

Representative Calvin R. Musselman proposes the following substitute bill:

ELECTION MODIFICATIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

Senate Sponsor: David G. Buxton

LONG TITLE

General Description:

This bill modifies provisions of the Election Code.

Highlighted Provisions:

This bill:

- ▶ authorizes a municipal clerk and the lieutenant governor 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 an election officer to notify an opposing candidate and voters when a



26 candidate for office is disqualified or withdraws;

27 ▶ 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-11-206**, as last amended by Laws of Utah 2021, Chapter 20

54 **20A-11-305**, as last amended by Laws of Utah 2021, Chapter 20

55 **20A-11-1305**, as last amended by Laws of Utah 2020, Chapters 22, 31

56 **20A-11-1603**, as last amended by Laws of Utah 2021, Chapter 20

57 ENACTS:

58 [20A-9-207](#), Utah Code Annotated 1953

59

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

61 Section 1. Section [20A-2-102.5](#) is amended to read:

62 **[20A-2-102.5. Voter registration deadline.](#)**

63 (1) Except as otherwise provided in Chapter 16, Uniform Military and Overseas Voters
64 Act, an individual who fails to timely submit a correctly completed voter registration form may
65 not vote in the election.

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

67 (a) the voter registration must be received by the county clerk, the municipal clerk, or
68 the lieutenant governor no later than 5 p.m. 11 calendar days before the date of the election, if
69 the individual registers to vote:

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

71 (ii) by mail, in accordance with Section [20A-2-202](#);

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

73 (iv) via a public assistance agency or a discretionary voter registration agency, in
74 accordance with Section [20A-2-205](#); or

75 (v) via electronic registration, in accordance with Section [20A-2-206](#);

76 (b) before the polls close on the last day of early voting, described in Section
77 [20A-3a-601](#), if the individual registers by casting a provisional ballot at an early voting
78 location in accordance with Section [20A-2-207](#); or

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

81 Section 2. Section [20A-2-107](#) is amended to read:

82 **[20A-2-107. Designating or changing party affiliation -- Times permitted.](#)**

83 (1) The county clerk shall:

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

87 (b) if no political party affiliation is designated by the voter on the voter registration

88 form:

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

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

93 (A) did not previously designate a party;

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

95 (C) did not previously register.

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

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

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

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

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

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

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

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

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

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

- 119 (i) the voter has not previously been registered to vote in the state; or
- 120 (ii) the voter's most recent party affiliation was changed to "unaffiliated" by a county
- 121 clerk under Subsection (3).
- 122 (3) If the most recent party affiliation designated by a voter is for a political party that
- 123 is no longer a registered political party, the county clerk shall:
- 124 (a) change the voter's party affiliation to "unaffiliated"; and
- 125 (b) notify the voter electronically or by mail:
- 126 (i) that the voter's affiliation has been changed to "unaffiliated" because the most recent
- 127 party affiliation designated by the voter is for a political party that is no longer a registered
- 128 political party; and
- 129 (ii) of the methods and deadlines for changing the voter's party affiliation.

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

131 **20A-2-107.5. Designating or changing party affiliation -- Regular primary**
132 **election and presidential primary election.**

- 133 (1) At any regular primary election or presidential primary election:
- 134 ~~[(a) each county clerk shall provide change of party affiliation forms to the poll~~
- 135 ~~workers for each voting precinct within the county;]~~
- 136 ~~[(b) except as provided in Subsection (1)(c), a registered voter who is classified as~~
- 137 ~~"unaffiliated" may affiliate with a political party by completing the form and giving it to the~~
- 138 ~~poll worker; and]~~
- 139 ~~[(c) for an unaffiliated voter who was affiliated with a political party at any time~~
- 140 ~~between April 1 and the date of the regular primary election, a form described in Subsection~~
- 141 ~~(1)(a) takes effect on the day after the regular primary election.]~~

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

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

- 149 (2) An unaffiliated voter who affiliates with a political party ~~[as provided in]~~ under

150 Subsection ~~[(1)(b)]~~ (1)(a) may vote in that party's primary election.

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

152 **20A-3a-604. Notice of time and place of early voting.**

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

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

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

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

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

163 (c) by posting notice on the Utah Public Notice Website, created in Section

164 **63A-16-601**, for ~~[19]~~ 28 days before the day of the election; and

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

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

170 (a) the county's website;

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

172 (c) a mailing address and telephone number.

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

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

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

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

182 **20A-4-104. Counting ballots electronically.**

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

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

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

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

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

195 (ii) by posting notice on the Utah Public Notice Website, created in Section
196 [63A-16-601](#), for four weeks before the day of the test; and

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

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

201 (d) The election officer shall ensure that:

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

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

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

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

210 (f) The election officer shall ensure that:

211 (i) the automatic tabulating equipment produces an errorless count before beginning

212 the actual counting; and

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

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

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

219 (ii) Only those persons authorized to participate in the count may touch any ballot or
220 return.

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

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

227 (i) make a true replication of the ballot with an identifying serial number;

228 (ii) substitute the replicated ballot for the damaged or defective ballot;

229 (iii) label the replicated ballot "replicated"; and

230 (iv) record the replicated ballot's serial number on the damaged or defective ballot.

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

234 (i) the serial number described in Subsection (3)(a);

235 (ii) the identification of the individuals who replicated the ballot;

236 (iii) the reason for the replication; and

237 (iv) any other information required by the lieutenant governor.

238 (c) An election officer shall:

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

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

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

244 (4) The election officer may:

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

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

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

250 (5) Beginning on the day after the date of the election, if an election officer releases
251 early unofficial returns or reports the progress of the count for each candidate under Subsection
252 (4), the election officer shall, with each release or report, disclose an estimate of the total
253 number of voted ballots in the election officer's custody that have not yet been counted.

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

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

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

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

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

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

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

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

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

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

273 **20A-5-101. Notice of election.**

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

276 (a) designates the offices to be filled at the next year's regular general election;
277 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
278 certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,
279 and 20A-9-408 for those offices; and

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

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

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

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

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

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

292 (iii) by posting notice on the Utah Public Notice Website, created in Section
293 63A-16-601, for seven days before the day of the election; and

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

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

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

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

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

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

303 (a) the date of election;

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

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

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

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

313 (f) the qualifications for persons to vote in the election.

314 (5) The election officer shall provide the notice described in Subsection (4):

315 (a) (i) by publishing the notice in a newspaper of general circulation in the jurisdiction
316 to which the election pertains, at least [~~two~~] five days before the day of the election;

317 (ii) at least [~~two~~] five days before the day of the election, by posting one notice, and at
318 least one additional notice per 2,000 population of the jurisdiction, in places within the
319 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction,
320 subject to a maximum of 10 notices; or

321 (iii) by mailing the notice to each registered voter who resides in the jurisdiction to
322 which the election pertains at least five days before the day of the election;

323 (b) by posting notice on the Utah Public Notice Website, created in Section
324 [63A-16-601](#), for [~~two~~] five days before the day of the election; and

325 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
326 [~~two~~] five days before the day of the election.

327 (6) Instead of including the information described in Subsection (4) in the notice, the
328 election officer may give printed notice that:

329 (a) is entitled "Notice of Election";

330 (b) includes the following: "A [indicate election type] will be held in [indicate the
331 jurisdiction] on [indicate date of election]. Information relating to the election, including
332 polling places, polling place hours, and qualifications of voters may be obtained from the
333 following sources:"; and

334 (c) specifies the following sources where an individual may view or obtain the
335 information described in Subsection (4):

- 336 (i) if the jurisdiction has a website, the jurisdiction's website;
- 337 (ii) the physical address of the jurisdiction offices; and
- 338 (iii) a mailing address and telephone number.

339 Section 7. Section **20A-5-403.5** is amended to read:

340 **20A-5-403.5. Ballot drop boxes.**

341 (1) An election officer:

342 (a) shall designate at least one ballot drop box in each municipality and reservation
343 located in the jurisdiction to which the election relates;

344 (b) may designate additional ballot drop boxes for the election officer's jurisdiction;

345 (c) shall clearly mark each ballot drop box as an official ballot drop box for the election
346 officer's jurisdiction;

347 (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and

348 (e) shall post a sign on or near each unattended ballot drop box indicating that the
349 ballot drop box is under 24-hour video surveillance.

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

353 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
354 the jurisdiction holding the election;

355 (ii) by posting one notice, and at least one additional notice per 2,000 population of the
356 jurisdiction holding the election, in places within the jurisdiction that are most likely to give
357 notice to the residents in the jurisdiction, subject to a maximum of 10 notices; or

358 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

359 (b) by posting notice on the Utah Public Notice Website, created in Section
360 **63A-16-601**, for [~~19~~] 28 days before the day of the election; and

361 (c) by posting notice on the jurisdiction's website for [~~19~~] 28 days before the day of the
362 election.

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

366 (a) the jurisdiction's website;

367 (b) the physical address of the jurisdiction's offices; and

368 (c) a mailing address and telephone number.

369 (4) The election officer shall include in the notice described in Subsection (2):

370 (a) the address of the Statewide Electronic Voter Information Website and, if available,
371 the address of the election officer's website, with a statement indicating that the election officer
372 will post on the website the location of each ballot drop box, including any changes to the
373 location of a ballot drop box and the location of additional ballot drop boxes; and

374 (b) a phone number that a voter may call to obtain information regarding the location
375 of a ballot drop box.

376 (5) (a) Except as provided in Section [20A-1-308](#), the election officer may, after the
377 deadline described in Subsection (2):

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

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

382 (b) Except as provided in Section [20A-1-308](#), if an election officer changes the
383 location of a ballot box or designates an additional ballot drop box location, the election officer
384 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
385 the additional ballot drop box location:

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

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

388 (iii) by posting notice:

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

391 (B) for an additional ballot drop box location, at the additional ballot drop box
392 location.

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

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

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

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

402 **20A-5-405. Election officer to provide ballots.**

403 (1) An election officer shall:

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

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

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

410 (d) ensure that the ballots are prepared and in the possession of the election officer
411 ~~[before commencement of voting]~~ at least seven days before the commencement of early voting
412 as described in Section [20A-3a-601](#);

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

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

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

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

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

421 (B) the lieutenant governor;

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

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

428 (iv) posting a copy of the sample ballot on the Utah Public Notice Website, created in

429 Section 63A-16-601; and

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

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

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

437 (2) Instead of posting the entire sample ballot under Subsection (1)(f)(iii)(A), the
438 election officer may post a statement that:

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

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

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

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

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

447 (iii) a mailing address and telephone number.

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

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

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

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

460 (i) an error or omission has occurred in:
461 (A) the publication of the name or description of a candidate;
462 (B) the preparation or display of an electronic ballot; or
463 (C) the posting of sample ballots or the printing of official manual ballots; and
464 (ii) the election officer has failed to correct or provide for the correction of the error or
465 omission.

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

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

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

473 **20A-5-901. Voter registration audit.**

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

476 (2) The audit shall include:

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

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

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

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

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

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

484 (d) check for duplicate voter registrations; and

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

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

488 (5) The lieutenant governor shall:

489 (a) share the audit results with the county clerks and verify that the county clerks

490 address the concerns and fulfill the training identified under Subsection (4); and

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

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

494 **20A-6-401. Ballots for municipal primary elections.**

495 (1) Each election officer shall ensure that:

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

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

498 (ii) the date of the election; and

499 (iii) a facsimile of the signature of the election officer and the election officer's title in
500 eight point type;

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

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

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

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

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

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

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

519 Section 11. Section **20A-7-209** is amended to read:

520 **20A-7-209. Short title and summary of initiative -- Duties of lieutenant governor**
521 **and Office of Legislative Research and General Counsel.**

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

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

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

528 (ii) prepare for each initiative:

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

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

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

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

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

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

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

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

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

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

547 (A) the summary;

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

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

553 included in the voter information pamphlet; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

598 (c) The court shall:

599 (i) examine the short title and summary;

600 (ii) hear arguments; and

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

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

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

606 **20A-7-210. Form of ballot -- Manner of voting.**

607 (1) A county clerk shall ensure that the information described in Subsection
608 20A-7-209(2)(d) is presented, [~~in the order~~] as required, upon the official ballot with,
609 immediately adjacent to the information, the words "For" and "Against," each word presented
610 with an adjacent square in which the voter may indicate the voter's vote.

611 (2) A voter desiring to vote in favor of enacting the law proposed by the initiative
612 petition shall mark the square adjacent to the word "For," and a voter desiring to vote against
613 enacting the law proposed by the initiative petition shall mark the square adjacent to the word
614 "Against."

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

616 **20A-7-308. Short title and summary of referendum -- Duties of lieutenant**
 617 **governor and Office of Legislative Research and General Counsel.**

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

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

622 (i) entitle each state referendum that qualifies for the ballot "Proposition Number ___"
 623 and assign a number to the referendum in accordance with Section [20A-6-107](#);

624 (ii) prepare for each referendum:

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

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

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

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

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

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

637 [and]

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

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

640 (A) the summary;

641 (B) a copy of the law; and

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

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

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

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

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

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

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

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

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

676 (A) any person or group that has filed an argument for or against the measure that is the

677 subject of the challenge; and

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

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

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

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

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

690 (c) The court shall:

691 (i) examine the short title and summary;

692 (ii) hear arguments; and

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

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

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

698 **20A-7-508. Short title and summary of initiative -- Duties of local clerk and local**
699 **attorney.**

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

702 (2) The local attorney shall:

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

704 "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;

705 (b) prepare for the initiative:

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

- 708 (ii) an impartial summary of the contents of the measure, not exceeding 125 words;
- 709 (c) file the proposed short title, summary, and the numbered initiative titles with the
- 710 local clerk within 20 days after the day on which an eligible voter submits the initiative petition
- 711 to the local clerk; and
- 712 (d) promptly provide notice of the filing of the proposed short title and summary to:
- 713 (i) the sponsors of the petition; and
- 714 (ii) the local legislative body for the jurisdiction where the initiative petition was
- 715 circulated.
- 716 (3) (a) The short title and summary may be distinct from the title of the proposed law
- 717 attached to the initiative petition.
- 718 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's
- 719 ability, give a true and impartial description of the subject of the initiative.
- 720 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
- 721 ability, give a true and impartial summary of the contents of the measure.
- 722 (d) The short title and summary may not intentionally be an argument, or likely to
- 723 create prejudice, for or against the measure.
- 724 (e) If the initiative proposes a tax increase, the local attorney shall include the
- 725 following statement, in bold, in the summary:
- 726 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
- 727 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
- 728 increase in the current tax rate."
- 729 (4) (a) Within five calendar days after the date the local attorney files a proposed short
- 730 title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where
- 731 the initiative petition was circulated and the sponsors of the petition may file written comments
- 732 in response to the proposed short title and summary with the local clerk.
- 733 (b) Within five calendar days after the last date to submit written comments under
- 734 Subsection (4)(a), the local attorney shall:
- 735 (i) review any written comments filed in accordance with Subsection (4)(a);
- 736 (ii) prepare a final short title and summary that meets the requirements of Subsection
- 737 (3); and
- 738 (iii) return the petition and file the short title and summary with the local clerk.

739 (c) Subject to Subsection (6)[~~7~~], for each county or municipal initiative, the following
740 shall be printed on the official ballot:

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

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

744 (A) the summary;

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

746 (C) a link to a location on the election officer's website where a voter may review
747 additional information relating to each initiative, including the information described in
748 Subsection 20A-7-502(2), the fiscal impact estimate described in Section 20A-7-502.5, as
749 updated, and the arguments relating to the initiative that are included in the local voter
750 information pamphlet.

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

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

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

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

768 [(d) ~~For each ballot that includes an initiative or referendum, the ballot shall include~~
769 ~~the following statement at the beginning of the portion of the ballot that includes ballot~~

770 measures, "~~The ballot proposition sheet included with this ballot contains an impartial~~
771 ~~summary of each initiative and referendum on this ballot.~~"]

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

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

779 (i) at least three sponsors of the initiative petition; or

780 (ii) a majority of the local legislative body for the jurisdiction where the initiative
781 petition was circulated.

782 (b) The court:

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

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

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

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

788 **20A-7-608. Short title and summary of referendum -- Duties of local clerk and**
789 **local attorney.**

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

792 (2) The local attorney shall:

793 (a) entitle each county or municipal referendum that qualifies for the ballot

794 "Proposition Number ___" and give the referendum a number assigned in accordance with
795 Section **20A-6-107**;

796 (b) prepare for the referendum:

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

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

800 (c) file the proposed short title, summary, and the numbered referendum title with the

801 local clerk within 20 days after the day on which an eligible voter submits the referendum
802 petition to the local clerk; and

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

804 (i) the sponsors of the petition; and

805 (ii) the local legislative body for the jurisdiction where the referendum petition was
806 circulated.

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

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

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

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

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

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

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

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

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

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

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

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

830 (A) the summary;

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

832 (C) a link to a location on the election officer's website where a voter may review
833 additional information relating to each referendum, including the information described in
834 Subsection 20A-7-602(2) and the arguments relating to the referendum that are included in the
835 local voter information pamphlet.

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

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

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

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

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

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

861 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or
862 does not comply with the requirements of this section, the decision of the local attorney may be

863 appealed to the appropriate court by:

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

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

867 (b) The court:

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

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

870 (c) The local clerk shall include the short title and summary in the ballot or ballot

871 proposition insert, as required by this section.

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

873 **20A-9-101. Definitions.**

874 As used in this chapter:

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

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

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

880 (ii) presidential elector;

881 (iii) any political party offices; and

882 (iv) municipal or local district offices.

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

885 (3) "Continuing political party" means the same as that term is defined in Section
886 **20A-8-101**.

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

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

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

891 (ii) the office of presidential elector;

892 (iii) any political party offices;

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

- 894 (v) the office of United States Senator and United States Representative.
- 895 (5) "Electronic candidate qualification process" means:
- 896 (a) as it relates to a registered political party that is not a qualified political party, the
- 897 process for gathering signatures electronically to seek the nomination of a registered political
- 898 party, described in:
- 899 (i) Section 20A-9-403;
- 900 (ii) Section 20a-9-405, except Subsections 20A-9-405(3) and (5); and
- 901 (iii) Section 20A-21-201; and
- 902 (b) as it relates to a qualified political party, the process, for gathering signatures
- 903 electronically to seek the nomination of a registered political party, described in:
- 904 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
- 905 (ii) Section 20A-9-408; and
- 906 (iii) Section 20A-21-201.
- 907 (6) "Federal office" means an elective office for United States Senator and United
- 908 States Representative.
- 909 (7) "Filing officer" means:
- 910 (a) the lieutenant governor, for:
- 911 (i) the office of United States Senator and United States Representative; and
- 912 (ii) all constitutional offices;
- 913 (b) for the office of a state senator, [or] state representative, or state school board, the
- 914 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
- 915 (c) the county clerk, for county offices and local school district offices;
- 916 (d) the county clerk in the filer's county of residence, for multicounty offices;
- 917 (e) the city or town clerk, for municipal offices; or
- 918 (f) the local district clerk, for local district offices.
- 919 (8) "Local district office" means an elected office in a local district.
- 920 (9) "Local government office" includes county offices, municipal offices, and local
- 921 district offices and other elective offices selected by the voters from a political division entirely
- 922 within one county.
- 923 (10) "Manual candidate qualification process" means the process for gathering
- 924 signatures to seek the nomination of a registered political party, using paper signature packets

925 that a signer physically signs.

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

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

929 (i) a county office;

930 (ii) a federal office;

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

932 (iv) the office of presidential elector;

933 (v) any political party offices; or

934 (vi) any municipal or local district offices.

935 (12) "Municipal office" means an elective office in a municipality.

936 (13) (a) "Political division" means a geographic unit from which an officeholder is
937 elected and that an officeholder represents.

938 (b) "Political division" includes a county, a city, a town, a local district, a school
939 district, a legislative district, and a county prosecution district.

940 (14) "Qualified political party" means a registered political party that:

941 (a) (i) permits a delegate for the registered political party to vote on a candidate
942 nomination in the registered political party's convention remotely; or

943 (ii) provides a procedure for designating an alternate delegate if a delegate is not
944 present at the registered political party's convention;

945 (b) does not hold the registered political party's convention before the fourth Saturday
946 in March of an even-numbered year;

947 (c) permits a member of the registered political party to seek the registered political
948 party's nomination for any elective office by the member choosing to seek the nomination by
949 either or both of the following methods:

950 (i) seeking the nomination through the registered political party's convention process,
951 in accordance with the provisions of Section [20A-9-407](#); or

952 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
953 of Section [20A-9-408](#); and

954 (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.
955 on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor

956 that, for the election in the following year, the registered political party intends to nominate the
957 registered political party's candidates in accordance with the provisions of Section 20A-9-406;
958 or

959 (ii) if the registered political party is not a continuing political party, certifies at the
960 time that the registered political party files the petition described in Section 20A-8-103 that, for
961 the next election, the registered political party intends to nominate the registered political
962 party's candidates in accordance with the provisions of Section 20A-9-406.

963 (15) "Signature," as it relates to a petition for a candidate to seek the nomination of a
964 registered political party, means:

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

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

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

969 (ii) a holographic signature collected electronically under Subsection
970 20A-21-201(6)(c)(ii)(B).

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

972 **20A-9-201.5. Declaration of candidacy filing period for a qualified political party.**

973 (1) In 2022, for a qualified political party, the filing period to file a declaration of
974 candidacy for an elective office that is to be filled at the next regular general election begins at
975 8 a.m. on February 28, 2022, and ends at 5 p.m. on March 4, 2022.

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

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

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

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

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

985 Section 18. Section 20A-9-207 is enacted to read:

986 **20A-9-207. Withdrawal of candidacy - Notice.**

987 As used in this section:

988 (1) "State office" means the offices of governor, lieutenant governor, attorney general,
989 state auditor, state treasurer, state senator, state representative, and state school board.

990 (2) "State office candidate" means a person who files a declaration of candidacy for a
991 state office.

992 (3) If a state office candidate withdraws as a candidate under Section 20A-9-202(6),
993 the election officer shall:

994 (a) notify every opposing candidate for the state office that the state office candidate
995 has withdrawn;

996 (b) send an email notification to each voter that is eligible to vote in the state office
997 race for whom the election officer has an email address informing the voter that the state office
998 candidate has withdrawn and that votes cast for the state office candidate will not be counted;

999 (c) post notice of the withdrawal on the election officer's website; and

1000 (d) if practicable, remove the state office candidate's name from the ballot.

1001 (4) An election officer may fulfill the requirement described in Subsection (3) in
1002 relation to a mailed ballot, including a military or overseas ballot, by including with the ballot a
1003 written notice directing the voter to the election officer's website to inform the voter whether a
1004 candidate on the ballot has withdrawn.

1005 Section 19. Section **20A-11-206** is amended to read:

1006 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

1007 (1) A state office candidate who fails to file a financial statement before the deadline is
1008 subject to a fine imposed in accordance with Section **20A-11-1005**.

1009 (2) If a state office candidate fails to file an interim report described in Subsections
1010 **20A-11-204**(2)(b) through (d), the lieutenant governor may send an electronic notice to the
1011 state office candidate and the political party of which the state office candidate is a member, if
1012 any, that states:

1013 (a) that the state office candidate failed to timely file the report; and

1014 (b) that, if the state office candidate fails to file the report within 24 hours after the
1015 deadline for filing the report, the state office candidate will be disqualified and the political
1016 party will not be permitted to replace the candidate.

1017 (3) (a) The lieutenant governor shall disqualify a state office candidate and inform the

1018 county clerk and other appropriate election officials that the state office candidate is
1019 disqualified if the state office candidate fails to file an interim report described in Subsections
1020 [20A-11-204](#)(2)(b) through (d) within 24 hours after the deadline for filing the report.

1021 (b) The political party of a state office candidate who is disqualified under Subsection
1022 (3)(a) may not replace the state office candidate.

1023 (4) ~~[(a)]~~ (4) If a state office candidate is disqualified under Subsection (3)(a), the election
1024 ~~[official]~~ officer shall:

1025 ~~[(i)]~~ (a) ~~[remove the state office candidate's name from the ballot; or]~~ notify every
1026 opposing candidate for the state office that the state office candidate is disqualified;

1027 ~~[(ii)]~~ (b) ~~[if removing the state office candidate's name from the ballot is not~~
1028 ~~practicable, inform the voters by any practicable method that the state office candidate has been~~
1029 ~~disqualified and that votes cast for the state office candidate will not be counted.]~~ send an email
1030 notification to each voter that is eligible to vote in the state office race for whom the lieutenant
1031 governor has an email address informing the voter that the state office candidate is disqualified
1032 and that votes cast for the state office candidate will not be counted;

1033 (c) post notice of the disqualification on the lieutenant governor's website; and

1034 (d) if practicable, remove the state office candidate's name from the ballot.

1035 ~~[(b)]~~ (5) An election ~~[official]~~ officer may fulfill the requirement described in
1036 Subsection ~~[(4)(a)]~~ (4) in relation to a mailed ballot, including a military or overseas ballot, by
1037 including with the ballot a written notice directing the voter to ~~[a public website that will~~
1038 ~~inform the voter]~~ the lieutenant governor's website to inform the voter whether a candidate on
1039 the ballot is disqualified.

1040 ~~[(5)]~~ (6) A state office candidate is not disqualified if:

1041 (a) the state office candidate timely files the reports described in Subsections
1042 [20A-11-204](#)(2)(b) through (d) no later than 24 hours after the applicable deadlines for filing the
1043 reports;

1044 (b) the reports are completed, detailing accurately and completely the information
1045 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1046 and

1047 (c) the omissions, errors, or inaccuracies described in Subsection ~~[(5)(b)]~~ (6)(b) are
1048 corrected in an amended report or the next scheduled report.

1049 ~~[(6)]~~ (7) (a) Within 60 days after a deadline for the filing of a summary report, the
1050 lieutenant governor shall review each filed summary report to ensure that:

1051 (i) each state office candidate that is required to file a summary report has filed one;
1052 and

1053 (ii) each summary report contains the information required by this part.

1054 (b) If it appears that any state office candidate has failed to file the summary report
1055 required by law, if it appears that a filed summary report does not conform to the law, or if the
1056 lieutenant governor has received a written complaint alleging a violation of the law or the
1057 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1058 violation or receipt of a written complaint, notify the state office candidate of the violation or
1059 written complaint and direct the state office candidate to file a summary report correcting the
1060 problem.

1061 (c) (i) It is unlawful for a state office candidate to fail to file or amend a summary
1062 report within seven days after receiving notice from the lieutenant governor described in this
1063 Subsection ~~[(6)]~~ (7).

1064 (ii) Each state office candidate who violates Subsection ~~[(6)(c)(i)]~~ (7)(c)(i) is guilty of
1065 a class B misdemeanor.

1066 (iii) The lieutenant governor shall report all violations of Subsection ~~[(6)(c)(i)]~~ (7)(c)(i)
1067 to the attorney general.

1068 (iv) In addition to the criminal penalty described in Subsection ~~[(6)(c)(ii)]~~ (7)(c)(ii), the
1069 lieutenant governor shall impose a civil fine of \$100 against a state office candidate who
1070 violates Subsection ~~[(6)(c)(i)]~~ (7)(c)(i).

1071 Section 20. Section **20A-11-305** is amended to read:

1072 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

1073 (1) A legislative office candidate who fails to file a financial statement before the
1074 deadline is subject to a fine imposed in accordance with Section **20A-11-1005**.

1075 (2) If a legislative office candidate fails to file an interim report described in
1076 Subsections **20A-11-303**(2)(b) through (d), the lieutenant governor may send an electronic
1077 notice to the legislative office candidate and the political party of which the legislative office
1078 candidate is a member, if any, that states:

1079 (a) that the legislative office candidate failed to timely file the report; and

1080 (b) that, if the legislative office candidate fails to file the report within 24 hours after
1081 the deadline for filing the report, the legislative office candidate will be disqualified and the
1082 political party will not be permitted to replace the candidate.

1083 (3) (a) The lieutenant governor shall disqualify a legislative office candidate and
1084 inform the county clerk and other appropriate election officials that the legislative office
1085 candidate is disqualified if the legislative office candidate fails to file an interim report
1086 described in Subsections 20A-11-303(2)(b) through (d) within 24 hours after the deadline for
1087 filing the report.

1088 (b) The political party of a legislative office candidate who is disqualified under
1089 Subsection (3)(a) may not replace the legislative office candidate.

1090 (4) ~~[(a)]~~ If a legislative office candidate is disqualified under Subsection (3)(a), the
1091 election officer shall:

1092 ~~[(i)] (a) [remove the legislative office candidate's name from the ballot; or] notify every~~
1093 ~~opposing candidate for the legislative office that the legislative office candidate is disqualified;~~

1094 ~~[(ii)] (b) [if removing the legislative office candidate's name from the ballot is not~~
1095 ~~practicable, inform the voters by any practicable method that the legislative office candidate~~
1096 ~~has been disqualified and that votes cast for the legislative office candidate will not be~~
1097 ~~counted.] send an email notification to each voter that is eligible to vote in the legislative office~~
1098 ~~race for whom the election officer has an email address informing the voter that the legislative~~
1099 ~~office candidate is disqualified and that votes cast for the legislative office candidate will not~~
1100 ~~be counted;~~

1101 (c) post notice of the disqualification on the election officer's website; and

1102 (d) if practicable, remove the legislative office candidate's name from the ballot.

1103 ~~[(b)]~~ (5) An election ~~[official]~~ officer may fulfill the requirement described in
1104 Subsection ~~[(4)(a)]~~ (4) in relation to a mailed ballot, including a military or overseas ballot, by
1105 including with the ballot a written notice directing the voter to ~~[a public website that will~~
1106 ~~inform the voter]~~ the election officer's website to inform the voter whether a candidate on the
1107 ballot is disqualified.

1108 ~~[(5)]~~ (6) A legislative office candidate is not disqualified if:

1109 (a) the legislative office candidate files the reports described in Subsections
1110 20A-11-303(2)(b) through (d) no later than 24 hours after the applicable deadlines for filing the

1111 reports;

1112 (b) the reports are completed, detailing accurately and completely the information
1113 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1114 and

1115 (c) the omissions, errors, or inaccuracies described in Subsection [~~(5)(b)~~] (6)(b) are
1116 corrected in an amended report or the next scheduled report.

1117 [~~(6)~~] (7) (a) Within 60 days after a deadline for the filing of a summary report, the
1118 lieutenant governor shall review each filed summary report to ensure that:

1119 (i) each legislative office candidate that is required to file a summary report has filed
1120 one; and

1121 (ii) each summary report contains the information required by this part.

1122 (b) If it appears that any legislative office candidate has failed to file the summary
1123 report required by law, if it appears that a filed summary report does not conform to the law, or
1124 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1125 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1126 violation or receipt of a written complaint, notify the legislative office candidate of the
1127 violation or written complaint and direct the legislative office candidate to file a summary
1128 report correcting the problem.

1129 (c) (i) It is unlawful for a legislative office candidate to fail to file or amend a summary
1130 report within seven days after receiving notice from the lieutenant governor described in this
1131 Subsection [~~(6)~~] (7).

1132 (ii) Each legislative office candidate who violates Subsection [~~(6)(c)(i)~~] (7)(c)(i) is
1133 guilty of a class B misdemeanor.

1134 (iii) The lieutenant governor shall report all violations of Subsection [~~(6)(c)(i)~~]
1135 (7)(c)(i) to the attorney general.

1136 (iv) In addition to the criminal penalty described in Subsection [~~(6)(c)(ii)~~] (7)(c)(ii), the
1137 lieutenant governor shall impose a civil fine of \$100 against a legislative office candidate who
1138 violates Subsection [~~(6)(c)(i)~~] (7)(c)(i).

1139 Section 21. Section **20A-11-1305** is amended to read:

1140 **20A-11-1305. School board office candidate -- Failure to file statement --**
1141 **Penalties.**

1142 (1) A school board office candidate who fails to file a financial statement by the
1143 deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

1144 (2) If a school board office candidate fails to file an interim report described in
1145 Subsections 20A-11-1303(1)(c)(i) through (iv), the lieutenant governor may send an electronic
1146 notice to the school board office candidate and the political party of which the school board
1147 office candidate is a member, if any, that states:

1148 (a) that the school board office candidate failed to timely file the report; and

1149 (b) that, if the school board office candidate fails to file the report within 24 hours after
1150 the deadline for filing the report, the school board office candidate will be disqualified and the
1151 political party will not be permitted to replace the candidate.

1152 (3) (a) The lieutenant governor shall disqualify a school board office candidate and
1153 inform the county clerk and other appropriate election officials that the school board office
1154 candidate is disqualified if the school board office candidate fails to file an interim report
1155 described in Subsections 20A-11-1303(1)(c)(i) through (iv) within 24 hours after the deadline
1156 for filing the report.

1157 (b) The political party of a school board office candidate who is disqualified under
1158 Subsection (3)(a) may not replace the school board office candidate.

1159 (4) ~~(a)~~ If a school board office candidate is disqualified under Subsection (3)(a), the
1160 election officer shall:

1161 ~~[(i)] (a) [remove the school board office candidate's name from the ballot; or] notify~~
1162 every opposing candidate for the school board office that the school board office candidate is
1163 disqualified;

1164 ~~[(ii)] (b) [if removing the school board office candidate's name from the ballot is not~~
1165 ~~practicable, inform the voters by any practicable method that the school board office candidate~~
1166 ~~has been disqualified and that votes cast for the school board office candidate will not be~~
1167 ~~counted.]~~ send an email notification to each voter that is eligible to vote in the school board
1168 office race for whom the election officer has an email address informing the voter that the
1169 school board office candidate is disqualified and that votes cast for the school board office
1170 candidate will not be counted;

1171 (c) post notice of the disqualification on the election officer's website; and

1172 (d) if practicable, remove the school board office candidate's name from the ballot.

1173 ~~[(b)]~~ (5) An election officer may fulfill the requirement described in Subsection ~~[(4)(a)]~~
1174 (4) in relation to a mailed ballot, including a military or overseas ballot, by including with the
1175 ballot a written notice directing the voter to ~~[a public website that will inform the voter]~~ the
1176 election officer's website to inform the voter whether a candidate on the ballot is disqualified.

1177 ~~[(5)]~~ (6) A school board office candidate is not disqualified if:

1178 (a) the school board office candidate files the reports described in Subsections
1179 20A-11-1303(1)(c)(i) through (iv) no later than 24 hours after the applicable deadlines for
1180 filing the reports;

1181 (b) the reports are completed, detailing accurately and completely the information
1182 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1183 and

1184 (c) the omissions, errors, or inaccuracies described in Subsection ~~[(5)(b)]~~ (6)(b) are
1185 corrected in an amended report or the next scheduled report.

1186 ~~[(6)]~~ (7) (a) Within 60 days after a deadline for the filing of a summary report, the
1187 lieutenant governor shall review each filed summary report to ensure that:

1188 (i) each school board office candidate who is required to file a summary report has
1189 filed the report; and

1190 (ii) each summary report contains the information required by this part.

1191 (b) If it appears that a school board office candidate has failed to file the summary
1192 report required by law, if it appears that a filed summary report does not conform to the law, or
1193 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1194 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1195 violation or receipt of a written complaint, notify the school board office candidate of the
1196 violation or written complaint and direct the school board office candidate to file a summary
1197 report correcting the problem.

1198 (c) (i) It is unlawful for a school board office candidate to fail to file or amend a
1199 summary report within seven days after receiving the notice described in Subsection ~~[(6)(b)]~~
1200 (7)(b) from the lieutenant governor.

1201 (ii) Each school board office candidate who violates Subsection ~~[(6)(c)(i)]~~ (7)(c)(i) is
1202 guilty of a class B misdemeanor.

1203 (iii) The lieutenant governor shall report all violations of Subsection ~~[(6)(c)(i)]~~

1204 (7)(c)(i) to the attorney general.

1205 (iv) In addition to the criminal penalty described in Subsection [~~(6)(c)(ii)~~] (7)(c)(ii), the
1206 lieutenant governor shall impose a civil fine of \$100 against a school board office candidate
1207 who violates Subsection [~~(6)(c)(i)~~] (7)(c)(i).

1208 Section 22. Section **20A-11-1603** is amended to read:

1209 **20A-11-1603. Conflict of interest disclosure -- Required when filing for candidacy**
1210 **-- Public availability.**

1211 (1) (a) Except as provided in Subsection [~~(1)(b)~~] (1)(c), candidates seeking the
1212 following offices shall make a complete conflict of interest disclosure on the website at the
1213 time of filing a declaration of candidacy:

- 1214 (i) state constitutional officer;
- 1215 (ii) state legislator; or
- 1216 (iii) State Board of Education member.

1217 (b) A candidate who fails to comply with Subsection (1)(a) shall make a complete
1218 conflict of interest disclosure on the website no later than 5:00 p.m. on January 10.

1219 [~~(b)~~] (c) A candidate is not required to comply with Subsection (1)(a) if the candidate:

- 1220 (i) currently holds the office for which the candidate is seeking reelection;
- 1221 (ii) already, that same year, filed the conflict of interest disclosure for the office
1222 described in Subsection [~~(1)(b)(i)~~] (1)(c)(i), in accordance Section **20A-11-1604**; and
- 1223 (iii) at the time the candidate files the declaration of candidacy, indicates, in writing,
1224 that the conflict of interest disclosure described in Subsection [~~(1)(b)(ii)~~] (1)(c)(ii) is updated
1225 and accurate as of the date of filing the declaration of candidacy.

1226 (2) Except as provided in Subsection [~~(1)(b)~~] (1)(c), a filing officer:

1227 (a) shall provide electronic notice to a candidate who fails to comply with Subsection
1228 (1)(a) that the candidate must make a complete conflict of interest disclosure on the website no
1229 later than the deadline described in Subsection (1)(b); and

1230 (b) may not accept a declaration of candidacy for an office listed in Subsection (1)(a)
1231 until the candidate makes a complete conflict of interest disclosure on the website.

1232 (3) The conflict of interest disclosure described in Subsection (1)(a) shall contain the
1233 same requirements and shall be in the same format as the conflict of interest disclosure
1234 described in Section **20A-11-1604**.

1235 (4) The lieutenant governor shall make the complete conflict of interest disclosure
1236 made by each candidate available for public inspection on the website.