

HB0369S02 compared with HB0369S01

~~{Omitted text}~~ shows text that was in HB0369S01 but was omitted in HB0369S02
inserted text shows text that was not in HB0369S01 but was inserted into HB0369S02

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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Elections Office

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill addresses issues relating to Utah's election system.

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Highlighted Provisions:

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This bill:

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▸ provides for the appointment of a conflict of interest elections officer to act in the place of the lieutenant governor if a complaint or election controversy arises that has any connection to a race for office in which the governor or lieutenant governor is, or seeks to be, a candidate;

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▸ describes the terms of service and authority of the conflict of interest elections officer; and

14

▸ creates the Elections Oversight Task Force and establishes the task force's:

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- membership;

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- duties; ~~{and}~~

17

- reporting requirements~~{-}~~ ; and

18

- repeal date.

19

Money Appropriated in this Bill:

20

None

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21 **Other Special Clauses:**

22 None

24 AMENDS:

25 **63I-2-236 , as last amended by Laws of Utah 2024, Third Special Session, Chapter 5 , as last
amended by Laws of Utah 2024, Third Special Session, Chapter 5**

26 ENACTS:

27 **20A-1-109** , Utah Code Annotated 1953 , Utah Code Annotated 1953

28 **36-29-113** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

31 Section 1. Section 1 is enacted to read:

32 **20A-1-109. Conflict of interest election officer -- Appointment -- Term of service -- Duties
and authority.**

31 (1) No later than July 1 of the year immediately preceding an even-numbered year in which the
governor or lieutenant governor will run for an office, the state board of canvassers shall, after
consulting with county clerks in both urban and rural counties, appoint an individual to serve as a
conflict of interest election officer.

35 (2) The conflict of interest election officer:

36 (a) shall be an individual who is familiar with state and federal election law and with Utah's election
system;

38 (b) may not, while serving as the conflict of interest election officer, be a current elected official or
employee of the state or a political subdivision of the state; and

40 (c) shall serve until the day after the day of the statewide canvass for the elections held in the even-
numbered year following the conflict of interest election officer's appointment.

43 (3) The conflict of interest election officer has the duty and authority to act in the place of the lieutenant
governor if a complaint or election controversy arises that has any connection to a race for office in
which the governor or lieutenant governor is, or seeks to be, a candidate.

47 (4) If a dispute arises regarding whether a particular matter falls within the authority of the conflict
of interest election officer under this section, the dispute shall be resolved by the state board of
canvassers.

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(5) This section does not authorize the conflict of interest election officer to exercise any authority granted to the lieutenant governor under the Utah Constitution.

55 Section 2. Section 2 is enacted to read:

56 **36-29-113. Elections Oversight Task Force.**

54 (1) There is created the Elections Oversight Task Force consisting of the following members:

56 (a) the president of the Senate or the president's designee;

57 (b) the speaker of the House of Representatives or the speaker's designee;

58 (c) the governor or the governor's designee;

59 (d) the attorney general or the attorney general's designee;

60 (e) the state auditor or the state auditor's designee; and

61 (f) two county clerks appointed by the Utah Association of Counties.

62 (2) The members described in Subsections (1)(a) and (b) shall serve as cochairs of the task force.

64 (3)

(a) A majority of the members of the task force constitutes a quorum.

65 (b) The action of a majority of a quorum constitutes action of the task force.

66 (4)

(a) Salaries and expenses of the members of the task force who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

69 (b) A member of the task force who is not a legislator:

70 (i) may not receive compensation for the member's work associated with the task force; and

72 (ii) may receive per diem and reimbursement for travel expenses incurred as a member of the task force at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

75 (5) The Office of Legislative Research and General Counsel shall provide staff support to the task force.

77 (6)

(a) The task force shall review and make recommendations for improving the state's current system of election oversight and administration.

79 (b) When conducting the review described in Subsection (6)(a) the task force shall analyze:

81 (i) the current duties and authority vested in the state's chief election officer under Section 67-1a-2;

83 (ii) the potential for conflicts of interest when overseeing a statewide election and ways in which to mitigate the conflicts;

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- 85 (iii) applicable federal and state election law and regulations;
86 (iv) alternative ways of structuring the state's system of election oversight and administration; and
88 (v) any other information related to election oversight and administration that the task force determines
to be needed.
- 90 (7) On or before September 1, 2026, the task force shall provide a report to the Government Operations
Interim Committee that includes:
- 92 (a) a description of the alternative election oversight structures reviewed and analyzed under Subsection
(6);
- 94 (b) a recommendation as to whether any changes to the state's current system of election oversight are
warranted; and
- 96 (c) if the task force recommends a change described in Subsection (7)(b):
- 97 (i) the changes to state law necessary to implement the change; and
- 98 (ii) a proposed timeline to effectuate the change.

102 Section 3. Section 63I-2-236 is amended to read:

103 **63I-2-236. Repeal dates: Title 36.**

- 104 (1) Section 36-12-8.2, Medical cannabis governance structure working group, is repealed July 1, 2025.
- 106 (2) Section 36-29-107.5, Murdered and Missing Indigenous Relatives Task Force -- Creation --
Membership -- Quorum -- Compensation -- Staff -- Vacancies -- Duties -- Interim report, is repealed
November 30, 2024.
- 109 (3) Section 36-29-109, Utah Broadband Center Advisory Commission, is repealed November 30, 2027.
- 111 (4) Section 36-29-110, Blockchain and Digital Innovation Task Force, is repealed November 30, 2024.
- 113 (5) Section 36-29-113, Elections Oversight Task Force, is repealed July 1, 2027.

114 Section 4. **Effective date.**

This bill takes effect on May 7, 2025.

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