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**Election Amendments**  
 2025 GENERAL SESSION  
 STATE OF UTAH  
**Chief Sponsor: Daniel McCay**  
 House Sponsor:

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3 **LONG TITLE**4 **General Description:**

5 This bill modifies the procedures for filling certain candidate and officeholder vacancies.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ describes the circumstances under which a political party is permitted to fill a candidate  
10 vacancy;11 ▶ for the candidate vacancies described in this bill, provides that the candidate vacancy is  
12 filled by a majority vote of the applicable political party delegates;13 ▶ for the midterm vacancies described in this bill, provides that the vacancy is filled, or in  
14 certain circumstances temporarily filled, by the governor appointing an individual  
15 selected by a majority vote of the applicable political party delegates;16 ▶ requires the party liaison to communicate the result of a vote of delegates described in the  
17 preceding paragraphs; and

18 ▶ makes technical and conforming changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **20A-1-102**, as last amended by Laws of Utah 2024, Chapter 43826 **20A-1-503**, as last amended by Laws of Utah 2019, First Special Session, Chapter 427 **20A-1-504**, as last amended by Laws of Utah 2020, Chapter 352

28 ENACTS:

29 **20A-1-501.1**, Utah Code Annotated 1953

30 RENUMBERS AND AMENDS:

31        **20A-1-501.5**, (Renumbered from 20A-1-501, as last amended by Laws of Utah 2023,  
32        Chapter 234)

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

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

36        **20A-1-102 . Definitions.**

37        As used in this title:

- 38        (1) "Active voter" means a registered voter who has not been classified as an inactive voter  
39        by the county clerk.
- 40        (2) "Automatic tabulating equipment" means apparatus that automatically examines and  
41        counts votes recorded on ballots and tabulates the results.
- 42        (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic  
43        storage medium, that records an individual voter's vote.
- 44        (b) "Ballot" does not include a record to tally multiple votes.
- 45        (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on  
46        the ballot for their approval or rejection including:
- 47        (a) an opinion question specifically authorized by the Legislature;
- 48        (b) a constitutional amendment;
- 49        (c) an initiative;
- 50        (d) a referendum;
- 51        (e) a bond proposition;
- 52        (f) a judicial retention question;
- 53        (g) an incorporation of a city or town; or
- 54        (h) any other ballot question specifically authorized by the Legislature.
- 55        (5) "Bind," "binding," or "bound" means securing more than one piece of paper together  
56        using staples or another means in at least three places across the top of the paper in the  
57        blank space reserved for securing the paper.
- 58        (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and  
59        20A-4-306 to canvass election returns.
- 60        (7) "Bond election" means an election held for the purpose of approving or rejecting the  
61        proposed issuance of bonds by a government entity.
- 62        (8) "Business reply mail envelope" means an envelope that may be mailed free of charge by  
63        the sender.
- 64        (9) "Canvass" means the review of election returns and the official declaration of election

- 65 results by the board of canvassers.
- 66 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at the  
67 canvass.
- 68 (11) "Contracting election officer" means an election officer who enters into a contract or  
69 interlocal agreement with a provider election officer.
- 70 (12) "Convention" means the political party convention at which party officers and  
71 delegates are selected.
- 72 (13) "Counting center" means one or more locations selected by the election officer in  
73 charge of the election for the automatic counting of ballots.
- 74 (14) "Counting judge" means a poll worker designated to count the ballots during election  
75 day.
- 76 (15) "Counting room" means a suitable and convenient private place or room for use by the  
77 poll workers and counting judges to count ballots.
- 78 (16) "County officers" means those county officers that are required by law to be elected.
- 79 (17) "Date of the election" or "election day" or "day of the election":
- 80 (a) means the day that is specified in the calendar year as the day that the election  
81 occurs; and
- 82 (b) does not include:
- 83 (i) deadlines established for voting by mail, military-overseas voting, or emergency  
84 voting; or
- 85 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,  
86 Early Voting.
- 87 (18) "Elected official" means:
- 88 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,  
89 Municipal Alternate Voting Methods Pilot Project;
- 90 (b) a person who is considered to be elected to a municipal office in accordance with  
91 Subsection 20A-1-206(1)(c)(ii); or
- 92 (c) a person who is considered to be elected to a special district office in accordance  
93 with Subsection 20A-1-206(3)(b)(ii).
- 94 (19) "Election" means a regular general election, a municipal general election, a statewide  
95 special election, a local special election, a regular primary election, a municipal primary  
96 election, and a special district election.
- 97 (20) "Election Assistance Commission" means the commission established by the Help  
98 America Vote Act of 2002, Pub. L. No. 107-252.

- 99 (21) "Election cycle" means the period beginning on the first day persons are eligible to file  
100 declarations of candidacy and ending when the canvass is completed.
- 101 (22) "Election judge" means a poll worker that is assigned to:
- 102 (a) preside over other poll workers at a polling place;
- 103 (b) act as the presiding election judge; or
- 104 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 105 (23) "Election officer" means:
- 106 (a) the lieutenant governor, for all statewide ballots and elections;
- 107 (b) the county clerk for:
- 108 (i) a county ballot and election; and
- 109 (ii) a ballot and election as a provider election officer as provided in Section  
110 20A-5-400.1 or 20A-5-400.5;
- 111 (c) the municipal clerk for:
- 112 (i) a municipal ballot and election; and
- 113 (ii) a ballot and election as a provider election officer as provided in Section  
114 20A-5-400.1 or 20A-5-400.5;
- 115 (d) the special district clerk or chief executive officer for:
- 116 (i) a special district ballot and election; and
- 117 (ii) a ballot and election as a provider election officer as provided in Section  
118 20A-5-400.1 or 20A-5-400.5; or
- 119 (e) the business administrator or superintendent of a school district for:
- 120 (i) a school district ballot and election; and
- 121 (ii) a ballot and election as a provider election officer as provided in Section  
122 20A-5-400.1 or 20A-5-400.5.
- 123 (24) "Election official" means any election officer, election judge, or poll worker.
- 124 (25) "Election results" means:
- 125 (a) for an election other than a bond election, the count of votes cast in the election and  
126 the election returns requested by the board of canvassers; or
- 127 (b) for bond elections, the count of those votes cast for and against the bond proposition  
128 plus any or all of the election returns that the board of canvassers may request.
- 129 (26) "Election returns" includes:
- 130 (a) the pollbook, the military and overseas absentee voter registration and voting  
131 certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all  
132 excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and

- 133 the total votes cast form; and
- 134 (b) the record, described in Subsection 20A-3a-401(8)(c), of voters contacted to cure a  
135 ballot.
- 136 (27) "Electronic signature" means an electronic sound, symbol, or process attached to or  
137 logically associated with a record and executed or adopted by a person with the intent to  
138 sign the record.
- 139 (28) "Inactive voter" means a registered voter who is listed as inactive by a county clerk  
140 under Subsection 20A-2-505(4)(c)(i) or (ii).
- 141 (29) "Judicial office" means the office filled by any judicial officer.
- 142 (30) "Judicial officer" means any justice or judge of a court of record or any county court  
143 judge.
- 144 (31) "Local election" means a regular county election, a regular municipal election, a  
145 municipal primary election, a local special election, a special district election, and a  
146 bond election.
- 147 (32) "Local political subdivision" means a county, a municipality, a special district, or a  
148 local school district.
- 149 (33) "Local special election" means a special election called by the governing body of a  
150 local political subdivision in which all registered voters of the local political subdivision  
151 may vote.
- 152 (34) "Manual ballot" means a paper document produced by an election officer on which an  
153 individual records an individual's vote by directly placing a mark on the paper document  
154 using a pen or other marking instrument.
- 155 (35) "Mechanical ballot" means a record, including a paper record, electronic record, or  
156 mechanical record, that:
- 157 (a) is created via electronic or mechanical means; and
- 158 (b) records an individual voter's vote cast via a method other than an individual directly  
159 placing a mark, using a pen or other marking instrument, to record an individual  
160 voter's vote.
- 161 (36) "Municipal executive" means:
- 162 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or  
163 (b) the mayor in the council-manager form of government defined in Subsection  
164 10-3b-103(6).
- 165 (37) "Municipal general election" means the election held in municipalities and, as  
166 applicable, special districts on the first Tuesday after the first Monday in November of

- 167 each odd-numbered year for the purposes established in Section 20A-1-202.
- 168 (38) "Municipal legislative body" means the council of the city or town in any form of  
169 municipal government.
- 170 (39) "Municipal office" means an elective office in a municipality.
- 171 (40) "Municipal officers" means those municipal officers that are required by law to be  
172 elected.
- 173 (41) "Municipal primary election" means an election held to nominate candidates for  
174 municipal office.
- 175 (42) "Municipality" means a city or town.
- 176 (43) "Official ballot" means the ballots distributed by the election officer for voters to  
177 record their votes.
- 178 (44) "Official endorsement" means the information on the ballot that identifies:
- 179 (a) the ballot as an official ballot;
- 180 (b) the date of the election; and
- 181 (c)(i) for a ballot prepared by an election officer other than a county clerk, the  
182 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
- 183 (ii) for a ballot prepared by a county clerk, the words required by Subsection  
184 20A-6-301(1)(b)(iii).
- 185 (45) "Official register" means the official record furnished to election officials by the  
186 election officer that contains the information required by Section 20A-5-401.
- 187 (46) "Party liaison" means the political party officer designated, in accordance with  
188 Subsection 20A-8-401(2)(a)(ii), to serve as a liaison with:
- 189 (a) the lieutenant governor on all matters relating to the political party's relationship with  
190 the state; and
- 191 (b) each county legislative body on matters relating to the political party's relationship  
192 with a county.
- 193 [(46)] (47) "Political party" means an organization of registered voters that has qualified to  
194 participate in an election by meeting the requirements of Chapter 8, Political Party  
195 Formation and Procedures.
- 196 [(47)] (48)(a) "Poll worker" means a person assigned by an election official to assist with  
197 an election, voting, or counting votes.
- 198 (b) "Poll worker" includes election judges.
- 199 (c) "Poll worker" does not include a watcher.
- 200 [(48)] (49) "Pollbook" means a record of the names of voters in the order that they appear to

- 201 cast votes.
- 202 [~~(49)~~] (50) "Polling place" means a building where voting is conducted.
- 203 [~~(50)~~] (51) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
204 in which the voter marks the voter's choice.
- 205 [~~(51)~~] (52) "Presidential Primary Election" means the election established in Chapter 9, Part  
206 8, Presidential Primary Election.
- 207 [~~(52)~~] (53) "Primary convention" means the political party conventions held during the year  
208 of the regular general election.
- 209 [~~(53)~~] (54) "Protective counter" means a separate counter, which cannot be reset, that:  
210 (a) is built into a voting machine; and  
211 (b) records the total number of movements of the operating lever.
- 212 [~~(54)~~] (55) "Provider election officer" means an election officer who enters into a contract or  
213 interlocal agreement with a contracting election officer to conduct an election for the  
214 contracting election officer's local political subdivision in accordance with Section  
215 20A-5-400.1.
- 216 [~~(55)~~] (56) "Provisional ballot" means a ballot voted provisionally by a person:  
217 (a) whose name is not listed on the official register at the polling place;  
218 (b) whose legal right to vote is challenged as provided in this title; or  
219 (c) whose identity was not sufficiently established by a poll worker.
- 220 [~~(56)~~] (57) "Provisional ballot envelope" means an envelope printed in the form required by  
221 Section 20A-6-105 that is used to identify provisional ballots and to provide information  
222 to verify a person's legal right to vote.
- 223 [~~(57)~~] (58)(a) "Public figure" means an individual who, due to the individual being  
224 considered for, holding, or having held a position of prominence in a public or  
225 private capacity, or due to the individual's celebrity status, has an increased risk to the  
226 individual's safety.
- 227 (b) "Public figure" does not include an individual:  
228 (i) elected to public office; or  
229 (ii) appointed to fill a vacancy in an elected public office.
- 230 [~~(58)~~] (59) "Qualify" or "qualified" means to take the oath of office and begin performing  
231 the duties of the position for which the individual was elected.
- 232 [~~(59)~~] (60) "Receiving judge" means the poll worker that checks the voter's name in the  
233 official register at a polling place and provides the voter with a ballot.
- 234 [~~(60)~~] (61) "Registration form" means a form by which an individual may register to vote

- 235 under this title.
- 236 ~~[(61)]~~ (62) "Regular ballot" means a ballot that is not a provisional ballot.
- 237 ~~[(62)]~~ (63) "Regular general election" means the election held throughout the state on the  
238 first Tuesday after the first Monday in November of each even-numbered year for the  
239 purposes established in Section 20A-1-201.
- 240 ~~[(63)]~~ (64) "Regular primary election" means the election, held on the date specified in  
241 Section 20A-1-201.5, to nominate candidates of political parties and candidates for  
242 nonpartisan local school board positions to advance to the regular general election.
- 243 ~~[(64)]~~ (65) "Resident" means a person who resides within a specific voting precinct in Utah.
- 244 ~~[(65)]~~ (66) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),  
245 provided to a voter with a manual ballot:
- 246 (a) into which the voter places the manual ballot after the voter has voted the manual  
247 ballot in order to preserve the secrecy of the voter's vote; and
- 248 (b) that includes the voter affidavit and a place for the voter's signature.
- 249 ~~[(66)]~~ (67) "Sample ballot" means a mock ballot similar in form to the official ballot,  
250 published as provided in Section 20A-5-405.
- 251 ~~[(67)]~~ (68) "Special district" means a local government entity under Title 17B, Limited  
252 Purpose Local Government Entities - Special Districts, and includes a special service  
253 district under Title 17D, Chapter 1, Special Service District Act.
- 254 ~~[(68)]~~ (69) "Special district officers" means those special district board members who are  
255 required by law to be elected.
- 256 ~~[(69)]~~ (70) "Special election" means an election held as authorized by Section 20A-1-203.
- 257 ~~[(70)]~~ (71) "Spoiled ballot" means each ballot that:
- 258 (a) is spoiled by the voter;
- 259 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 260 (c) lacks the official endorsement.
- 261 ~~[(71)]~~ (72) "Statewide special election" means a special election called by the governor or  
262 the Legislature in which all registered voters in Utah may vote.
- 263 ~~[(72)]~~ (73) "Tabulation system" means a device or system designed for the sole purpose of  
264 tabulating votes cast by voters at an election.
- 265 ~~[(73)]~~ (74) "Ticket" means a list of:
- 266 (a) political parties;
- 267 (b) candidates for an office; or
- 268 (c) ballot propositions.



- 269 ~~[(74)]~~ (75) "Transfer case" means the sealed box used to transport voted ballots to the  
270 counting center.
- 271 ~~[(75)]~~ (76) "Vacancy" means:
- 272 (a) except as provided in Subsection ~~[(75)(b)]~~ (76)(b), the absence of an individual to  
273 serve in a position created by state constitution or state statute, whether that absence  
274 occurs because of death, disability, disqualification, resignation, or other cause[-]; or  
275 (b) in relation to a candidate for a position created by state constitution or state statute,  
276 the removal of a candidate due to the candidate's death, resignation, or  
277 disqualification.
- 278 ~~[(76)]~~ (77) "Valid voter identification" means:
- 279 (a) a form of identification that bears the name and photograph of the voter which may  
280 include:
- 281 (i) a currently valid Utah driver license;
- 282 (ii) a currently valid identification card that is issued by:
- 283 (A) the state; or
- 284 (B) a branch, department, or agency of the United States;
- 285 (iii) a currently valid Utah permit to carry a concealed weapon;
- 286 (iv) a currently valid United States passport; or
- 287 (v) a currently valid United States military identification card;
- 288 (b) one of the following identification cards, whether or not the card includes a  
289 photograph of the voter:
- 290 (i) a valid tribal identification card;
- 291 (ii) a Bureau of Indian Affairs card; or
- 292 (iii) a tribal treaty card; or
- 293 (c) two forms of identification not listed under Subsection ~~[(76)(a) or (b)]~~ (77)(a) or (b)  
294 but that bear the name of the voter and provide evidence that the voter resides in the  
295 voting precinct, which may include:
- 296 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the  
297 election;
- 298 (ii) a bank or other financial account statement, or a legible copy thereof;
- 299 (iii) a certified birth certificate;
- 300 (iv) a valid social security card;
- 301 (v) a check issued by the state or the federal government or a legible copy thereof;
- 302 (vi) a paycheck from the voter's employer, or a legible copy thereof;

- 303 (vii) a currently valid Utah hunting or fishing license;
- 304 (viii) certified naturalization documentation;
- 305 (ix) a currently valid license issued by an authorized agency of the United States;
- 306 (x) a certified copy of court records showing the voter's adoption or name change;
- 307 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 308 (xii) a currently valid identification card issued by:
- 309 (A) a local government within the state;
- 310 (B) an employer for an employee; or
- 311 (C) a college, university, technical school, or professional school located within
- 312 the state; or
- 313 (xiii) a current Utah vehicle registration.
- 314 ~~[(77)]~~ (78) "Valid write-in candidate" means a candidate who has qualified as a write-in
- 315 candidate by following the procedures and requirements of this title.
- 316 ~~[(78)]~~ (79) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter,
- 317 by:
- 318 (a) mailing the ballot to the location designated in the mailing; or
- 319 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 320 ~~[(79)]~~ (80) "Voter" means an individual who:
- 321 (a) meets the requirements for voting in an election;
- 322 (b) meets the requirements of election registration;
- 323 (c) is registered to vote; and
- 324 (d) is listed in the official register book.
- 325 ~~[(80)]~~ (81) "Voter registration deadline" means the registration deadline provided in Section
- 326 20A-2-102.5.
- 327 ~~[(81)]~~ (82) "Voting area" means the area within six feet of the voting booths, voting
- 328 machines, and ballot box.
- 329 ~~[(82)]~~ (83) "Voting booth" means:
- 330 (a) the space or compartment within a polling place that is provided for the preparation
- 331 of ballots, including the voting enclosure or curtain; or
- 332 (b) a voting device that is free standing.
- 333 ~~[(83)]~~ (84) "Voting device" means any device provided by an election officer for a voter to
- 334 vote a mechanical ballot.
- 335 ~~[(84)]~~ (85) "Voting precinct" means the smallest geographical voting unit, established under
- 336 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

337 ~~[(85)]~~ (86) "Watcher" means an individual who complies with the requirements described in  
 338 Section 20A-3a-801 to become a watcher for an election.

339 ~~[(86)]~~ (87) "Write-in ballot" means a ballot containing any write-in votes.

340 ~~[(87)]~~ (88) "Write-in vote" means a vote cast for an individual, whose name is not printed on  
 341 the ballot, in accordance with the procedures established in this title.

342 Section 2. Section **20A-1-501.1** is enacted to read:

343 **20A-1-501.1 . Definitions.**

344 As used in this part:

345 (1) "Applicable political party" means:

346 (a) in relation to a candidate vacancy, the political party for which the preceding  
 347 candidate was a candidate, as follows:

348 (i) the state political party, if the race is for:

349 (A) United States senator, United States representative, governor, lieutenant  
 350 governor, attorney general, state treasurer, or state auditor; or

351 (B) state legislator, if the legislative district encompasses all or a portion of more  
 352 than one county; or

353 (ii) the county political party, if the race is for an office, other than an office  
 354 described in Subsection (1)(a)(i), that is elected in an even-numbered year; or

355 (b) in relation to an office vacancy, the political party of which the preceding  
 356 officeholder was a member, as follows:

357 (i) the state political party, if the vacancy is in the office of:

358 (A) United States senator, United States representative, governor, lieutenant  
 359 governor, attorney general, state treasurer, or state auditor; or

360 (B) state legislator, if the legislative district encompasses all or a portion of more  
 361 than one county; or

362 (ii) the county political party, if the vacancy is in an office, other than an office  
 363 described in Subsection (1)(b)(i), that is elected in an even-numbered year.

364 (2) "Valid candidate vacancy" means:

365 (a) in relation to a registered political party that, for a race for a particular office, will  
 366 have a candidate on the ballot in the regular primary election:

367 (i) only one or two individuals timely file a declaration of candidacy to run as a  
 368 candidate for the party for that office; and

369 (ii) the candidate, for a valid reason, ceases to be a candidate during the period of  
 370 time that:

- 371 (A) begins when the declaration of candidacy filing period ends; and  
372 (B) ends at midnight on the day before the day on which the lieutenant governor  
373 provides the list described in Subsection 20A-9-403(4)(a) or 20A-9-409(4)(b);  
374 (b) in relation to a registered political party that, for a race for a particular office, will not  
375 have a candidate on the ballot in the regular primary election, but will have a  
376 candidate on the ballot for the regular general election, the candidate, for a valid  
377 reason, ceases to be a candidate during the period of time that:  
378 (i) begins when declaration of candidacy filing period ends; and  
379 (ii) ends at midnight on the day before the day on which the lieutenant governor  
380 makes the certification described in Section 20A-5-409; or  
381 (c) in relation to a registered political party with a candidate in a race for a particular  
382 office who is certified as winning a regular primary election for that race, the  
383 candidate, for a valid reason, ceases to be a candidate during the period of time that:  
384 (i) begins when the declaration of candidacy filing period ends; and  
385 (ii) ends at midnight on the day before the day on which the lieutenant governor  
386 provides the list described in Section 20A-5-409.  
387 (3) "Valid reason" means that, after filing a declaration of candidacy to run as a candidate  
388 for a registered political party, the candidate:  
389 (a) dies;  
390 (b) resigns because, after filing the declaration of candidacy, the candidate is appointed  
391 to a position in a state agency;  
392 (c) resigns to become a candidate for the registered political party for another race;  
393 (d) except as provided in Subsection 20A-1-501.5(4), is disqualified by an election  
394 officer for improper filing or nominating procedures; or  
395 (e) resigns as a candidate because, as certified by a physician or a physician's assistant:  
396 (i) the candidate has a disease, a long-term illness, a physical disability, or a mental  
397 disability;  
398 (ii) the condition described in Subsection (3)(e)(i) substantially interferes with the  
399 candidate's ability to run for office or hold office; and  
400 (iii) before filing the declaration of candidacy, the candidate, with respect to the  
401 condition described in Subsection (3)(e)(i):  
402 (A) did not have the condition;  
403 (B) was not aware that the candidate had the condition;  
404 (C) was aware that the candidate had the condition, but was not aware of the

405 seriousness of the condition; or  
 406 (D) was aware that the candidate had the condition, but the seriousness of the  
 407 condition increased after the candidate filed the declaration of candidacy.

408 Section 3. Section **20A-1-501.5**, which is renumbered from Section 20A-1-501 is renumbered  
 409 and amended to read:

410 **~~[20A-1-501]~~ 20A-1-501.5 . Candidate vacancies -- Procedure for filling.**

411 ~~[(1) As used in this section, "central committee" means:]~~

412 ~~[(a) the state central committee of a political party, for a candidate for:]~~

413 ~~[(i) United States senator, United States representative, governor, lieutenant~~  
 414 ~~governor, attorney general, state treasurer, or state auditor; or]~~

415 ~~[(ii) state legislator if the legislative district encompasses all or a portion of more than~~  
 416 ~~one county; or]~~

417 ~~[(b) the county central committee of a political party, for a party candidate seeking an~~  
 418 ~~office, other than an office described in Subsection (1)(a), elected at an election held~~  
 419 ~~in an even-numbered year.]~~

420 ~~[(2) Except as provided in Subsection (6), the central committee may certify the name of~~  
 421 ~~another candidate to the appropriate election officer if:]~~

422 ~~[(a) for a registered political party that will have a candidate on a ballot in a primary~~  
 423 ~~election:]~~

424 ~~[(i) after the close of the period for filing a declaration of candidacy and continuing~~  
 425 ~~through the day before the day on which the lieutenant governor provides the list~~  
 426 ~~described in Subsection 20A-9-403(4)(a), only one or two candidates from that~~  
 427 ~~party have filed a declaration of candidacy for that office and one or both dies,~~  
 428 ~~resigns as a candidate, or is disqualified as a candidate; and]~~

429 ~~[(ii) the central committee provides written certification of the replacement candidate~~  
 430 ~~to the appropriate election officer before the day on which the lieutenant governor~~  
 431 ~~provides the list described in Subsection 20A-9-403(4)(a); and]~~

432 ~~[(b) for a registered political party that does not have a candidate on the ballot in a~~  
 433 ~~primary, but will have a candidate on the ballot for a regular general election:]~~

434 ~~[(i) after the close of the period for filing a declaration of candidacy and continuing~~  
 435 ~~through the day before the day on which the lieutenant governor makes the~~  
 436 ~~certification described in Section 20A-5-409, the party's candidate dies, resigns as~~  
 437 ~~a candidate, or is disqualified as a candidate; and]~~

438 ~~[(ii) the central committee provides written certification of the replacement candidate~~

439 to the appropriate election officer before the day on which the lieutenant governor  
440 makes the certification described in Section 20A-5-409; or]

441 [(e) for a registered political party with a candidate certified as winning a primary  
442 election;]

443 [(i) after the close of the period for filing a declaration of candidacy and continuing  
444 through the day before the day on which the lieutenant governor makes the  
445 certification described in Section 20A-5-409, the party's candidate dies, resigns as  
446 a candidate, or is disqualified as a candidate; and]

447 [(ii) the central committee provides written certification of the replacement candidate  
448 to the appropriate election officer before the day on which the lieutenant governor  
449 makes the certification described in Section 20A-5-409.]

450 [(3) If no more than two candidates from a political party have filed a declaration of  
451 candidacy for an office elected at a regular general election and one resigns to become  
452 the party candidate for another position, the central committee of that political party may  
453 certify the name of another candidate to the appropriate election officer.]

454 (1) A registered political party may appoint an individual as a replacement candidate to fill  
455 a valid candidate vacancy, if:

456 (a) for a valid candidate vacancy described in Subsection 20A-1-501.1(2)(a):

457 (i) the delegates for the applicable political party, by majority vote, appoint one  
458 individual who is eligible for the office; and

459 (ii) before the day on which the lieutenant governor provides the list described in  
460 Subsection 20A-9-403(4)(a) or 20A-9-409(4)(b), the party liaison for the  
461 applicable political party provides the applicable election officer with a written  
462 certification identifying the candidate appointed in accordance with Subsection  
463 (1)(a)(i);

464 (b) for a valid candidate vacancy described in Subsection 20A-1-501.1(2)(b):

465 (i) the delegates for the applicable political party, by majority vote, appoint one  
466 individual who is eligible for the office; and

467 (ii) before the day on which the lieutenant governor provides the certification  
468 described in Section 20A-5-409, the party liaison for the applicable political party  
469 provides the applicable election officer with a written certification identifying the  
470 candidate appointed in accordance with Subsection (1)(b)(i); or

471 (c) for a valid candidate vacancy described in Subsection 20A-1-501.1(2)(c):

472 (i) the delegates for the applicable political party, by majority vote, appoint one

473 individual who is eligible for the office; and  
 474 (ii) before the day on which the lieutenant governor provides the certification  
 475 described in Section 20A-5-409, the party liaison for the applicable political party  
 476 provides the applicable election officer with a written certification identifying the  
 477 candidate appointed in accordance with Subsection (1)(c)(i).

478 ~~[(4)]~~ (2) Each replacement candidate shall file a declaration of candidacy as required by [  
 479 Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy]  
 480 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.

481 ~~[(5)]~~ (3)(a) The name of a candidate who is certified under Subsection ~~[(2)(a)]~~ (1)(a)(ii)  
 482 may not appear on the ballot if:

483 (i) the candidate is not appointed in accordance with Subsection (1)(a)(i); or  
 484 (ii) the certification occurs after the deadline described in Subsection ~~[(2)(a)(ii)]~~ may  
 485 not appear on the primary election ballot] (1)(a)(ii).

486 (b) The name of a candidate who is certified under Subsection ~~[(2)(b)]~~ (1)(b)(ii) may not  
 487 appear on the ballot if:

488 (i) the candidate is not appointed in accordance with Subsection (1)(b)(i); or  
 489 (ii) the certification occurs after the deadline described in Subsection ~~[(2)(b)(ii)]~~ may  
 490 not appear on the general election ballot] (1)(b)(ii).

491 (c) The name of a candidate who is certified under Subsection ~~[(2)(e)]~~ (1)(c)(ii) may not  
 492 appear on the ballot if:

493 (i) the candidate is not appointed in accordance with Subsection (1)(c)(i); or  
 494 (ii) the certification occurs after the deadline described in Subsection ~~[(2)(e)(ii)]~~ may  
 495 not appear on the general election ballot] (1)(c)(ii).

496 ~~[(6)]~~ (4) A political party may not replace a candidate who is disqualified for failure to  
 497 timely file a campaign disclosure financial report under [~~Title 20A, Chapter 11,~~  
 498 ~~Campaign and Financial Reporting Requirements]~~ Chapter 11, Campaign and Financial  
 499 Reporting Requirements, or Section 17-16-6.5.

500 ~~[(7)]~~ (5) This section does not apply to a candidate vacancy for a nonpartisan office.

501 Section 4. Section **20A-1-503** is amended to read:

502 **20A-1-503 . Midterm vacancies in the Legislature.**

503 (1) As used in this section[;]

504 ~~[(a)]~~ "Filing-] , "filing deadline" means the final date for filing:

505 ~~[(i)]~~ (a) a declaration of candidacy as provided in Section 20A-9-202; [~~and]~~ or

506 ~~[(ii)]~~ (b) a certificate of nomination as provided in Section 20A-9-503.

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

510 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,  
511 the governor shall fill the vacancy~~[by immediately appointing the person whose name~~  
512 ~~was submitted by the party liaison of the same political party as the prior representative.]~~  
513 as follows:

514 (a) the delegates for the applicable political party shall, by majority vote, select one  
515 individual who is eligible to fill the vacancy;

516 (b) the party liaison for the applicable political party shall provide the governor with a  
517 written certification identifying the individual selected in accordance with Subsection  
518 (2)(a); and

519 (c) the governor shall, immediately upon receiving the written certification described in  
520 Subsection (2)(b), appoint the individual selected in accordance with Subsection  
521 (2)(a) to fill the vacancy.

522 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in  
523 the office of senator in the Legislature, ~~[it] the office shall be filled for the unexpired~~  
524 ~~term at the next regular general election.~~

525 (b) The governor shall~~[fill the vacancy]~~ , until the next regular general election~~[by~~  
526 ~~immediately appointing the person whose name was submitted by the party liaison of~~  
527 ~~the same political party as the prior senator.]~~ , fill the vacancy as follows:

528 (i) the delegates for the applicable political party shall, by majority vote, select one  
529 individual who is eligible to fill the vacancy;

530 (ii) the party liaison for the applicable political party shall provide the governor with  
531 a written certification identifying the individual selected in accordance with  
532 Subsection (3)(b)(i); and

533 (iii) the governor shall, immediately upon receiving the written certification  
534 described in Subsection (3)(b)(ii), appoint the individual selected in accordance  
535 with Subsection (3)(b)(i) to fill the vacancy.

536 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but  
537 before August 31 of an even-numbered year in which the term of office does not  
538 expire, the lieutenant governor shall:

539 (i) establish a date and time, which is before the date for a candidate to be certified  
540 for the ballot under Section 20A-9-701 and no later than 21 days after the day on



- 541 which the vacancy occurred, by which ~~[a person]~~ an individual intending to obtain  
 542 a position on the ballot for the vacant office shall file:
- 543 (A) a declaration of candidacy; or  
 544 (B) a certificate of nomination; and
- 545 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):  
 546 (A) on the lieutenant governor's website; and  
 547 (B) to each registered political party.
- 548 (b) ~~[A person]~~ An individual intending to obtain a position on the ballot for the vacant  
 549 office shall:
- 550 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of  
 551 candidacy or certificate of nomination according to the procedures and  
 552 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;  
 553 and
- 554 (ii) run in the regular general election if:  
 555 (A) nominated as a party candidate; or  
 556 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate  
 557 Qualifications and Nominating Procedures.
- 558 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in  
 559 Subsection 20A-9-202(1)(b) and before August 31, of an even-numbered year in  
 560 which the term of office does not expire, ~~[a]~~ the party liaison ~~[from]~~ for each registered  
 561 political party may ~~[- submit a name of a person described in Subsection (4)(b) to the~~  
 562 ~~lieutenant governor before 5 p.m.]~~ , no later than 5 p.m. on August 30, submit a  
 563 candidate for placement on the regular general election ballot~~[-]~~ , as follows:
- 564 (i) the delegates for the political party shall, by majority vote, select one individual  
 565 who is eligible to fill the office;
- 566 (ii) the party liaison for the political party shall provide to the election officer a  
 567 written certification identifying the individual selected in accordance with  
 568 Subsection (4)(c)(i); and
- 569 (iii) the election officer shall place the individual selected in accordance with  
 570 Subsection (4)(c)(i) on the general election ballot.
- 571 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an  
 572 even-numbered year in which a term does not expire, the governor shall fill the vacancy  
 573 for the unexpired term~~[- by immediately appointing the person whose name was~~  
 574 ~~submitted by the party liaison of the same political party as the prior senator.]~~ , as

575 follows:

576 (a) the delegates for the applicable political party shall, by majority vote, select one  
 577 individual who is eligible to fill the vacancy;

578 (b) the party liaison for the applicable political party shall provide the governor with a  
 579 written certification identifying the individual selected in accordance with Subsection  
 580 (5)(a); and

581 (c) the governor shall, immediately upon receiving the written certification described in  
 582 Subsection (5)(b), appoint the individual selected in accordance with Subsection  
 583 (5)(a) to fill the vacancy.

584 Section 5. Section **20A-1-504** is amended to read:

585 **20A-1-504 . Midterm vacancies in the offices of attorney general, state treasurer,**  
 586 **state auditor, State Board of Education member, and lieutenant governor.**

587 (1)~~(a)~~ When a vacancy occurs for any reason in the office of attorney general, state  
 588 treasurer, state auditor, or State Board of Education member, the vacancy shall be  
 589 filled for the unexpired term at the next regular general election.

590 ~~(b)~~ (2) ~~[The]~~ Except as provided in Subsection (3), the governor shall fill the vacancy until  
 591 the next regular general election~~[by]~~ as follows:

592 ~~[(i) appointing a person who meets the qualifications for the office from three persons~~  
 593 ~~nominated by the state central committee of the same political party as the prior~~  
 594 ~~officeholder; or]~~

595 (a) the delegates for the applicable political party shall, by majority vote, select one  
 596 individual who is eligible to fill the vacancy;

597 (b) the party liaison for the applicable political party shall provide the governor with a  
 598 written certification identifying the individual selected in accordance with Subsection  
 599 (2)(a); and

600 (c) the governor shall, immediately upon receiving the written certification described in  
 601 Subsection (2)(b), appoint the individual selected in accordance with Subsection  
 602 (2)(a) to fill the vacancy.

603 ~~[(i)]~~ (3) ~~[for]~~ For a State Board of Education vacancy, if the individual who is being replaced~~[:]~~

604 ~~[(A) was elected at a nonpartisan State Board of Education election, by~~  
 605 ~~appointing, with the advice and consent of the Senate, an individual who meets~~  
 606 ~~the qualifications and residency requirements for filling the vacancy described~~  
 607 ~~in Section 20A-14-103;]~~

608 ~~[(B) was elected at a partisan State Board of Education election, but ]~~ is not a

609 member of a political party, ~~[by appointing]~~ the governor shall fill the vacancy  
610 until the next regular general election by appointing an individual, with the  
611 advice and consent of the Senate, ~~[an individual]~~ who meets the qualifications  
612 and residency requirements for filling the vacancy ~~[-described in Section~~  
613 ~~20A-14-103; or]~~ .

614 ~~[(C) was elected at a partisan State Board of Education election, and is a member~~  
615 ~~of a political party, by appointing an individual who meets the qualifications~~  
616 ~~for the office from three persons nominated by the state central committee of~~  
617 ~~the same political party as the prior officeholder.]~~

618 ~~[(2)]~~ (4) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the  
619 advice and consent of the Senate, appoint a person to hold the office until the next  
620 regular general election at which the governor stands for election.

621 Section 6. **Effective Date.**

622 This bill takes effect on May 7, 2025.