amended to read:

267 **20A-5-101. Notice of election.**

268 (1) On or before November 15 in the year before each regular general election year, the
269 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

270 (a) designates the offices to be filled at the next year's regular general election;

271 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
272 certifying nomination petition signatures, as applicable, under Sections [20A-9-403](#), [20A-9-407](#),
273 and [20A-9-408](#) for those offices; and

274 (c) contains a description of any ballot propositions to be decided by the voters that
275 have qualified for the ballot as of that date.

276 (2) (a) No later than seven business days after the day on which the lieutenant governor
277 transmits the written notice described in Subsection (1), each county clerk shall provide notice,
278 in accordance with Subsection (3):

279 (i) by posting notice in a conspicuous place most likely to give notice of the election to
280 the voters in each voting precinct within the county;

281 (ii) (A) by publishing notice in a newspaper of general circulation in the county;

282 (B) by posting one notice, and at least one additional notice per 2,000 population of the
283 county, in places within the county that are most likely to give notice of the election to the
284 voters in the county, subject to a maximum of 10 notices; or

285 (C) by mailing notice to each registered voter in the county;

286 (iii) by posting notice on the Utah Public Notice Website, created in Section
287 [63A-16-601](#), for seven days before the day of the election; and

288 (iv) by posting notice on the county's website for seven days before the day of the
289 election.

290 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a)(i),
291 showing a copy of the notice and the places where the notice was posted.

292 (3) The notice described in Subsection (2) shall:

293 (a) designate the offices to be voted on in that election; and

294 (b) identify the dates for filing a declaration of candidacy for those offices.

295 (4) Except as provided in Subsection (6), before each election, the election officer shall
296 give printed notice of the following information:

297 (a) the date of election;

298 (b) the hours during which the polls will be open;

299 (c) the polling places for each voting precinct, early voting polling place, and election
300 day voting center;

301 (d) the address of the Statewide Electronic Voter Information Website and, if available,
302 the address of the election officer's website, with a statement indicating that the election officer
303 will post on the website any changes to the location of a polling place and the location of any
304 additional polling place;

305 (e) a phone number that a voter may call to obtain information regarding the location of
306 a polling place; and

- 307 (f) the qualifications for persons to vote in the election.
- 308 (5) The election officer shall provide the notice described in Subsection (4):
- 309 (a) (i) by publishing the notice in a newspaper of general circulation in the jurisdiction
- 310 to which the election pertains, at least [~~two~~] five days before the day of the election;
- 311 (ii) at least [~~two~~] five days before the day of the election, by posting one notice, and at
- 312 least one additional notice per 2,000 population of the jurisdiction, in places within the
- 313 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction,
- 314 subject to a maximum of 10 notices; or
- 315 (iii) by mailing the notice to each registered voter who resides in the jurisdiction to
- 316 which the election pertains at least five days before the day of the election;
- 317 (b) by posting notice on the Utah Public Notice Website, created in Section
- 318 [63A-16-601](#), for [~~two~~] five days before the day of the election; and
- 319 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
- 320 [~~two~~] five days before the day of the election.
- 321 (6) Instead of including the information described in Subsection (4) in the notice, the
- 322 election officer may give printed notice that:
- 323 (a) is entitled "Notice of Election";
- 324 (b) includes the following: "A [indicate election type] will be held in [indicate the
- 325 jurisdiction] on [indicate date of election]. Information relating to the election, including
- 326 polling places, polling place hours, and qualifications of voters may be obtained from the
- 327 following sources:"; and
- 328 (c) specifies the following sources where an individual may view or obtain the
- 329 information described in Subsection (4):
- 330 (i) if the jurisdiction has a website, the jurisdiction's website;
- 331 (ii) the physical address of the jurisdiction offices; and
- 332 (iii) a mailing address and telephone number.
- 333 Section 7. Section **20A-5-403.5** is amended to read:
- 334 **20A-5-403.5. Ballot drop boxes.**
- 335 (1) An election officer:
- 336 (a) shall designate at least one ballot drop box in each municipality and reservation
- 337 located in the jurisdiction to which the election relates;

338 (b) may designate additional ballot drop boxes for the election officer's jurisdiction;
339 (c) shall clearly mark each ballot drop box as an official ballot drop box for the election
340 officer's jurisdiction;
341 (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and
342 (e) shall post a sign on or near each unattended ballot drop box indicating that the
343 ballot drop box is under 24-hour video surveillance.

344 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer
345 shall, at least [~~19~~] 28 days before the date of the election, provide notice of the location of each
346 ballot drop box designated under Subsection (1):

347 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
348 the jurisdiction holding the election;
349 (ii) by posting one notice, and at least one additional notice per 2,000 population of the
350 jurisdiction holding the election, in places within the jurisdiction that are most likely to give
351 notice to the residents in the jurisdiction, subject to a maximum of 10 notices; or
352 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

353 (b) by posting notice on the Utah Public Notice Website, created in Section
354 63A-16-601, for [~~19~~] 28 days before the day of the election; and
355 (c) by posting notice on the jurisdiction's website for [~~19~~] 28 days before the day of the
356 election.

357 (3) Instead of including the location of ballot drop boxes, a notice required under
358 Subsection (2) may specify the following sources where a voter may view or obtain a copy of
359 all ballot drop box locations:

360 (a) the jurisdiction's website;
361 (b) the physical address of the jurisdiction's offices; and
362 (c) a mailing address and telephone number.

363 (4) The election officer shall include in the notice described in Subsection (2):
364 (a) the address of the Statewide Electronic Voter Information Website and, if available,
365 the address of the election officer's website, with a statement indicating that the election officer
366 will post on the website the location of each ballot drop box, including any changes to the
367 location of a ballot drop box and the location of additional ballot drop boxes; and
368 (b) a phone number that a voter may call to obtain information regarding the location

369 of a ballot drop box.

370 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
371 deadline described in Subsection (2):

372 (i) if necessary, change the location of a ballot drop box; or

373 (ii) if the election officer determines that the number of ballot drop boxes is
374 insufficient due to the number of registered voters who are voting, designate additional ballot
375 drop boxes.

376 (b) Except as provided in Section 20A-1-308, if an election officer changes the
377 location of a ballot box or designates an additional ballot drop box location, the election officer
378 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
379 the additional ballot drop box location:

380 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

381 (ii) by posting the information on the website of the election officer, if available; and

382 (iii) by posting notice:

383 (A) for a change in the location of a ballot drop box, at the new location and, if
384 possible, the old location; and

385 (B) for an additional ballot drop box location, at the additional ballot drop box
386 location.

387 (6) An election officer may, at any time, authorize two or more poll workers to remove
388 a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.

389 (7) (a) At least two poll workers must be present when a poll worker collects ballots
390 from a ballot drop box and delivers the ballots to the location where the ballots will be opened
391 and counted.

392 (b) An election officer shall ensure that the chain of custody of ballots placed in a
393 ballot box are recorded and tracked from the time the ballots are removed from the ballot box
394 until the ballots are delivered to the location where the ballots will be opened and counted.

395 Section 8. Section 20A-5-405 is amended to read:

396 **20A-5-405. Election officer to provide ballots.**

397 (1) An election officer shall:

398 (a) provide ballots for every election of public officers in which the voters, or any of
399 the voters, within the election officer's jurisdiction participate;

400 (b) cause the name of every candidate whose nomination has been certified to or filed
401 with the election officer in the manner provided by law to be included on each ballot;

402 (c) cause any ballot proposition that has qualified for the ballot as provided by law to
403 be included on each ballot;

404 (d) ensure that the ballots are prepared and in the possession of the election officer at
405 least 7 days before the commencement of voting;

406 (e) allow candidates and their agents and the sponsors of ballot propositions that have
407 qualified for the official ballot to inspect the ballots;

408 (f) no later than 45 days before the day of the election, make sample ballots available
409 for inspection, in the same form as official ballots and that contain the same information as
410 official ballots, by:

411 (i) posting a copy of the sample ballot in the election officer's office;

412 (ii) sending a copy of the sample ballot to:

413 (A) each candidate listed on the ballot; and

414 (B) the lieutenant governor;

415 (iii) (A) posting one copy of the sample ballot, and at least one additional copy of the
416 sample ballot per 2,000 population of the jurisdiction, in places within the jurisdiction that are
417 most likely to give notice to the voters in the jurisdiction, subject to a maximum of 10 notices;
418 or

419 (B) mailing a copy of the sample ballot to each registered voter who resides in the
420 jurisdiction holding the election;

421 (iv) posting a copy of the sample ballot on the Utah Public Notice Website, created in
422 Section [63A-16-601](#); and

423 (v) if the jurisdiction has a website, posting a copy of the sample ballot on the
424 jurisdiction's website;

425 (g) deliver a copy of the sample ballot to poll workers for each polling place and direct
426 the poll workers to post the sample ballot as required by Section [20A-5-102](#); and

427 (h) print and deliver, at the expense of the jurisdiction conducting the election, enough
428 ballots, sample ballots, and instructions to meet the voting demands of the qualified voters in
429 each voting precinct.

430 (2) Instead of posting the entire sample ballot under Subsection (1)(f)(iii)(A), the

431 election officer may post a statement that:

432 (a) is entitled, "sample ballot";

433 (b) includes the following: "A sample ballot for [indicate name of jurisdiction] for the
434 upcoming [indicate type and date of election] may be obtained from the following sources:";
435 and

436 (c) specifies the following sources where an individual may view or obtain a copy of
437 the sample ballot:

438 (i) if the jurisdiction has a website, the jurisdiction's website;

439 (ii) the physical address of the jurisdiction's offices; and

440 (iii) a mailing address and telephone number.

441 (3) (a) Each election officer shall, without delay, correct any error discovered in any
442 ballot, if the correction can be made without interfering with the timely distribution of the
443 ballots.

444 (b) (i) If the election officer discovers an error or omission in a manual ballot, and it is
445 not possible to correct the error or omission, the election officer shall direct the poll workers to
446 make the necessary corrections on the manual ballots before the ballots are distributed.

447 (ii) If the election officer discovers an error or omission in an electronic ballot and it is
448 not possible to correct the error or omission by revising the electronic ballot, the election
449 officer shall direct the poll workers to post notice of each error or omission with instructions on
450 how to correct each error or omission in a prominent position at each polling booth.

451 (4) (a) If the election officer refuses or fails to correct an error or omission in a ballot, a
452 candidate or a candidate's agent may file a verified petition with the district court asserting that:

453 (i) an error or omission has occurred in:

454 (A) the publication of the name or description of a candidate;

455 (B) the preparation or display of an electronic ballot; or

456 (C) the posting of sample ballots or the printing of official manual ballots; and

457 (ii) the election officer has failed to correct or provide for the correction of the error or
458 omission.

459 (b) The district court shall issue an order requiring correction of any error in a ballot or
460 an order to show cause why the error should not be corrected if it appears to the court that the
461 error or omission has occurred and the election officer has failed to correct or provide for the

462 correction of the error or omission.

463 (c) A party aggrieved by the district court's decision may appeal the matter to the Utah
464 Supreme Court within five days after the day on which the district court enters the decision.

465 Section 9. Section **20A-5-901** is amended to read:

466 **20A-5-901. Voter registration audit.**

467 (1) The lieutenant governor shall, on at least an annual basis, conduct an audit of the
468 voter registration database.

469 (2) The audit shall include:

470 (a) a random selection of at least .02% of the active registered voters statewide; and

471 (b) at least one active registered voter from each county.

472 (3) For each voter selected for the audit, the auditor shall:

473 (a) verify that the voter is eligible for registration;

474 (b) verify that the voter's registration information is accurate and supported by the
475 documentation on file;

476 (c) verify that there is a signature on file for the voter;

477 (d) check for duplicate voter registrations; and

478 (e) search available resources to determine whether the voter is deceased.

479 (4) The audit report shall identify areas of concern or training needed in response to the
480 audit findings.

481 (5) The lieutenant governor shall:

482 (a) share the audit results with the county clerks and verify that the county clerks
483 address the concerns and fulfill the training identified under Subsection (4); and

484 (b) beginning in 2023, report [~~biannually~~] biennially to the Government Operations
485 Interim Committee on the results of the audits conducted under this section.

486 Section 10. Section **20A-6-401** is amended to read:

487 **20A-6-401. Ballots for municipal primary elections.**

488 (1) Each election officer shall ensure that:

489 (a) the following endorsements are printed in 18 point bold type:

490 (i) "Official Primary Ballot for ____ (City, Town, or Metro Township), Utah";

491 (ii) the date of the election; and

492 (iii) a facsimile of the signature of the election officer and the election officer's title in

493 eight point type;

494 (b) immediately below the election officer's title, two one-point parallel horizontal
495 rules separate endorsements from the rest of the ballot;

496 (c) immediately below the horizontal rules, an "Instructions to Voters" section is
497 printed in 10 point bold type that states: "To vote for a candidate, mark the space following the
498 name(s) of the person(s) you favor as the candidate(s) for each respective office." followed by
499 two one-point parallel rules;

500 (d) after the rules, the designation of the office for which the candidates seek
501 nomination is printed [~~flush with the left-hand margin~~] and the words, "Vote for one" or "Vote
502 for up to _____ (the number of candidates for which the voter may vote)" are printed [~~to extend~~
503 ~~to the extreme right of the column~~] in 10-point bold type, followed by a hair-line rule;

504 (e) after the hair-line rule, the names of the candidates are printed in heavy face type
505 between lines or rules three-eighths inch apart, in the order specified under Section [20A-6-305](#)
506 with surnames last and grouped according to the office that they seek;

507 (f) a square with sides not less than one-fourth inch long is printed immediately
508 adjacent to the names of the candidates; and

509 (g) the candidate groups are separated from each other by one light and one heavy line
510 or rule.

511 (2) A municipal primary ballot may not contain any space for write-in votes.

512 Section 11. Section [20A-7-209](#) is amended to read:

513 **20A-7-209. Short title and summary of initiative -- Duties of lieutenant governor**
514 **and Office of Legislative Research and General Counsel.**

515 (1) On or before June 5 before the regular general election, the lieutenant governor
516 shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of
517 Legislative Research and General Counsel.

518 (2) (a) The Office of Legislative Research and General Counsel shall:

519 (i) entitle each state initiative that has qualified for the ballot "Proposition Number ___"
520 and give it a number as assigned under Section [20A-6-107](#);

521 (ii) prepare for each initiative:

522 (A) an impartial short title, not exceeding 25 words, that generally describes the subject
523 of the initiative; and

524 (B) an impartial summary of the contents of the measure, not exceeding 125 words;
525 and

526 (iii) return each petition, short title, and summary to the lieutenant governor on or
527 before June 26.

528 (b) The short title and summary may be distinct from the title of the proposed law
529 attached to the initiative petition.

530 (c) If the initiative proposes a tax increase, the Office of Legislative Research and
531 General Counsel shall include the following statement, in bold, in the summary:

532 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
533 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
534 increase in the current tax rate."

535 (d) ~~[For]~~ Subject to Subsection (4), for each state initiative, the official ballot shall
536 show, in the following order:

537 (i) the number of the initiative, determined in accordance with Section [20A-6-107](#);

538 (ii) the short title; ~~[and]~~

539 (iii) except as provided in Subsection (2)(e):

540 (A) the summary;

541 (B) the text of the proposed law; and

542 (C) a link to a location on the lieutenant governor's website where a voter may review
543 additional information relating to each initiative, including the information described in
544 Subsection [20A-7-202\(2\)](#), the fiscal impact estimate described in Section [20A-7-202.5](#), as
545 updated under Section [20A-7-204.1](#), and the arguments relating to the initiative that are
546 included in the voter information pamphlet; and

547 ~~[(iii)]~~ (iv) the initial fiscal impact estimate prepared under Section [20A-7-202.5](#), as
548 updated under Section [20A-7-204.1](#).

549 (e) ~~[For each ballot that includes an initiative or referendum]~~ Unless the information
550 described in Subsection (2)(d)(iii) is shown on the official ballot, the election officer shall
551 include with the ballot a separate ballot proposition insert that includes the short title and
552 summary for each initiative ~~[and referendum]~~ on the ballot and a link to a location on the
553 lieutenant governor's website where a voter may review the additional information ~~[relating to~~
554 each initiative or referendum, including:] described in Subsection (2)(d)(iii)(C).

555 ~~[(i) for an initiative, the information described in Subsection 20A-7-202(2), the fiscal~~
556 ~~impact estimate described in Section 20A-7-202.5, as updated, and the arguments relating to~~
557 ~~the initiative that are included in the voter information pamphlet; or]~~

558 ~~[(ii) for a referendum, the information described in Subsection 20A-7-302(2) and the~~
559 ~~arguments relating to the referendum that are included in the voter information pamphlet.]~~

560 (f) Unless the information described in Subsection (2)(d)(iii) for all initiatives on the
561 ballot, and the information described in Subsection 20A-7-308(2)(c)(iii) for all referenda on the
562 ballot, is printed on the ballot, the ballot shall include the following statement at the beginning
563 of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included
564 with this ballot contains an impartial summary of each initiative and referendum on this ballot,
565 unless the summary is printed directly on the ballot."

566 ~~[(f) For each ballot that includes an initiative or referendum, the ballot shall include the~~
567 ~~following statement at the beginning of the portion of the ballot that includes ballot measures,~~
568 ~~"The ballot proposition sheet included with this ballot contains an impartial summary of each~~
569 ~~initiative and referendum on this ballot."]~~

570 (3) On or before June 27, the lieutenant governor shall mail a copy of the short title and
571 summary to any sponsor of the petition.

572 (4) (a) (i) At least three of the sponsors of the petition may, on or before July 6,
573 challenge the wording of the short title and summary prepared by the Office of Legislative
574 Research and General Counsel to the appropriate court.

575 (ii) After receipt of the challenge, the court shall direct the lieutenant governor to send
576 notice of the challenge to:

577 (A) any person or group that has filed an argument for or against the measure that is the
578 subject of the challenge; or

579 (B) any political issues committee established under Section 20A-11-801 that has filed
580 written or electronic notice with the lieutenant governor that identifies the name, mailing or
581 email address, and telephone number of the individual designated to receive notice about any
582 issues relating to the initiative.

583 (b) (i) There is a presumption that the short title prepared by the Office of Legislative
584 Research and General Counsel is an impartial description of the contents of the initiative.

585 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the

586 presumption by clearly and convincingly establishing that the short title is false or biased.

587 (iii) There is a presumption that the summary prepared by the Office of Legislative
588 Research and General Counsel is an impartial summary of the contents of the initiative.

589 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut
590 the presumption by clearly and convincingly establishing that the summary is false or biased.

591 (c) The court shall:

592 (i) examine the short title and summary;

593 (ii) hear arguments; and

594 (iii) enter an order consistent with the requirements of this section.

595 (d) The lieutenant governor shall, in accordance with the court's order, certify the short
596 title and summary to the county clerks for inclusion in the ballot [~~and~~] or ballot proposition
597 insert, as required by this section.

598 Section 12. Section **20A-7-210** is amended to read:

599 **20A-7-210. Form of ballot -- Manner of voting.**

600 (1) A county clerk shall ensure that the information described in Subsection
601 **20A-7-209**(2)(d) is presented, [~~in the order~~] as required, upon the official ballot with,
602 immediately adjacent to the information, the words "For" and "Against," each word presented
603 with an adjacent square in which the voter may indicate the voter's vote.

604 (2) A voter desiring to vote in favor of enacting the law proposed by the initiative
605 petition shall mark the square adjacent to the word "For," and a voter desiring to vote against
606 enacting the law proposed by the initiative petition shall mark the square adjacent to the word
607 "Against."

608 Section 13. Section **20A-7-308** is amended to read:

609 **20A-7-308. Short title and summary of referendum -- Duties of lieutenant**
610 **governor and Office of Legislative Research and General Counsel.**

611 (1) Whenever a referendum petition is declared sufficient for submission to a vote of
612 the people, the lieutenant governor shall deliver a copy of the petition and the proposed law to
613 the Office of Legislative Research and General Counsel.

614 (2) (a) The Office of Legislative Research and General Counsel shall:

615 (i) entitle each state referendum that qualifies for the ballot "Proposition Number ___"
616 and assign a number to the referendum in accordance with Section **20A-6-107**;

617 (ii) prepare for each referendum:

618 (A) an impartial short title, not exceeding 25 words, that generally describes the
619 measure; and

620 (B) an impartial summary of the contents of the measure, not exceeding 125 words;
621 and

622 (iii) submit the short title and summary to the lieutenant governor within 15 days after
623 the day on which the Office of Legislative Research and General Counsel receives the petition
624 under Subsection (1).

625 (b) The short title and summary may be distinct from the title of the law that is the
626 subject of the petition.

627 (c) ~~[For]~~ Subject to Subjection (4), for each state referendum, the official ballot shall
628 show, in the following order:

629 (i) the number of the referendum, determined in accordance with Section [20A-6-107](#);
630 ~~[and]~~

631 (ii) the short title ~~[described in this section.];~~ and

632 (iii) except as provided in Subsection (2)(d):

633 (A) the summary;

634 (B) a copy of the law; and

635 (C) a link to a location on the lieutenant governor's website where a voter may review
636 additional information relating to each referendum, including the information described in
637 Subsection [20A-7-302\(2\)](#) and the arguments relating to the referendum that are included in the
638 voter information pamphlet.

639 (d) ~~[For each ballot that includes an initiative or referendum]~~ Unless the information
640 described in Subsection (2)(c)(iii) is shown on the official ballot, the election officer shall
641 include with the ballot a separate ballot proposition insert that includes the short title and
642 summary for each ~~[initiative and]~~ referendum on the ballot and a link to a location on the
643 lieutenant governor's website where a voter may review the additional information ~~[relating to~~
644 ~~each initiative or referendum, including:]~~ described in Subsection (2)(c)(iii)(C).

645 ~~[(i) for an initiative, the information described in Subsection [20A-7-202\(2\)](#), the fiscal~~
646 ~~impact estimate described in Section [20A-7-202.5](#), as updated, and the arguments relating to~~
647 ~~the initiative that are included in the voter information pamphlet; or]~~

648 ~~[(ii) for a referendum, the information described in Subsection 20A-7-302(2) and the~~
649 ~~arguments relating to the referendum that are included in the voter information pamphlet.]~~

650 (e) Unless the information described in Subsection 20A-7-209(2)(d)(iii) for all
651 initiatives on the ballot, and the information described in Subsection (2)(c)(iii) for all referenda
652 on the ballot, is printed on the ballot, the ballot shall include the following statement at the
653 beginning of the portion of the ballot that includes ballot measures, "The ballot proposition
654 sheet included with this ballot contains an impartial summary of each initiative and referendum
655 on this ballot, unless the summary is printed directly on the ballot."

656 ~~[(e) For each ballot that includes an initiative or referendum, the ballot shall include the~~
657 ~~following statement at the beginning of the portion of the ballot that includes ballot measures;~~
658 ~~"The ballot proposition sheet included with this ballot contains an impartial summary of each~~
659 ~~initiative and referendum on this ballot."]~~

660 (3) Immediately after the Office of Legislative Research and General Counsel submits
661 the short title and summary to the lieutenant governor, the lieutenant governor shall mail or
662 email a copy of the short title and summary to any of the sponsors of the petition.

663 (4) (a) (i) At least three of the sponsors of the petition may, within 15 days after the day
664 on which the lieutenant governor mails the short title and summary, challenge the wording of
665 the short title and summary prepared by the Office of Legislative Research and General
666 Counsel to the appropriate court.

667 (ii) After receipt of the appeal, the court shall direct the lieutenant governor to send
668 notice of the appeal to:

669 (A) any person or group that has filed an argument for or against the measure that is the
670 subject of the challenge; and

671 (B) any political issues committee established under Section 20A-11-801 that has filed
672 written or electronic notice with the lieutenant governor that identifies the name, mailing or
673 email address, and telephone number of the person designated to receive notice about any
674 issues relating to the referendum.

675 (b) (i) There is a presumption that the short title prepared by the Office of Legislative
676 Research and General Counsel is an impartial description of the contents of the referendum.

677 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the
678 presumption by clearly and convincingly establishing that the short title is false or biased.

679 (iii) There is a presumption that the summary prepared by the Office of Legislative
680 Research and General Counsel is an impartial summary of the contents of the measure.

681 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut
682 the presumption by clearly and convincingly establishing that the summary is false or biased.

683 (c) The court shall:

684 (i) examine the short title and summary;

685 (ii) hear arguments; and

686 (iii) enter an order consistent with the requirements of this section.

687 (d) The lieutenant governor shall, in accordance with the court's order, certify the short
688 title and summary to the county clerks for inclusion in the ballot or ballot proposition insert, as
689 required by this section.

690 Section 14. Section **20A-7-508** is amended to read:

691 **20A-7-508. Short title and summary of initiative -- Duties of local clerk and local**
692 **attorney.**

693 (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the
694 petition and the proposed law to the local attorney.

695 (2) The local attorney shall:

696 (a) entitle each county or municipal initiative that has qualified for the ballot

697 "Proposition Number ___" and give it a number as assigned under Section [20A-6-107](#);

698 (b) prepare for the initiative:

699 (i) an impartial short title, not exceeding 25 words, that generally describes the subject
700 of the initiative; and

701 (ii) an impartial summary of the contents of the measure, not exceeding 125 words;

702 (c) file the proposed short title, summary, and the numbered initiative titles with the

703 local clerk within 20 days after the day on which an eligible voter submits the initiative petition
704 to the local clerk; and

705 (d) promptly provide notice of the filing of the proposed short title and summary to:

706 (i) the sponsors of the petition; and

707 (ii) the local legislative body for the jurisdiction where the initiative petition was
708 circulated.

709 (3) (a) The short title and summary may be distinct from the title of the proposed law

710 attached to the initiative petition.

711 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's
712 ability, give a true and impartial description of the subject of the initiative.

713 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
714 ability, give a true and impartial summary of the contents of the measure.

715 (d) The short title and summary may not intentionally be an argument, or likely to
716 create prejudice, for or against the measure.

717 (e) If the initiative proposes a tax increase, the local attorney shall include the
718 following statement, in bold, in the summary:

719 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
720 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
721 increase in the current tax rate."

722 (4) (a) Within five calendar days after the date the local attorney files a proposed short
723 title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where
724 the initiative petition was circulated and the sponsors of the petition may file written comments
725 in response to the proposed short title and summary with the local clerk.

726 (b) Within five calendar days after the last date to submit written comments under
727 Subsection (4)(a), the local attorney shall:

- 728 (i) review any written comments filed in accordance with Subsection (4)(a);
- 729 (ii) prepare a final short title and summary that meets the requirements of Subsection
730 (3); and
- 731 (iii) return the petition and file the short title and summary with the local clerk.

732 (c) Subject to Subsection (6)[:], for each county or municipal initiative, the following
733 shall be printed on the official ballot:

734 (i) ~~the short title[; as determined by the local attorney, shall be printed on the official~~
735 ~~ballot]; and~~

736 (ii) except as provided in Subsection (4)(d):

737 (A) the summary;

738 (B) a copy of the proposed law; and

739 (C) a link to a location on the election officer's website where a voter may review

740 additional information relating to each initiative, including the information described in

741 Subsection 20A-7-502(2), the fiscal impact estimate described in Section 20A-7-502.5, as
742 updated, and the arguments relating to the initiative that are included in the local voter
743 information pamphlet.

744 ~~[(ii)]~~ (d) ~~[for each ballot that includes an initiative or referendum,]~~ Unless the
745 information described in Subsection (4)(c)(ii) is printed on the official ballot, the election
746 officer shall include with the ballot a separate ballot proposition insert that includes the short
747 title and summary for each initiative [and referendum] on the ballot and a link to a location on
748 the election officer's website where a voter may review the additional information [relating to
749 each initiative or referendum, including:] described in Subsection (4)(c)(ii)(C).

750 ~~[(A) for an initiative, the information described in Subsection 20A-7-502(2), the fiscal~~
751 ~~impact estimate described in Section 20A-7-502.5, as updated, and the arguments relating to~~
752 ~~the initiative that are included in the local voter information pamphlet; or]~~

753 ~~[(B) for a referendum, the information described in Subsection 20A-7-602(2) and the~~
754 ~~arguments relating to the referendum that are included in the local voter information pamphlet.]~~

755 (e) Unless the information described in Subsection (4)(c)(ii) for all initiatives on the
756 ballot, and the information described in Subsection 20A-7-608(4)(c)(ii) for all referenda on the
757 ballot, is printed on the ballot, the ballot shall include the following statement at the beginning
758 of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included
759 with this ballot contains an impartial summary of each initiative and referendum on this ballot,
760 unless the summary is printed directly on the ballot."

761 ~~[(d) For each ballot that includes an initiative or referendum, the ballot shall include~~
762 ~~the following statement at the beginning of the portion of the ballot that includes ballot~~
763 ~~measures, "The ballot proposition sheet included with this ballot contains an impartial~~
764 ~~summary of each initiative and referendum on this ballot."]~~

765 (5) Immediately after the local attorney files a copy of the short title and summary with
766 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon
767 the sponsors of the petition and the local legislative body for the jurisdiction where the
768 initiative petition was circulated.

769 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or
770 does not comply with the requirements of this section, the decision of the local attorney may be
771 appealed to the appropriate court by:

772 (i) at least three sponsors of the initiative petition; or
773 (ii) a majority of the local legislative body for the jurisdiction where the initiative
774 petition was circulated.

775 (b) The court:

776 (i) shall examine the short title and summary and consider arguments; and

777 (ii) enter an order consistent with the requirements of this section.

778 (c) The local clerk shall include the short title and summary in the ballot or ballot
779 proposition insert, as required by this section.

780 Section 15. Section **20A-7-608** is amended to read:

781 **20A-7-608. Short title and summary of referendum -- Duties of local clerk and**
782 **local attorney.**

783 (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the
784 petition and the proposed law to the local attorney.

785 (2) The local attorney shall:

786 (a) entitle each county or municipal referendum that qualifies for the ballot
787 "Proposition Number ___" and give the referendum a number assigned in accordance with
788 Section [20A-6-107](#);

789 (b) prepare for the referendum:

790 (i) an impartial short title, not exceeding 25 words, that generally describes the subject
791 of the measure; and

792 (ii) an impartial summary of the contents of the measure, not exceeding 125 words;

793 (c) file the proposed short title, summary, and the numbered referendum title with the
794 local clerk within 20 days after the day on which an eligible voter submits the referendum
795 petition to the local clerk; and

796 (d) promptly provide notice of the filing of the proposed short title and summary to:

797 (i) the sponsors of the petition; and

798 (ii) the local legislative body for the jurisdiction where the referendum petition was
799 circulated.

800 (3) (a) The short title and summary may be distinct from the title of the law that is the
801 subject of the petition.

802 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's

803 ability, give a true and impartial description of the subject of the measure.

804 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
805 ability, give a true and impartial summary of the contents of the measure.

806 (d) The short title and summary may not intentionally be an argument, or likely to
807 create prejudice, for or against the measure.

808 (4) (a) Within five calendar days after the day on which the local attorney files a
809 proposed short title and summary under Subsection (2)(c), the local legislative body for the
810 jurisdiction where the referendum petition was circulated and the sponsors of the petition may
811 file written comments in response to the proposed short title and summary with the local clerk.

812 (b) Within five calendar days after the last date to submit written comments under
813 Subsection (4)(a), the local attorney shall:

814 (i) review any written comments filed in accordance with Subsection (4)(a);

815 (ii) prepare a final short title and summary that meets the requirements of Subsection
816 (3); and

817 (iii) return the petition and file the short title and summary with the local clerk.

818 (c) Subject to Subsection (6)[:], for each county or municipal referendum, the
819 following shall be printed on the official ballot:

820 (i) ~~the short title[as determined by the local attorney, shall be printed on the official~~
821 ~~ballot]; and~~

822 (ii) except as provided in Subsection (4)(d):

823 (A) the summary;

824 (B) a copy of the ordinance, resolution, or written description of the local law; and

825 (C) a link to a location on the election officer's website where a voter may review

826 additional information relating to each referendum, including the information described in
827 Subsection [20A-7-602\(2\)](#) and the arguments relating to the referendum that are included in the
828 local voter information pamphlet.

829 ~~[(ii)] (d) [for each ballot that includes an initiative or referendum] Unless the~~
830 ~~information described in Subsection (4)(c)(ii) is printed on the official ballot, the election~~
831 ~~officer shall include with the ballot a separate ballot proposition insert that includes the short~~
832 ~~title and summary for each [initiative and] referendum on the ballot and a link to a location on~~
833 ~~the election officer's website where a voter may review the additional information [relating to~~

834 each initiative or referendum, including:] described in Subsection (4)(c)(ii)(C).

835 [~~(A) for an initiative, the information described in Subsection 20A-7-502(2), the fiscal~~
836 ~~impact estimate described in Section 20A-7-502.5, as updated, and the arguments relating to~~
837 ~~the initiative that are included in the local voter information pamphlet; or]~~

838 [~~(B) for a referendum, the information described in Subsection 20A-7-602(2) and the~~
839 ~~arguments relating to the referendum that are included in the local voter information pamphlet.]~~

840 (e) Unless the information described in Subsection 20A-7-508(4)(c)(ii) for all
841 initiatives on the ballot, and the information described in Subsection (4)(c)(ii) for all referenda
842 on the ballot, is printed on the ballot, the ballot shall include the following statement at the
843 beginning of the portion of the ballot that includes ballot measures, "The ballot proposition
844 sheet included with this ballot contains an impartial summary of each initiative and referendum
845 on this ballot, unless the summary is printed directly on the ballot."

846 [~~(d) For each ballot that includes an initiative or referendum, the ballot shall include~~
847 ~~the following statement at the beginning of the portion of the ballot that includes ballot~~
848 ~~measures, "The ballot proposition sheet included with this ballot contains an impartial~~
849 ~~summary of each initiative and referendum on this ballot."]~~

850 (5) Immediately after the local attorney files a copy of the short title and summary with
851 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon
852 the sponsors of the petition and the local legislative body for the jurisdiction where the
853 referendum petition was circulated.

854 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or
855 does not comply with the requirements of this section, the decision of the local attorney may be
856 appealed to the appropriate court by:

857 (i) at least three sponsors of the referendum petition; or

858 (ii) a majority of the local legislative body for the jurisdiction where the referendum
859 petition was circulated.

860 (b) The court:

861 (i) shall examine the short title and summary and consider the arguments; and

862 (ii) enter an order consistent with the requirements of this section.

863 (c) The local clerk shall include the short title and summary in the ballot or ballot
864 proposition insert, as required by this section.

865 Section 16. Section **20A-9-101** is amended to read:

866 **20A-9-101. Definitions.**

867 As used in this chapter:

868 (1) (a) "Candidates for elective office" means persons who file a declaration of
869 candidacy under Section **20A-9-202** to run in a regular general election for a federal office,
870 constitutional office, multicounty office, or county office.

871 (b) "Candidates for elective office" does not mean candidates for:

872 (i) justice or judge of court of record or not of record;

873 (ii) presidential elector;

874 (iii) any political party offices; and

875 (iv) municipal or local district offices.

876 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
877 attorney general, state auditor, and state treasurer.

878 (3) "Continuing political party" means the same as that term is defined in Section
879 **20A-8-101**.

880 (4) (a) "County office" means an elective office where the officeholder is selected by
881 voters entirely within one county.

882 (b) "County office" does not mean:

883 (i) the office of justice or judge of any court of record or not of record;

884 (ii) the office of presidential elector;

885 (iii) any political party offices;

886 (iv) any municipal or local district offices; and

887 (v) the office of United States Senator and United States Representative.

888 (5) "Electronic candidate qualification process" means:

889 (a) as it relates to a registered political party that is not a qualified political party, the
890 process for gathering signatures electronically to seek the nomination of a registered political
891 party, described in:

892 (i) Section **20A-9-403**;

893 (ii) Section **20a-9-405**, except Subsections **20A-9-405(3)** and (5); and

894 (iii) Section **20A-21-201**; and

895 (b) as it relates to a qualified political party, the process, for gathering signatures

896 electronically to seek the nomination of a registered political party, described in:

897 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);

898 (ii) Section 20A-9-408; and

899 (iii) Section 20A-21-201.

900 (6) "Federal office" means an elective office for United States Senator and United
901 States Representative.

902 (7) "Filing officer" means:

903 (a) the lieutenant governor, for:

904 (i) the office of United States Senator and United States Representative; and

905 (ii) all constitutional offices;

906 (b) for the office of a state senator, ~~or~~ state representative, or state school board, the
907 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);

908 (c) the county clerk, for county offices and local school district offices;

909 (d) the county clerk in the filer's county of residence, for multicounty offices;

910 (e) the city or town clerk, for municipal offices; or

911 (f) the local district clerk, for local district offices.

912 (8) "Local district office" means an elected office in a local district.

913 (9) "Local government office" includes county offices, municipal offices, and local
914 district offices and other elective offices selected by the voters from a political division entirely
915 within one county.

916 (10) "Manual candidate qualification process" means the process for gathering
917 signatures to seek the nomination of a registered political party, using paper signature packets
918 that a signer physically signs.

919 (11) (a) "Multicounty office" means an elective office where the officeholder is
920 selected by the voters from more than one county.

921 (b) "Multicounty office" does not mean:

922 (i) a county office;

923 (ii) a federal office;

924 (iii) the office of justice or judge of any court of record or not of record;

925 (iv) the office of presidential elector;

926 (v) any political party offices; or

- 927 (vi) any municipal or local district offices.
- 928 (12) "Municipal office" means an elective office in a municipality.
- 929 (13) (a) "Political division" means a geographic unit from which an officeholder is
930 elected and that an officeholder represents.
- 931 (b) "Political division" includes a county, a city, a town, a local district, a school
932 district, a legislative district, and a county prosecution district.
- 933 (14) "Qualified political party" means a registered political party that:
- 934 (a) (i) permits a delegate for the registered political party to vote on a candidate
935 nomination in the registered political party's convention remotely; or
936 (ii) provides a procedure for designating an alternate delegate if a delegate is not
937 present at the registered political party's convention;
- 938 (b) does not hold the registered political party's convention before the fourth Saturday
939 in March of an even-numbered year;
- 940 (c) permits a member of the registered political party to seek the registered political
941 party's nomination for any elective office by the member choosing to seek the nomination by
942 either or both of the following methods:
- 943 (i) seeking the nomination through the registered political party's convention process,
944 in accordance with the provisions of Section [20A-9-407](#); or
945 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
946 of Section [20A-9-408](#); and
- 947 (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.
948 on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor
949 that, for the election in the following year, the registered political party intends to nominate the
950 registered political party's candidates in accordance with the provisions of Section [20A-9-406](#);
951 or
- 952 (ii) if the registered political party is not a continuing political party, certifies at the
953 time that the registered political party files the petition described in Section [20A-8-103](#) that, for
954 the next election, the registered political party intends to nominate the registered political
955 party's candidates in accordance with the provisions of Section [20A-9-406](#).
- 956 (15) "Signature," as it relates to a petition for a candidate to seek the nomination of a
957 registered political party, means:

958 (a) when using the manual candidate qualification process, a holographic signature
959 collected physically on a nomination petition described in Subsection 20A-9-405(3); or

960 (b) when using the electronic candidate qualification process:

961 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or

962 (ii) a holographic signature collected electronically under Subsection
963 20A-21-201(6)(c)(ii)(B).

964 Section 17. Section 20A-9-201.5 is amended to read:

965 **20A-9-201.5. Declaration of candidacy filing period for a qualified political party.**

966 (1) In 2022, for a qualified political party, the filing period to file a declaration of
967 candidacy for an elective office that is to be filled at the next regular general election begins at
968 8 a.m. on February 28, 2022, and ends at 5 p.m. on March 4, 2022.

969 (2) Beginning on January 1, 2024, for a qualified political party, the filing period to file
970 a declaration of candidacy for an elective office that is to be filled at the next regular general
971 election:

972 (a) begins at 8:00 a.m. on the later of:

973 (i) January 2 of the year in which the next regular general election is held; or

974 (ii) if January 2 is [~~on a weekend~~] not a business day, the first business day after
975 January 2; and

976 (b) ends at 5 p.m. on the fourth business day after the day on which the filing period
977 begins.

978 Section 18. Section 20A-11-1603 is amended to read:

979 **20A-11-1603. Conflict of interest disclosure -- Required when filing for candidacy**
980 **-- Public availability.**

981 (1) (a) Except as provided in Subsection [~~(1)(b)~~] (1)(c), candidates seeking the
982 following offices shall make a complete conflict of interest disclosure on the website at the
983 time of filing a declaration of candidacy:

984 (i) state constitutional officer;

985 (ii) state legislator; or

986 (iii) State Board of Education member.

987 (b) A candidate who fails to comply with Subsection (1)(a) shall make a complete
988 conflict of interest disclosure on the website no later than 5:00 p.m. on January 10.

989 ~~[(b)]~~ (c) A candidate is not required to comply with Subsection (1)(a) if the candidate:

990 (i) currently holds the office for which the candidate is seeking reelection;

991 (ii) already, that same year, filed the conflict of interest disclosure for the office

992 described in Subsection ~~[(1)(b)(i)]~~ (1)(c)(i), in accordance Section 20A-11-1604; and

993 (iii) at the time the candidate files the declaration of candidacy, indicates, in writing,

994 that the conflict of interest disclosure described in Subsection ~~[(1)(b)(ii)]~~ (1)(c)(ii) is updated

995 and accurate as of the date of filing the declaration of candidacy.

996 (2) Except as provided in Subsection ~~[(1)(b)]~~ (1)(c), a filing officer:

997 (a) shall provide electronic notice to a candidate who fails to comply with Subsection

998 (1)(a) that the candidate must make a complete conflict of interest disclosure on the website no

999 later than the deadline described in Subsection (1)(b); and

1000 (b) may not accept a declaration of candidacy for an office listed in Subsection (1)(a)

1001 until the candidate makes a complete conflict of interest disclosure on the website.

1002 (3) The conflict of interest disclosure described in Subsection (1)(a) shall contain the

1003 same requirements and shall be in the same format as the conflict of interest disclosure

1004 described in Section 20A-11-1604.

1005 (4) The lieutenant governor shall make the complete conflict of interest disclosure

1006 made by each candidate available for public inspection on the website.