

Candidate Nomination Procedures Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

LONG TITLE**General Description:**

This bill amends provisions relating to nominating candidates for elective office and placing candidates on a ballot.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ repeals provisions relating to a qualified political party;
- ▶ establishes two types of registered political parties:
 - a primary nominating party that nominates candidates through signature-gathering only, participates in the regular primary election, and has the name of the primary nominating party listed on the regular general election ballot in association with the party's candidates; and
 - a convention nominating party that nominates candidates using a method that does not involve the signature-gathering process described in the preceding paragraph or participation in the regular primary election, and whose candidates are listed on the regular general election ballot without an indication of the convention nominating party that nominated the candidates;
- ▶ requires a registered political party to choose whether to be a primary nominating party or a convention nominating party;
- ▶ modifies signature gathering thresholds; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17B-1-306 (Effective 05/07/25), as last amended by Laws of Utah 2024, Chapters 382,

32 465
33 **20A-1-102 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapter 438
34 **20A-1-201.5 (Effective 05/07/25) (Applies beginning 06/21/24)**, as last amended by
35 Laws of Utah 2024, Third Special Session, Chapter 3
36 **20A-1-501 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapter 234
37 **20A-1-502 (Effective 05/07/25)**, as last amended by Laws of Utah 2020, Chapter 13
38 **20A-1-502.5 (Effective 05/07/25)**, as enacted by Laws of Utah 2020, Chapter 13
39 **20A-1-503 (Effective 05/07/25)**, as last amended by Laws of Utah 2019, First Special
40 Session, Chapter 4
41 **20A-1-1001 (Effective 05/07/25)**, as enacted by Laws of Utah 2023, Chapter 116
42 **20A-2-104 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapters 327,
43 406
44 **20A-2-107 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapters 45, 89
45 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 89
46 **20A-2-206 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapter 297
47 **20A-5-101 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapters 45,
48 56, 106, 297, and 435
49 **20A-6-301 (Effective 05/07/25)**, as last amended by Laws of Utah 2021, Chapter 136
50 **20A-6-302 (Effective 05/07/25)**, as last amended by Laws of Utah 2020, Chapter 31
51 **20A-6-304 (Effective 05/07/25)**, as last amended by Laws of Utah 2021, Chapter 136
52 **20A-8-103 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapter 116
53 **20A-9-101**, as last amended by Laws of Utah 2023, Chapters 15, 45
54 **20A-9-201 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapter 465
55 **20A-9-201.5 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapter 45
56 **20A-9-202 (Effective 05/07/25)**, as last amended by Laws of Utah 2021, Second Special
57 Session, Chapter 6
58 **20A-9-403 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapter 503
59 **20A-9-405 (Effective 05/07/25)**, as last amended by Laws of Utah 2022, Chapter 325
60 **20A-9-408.5 (Effective 05/07/25)**, as last amended by Laws of Utah 2021, Chapter 183
61 **20A-9-411 (Effective 05/07/25)**, as enacted by Laws of Utah 2015, Chapter 296
62 **20A-9-701 (Effective 05/07/25)**, as last amended by Laws of Utah 2015, Chapter 296
63 **20A-21-101 (Effective 05/07/25)**, as enacted by Laws of Utah 2022, Chapter 325
64 **63G-2-305 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapters 18,
65 101, 135, 267, 344, and 522

66 ENACTS:

67 **20A-9-402.1 (Effective 05/07/25)**, Utah Code Annotated 1953

68 **20A-9-402.2 (Effective 05/07/25)**, Utah Code Annotated 1953

69 **20A-9-402.3 (Effective 05/07/25)**, Utah Code Annotated 1953

70 **20A-9-402.4 (Effective 05/07/25)**, Utah Code Annotated 1953

71 REPEALS:

72 **20A-9-406 (Effective 05/07/25)**, as last amended by Laws of Utah 2022, Chapter 13

73 **20A-9-407 (Effective 05/07/25)**, as last amended by Laws of Utah 2022, Chapter 13

74 **20A-9-408 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapter 116

75 **20A-9-409 (Effective 05/07/25)**, as last amended by Laws of Utah 2021, Second Special
76 Session, Chapter 6

77

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

79 Section 1. Section **17B-1-306** is amended to read:

80 **17B-1-306 (Effective 05/07/25). Special district board -- Election procedures --**

81 **Notice.**

82 (1) Except as provided in Subsection (12), each elected board member shall be selected as
83 provided in this section.

84 (2)(a) Each election of a special district board member shall be held:

85 (i) at the same time as the municipal general election or the regular general election,
86 as applicable; and

87 (ii) at polling places designated by the special district board in consultation with the
88 county clerk for each county in which the special district is located, which polling
89 places shall coincide with municipal general election or regular general election
90 polling places, as applicable, whenever feasible.

91 (b) The special district board, in consultation with the county clerk, may consolidate two
92 or more polling places to enable voters from more than one district to vote at one
93 consolidated polling place.

94 (c)(i) Subject to Subsections (5)(h) and (i), the number of polling places under
95 Subsection (2)(a)(ii) in an election of board members of an irrigation district shall
96 be one polling place per division of the district, designated by the district board.

97 (ii) Each polling place designated by an irrigation district board under Subsection
98 (2)(c)(i) shall coincide with a polling place designated by the county clerk under
99 Subsection (2)(a)(ii).

- 100 (3)(a) The clerk of each special district with a board member position to be filled at the
101 next municipal general election or regular general election, as applicable, shall
102 provide notice of:
- 103 (i) each elective position of the special district to be filled at the next municipal
104 general election or regular general election, as applicable;
 - 105 (ii) the constitutional and statutory qualifications for each position; and
 - 106 (iii) the dates and times for filing a declaration of candidacy.
- 107 (b) If the election is to be held at the same time as the municipal general election, a
108 declaration of candidacy shall be filed on the days specified in Subsection
109 20A-9-203(3)(a)(i).
- 110 (c) If the election is to be held at the same time as the regular general election, a
111 declaration of candidacy shall be filed by the deadline stated in [~~Subsection~~
112 ~~20A-9-201.5(2)~~] Section 20A-9-201.5.
- 113 (4) The clerk of the special district shall publish the notice described in Subsection (3)(a)
114 for the special district, as a class A notice under Section 63G-30-102, for at least 10 days
115 before the first day for filing a declaration of candidacy.
- 116 (5)(a) Except as provided in Subsection (5)(c), to become a candidate for an elective
117 special district board position, an individual shall file a declaration of candidacy in
118 person with an official designated by the special district within the candidate filing
119 period for the applicable election year in which the election for the special district
120 board is held and:
- 121 (i) during the special district's standard office hours, if the standard office hours
122 provide at least three consecutive office hours each day during the candidate filing
123 period that is not a holiday or weekend; or
 - 124 (ii) if the standard office hours of a special district do not provide at least three
125 consecutive office hours each day, a three-hour consecutive time period each day
126 designated by the special district during the candidate filing period that is not a
127 holiday or weekend.
- 128 (b) When the candidate filing deadline falls on a Saturday, Sunday, or holiday, the filing
129 time shall be extended until the close of normal office hours on the following regular
130 business day.
- 131 (c) Subject to Subsection (5)(f), an individual may designate an agent to file a
132 declaration of candidacy with the official designated by the special district if:
- 133 (i) the individual is located outside of the state during the entire filing period;

- 134 (ii) the designated agent appears in person before the official designated by the
 135 special district; and
- 136 (iii) the individual communicates with the official designated by the special district
 137 using an electronic device that allows the individual and official to see and hear
 138 each other.
- 139 (d)(i) Before the filing officer may accept any declaration of candidacy from an
 140 individual, the filing officer shall:
- 141 (A) read to the individual the constitutional and statutory qualification
 142 requirements for the office that the individual is seeking; and
- 143 (B) require the individual to state whether the individual meets those requirements.
- 144 (ii) If the individual does not meet the qualification requirements for the office, the
 145 filing officer may not accept the individual's declaration of candidacy.
- 146 (iii) If it appears that the individual meets the requirements of candidacy, the filing
 147 officer shall accept the individual's declaration of candidacy.
- 148 (e) The declaration of candidacy shall be in substantially the following form:
- 149 "I, (print name) _____, being first duly sworn, say that I reside at (Street)
 150 _____, City of _____, County of _____, state of Utah,
 151 (Zip Code) _____, (Telephone Number, if any) _____; that I meet the qualifications
 152 for the office of board of trustees member for _____ (state the name of
 153 the special district); that I am a candidate for that office to be voted upon at the next election;
 154 and that, if filing via a designated agent, I will be out of the state of Utah during the entire
 155 candidate filing period, and I hereby request that my name be printed upon the official ballot
 156 for that election.
- 157 (Signed) _____
- 158 Subscribed and sworn to (or affirmed) before me by _____ on this _____ day
 159 of _____, ____.
- 160 (Signed) _____
- 161 (Clerk or Notary Public)".
- 162 (f) An agent designated under Subsection (5)(c) may not sign the form described in
 163 Subsection (5)(e).
- 164 (g) Each individual wishing to become a valid write-in candidate for an elective special
 165 district board position is governed by Section 20A-9-601.
- 166 (h) If at least one individual does not file a declaration of candidacy as required by this
 167 section, an individual shall be appointed to fill that board position in accordance with

- 168 the appointment provisions of Section 20A-1-512.
- 169 (i) If only one candidate files a declaration of candidacy and there is no write-in
170 candidate who complies with Section 20A-9-601, the board, in accordance with
171 Section 20A-1-206, may:
- 172 (i) consider the candidate to be elected to the position; and
173 (ii) cancel the election.
- 174 (6)(a) A primary election may be held if:
- 175 (i) the election is authorized by the special district board; and
176 (ii) the number of candidates for a particular local board position or office exceeds
177 twice the number of persons needed to fill that position or office.
- 178 (b) The primary election shall be conducted:
- 179 (i) on the same date as the municipal primary election or the regular primary election,
180 as applicable; and
181 (ii) according to the procedures for primary elections provided under Title 20A,
182 Election Code.
- 183 (7)(a) Except as provided in Subsection (7)(c), within one business day after the
184 deadline for filing a declaration of candidacy, the special district clerk shall certify
185 the candidate names to the clerk of each county in which the special district is located.
- 186 (b)(i) Except as provided in Subsection (7)(c) and in accordance with Section
187 20A-6-305, the clerk of each county in which the special district is located and the
188 special district clerk shall coordinate the placement of the name of each candidate
189 for special district office in the nonpartisan section of the ballot with the
190 appropriate election officer.
- 191 (ii) If consolidation of the special district election ballot with the municipal general
192 election ballot or the regular general election ballot, as applicable, is not feasible,
193 the special district board of trustees, in consultation with the county clerk, shall
194 provide for a separate special district election ballot to be administered by poll
195 workers at polling places designated under Subsection (2).
- 196 (c)(i) Subsections (7)(a) and (b) do not apply to an election of a member of the board
197 of an irrigation district established under Chapter 2a, Part 5, Irrigation District Act.
- 198 (ii)(A) Subject to Subsection (7)(c)(ii)(B), the board of each irrigation district
199 shall prescribe the form of the ballot for each board member election.
200 (B) Each ballot for an election of an irrigation district board member shall be in a
201 nonpartisan format.

202 (C) The name of each candidate shall be placed on the ballot in the order specified
203 under Section 20A-6-305.

204 (8)(a) Each voter at an election for a board of trustees member of a special district shall:

205 (i) be a registered voter within the district, except for an election of:

206 (A) an irrigation district board of trustees member; or

207 (B) a basic special district board of trustees member who is elected by property
208 owners; and

209 (ii) meet the requirements to vote established by the district.

210 (b) Each voter may vote for as many candidates as there are offices to be filled.

211 (c) The candidates who receive the highest number of votes are elected.

212 (9) Except as otherwise provided by this section, the election of special district board
213 members is governed by Title 20A, Election Code.

214 (10)(a) Except as provided in Subsection 17B-1-303(8), a person elected to serve on a
215 special district board shall serve a four-year term, beginning at noon on the January 1
216 after the person's election.

217 (b) A person elected shall be sworn in as soon as practical after January 1.

218 (11)(a) Except as provided in Subsection (11)(b), each special district shall reimburse
219 the county or municipality holding an election under this section for the costs of the
220 election attributable to that special district.

221 (b) Each irrigation district shall bear the district's own costs of each election the district
222 holds under this section.

223 (12) This section does not apply to an improvement district that provides electric or gas
224 service.

225 (13) Except as provided in Subsection 20A-3a-605(1)(b), the provisions of Title 20A,
226 Chapter 3a, Part 6, Early Voting, do not apply to an election under this section.

227 (14)(a) As used in this Subsection (14), "board" means:

228 (i) a special district board; or

229 (ii) the administrative control board of a special service district that has elected
230 members on the board.

231 (b) If a board desires to hold elections for membership on the board at a regular general
232 election instead of a municipal general election, or at a municipal general election
233 instead of a regular general election, the board may submit an application to the
234 lieutenant governor that:

235 (i) requests permission to change the election year for membership on the board in a

- 236 manner described in this Subsection (14)(b);
- 237 (ii) indicates that a change in the election year is beneficial, based on potential cost
238 savings, a potential increase in voter turnout, or another material reason; and
- 239 (iii) if a change in the election year may result in shortening a board member's term
240 of office, indicates that the members of the board unanimously support the
241 lieutenant governor taking that action.
- 242 (c) Upon receipt of an application described in Subsection (14)(b), the lieutenant
243 governor may approve the if:
- 244 (i) the lieutenant governor concludes that changing the election year is beneficial
245 based on the criteria described in Subsection (14)(b)(ii); and
- 246 (ii) for an application that may result in shortening a board member's term of office,
247 the application satisfies the unanimity requirement described in Subsection
248 (14)(b)(iii).
- 249 (d) If the lieutenant governor approves a board's application described in this section:
- 250 (i) all future elections for membership on the board shall be held at the time of the
251 general election specified in the application; and
- 252 (ii) the board may not hold elections at the time of an election other than the general
253 election specified in the application, unless the board receives permission from the
254 lieutenant governor to change the election under the same procedure, and by
255 applying the same criteria, described in this Subsection (14).
- 256 (15)(a) This Subsection (15) applies to a special district if:
- 257 (i) the special district's board members are elected by the owners of real property, as
258 provided in Subsection 17B-1-1402(1)(b); and
- 259 (ii) the special district was created before January 1, 2020.
- 260 (b) The board of a special district described in Subsection (15)(a) may conduct an
261 election:
- 262 (i) to fill a board member position that expires at the end of the term for that board
263 member's position; and
- 264 (ii) notwithstanding Subsection 20A-1-512(1)(a)(i), to fill a vacancy in an unexpired
265 term of a board member.
- 266 (c) An election under Subsection (15)(b) may be conducted as determined by the special
267 district board, subject to Subsection (15)(d).
- 268 (d)(i) The special district board shall provide to property owners eligible to vote at
269 the special district election:

- 270 (A) notice of the election; and
- 271 (B) a form to nominate an eligible individual to be elected as a board member.
- 272 (ii)(A) The special district board may establish a deadline for a property owner to
- 273 submit a nomination form.
- 274 (B) A deadline under Subsection (15)(d)(ii)(A) may not be earlier than 15 days
- 275 after the board provides the notice and nomination form under Subsection
- 276 (15)(d)(i).
- 277 (iii)(A) After the deadline for submitting nomination forms, the special district
- 278 board shall provide a ballot to all property owners eligible to vote at the special
- 279 district election.
- 280 (B) A special district board shall allow at least five days for ballots to be returned.
- 281 (iv) A special district board shall certify the results of an election under this
- 282 Subsection (15) during an open meeting of the board.

283 Section 2. Section **20A-1-102** is amended to read:

284 **20A-1-102 (Effective 05/07/25). Definitions.**

285 As used in this title:

- 286 (1) "Active voter" means a registered voter who has not been classified as an inactive voter
- 287 by the county clerk.
- 288 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
- 289 counts votes recorded on ballots and tabulates the results.
- 290 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
- 291 storage medium, that records an individual voter's vote.
- 292 (b) "Ballot" does not include a record to tally multiple votes.
- 293 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
- 294 the ballot for their approval or rejection including:
- 295 (a) an opinion question specifically authorized by the Legislature;
- 296 (b) a constitutional amendment;
- 297 (c) an initiative;
- 298 (d) a referendum;
- 299 (e) a bond proposition;
- 300 (f) a judicial retention question;
- 301 (g) an incorporation of a city or town; or
- 302 (h) any other ballot question specifically authorized by the Legislature.
- 303 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together

- 304 using staples or another means in at least three places across the top of the paper in the
305 blank space reserved for securing the paper.
- 306 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
307 20A-4-306 to canvass election returns.
- 308 (7) "Bond election" means an election held for the purpose of approving or rejecting the
309 proposed issuance of bonds by a government entity.
- 310 (8) "Business reply mail envelope" means an envelope that may be mailed free of charge by
311 the sender.
- 312 (9) "Canvass" means the review of election returns and the official declaration of election
313 results by the board of canvassers.
- 314 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
315 canvass.
- 316 (11) "Contracting election officer" means an election officer who enters into a contract or
317 interlocal agreement with a provider election officer.
- 318 (12) "Convention" means the political party convention at which party officers and
319 delegates are selected.
- 320 (13) "Counting center" means one or more locations selected by the election officer in
321 charge of the election for the automatic counting of ballots.
- 322 (14) "Counting judge" means a poll worker designated to count the ballots during election
323 day.
- 324 (15) "Counting room" means a suitable and convenient private place or room for use by the
325 poll workers and counting judges to count ballots.
- 326 (16) "County officers" means those county officers that are required by law to be elected.
- 327 (17) "Date of the election" or "election day" or "day of the election":
- 328 (a) means the day that is specified in the calendar year as the day that the election
329 occurs; and
- 330 (b) does not include:
- 331 (i) deadlines established for voting by mail, military-overseas voting, or emergency
332 voting; or
- 333 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
334 Early Voting.
- 335 (18) "Elected official" means:
- 336 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
337 Municipal Alternate Voting Methods Pilot Project;

- 338 (b) a person who is considered to be elected to a municipal office in accordance with
339 Subsection [~~20A-1-206(1)(e)(ii)~~] 20A-1-206(2)(b)(ii); or
- 340 (c) a person who is considered to be elected to a special district office in accordance
341 with Subsection 20A-1-206(3)(b)(ii).
- 342 (19) "Election" means a regular general election, a municipal general election, a statewide
343 special election, a local special election, a regular primary election, a municipal primary
344 election, and a special district election.
- 345 (20) "Election Assistance Commission" means the commission established by the Help
346 America Vote Act of 2002, Pub. L. No. 107-252.
- 347 (21) "Election cycle" means the period beginning on the first day persons are eligible to file
348 declarations of candidacy and ending when the canvass is completed.
- 349 (22) "Election judge" means a poll worker that is assigned to:
- 350 (a) preside over other poll workers at a polling place;
351 (b) act as the presiding election judge; or
352 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 353 (23) "Election officer" means:
- 354 (a) the lieutenant governor, for all statewide ballots and elections;
355 (b) the county clerk for:
356 (i) a county ballot and election; and
357 (ii) a ballot and election as a provider election officer as provided in Section
358 20A-5-400.1 or 20A-5-400.5;
- 359 (c) the municipal clerk for:
360 (i) a municipal ballot and election; and
361 (ii) a ballot and election as a provider election officer as provided in Section
362 20A-5-400.1 or 20A-5-400.5;
- 363 (d) the special district clerk or chief executive officer for:
364 (i) a special district ballot and election; and
365 (ii) a ballot and election as a provider election officer as provided in Section
366 20A-5-400.1 or 20A-5-400.5; or
- 367 (e) the business administrator or superintendent of a school district for:
368 (i) a school district ballot and election; and
369 (ii) a ballot and election as a provider election officer as provided in Section
370 20A-5-400.1 or 20A-5-400.5.
- 371 (24) "Election official" means any election officer, election judge, or poll worker.

- 372 (25) "Election results" means:
- 373 (a) for an election other than a bond election, the count of votes cast in the election and
374 the election returns requested by the board of canvassers; or
- 375 (b) for bond elections, the count of those votes cast for and against the bond proposition
376 plus any or all of the election returns that the board of canvassers may request.
- 377 (26) "Election returns" includes:
- 378 (a) the pollbook, the military and overseas absentee voter registration and voting
379 certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all
380 excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
381 the total votes cast form; and
- 382 (b) the record, described in Subsection 20A-3a-401(8)(c), of voters contacted to cure a
383 ballot.
- 384 (27) "Electronic signature" means an electronic sound, symbol, or process attached to or
385 logically associated with a record and executed or adopted by a person with the intent to
386 sign the record.
- 387 (28) "Inactive voter" means a registered voter who is listed as inactive by a county clerk
388 under Subsection 20A-2-505(4)(c)(i) or (ii).
- 389 (29) "Judicial office" means the office filled by any judicial officer.
- 390 (30) "Judicial officer" means any justice or judge of a court of record or any county court
391 judge.
- 392 (31) "Local election" means a regular county election, a regular municipal election, a
393 municipal primary election, a local special election, a special district election, and a
394 bond election.
- 395 (32) "Local political subdivision" means a county, a municipality, a special district, or a
396 local school district.
- 397 (33) "Local special election" means a special election called by the governing body of a
398 local political subdivision in which all registered voters of the local political subdivision
399 may vote.
- 400 (34) "Manual ballot" means a paper document produced by an election officer on which an
401 individual records an individual's vote by directly placing a mark on the paper document
402 using a pen or other marking instrument.
- 403 (35) "Mechanical ballot" means a record, including a paper record, electronic record, or
404 mechanical record, that:
- 405 (a) is created via electronic or mechanical means; and

- 406 (b) records an individual voter's vote cast via a method other than an individual directly
407 placing a mark, using a pen or other marking instrument, to record an individual
408 voter's vote.
- 409 (36) "Municipal executive" means:
- 410 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
411 (b) the mayor in the council-manager form of government defined in Subsection
412 10-3b-103(6).
- 413 (37) "Municipal general election" means the election held in municipalities and, as
414 applicable, special districts on the first Tuesday after the first Monday in November of
415 each odd-numbered year for the purposes established in Section 20A-1-202.
- 416 (38) "Municipal legislative body" [~~meansthe~~] means the council of the city or town in any
417 form of municipal government.
- 418 (39) "Municipal office" means an elective office in a municipality.
- 419 (40) "Municipal officers" means those municipal officers that are required by law to be
420 elected.
- 421 (41) "Municipal primary election" means an election held to nominate candidates for
422 municipal office.
- 423 (42) "Municipality" means a city or town.
- 424 (43) "Official ballot" means the ballots distributed by the election officer for voters to
425 record their votes.
- 426 (44) "Official endorsement" means the information on the ballot that identifies:
- 427 (a) the ballot as an official ballot;
428 (b) the date of the election; and
429 (c)(i) for a ballot prepared by an election officer other than a county clerk, the
430 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
431 (ii) for a ballot prepared by a county clerk, the words required by Subsection [
432 ~~20A-6-301(1)(b)(iii)~~] 20A-6-301(1)(c)(iii).
- 433 (45) "Official register" means the official record furnished to election officials by the
434 election officer that contains the information required by Section 20A-5-401.
- 435 (46) "Political party" means an organization of registered voters that has qualified to
436 participate in an election by meeting the requirements of Chapter 8, Political Party
437 Formation and Procedures.
- 438 (47)(a) "Poll worker" means a person assigned by an election official to assist with an
439 election, voting, or counting votes.

- 440 (b) "Poll worker" includes election judges.
- 441 (c) "Poll worker" does not include a watcher.
- 442 (48) "Pollbook" means a record of the names of voters in the order that they appear to cast
443 votes.
- 444 (49) "Polling place" means a building where voting is conducted.
- 445 (50) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in
446 which the voter marks the voter's choice.
- 447 (51) "Presidential Primary Election" means the election established in Chapter 9, Part 8,
448 Presidential Primary Election.
- 449 (52) "Primary convention" means the political party conventions held during the year of the
450 regular general election.
- 451 (53) "Protective counter" means a separate counter, which cannot be reset, that:
- 452 (a) is built into a voting machine; and
- 453 (b) records the total number of movements of the operating lever.
- 454 (54) "Provider election officer" means an election officer who enters into a contract or
455 interlocal agreement with a contracting election officer to conduct an election for the
456 contracting election officer's local political subdivision in accordance with Section
457 20A-5-400.1.
- 458 (55) "Provisional ballot" means a ballot voted provisionally by a person:
- 459 (a) whose name is not listed on the official register at the polling place;
- 460 (b) whose legal right to vote is challenged as provided in this title; or
- 461 (c) whose identity was not sufficiently established by a poll worker.
- 462 (56) "Provisional ballot envelope" means an envelope printed in the form required by
463 Section 20A-6-105 that is used to identify provisional ballots and to provide information
464 to verify a person's legal right to vote.
- 465 (57)(a) "Public figure" means an individual who, due to the individual being considered
466 for, holding, or having held a position of prominence in a public or private capacity,
467 or due to the individual's celebrity status, has an increased risk to the individual's
468 safety.
- 469 (b) "Public figure" does not include an individual:
- 470 (i) elected to public office; or
- 471 (ii) appointed to fill a vacancy in an elected public office.
- 472 (58) "Qualify" or "qualified" means to take the oath of office and begin performing the
473 duties of the position for which the individual was elected.

- 474 (59) "Receiving judge" means the poll worker that checks the voter's name in the official
475 register at a polling place and provides the voter with a ballot.
- 476 (60) "Registration form" means a form by which an individual may register to vote under
477 this title.
- 478 (61) "Regular ballot" means a ballot that is not a provisional ballot.
- 479 (62) "Regular general election" means the election held throughout the state on the first
480 Tuesday after the first Monday in November of each even-numbered year for the
481 purposes established in Section 20A-1-201.
- 482 (63) "Regular primary election" means the election, held on the date specified in Section
483 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
484 local school board positions to advance to the regular general election.
- 485 (64) "Resident" means a person who resides within a specific voting precinct in Utah.
- 486 (65) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
487 provided to a voter with a manual ballot:
- 488 (a) into which the voter places the manual ballot after the voter has voted the manual
489 ballot in order to preserve the secrecy of the voter's vote; and
- 490 (b) that includes the voter affidavit and a place for the voter's signature.
- 491 (66) "Sample ballot" means a mock ballot similar in form to the official ballot, published as
492 provided in Section 20A-5-405.
- 493 (67) "Special district" means a local government entity under Title 17B, Limited Purpose
494 Local Government Entities - Special Districts, and includes a special service district
495 under Title 17D, Chapter 1, Special Service District Act.
- 496 (68) "Special district officers" means those special district board members who are required
497 by law to be elected.
- 498 (69) "Special election" means an election held as authorized by Section 20A-1-203.
- 499 (70) "Spoiled ballot" means each ballot that:
- 500 (a) is spoiled by the voter;
- 501 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 502 (c) lacks the official endorsement.
- 503 (71) "Statewide special election" means a special election called by the governor or the
504 Legislature in which all registered voters in Utah may vote.
- 505 (72) "Tabulation system" means a device or system designed for the sole purpose of
506 tabulating votes cast by voters at an election.
- 507 (73) "Ticket" means a list of:

- 508 (a) political parties;
- 509 (b) candidates for an office; or
- 510 (c) ballot propositions.
- 511 (74) "Transfer case" means the sealed box used to transport voted ballots to the counting
- 512 center.
- 513 (75) "Vacancy" means:
- 514 (a) except as provided in Subsection (75)(b), the absence of an individual to serve in a
- 515 position created by state constitution or state statute, whether that absence occurs
- 516 because of death, disability, disqualification, resignation, or other cause ; or
- 517 (b) in relation to a candidate for a position created by state constitution or state statute,
- 518 the removal of a candidate due to the candidate's death, resignation, or
- 519 disqualification.
- 520 (76) "Valid voter identification" means:
- 521 (a) a form of identification that bears the name and photograph of the voter which may
- 522 include:
- 523 (i) a currently valid Utah driver license;
- 524 (ii) a currently valid identification card that is issued by:
- 525 (A) the state; or
- 526 (B) a branch, department, or agency of the United States;
- 527 (iii) a currently valid Utah permit to carry a concealed weapon;
- 528 (iv) a currently valid United States passport; or
- 529 (v) a currently valid United States military identification card;
- 530 (b) one of the following identification cards, whether or not the card includes a
- 531 photograph of the voter:
- 532 (i) a valid tribal identification card;
- 533 (ii) a Bureau of Indian Affairs card; or
- 534 (iii) a tribal treaty card; or
- 535 (c) two forms of identification not listed under Subsection (76)(a) or (b) but that bear the
- 536 name of the voter and provide evidence that the voter resides in the voting precinct,
- 537 which may include:
- 538 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
- 539 election;
- 540 (ii) a bank or other financial account statement, or a legible copy thereof;
- 541 (iii) a certified birth certificate;

- 542 (iv) a valid social security card;
- 543 (v) a check issued by the state or the federal government or a legible copy thereof;
- 544 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 545 (vii) a currently valid Utah hunting or fishing license;
- 546 (viii) certified naturalization documentation;
- 547 (ix) a currently valid license issued by an authorized agency of the United States;
- 548 (x) a certified copy of court records showing the voter's adoption or name change;
- 549 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 550 (xii) a currently valid identification card issued by:
- 551 (A) a local government within the state;
- 552 (B) an employer for an employee; or
- 553 (C) a college, university, technical school, or professional school located within
- 554 the state; or
- 555 (xiii) a current Utah vehicle registration.
- 556 (77) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate
- 557 by following the procedures and requirements of this title.
- 558 (78) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 559 (a) mailing the ballot to the location designated in the mailing; or
- 560 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 561 (79) "Voter" means an individual who:
- 562 (a) meets the requirements for voting in an election;
- 563 (b) meets the requirements of election registration;
- 564 (c) is registered to vote; and
- 565 (d) is listed in the official register book.
- 566 (80) "Voter registration deadline" means the registration deadline provided in Section
- 567 20A-2-102.5.
- 568 (81) "Voting area" means the area within six feet of the voting booths, voting machines,
- 569 and ballot box.
- 570 (82) "Voting booth" means:
- 571 (a) the space or compartment within a polling place that is provided for the preparation
- 572 of ballots, including the voting enclosure or curtain; or
- 573 (b) a voting device that is free standing.
- 574 (83) "Voting device" means any device provided by an election officer for a voter to vote a
- 575 mechanical ballot.

- 576 (84) "Voting precinct" means the smallest geographical voting unit, established under
 577 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.
- 578 (85) "Watcher" means an individual who complies with the requirements described in
 579 Section 20A-3a-801 to become a watcher for an election.
- 580 (86) "Write-in ballot" means a ballot containing any write-in votes.
- 581 (87) "Write-in vote" means a vote cast for an individual, whose name is not printed on the
 582 ballot, in accordance with the procedures established in this title.
- 583 Section 3. Section **20A-1-201.5** is amended to read:
- 584 **20A-1-201.5 (Effective 05/07/25) (Applies beginning 06/21/24). Primary election**
 585 **dates.**
- 586 (1) The regular primary election shall be held throughout the state on the fourth Tuesday of
 587 June of each even numbered year as provided in Section 20A-9-403, [~~20A-9-407, or~~
 588 ~~20A-9-408,~~] as applicable, to nominate persons for national, state, school board, and
 589 county offices.
- 590 (2) A municipal primary election shall be held, if necessary, on the second Tuesday
 591 following the first Monday in August before the regular municipal election to nominate
 592 persons for:
- 593 (a) municipal offices; or
- 594 (b) local school board office for a new school district or a reorganized new school
 595 district under Section 53G-3-302.
- 596 (3) A presidential primary election shall be held throughout the state on the first Tuesday in
 597 March in the year in which a presidential election will be held.
- 598 Section 4. Section **20A-1-501** is amended to read:
- 599 **20A-1-501 (Effective 05/07/25). Candidate vacancies -- Procedure for filling.**
- 600 (1) As used in this section, "central committee" means:
- 601 (a) the state central committee of a political party, for a candidate for:
- 602 (i) United States senator, United States representative, governor, lieutenant governor,
 603 attorney general, state treasurer, or state auditor; or
- 604 (ii) state legislator if the legislative district encompasses all or a portion of more than
 605 one county; or
- 606 (b) the county central committee of a political party, for a party candidate seeking an
 607 office, other than an office described in Subsection (1)(a), elected at an election held
 608 in an even-numbered year.
- 609 (2) Except as provided in Subsection (6), the central committee may certify the name of

- 610 another candidate to the appropriate election officer if:
- 611 (a) for a registered political party that will have a candidate on a ballot in a primary
612 election:
- 613 (i) after the close of the period for filing a declaration of candidacy and continuing
614 through the day before the day on which the lieutenant governor provides the list
615 described in Subsection [~~20A-9-403(4)(a)~~] 20A-9-403(3)(a), only one or two
616 candidates from that party have filed a declaration of candidacy for that office and
617 one or both dies, resigns as a candidate, or is disqualified as a candidate; and
- 618 (ii) the central committee provides written certification of the replacement candidate
619 to the appropriate election officer before the day on which the lieutenant governor
620 provides the list described in Subsection [~~20A-9-403(4)(a)~~] 20A-9-403(3)(a); and
- 621 (b) for a registered political party that does not have a candidate on the ballot in a
622 primary, but will have a candidate on the ballot for a regular general election:
- 623 (i) after the close of the period for filing a declaration of candidacy and continuing
624 through the day before the day on which the lieutenant governor makes the
625 certification described in Section 20A-5-409, the party's candidate dies, resigns as
626 a candidate, or is disqualified as a candidate; and
- 627 (ii) the central committee provides written certification of the replacement candidate
628 to the appropriate election officer before the day on which the lieutenant governor
629 makes the certification described in Section 20A-5-409; or
- 630 (c) for a registered political party with a candidate certified as winning a primary
631 election:
- 632 (i) after the close of the period for filing a declaration of candidacy and continuing
633 through the day before the day on which the lieutenant governor makes the
634 certification described in Section 20A-5-409, the party's candidate dies, resigns as
635 a candidate, or is disqualified as a candidate; and
- 636 (ii) the central committee provides written certification of the replacement candidate
637 to the appropriate election officer before the day on which the lieutenant governor
638 makes the certification described in Section 20A-5-409.
- 639 (3) If no more than two candidates from a political party have filed a declaration of
640 candidacy for an office elected at a regular general election and one resigns to become
641 the party candidate for another position, the central committee of that political party may
642 certify the name of another candidate to the appropriate election officer.
- 643 (4) Each replacement candidate shall file a declaration of candidacy as required by Title

- 644 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.
- 645 (5)(a) The name of a candidate who is certified under Subsection (2)(a) after the
646 deadline described in Subsection (2)(a)(ii) may not appear on the primary election
647 ballot.
- 648 (b) The name of a candidate who is certified under Subsection (2)(b) after the deadline
649 described in Subsection (2)(b)(ii) may not appear on the general election ballot.
- 650 (c) The name of a candidate who is certified under Subsection (2)(c) after the deadline
651 described in Subsection (2)(c)(ii) may not appear on the general election ballot.
- 652 (6) A political party may not replace a candidate who is disqualified for failure to timely
653 file a campaign disclosure financial report under Title 20A, Chapter 11, Campaign and
654 Financial Reporting Requirements, or Section 17-16-6.5.
- 655 (7) This section does not apply to a candidate vacancy for a nonpartisan office.
- 656 Section 5. Section **20A-1-502** is amended to read:
- 657 **20A-1-502 (Effective 05/07/25). Midterm vacancy in office of United States**
658 **senator.**
- 659 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of
660 United States senator, the governor shall, within seven days after the day on which the
661 vacancy occurs, issue a proclamation calling a special congressional election to fill the
662 vacancy that:
- 663 (a) sets a date for a primary congressional special election, and a later date for a general
664 congressional special election, on the same day as one of the following elections:
665 (i) a municipal general election;
666 (ii) a presidential primary election;
667 (iii) a regular primary election; or
668 (iv) a regular general election;
- 669 (b) sets the date of the primary congressional special election on the same day as the
670 next election described in Subsections (1)(a)(i) through (iv) that is more than 90 days
671 after the day on which the governor issues the proclamation;
- 672 (c) sets the date of the general special congressional election on the same day as the next
673 election described in Subsection (1)(a) that is more than 90 days after the primary
674 special congressional election described in Subsection (1)(b);
- 675 (d) provides each [~~registered political party that is not a qualified political~~] convention
676 nominating party at least 21 days, but no more than 28 days, to select one candidate,
677 in a manner determined by the [~~registered political~~] convention nominating party, as a

- 678 candidate for the ~~[registered political]~~ convention nominating party to appear on the
679 general special congressional election ballot, in the manner described in Subsection
680 20A-9-402.2(3) and Section 20A-6-301;
- 681 (e) for each ~~[qualified political]~~ primary nominating party, provides at least 21 days, but
682 no more than 28 days[:]
- 683 ~~[(i) for the qualified political party to select one candidate, using the convention~~
684 ~~process described in Section 20A-9-407, as a candidate for the qualified political~~
685 ~~party; and]~~
- 686 ~~[(ii) for a [member of the qualified political] qualified individual to seek the~~
687 ~~nomination of the primary nominating party to submit signatures to qualify for~~
688 ~~placement on the primary special congressional election ballot as a candidate for~~
689 ~~the [qualified political] primary nominating party using the signature-gathering~~
690 ~~process described in Section [20A-9-408] 20A-9-402.3;~~
- 691 (f) consistent with the requirements of this section, establishes the deadlines, time
692 frames, and procedures for filing a declaration of candidacy, giving notice of an
693 election, and other election requirements; and
- 694 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
695 Military and Overseas Voters Act.
- 696 (2)(a) The governor may set a date for a primary special congressional election or a
697 general special congressional election on a date other than a date described in
698 Subsection (1)(a) if:
- 699 (i) on the same day on which the governor issues the proclamation described in
700 Subsection (1) the governor calls a special session for the Legislature to
701 appropriate money to hold the election on a different day; or
- 702 (ii) if the governor issues the proclamation described in Subsection (1) on or after
703 January 1, but before the end of the general session of the Legislature, and
704 requests in the proclamation described in Subsection (1) that the Legislature
705 appropriate money to hold the election on a different day.
- 706 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
707 election on a different day, the proclamation described in Subsection (1) is void and
708 the governor shall, within seven days after the day on which the Legislature declines
709 to appropriate money to hold the election on a different day, issue a proclamation, in
710 accordance with Subsection (1), that sets the special congressional primary and
711 general elections on dates described in Subsections (1)(a)(i) through (iv).

- 712 (3) A special congressional election to fill a vacancy in the office of United States senator
713 will not be held if:
- 714 (a) the next regular general election that occurs after the day on which the vacancy
715 occurs is the regular general election that occurs immediately before the six-year term
716 for the senate office ends; and
- 717 (b) the vacancy occurs after August 1 of the year before the regular general election
718 described in Subsection (3)(a).
- 719 (4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the
720 office of United States senator from one of three individuals nominated by the
721 Legislature, each of whom is a member of the political party of which the prior
722 officeholder was a member at the time the prior officeholder was elected.
- 723 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator
724 until the earlier of the day on which:
- 725 (i) the vacancy is filled by election under Subsection (1) or (2); or
726 (ii) the six-year term for the senate office ends.
- 727 (5) An individual elected to fill a vacancy under this section shall serve until the end of the
728 current term in which the vacancy filled by the election occurs.
- 729 (6) A vacancy in the office of United States senator does not occur unless the senator:
- 730 (a) has left the office; or
731 (b) submits an irrevocable letter of resignation to the governor or to the president of the
732 United States Senate.

733 Section 6. Section **20A-1-502.5** is amended to read:

734 **20A-1-502.5 (Effective 05/07/25). Midterm vacancy in office of United States**
735 **representative.**

- 736 (1) Except as provided in Subsections (2) and (4), when a vacancy occurs in the office of
737 United States representative, the governor shall, within seven days after the day on
738 which the vacancy occurs, issue a proclamation calling a special congressional election
739 to fill the vacancy that:
- 740 (a) sets a date for a primary congressional special election, and a later date for a general
741 congressional special election, on the same day as one of the following elections:
- 742 (i) a municipal general election;
743 (ii) a presidential primary election;
744 (iii) a regular primary election; or
745 (iv) a regular general election;

- 746 (b) sets the date of the primary congressional special election on the same day as the
 747 next election described in Subsections (1)(a)(i) through (iv) that is more than 90 days
 748 after the day on which the governor issues the proclamation;
- 749 (c) sets the date of the general special congressional election on the same day as the next
 750 election described in Subsection (1)(a) that is more than 90 days after the primary
 751 special congressional election described in Subsection (1)(b);
- 752 (d) provides each [~~registered political party that is not a qualified political~~] convention
 753 nominating party at least 21 days, but no more than 28 days, to select one candidate,
 754 in a manner determined by the [~~registered political~~] convention nominating party, as a
 755 candidate for the [~~registered political~~] convention nominating party to appear on the
 756 general special congressional election ballot, in the manner described in Subsection
 757 20A-9-402.2(3) and Section 20A-6-301;
- 758 (e) for each [~~qualified political~~] primary nominating party, provides at least 21 days, but
 759 no more than 28 days[:]
 760 [(i) ~~for the qualified political party to select one candidate, using the convention~~
 761 ~~process described in Section 20A-9-407, as a candidate for the qualified political~~
 762 ~~party; and]~~
 763 [(ii) ~~_for a [member of the qualified political] qualified individual to seek the~~
 764 nomination of the primary nominating party to submit signatures to qualify for
 765 placement on the primary special congressional election ballot as a candidate for
 766 the [qualified political] primary nominating party using the signature-gathering
 767 process described in Section [~~20A-9-408]~~ 20A-9-402.3;
- 768 (f) consistent with the requirements of this section, establishes the deadlines, time
 769 frames, and procedures for filing a declaration of candidacy, giving notice of an
 770 election, and other election requirements; and
- 771 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
 772 Military and Overseas Voters Act.
- 773 (2) The governor may set a date for a primary special congressional election or a general
 774 special congressional election on a date other than a date described in Subsection (1)(a)
 775 if:
 776 (a) on the same day on which the governor issues the proclamation described in
 777 Subsection (1) the governor calls a special session for the Legislature to appropriate
 778 money to hold the election on a different day; or
 779 (b) if the governor issues the proclamation described in Subsection (1) on or after

780 January 1, but before the end of the general session of the Legislature, and requests in
781 the proclamation described in Subsection (1) that the Legislature appropriate money
782 to hold the election on a different day.

783 (3) If the Legislature does not, under Subsection (2), appropriate money to hold the election
784 on a different day, the proclamation described in Subsection (1) is void and the governor
785 shall, within seven days after the day on which the Legislature declines to appropriate
786 money to hold the election on a different day, issue a proclamation, in accordance with
787 Subsection (1), that sets the special congressional primary and general elections on dates
788 described in Subsections (1)(a)(i) through (iv).

789 (4) A special congressional election to fill a vacancy in the office of United States
790 representative will not be held if the vacancy occurs fewer than 180 days before the next
791 regular general election.

792 (5) An individual who fills a vacancy under this section shall serve until the end of the
793 current term in which the vacancy occurs.

794 (6) A vacancy in the office of United States representative does not occur unless the
795 representative:

796 (a) has left the office; or

797 (b) submits an irrevocable letter of resignation to the governor or to the speaker of the
798 United States House of Representatives.

799 Section 7. Section **20A-1-503** is amended to read:

800 **20A-1-503 (Effective 05/07/25). Midterm vacancies in the Legislature.**

801 (1) As used in this section:

802 (a) "Filing deadline" means the final date for filing:

803 (i) a declaration of candidacy as provided in Section 20A-9-202; and

804 (ii) a certificate of nomination as provided in Section 20A-9-503.

805 (b) "Party liaison" means the political party officer designated to serve as a liaison with
806 the lieutenant governor on all matters relating to the political party's relationship with
807 the state as required by Section 20A-8-401.

808 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
809 the governor shall fill the vacancy by immediately appointing the person whose name
810 was submitted by the party liaison of the same political party as the prior representative.

811 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
812 the office of senator in the Legislature, it shall be filled for the unexpired term at the
813 next regular general election.

- 814 (b) The governor shall fill the vacancy until the next regular general election by
815 immediately appointing the person whose name was submitted by the party liaison of
816 the same political party as the prior senator.
- 817 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
818 before August 31 of an even-numbered year in which the term of office does not
819 expire, the lieutenant governor shall:
- 820 (i) establish a date and time, which is before the date for a candidate to be certified
821 for the ballot under Section 20A-9-701 and no later than 21 days after the day on
822 which the vacancy occurred, by which a person intending to obtain a position on
823 the ballot for the vacant office shall file:
- 824 (A) a declaration of candidacy; or
825 (B) a certificate of nomination; and
- 826 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
827 (A) on the lieutenant governor's website; and
828 (B) to each registered political party.
- 829 (b) A person intending to obtain a position on the ballot for the vacant office shall:
- 830 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of
831 candidacy or certificate of nomination according to the procedures and
832 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;
833 and
- 834 (ii) run in the regular general election if:
835 (A) nominated as a party candidate; or
836 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
837 Qualifications and Nominating Procedures.
- 838 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
839 Subsection [~~20A-9-202(1)(b)~~] 20A-9-201.5(2) and before August 31, of an
840 even-numbered year in which the term of office does not expire, a party liaison from
841 each registered political party may submit a name of a person described in Subsection
842 (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for placement
843 on the regular general election ballot.
- 844 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
845 even-numbered year in which a term does not expire, the governor shall fill the vacancy
846 for the unexpired term by immediately appointing the person whose name was submitted
847 by the party liaison of the same political party as the prior senator.

848 Section 8. Section **20A-1-1001** is amended to read:

849 **20A-1-1001 (Effective 05/07/25). Definitions.**

850 As used in this part:

851 (1)(a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town
852 clerk, city recorder, or municipal recorder.

853 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions
854 Applicable to All Special Districts.

855 (2) "Local petition" means:

856 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local
857 Initiatives - Procedures; or

858 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6, Local
859 Referenda - Procedures.

860 (3) "Petition" means one of the following written requests, signed by registered voters,
861 appealing to an authority with respect to a particular cause:

862 (a) a local petition;

863 (b) a petition to consolidate two or more municipalities under Section 10-2-601;

864 (c) a petition for disincorporation of a municipality under Section 10-2-701;

865 (d) a petition to incorporate a proposed municipality under Section 10-2a-208;

866 (e) a petition to consolidate adjoining counties under Section 17-2-103;

867 (f) a petition to annex a portion of a county to an adjoining county under Section
868 17-2-203;

869 (g) a petition for the creation of a new county under Section 17-3-1;

870 (h) a petition for the removal of a county seat under Section 17-11-2;

871 (i) a petition for the adoption of an optional plan under Section 17-52a-303;

872 (j) a petition for the repeal of an optional plan under Section 17-52a-505;

873 (k) a petition to create a special district under Section 17B-1-203;

874 (l) a petition to withdraw an area from a special district under Section 17B-1-504;

875 (m) a petition to dissolve a special district under Section 17B-1-1303;

876 (n) a petition for issuance of local building authority bonds under Section 17D-2-502;

877 (o) a petition to become a registered political party under Section 20A-8-103;

878 (p) a nomination petition for municipal office under Section 20A-9-203;

879 ~~[(q) a nomination petition for a regular primary election under Subsection~~
880 ~~20A-9-403(3)(a) and Section 20A-9-405;]~~

881 ~~[(†)]~~ (q) a petition for a political party to qualify as a municipal political party under

- 882 Section 20A-9-404;
- 883 [~~(s)~~] (r) a petition for the nomination of a [~~qualified political party under Section~~
884 ~~20A-9-408~~] primary nominating party under Section 20A-9-402.3;
- 885 [~~(t)~~] (s) a nomination petition for a candidate not affiliated with a political party under
886 Section 20A-9-502;
- 887 [~~(u)~~] (t) a nomination petition to become a delegate to a ratification convention under
888 Section 20A-15-103;
- 889 [~~(v)~~] (u) a petition to create a new school district under Section 53G-3-301;
- 890 [~~(w)~~] (v) a petition to consolidate school districts under Section 53G-3-401;
- 891 [~~(x)~~] (w) a petition to transfer a portion of a school district to another district under
892 Section 53G-3-501;
- 893 [~~(y)~~] (x) a petition to determine whether a privatization project agreement should be
894 approved under Section 73-10d-4; or
- 895 [~~(z)~~] (y) a statewide petition.
- 896 (4) "Statewide petition" means:
- 897 (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2,
898 Statewide Initiatives; or
- 899 (b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3,
900 Statewide Referenda.
- 901 (5)(a) "Substantially similar name" means:
- 902 (i) the given name, the surname, or both, provided by the individual with the
903 individual's petition signature, contain only minor spelling differences when
904 compared to the given name and surname shown on the official register;
- 905 (ii) the surname provided by the individual with the individual's petition signature
906 exactly matches the surname shown on the official register, and the given names
907 differ only because one of the given names shown is a commonly used
908 abbreviation or variation of the other;
- 909 (iii) the surname provided by the individual with the individual's petition signature
910 exactly matches the surname shown on the official register, and the given names
911 differ only because one of the given names shown is accompanied by a first or
912 middle initial or a middle name which is not shown on the other record; or
- 913 (iv) the surname provided by the individual with the individual's petition signature
914 exactly matches the surname shown on the official register, and the given names
915 differ only because one of the given names shown is an alphabetically

916 corresponding initial that has been provided in the place of a given name shown
 917 on the other record.

918 (b) "Substantially similar name" does not include a name having an initial or a middle
 919 name provided by the individual with the individual's petition signature that does not
 920 match a different initial or middle name shown on the official register.

921 Section 9. Section **20A-2-104** is amended to read:

922 **20A-2-104 (Effective 05/07/25). Voter registration form -- Registered voter lists**
 923 **-- Fees for copies.**

924 (1) As used in this section:

925 (a) "Candidate for public office" means an individual:

926 (i) who files a declaration of candidacy for a public office; or

927 [~~(ii) who files a notice of intent to gather signatures under Section 20A-9-408; or]~~

928 [~~(iii)~~ (ii) employed by, under contract with, or a volunteer of, an individual described
 929 in Subsection (1)(a)(i)[~~or (ii)~~] for political campaign purposes.

930 (b) "Dating violence" means the same as that term is defined in [~~Section 78B-7-402 and~~]
 931 the federal Violence Against Women Act of 1994, as amended.

932 (c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and
 933 the federal Violence Against Women Act of 1994, as amended.

934 (d) "Hash Code" means a code generated by applying an algorithm to a set of data to
 935 produce a code that:

936 (i) uniquely represents the set of data;

937 (ii) is always the same if the same algorithm is applied to the same set of data; and

938 (iii) cannot be reversed to reveal the data applied to the algorithm.

939 (e) "Protected individual" means an individual:

940 (i) who submits a withholding request form with the individual's voter registration
 941 record, or to the lieutenant governor or a county clerk, if the individual indicates
 942 on the form that the individual, or an individual who resides with the individual, is
 943 a victim of domestic violence or dating violence or is likely to be a victim of
 944 domestic violence or dating violence;

945 (ii) who submits a withholding request form with the individual's voter registration
 946 record, or to the lieutenant governor or a county clerk, if the individual indicates
 947 on the form and provides verification that the individual, or an individual who
 948 resides with the individual, is a law enforcement officer, a member of the armed
 949 forces as defined in Section 20A-1-513, a public figure, or protected by a

950 protective order or protection order; or
 951 (iii) whose voter registration record was classified as a private record at the request of
 952 the individual before May 12, 2020.

953 (2)(a) An individual applying for voter registration, or an individual preregistering to vote,
 954 shall complete a voter registration form in substantially the following form:

955 -----

956 UTAH ELECTION REGISTRATION FORM

957 Are you a citizen of the United States of America? Yes No

958 If you checked "no" to the above question, do not complete this form.

959 Will you be 18 years of age on or before election day? Yes No

960 If you checked "no" to the above question, are you 16 or 17 years of age and
 961 preregistering to vote? Yes No

962 If you checked "no" to both of the prior two questions, do not complete this form.

963 Name of Voter

964 _____

965 First Middle Last

966 Utah Driver License or Utah Identification Card

967 Number _____

968 Date of Birth _____

969 Street Address of Principal Place of Residence

970 _____

971 City County State Zip Code

972 Telephone Number (optional) _____

973 Email Address (optional) _____

974 Last four digits of Social Security Number _____

975 Last former address at which I was registered to vote (if
 976 known) _____

977 _____

978 City County State Zip Code

979 Political Party

980 (a listing of each registered political party, as defined in Section 20A-8-101 and
 981 maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded
 982 by a checkbox)

983 Unaffiliated (no political party preference) Other (Please

984 specify)_____

985 I do swear (or affirm), subject to penalty of law for false statements, that the information
986 contained in this form is true, and that I am a citizen of the United States and a resident of the
987 state of Utah, residing at the above address. Unless I have indicated above that I am
988 preregistering to vote in a later election, I will be at least 18 years of age and will have resided
989 in Utah for 30 days immediately before the next election. I am not a convicted felon currently
990 incarcerated for commission of a felony.

991 Signed and sworn

992 _____

993 Voter's Signature

994 _____(month/day/year).

995 **PRIVACY INFORMATION**

996 Voter registration records contain some information that is available to the public, such
997 as your name and address, some information that is available only to government entities, and
998 some information that is available only to certain third parties in accordance with the
999 requirements of law.

1000 Your driver license number, identification card number, social security number, email
1001 address, full date of birth, and phone number are available only to government entities. Your
1002 year of birth is available to political parties, candidates for public office, certain third parties,
1003 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1004 You may request that all information on your voter registration records be withheld from
1005 all persons other than government entities, political parties, candidates for public office, and
1006 their contractors, employees, and volunteers, by indicating here:

1007 _____ Yes, I request that all information on my voter registration records be withheld
1008 from all persons other than government entities, political parties, candidates for public office,
1009 and their contractors, employees, and volunteers.

1010 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

1011 In addition to the protections provided above, you may request that identifying
1012 information on your voter registration records be withheld from all political parties, candidates
1013 for public office, and their contractors, employees, and volunteers, by submitting a
1014 withholding request form, and any required verification, as described in the following
1015 paragraphs.

1016 A person may request that identifying information on the person's voter registration
1017 records be withheld from all political parties, candidates for public office, and their

1018 contractors, employees, and volunteers, by submitting a withholding request form with this
 1019 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
 1020 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
 1021 violence.

1022 A person may request that identifying information on the person's voter registration
 1023 records be withheld from all political parties, candidates for public office, and their
 1024 contractors, employees, and volunteers, by submitting a withholding request form and any
 1025 required verification with this registration form, or to the lieutenant governor or a county clerk,
 1026 if the person is, or resides with a person who is, a law enforcement officer, a member of the
 1027 armed forces, a public figure, or protected by a protective order or a protection order.

CITIZENSHIP AFFIDAVIT

- 1029 Name:
- 1030 Name at birth, if different:
- 1031 Place of birth:
- 1032 Date of birth:
- 1033 Date and place of naturalization (if applicable):

1034 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
 1035 citizen and that to the best of my knowledge and belief the information above is true and
 1036 correct.

1037 _____
 1038 Signature of Applicant

1039 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
 1040 allowing yourself to be registered or preregistered to vote if you know you are not entitled to
 1041 register or preregister to vote is up to one year in jail and a fine of up to \$2,500.

1042 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID
 1043 VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST
 1044 BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND
 1045 PHOTOGRAPH; OR

1046 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME
 1047 AND CURRENT ADDRESS.

FOR OFFICIAL USE ONLY

- 1049 Type of I.D. _____
- 1050 Voting Precinct _____
- 1051 Voting I.D. Number _____

1052 -----

1053 (b) The voter registration form described in Subsection (2)(a) shall include a section in
1054 substantially the following form:

1055 -----

1056 **BALLOT NOTIFICATIONS**

1057 If you have provided a phone number or email address, you can receive notifications by
1058 text message or email regarding the status of a ballot that is mailed to you or a ballot that you
1059 deposit in the mail or in a ballot drop box, by indicating here:

1060 _____ Yes, I would like to receive electronic notifications regarding the status of my
1061 ballot.

1062 -----

1063 (c)(i) Except as provided under Subsection (2)(c)(ii), the county clerk shall retain a
1064 copy of each voter registration form in a permanent countywide alphabetical file,
1065 which may be electronic or some other recognized system.

1066 (ii) The county clerk may transfer a superseded voter registration form to the
1067 Division of Archives and Records Service created under Section 63A-12-101.

1068 (3)(a) Each county clerk shall retain lists of currently registered voters.

1069 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.

1070 (c) If there are any discrepancies between the two lists, the county clerk's list is the
1071 official list.

1072 (d) The lieutenant governor and the county clerks may charge the fees established under
1073 the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy
1074 of the list of registered voters.

1075 (4)(a) As used in this Subsection (4), "qualified person" means:

1076 (i) a government official or government employee acting in the government official's
1077 or government employee's capacity as a government official or a government
1078 employee;

1079 (ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee, or
1080 independent contractor of a health care provider;

1081 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee,
1082 or independent contractor of an insurance company;

1083 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or
1084 independent contractor of a financial institution;

1085 (v) a political party, or an agent, employee, or independent contractor of a political

- 1086 party;
- 1087 (vi) a candidate for public office, or an employee, independent contractor, or
- 1088 volunteer of a candidate for public office;
- 1089 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a
- 1090 year of birth from the list of registered voters:
- 1091 (A) provides the year of birth only to a person described in Subsections (4)(a)(i)
- 1092 through [~~(vii)~~] (vi);
- 1093 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person
- 1094 described in Subsections (4)(a)(i) through [~~(vii)~~] (vi);
- 1095 (C) ensures, using industry standard security measures, that the year of birth may
- 1096 not be accessed by a person other than a person described in Subsections
- 1097 (4)(a)(i) through [~~(vii)~~] (vi);
- 1098 (D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to
- 1099 whom the person provides the year of birth will only use the year of birth to
- 1100 verify the accuracy of personal information submitted by an individual or to
- 1101 confirm the identity of a person in order to prevent fraud, waste, or abuse;
- 1102 (E) verifies that each person described in Subsection (4)(a)(i) to whom the person
- 1103 provides the year of birth will only use the year of birth in the person's capacity
- 1104 as a government official or government employee; and
- 1105 (F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 1106 person provides the year of birth will only use the year of birth for a political
- 1107 purpose of the political party or candidate for public office; or
- 1108 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining
- 1109 information under Subsection (4)(n) and (o):
- 1110 (A) provides the information only to another person described in Subsection
- 1111 (4)(a)(v) or (vi);
- 1112 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a
- 1113 person described in Subsection (4)(a)(v) or (vi);
- 1114 (C) ensures, using industry standard security measures, that the information may
- 1115 not be accessed by a person other than a person described in Subsection
- 1116 (4)(a)(v) or (vi); and
- 1117 (D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 1118 person provides the information will only use the information for a political
- 1119 purpose of the political party or candidate for public office.

- 1120 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in
1121 Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall,
1122 when providing the list of registered voters to a qualified person under this section,
1123 include, with the list, the years of birth of the registered voters, if:
- 1124 (i) the lieutenant governor or a county clerk verifies the identity of the person and
1125 that the person is a qualified person; and
 - 1126 (ii) the qualified person signs a document that includes the following:
 - 1127 (A) the name, address, and telephone number of the person requesting the list of
1128 registered voters;
 - 1129 (B) an indication of the type of qualified person that the person requesting the list
1130 claims to be;
 - 1131 (C) a statement regarding the purpose for which the person desires to obtain the
1132 years of birth;
 - 1133 (D) a list of the purposes for which the qualified person may use the year of birth
1134 of a registered voter that is obtained from the list of registered voters;
 - 1135 (E) a statement that the year of birth of a registered voter that is obtained from the
1136 list of registered voters may not be provided or used for a purpose other than a
1137 purpose described under Subsection (4)(b)(ii)(D);
 - 1138 (F) a statement that if the person obtains the year of birth of a registered voter
1139 from the list of registered voters under false pretenses, or provides or uses the
1140 year of birth of a registered voter that is obtained from the list of registered
1141 voters in a manner that is prohibited by law, is guilty of a class A misdemeanor
1142 and is subject to a civil fine;
 - 1143 (G) an assertion from the person that the person will not provide or use the year of
1144 birth of a registered voter that is obtained from the list of registered voters in a
1145 manner that is prohibited by law; and
 - 1146 (H) notice that if the person makes a false statement in the document, the person is
1147 punishable by law under Section 76-8-504.
- 1148 (c) The lieutenant governor or a county clerk:
- 1149 (i) may not disclose the year of birth of a registered voter to a person that the
1150 lieutenant governor or county clerk reasonably believes:
 - 1151 (A) is not a qualified person or a person described in Subsection (4)(l); or
 - 1152 (B) will provide or use the year of birth in a manner prohibited by law; and
 - 1153 (ii) may not disclose information under Subsections (4)(n) or (o) to a person that the

- 1154 lieutenant governor or county clerk reasonably believes:
- 1155 (A) is not a person described in Subsection (4)(a)(v) or (vi); or
- 1156 (B) will provide or use the information in a manner prohibited by law.
- 1157 (d) The lieutenant governor or a county clerk may not disclose the voter registration
- 1158 form of a person, or information included in the person's voter registration form,
- 1159 whose voter registration form is classified as private under Subsection (4)(h) to a
- 1160 person other than:
- 1161 (i) a government official or government employee acting in the government official's
- 1162 or government employee's capacity as a government official or government
- 1163 employee; or
- 1164 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for
- 1165 a political purpose.
- 1166 (e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or
- 1167 information under Subsection (4)(d)(ii), the lieutenant governor or county clerk
- 1168 shall exclude the information described in Subsection 63G-2-302(1)(j), other than
- 1169 the year of birth.
- 1170 (ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the
- 1171 voter registration record of a protected individual, the lieutenant governor or
- 1172 county clerk shall comply with Subsections (4)(n) through (p).
- 1173 (f) The lieutenant governor or a county clerk may not disclose a withholding request
- 1174 form, described in Subsections (7) and (8), submitted by an individual, or information
- 1175 obtained from that form, to a person other than a government official or government
- 1176 employee acting in the government official's or government employee's capacity as a
- 1177 government official or government employee.
- 1178 (g) A person is guilty of a class A misdemeanor if the person:
- 1179 (i) obtains from the list of registered voters, under false pretenses, the year of birth of
- 1180 a registered voter or information described in Subsection (4)(n) or (o);
- 1181 (ii) uses or provides the year of birth of a registered voter, or information described in
- 1182 Subsection (4)(n) or (o), that is obtained from the list of registered voters in a
- 1183 manner that is not permitted by law;
- 1184 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)
- 1185 under false pretenses;
- 1186 (iv) uses or provides information obtained from a voter registration record described
- 1187 in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;

- 1188 (v) unlawfully discloses or obtains a voter registration record withheld under
1189 Subsection (7) or a withholding request form described in Subsections (7) and (8);
1190 or
1191 (vi) unlawfully discloses or obtains information from a voter registration record
1192 withheld under Subsection (7) or a withholding request form described in
1193 Subsections (7) and (8).
- 1194 (h) The lieutenant governor or a county clerk shall classify the voter registration record
1195 of a voter as a private record if the voter:
- 1196 (i) submits a written application, created by the lieutenant governor, requesting that
1197 the voter's voter registration record be classified as private;
- 1198 (ii) requests on the voter's voter registration form that the voter's voter registration
1199 record be classified as a private record; or
- 1200 (iii) submits a withholding request form described in Subsection (7) and any required
1201 verification.
- 1202 (i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a
1203 county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a
1204 voter registration record, or information obtained from a voter registration record, if
1205 the record is withheld under Subsection (7).
- 1206 (j) In addition to any criminal penalty that may be imposed under this section, the
1207 lieutenant governor may impose a civil fine against a person who violates a provision
1208 of this section, in an amount equal to the greater of:
- 1209 (i) the product of 30 and the square root of the total number of:
- 1210 (A) records obtained, provided, or used unlawfully, rounded to the nearest whole
1211 dollar; or
- 1212 (B) records from which information is obtained, provided, or used unlawfully,
1213 rounded to the nearest whole dollar; or
- 1214 (ii) \$200.
- 1215 (k) A qualified person may not obtain, provide, or use the year of birth of a registered
1216 voter, if the year of birth is obtained from the list of registered voters or from a voter
1217 registration record, unless the person:
- 1218 (i) is a government official or government employee who obtains, provides, or uses
1219 the year of birth in the government official's or government employee's capacity
1220 as a government official or government employee;
- 1221 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or

- 1222 uses the year of birth only to verify the accuracy of personal information
1223 submitted by an individual or to confirm the identity of a person in order to
1224 prevent fraud, waste, or abuse;
- 1225 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,
1226 provides, or uses the year of birth for a political purpose of the political party or
1227 candidate for public office; or
- 1228 (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or
1229 uses the year of birth to provide the year of birth to another qualified person to
1230 verify the accuracy of personal information submitted by an individual or to
1231 confirm the identity of a person in order to prevent fraud, waste, or abuse.
- 1232 (l) The lieutenant governor or a county clerk may provide a year of birth to a member of
1233 the media, in relation to an individual designated by the member of the media, in
1234 order for the member of the media to verify the identity of the individual.
- 1235 (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose
1236 information from a voter registration record for a purpose other than a political
1237 purpose.
- 1238 (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a
1239 county clerk shall, when providing the list of registered voters to a qualified person
1240 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose
1241 record is withheld under Subsection (7), the information described in Subsection
1242 (4)(o), if:
- 1243 (i) the lieutenant governor or a county clerk verifies the identity of the person and
1244 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and
- 1245 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document
1246 that includes the following:
- 1247 (A) the name, address, and telephone number of the person requesting the list of
1248 registered voters;
- 1249 (B) an indication of the type of qualified person that the person requesting the list
1250 claims to be;
- 1251 (C) a statement regarding the purpose for which the person desires to obtain the
1252 information;
- 1253 (D) a list of the purposes for which the qualified person may use the information;
- 1254 (E) a statement that the information may not be provided or used for a purpose
1255 other than a purpose described under Subsection (4)(n)(ii)(D);

- 1256 (F) a statement that if the person obtains the information under false pretenses, or
1257 provides or uses the information in a manner that is prohibited by law, the
1258 person is guilty of a class A misdemeanor and is subject to a civil fine;
- 1259 (G) an assertion from the person that the person will not provide or use the
1260 information in a manner that is prohibited by law; and
- 1261 (H) notice that if the person makes a false statement in the document, the person is
1262 punishable by law under Section 76-8-504.
- 1263 (o) Except as provided in Subsection (4)(p), the information that the lieutenant governor
1264 or a county clerk is required to provide, under Subsection (4)(n), from the record of a
1265 protected individual is:
- 1266 (i) a single hash code, generated from a string of data that includes both the voter's
1267 voter identification number and residential address;
- 1268 (ii) the voter's residential address;
- 1269 (iii) the voter's mailing address, if different from the voter's residential address;
- 1270 (iv) the party affiliation of the voter;
- 1271 (v) the precinct number for the voter's residential address;
- 1272 (vi) the voter's voting history; and
- 1273 (vii) a designation of which age group, of the following age groups, the voter falls
1274 within:
- 1275 (A) 25 or younger;
- 1276 (B) 26 through 35;
- 1277 (C) 36 through 45;
- 1278 (D) 46 through 55;
- 1279 (E) 56 through 65;
- 1280 (F) 66 through 75; or
- 1281 (G) 76 or older.
- 1282 (p) The lieutenant governor or a county clerk may not disclose:
- 1283 (i) information described in Subsection (4)(o) that, due to a small number of voters
1284 affiliated with a particular political party, or due to another reason, would likely
1285 reveal the identity of a voter if disclosed; or
- 1286 (ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the
1287 county clerk determines that the nature of the address would directly reveal
1288 sensitive information about the voter.
- 1289 (q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain, provide,

1290 or use the information described in Subsection (4)(n) or (o), except to the extent that
1291 the qualified person uses the information for a political purpose of a political party or
1292 candidate for public office.

1293 (5) When political parties not listed on the voter registration form qualify as registered
1294 political parties under Title 20A, Chapter 8, Political Party Formation and Procedures,
1295 the lieutenant governor shall inform the county clerks of the name of the new political
1296 party and direct the county clerks to ensure that the voter registration form is modified to
1297 include that political party.

1298 (6) Upon receipt of a voter registration form from an applicant, the county clerk or the
1299 clerk's designee shall:

1300 (a) review each voter registration form for completeness and accuracy; and

1301 (b) if the county clerk believes, based upon a review of the form, that an individual may
1302 be seeking to register or preregister to vote who is not legally entitled to register or
1303 preregister to vote, refer the form to the county attorney for investigation and
1304 possible prosecution.

1305 (7) The lieutenant governor or a county clerk shall withhold from a person, other than a
1306 person described in Subsection (4)(a)(i), the voter registration record, and information
1307 obtained from the voter registration record, of a protected individual.

1308 (8)(a) The lieutenant governor shall design and distribute the withholding request form
1309 described in Subsection (7) to each election officer and to each agency that provides
1310 a voter registration form.

1311 (b) An individual described in Subsection (1)(e)(i) is not required to provide
1312 verification, other than the individual's attestation and signature on the withholding
1313 request form, that the individual, or an individual who resides with the individual, is a
1314 victim of domestic violence or dating violence or is likely to be a victim of domestic
1315 violence or dating violence.

1316 (c) The director of elections within the Office of the Lieutenant Governor shall make
1317 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1318 establishing requirements for providing the verification described in Subsection
1319 (1)(e)(ii).

1320 (9) An election officer or an employee of an election officer may not encourage an
1321 individual to submit, or discourage an individual from submitting, a withholding request
1322 form.

1323 (10)(a) The lieutenant governor shall make and execute a plan to provide notice to

- 1324 registered voters who are protected individuals, that includes the following
1325 information:
- 1326 (i) that the voter's classification of the record as private remains in effect;
 - 1327 (ii) that certain non-identifying information from the voter's voter registration record
1328 may, under certain circumstances, be released to political parties and candidates
1329 for public office;
 - 1330 (iii) that the voter's name, driver license or identification card number, social security
1331 number, email address, phone number, and the voter's day, month, and year of
1332 birth will remain private and will not be released to political parties or candidates
1333 for public office;
 - 1334 (iv) that a county clerk will only release the information to political parties and
1335 candidates in a manner that does not associate the information with a particular
1336 voter; and
 - 1337 (v) that a county clerk may, under certain circumstances, withhold other information
1338 that the county clerk determines would reveal identifying information about the
1339 voter.
- 1340 (b) The lieutenant governor may include in the notice described in this Subsection (10) a
1341 statement that a voter may obtain additional information on the lieutenant governor's
1342 website.
- 1343 (c) The plan described in Subsection (10)(a) may include providing the notice described
1344 in Subsection (10)(a) by:
- 1345 (i) publication on the Utah Public Notice Website, created in Section 63A-16-601;
 - 1346 (ii) publication on the lieutenant governor's website or a county's website;
 - 1347 (iii) posting the notice in public locations;
 - 1348 (iv) publication in a newspaper;
 - 1349 (v) sending notification to the voters by electronic means;
 - 1350 (vi) sending notice by other methods used by government entities to communicate
1351 with citizens; or
 - 1352 (vii) providing notice by any other method.
- 1353 (d) The lieutenant governor shall provide the notice included in a plan described in this
1354 Subsection (10) before June 16, 2023.

1355 Section 10. Section **20A-2-107** is amended to read:

1356 **20A-2-107 (Effective 05/07/25). Designating or changing party affiliation --**

1357 **Times permitted.**

- 1358 (1) As used in this section, "change of affiliation deadline" means:
- 1359 (a) for an election held in an even-numbered year in which a presidential election will be
- 1360 held, the day after the declaration of candidacy deadline described in Subsection [
- 1361 ~~20A-9-201.5(2)(b)~~] 20A-9-201.5(2); or
- 1362 (b) for an election held in an even-numbered year in which a presidential election will
- 1363 not be held, April 1.
- 1364 (2) The county clerk shall:
- 1365 (a) except as provided in Subsection (6) or 20A-2-107.5(3), record the party affiliation
- 1366 designated by the voter on the voter registration form as the voter's party affiliation; or
- 1367 (b) if no political party affiliation is designated by the voter on the voter registration
- 1368 form:
- 1369 (i) except as provided in Subsection (2)(b)(ii), record the voter's party affiliation as
- 1370 the party that the voter designated the last time that the voter designated a party on
- 1371 a voter registration form, unless the voter more recently registered as
- 1372 "unaffiliated"; or
- 1373 (ii) record the voter's party affiliation as "unaffiliated" if the voter:
- 1374 (A) did not previously designate a party;
- 1375 (B) most recently designated the voter's party affiliation as "unaffiliated"; or
- 1376 (C) did not previously register.
- 1377 (3)(a) Any registered voter may designate or change the voter's political party affiliation
- 1378 by complying with the procedures and requirements of this Subsection (3).
- 1379 (b) A registered voter may designate or change the voter's political party affiliation by
- 1380 filing with the county clerk, the municipal clerk, or the lieutenant governor a voter
- 1381 registration form or another signed form that identifies the registered political party
- 1382 with which the voter chooses to affiliate.
- 1383 (c) Except as provided in Subsection (3)(d), a voter registration form or another signed
- 1384 form designating or changing a voter's political party affiliation takes effect when the
- 1385 county clerk receives the signed form.
- 1386 (d) The party affiliation of a voter who changes party affiliation, or who becomes
- 1387 unaffiliated from a political party, at any time on or after the change of affiliation
- 1388 deadline and on or before the date of the regular primary election, takes effect the day
- 1389 after the statewide canvass for the regular primary election.
- 1390 (4) For purposes of Subsection (3)(d), a form described in Subsection (3)(c) is received by
- 1391 the county clerk before the change of affiliation deadline if:

- 1392 (a) the individual submits the form in person at the county clerk's office no later than 5
1393 p.m. on the day before the change of affiliation deadline;
- 1394 (b) the individual submits the form electronically through the system described in
1395 Section 20A-2-206, at or before 11:59 p.m. before the day of the change of affiliation
1396 deadline; or
- 1397 (c) the individual's form is clearly postmarked before the change of affiliation deadline.
- 1398 (5) Subsection (3)(d) does not apply to the party affiliation designated by a voter on a voter
1399 registration form if:
- 1400 (a) the voter has not previously been registered to vote in the state; or
1401 (b) the voter's most recent party affiliation was changed to "unaffiliated" by a county
1402 clerk under Subsection (6).
- 1403 (6) If the most recent party affiliation designated by a voter is for a political party that is no
1404 longer a registered political party, the county clerk shall:
- 1405 (a) change the voter's party affiliation to "unaffiliated"; and
1406 (b) notify the voter electronically or by mail:
- 1407 (i) that the voter's affiliation has been changed to "unaffiliated" because the most
1408 recent party affiliation designated by the voter is for a political party that is no
1409 longer a registered political party; and
- 1410 (ii) of the methods and deadlines for changing the voter's party affiliation.
- 1411 Section 11. Section **20A-2-206** is amended to read:
- 1412 **20A-2-206 (Effective 05/07/25). Electronic registration.**
- 1413 (1) The lieutenant governor shall create and maintain an electronic system that is publicly
1414 available on the Internet for an individual to apply for voter registration or
1415 preregistration.
- 1416 (2) An electronic system for voter registration or preregistration shall require:
- 1417 (a) that an applicant have a valid driver license or identification card, issued under Title
1418 53, Chapter 3, Uniform Driver License Act, that reflects the applicant's current
1419 principal place of residence;
- 1420 (b) that the applicant provide the information required by Section 20A-2-104, except
1421 that the applicant's signature may be obtained in the manner described in Subsections
1422 (2)(d) and (5);
- 1423 (c) that the applicant attest to the truth of the information provided; and
1424 (d) that the applicant authorize the lieutenant governor's and county clerk's use of the
1425 applicant's:

- 1426 (i) driver license or identification card signature, obtained under Title 53, Chapter 3,
1427 Uniform Driver License Act, for voter registration purposes; or
- 1428 (ii) signature on file in the lieutenant governor's statewide voter registration database
1429 developed under Section 20A-2-502.
- 1430 (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system for voter
1431 registration or preregistration created under this section is not required to complete a
1432 printed registration form.
- 1433 (4) A system created and maintained under this section shall provide the notices concerning
1434 a voter's presentation of identification contained in Subsection [20A-2-104(1)]
1435 20A-2-104(2).
- 1436 (5) The lieutenant governor shall:
- 1437 (a) obtain a digital copy of the applicant's driver license or identification card signature
1438 from the Driver License Division; or
- 1439 (b) ensure that the applicant's signature is already on file in the lieutenant governor's
1440 statewide voter registration database developed under Section 20A-2-502.
- 1441 (6) The lieutenant governor shall send the information to the county clerk for the county in
1442 which the applicant's principal place of residence is found for further action as required
1443 by Section 20A-2-304 after:
- 1444 (a) receiving all information from an applicant; and
- 1445 (b)(i) receiving all information from the Driver License Division; or
- 1446 (ii) ensuring that the applicant's signature is already on file in the lieutenant
1447 governor's statewide voter registration database developed under Section
1448 20A-2-502.
- 1449 (7) The lieutenant governor may use additional security measures to ensure the accuracy
1450 and integrity of an electronically submitted voter registration.
- 1451 (8) If an individual applies to register under this section no later than 11 calendar days
1452 before the date of an election, the county clerk shall:
- 1453 (a) accept and process the voter registration form;
- 1454 (b) unless the individual named in the form is preregistering to vote:
- 1455 (i) enter the applicant's name on the list of registered voters for the voting precinct in
1456 which the applicant resides; and
- 1457 (ii) notify the individual that the individual is registered to vote in the upcoming
1458 election; and
- 1459 (c) if the individual named in the form is preregistering to vote, comply with Section

1460 20A-2-101.1.

1461 (9) If an individual applies to register under this section after the deadline described in
1462 Subsection (8), the county clerk shall, unless the individual is preregistering to vote:

1463 (a) accept the application for registration; and

1464 (b) except as provided in Subsection 20A-2-207(6), if possible, promptly inform the
1465 individual that the individual will not be registered to vote in the pending election,
1466 unless the individual registers to vote by provisional ballot during the early voting
1467 period, if applicable, or on election day, in accordance with Section 20A-2-207.

1468 (10) The lieutenant governor shall provide a means by which a registered voter shall sign
1469 the application form.

1470 Section 12. Section **20A-5-101** is amended to read:

1471 **20A-5-101 (Effective 05/07/25). Notice of election.**

1472 (1) On or before November 15 in the year before each regular general election year, the
1473 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

1474 (a) designates the offices to be filled at the next year's regular general election;

1475 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
1476 certifying nomination petition signatures, as applicable, under Sections [~~20A-9-403,~~
1477 ~~20A-9-407, and 20A-9-408~~] 20A-9-202 and 20A-9-202.3 for those offices; and

1478 (c) contains a description of any ballot propositions to be decided by the voters that have
1479 qualified for the ballot as of that date.

1480 (2)(a) No later than seven business days after the day on which the lieutenant governor
1481 transmits the written notice described in Subsection (1), each county clerk shall
1482 provide notice for the county, as a class A notice under Section 63G-30-102, for
1483 seven days before the day of the election and in accordance with Subsection (3).

1484 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a),
1485 showing a copy of the notice and the places where the notice was posted.

1486 (3) The notice described in Subsection (2) shall:

1487 (a) designate the offices to be voted on in that election; and

1488 (b) identify the dates for filing a declaration of candidacy for those offices.

1489 (4) Except as provided in Subsection (6), before each election, the election officer shall give
1490 printed notice of the following information:

1491 (a) the date of election;

1492 (b) the hours during which the polls will be open;

1493 (c) the polling places for each voting precinct, early voting polling place, and election

- 1494 day voting center;
- 1495 (d) the address of the Statewide Electronic Voter Information Website and, if available,
- 1496 the address of the election officer's website, with a statement indicating that the
- 1497 election officer will post on the website any changes to the location of a polling place
- 1498 and the location of any additional polling place;
- 1499 (e) a phone number that a voter may call to obtain information regarding the location of
- 1500 a polling place;
- 1501 (f) the qualifications for persons to vote in the election: and
- 1502 (g) instructions regarding how an individual with a disability, who is not able to vote a
- 1503 manual ballot by mail, may obtain information on voting in an accessible manner.
- 1504 (5) The election officer shall provide the notice described in Subsection (4) for the
- 1505 jurisdiction, as a class A notice under Section 63G-30-102, for at least seven days before
- 1506 the day of the election.
- 1507 (6) Instead of including the information described in Subsection (4) in the notice, the
- 1508 election officer may give printed notice that:
- 1509 (a) is entitled "Notice of Election";
- 1510 (b) includes the following: "A [indicate election type] will be held in [indicate the
- 1511 jurisdiction] on [indicate date of election]. Information relating to the election,
- 1512 including polling places, polling place hours, and qualifications of voters may be
- 1513 obtained from the following sources:"; and
- 1514 (c) specifies the following sources where an individual may view or obtain the
- 1515 information described in Subsection (4):
- 1516 (i) if the jurisdiction has a website, the jurisdiction's website;
- 1517 (ii) the physical address of the jurisdiction offices; and
- 1518 (iii) a mailing address and telephone number.

1519 Section 13. Section **20A-6-301** is amended to read:

1520 **20A-6-301 (Effective 05/07/25). Manual ballots -- Regular general election.**

- 1521 (1) Each election officer shall ensure that:
- 1522 [~~(a) all manual ballots furnished for use at the regular general election contain:]~~
- 1523 [~~(i) no captions or other endorsements except as provided in this section;~~]
- 1524 [~~(ii) no symbols, markings, or other descriptions of a political party or group, except for~~
- 1525 ~~a registered political party that has chosen to nominate its candidates in accordance~~
- 1526 ~~with Section 20A-9-403; and]~~
- 1527 [~~(iii) no indication that a candidate for elective office has been nominated by, or has~~

1528 been endorsed by, or is in any way affiliated with a political party or group, unless
 1529 the candidate has been nominated by a registered political party in accordance with
 1530 Subsection 20A-9-202(4) or Subsection 20A-9-403(5);]

1531 (a) candidates of a primary nominating party who are, in accordance with Sections
 1532 20A-9-402.3 and 20A-9-403, nominated to advance to the regular general election
 1533 ballot appear on the general election ballot in association with the name of the
 1534 primary nominating party;

1535 (b) except as provided in Subsection 20A-9-402.2(4) in relation to an election for
 1536 president and vice president of the United States, candidates of a convention
 1537 nominating party who are, in accordance with Section 20A-9-402.4, nominated to be
 1538 placed on the regular general election ballot appear on the ballot without any
 1539 indication of association with the convention nominating party;

1540 [(b)] (c) at the top of the ballot, the following endorsements are printed in 18 point bold
 1541 type:

1542 (i) "Official Ballot for ____ County, Utah";

1543 (ii) the date of the election; and

1544 (iii) the words "certified by the Clerk of _____ County" or, as applicable, the
 1545 name of a combined office that includes the duties of a county clerk;

1546 [(e)] (d) unaffiliated candidates, candidates not affiliated with a registered political party,
 1547 and all other candidates for elective office who were not nominated by a [registered
 1548 political] primary nominating party to advance to the general election ballot in
 1549 accordance with [Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] Sections
 1550 20A-9-402.3 and 20A-9-403, are listed with the other candidates for the same office
 1551 in accordance with Section 20A-6-305, without a party name or title;

1552 [(d)] (e) each ticket containing the lists of candidates, including the party name and
 1553 device, are separated by heavy parallel lines;

1554 [(e)] (f) the offices to be filled are plainly printed immediately above the names of the
 1555 candidates for those offices;

1556 [(f)] (g) the names of candidates are printed in capital letters, not less than one-eighth nor
 1557 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point,
 1558 between lines or rules three-eighths of an inch apart; and

1559 [(g)] (h) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
 1560 which a write-in candidate is qualified under Section 20A-9-601:

1561 (i) the ballot includes a space for a write-in candidate immediately following the last

- 1562 candidate listed on that ticket; or
- 1563 (ii) for the offices of president and vice president and governor and lieutenant
1564 governor, the ballot includes two spaces for write-in candidates immediately
1565 following the last candidates on that ticket, one placed above the other, to enable
1566 the entry of two valid write-in candidates.
- 1567 (2) An election officer shall ensure that:
- 1568 (a) each individual nominated by [~~any registered political party under Subsection~~
1569 ~~20A-9-202(4) or Subsection 20A-9-403(5)] a primary nominating party to advance to
1570 the general election ballot in accordance with Sections 20A-9-402.3 and 20A-9-403,
1571 and no other individual, is placed on the ballot:~~
- 1572 (i) under the registered political party's name, if any; or
- 1573 (ii) under the title of the registered political party as designated [~~by them in their~~] in
1574 the certificates of nomination or petition, or, if none is designated, then under
1575 some suitable title;
- 1576 (b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part 5,
1577 Candidates not Affiliated with a Party, are placed on the ballot;
- 1578 (c) the names of the candidates for president and vice president are used on the ballot
1579 instead of the names of the presidential electors; and
- 1580 (d) the ballots contain no other names.
- 1581 (3) When the ballot contains a nonpartisan section, the election officer shall ensure that:
- 1582 (a) the designation of the office to be filled in the election and the number of candidates
1583 to be elected are printed in type not smaller than eight point;
- 1584 (b) the words designating the office are printed flush with the left-hand margin;
- 1585 (c) the words, "Vote for one" or "Vote for up to ____ (the number of candidates for
1586 which the voter may vote)" extend to the extreme right of the column;
- 1587 (d) the nonpartisan candidates are grouped according to the office for which they are
1588 candidates;
- 1589 (e) the names in each group are placed in the order specified under Section 20A-6-305
1590 with the surnames last; and
- 1591 (f) each group is preceded by the designation of the office for which the candidates seek
1592 election, and the words, "Vote for one" or "Vote for up to ____ (the number of
1593 candidates for which the voter may vote)," according to the number to be elected.
- 1594 (4) Each election officer shall ensure that:
- 1595 (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance

- 1596 with Section 20A-6-107;
- 1597 (b) ballot propositions submitted to the voters are listed on the ballot in accordance with
- 1598 Section 20A-6-107;
- 1599 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
- 1600 title assigned to each bond proposition under Section 11-14-206; and
- 1601 (d) the judicial retention section of the ballot includes a statement at the beginning
- 1602 directing voters to the Judicial Performance Evaluation Commission's website in
- 1603 accordance with Subsection 20A-12-201(4).

1604 Section 14. Section **20A-6-302** is amended to read:

1605 **20A-6-302 (Effective 05/07/25). Manual ballots -- Placement of candidates'**

1606 **names.**

- 1607 (1) An election officer shall ensure, for manual ballots in regular general elections, that:
- 1608 (a) each candidate is listed by party, if nominated by a ~~[registered political]~~ primary
- 1609 nominating party under ~~[Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~
- 1610 Sections 20A-9-202.3 and 20A-9-403;
- 1611 (b) candidates' surnames are listed in alphabetical order on the ballots when two or more
- 1612 candidates' names are required to be listed on a ticket under the title of an office; and
- 1613 (c) the names of candidates are placed on the ballot in the order specified under Section
- 1614 20A-6-305.
- 1615 (2)(a) When there is only one candidate for county attorney at the regular general
- 1616 election in counties that have three or fewer registered voters of the county who are
- 1617 licensed active members in good standing of the Utah State Bar, the county clerk
- 1618 shall cause that candidate's name and party affiliation, if any, to be placed on a
- 1619 separate section of the ballot with the following question: "Shall (name of candidate)
- 1620 be elected to the office of county attorney? Yes ____ No ____."
- 1621 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
- 1622 elected to the office of county attorney.
- 1623 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
- 1624 elected and may not take office, nor may the candidate continue in the office past the
- 1625 end of the term resulting from any prior election or appointment.
- 1626 (d) When the name of only one candidate for county attorney is printed on the ballot
- 1627 under authority of this Subsection (2), the county clerk may not count any write-in
- 1628 votes received for the office of county attorney.
- 1629 (e) If no qualified individual files for the office of county attorney or if the candidate is

- 1630 not elected by the voters, the county legislative body shall appoint the county
1631 attorney as provided in Section 20A-1-509.2.
- 1632 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
1633 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a)
1634 to the two consecutive terms immediately preceding the term for which the candidate
1635 is seeking election, Subsection (2)(a) does not apply and that candidate shall be
1636 considered to be an unopposed candidate the same as any other unopposed candidate
1637 for another office, unless a petition is filed with the county clerk before 5 p.m. no
1638 later than one day before that year's primary election that:
- 1639 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and
1640 (ii) contains the signatures of registered voters in the county representing in number
1641 at least 25% of all votes cast in the county for all candidates for governor at the
1642 last election at which a governor was elected.
- 1643 (3)(a) When there is only one candidate for district attorney at the regular general
1644 election in a prosecution district that has three or fewer registered voters of the
1645 district who are licensed active members in good standing of the Utah State Bar, the
1646 county clerk shall cause that candidate's name and party affiliation, if any, to be
1647 placed on a separate section of the ballot with the following question: "Shall (name of
1648 candidate) be elected to the office of district attorney? Yes ____ No ____."
- 1649 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
1650 elected to the office of district attorney.
- 1651 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
1652 elected and may not take office, nor may the candidate continue in the office past the
1653 end of the term resulting from any prior election or appointment.
- 1654 (d) When the name of only one candidate for district attorney is printed on the ballot
1655 under authority of this Subsection (3), the county clerk may not count any write-in
1656 votes received for the office of district attorney.
- 1657 (e) If no qualified individual files for the office of district attorney, or if the only
1658 candidate is not elected by the voters under this subsection, the county legislative
1659 body shall appoint a new district attorney for a four-year term as provided in Section
1660 20A-1-509.2.
- 1661 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
1662 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a)
1663 to the two consecutive terms immediately preceding the term for which the candidate

1664 is seeking election, Subsection (3)(a) does not apply and that candidate shall be
 1665 considered to be an unopposed candidate the same as any other unopposed candidate
 1666 for another office, unless a petition is filed with the county clerk before 5 p.m. no
 1667 later than one day before that year's primary election that:

- 1668 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and
- 1669 (ii) contains the signatures of registered voters in the county representing in number
 1670 at least 25% of all votes cast in the county for all candidates for governor at the
 1671 last election at which a governor was elected.

1672 Section 15. Section **20A-6-304** is amended to read:

1673 **20A-6-304 (Effective 05/07/25). Regular general election -- Mechanical ballots.**

1674 (1) Each election officer shall ensure that:

- 1675 (a) the format and content of a mechanical ballot is arranged in approximately the same
 1676 order as manual ballots;
- 1677 (b) the titles of offices and the names of candidates are displayed in vertical columns or
 1678 in a series of separate displays;
- 1679 (c) the mechanical ballot is of sufficient length to include, after the list of candidates:
 1680 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
 1681 (ii) any ballot propositions submitted to the voters for their approval or rejection;
- 1682 (d) the office titles are displayed above or at the side of the names of candidates so as to
 1683 indicate clearly the candidates for each office and the number to be elected;
- 1684 (e) the party designation of each candidate who has been nominated by a [~~registered~~
 1685 ~~political~~] primary nominating party under [~~Subsection 20A-9-202(4) or Subsection~~
 1686 ~~20A-9-403(5)~~] Sections 20A-9-202.4 and 20A-9-403 is displayed adjacent to the
 1687 candidate's name; and
- 1688 (f) if possible, all candidates for one office are grouped in one column or upon one
 1689 display screen.

1690 (2) Each election officer shall ensure that:

- 1691 (a) proposed amendments to the Utah Constitution are displayed in accordance with
 1692 Section 20A-6-107;
- 1693 (b) ballot propositions submitted to the voters are displayed in accordance with Section
 1694 20A-6-107;
- 1695 (c) bond propositions that have qualified for the ballot are displayed under the title
 1696 assigned to each bond proposition under Section 11-14-206; and
- 1697 (d) the judicial retention section of the ballot includes a statement at the beginning

1698 directing voters to the Judicial Performance Evaluation Commission's website in
 1699 accordance with Subsection 20A-12-201(4).

1700 Section 16. Section **20A-8-103** is amended to read:

1701 **20A-8-103 (Effective 05/07/25). Petition procedures -- Criminal penalty --**

1702 **Removal of signature.**

1703 (1) As used in this section, the proposed name or emblem of a registered political party is
 1704 "distinguishable" if a reasonable person of average intelligence will be able to perceive a
 1705 difference between the proposed name or emblem and any name or emblem currently
 1706 being used by another registered political party.

1707 (2) To become a registered political party, an organization of registered voters that is not a
 1708 continuing political party shall:

1709 (a) circulate a petition seeking registered political party status beginning no earlier than
 1710 the date of the statewide canvass held after the last regular general election and
 1711 ending before 5 p.m. no later than November 30 of the year before the year in which
 1712 the next regular general election will be held;

1713 (b) file a petition with the lieutenant governor that is signed, with a holographic
 1714 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30
 1715 of the year in which a regular general election will be held; and

1716 (c) file, with the petition described in Subsection (2)(b), [~~a document certifying:] the~~
 1717 certification required in Subsection 20A-9-402.1(1) and, if applicable, Subsection
 1718 20A-9-402.1(3).

1719 (i) [~~the identity of one or more registered political parties whose members may vote~~
 1720 ~~for the organization's candidates;]~~

1721 [(ii) ~~whether unaffiliated voters may vote for the organization's candidates; and]~~

1722 [(iii) ~~whether, for the next election, the organization intends to nominate the~~
 1723 ~~organization's candidates in accordance with the provisions of Section 20A-9-406.]~~

1724 (3) The petition shall:

1725 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;

1726 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
 1727 blank for the purpose of binding;

1728 (c) contain the name of the political party and the words "Political Party Registration
 1729 Petition" printed directly below the horizontal line;

1730 (d) contain the word "Warning" printed directly under the words described in Subsection
 1731 (3)(c);

1732 (e) contain, to the right of the word "Warning," the following statement printed in not less than
1733 eight-point, single leaded type:

1734 "It is a class A misdemeanor for anyone to knowingly sign a political party registration
1735 petition signature sheet with any name other than the individual's own name or more than once
1736 for the same party or if the individual is not registered to vote in this state and does not intend
1737 to become registered to vote in this state before the petition is submitted to the lieutenant
1738 governor.";

1739 (f) contain the following statement directly under the statement described in Subsection (3)(e):

1740 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
1741 Lieutenant Governor:

1742 We, the undersigned citizens of Utah, seek registered political party status for _____
1743 (name);

1744 Each signer says:

1745 I have personally signed this petition with a holographic signature;

1746 I am registered to vote in Utah or will register to vote in Utah before the petition is
1747 submitted to the lieutenant governor;

1748 I am or desire to become a member of the political party; and

1749 My street address is written correctly after my name.";

1750 (g) be vertically divided into columns as follows:

1751 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
1752 headed with "For Office Use Only," and be subdivided with a light vertical line
1753 down the middle;

1754 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
1755 Name (must be legible to be counted)";

1756 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
1757 Registered Voter";

1758 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

1759 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
1760 Code"; and

1761 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
1762 information is not required, but it may be used to verify your identity with voter
1763 registration records. If you choose not to provide it, your signature may not be
1764 certified as a valid signature if you change your address before petition signatures
1765 are certified or if the information you provide does not match your voter

1766 registration records.";

1767 (h) have a final page bound to one or more signature sheets that are bound together that
1768 contains the following printed statement:

1769 "Verification

1770 State of Utah, County of ____

1771 I, _____, of _____, hereby state that:

1772 I am a Utah resident and am at least 18 years old;

1773 All the names that appear on the signature sheets bound to this page were signed by
1774 individuals who professed to be the individuals whose names appear on the signature sheets,
1775 and each individual signed the individual's name on the signature sheets in my presence;

1776 I believe that each individual has printed and signed the individual's name and written
1777 the individual's street address correctly, and that each individual is registered to vote in Utah or
1778 will register to vote in Utah before the petition is submitted to the lieutenant governor.

1779 _____

1780 (Signature) (Residence Address) (Date)"; and

1781 (i) be bound to a cover sheet that:

1782 (i) identifies the political party's name, which may not exceed four words, and the
1783 emblem of the party;

1784 (ii) states the process that the organization will follow to organize and adopt a
1785 constitution and bylaws; and

1786 (iii) is signed by a filing officer, who agrees to receive communications on behalf of
1787 the organization.

1788 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in
1789 whose presence each signature sheet is signed:

1790 (a) is at least 18 years old;

1791 (b) meets the residency requirements of Section 20A-2-105; and

1792 (c) verifies each signature sheet by completing the verification bound to one or more
1793 signature sheets that are bound together.

1794 (5) An individual may not sign the verification if the individual signed a signature sheet
1795 bound to the verification.

1796 (6) The lieutenant governor shall:

1797 (a) use the procedures described in Section 20A-1-1002 to determine whether a signer is
1798 a registered voter;

1799 (b) review the proposed name and emblem to determine if they are "distinguishable"

- 1800 from the names and emblems of other registered political parties; and
- 1801 (c) certify the lieutenant governor's findings to the filing officer described in Subsection
- 1802 (3)(i)(iii) within 30 days of the filing of the petition.
- 1803 (7)(a) If the lieutenant governor determines that the petition meets the requirements of
- 1804 this section, and that the proposed name and emblem are distinguishable, the
- 1805 lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii)
- 1806 to organize the prospective political party.
- 1807 (b) If the lieutenant governor finds that the name, emblem, or both are not
- 1808 distinguishable from the names and emblems of other registered political parties, the
- 1809 lieutenant governor shall notify the filing officer that the filing officer has seven days
- 1810 to submit a new name or emblem to the lieutenant governor.
- 1811 (8) A registered political party may not change its name or emblem during the regular
- 1812 general election cycle.
- 1813 (9)(a) It is unlawful for an individual to:
- 1814 (i) knowingly sign a political party registration petition:
- 1815 (A) with any name other than the individual's own name;
- 1816 (B) more than once for the same political party; or
- 1817 (C) if the individual is not registered to vote in this state and does not intend to
- 1818 become registered to vote in this state before the petition is submitted to the
- 1819 lieutenant governor; or
- 1820 (ii) sign the verification of a political party registration petition signature sheet if the
- 1821 individual:
- 1822 (A) does not meet the residency requirements of Section 20A-2-105;
- 1823 (B) has not witnessed the signing by those individuals whose names appear on the
- 1824 political party registration petition signature sheet; or
- 1825 (C) knows that an individual whose signature appears on the political party
- 1826 registration petition signature sheet is not registered to vote in this state and
- 1827 does not intend to become registered to vote in this state.
- 1828 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.
- 1829 (10)(a) A voter who signs a petition under this section may have the voter's signature
- 1830 removed from the petition by, no later than three business days after the day on
- 1831 which the petition is filed with the lieutenant governor, submitting to the lieutenant
- 1832 governor a statement requesting that the voter's signature be removed.
- 1833 (b) A statement described in Subsection (10)(a) shall comply with the requirements

- 1834 described in Subsection 20A-1-1003(2).
- 1835 (c) The lieutenant governor shall use the procedures described in Subsection
- 1836 20A-1-1003(3) to determine whether to remove an individual's signature from a
- 1837 petition after receiving a timely, valid statement requesting removal of the signature.
- 1838 Section 17. Section **20A-9-101** is amended to read:
- 1839 **20A-9-101 . Definitions.**
- 1840 As used in this chapter:
- 1841 (1)(a) "Candidates for elective office" means persons who file a declaration of
- 1842 candidacy under Section 20A-9-202 to run in a regular general election for a federal
- 1843 office, constitutional office, multicounty office, or county office.
- 1844 (b) "Candidates for elective office" does not mean candidates for:
- 1845 (i) justice or judge of court of record or not of record;
- 1846 (ii) presidential elector;
- 1847 (iii) any political party offices; and
- 1848 (iv) municipal or special district offices.
- 1849 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney
- 1850 general, state auditor, and state treasurer.
- 1851 (3) "Continuing political party" means the same as that term is defined in Section
- 1852 20A-8-101.
- 1853 (4) "Convention nominating party" means a registered political party that:
- 1854 (a) timely makes the certification described in Subsection 20A-9-402.1(1)(b); or
- 1855 (b) fails to timely make a certification described in Subsection 20A-9-402.1(1).
- 1856 [(4)] (5)(a) "County office" means an elective office where the officeholder is selected
- 1857 by voters entirely within one county.
- 1858 (b) "County office" does not mean:
- 1859 (i) the office of justice or judge of any court of record or not of record;
- 1860 (ii) the office of presidential elector;
- 1861 (iii) any political party offices;
- 1862 (iv) any municipal or special district offices; and
- 1863 (v) the office of United States Senator and United States Representative.
- 1864 [(5)] (6) "Electronic candidate qualification process" means[?]
- 1865 [(a) as it relates to a registered political party that is not a qualified political party,] the
- 1866 process for gathering signatures electronically to seek the nomination of a [registered
- 1867 political] primary nominating party, described in:

- 1868 (a) Section 20A-9-202.3;
 1869 [~~(i)~~] (b) Section 20A-9-403; and
 1870 [~~(ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and~~]
 1871 [~~(iii)~~] (c) Section 20A-21-201[; and] .
 1872 [(b) as it relates to a qualified political party, the process, for gathering signatures
 1873 electronically to seek the nomination of a registered political party, described in:]
 1874 [(i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);]
 1875 [(ii) Section 20A-9-408; and]
 1876 [(iii) Section 20A-21-201.]
- 1877 [~~(6)~~] (7) "Federal office" means an elective office for United States Senator and United
 1878 States Representative.
- 1879 [~~(7)~~] (8) "Filing officer" means:
 1880 (a) the lieutenant governor, for:
 1881 (i) the office of United States Senator and United States Representative; and
 1882 (ii) all constitutional offices;
 1883 (b) for the office of a state senator, state representative, or the state school board, the
 1884 lieutenant governor or the applicable clerk described in Subsection [~~(7)(c) or (d)~~]
 1885 (8)(c) or (d);
 1886 (c) the county clerk, for county offices and local school district offices;
 1887 (d) the county clerk in the filer's county of residence, for multicounty offices;
 1888 (e) the city or town clerk, for municipal offices; or
 1889 (f) the special district clerk, for special district offices.
- 1890 [~~(8)~~] (9) "Local government office" includes county offices, municipal offices, and special
 1891 district offices and other elective offices selected by the voters from a political division
 1892 entirely within one county.
- 1893 [~~(9)~~] (10) "Manual candidate qualification process" means the process for gathering
 1894 signatures to seek the nomination of a registered political party, using paper signature
 1895 packets that a signer physically signs.
- 1896 [~~(10)~~] (11)(a) "Multicounty office" means an elective office where the officeholder is
 1897 selected by the voters from more than one county.
 1898 (b) "Multicounty office" does not mean:
 1899 (i) a county office;
 1900 (ii) a federal office;
 1901 (iii) the office of justice or judge of any court of record or not of record;

- 1902 (iv) the office of presidential elector;
- 1903 (v) any political party offices; or
- 1904 (vi) any municipal or special district offices.
- 1905 ~~[(11)]~~ (12) "Municipal office" means an elective office in a municipality.
- 1906 ~~[(12)]~~ (13)(a) "Political division" means a geographic unit from which an officeholder is
- 1907 elected and that an officeholder represents.
- 1908 (b) "Political division" includes a county, a city, a town, a special district, a school
- 1909 district, a legislative district, and a county prosecution district.
- 1910 ~~[(13) "Qualified political party" means a registered political party that:]~~
- 1911 ~~[(a)(i) permits a delegate for the registered political party to vote on a candidate~~
- 1912 ~~nomination in the registered political party's convention remotely; or]~~
- 1913 ~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not present~~
- 1914 ~~at the registered political party's convention;]~~
- 1915 ~~[(b) does not hold the registered political party's convention before the fourth Saturday in~~
- 1916 ~~March of an even-numbered year;]~~
- 1917 ~~[(c) permits a member of the registered political party to seek the registered political~~
- 1918 ~~party's nomination for any elective office by the member choosing to seek the~~
- 1919 ~~nomination by either or both of the following methods:]~~
- 1920 ~~[(i) seeking the nomination through the registered political party's convention process, in~~
- 1921 ~~accordance with the provisions of Section 20A-9-407; or]~~
- 1922 ~~[(ii) seeking the nomination by collecting signatures, in accordance with the provisions of~~
- 1923 ~~Section 20A-9-408; and]~~
- 1924 ~~[(d)(i) if the registered political party is a continuing political party, no later than 5 p.m.~~
- 1925 ~~on the first Monday of October of an odd-numbered year, certifies to the lieutenant~~
- 1926 ~~governor that, for the election in the following year, the registered political party intends~~
- 1927 ~~to nominate the registered political party's candidates in accordance with the provisions~~
- 1928 ~~of Section 20A-9-406; or]~~
- 1929 ~~[(ii) if the registered political party is not a continuing political party, certifies at the time~~
- 1930 ~~that the registered political party files the petition described in Section 20A-8-103 that,~~
- 1931 ~~for the next election, the registered political party intends to nominate the registered~~
- 1932 ~~political party's candidates in accordance with the provisions of Section 20A-9-406.]~~
- 1933 (14) "Primary nominating party" means a registered political party that timely makes the
- 1934 certification described in Subsection 20A-9-402.1(1)(a).
- 1935 (15) "Qualified individual" means an individual who:

- 1936 (a) meets or, if applicable will timely meet, the qualifications for the office for which the
 1937 individual is seeking the nomination of a registered political party;
- 1938 (b)(i) is a member of the registered political party for which the individual is seeking
 1939 the nomination; or
- 1940 (ii) if the individual is not a member described in Subsection (15)(b)(i), the individual
 1941 is permitted by the registered political party to seek the party's nomination; and
- 1942 (c) meets or, if applicable will timely meet, the residency requirements for the office for
 1943 which the individual is seeking the nomination.
- 1944 [(14)] (16) "Signature," as it relates to a petition for a candidate to seek the nomination of a
 1945 registered political party, means:
- 1946 (a) when using the manual candidate qualification process, a holographic signature
 1947 collected physically on a nomination petition described in [Subsection 20A-9-405(3)]
 1948 Section 20A-9-202.3; or
- 1949 (b) when using the electronic candidate qualification process:
- 1950 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
 1951 (ii) a holographic signature collected electronically under Subsection
 1952 20A-21-201(6)(c)(ii)(B).
- 1953 [(15)] (17) "Special district office" means an elected office in a special district.
 1954 Section 18. Section **20A-9-201** is amended to read:
- 1955 **20A-9-201 (Effective 05/07/25). Declarations of candidacy -- Candidacy for**
 1956 **more than one office or of more than one political party prohibited with exceptions --**
 1957 **General filing and form requirements -- Affidavit of impecuniosity.**
- 1958 (1) Before filing a declaration of candidacy for election to any office, an individual shall:
- 1959 (a) be a United States citizen; and
- 1960 (b) meet the legal requirements of that office[; ~~and~~].
- 1961 [~~(c) if seeking a registered political party's nomination as a candidate for elective office,~~
 1962 ~~state:]~~
- 1963 [(i) ~~the registered political party of which the individual is a member; or]~~
 1964 [(ii) ~~that the individual is not a member of a registered political party.]~~
- 1965 (2)(a) Except as provided in Subsection (2)(b), an individual may not:
- 1966 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
 1967 Utah during any election year;
- 1968 (ii) appear on the ballot as the candidate of more than one political party; or
 1969 (iii) file a declaration of candidacy for a registered political party of which the

- 1970 individual is not a member, except to the extent that the registered political party
 1971 permits otherwise in the registered political party's bylaws.
- 1972 (b)(i) An individual may file a declaration of candidacy for, or be a candidate for,
 1973 president or vice president of the United States and another office, if the
 1974 individual resigns the individual's candidacy for the other office after the
 1975 individual is officially nominated for president or vice president of the United
 1976 States.
- 1977 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
 1978 than one justice court judge office.
- 1979 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
 1980 the individual filed a declaration of candidacy for another office in the same
 1981 election year if the individual withdraws as a candidate for the other office in
 1982 accordance with Subsection 20A-9-202(6) before filing the declaration of
 1983 candidacy for lieutenant governor.
- 1984 (3)(a) Except for a candidate for president or vice president of the United States, before
 1985 the filing officer may accept any declaration of candidacy, the filing officer shall:
- 1986 (i) read to the individual the constitutional and statutory qualification requirements
 1987 for the office that the individual is seeking;
- 1988 (ii) require the individual to state whether the individual meets the requirements
 1989 described in Subsection (3)(a)(i);
- 1990 (iii) if the declaration of candidacy is for a county office, inform the individual that
 1991 an individual who holds a county elected office may not, at the same time, hold a
 1992 municipal elected office; and
- 1993 (iv) if the declaration of candidacy is for a legislative office, inform the individual
 1994 that Utah Constitution, Article VI, Section 6, prohibits a person who holds a
 1995 public office of profit or trust, under authority of the United States or Utah, from
 1996 being a member of the Legislature.
- 1997 (b) Before accepting a declaration of candidacy for the office of county attorney, the
 1998 county clerk shall ensure that the individual filing that declaration of candidacy is:
- 1999 (i) a United States citizen;
- 2000 (ii) an attorney licensed to practice law in the state who is an active member in good
 2001 standing of the Utah State Bar;
- 2002 (iii) a registered voter in the county in which the individual is seeking office; and
- 2003 (iv) a current resident of the county in which the individual is seeking office and

2004 either has been a resident of that county for at least one year before the date of the
2005 election or was appointed and is currently serving as county attorney and became
2006 a resident of the county within 30 days after appointment to the office.

2007 (c) Before accepting a declaration of candidacy for the office of district attorney, the
2008 county clerk shall ensure that, as of the date of the election, the individual filing that
2009 declaration of candidacy is:

2010 (i) a United States citizen;

2011 (ii) an attorney licensed to practice law in the state who is an active member in good
2012 standing of the Utah State Bar;

2013 (iii) a registered voter in the prosecution district in which the individual is seeking
2014 office; and

2015 (iv) a current resident of the prosecution district in which the individual is seeking
2016 office and either will have been a resident of that prosecution district for at least
2017 one year before the date of the election or was appointed and is currently serving
2018 as district attorney and became a resident of the prosecution district within 30
2019 days after receiving appointment to the office.

2020 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
2021 county clerk shall ensure that the individual filing the declaration:

2022 (i) is a United States citizen;

2023 (ii) is a registered voter in the county in which the individual seeks office;

2024 (iii)(A) has successfully met the standards and training requirements established
2025 for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer
2026 Training and Certification Act; or

2027 (B) has met the waiver requirements in Section 53-6-206;

2028 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
2029 53-13-103; and

2030 (v) before the date of the election, will have been a resident of the county in which
2031 the individual seeks office for at least one year.

2032 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant
2033 governor, state auditor, state treasurer, attorney general, state legislator, or State
2034 Board of Education member, the filing officer shall ensure that the individual filing
2035 the declaration of candidacy also makes the conflict of interest disclosure described
2036 in Section 20A-11-1603.

2037 (4) If an individual who files a declaration of candidacy does not meet the qualification

2038 requirements for the office the individual is seeking, the filing officer may not accept the
2039 individual's declaration of candidacy.

2040 (5) If an individual who files a declaration of candidacy meets the requirements described
2041 in Subsection (3), the filing officer shall:

2042 (a) inform the individual that:

2043 (i) the individual's name will appear on the ballot as the individual's name is written
2044 on the individual's declaration of candidacy;

2045 (ii) the individual may be required to comply with state or local campaign finance
2046 disclosure laws; and

2047 (iii) the individual is required to file a financial statement before the individual's
2048 political convention under:

2049 (A) Section 20A-11-204 for a candidate for constitutional office;

2050 (B) Section 20A-11-303 for a candidate for the Legislature; or

2051 (C) local campaign finance disclosure laws, if applicable;

2052 (b) except for a presidential candidate, provide the individual with a copy of the current
2053 campaign financial disclosure laws for the office the individual is seeking and inform
2054 the individual that failure to comply will result in disqualification as a candidate and
2055 removal of the individual's name from the ballot;

2056 (c)(i) provide the individual with a copy of Section 20A-7-801 regarding the
2057 Statewide Electronic Voter Information Website Program and inform the
2058 individual of the submission deadline under Subsection 20A-7-801(4)(a);

2059 (ii) inform the individual that the individual must provide the filing officer with an
2060 email address that the individual actively monitors:

2061 (A) to receive a communication from a filing officer or an election officer; and

2062 (B) if the individual wishes to display a candidate profile on the Statewide
2063 Electronic Voter Information Website, to submit to the website the
2064 biographical and other information described in Subsection 20A-7-801
2065 (4)(a)(ii);

2066 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is
2067 not a record under Title 63G, Chapter 2, Government Records Access and
2068 Management Act; and

2069 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);

2070 (d) provide the candidate with a copy of the pledge of fair campaign practices described
2071 under Section 20A-9-206 and inform the candidate that:

- 2072 (i) signing the pledge is voluntary; and
- 2073 (ii) signed pledges shall be filed with the filing officer;
- 2074 (e) accept the individual's declaration of candidacy; and
- 2075 (f) if the individual has filed for a partisan office, provide a certified copy of the
- 2076 declaration of candidacy to the chair of the county or state political party [øf] for
- 2077 which the individual is [a-member] seeking nomination.
- 2078 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
- 2079 shall:
- 2080 (a) accept the candidate's pledge; and
- 2081 (b) if the candidate has filed for a partisan office, provide a certified copy of the
- 2082 candidate's pledge to the chair of the county or state political party [øf] for which the
- 2083 candidate is [a-member] seeking nomination.

2084 [~~(7)(a) Except for a candidate for president or vice president of the United States, the form~~

2085 ~~of the declaration of candidacy shall:]~~

2086 [(i) ~~be substantially as follows:~~

2087 "State of Utah, County of _____

2088 I, _____, declare my candidacy for the office of _____, seeking the

2089 nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet

2090 the qualifications to hold the office, both legally and constitutionally, if selected; I reside at

2091 _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not

2092 knowingly violate any law governing campaigns and elections; if filing via a designated agent,

2093 I will be out of the state of Utah during the entire candidate filing period; I will file all

2094 campaign financial disclosure reports as required by law; and I understand that failure to do so

2095 will result in my disqualification as a candidate for this office and removal of my name from

2096 the ballot. The mailing address that I designate for receiving official election notices is

2097 _____.

2098 _____

2099 Subscribed and sworn before me this _____(month\day\year).]

2100 [Notary Public (or other officer qualified to administer oath)."; and]

2101 [(ii) ~~require the candidate to state, in the sworn statement described in Subsection (7)(a)(i):]~~

2102 [~~(A) the registered political party of which the candidate is a member; or]~~

2103 [~~(B) that the candidate is not a member of a registered political party.]~~

2104 [(b)] (7) An agent designated under Subsection [20A-9-202(1)(c)] 20A-9-202(1)(b) to file a

2105 declaration of candidacy may not sign the form described in[~~Subsection (7)(a) or]~~

2106 Section 20A-9-408.5.

2107 (8)(a) Except for a candidate for president or vice president of the United States, the fee
2108 for filing a declaration of candidacy is:

2109 (i) \$50 for candidates for the local school district board; and

2110 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
2111 person holding the office for all other federal, state, and county offices.

2112 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any
2113 candidate:

2114 (i) who is disqualified; or

2115 (ii) who the filing officer determines has filed improperly.

2116 (c)(i) The county clerk shall immediately pay to the county treasurer all fees received
2117 from candidates.

2118 (ii) The lieutenant governor shall:

2119 (A) apportion to and pay to the county treasurers of the various counties all fees
2120 received for filing of nomination certificates or acceptances; and

2121 (B) ensure that each county receives that proportion of the total amount paid to the
2122 lieutenant governor from the congressional district that the total vote of that
2123 county for all candidates for representative in Congress bears to the total vote
2124 of all counties within the congressional district for all candidates for
2125 representative in Congress.

2126 (d)(i) A person who is unable to pay the filing fee may file a declaration of
2127 candidacy without payment of the filing fee upon a prima facie showing of
2128 impecuniosity as evidenced by an affidavit of impecuniosity filed with the filing
2129 officer and, if requested by the filing officer, a financial statement filed at the time
2130 the affidavit is submitted.

2131 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

2132 (iii)(A) False statements made on an affidavit of impecuniosity or a financial
2133 statement filed under this section shall be subject to the criminal penalties
2134 provided under Sections 76-8-503 and 76-8-504 and any other applicable
2135 criminal provision.

2136 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be
2137 considered an offense under this title for the purposes of assessing the penalties
2138 provided in Subsection 20A-1-609(2).

2139 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially

2140 the following form:

2141 "Affidavit of Impecuniosity

2142 Individual Name

2143 _____ Address _____

2144 Phone Number _____

2145 I, _____ (name), do solemnly [swear] [affirm], under penalty of
 2146 law for false statements, that, owing to my poverty, I am unable to pay the filing fee required
 2147 by law.

2148 Date _____

2149 Signature _____ Affiant

2150 Subscribed and sworn to before me on _____ (month\day\year)

2151 _____

2152 (signature)

2153 Name and Title of Officer Authorized to Administer Oath _____".

2154 (v) The filing officer shall provide to a person who requests an affidavit of impecuniosity a
 2155 statement printed in substantially the following form, which may be included on the affidavit
 2156 of impecuniosity:

2157 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
 2158 candidate who is found guilty of filing a false statement, in addition to being subject to
 2159 criminal penalties, will be removed from the ballot."

2160 (vi) The filing officer may request that a person who makes a claim of impecuniosity
 2161 under this Subsection (8)(d) file a financial statement on a form prepared by the
 2162 election official.

2163 (9) An individual who fails to file a declaration of candidacy or certificate of nomination
 2164 within the time provided in this chapter is ineligible for nomination to office.

2165 (10) A declaration of candidacy filed under this section may not be amended or modified
 2166 after the final date established for filing a declaration of candidacy.

2167 Section 19. Section **20A-9-201.5** is amended to read:

2168 **20A-9-201.5 (Effective 05/07/25). Declaration of candidacy filing period for a**
 2169 **registered political party.**

2170 [~~(1) In 2022, for a qualified political party, the filing period to file a declaration of~~
 2171 ~~candidacy for an elective office that is to be filled at the next regular general election~~
 2172 ~~begins at 8 a.m. on February 28, 2022, and ends at 5 p.m. on March 4, 2022.~~]

2173 [~~(2) Beginning on January 1, 2024, for a qualified political party, the] For a registered~~

2174 political party, the filing period to file a declaration of candidacy for an elective office
2175 that is to be filled at the next regular general election:

2176 ~~[(a)]~~ (1) begins at 8:00 a.m. on the later of:

2177 ~~[(i)]~~ (a) January 2 of the year in which the next regular general election is held; or

2178 ~~[(ii)]~~ (b) if January 2 is not a business day, the first business day after January 2; and

2179 ~~[(b)]~~ (2) ends at 5 p.m. on the fourth business day after the day on which the filing period
2180 begins.

2181 Section 20. Section **20A-9-202** is amended to read:

2182 **20A-9-202 (Effective 05/07/25). Declarations of candidacy for regular general**
2183 **elections.**

2184 (1)(a) An individual seeking to become a candidate for an elective office that is to be
2185 filled at the next regular general election shall:

2186 (i) except as provided in Subsection ~~[(1)(e)]~~ (1)(b), file a declaration of candidacy in
2187 person with the filing officer ~~[on or after January 1 of the regular general election~~
2188 ~~year, and, if applicable, before the individual circulates nomination petitions under~~
2189 ~~Section 20A-9-405] :~~

2190 (A) during the applicable candidacy filing period; and

2191 (B) for a individual seeking the nomination of a primary nominating party, before
2192 the individual circulates nomination petitions under Section 20A-9-202.3; and

2193 (ii) pay the filing fee.

2194 ~~[(b) Unless expressly provided otherwise in this title, for a registered political party that~~
2195 ~~is not a qualified political party, the deadline for filing a declaration of candidacy for~~
2196 ~~an elective office that is to be filled at the next regular general election is 5 p.m. on~~
2197 ~~the first Monday after the fourth Saturday in April.]~~

2198 ~~[(e)]~~ (b) Subject to Subsection ~~[20A-9-201(7)(b)]~~ 20A-9-201(7), an individual may
2199 designate an agent to file a declaration of candidacy with the filing officer if:

2200 (i) the individual is located outside of the state during the entire filing period;

2201 (ii) the designated agent appears in person before the filing officer;

2202 (iii) the individual communicates with the filing officer using an electronic device
2203 that allows the individual and filing officer to see and hear each other; and

2204 (iv) the individual provides the filing officer with an email address to which the filing
2205 officer may send the individual the copies described in Subsection 20A-9-201(5).

2206 ~~[(d)]~~ (c) Each county clerk who receives a declaration of candidacy from a candidate for
2207 multicounty office shall transmit the filing fee and a copy of the candidate's

2208 declaration of candidacy to the lieutenant governor within one business day after the
2209 candidate files the declaration of candidacy.

2210 ~~[(e)]~~ (d) Each day during the filing period, each county clerk shall notify the lieutenant
2211 governor electronically or by telephone of candidates who have filed a declaration of
2212 candidacy with the county clerk.

2213 ~~[(f)]~~ (e) Each individual seeking the office of lieutenant governor, the office of district
2214 attorney, or the office of president or vice president of the United States shall comply
2215 with the specific declaration of candidacy requirements established by this section.

2216 (2)(a) Each individual intending to become a candidate for the office of district attorney
2217 within a multicounty prosecution district that is to be filled at the next regular general
2218 election shall:

2219 (i) file a declaration of candidacy with the clerk designated in the interlocal
2220 agreement creating the prosecution district~~[-on or after January 1 of the regular~~
2221 ~~general election year, and] :~~

2222 (A) during the applicable candidacy filing period; and

2223 (B) for a individual seeking the nomination of a primary nominating party, before
2224 the individual circulates nomination petitions under Section [20A-9-405]
2225 20A-9-202.3; and

2226 (ii) pay the filing fee.

2227 (b) The designated clerk shall provide to the county clerk of each county in the
2228 prosecution district a certified copy of each declaration of candidacy filed for the
2229 office of district attorney.

2230 (3)(a) ~~[Before the deadline described in Subsection (1)(b)]~~ During the applicable
2231 candidacy filing period, each lieutenant governor candidate shall:

2232 (i) file a declaration of candidacy with the lieutenant governor;

2233 (ii) pay the filing fee; and

2234 (iii) submit a letter from a candidate for governor who has received certification for
2235 the primary-election ballot under Section 20A-9-403 that names the lieutenant
2236 governor candidate as a joint-ticket running mate.

2237 (b)(i) A candidate for lieutenant governor who fails to timely file is disqualified.

2238 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file
2239 to replace the disqualified candidate.

2240 (4) Before 5 p.m. no later than August 31, each registered political party shall:

2241 (a) certify the names of the political party's candidates for president and vice president of

- 2242 the United States to the lieutenant governor; or
- 2243 (b) provide written authorization for the lieutenant governor to accept the certification of
- 2244 candidates for president and vice president of the United States from the national
- 2245 office of the registered political party.
- 2246 (5)(a) A declaration of candidacy filed under this section is valid unless a written
- 2247 objection is filed with the clerk or lieutenant governor before 5 p.m. on the last
- 2248 business day that is at least 10 days before the [~~deadline described in Subsection~~
- 2249 ~~20A-9-409(4)(e)~~] first Wednesday before the fourth Saturday in April.
- 2250 (b) If an objection is made, the clerk or lieutenant governor shall:
- 2251 (i) mail or personally deliver notice of the objection to the affected candidate
- 2252 immediately; and
- 2253 (ii) decide any objection within 48 hours after it is filed.
- 2254 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
- 2255 problem by amending the declaration or petition before 5 p.m. within three days after
- 2256 the day on which the objection is sustained or by filing a new declaration before 5
- 2257 p.m. within three days after the day on which the objection is sustained.
- 2258 (d)(i) The clerk's or lieutenant governor's decision upon objections to form is final.
- 2259 (ii) The clerk's or lieutenant governor's decision upon substantive matters is
- 2260 reviewable by a district court if prompt application is made to the court.
- 2261 (iii) The decision of the district court is final unless the Supreme Court, in the
- 2262 exercise of its discretion, agrees to review the lower court decision.
- 2263 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing
- 2264 a written affidavit with the clerk.
- 2265 (7)(a) Except for a candidate who is certified by a registered political party under
- 2266 Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later
- 2267 than August 31 of a general election year, each individual running as a candidate for
- 2268 vice president of the United States shall:
- 2269 (i) file a declaration of candidacy, in person or via a designated agent, on a form
- 2270 developed by the lieutenant governor, that:
- 2271 (A) contains the individual's name, address, and telephone number;
- 2272 (B) states that the individual meets the qualifications for the office of vice
- 2273 president of the United States;
- 2274 (C) names the presidential candidate, who has qualified for the general election
- 2275 ballot, with which the individual is running as a joint-ticket running mate;

- 2276 (D) states that the individual agrees to be the running mate of the presidential
 2277 candidate described in Subsection (7)(a)(i)(C); and
 2278 (E) contains any other necessary information identified by the lieutenant governor;
 2279 (ii) pay the filing fee; and
 2280 (iii) submit a letter from the presidential candidate described in Subsection
 2281 (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice
 2282 presidential candidate.
- 2283 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
 2284 candidacy.
- 2285 (c) A vice presidential candidate who fails to meet the requirements described in this
 2286 Subsection (7) may not appear on the general election ballot.
- 2287 (8) An individual filing a declaration of candidacy for president or vice president of the
 2288 United States shall pay a filing fee of \$500.

2289 Section 21. Section **20A-9-402.1** is enacted to read:

2290 **20A-9-402.1 (Effective 05/07/25). Registered political party candidate**
 2291 **nomination process -- Certification of political party's candidate nominating process**
 2292 **method.**

2293 (1) Beginning in 2026:

- 2294 (a) a registered political party is either a primary nominating party or a convention
 2295 nominating party;
- 2296 (b) a registered political party that is a primary nominating party:
 2297 (i) shall, except as provided in Subsection 20A-9-202(4) for a federal presidential
 2298 election, nominate the registered political party's candidates to run for office using
 2299 the process described in Section 20A-9-402.3; and
 2300 (ii) may not nominate the registered political party's candidates to run for office using
 2301 any process other than the process described in Section 20A-9-402.3; and
- 2302 (c) a registered political party that is a convention nominating party:
 2303 (i) may nominate the registered political party's candidates to run for office in the
 2304 regular general election using any lawful process other than the process described
 2305 in Section 20A-9-402.3;
 2306 (ii) may not nominate the registered political party's candidates to run for office using
 2307 the process described in Section 20A-9-402.3; and
 2308 (iii) may not participate in the regular primary election.
- 2309 (2) A registered political party that is a continuing political party shall, before 5 p.m. on the

- 2310 first Monday of October of an odd-numbered year, certify in writing to the lieutenant
2311 governor one of the following:
- 2312 (a) that, for the elections in the following year, the registered political party chooses to:
2313 (i) be a primary nominating party;
2314 (ii) nominate the registered political party's candidates solely by using the signature
2315 and primary election process described in Sections 20A-9-402.3 and 20A-9-403;
2316 (iii) participate in the regular primary election; and
2317 (iv) have the party's candidates placed on the regular general election ballot in the
2318 manner described in Subsections 20A-9-402.2(2) and 20A-6-301(1)(a); or
- 2319 (b) that, for the elections in the following year, the registered political party chooses to:
2320 (i) be a convention nominating party;
2321 (ii) nominate the registered political party's candidates by using a method other than
2322 using the petition and primary election process described in Sections 20A-9-402.3
2323 and 20A-9-403;
2324 (iii) not participate in the regular primary election; and
2325 (iv) have the party's candidates placed on the regular general election ballot in the
2326 manner described in Subsections 20A-9-402.2(3) and 20A-6-301(1)(b).
- 2327 (3) A registered political party that makes the certification described in Subsection (2)(a)
2328 shall include in the written certification:
- 2329 (a) the identity of one or more registered political parties whose members may vote for
2330 the registered political party's candidates in the next regular primary election; and
2331 (b) a statement regarding whether unaffiliated voters may vote for the registered political
2332 party's candidates in the next regular primary election.
- 2333 (4) A registered political party that fails to timely make a certification described in
2334 Subsection (2):
- 2335 (a) is, by failing to timely make the certification, making the choices described in
2336 Subsection (2)(b); and
2337 (b) is a convention nominating party for the elections in the year following the
2338 certification deadline.
- 2339 (5) A registered political party that makes a certification described in Subsection (2) or (3)
2340 may not change the certification, or the choices made in the certification, until the next
2341 odd-numbered year.
- 2342 (6) A registered political party that is not a continuing political party shall make the
2343 certification described in Subsection (2) and, if applicable, Subsection (3), at the time

- 2344 that the registered political party files the petition described in Section 20A-8-103.
- 2345 Section 22. Section **20A-9-402.2** is enacted to read:
- 2346 **20A-9-402.2 (Effective 05/07/25). Effect of choosing party nomination status.**
- 2347 (1)(a) A registered political party that chooses, under Subsection 20A-9-402.1(2)(a), to
- 2348 be a primary nominating party shall participate in the regular primary election
- 2349 process described in Sections 20A-9-402.3 and 20A-9-403.
- 2350 (b) A registered political party that chooses, under Subsection 20A-9-402.1(2)(b) or (4),
- 2351 to be a convention nominating party may not:
- 2352 (i) participate in the regular primary election process described in Sections
- 2353 20A-9-402.3 and 20A-9-403; or
- 2354 (ii) participate in the regular primary election.
- 2355 (2) The candidates of a primary nominating party who are, in accordance with Sections
- 2356 20A-9-402.3 and 20A-9-403, nominated to advance to the regular general election ballot
- 2357 shall appear on the general election ballot in association with the name of the primary
- 2358 nominating party.
- 2359 (3) Except as provided in Subsection (4):
- 2360 (a) the candidates of a convention nominating party who are, in accordance with Section
- 2361 20A-9-402.4, nominated to be placed on the regular general election ballot shall
- 2362 appear on the ballot without any indication of association with the convention
- 2363 nominating party; and
- 2364 (b) a general election ballot may not include a convention nominating party's name,
- 2365 symbol, description, or other representation of the convention nominating party.
- 2366 (4) A registered political party may, regardless of whether the registered political party is a
- 2367 primary nominating party or a convention nominating party:
- 2368 (a) participate in a presidential primary; and
- 2369 (b) have the names of the registered political party's candidates for president and vice
- 2370 president of the United States appear on a ballot in association with the registered
- 2371 political party's name.
- 2372 Section 23. Section **20A-9-402.3** is enacted to read:
- 2373 **20A-9-402.3 (Effective 05/07/25). Primary nominating party -- Nomination**
- 2374 **process -- Filing as a candidate -- Signature requirements and review - Removal of**
- 2375 **signatures.**
- 2376 (1) A primary nominating party shall use the process described in this section and the
- 2377 primary election process described in Subsection 20A-9-403 to nominate the registered

- 2378 political party's candidates to run for office.
- 2379 (2) Except as provided in Subsection 20A-9-202(4) for a federal presidential election, a
2380 qualified individual who, under this section, is seeking the nomination of the primary
2381 nominating party for an elective office that is to be filled at the next general election
2382 shall:
- 2383 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2384 person, with the filing officer during the declaration of candidacy filing period
2385 described in Section 20A-9-201.5; and
- 2386 (b) pay the filing fee.
- 2387 (3) A qualified individual who, under this section, is seeking the nomination of the primary
2388 nominating party for the office of district attorney within a multicounty prosecution
2389 district that is to be filled at the next general election shall:
- 2390 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2391 person, with the filing officer during the declaration of candidacy filing period
2392 described in Section 20A-9-201.5; and
- 2393 (b) pay the filing fee.
- 2394 (4) A qualified individual who files as a candidate for lieutenant governor as the joint-ticket
2395 running mate of an individual who is nominated by a primary nominating party, under
2396 this section, for the office of governor:
- 2397 (a) shall, during the declaration of candidacy filing period described in Section
2398 20A-9-201.5, file a declaration of candidacy and submit a letter from the candidate
2399 for governor that names the lieutenant governor candidate as a joint-ticket running
2400 mate; and
- 2401 (b) is not required to gather signatures under this section.
- 2402 (5) A qualified individual may seek the nomination of a primary nominating party for an
2403 elective office by:
- 2404 (a) complying with the requirements described in this section; and
- 2405 (b) collecting signatures, on a nomination petition form approved by the lieutenant
2406 governor that complies with Subsection 20A-9-405(3), during the period beginning
2407 when the member files a declaration of candidacy and ending at 5 p.m. on the first
2408 Tuesday in April, in the following amounts:
- 2409 (i) for a statewide race, 14,000 signatures of registered voters in the state who are
2410 permitted by the primary nominating party to vote for the primary nominating
2411 party's candidates in a regular primary election;

- 2412 (ii) for a congressional district race, 3,500 signatures of registered voters who are
2413 residents of the congressional district and are permitted by the primary nominating
2414 party to vote for the primary nominating party's candidates in a regular primary
2415 election;
- 2416 (iii) for a state Senate district race, 1,000 signatures of registered voters who are
2417 residents of the state Senate district and are permitted by the primary nominating
2418 party to vote for the primary nominating party candidates in a regular primary
2419 election;
- 2420 (iv) for a state House district race, 500 signatures of registered voters who are
2421 residents of the state House district and are permitted by the primary nominating
2422 party to vote for the primary nominating party's candidates in a regular primary
2423 election;
- 2424 (v) for a State Board of Education race, the lesser of:
- 2425 (A) 1,000 signatures of registered voters who are residents of the State Board of
2426 Education district and are permitted by the primary nominating party to vote
2427 for the primary nominating party's candidates in a regular primary election; or
- 2428 (B) 3% of the registered voters who are residents of the applicable State Board of
2429 Education district and are permitted by the primary nominating party to vote
2430 for the primary nominating party's candidates in a regular primary election; and
- 2431 (vi) for a county office race, signatures of 3% of the registered voters who are
2432 residents of the area permitted to vote for the county office and are permitted by
2433 the primary nominating party to vote for the primary nominating party's
2434 candidates in a primary election.
- 2435 (6)(a) The lieutenant governor shall:
- 2436 (i) for each district or office described in Subsection (5)(b)(v) or (vi), determine the
2437 total number of signatures that must be submitted to meet the percentage
2438 described in Subsection (5)(b)(v)(B) or (vi) based on the count as it exists on
2439 November 15 of each odd-numbered year; and
- 2440 (ii) publish the results of the determination described in Subsection (6)(a)(i) no later
2441 than November 30 of each odd-numbered year.
- 2442 (b) A registered voter who is otherwise qualified to sign a nomination petition under this
2443 section may sign the nomination petition regardless of whether the voter is an active
2444 voter or an inactive voter.
- 2445 (7)(a) This Subsection (7) applies only to the manual candidate qualification process.

- 2446 (b) A qualified individual who uses the manual candidate qualification process to seek
2447 the nomination of a primary nominating party shall:
- 2448 (i) collect the signatures on a form approved by the lieutenant governor that complies
2449 with Subsection 20A-9-405(3), using the same circulation and verification
2450 requirements described in Sections 20A-7-105 and 20A-7-204; and
- 2451 (ii) submit the signatures to the election officer before 5 p.m. on the first Tuesday in
2452 April.
- 2453 (c) Upon timely receipt of the signatures described in Subsections (5) and (7)(b), the
2454 election officer shall, no later than the earlier of 14 days after the day on which the
2455 election officer receives the signatures, or the first Tuesday in April:
- 2456 (i) check the name of each individual who completes the verification for a signature
2457 packet to determine whether each individual is at least 18 years old;
- 2458 (ii) submit the name of each individual described in Subsection (7)(c)(i) who is not at
2459 least 18 years old to the attorney general and the county attorney;
- 2460 (iii) with the assistance of the county clerk as applicable, determine whether each
2461 signer is a registered voter who is qualified to sign the petition, using the same
2462 method, described in Section 20A-1-1002, used to verify a signature on a petition;
2463 and
- 2464 (iv) certify whether each name is that of a registered voter who is qualified to sign the
2465 signature packet.
- 2466 (d)(i) A registered voter who physically signs a form under Subsections (5) and
2467 (7)(b) may have the voter's signature removed from the form by, no later than
2468 three business days after the day on which the member submits the signature form
2469 to the election officer, submitting to the election officer a statement requesting
2470 that the voter's signature be removed.
- 2471 (ii) A statement described in Subsection (7)(d)(i) shall comply with the requirements
2472 described in Subsection 20A-1-1003(2).
- 2473 (iii) With the assistance of the county clerk as applicable, the election officer shall
2474 use the procedures described in Subsection 20A-1-1003(3) to determine whether
2475 to remove an individual's signature after receiving a timely, valid statement
2476 requesting removal of the signature.
- 2477 (8)(a) This Subsection (8) applies only to the electronic candidate qualification process.
- 2478 (b) A qualified individual who uses the electronic candidate qualification process to seek
2479 the nomination of a primary nominating party shall:

- 2480 (i) collect signatures in accordance with Section 20A-21-201; and
- 2481 (ii) use progressive screens, in a format approved by the lieutenant governor, that
- 2482 complies with Subsection 20A-9-405(4).
- 2483 (c) Upon timely receipt of the signatures described in Subsections (5) and (8)(b), the
- 2484 election officer shall, no later than the earlier of 14 days after the day on which the
- 2485 election officer receives the signatures, or the first Tuesday in April:
- 2486 (i) check the name of each individual who completes the verification for a signature
- 2487 to determine whether each individual is least 18 years old; and
- 2488 (ii) submit the name of each individual described in Subsection (8)(c)(i) who is not at
- 2489 least 18 years old to the attorney general and the county attorney.
- 2490 (9) Upon timely receipt of the signatures described in Subsections (5) and (7)(b), or
- 2491 Subsections (5) and (8)(b), the election officer shall, no later than the first Tuesday in
- 2492 April, notify a primary nominating party and the lieutenant governor of the name of each
- 2493 member of the primary nominating party who qualifies for placement on the primary
- 2494 election ballot to seek the nomination of the primary nominating party under this section.
- 2495 (10) A qualified individual who gathers signatures under this section may submit additional
- 2496 signatures before 5 p.m. on the first Tuesday in April.
- 2497 (11) Except as otherwise provided in Section 20A-21-201, the election officer shall, with
- 2498 the assistance of the county clerk, as applicable, use the procedures described in Section
- 2499 20A-1-1002 to verify submitted nomination petition signatures.
- 2500 (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 2501 director of elections within the Office of the Lieutenant Governor may make rules that
- 2502 provide for the transparent, orderly, and timely submission, verification, and
- 2503 certification of nomination petition signatures.
- 2504 Section 24. Section **20A-9-402.4** is enacted to read:
- 2505 **20A-9-402.4 (Effective 05/07/25). Convention nominating party -- Nomination**
- 2506 **process.**
- 2507 (1) Except as otherwise provided for a federal presidential election, a qualified individual
- 2508 who, under this section, is seeking the nomination of a convention nominating party for
- 2509 an elective office that is to be filled at the next general election shall:
- 2510 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
- 2511 person, with the filing officer during the declaration of candidacy filing period
- 2512 described in Section 20A-9-201.5; and
- 2513 (b) pay the filing fee.

- 2514 (2) A qualified individual who, under this section, is seeking the nomination of a
 2515 convention nominating party for the office of district attorney within a multicounty
 2516 prosecution district that is to be filled at the next general election shall:
- 2517 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
 2518 person, with the filing officer during the declaration of candidacy filing period
 2519 described in Section 20A-9-201.5; and
- 2520 (b) pay the filing fee.
- 2521 (3) A qualified individual who files as a candidate for lieutenant governor as the joint-ticket
 2522 running mate of an individual who is nominated by a convention nominating party,
 2523 under this section, for the office of governor shall, during the declaration of candidacy
 2524 filing period described in Section 20A-9-201.5, file a declaration of candidacy and
 2525 submit a letter from the candidate for governor that names the lieutenant governor
 2526 candidate as a joint-ticket running mate.
- 2527 (4) A qualified individual may seek the nomination of a convention nominating party for an
 2528 elective office by participating in the process established by the convention nominating
 2529 party to nominate the convention nominating party's candidates.
- 2530 (5) Except as otherwise provided for a federal presidential election, an individual
 2531 nominated to run for office by a convention nominating party:
- 2532 (a) may not participate in the regular primary election; and
- 2533 (b) may participate in the regular general election, only in accordance with this section
 2534 and Subsections 20A-9-402.2(3) and 20A-6-301(1)(b).
- 2535 (6) A convention nominating party:
- 2536 (a) shall, before 5 p.m. on the first Monday after the fourth Saturday in April, certify to
 2537 the lieutenant governor the names of each candidate nominated by the convention
 2538 nominating party to be placed on the regular general election ballot; and
- 2539 (b) may not nominate more than one candidate for each office to be filled at the regular
 2540 general election.

2541 Section 25. Section **20A-9-403** is amended to read:

2542 **20A-9-403 (Effective 05/07/25). Regular primary elections.**

- 2543 (1)[(a)] Candidates for elective office that are to be filled at the next regular general
 2544 election who are seeking the nomination of a primary nomination party shall be
 2545 nominated in a regular primary election[~~by direct vote of the people in the manner~~
 2546 ~~prescribed~~] , as described in this section[~~. The regular primary election is held~~] , on
 2547 the date specified in Section 20A-1-201.5. [~~Nothing in this section shall affect a~~

2548 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
2549 candidate under Section 20A-9-501 or to participate in a regular general election as a
2550 write-in candidate under Section 20A-9-601.]

2551 [(b) Each registered political party that chooses to have the names of the registered
2552 political party's candidates for elective office featured with party affiliation on the
2553 ballot at a regular general election shall comply with the requirements of this section
2554 and shall nominate the registered political party's candidates for elective office in the
2555 manner described in this section.]

2556 [(e) A filing officer may not permit an official ballot at a regular general election to be
2557 produced or used if the ballot denotes affiliation between a registered political party
2558 or any other political group and a candidate for elective office who is not nominated
2559 in the manner prescribed in this section or in Subsection 20A-9-202(4).]

2560 [(d) Unless noted otherwise, the dates in this section refer to those that occur in each
2561 even-numbered year in which a regular general election will be held.]

2562 [(2)(a) Each registered political party, in a statement filed with the lieutenant governor,
2563 shall:]

2564 [(i) either declare the registered political party's intent to participate in the next regular
2565 primary election or declare that the registered political party chooses not to have the
2566 names of the registered political party's candidates for elective office featured on the
2567 ballot at the next regular general election; and]

2568 [(ii) if the registered political party participates in the upcoming regular primary election,
2569 identify one or more registered political parties whose members may vote for the
2570 registered political party's candidates and whether individuals identified as unaffiliated
2571 with a political party may vote for the registered political party's candidates.]

2572 [(b)(i) A registered political party that is a continuing political party shall file the
2573 statement described in Subsection (2)(a) with the lieutenant governor no later than 5
2574 p.m. on November 30 of each odd-numbered year.]

2575 [(ii) An organization that is seeking to become a registered political party under Section
2576 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the
2577 registered political party files the petition described in Section 20A-8-103.]

2578 [(3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration of
2579 candidacy under Section 20A-9-202 shall appear as a candidate for elective office on the
2580 regular primary ballot of the registered political party listed on the declaration of
2581 candidacy only if the individual is certified by the appropriate filing officer as having

- 2582 submitted a nomination petition that was:]
- 2583 [(i) circulated and completed in accordance with Section 20A-9-405; and]
- 2584 [(ii) signed by at least 2% of the registered political party's members who reside in the
- 2585 political division of the office that the individual seeks.]
- 2586 [(b)(i) A candidate for elective office shall submit signatures for a nomination petition to
- 2587 the appropriate filing officer for verification and certification no later than 5 p.m. on the
- 2588 final day in March.]
- 2589 [(ii) A candidate may supplement the candidate's submissions at any time on or before the
- 2590 filing deadline.]
- 2591 [(c)(i) The lieutenant governor shall determine for each elective office the total number of
- 2592 signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by
- 2593 counting the aggregate number of individuals residing in each elective office's political
- 2594 division who have designated a particular registered political party on the individuals'
- 2595 voter registration forms on or before November 15 of each odd-numbered year.]
- 2596 [(ii) The lieutenant governor shall publish the determination for each elective office no
- 2597 later than November 30 of each odd-numbered year.]
- 2598 [(d) The filing officer shall:]
- 2599 [(i) except as otherwise provided in Section 20A-21-201, verify signatures on nomination
- 2600 petitions in a transparent and orderly manner, no later than 14 days after the day on
- 2601 which a candidate submits the signatures to the filing officer;]
- 2602 [(ii) for all qualifying candidates for elective office who submit nomination petitions to the
- 2603 filing officer, issue certifications referenced in Subsection (3)(a) no later than the
- 2604 deadline described in Subsection 20A-9-202(1)(b);]
- 2605 [(iii) consider active and inactive voters eligible to sign nomination petitions;]
- 2606 [(iv) consider an individual who signs a nomination petition a member of a registered
- 2607 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that
- 2608 registered political party as the individual's party membership on the individual's voter
- 2609 registration form; and]
- 2610 [(v) except as otherwise provided in Section 20A-21-201 and with the assistance of the
- 2611 county clerk as applicable, use the procedures described in Section 20A-1-1002 to verify
- 2612 submitted nomination petition signatures, or use statistical sampling procedures to verify
- 2613 submitted nomination petition signatures in accordance with rules made under
- 2614 Subsection (3)(f).]
- 2615 [(e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant

- 2616 governor may appear on the regular primary ballot of a registered political party without
 2617 submitting nomination petitions if the candidate files a declaration of candidacy and
 2618 complies with Subsection 20A-9-202(3).]
- 2619 [(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 2620 director of elections, within the Office of the Lieutenant Governor, may make rules that:]
 2621 [(i) provide for the use of statistical sampling procedures that:]
 2622 [(A) filing officers are required to use to verify signatures under Subsection (3)(d); and]
 2623 [(B) reflect a bona fide effort to determine the validity of a candidate's entire submission,
 2624 using widely recognized statistical sampling techniques; and]
 2625 [(ii) provide for the transparent, orderly, and timely submission, verification, and
 2626 certification of nomination petition signatures.]
- 2627 [(g)] (2) The county clerk shall:
- 2628 [(i)] (a) review the declarations of candidacy filed by candidates for local boards of
 2629 education to determine if more than two candidates have filed for the same seat;
- 2630 [(ii)] (b) place the names of all candidates who have filed a declaration of candidacy for a
 2631 local board of education seat on the nonpartisan section of the ballot if more than two
 2632 candidates have filed for the same seat; and
- 2633 [(iii)] (c) determine the order of the local board of education candidates' names on the
 2634 ballot in accordance with Section 20A-6-305.
- 2635 [(4)] (3)(a) Before [the deadline described in Subsection 20A-9-409(4)(e)] 5 p.m. on the
 2636 first Wednesday after the fourth Saturday in April, the lieutenant governor shall:
- 2637 (i) provide to the county clerks:
- 2638 [(i)] (A) a list of the names of all candidates for federal, constitutional,
 2639 multi-county, single county, and county offices who have [received
 2640 certifications under Subsection (3)] qualified for placement on the primary
 2641 election ballot under Section 20A-9-402.3, along with instructions on how
 2642 those names shall appear on the primary election ballot in accordance with
 2643 Section 20A-6-305; and
- 2644 [(ii)] (B) a list of unopposed candidates for elective office who have been
 2645 nominated by a [registered political] primary nominating party under
 2646 Subsection [(5)(e)] (4)(c); and[-]
- 2647 (ii) instruct the county clerks to exclude the unopposed candidates from the primary
 2648 election ballot.
- 2649 (b) A candidate for lieutenant governor and a candidate for governor campaigning as

2650 joint-ticket running mates to obtain the nomination of a primary nominating party
 2651 shall appear jointly on the primary election ballot.

2652 (c) After the county clerk receives the certified list from the lieutenant governor under
 2653 Subsection [~~(4)~~(a)] (3)(a), the county clerk shall post or publish a primary election notice in
 2654 substantially the following form:

2655 "Notice is given that a primary election will be held Tuesday, June _____,
 2656 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
 2657 local school board positions listed on the primary ballot. The polling place for voting precinct
 2658 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
 2659 Attest: county clerk."

2660 [~~(5)~~] (4)(a) A candidate who, at the regular primary election, receives the highest
 2661 number of votes cast for the office sought by the candidate is:

2662 (i) nominated for that office by the [~~candidate's registered political~~] primary
 2663 nominating party whose nomination the candidate sought; or

2664 (ii) for a nonpartisan local school board position, nominated for that office.

2665 (b) If two or more candidates are to be elected to the office at the regular general
 2666 election, those party candidates equal in number to positions to be filled who receive
 2667 the highest number of votes at the regular primary election are the nominees of the [
 2668 ~~candidate's~~] primary nominating party for those positions.

2669 (c)(i) As used in this Subsection [~~(5)~~(e)] (4)(c), a candidate is "unopposed" if:

2670 (A) no individual other than the candidate [~~receives a certification~~] qualifies for
 2671 placement under Subsection (3) for the regular primary election ballot of the [
 2672 ~~candidate's registered political~~] primary nominating party for a particular
 2673 elective office; or

2674 (B) for an office where more than one individual is to be elected or nominated, the
 2675 number of candidates who [~~receive certification~~] qualify for placement under
 2676 Subsection (3) for the regular primary election of the [~~candidate's registered~~
 2677 ~~political~~] primary nominating party does not exceed the total number of
 2678 candidates to be elected or nominated for that office.

2679 (ii) A candidate who is unopposed for an elective office in the regular primary
 2680 election of a [~~registered political~~] primary nominating party is nominated by the
 2681 party for that office without appearing on the primary election ballot.

2682 [~~(6)~~] (5) The expense of providing all ballots, blanks, or other supplies to be used at any
 2683 primary election provided for by this section, and all expenses necessarily incurred in

2684 the preparation for or the conduct of that primary election shall be paid out of the
2685 treasury of the county or state, in the same manner as for the regular general elections.
2686 [(7)] (6) An individual may not file a declaration of candidacy for a registered political party
2687 of which the individual is not a member, except to the extent that the registered political
2688 party permits otherwise under the registered political party's bylaws.

2689 Section 26. Section **20A-9-405** is amended to read:

2690 **20A-9-405 (Effective 05/07/25). Nomination petitions for regular primary**
2691 **elections.**

2692 (1) This section applies to the form and circulation of nomination petitions for regular
2693 primary elections [~~described in Subsection 20A-9-403(3)(a)~~] in accordance with Section
2694 20A-9-402.2.

2695 (2) A candidate for elective office, and the agents of the candidate, may not circulate
2696 nomination petitions until the candidate has submitted a declaration of candidacy in
2697 accordance with [~~Subsection 20A-9-202(1)~~] Section 20A-9-202.

2698 (3) For the manual candidate qualification process, the nomination petitions shall be in
2699 substantially the following form:

- 2700 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;
- 2701 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space
2702 above that line blank for purposes of binding;
- 2703 (c) the petition shall be headed by a caption stating the purpose of the petition and the
2704 name of the proposed candidate;
- 2705 (d) the petition shall feature the word "Warning" followed by the following statement in
2706 no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone
2707 to knowingly sign a nomination petition with any name other than the person's own
2708 name, or more than once for the same candidate, or if the person is not registered to
2709 vote in this state.";
- 2710 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively
2711 numbered one through 10;
- 2712 (f) the signature portion of the petition shall be divided into columns headed by the
2713 following titles:
- 2714 (i) Registered Voter's Printed Name;
- 2715 (ii) Signature of Registered Voter;
- 2716 (iii) Party Affiliation of Registered Voter;
- 2717 (iv) Birth Date or Age (Optional);

- 2718 (v) Street Address, City, Zip Code; and
 2719 (vi) Date of Signature; and
 2720 (g) a photograph of the candidate may appear on the nomination petition.
- 2721 (4) For the electronic candidate qualification process, the lieutenant governor shall design
 2722 an electronic form, using progressive screens, that includes:
 2723 (a) the following warning:
 2724 "Warning: It is a class A misdemeanor for anyone to knowingly sign a nomination
 2725 petition with any name other than the person's own name, or more than once for the same
 2726 candidate, or if the person is not registered to vote in this state."; and
 2727 (b) the following information for each individual who signs the petition:
 2728 (i) name;
 2729 (ii) party affiliation;
 2730 (iii) date of birth or age, (optional);
 2731 (iv) street address, city, zip code;
 2732 (v) date of signature;
 2733 (vi) other information required under Section 20A-21-201; and
 2734 (vii) other information required by the lieutenant governor.
- 2735 (5) For the manual candidate qualification process, if one or more nomination petitions are
 2736 bound together, a page shall be bound to the nomination petition(s) that features the following
 2737 printed verification statement to be signed and dated by the petition circulator:
 2738 "Verification
 2739 State of Utah, County of ____
 2740 I, ____, of ____, hereby state that:
 2741 I am a Utah resident and am at least 18 years old;
 2742 All the names that appear on the signature sheets bound to this page were, to the best of
 2743 my knowledge, signed by the persons who professed to be the persons whose names appear on
 2744 the signature sheets, and each of them signed the person's name on the signature sheets in my
 2745 presence;
 2746 I believe that each has printed and signed the person's name and written the person's
 2747 street address correctly, and that each signer is registered to vote in Utah."
- 2748 (6) The lieutenant governor shall prepare and make public model nomination petition forms
 2749 and associated instructions.
- 2750 (7) A nomination petition circulator must be at least 18 years old~~[-and a resident of the state],~~
 2751 but may affiliate with any political party.

- 2752 (8) It is unlawful for any person to:
- 2753 (a) knowingly sign the nomination petition described in this section or Section [
 2754 ~~20A-9-408~~] 20A-9-402.3:
- 2755 (i) with any name other than the person's own name;
- 2756 (ii) more than once for the same candidate; or
- 2757 (iii) if the person is not registered to vote in this state;
- 2758 (b) sign the verification of a signature for a nomination petition if the person:
- 2759 [~~(i) does not meet the residency requirements of Section 20A-2-105;~~]
- 2760 [~~(ii)~~] (i) has not witnessed the signing by those persons whose names appear on the
 2761 nomination petition; or
- 2762 [~~(iii)~~] (ii) knows that a person whose signature appears on the nomination petition is
 2763 not registered to vote in this state;
- 2764 (c) pay compensation to any person to sign a nomination petition; or
- 2765 (d) pay compensation to any person to circulate a nomination petition, if the
 2766 compensation is based directly on the number of signatures submitted to a filing
 2767 officer rather than on the number of signatures verified or on some other basis.

2768 (9) Any person violating Subsection (8) is guilty of a class A misdemeanor.

2769 [~~(10) Withdrawal of petition signatures is prohibited.~~]

2770 Section 27. Section **20A-9-408.5** is amended to read:

2771 **20A-9-408.5 (Effective 05/07/25). Declaration of candidacy for offices to be filled**
 2772 **at regular general election.**

2773 The declaration of candidacy form [~~described in Sections 20A-9-407 and 20A-9-408~~] for
 2774 an office to be filled at the regular general election shall:

2775 (1) be substantially as follows:

2776 "State of Utah, County of ____

2777 I, _____, declare my intention of becoming a candidate for the office of ____
 2778 as a candidate for the ____ party. I do solemnly swear, under penalty of perjury, that: I will
 2779 meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside
 2780 at _____ in the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will
 2781 not knowingly violate any law governing campaigns and elections; I will file all campaign
 2782 financial disclosure reports as required by law; and I understand that failure to do so will result
 2783 in my disqualification as a candidate for this office and removal of my name from the ballot.
 2784 The mailing address that I designate for receiving official election notices is
 2785 _____

2786 _____.

2787 Subscribed and sworn before me this _____(month\day\year). Notary Public (or

2788 other officer qualified to administer oath)."; and

2789 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

2790 (a) the registered political party of which the candidate is a member[;] or

2791 [(b)] that the candidate is not a member of a registered political party; and

2792 (b) the registered political party whose nomination the candidate seeks.

2793 [~~(3) direct the candidate to indicate whether the candidate is seeking the nomination using:]~~

2794 [~~(a) the convention process described in Section 20A-9-407;~~]

2795 [~~(b) the signature-gathering process described in Section 20A-9-408; or]~~

2796 [~~(c) both processes described in Subsections (3)(a) and (b).]~~

2797 Section 28. Section **20A-9-411** is amended to read:

2798 **20A-9-411 (Effective 05/07/25). Signing multiple nomination petitions.**

2799 [(1)] An individual who signs a petition, described in Section [20A-9-403 or 20A-9-408]

2800 20A-9-402.3, to nominate a candidate may [~~not~~] sign a petition to nominate another

2801 candidate for the same office.

2802 [(2) If an individual signs more than one petition in violation of Subsection (1), the

2803 election officer may only count the signature on the first petition that the election officer

2804 reviews for that office.]

2805 Section 29. Section **20A-9-701** is amended to read:

2806 **20A-9-701 (Effective 05/07/25). Certification of party candidates to county**

2807 **clerks -- Display on ballot.**

2808 (1) No later than August 31 of each regular general election year, the lieutenant governor

2809 shall certify to each county clerk, for offices to be voted upon at the regular general

2810 election in that county clerk's county:

2811 (a) the names of each candidate nominated under Subsection 20A-9-202(4) or

2812 Subsection [20A-9-403(5)] 20A-9-403(4); and

2813 (b) the names of the candidates for president and vice president that are certified by the

2814 registered political party as the party's nominees.

2815 (2) The names shall be certified by the lieutenant governor and shall be displayed on the

2816 ballot as they are provided on the candidate's declaration of candidacy.

2817 (3) No [~~other~~] names, other than the names certified under Subsection (1) may appear on

2818 the ballot as affiliated with, endorsed by, or nominated by any other registered political

2819 party, political party, or other political group.

2820 Section 30. Section **20A-21-101** is amended to read:

2821 **20A-21-101 (Effective 05/07/25). Definitions.**

2822 As used in this chapter:

2823 (1) "Approved device" means a device described in Subsection 20A-21-201(4).

2824 (2) "Candidate qualification process" means the process, described in Section [~~20A-9-403~~
2825 ~~or 20A-9-408~~] 20A-9-202.3, of gathering signatures to seek the nomination of a [
2826 ~~registered political~~] primary nominating party.

2827 (3) "Electronic candidate qualification process" means the same as that term is defined in
2828 Section 20A-9-101.

2829 (4) "Electronic initiative process" means the same as that term is defined in Section
2830 20A-7-101.

2831 (5) "Electronic referendum process" means the same as that term is defined in Section
2832 20A-7-101.

2833 (6) "Manual candidate qualification process" means the same as that term is defined in
2834 Section 20A-9-101.

2835 (7) "Petition" means:

2836 (a) as it relates to the electronic initiative process or the electronic referendum process,
2837 the electronic record that an individual signs to indicate the individual is in favor of
2838 placing the initiative or referendum on the ballot; or

2839 (b) as it relates to electronic candidate qualification process, the electronic record that an
2840 individual signs to indicate the individual is in favor of placing an individual's name
2841 on the ballot to run for a particular elective office.

2842 (8) "Signature" means:

2843 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
2844 term is defined in Section 20A-7-101; or

2845 (b) as it relates to a signature gathered for the candidate qualification process, the same
2846 as that term is defined in Section 20A-9-101.

2847 (9) "Website" means:

2848 (a) as it relates to the electronic initiative process or the electronic referendum process,
2849 the website designated by the lieutenant governor for collecting the signatures and
2850 other information relating to the electronic initiative process or the electronic
2851 referendum process; or

2852 (b) as it relates to the electronic candidate qualification process, a website designated by
2853 the lieutenant governor for collecting the signatures and other information relating to

2854 the electronic candidate qualification process.

2855 Section 31. Section **63G-2-305** is amended to read:

2856 **63G-2-305 (Effective 05/07/25). Protected records.**

2857 The following records are protected if properly classified by a governmental entity:

- 2858 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
2859 provided the governmental entity with the information specified in Section 63G-2-309;
- 2860 (2) commercial information or nonindividual financial information obtained from a person
2861 if:
- 2862 (a) disclosure of the information could reasonably be expected to result in unfair
2863 competitive injury to the person submitting the information or would impair the
2864 ability of the governmental entity to obtain necessary information in the future;
 - 2865 (b) the person submitting the information has a greater interest in prohibiting access than
2866 the public in obtaining access; and
 - 2867 (c) the person submitting the information has provided the governmental entity with the
2868 information specified in Section 63G-2-309;
- 2869 (3) commercial or financial information acquired or prepared by a governmental entity to
2870 the extent that disclosure would lead to financial speculations in currencies, securities, or
2871 commodities that will interfere with a planned transaction by the governmental entity or
2872 cause substantial financial injury to the governmental entity or state economy;
- 2873 (4) records, the disclosure of which could cause commercial injury to, or confer a
2874 competitive advantage upon a potential or actual competitor of, a commercial project
2875 entity as defined in Subsection 11-13-103(4);
- 2876 (5) test questions and answers to be used in future license, certification, registration,
2877 employment, or academic examinations;
- 2878 (6) records, the disclosure of which would impair governmental procurement proceedings
2879 or give an unfair advantage to any person proposing to enter into a contract or agreement
2880 with a governmental entity, except, subject to Subsections (1) and (2), that this
2881 Subsection (6) does not restrict the right of a person to have access to, after the contract
2882 or grant has been awarded and signed by all parties:
- 2883 (a) a bid, proposal, application, or other information submitted to or by a governmental
2884 entity in response to:
 - 2885 (i) an invitation for bids;
 - 2886 (ii) a request for proposals;
 - 2887 (iii) a request for quotes;

- 2888 (iv) a grant; or
- 2889 (v) other similar document; or
- 2890 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 2891 (7) information submitted to or by a governmental entity in response to a request for
- 2892 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
- 2893 restrict the right of a person to have access to the information, after:
- 2894 (a) a contract directly relating to the subject of the request for information has been
- 2895 awarded and signed by all parties; or
- 2896 (b)(i) a final determination is made not to enter into a contract that relates to the
- 2897 subject of the request for information; and
- 2898 (ii) at least two years have passed after the day on which the request for information
- 2899 is issued;
- 2900 (8) records that would identify real property or the appraisal or estimated value of real or
- 2901 personal property, including intellectual property, under consideration for public
- 2902 acquisition before any rights to the property are acquired unless:
- 2903 (a) public interest in obtaining access to the information is greater than or equal to the
- 2904 governmental entity's need to acquire the property on the best terms possible;
- 2905 (b) the information has already been disclosed to persons not employed by or under a
- 2906 duty of confidentiality to the entity;
- 2907 (c) in the case of records that would identify property, potential sellers of the described
- 2908 property have already learned of the governmental entity's plans to acquire the
- 2909 property;
- 2910 (d) in the case of records that would identify the appraisal or estimated value of
- 2911 property, the potential sellers have already learned of the governmental entity's
- 2912 estimated value of the property; or
- 2913 (e) the property under consideration for public acquisition is a single family residence
- 2914 and the governmental entity seeking to acquire the property has initiated negotiations
- 2915 to acquire the property as required under Section 78B-6-505;
- 2916 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
- 2917 transaction of real or personal property including intellectual property, which, if
- 2918 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
- 2919 value of the subject property, unless:
- 2920 (a) the public interest in access is greater than or equal to the interests in restricting
- 2921 access, including the governmental entity's interest in maximizing the financial

- 2922 benefit of the transaction; or
- 2923 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
- 2924 the value of the subject property have already been disclosed to persons not
- 2925 employed by or under a duty of confidentiality to the entity;
- 2926 (10) records created or maintained for civil, criminal, or administrative enforcement
- 2927 purposes or audit purposes, or for discipline, licensing, certification, or registration
- 2928 purposes, if release of the records:
- 2929 (a) reasonably could be expected to interfere with investigations undertaken for
- 2930 enforcement, discipline, licensing, certification, or registration purposes;
- 2931 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
- 2932 proceedings;
- 2933 (c) would create a danger of depriving a person of a right to a fair trial or impartial
- 2934 hearing;
- 2935 (d) reasonably could be expected to disclose the identity of a source who is not generally
- 2936 known outside of government and, in the case of a record compiled in the course of
- 2937 an investigation, disclose information furnished by a source not generally known
- 2938 outside of government if disclosure would compromise the source; or
- 2939 (e) reasonably could be expected to disclose investigative or audit techniques,
- 2940 procedures, policies, or orders not generally known outside of government if
- 2941 disclosure would interfere with enforcement or audit efforts;
- 2942 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 2943 (12) records the disclosure of which would jeopardize the security of governmental
- 2944 property, governmental programs, or governmental recordkeeping systems from
- 2945 damage, theft, or other appropriation or use contrary to law or public policy;
- 2946 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
- 2947 facility, or records relating to incarceration, treatment, probation, or parole, that would
- 2948 interfere with the control and supervision of an offender's incarceration, treatment,
- 2949 probation, or parole;
- 2950 (14) records that, if disclosed, would reveal recommendations made to the Board of
- 2951 Pardons and Parole by an employee of or contractor for the Department of Corrections,
- 2952 the Board of Pardons and Parole, or the Department of Health and Human Services that
- 2953 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
- 2954 person within the board's jurisdiction;
- 2955 (15) records and audit workpapers that identify audit, collection, and operational procedures

- 2956 and methods used by the State Tax Commission, if disclosure would interfere with
2957 audits or collections;
- 2958 (16) records of a governmental audit agency relating to an ongoing or planned audit until
2959 the final audit is released;
- 2960 (17) records that are subject to the attorney client privilege;
- 2961 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
2962 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
2963 judicial, quasi-judicial, or administrative proceeding;
- 2964 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
2965 from a member of the Legislature; and
- 2966 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
2967 legislative action or policy may not be classified as protected under this section;
2968 and
- 2969 (b)(i) an internal communication that is part of the deliberative process in connection
2970 with the preparation of legislation between:
- 2971 (A) members of a legislative body;
- 2972 (B) a member of a legislative body and a member of the legislative body's staff; or
2973 (C) members of a legislative body's staff; and
- 2974 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
2975 legislative action or policy may not be classified as protected under this section;
- 2976 (20)(a) records in the custody or control of the Office of Legislative Research and
2977 General Counsel, that, if disclosed, would reveal a particular legislator's
2978 contemplated legislation or contemplated course of action before the legislator has
2979 elected to support the legislation or course of action, or made the legislation or course
2980 of action public; and
- 2981 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
2982 Office of Legislative Research and General Counsel is a public document unless a
2983 legislator asks that the records requesting the legislation be maintained as protected
2984 records until such time as the legislator elects to make the legislation or course of
2985 action public;
- 2986 (21) a research request from a legislator to a legislative staff member and research findings
2987 prepared in response to the request;
- 2988 (22) drafts, unless otherwise classified as public;
- 2989 (23) records concerning a governmental entity's strategy about:

- 2990 (a) collective bargaining; or
2991 (b) imminent or pending litigation;
- 2992 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
2993 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
2994 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 2995 (25) records, other than personnel evaluations, that contain a personal recommendation
2996 concerning an individual if disclosure would constitute a clearly unwarranted invasion
2997 of personal privacy, or disclosure is not in the public interest;
- 2998 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
2999 resources that if known would jeopardize the security of those resources or of valuable
3000 historic, scientific, educational, or cultural information;
- 3001 (27) records of independent state agencies if the disclosure of the records would conflict
3002 with the fiduciary obligations of the agency;
- 3003 (28) records of an institution within the state system of higher education defined in Section
3004 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
3005 retention decisions, and promotions, which could be properly discussed in a meeting
3006 closed in accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided
3007 that records of the final decisions about tenure, appointments, retention, promotions, or
3008 those students admitted, may not be classified as protected under this section;
- 3009 (29) records of the governor's office, including budget recommendations, legislative
3010 proposals, and policy statements, that if disclosed would reveal the governor's
3011 contemplated policies or contemplated courses of action before the governor has
3012 implemented or rejected those policies or courses of action or made them public;
- 3013 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
3014 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
3015 recommendations in these areas;
- 3016 (31) records provided by the United States or by a government entity outside the state that
3017 are given to the governmental entity with a requirement that they be managed as
3018 protected records if the providing entity certifies that the record would not be subject to
3019 public disclosure if retained by it;
- 3020 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
3021 public body except as provided in Section 52-4-206;
- 3022 (33) records that would reveal the contents of settlement negotiations but not including final
3023 settlements or empirical data to the extent that they are not otherwise exempt from

- 3024 disclosure;
- 3025 (34) memoranda prepared by staff and used in the decision-making process by an
3026 administrative law judge, a member of the Board of Pardons and Parole, or a member of
3027 any other body charged by law with performing a quasi-judicial function;
- 3028 (35) records that would reveal negotiations regarding assistance or incentives offered by or
3029 requested from a governmental entity for the purpose of encouraging a person to expand
3030 or locate a business in Utah, but only if disclosure would result in actual economic harm
3031 to the person or place the governmental entity at a competitive disadvantage, but this
3032 section may not be used to restrict access to a record evidencing a final contract;
- 3033 (36) materials to which access must be limited for purposes of securing or maintaining the
3034 governmental entity's proprietary protection of intellectual property rights including
3035 patents, copyrights, and trade secrets;
- 3036 (37) the name of a donor or a prospective donor to a governmental entity, including an
3037 institution within the state system of higher education defined in Section 53B-1-102, and
3038 other information concerning the donation that could reasonably be expected to reveal
3039 the identity of the donor, provided that:
- 3040 (a) the donor requests anonymity in writing;
- 3041 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
3042 classified protected by the governmental entity under this Subsection (37); and
- 3043 (c) except for an institution within the state system of higher education defined in
3044 Section 53B-1-102, the governmental unit to which the donation is made is primarily
3045 engaged in educational, charitable, or artistic endeavors, and has no regulatory or
3046 legislative authority over the donor, a member of the donor's immediate family, or
3047 any entity owned or controlled by the donor or the donor's immediate family;
- 3048 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 3049 (39) a notification of workers' compensation insurance coverage described in Section
3050 34A-2-205;
- 3051 (40)(a) the following records of an institution within the state system of higher
3052 education defined in Section 53B-1-102, which have been developed, discovered,
3053 disclosed to, or received by or on behalf of faculty, staff, employees, or students of
3054 the institution:
- 3055 (i) unpublished lecture notes;
- 3056 (ii) unpublished notes, data, and information:
- 3057 (A) relating to research; and

- 3058 (B) of:
- 3059 (I) the institution within the state system of higher education defined in Section
- 3060 53B-1-102; or
- 3061 (II) a sponsor of sponsored research;
- 3062 (iii) unpublished manuscripts;
- 3063 (iv) creative works in process;
- 3064 (v) scholarly correspondence; and
- 3065 (vi) confidential information contained in research proposals;
- 3066 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public information
- 3067 required pursuant to Subsection 53B-16-302(2)(a) or (b); and
- 3068 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;
- 3069 (41)(a) records in the custody or control of the Office of the Legislative Auditor
- 3070 General that would reveal the name of a particular legislator who requests a
- 3071 legislative audit prior to the date that audit is completed and made public; and
- 3072 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 3073 Office of the Legislative Auditor General is a public document unless the legislator
- 3074 asks that the records in the custody or control of the Office of the Legislative Auditor
- 3075 General that would reveal the name of a particular legislator who requests a
- 3076 legislative audit be maintained as protected records until the audit is completed and
- 3077 made public;
- 3078 (42) records that provide detail as to the location of an explosive, including a map or other
- 3079 document that indicates the location of:
- 3080 (a) a production facility; or
- 3081 (b) a magazine;
- 3082 (43) information contained in the statewide database of the Division of Aging and Adult
- 3083 Services created by Section 26B-6-210;
- 3084 (44) information contained in the Licensing Information System described in Title 80,
- 3085 Chapter 2, Child Welfare Services;
- 3086 (45) information regarding National Guard operations or activities in support of the
- 3087 National Guard's federal mission;
- 3088 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 3089 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 3090 Merchandise, and Catalytic Converter Transaction Information Act;
- 3091 (47) information regarding food security, risk, and vulnerability assessments performed by

- 3092 the Department of Agriculture and Food;
- 3093 (48) except to the extent that the record is exempt from this chapter pursuant to Section
- 3094 63G-2-106, records related to an emergency plan or program, a copy of which is
- 3095 provided to or prepared or maintained by the Division of Emergency Management, and
- 3096 the disclosure of which would jeopardize:
- 3097 (a) the safety of the general public; or
- 3098 (b) the security of:
- 3099 (i) governmental property;
- 3100 (ii) governmental programs; or
- 3101 (iii) the property of a private person who provides the Division of Emergency
- 3102 Management information;
- 3103 (49) records of the Department of Agriculture and Food that provides for the identification,
- 3104 tracing, or control of livestock diseases, including any program established under Title
- 3105 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
- 3106 of Animal Disease;
- 3107 (50) as provided in Section 26B-2-709:
- 3108 (a) information or records held by the Department of Health and Human Services related
- 3109 to a complaint regarding a provider, program, or facility which the department is
- 3110 unable to substantiate; and
- 3111 (b) information or records related to a complaint received by the Department of Health
- 3112 and Human Services from an anonymous complainant regarding a provider, program,
- 3113 or facility;
- 3114 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
- 3115 under Section 41-1a-116, an individual's home address, home telephone number, or
- 3116 personal mobile phone number, if:
- 3117 (a) the individual is required to provide the information in order to comply with a law,
- 3118 ordinance, rule, or order of a government entity; and
- 3119 (b) the subject of the record has a reasonable expectation that this information will be
- 3120 kept confidential due to:
- 3121 (i) the nature of the law, ordinance, rule, or order; and
- 3122 (ii) the individual complying with the law, ordinance, rule, or order;
- 3123 (52) the portion of the following documents that contains a candidate's residential or
- 3124 mailing address, if the candidate provides to the filing officer another address or phone
- 3125 number where the candidate may be contacted:

- 3126 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
 3127 described in Section 20A-9-201, 20A-9-202, 20A-9-202.3, 20A-9-203, 20A-9-404,
 3128 20A-9-405, [~~20A-9-408,~~]20A-9-408.5, 20A-9-502, or 20A-9-601; or
 3129 (b) an affidavit of impecuniosity, described in Section 20A-9-201;[~~or~~]
 3130 [~~(e) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;~~]
 3131 (53) the name, home address, work addresses, and telephone numbers of an individual that
 3132 is engaged in, or that provides goods or services for, medical or scientific research that is:
 3133 (a) conducted within the state system of higher education, as defined in Section
 3134 53B-1-102; and
 3135 (b) conducted using animals;
 3136 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
 3137 Evaluation Commission concerning an individual commissioner's vote, in relation to
 3138 whether a judge meets or exceeds minimum performance standards under Subsection
 3139 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
 3140 (55) information collected and a report prepared by the Judicial Performance Evaluation
 3141 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
 3142 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
 3143 public, the information or report;
 3144 (56) records provided or received by the Public Lands Policy Coordinating Office in
 3145 furtherance of any contract or other agreement made in accordance with Section
 3146 63L-11-202;
 3147 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
 3148 (58) in accordance with Section 73-10-33:
 3149 (a) a management plan for a water conveyance facility in the possession of the Division
 3150 of Water Resources or the Board of Water Resources; or
 3151 (b) an outline of an emergency response plan in possession of the state or a county or
 3152 municipality;
 3153 (59) the following records in the custody or control of the Office of Inspector General of
 3154 Medicaid Services, created in Section 63A-13-201:
 3155 (a) records that would disclose information relating to allegations of personal
 3156 misconduct, gross mismanagement, or illegal activity of a person if the information
 3157 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
 3158 Services through other documents or evidence, and the records relating to the
 3159 allegation are not relied upon by the Office of Inspector General of Medicaid

- 3160 Services in preparing a final investigation report or final audit report;
- 3161 (b) records and audit workpapers to the extent they would disclose the identity of a
3162 person who, during the course of an investigation or audit, communicated the
3163 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
3164 violation of a law, rule, or regulation adopted under the laws of this state, a political
3165 subdivision of the state, or any recognized entity of the United States, if the
3166 information was disclosed on the condition that the identity of the person be
3167 protected;
- 3168 (c) before the time that an investigation or audit is completed and the final investigation
3169 or final audit report is released, records or drafts circulated to a person who is not an
3170 employee or head of a governmental entity for the person's response or information;
- 3171 (d) records that would disclose an outline or part of any investigation, audit survey plan,
3172 or audit program; or
- 3173 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
3174 investigation or audit;
- 3175 (60) records that reveal methods used by the Office of Inspector General of Medicaid
3176 Services, the fraud unit, or the Department of Health and Human Services, to discover
3177 Medicaid fraud, waste, or abuse;
- 3178 (61) information provided to the Department of Health and Human Services or the Division
3179 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
3180 58-68-304(3) and (4);
- 3181 (62) a record described in Section 63G-12-210;
- 3182 (63) captured plate data that is obtained through an automatic license plate reader system
3183 used by a governmental entity as authorized in Section 41-6a-2003;
- 3184 (64) an audio or video recording created by a body-worn camera, as that term is defined in
3185 Section 77-7a-103, that records sound or images inside a hospital or health care facility
3186 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
3187 as that term is defined in Section 78B-3-403, or inside a human service program as that
3188 term is defined in Section 26B-2-101, except for recordings that:
- 3189 (a) depict the commission of an alleged crime;
- 3190 (b) record any encounter between a law enforcement officer and a person that results in
3191 death or bodily injury, or includes an instance when an officer fires a weapon;
- 3192 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
3193 law enforcement officer or law enforcement agency;

- 3194 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
3195 or
- 3196 (e) have been requested for reclassification as a public record by a subject or authorized
3197 agent of a subject featured in the recording;
- 3198 (65) a record pertaining to the search process for a president of an institution of higher
3199 education described in Section 53B-2-102, except for application materials for a publicly
3200 announced finalist;
- 3201 (66) an audio recording that is:
- 3202 (a) produced by an audio recording device that is used in conjunction with a device or
3203 piece of equipment designed or intended for resuscitating an individual or for treating
3204 an individual with a life-threatening condition;
- 3205 (b) produced during an emergency event when an individual employed to provide law
3206 enforcement, fire protection, paramedic, emergency medical, or other first responder
3207 service:
- 3208 (i) is responding to an individual needing resuscitation or with a life-threatening
3209 condition; and
- 3210 (ii) uses a device or piece of equipment designed or intended for resuscitating an
3211 individual or for treating an individual with a life-threatening condition; and
- 3212 (c) intended and used for purposes of training emergency responders how to improve
3213 their response to an emergency situation;
- 3214 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
3215 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
3216 Audit Subcommittee, established under Section 36-12-8, for an employment position
3217 with the Legislature;
- 3218 (68) work papers as defined in Section 31A-2-204;
- 3219 (69) a record made available to Adult Protective Services or a law enforcement agency
3220 under Section 61-1-206;
- 3221 (70) a record submitted to the Insurance Department in accordance with Section
3222 31A-37-201;
- 3223 (71) a record described in Section 31A-37-503;
- 3224 (72) any record created by the Division of Professional Licensing as a result of Subsection
3225 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 3226 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
3227 involving an amusement ride;

- 3228 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
3229 political petition, or on a request to withdraw a signature from a political petition,
3230 including a petition or request described in the following titles:
- 3231 (a) Title 10, Utah Municipal Code;
 - 3232 (b) Title 17, Counties;
 - 3233 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
 - 3234 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
 - 3235 (e) Title 20A, Election Code;
- 3236 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
3237 voter registration record;
- 3238 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
3239 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
3240 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 3241 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
3242 Victims Guidelines for Prosecutors Act;
- 3243 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 3244 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
3245 prohibited under Section 63G-26-103;
- 3246 (80) an image taken of an individual during the process of booking the individual into jail,
3247 unless:
- 3248 (a) the individual is convicted of a criminal offense based upon the conduct for which
3249 the individual was incarcerated at the time the image was taken;
 - 3250 (b) a law enforcement agency releases or disseminates the image:
 - 3251 (i) after determining that the individual is a fugitive or an imminent threat to an
3252 individual or to public safety and releasing or disseminating the image will assist
3253 in apprehending the individual or reducing or eliminating the threat; or
 - 3254 (ii) to a potential witness or other individual with direct knowledge of events relevant
3255 to a criminal investigation or criminal proceeding for the purpose of identifying or
3256 locating an individual in connection with the criminal investigation or criminal
3257 proceeding;
 - 3258 (c) a judge orders the release or dissemination of the image based on a finding that the
3259 release or dissemination is in furtherance of a legitimate law enforcement interest; or
 - 3260 (d) the image is displayed to a person who is permitted to view the image under Section
3261 17-22-30[-] ;

- 3262 (81) a record:
- 3263 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 3264 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 3265 representative from another state or the federal government as provided in Section
- 3266 63M-14-205; and
- 3267 (c) the disclosure of which would:
- 3268 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
- 3269 Colorado River system;
- 3270 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
- 3271 negotiate the best terms and conditions regarding the use of water in the Colorado
- 3272 River system; or
- 3273 (iii) give an advantage to another state or to the federal government in negotiations
- 3274 regarding the use of water in the Colorado River system;
- 3275 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
- 3276 of Economic Opportunity determines is nonpublic, confidential information that if
- 3277 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
- 3278 may not be used to restrict access to a record evidencing a final contract or approval
- 3279 decision;
- 3280 (83) the following records of a drinking water or wastewater facility:
- 3281 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
- 3282 and
- 3283 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
- 3284 drinking water or wastewater facility uses to secure, or prohibit access to, the records
- 3285 described in Subsection (83)(a);
- 3286 (84) a statement that an employee of a governmental entity provides to the governmental
- 3287 entity as part of the governmental entity's personnel or administrative investigation into
- 3288 potential misconduct involving the employee if the governmental entity:
- 3289 (a) requires the statement under threat of employment disciplinary action, including
- 3290 possible termination of employment, for the employee's refusal to provide the
- 3291 statement; and
- 3292 (b) provides the employee assurance that the statement cannot be used against the
- 3293 employee in any criminal proceeding;
- 3294 (85) any part of an application for a Utah Fits All Scholarship account described in Section
- 3295 53F-6-402 or other information identifying a scholarship student as defined in Section

- 3296 53F-6-401;
- 3297 (86) a record:
- 3298 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 3299 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 3300 person concerning the claim, including a representative from another state or the
- 3301 federal government; and
- 3302 (c) the disclosure of which would:
- 3303 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
- 3304 Great Salt Lake;
- 3305 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
- 3306 and conditions regarding the use of water in the Great Salt Lake; or
- 3307 (iii) give an advantage to another person including another state or to the federal
- 3308 government in negotiations regarding the use of water in the Great Salt Lake; and
- 3309 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
- 3310 reclassified as public as described in Subsection 13-2-11(4).
- 3311 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 3312 (a) concerning a claim to the use of waters;
- 3313 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 3314 representative from another state, a tribe, the federal government, or other
- 3315 government entity as provided in Title 73, Chapter 10g, Part 6, Utah Water Agent;
- 3316 and
- 3317 (c) the disclosure of which would:
- 3318 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 3319 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
- 3320 regarding the use of water; or
- 3321 (iii) give an advantage to another state, a tribe, the federal government, or other
- 3322 government entity in negotiations regarding the use of water.
- 3323 **Section 32. Repealer.**
- 3324 This bill repeals:
- 3325 **Section 20A-9-406, Qualified political party -- Requirements and exemptions.**
- 3326 **Section 20A-9-407, Convention process to seek the nomination of a qualified political**
- 3327 **party.**
- 3328 **Section 20A-9-408, Signature-gathering process to seek the nomination of a qualified**
- 3329 **political party -- Removal of signature.**

3330 Section **20A-9-409, Primary election provisions relating to qualified political party.**

3331 Section 33. **Effective Date.**

3332 This bill takes effect on May 7, 2025.