

# SB0194S06 compared with SB0194S05

~~{Omitted text}~~ shows text that was in SB0194S05 but was omitted in SB0194S06

inserted text shows text that was not in SB0194S05 but was inserted into SB0194S06

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

1

**Election Modifications**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Michael K. McKell**  
House Sponsor: Jefferson S. Burton



2

3 **LONG TITLE**

4 **General Description:**

5 This bill ~~{amends}~~ modifies provisions relating to ~~{elections}~~ the nomination of candidates by  
political parties.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ ~~{defines terms;}~~
- 9 ▶ ~~{beginning on January 1, 2027, prohibits a county clerk's or election officer's name from:}~~
- 10 • ~~{inclusion in the official endorsement for a ballot;}~~
- 11 • ~~{inclusion on a return envelope for a ballot; or}~~
- 12 • ~~{inclusion on a ballot, except to the extent that the county clerk or election officer is~~  
listed as a candidate on the ballot;}
- 14 ▶ ~~{enacts a temporary provision regarding the computation of time;}~~
- 15 ▶ ~~{prohibits certain action by a county clerk;}~~
- 16 ▶ ~~{requires}~~ removes the ~~{lieutenant governor}~~ ability to ~~{create}~~ qualify as a ~~{written conflict~~  
of interest avoidance plan} nominee of a political party by gathering signatures;

SB0194S05

## SB0194S05 compared with SB0194S06

- 17       ▶ {establishes the crime of electronic communications abuse of elections or elected office;}
- 18       ▶ {subject to certain exceptions, provides that, when poll workers verify a voter's identity in  
relation to a ballot returned by mail, the poll workers are required to verify the signature on the  
affidavit in addition to the last four digits of an identification number;}
- 21       ▶ {requires an incumbent county clerk who is running for reelection to contract with another  
county clerk to provide certain services in relation to verifying candidate signatures for the race;}
- 24       ▶ {permits the use of campaign funds for certain goods or services} repeals provisions relating  
to {security} qualified political parties, and other provisions enacted by 2014, S.B 54, Elections  
Amendments; {and}
- 11       ▶ provides for nominations by political parties by convention, followed by a primary election  
only if the political party chooses to send more than one candidate to the ballot as a potential  
nominee; and
- 25       ▶ makes technical and conforming changes.

### 15 Money Appropriated in this Bill:

16       None

### 17 Other Special Clauses:

18       None

### 19 Utah Code Sections Affected:

20 AMENDS:

32       ~~{20A-1-102, as last amended by Laws of Utah 2025, First Special Session, Chapter 6}~~

33       ~~{20A-1-104, as repealed and reenacted by Laws of Utah 2025, Chapter 448}~~

34       ~~{20A-1-106, as enacted by Laws of Utah 2023, Chapter 297}~~

21       20A-1-201.5, as last amended by Laws of Utah 2024, Third Special Session, Chapter 3

22       20A-1-502, as last amended by Laws of Utah 2025, Chapter 448

23       20A-1-502.5, as last amended by Laws of Utah 2025, Chapter 448

24       20A-1-503, as last amended by Laws of Utah 2025, Chapters 90, 448

35       ~~{20A-1-609, as last amended by Laws of Utah 2022, Chapter 325}~~

25       20A-1-1001, as last amended by Laws of Utah 2025, First Special Session, Chapter 16

26       20A-3a-106, as last amended by Laws of Utah 2025, Chapters 381, 448

36       ~~{20A-3a-202, as last amended by Laws of Utah 2025, Chapters 381, 448}~~

## SB0194S05 compared with SB0194S06

37 ~~{20A-3a-401 , as last amended by Laws of Utah 2025, First Special Session, Chapter 6}~~

27 **20A-5-101 , as last amended by Laws of Utah 2025, Chapter 448**

38 ~~{20A-6-301 , as last amended by Laws of Utah 2025, Chapter 39}~~

39 ~~{20A-6-401 , as last amended by Laws of Utah 2025, Chapter 39}~~

40 ~~{20A-6-401.1 , as last amended by Laws of Utah 2025, Chapter 39}~~

41 ~~{20A-6-402 , as last amended by Laws of Utah 2025, Chapter 39}~~

28 **20A-8-103 , as last amended by Laws of Utah 2025, Chapters 38, 448**

29 **20A-9-101 , as last amended by Laws of Utah 2023, Chapters 15, 45**

30 **20A-9-201 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

31 **20A-9-201.5 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

32 **20A-9-202 , as last amended by Laws of Utah 2025, Chapter 448**

33 **20A-9-403 , as last amended by Laws of Utah 2025, Chapters 39, 448**

34 **20A-9-407 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

35 **20A-9-408.5 , as last amended by Laws of Utah 2021, Chapter 183**

36 **20A-9-409 , as last amended by Laws of Utah 2025, First Special Session, Chapter 16**

42 ~~{20A-11-104 , as last amended by Laws of Utah 2024, Chapter 447}~~

37 **20A-21-101 , as enacted by Laws of Utah 2022, Chapter 325**

38 **63G-2-305 , as last amended by Laws of Utah 2025, First Special Session, Chapter 17**

43 ~~{63I-2-220 , as last amended by Laws of Utah 2024, Forth Special Session, Chapter 2}~~

### REPEALS:

40 **20A-9-405 , as last amended by Laws of Utah 2025, Chapter 38**

41 **20A-9-406 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

42 **20A-9-408 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

43 **20A-9-408.1 , as enacted by Laws of Utah 2025, Chapter 448**

44 **20A-9-408.2 , as enacted by Laws of Utah 2025, Chapter 448**

45 **20A-9-408.3 , as enacted by Laws of Utah 2025, Chapter 448**

46 **20A-9-410 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

47 **20A-9-411 , as enacted by Laws of Utah 2015, Chapter 296**

### ENACTS:

## SB0194S05 compared with SB0194S06

45 ~~{20A-1-109, Utah Code Annotated 1953}~~  
46 ~~{20A-1-608.1, Utah Code Annotated 1953}~~  
47 ~~{20A-9-408.4, Utah Code Annotated 1953}~~

---

---

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

50 ~~{Section 1. Section 20A-1-102 is amended to read: }~~

51 **20A-1-102. Definitions.**

As used in this title:

- 53 (1) "Active voter" means a registered voter who has not been classified as an inactive voter by the county clerk.
- 55 (2) "Automatic tabulating equipment" means apparatus that automatically examines and counts votes recorded on ballots and tabulates the results.
- 57 (3)
- (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic storage medium, that records an individual voter's vote.
- 59 (b) "Ballot" does not include a record to tally multiple votes.
- 60 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on the ballot for their approval or rejection including:
- 62 (a) an opinion question specifically authorized by the Legislature;
- 63 (b) a constitutional amendment;
- 64 (c) an initiative;
- 65 (d) a referendum;
- 66 (e) a bond proposition;
- 67 (f) a judicial retention question;
- 68 (g) an incorporation of a city or town; or
- 69 (h) any other ballot question specifically authorized by the Legislature.
- 70 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples or another means in at least three places across the top of the paper in the blank space reserved for securing the paper.
- 73 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and 20A-4-306 to canvass election returns.

## SB0194S05 compared with SB0194S06

- 75 (7) "Bond election" means an election held for the purpose of approving or rejecting the proposed  
issuance of bonds by a government entity.
- 77 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a holiday.
- 79 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by the sender.
- 81 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday, a business  
day, or any other type of day.
- 83 (11) "Canvass" means the review of election returns and the official declaration of election results by  
the board of canvassers.
- 85 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.
- 87 (13) "Contracting election officer" means an election officer who enters into a contract or interlocal  
agreement with a provider election officer.
- 89 (14) "Convention" means the political party convention at which party officers and delegates are  
selected.
- 91 (15) "Counting center" means one or more locations selected by the election officer in charge of the  
election for the automatic counting of ballots.
- 93 (16) "Counting judge" means a poll worker designated to count the ballots during election day.
- 95 (17) "Counting room" means a suitable and convenient private place or room for use by the poll  
workers and counting judges to count ballots.
- 97 (18) "County officers" means those county officers that are required by law to be elected.
- 98 (19) "Date of the election" or "election day" or "day of the election":
- 99 (a) means the day that is specified in the calendar year as the day on which the election occurs; and
- 101 (b) does not include:
- 102 (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
- 104 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- 106 (20) "Elected official" means:
- 107 (a) a person elected to an office under Section 20A-1-303 or ~~Chapter 4, Part 6,~~ before the pilot  
project was repealed, the Municipal Alternate Voting Methods Pilot Project;
- 109 (b) a person who is considered to be elected to a municipal office in accordance with Subsection  
20A-1-206(1)(c)(ii); or
- 111 (c) a person who is considered to be elected to a special district office in accordance with Subsection  
20A-1-206(3)(b)(ii).

## SB0194S05 compared with SB0194S06

- 113 (21) "Election" means a regular general election, a municipal general election, a statewide special  
election, a local special election, a regular primary election, a municipal primary election, and a  
special district election.
- 116 (22) "Election Assistance Commission" means the commission established by the Help America Vote  
Act of 2002, Pub. L. No. 107-252.
- 118 (23) "Election cycle" means the period beginning on the first day on which individuals are eligible to  
file declarations of candidacy and ending when the canvass is completed.
- 120 (24) "Election judge" means a poll worker that is assigned to:
- 121 (a) preside over other poll workers at a polling place;
- 122 (b) act as the presiding election judge; or
- 123 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 124 (25) "Election material" includes:
- 125 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 126 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 127 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 128 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
- 129 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
- 130 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 131 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 132 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 133 (g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);
- 135 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 136 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 137 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 138 (k) scanned copies of return envelopes;
- 139 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 140 (m) the materials used in the programming of the automatic tabulating equipment.
- 141 (26) "Election officer" means:
- 142 (a) the lieutenant governor, for all statewide ballots and elections;
- 143 (b) the county clerk for:
- 144 (i) a county ballot and election; and

## SB0194S05 compared with SB0194S06

- 145 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5;
- 147 (c) the municipal clerk for:
- 148 (i) a municipal ballot and election; and
- 149 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5;
- 151 (d) the special district clerk or chief executive officer for:
- 152 (i) a special district ballot and election; and
- 153 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5; or
- 155 (e) the business administrator or superintendent of a school district for:
- 156 (i) a school district ballot and election; and
- 157 (ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or  
20A-5-400.5.
- 159 (27) "Election official" means any election officer, election judge, or poll worker.
- 160 (28) "Election results" means:
- 161 (a) for an election other than a bond election, the count of votes cast in the election and the election  
returns requested by the board of canvassers; or
- 163 (b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all  
of the election returns that the board of canvassers may request.
- 165 (29) "Election results database" means the following information generated by voting equipment:
- 167 (a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an  
election;
- 169 (b) a ballot image; and
- 170 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 171 (30) "Election returns" means:
- 172 (a) the pollbook;
- 173 (b) the military and overseas absentee voter registration and voting certificates;
- 174 (c) one of the tally sheets;
- 175 (d) any unprocessed ballots;
- 176 (e) all counted ballots;

## SB0194S05 compared with SB0194S06

- 177 (f) all excess ballots;
- 178 (g) all unused ballots;
- 179 (h) all spoiled ballots;
- 180 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 181 (j) the final election results database described in Section 20A-5-802.5;
- 182 (k) all return envelopes;
- 183 (l) any provisional ballot envelopes; and
- 184 (m) the total votes cast form.
- 185 (31) "Electronic signature" means an electronic sound, symbol, or process attached to or logically  
associated with a record and executed or adopted by a person with the intent to sign the record.
- 188 (32) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 189 (33) "Inactive voter" means a registered voter who is listed as inactive by a county clerk under  
Subsection 20A-2-505(4)(c)(i) or (ii).
- 191 (34) "Judicial office" means the office filled by any judicial officer.
- 192 (35) "Judicial officer" means any justice or judge of a court of record or any county court judge.
- 194 (36) "Local election" means a regular county election, a regular municipal election, a municipal primary  
election, a local special election, a special district election, and a bond election.
- 197 (37) "Local political subdivision" means a county, a municipality, a special district, or a local school  
district.
- 199 (38) "Local special election" means a special election called by the governing body of a local political  
subdivision in which all registered voters of the local political subdivision may vote.
- 202 (39) "Manual ballot" means a paper document produced by an election officer on which an individual  
records an individual's vote by directly placing a mark on the paper document using a pen or other  
marking instrument.
- 205 (40) "Mechanical ballot" means a record, including a paper record, electronic record, or mechanical  
record, that:
- 207 (a) is created via electronic or mechanical means; and
- 208 (b) records an individual voter's vote cast via a method other than an individual directly placing a mark,  
using a pen or other marking instrument, to record an individual voter's vote.
- 211 (41) "Municipal executive" means:
- 212 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or

## SB0194S05 compared with SB0194S06

- 213 (b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(6).  
215 (42) "Municipal general election" means the election held in municipalities and, as applicable, special  
districts on the first Tuesday after the first Monday in November of each odd-numbered year for the  
purposes established in Section 20A-1-202.
- 218 (43) "Municipal legislative body" means the council of the city or town in any form of municipal  
government.
- 220 (44) "Municipal office" means an elective office in a municipality.
- 221 (45) "Municipal officers" means those municipal officers that are required by law to be elected.
- 223 (46) "Municipal primary election" means an election held to nominate candidates for municipal office.
- 225 (47) "Municipality" means a city or town.
- 226 (48) "Official ballot" means the ballots distributed by the election officer for voters to record their  
votes.
- 228 (49) "Official endorsement" means[-] the information on the ballot that identifies:  
229 (a) the ballot as an official ballot;  
230 (b) the date of the election; and  
231 (c)  
(i) for a ballot prepared by an election officer other than a county clerk, the [~~facsimile signature  
required by Subsection 20A-6-401(1)(a)(iii); or~~] applicable information described in:  
234 (A) Subsection 20A-6-401(1)(a)(iii) or (iv);  
235 (B) Subsection 20A-6-401.1(1)(d)(iii) or (iv); or  
236 (C) Subsection 20A-6-402(2)(a)(iii) or (iv); or  
237 (ii) for a ballot prepared by a county clerk, the [~~words required by~~] applicable statement described in  
Subsection 20A-6-301(1)(b)(iii) or (iv).
- 239 (50) "Official register" means the official record furnished to election officials by the election officer  
that contains the information required by Section 20A-5-401.
- 241 (51) "Political party" means an organization of registered voters that has qualified to participate in an  
election by meeting the requirements of Chapter 8, Political Party Formation and Procedures.
- 244 (52)  
(a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or  
counting votes.
- 246 (b) "Poll worker" includes election judges.

## SB0194S05 compared with SB0194S06

- 247 (c) "Poll worker" does not include a watcher.
- 248 (53) "Pollbook" means a record of the names of voters in the order that the voters appear to cast votes.
- 250 (54) "Polling place" means a building where voting is conducted.
- 251 (55) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in which the voter marks the voter's choice.
- 253 (56) "Presidential Primary Election" means the election established in Chapter 9, Part 8, Presidential Primary Election.
- 255 (57) "Primary convention" means the political party conventions held during the year of the regular general election.
- 257 (58) "Protective counter" means a separate counter, which cannot be reset, that:
- 258 (a) is built into a voting machine; and
- 259 (b) records the total number of movements of the operating lever.
- 260 (59) "Provider election officer" means an election officer who enters into a contract or interlocal agreement with a contracting election officer to conduct an election for the contracting election officer's local political subdivision in accordance with Section 20A-5-400.1.
- 264 (60) "Provisional ballot" means a ballot voted provisionally by a person:
- 265 (a) whose name is not listed on the official register at the polling place;
- 266 (b) whose legal right to vote is challenged as provided in this title; or
- 267 (c) whose identity was not sufficiently established by a poll worker.
- 268 (61) "Provisional ballot envelope" means an envelope printed in the form required by Section 20A-6-105 that is used to identify provisional ballots and to provide information to verify a person's legal right to vote.
- 271 (62)
- (a) "Public figure" means an individual who, due to the individual being considered for, holding, or having held a position of prominence in a public or private capacity, or due to the individual's celebrity status, has an increased risk to the individual's safety.
- 275 (b) "Public figure" does not include an individual:
- 276 (i) elected to public office; or
- 277 (ii) appointed to fill a vacancy in an elected public office.
- 278 (63) "Qualify" or "qualified" means to take the oath of office and begin performing the duties of the position for which the individual was elected.

## SB0194S05 compared with SB0194S06

- 280 (64) "Receiving judge" means the poll worker that checks the voter's name in the official register at a  
polling place and provides the voter with a ballot.
- 282 (65) "Registration form" means a form by which an individual may register to vote under this title.
- 284 (66) "Regular ballot" means a ballot that is not a provisional ballot.
- 285 (67) "Regular general election" means the election held throughout the state on the first Tuesday after  
the first Monday in November of each even-numbered year for the purposes established in Section  
20A-1-201.
- 288 (68) "Regular primary election" means the election, held on the date specified in Section 20A-1-201.5,  
to nominate candidates of political parties and candidates for nonpartisan local school board  
positions to advance to the regular general election.
- 291 (69) "Resident" means a person who resides within a specific voting precinct in Utah.
- 292 (70) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4), provided to a  
voter with a manual ballot:
- 294 (a) into which the voter places the manual ballot after the voter has voted the manual ballot in order to  
preserve the secrecy of the voter's vote; and
- 296 (b) that includes the voter affidavit and a place for the voter's signature.
- 297 (71) "Sample ballot" means a mock ballot similar in form to the official ballot, published as provided in  
Section 20A-5-405.
- 299 (72) "Special district" means a local government entity under Title 17B, Limited Purpose Local  
Government Entities - Special Districts, and includes a special service district under Title 17D,  
Chapter 1, Special Service District Act.
- 302 (73) "Special district officers" means those special district board members who are required by law to  
be elected.
- 304 (74) "Special election" means an election held as authorized by Section 20A-1-203.
- 305 (75) "Spoiled ballot" means each ballot that:
- 306 (a) is spoiled by the voter;
- 307 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 308 (c) lacks the official endorsement.
- 309 (76) "Statewide special election" means a special election called by the governor or the Legislature in  
which all registered voters in Utah may vote.

311

## SB0194S05 compared with SB0194S06

(77) "Tabulation system" means a device or system designed for the sole purpose of tabulating votes cast by voters at an election.

313 (78) "Ticket" means a list of:

314 (a) political parties;

315 (b) candidates for an office; or

316 (c) ballot propositions.

317 (79) "Transfer case" means the sealed box used to transport voted ballots to the counting center.

319 (80) "Vacancy" means:

320 (a) except as provided in Subsection (80)(b), the absence of an individual to serve in a position created by state constitution or state statute, whether that absence occurs because of death, disability, disqualification, resignation, or other cause; or

323 (b) in relation to a candidate for a position created by state constitution or state statute, the removal of a candidate due to the candidate's death, resignation, or disqualification.

326 (81) "Valid voter identification" means:

327 (a) a form of identification that bears the name and photograph of the voter which may include:

329 (i) a currently valid Utah driver license;

330 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8, Identification Card Act;

332 (iii) a currently valid identification card that is issued by:

333 (A) the state; or

334 (B) a branch, department, or agency of the United States;

335 (iv) a currently valid Utah permit to carry a concealed weapon;

336 (v) a currently valid United States passport; or

337 (vi) a currently valid United States military identification card;

338 (b) one of the following identification cards, regardless of whether the card includes a photograph of the voter:

340 (i) a valid tribal identification card;

341 (ii) a Bureau of Indian Affairs card; or

342 (iii) a tribal treaty card; or

343 (c) two forms of identification not listed under Subsection (81)(a) or (b) but that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include:

346

## SB0194S05 compared with SB0194S06

- 348 [(i) before January 1, 2029, an original or copy of a current utility bill, dated no more than 90 calendar days before the date of the election;]
- 350 [(ii) before January 1, 2029, an original or copy of a bank or other financial account statement, dated no more than 90 calendar days before the date of the election;]
- 351 [(iii)] (i) a certified birth certificate;
- 352 [(iv)] (ii) a valid social security card;
- 354 [(v)] (iii) an original or copy of a check issued by the state or the federal government, dated no more than 90 calendar days before the date of the election;
- 356 [(vi)] (iv) an original or copy of a paycheck from the voter's employer, dated no more than 90 calendar days before the date of the election;
- 357 [(vii)] (v) a currently valid Utah hunting or fishing license;
- 358 [(viii)] (vi) certified naturalization documentation;
- 360 [(ix)] (vii) a currently valid license issued by an authorized agency of the United States;
- 362 [(x)] (viii) a certified copy of court records showing the voter's adoption or name change;
- 364 [(xi)] (ix) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [~~Card~~] card;
- 365 [(xii)] (x) a currently valid identification card issued by:
- 366 (A) a local government within the state;
- 367 (B) an employer for an employee; or
- 369 (C) a college, university, technical school, or professional school located within the state; or
- 370 [(xiii)] (xi) a current Utah vehicle registration.
- 372 (82) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by following the procedures and requirements of this title.
- 373 (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 374 (a) mailing the ballot to the location designated in the mailing; or
- 375 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 376 (84) "Voter" means an individual who:
- 377 (a) meets the requirements for voting in an election;
- 378 (b) meets the requirements of election registration;
- 379 (c) is registered to vote; and
- 380 (d) is listed in the official register.
- (85) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.

## SB0194S05 compared with SB0194S06

- 382 (86) "Voting area" means the area within six feet of the voting booths, voting machines, and ballot box.  
384 (87) "Voting booth" means:  
385 (a) the space or compartment within a polling place that is provided for the preparation of ballots,  
including the voting enclosure or curtain; or  
387 (b) a voting device that is free standing.  
388 (88) "Voting device" means any device provided by an election officer for a voter to vote a mechanical  
ballot.  
390 (89) "Voting precinct" means the smallest geographical voting unit, established under Chapter 5, Part 3,  
Duties of the County and Municipal Legislative Bodies.  
392 (90) "Watcher" means an individual who complies with the requirements described in Section  
20A-3a-801 to become a watcher for an election.  
394 (91) "Write-in ballot" means a ballot containing any write-in votes.  
395 (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on the ballot, in  
accordance with the procedures established in this title.

397 ~~{Section 2. Section 20A-1-104 is amended to read: }~~

### 398 **20A-1-104. Computation of time.**

- 399 (1) Time is computed in this title as provided in this section.  
400 (2) Except as provided in Subsection (3), or as otherwise expressly provided in this title:  
401 (a) if a provision describes a time period in terms of a certain number of calendar days:  
402 (i) the time period is calculated by consecutive days; and  
403 (ii) the beginning and ending day of the time period is the calendar day on which the time period begins  
or ends;  
405 (b) if a provision describes a time period in terms of a certain number of business days, only the  
business days are included in the calculation; and  
407 (c) if a provision describes a time period in terms of a certain number of days rather than calendar days  
or business days, the days referred to mean calendar days.  
409 (3) A time period that relates to filing an action or document in court is calculated as provided in court  
rule.  
411 (4) Except in relation to the following chapters, if a deadline described in this title ends on a weekend or  
holiday, the deadline is extended to the next business day:  
413 (a) Chapter 19, Utah Independent Redistricting Commission and Standards Act; and

## SB0194S05 compared with SB0194S06

414 (b) Chapter 20, Utah Independent Redistricting Commission.

415 ~~{Section 3. Section 20A-1-106 is amended to read: }~~

416 **20A-1-106. Duties of a clerk -- Prohibited action.**

417 (1) As used in this section, "clerk" means an election officer other than the lieutenant governor.

419 (2) A clerk shall:

420 (a) comply with all of the following in relation to elections:

421 (i) federal and state law;

422 (ii) federal and state rules; and

423 (iii) the policies and direction of the lieutenant governor; and

424 (b) diligently learn and become familiar with the law, rules, policies, and direction described in Subsection (2)(a).

426 (3) A clerk may not alter election procedures or processes to favor, or discriminate against, the following with respect to an election that the clerk is involved in administering:

428 (a) a candidate;

429 (b) an individual seeking candidacy;

430 (c) a ballot measure; or

431 (d) a proposed ballot measure.

432 Section 4. Section 4 is enacted to read:

433 **20A-1-109. Lieutenant governor conflict of interest avoidance plan -- Creation and presentation.**

435 (1) The lieutenant governor shall, before August 31, 2026, create a written conflict of interest risk avoidance plan that:

437 (a) identifies specific types of decisions or actions the lieutenant governor may take, in the course and scope of the duties or powers of the office of lieutenant governor, that could create a conflict of interest by influencing, or being perceived to influence, the lieutenant governor's candidacy for an office;

441 (b) for each type of decision or action identified under Subsection (1)(a), establishes procedures and actions the lieutenant governor will take to mitigate or avoid the conflict, including:

444 (i) recusal from making the decision or taking the action; and

445 (ii) designating the person who will make the decision or take the action in the event of a recusal; and

447

## SB0194S05 compared with SB0194S06

- (c) for each type of decision or action considered in relation to creating the plan that the lieutenant governor concludes does not constitute a conflict of interest:
- 449 (i) a description of the type of decision or action; and  
450 (ii) an explanation of why the type of decision or action does not constitute a conflict of interest or the appearance of a conflict of interest.
- 452 (2) The lieutenant governor shall:
- 453 (a) forward a copy of the plan described in Subsection (1) to the Government Operations Interim Committee on or before September 1, 2026;
- 455 (b) if requested by the chairs of the Government Operations Interim Committee, present the plan to the committee at a meeting specified by the chairs of the committee; and
- 457 (c) keep a copy of the plan available for public review on the lieutenant governor's website.
- 459 (3) Beginning on January 1, 2029, when a new lieutenant governor first takes office, the lieutenant governor shall, within 90 days after first taking office:
- 461 (a)
- (i) adopt the written conflict of interest risk avoidance plan used by the previous lieutenant governor; or
- 463 (ii) create a new written conflict of interest avoidance plan in accordance with the requirements described in Subsection (1);
- 465 (b) forward a copy of the plan described in Subsection (3)(a) to the Government Operations Interim Committee;
- 467 (c) if requested by the chairs of the Government Operations Interim Committee, present the plan to the committee at a meeting specified by the chairs of the committee; and
- 469 (d) keep a copy of the plan available for public review on the lieutenant governor's website.
- 471 (4) If, at any time during the lieutenant governor's term of office, the lieutenant governor revises the written conflict of interest avoidance plan, the lieutenant governor shall:
- 473 (a) forward a copy of the revised plan to the Government Operations Interim Committee;
- 474 (b) if requested by the chairs of the Government Operations Interim Committee, present the revised plan to the committee at a meeting specified by the chairs of the committee; and
- 477 (c) keep a copy of the revised plan available for public review on the lieutenant governor's website.
- 479 (5) The lieutenant governor shall comply with the written conflict of interest avoidance plan adopted or created by the lieutenant governor under this section.

50 Section 1. Section 20A-1-201.5 is amended to read:

## SB0194S05 compared with SB0194S06

51           **20A-1-201.5. Primary election dates.**

- 52           (1) The regular primary election shall be held throughout the state on the fourth Tuesday of June of  
each even numbered year as provided in Section 20A-9-403[,] or 20A-9-407, [~~or 20A-9-408,~~] as  
applicable, to nominate persons for national, state, school board, and county offices.
- 56           (2) A municipal primary election shall be held, if necessary, on the second Tuesday following the first  
Monday in August before the regular municipal election to nominate persons for:
- 59           (a) municipal offices; or
- 60           (b) local school board office for a new school district or a reorganized new school district under Section  
53G-3-302.
- 62           (3) A presidential primary election shall be held throughout the state on the first Tuesday in March in  
the year in which a presidential election will be held.

64           Section 2. Section 20A-1-502 is amended to read:

65           **20A-1-502. Midterm vacancy in office of United States senator.**

- 66           (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of United States  
senator, the governor shall, within seven calendar days after the day on which the vacancy occurs,  
issue a proclamation calling a special congressional election to fill the vacancy that:
- 70           (a) sets a date for a primary congressional special election, and a later date for a general congressional  
special election, on the same day as one of the following elections:
- 72           (i) a municipal general election;
- 73           (ii) a presidential primary election;
- 74           (iii) a regular primary election; or
- 75           (iv) a regular general election;
- 76           (b) sets the date of the primary congressional special election on the same day as the next election  
described in Subsections (1)(a)(i) through (iv) that is more than 90 calendar days after the day on  
which the governor issues the proclamation;
- 79           (c) sets the date of the general special congressional election on the same day as the next election  
described in Subsection (1)(a) that is more than 90 calendar days after the primary special  
congressional election described in Subsection (1)(b);
- 82           ~~[(d) provides each registered political party that is not a qualified political party at least 21 calendar  
days, but no more than 28 calendar days, to select one candidate, in a manner determined by the  
registered political party, as a candidate for the registered political party;]~~

## SB0194S05 compared with SB0194S06

- 86 [(e)] (d) [~~for each qualified political party,~~] provides at least 21 calendar days, but no more than 28  
calendar days[;]
- 88 [(i)] for [~~the qualified~~] a registered political party to select one candidate, using the convention process  
described in Section 20A-9-407, as a candidate for the [~~qualified~~] registered political party; [~~and~~]
- 91 [(ii)] for a member of the ~~qualified political party to submit signatures to qualify as a candidate for the  
qualified political party using the signature-gathering process described in Section 20A-9-408;~~
- 94 [(f)] (e) consistent with the requirements of this section, establishes the deadlines, time frames, and  
procedures for filing a declaration of candidacy, giving notice of an election, and other election  
requirements; and
- 97 [(g)] (f) requires an election officer to comply with the requirements of Chapter 16, Uniform Military  
and Overseas Voters Act.
- 99 (2)
- (a) The governor may set a date for a primary special congressional election or a general special  
congressional election on a date other than a date described in Subsection (1)(a) if:
- 102 (i) on the same day on which the governor issues the proclamation described in Subsection (1) the  
governor calls a special session for the Legislature to appropriate money to hold the election on  
a different day; or
- 105 (ii) if the governor issues the proclamation described in Subsection (1) on or after January 1,  
but before the end of the general session of the Legislature, and requests in the proclamation  
described in Subsection (1) that the Legislature appropriate money to hold the election on a  
different day.
- 109 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the election on a  
different day, the proclamation described in Subsection (1) is void and the governor shall, within  
seven calendar days after the day on which the Legislature declines to appropriate money to hold  
the election on a different day, issue a proclamation, in accordance with Subsection (1), that sets  
the special congressional primary and general elections on dates described in Subsections (1)(a)(i)  
through (iv).
- 115 (3) A special congressional election to fill a vacancy in the office of United States senator will not be  
held if:
- 117 (a) the next regular general election that occurs after the day on which the vacancy occurs is the regular  
general election that occurs immediately before the six-year term for the senate office ends; and

## SB0194S05 compared with SB0194S06

- 120 (b) the vacancy occurs after August 1 of the year before the regular general election described in  
Subsection (3)(a).
- 122 (4)
- (a) The governor shall appoint an individual to temporarily fill a vacancy in the office of United States  
senator from one of three individuals nominated by the Legislature, each of whom is a member of  
the political party of which the prior officeholder was a member at the time the prior officeholder  
was elected.
- 126 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator until the  
earlier of the day on which:
- 128 (i) the vacancy is filled by election under Subsection (1) or (2); or
- 129 (ii) the six-year term for the senate office ends.
- 130 (5) An individual elected to fill a vacancy under this section shall serve until the end of the current term  
in which the vacancy filled by the election occurs.
- 132 (6) A vacancy in the office of United States senator does not occur unless the senator:
- 133 (a) has left the office; or
- 134 (b) submits an irrevocable letter of resignation to the governor or to the president of the United States  
Senate.

136 Section 3. Section 20A-1-502.5 is amended to read:

137 **20A-1-502.5. Midterm vacancy in office of United States representative.**

- 138 (1) Except as provided in Subsections (2) and (4), when a vacancy occurs in the office of United States  
representative, the governor shall, within seven calendar days after the day on which the vacancy  
occurs, issue a proclamation calling a special congressional election to fill the vacancy that:
- 142 (a) sets a date for a primary congressional special election, and a later date for a general congressional  
special election, on the same day as one of the following elections:
- 144 (i) a municipal general election;
- 145 (ii) a presidential primary election;
- 146 (iii) a regular primary election; or
- 147 (iv) a regular general election;
- 148 (b) sets the date of the primary congressional special election on the same day as the next election  
described in Subsections (1)(a)(i) through (iv) that is more than 90 calendar days after the day on  
which the governor issues the proclamation;

## SB0194S05 compared with SB0194S06

- 151 (c) sets the date of the general special congressional election on the same day as the next election  
described in Subsection (1)(a) that is more than 90 calendar days after the primary special  
congressional election described in Subsection (1)(b);
- 154 [~~(d) provides each registered political party that is not a qualified political party at least 21 calendar  
days, but no more than 28 calendar days, to select one candidate, in a manner determined by the  
registered political party, as a candidate for the registered political party;~~]
- 158 [~~(e)] (d) [for each qualified political party, ]provides at least 21 calendar days, but no more than 28  
calendar days[;]~~
- 160 [(i)] for [the qualified] a registered political party to select one candidate, using the convention process  
described in Section 20A-9-407, as a candidate for the qualified political party; [~~and]~~
- 163 [(ii) for a member of the qualified political party to submit signatures to qualify as a candidate for the  
qualified political party using the signature-gathering process described in Section 20A-9-408;]
- 166 [(f)] (e) consistent with the requirements of this section, establishes the deadlines, time frames, and  
procedures for filing a declaration of candidacy, giving notice of an election, and other election  
requirements; and
- 169 [(g)] (f) requires an election officer to comply with the requirements of Chapter 16, Uniform Military  
and Overseas Voters Act.
- 171 (2) The governor may set a date for a primary special congressional election or a general special  
congressional election on a date other than a date described in Subsection (1)(a) if:
- 174 (a) on the same day on which the governor issues the proclamation described in Subsection (1) the  
governor calls a special session for the Legislature to appropriate money to hold the election on a  
different day; or
- 177 (b) if the governor issues the proclamation described in Subsection (1) on or after January 1, but before  
the end of the general session of the Legislature, and requests in the proclamation described in  
Subsection (1) that the Legislature appropriate money to hold the election on a different day.
- 181 (3) If the Legislature does not, under Subsection (2), appropriate money to hold the election on a  
different day, the proclamation described in Subsection (1) is void and the governor shall, within  
seven calendar days after the day on which the Legislature declines to appropriate money to hold  
the election on a different day, issue a proclamation, in accordance with Subsection (1), that sets  
the special congressional primary and general elections on dates described in Subsections (1)(a)(i)  
through (iv).

## SB0194S05 compared with SB0194S06

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

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

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

194 (a) has left the office; or

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

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

198 **20A-1-503. Midterm vacancies in the Legislature.**

199 (1) As used in this section:

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

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

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

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

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

209 (3)

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

212 (b) The governor shall fill the vacancy until the next regular general election by immediately appointing  
the person whose name was submitted by the party liaison of the same political party as the prior  
senator.

215 (4)

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

218

## SB0194S05 compared with SB0194S06

- (i) establish a date and time, which is before the date for a candidate to be certified for the ballot under Section 20A-9-701 and no later than 21 calendar days after the day on which the vacancy occurred, by which a person intending to obtain a position on the ballot for the vacant office shall file:
- 222 (A) a declaration of candidacy; or  
223 (B) a certificate of nomination; and  
224 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):  
225 (A) on the lieutenant governor's website; and  
226 (B) to each registered political party.
- 227 (b) A person intending to obtain a position on the ballot for the vacant office shall:  
228 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of candidacy or certificate of nomination according to the procedures and requirements of Chapter 9, Candidate Qualifications and Nominating Procedures; and  
232 (ii) run in the regular general election if:  
233 (A) nominated as a party candidate; or  
234 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate Qualifications and Nominating Procedures.
- 236 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline [~~described in Subsection 20A-9-202(1)(b)~~] for filing a declaration of candidacy and before August 31, of an even-numbered year in which the term of office does not expire, a party liaison from each registered political party may submit a name of a person described in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for placement on the regular general election ballot.
- 242 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an even-numbered year in which a term does not expire, the governor shall fill the vacancy for the unexpired term by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior senator.
- 246 (6)  
(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill a vacancy described in this section shall, no later than the deadline for the individual to file an interim report under Subsection 20A-11-303(3)(a), make a complete conflict of interest disclosure on the website described in Section 20A-11-1602.5.

## SB0194S05 compared with SB0194S06

- 250 (b) An individual described in Subsection (6)(a) is not required to comply with Subsection (6)(a) if the  
individual:
- 252 (i)
- (A) currently holds the office of senator and is seeking appointment as a representative; or
- 254 (B) currently holds the office of representative and is seeking appointment as a senator;
- 256 (ii) already, that same year, filed a conflict of interest disclosure for the office described in Subsection  
(6)(b)(i), in accordance with Section 20A-11-1604; and
- 258 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written statement, that the  
conflict of interest disclosure described in Subsection (6)(b)(ii) is updated and accurate as of the  
date of the written statement.
- 261 (7) The lieutenant governor shall make each conflict of interest disclosure made by an individual  
described in Subsection (6)(a) available for public inspection in accordance with Subsection  
20A-11-1603(4).
- 264 (8) A vacancy in the office of senator or representative of the Legislature does not occur unless the  
senator or representative:
- 266 (a) has left the office; or
- 267 (b) submits an irrevocable letter of resignation to:
- 268 (i) for a senator, the president of the Senate; or
- 269 (ii) for a representative, the speaker of the House of Representatives.

481 Section 5. Section **5** is enacted to read:

### **20A-1-608.1. Electronic communications abuse of elections or elected office.**

- 483 (1) As used in this section:
- 484 (a) "Actor" means the same as that term is defined in Section 76-1-101.5.
- 485 (b) "In relation to an election process" means anything governed by this title, or another provision of  
law that governs a matter addressed by this title, including:
- 487 (i) the administration or conduct of an election or a requirement or process relating to an election; or
- 489 (ii) a provision relating to:
- 490 (A) a voter or voting;
- 491 (B) a candidate for public office or candidacy for public office;
- 492 (C) an officeholder;
- 493 (D) campaigning or political fundraising;

## SB0194S05 compared with SB0194S06

- 494 (E) a person that participates in, or seeks to influence, an election; or  
495 (F) a lobbyist or lobbying.
- 496 (2) An actor commits electronic communications abuse of elections or an elected office if the actor:  
498 (a) commits a violation of a provision of Title 76, Chapter 12, Part 2, Electronic Communication Abuse;  
and  
500 (b) commits the violation described in Subsection (2)(a):  
501 (i) by obtaining, using, or disseminating information obtained, directly or indirectly, from a voter  
registration record, a petition, a declaration of candidacy, a financial disclosure, a financial  
statement, a conflict of interest disclosure, or another source of information obtained, stored,  
provided, or disclosed under this title or in relation to elections;  
506 (ii) with the intent to retaliate against, threaten, deceive, or fraudulently influence a person in relation to  
an election process;  
508 (iii) with the intent to fraudulently influence an election process; or  
509 (iv) with the intent to retaliate against, threaten, deceive, or fraudulently influence:  
510 (A) a candidate in relation to the candidate's campaign or candidacy; or  
511 (B) an officeholder in relation to a duty of the officeholder, an action as an officeholder, or inaction as  
an officeholder.
- 513 (3) If an actor can, for the same conduct, be charged under this section or under Title 76, Chapter 12,  
Part 2, Electronic Communication Abuse, the actor shall be charged under this section, unless a  
charge under Title 76, Chapter 12, Part 2, Electronic Communication Abuse, carries a more serious  
penalty.
- 517 ~~{Section 6. Section 20A-1-609 is amended to read: }~~  
518 **20A-1-609. Omnibus penalties.**  
519 (1)  
521 (a) Except as provided in Subsection (1)(b), (1)(c), or (2), a person who violates any provision of this  
title is guilty of a class B misdemeanor.  
521 (b) Subsection (1)(a) does not apply to a provision of this title for which another penalty is expressly  
stated.  
523 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or referendum,  
falsely making the statement described in Subsection 20A-7-203(3)(d)(xx), 20A-7-303(3)(d)(xx),  
20A-7-503(3)(d)(xx), or 20A-7-603(3)(d)(xx).

## SB0194S05 compared with SB0194S06

- 527 (2) A person who violates Section 20A-1-608.1 is:
- 528 (a) except as provided in Subsection (2)(b), guilty of a class A misdemeanor; or
- 529 (b) guilty of a third degree felony for a second or subsequent violation.
- 530 [~~2~~] (3) Except as provided by Section 20A-2-101.3 or 20A-2-101.5, an individual convicted of any  
offense under this title may not:
- 532 (a) file a declaration of candidacy for any office or appear on the ballot as a candidate for any office  
during the election cycle in which the violation occurred;
- 534 (b) take or hold the office to which the individual was elected; and
- 535 (c) receive the emoluments of the office to which the individual was elected.
- 536 [~~3~~] (4)
- (a) Any individual convicted of any offense under this title forfeits the right to vote at any election  
unless the right to vote is restored as provided in Section 20A-2-101.3 or 20A-2-101.5.
- 539 (b) Any person may challenge the right to vote of a person described in Subsection [~~3~~](a) (4)(a) by  
following the procedures and requirements of Section 20A-3a-803.

270 Section 5. Section 20A-1-1001 is amended to read:

271 **20A-1-1001. Definitions.**

As used in this part:

- 273 (1)
- (a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town clerk, city recorder, or  
municipal recorder.
- 275 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions Applicable to All  
Special Districts.
- 277 (2) "Local petition" means:
- 278 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local Initiatives -  
Procedures; or
- 280 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6, Local Referenda -  
Procedures.
- 282 (3) "Petition" means one of the following written requests, signed by registered voters, appealing to an  
authority with respect to a particular cause:
- 284 (a) a local petition;
- 285 (b) a petition to consolidate two or more municipalities under Section 10-2-601;

## SB0194S05 compared with SB0194S06

- 286 (c) a petition for disincorporation of a municipality under Section 10-2-701;
- 287 (d) a petition to incorporate a proposed municipality under Section 10-2a-208;
- 288 (e) a petition to consolidate adjoining counties under Section 17-61-201;
- 289 (f) a petition to annex a portion of a county to an adjoining county under Section 17-61-301;
- 291 (g) a petition for the creation of a new county under Section 17-61-401;
- 292 (h) a petition for the removal of a county seat under Section 17-60-302;
- 293 (i) a petition for the adoption of an optional plan under Section 17-62-303;
- 294 (j) a petition for the repeal of an optional plan under Section 17-62-505;
- 295 (k) a petition to create a special district under Section 17B-1-203;
- 296 (l) a petition to withdraw an area from a special district under Section 17B-1-504;
- 297 (m) a petition to dissolve a special district under Section 17B-1-1303;
- 298 (n) a petition for issuance of local building authority bonds under Section 17D-2-502;
- 299 (o) a petition to become a registered political party under Section 20A-8-103;
- 300 (p) a nomination petition for municipal office under Section 20A-9-203;
- 301 [~~(q)~~] a nomination petition for a regular primary election under Subsection 20A-9-403(3)(a) and Section  
20A-9-405;]
- 303 [~~(r)~~] (q) a petition for a political party to qualify as a municipal political party under Section 20A-9-404;
- 305 [~~(s)~~] a petition for the nomination of a qualified political party under Section 20A-9-408;]
- 306 [~~(t)~~] (r) a nomination petition for a candidate not affiliated with a political party under Section  
20A-9-502;
- 308 [~~(u)~~] (s) a nomination petition to become a delegate to a ratification convention under Section  
20A-15-103;
- 310 [~~(v)~~] (t) a petition to create a new school district under Section 53G-3-301;
- 311 [~~(w)~~] (u) a petition to consolidate school districts under Section 53G-3-401;
- 312 [~~(x)~~] (v) a petition to transfer a portion of a school district to another district under Section 53G-3-501;
- 314 [~~(y)~~] (w) a petition to determine whether a privatization project agreement should be approved under  
Section 73-10d-4; or
- 316 [~~(z)~~] (x) a statewide petition.
- 317 (4) "Statewide petition" means:
- 318 (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2, Statewide  
Initiatives; or

## SB0194S05 compared with SB0194S06

- 320 (b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3, Statewide  
Referenda.
- 322 (5)
- (a) "Substantially similar name" means:
- 323 (i) the given name, the surname, or both, provided by the individual with the individual's petition  
signature, contain only minor spelling differences when compared to the given name and  
surname shown on the official register;
- 326 (ii) the surname provided by the individual with the individual's petition signature exactly matches  
the surname shown on the official register, and the given names differ only because one of the  
given names shown is a commonly used abbreviation or variation of the other;
- 330 (iii) the surname provided by the individual with the individual's petition signature exactly matches  
the surname shown on the official register, and the given names differ only because one of the  
given names shown is accompanied by a first or middle initial or a middle name which is not  
shown on the other record; or
- 334 (iv) the surname provided by the individual with the individual's petition signature exactly matches  
the surname shown on the official register, and the given names differ only because one of the  
given names shown is an alphabetically corresponding initial that has been provided in the place  
of a given name shown on the other record.
- 339 (b) "Substantially similar name" does not include a name having an initial or a middle name provided  
by the individual with the individual's petition signature that does not match a different initial or  
middle name shown on the official register.

342 Section 6. Section 20A-3a-106 is amended to read:

343 **20A-3a-106. Rulemaking authority relating to conducting an election.**

The director of elections, within the Office of the Lieutenant Governor, may make rules,  
in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing  
requirements for:

- 347 (1) a return envelope, to ensure uniformity and security of the envelopes;
- 348 (2) complying with the signature comparison audit requirements described in Section 20A-3a-402.5; or
- 350 (3) conducting and documenting the identity verification process described in Subsection  
20A-3a-401(7)(b)~~[-or]~~ .
- 352 [~~(4) establishing specific requirements and procedures for an election officer to:~~]

## SB0194S05 compared with SB0194S06

353 [(a) perform the signature comparison audits described in Subsection 20A-9-408(9)(e); or]  
355 [(b) fulfill the chain of custody requirements described in Section 20A-9-408.3.]

541 {Section 7. Section 20A-3a-202 is amended to read: }

542 **20A-3a-202. Conducting election in person and by mail -- Mailing ballots to voters --**

### **Exceptions.**

544 (1)

(a) Except as otherwise provided for an election conducted entirely by mail under Section 20A-7-609.5, an election officer shall administer an election primarily by mail, in accordance with this section.

547 (b) An individual who did not provide valid voter identification at the time the voter registered to vote shall provide valid voter identification before voting.

549 (2) An election officer who administers an election:

550 (a) shall, in accordance with Subsection (3), no sooner than 21 calendar days before election day and no later than seven calendar days before election day, mail to the applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to Subsection 20A-3a-202.5(4):

554 (i) a manual ballot;

555 (ii) a return envelope;

556 (iii) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;

559 (iv) information regarding the location and hours of operation of any election day voting center at which the voter may vote or a website address where the voter may view this information; and

562 (v) instructions on how a voter may sign up to receive electronic ballot status notifications via the ballot tracking system described in Section 20A-3a-401.5;

564 (b) may not mail a ballot under this section to:

565 (i) an inactive voter, unless the inactive voter requests a manual ballot; or

566 (ii) a voter whom the election officer is prohibited from sending a ballot under Subsection 20A-3a-202.5(4);

568 (c) shall, on the outside of the envelope in which the election officer mails the ballot, include instructions for returning the ballot if the individual to whom the election officer mails the ballot does not live at the address to which the ballot is sent;

571 (d) shall provide a method of accessible voting to a voter with a disability who is not able to vote by mail; and

## SB0194S05 compared with SB0194S06

- 573 (e) shall include, on the election officer's website and with each ballot mailed, instructions regarding  
how a voter described in Subsection (2)(d) may vote.
- 575 (3)
- (a) An election officer who mails a manual ballot under Subsection (2) shall mail the manual ballot to  
the address:
- 577 (i) provided at the time of registration or updated by the voter after the time of registration; or  
579 (ii) if, at or after the time of registration, the voter files an alternate address request form described  
in Subsection (3)(b), the alternate address indicated on the form.
- 581 (b) The lieutenant governor shall make available to voters an alternate address request form that permits  
a voter to request that the election officer mail the voter's ballot to a location other than the voter's  
residence.
- 584 (c) A voter shall provide the completed alternate address request form to the election officer no later  
than 11 calendar days before the day of the election.
- 586 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall include, with  
each ballot mailed to a voter, a separate paper document containing the following statements:
- 589 "WARNING
- 590 If you have a valid Utah driver license or a valid Utah state identification card, failure to provide the  
last four digits of the license or card number may result in your ballot not being counted. You also  
have the option of providing the last four digits of your social security number as identification. If  
you do not have any of these identification types, your ballot will still be counted if your signature  
on the affidavit on this envelope matches your signature on file with the election officer.
- 596 NOTICE
- 597 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a ballot by  
mail. You may request to receive a ballot by mail at [insert a uniform resource locator where the  
voter can make the request online]. If you are unable to make a request online, contact your county  
clerk's office at the following number for instructions on how to make the request in person or by  
mail [insert phone number here]."[;]
- 602 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a voter, a  
separate paper document containing the following statement:
- 604 "WARNING
- 605

## SB0194S05 compared with SB0194S06

If you have a valid Utah driver license or a valid Utah state identification card, failure to provide the last four digits of your license or card number will result in your ballot not being counted.

608 If you do not have a license or card described above, you may enter the last four digits of your social security number as identification, or include a photocopy of one of the following in the return envelope:

611 • a currently valid identification card that is issued by the state or a branch, department, or agency of the United States;

613 • a currently valid Utah permit to carry a concealed weapon;

614 • a currently valid United States passport;

615 • a currently valid United States military identification card; or

616 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty card.

618 If you do not have any of the forms of identification listed above, you must vote in person at a polling place, unless you qualify for an exemption from this requirement. You may obtain information regarding an exemption at [insert a uniform resource locator where the voter can view this information] or by calling [insert a phone number that a voter may call to access this information]."

623 (4) The return envelope[-] :

624 (a) shall include:

625 [(a)] (i)

(A) before January 1, 2027, the name, official title, and post office address of the election officer on the front of the envelope; or

627 (B) beginning on January 1, 2027, the official title and post office address of the election officer on the front of the envelope;

629 [(b)] (ii) subject to Subsection (9), [~~beginning on or before January 1, 2026,~~] a place for the voter to enter the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;

632 [(c)] (iii) the following statement:

633 "IMPORTANT: See the warning and notice enclosed with your ballot.";

634 [(d)] (iv) a space where a voter may write an email address and phone number by which the election officer may contact the voter if the voter's ballot is rejected; and

636 [(e)] (v) a printed affidavit in substantially the following form:

## SB0194S05 compared with SB0194S06

- 637 "County of \_\_\_\_ State of \_\_\_\_  
638 I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct in \_\_\_\_  
County, Utah and that I am entitled to vote in this election. I am not a convicted felon currently  
incarcerated for commission of a felony.
- 641 \_\_\_\_\_  
642 Signature of Voter
- 643 WARNING
- 644 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a FELONY  
for any other individual to sign the above affidavit, even if the voter to whom the ballot is addressed  
gives permission for another to sign the affidavit for the voter."; and
- 647 (b) beginning on January 1, 2027, may not include the name of the election officer on the envelope.
- 649 (5) If the election officer determines that the voter has not yet provided valid voter identification with  
the voter's voter registration, the election officer may:
- 651 (a) mail a ballot to the voter;
- 652 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the return envelope;  
and
- 654 (c) provide instructions to the voter on how the voter may sign up to receive electronic ballot status  
notifications via the ballot tracking system described in Section 20A-3a-401.5.
- 657 (6) An election officer who administers an election shall:
- 658 (a)
- (i) before the election, obtain the signatures of each voter qualified to vote in the election; or
- 660 (ii) obtain the signature of each voter within the voting precinct from the county clerk; and
- 662 (b) maintain the signatures on file in the election officer's office.
- 663 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot under  
Section 20A-3a-401.
- 665 (8) A county that administers an election:
- 666 (a) shall provide at least one election day voting center in accordance with Part 7, Election Day Voting  
Center, and at least one additional election day voting center for every 5,000 active voters in the  
county who, under Section 20A-3a-202.5, will not receive a ballot by mail;
- 670

## SB0194S05 compared with SB0194S06

(b) shall ensure that each election day voting center operated by the county has at least one voting device that is accessible, in accordance with the Help America Vote Act of 2002, Pub. L. No. 107-252, for individuals with disabilities;

673 (c) may reduce the early voting period described in Section 20A-3a-601, if:

674 (i) the county clerk conducts early voting on at least four days;

675 (ii) the early voting days are within the period beginning on the date that is 14 calendar days before the date of the election and ending on the day before the election; and

678 (iii) the county clerk provides notice of the reduced early voting period in accordance with Section 20A-3a-604; and

680 (d) is not required to pay return postage for a return envelope.

681 (9) A return envelope shall be designed in a manner that the information described in Subsections ~~[(4)(b) and (d)]~~ (4)(a)(ii) and (iv), and the voter's signature, is covered from view after the return envelope is sealed.

684 (10) A county clerk shall, at least 90 calendar days before an election administered by the county clerk, contact local post offices to:

686 (a) coordinate the handling of mail-in ballots for the upcoming election; and

687 (b) take measures to ensure that[:]

688 ~~[(i) ballots are clearly and properly postmarked, or otherwise marked in accordance with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was mailed; and]~~

691 ~~[(ii) ]~~ ballots are delivered in an expeditious manner to optimize the timely receipt of ballots.

693 ~~{Section 8. Section 20A-3a-401 is amended to read: }~~

694 **20A-3a-401. Custody of voted ballots mailed or deposited in a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.**

696 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal means.

698 (2) Poll workers shall process return envelopes containing manual ballots that are in the custody of the poll workers in accordance with this section.

700 (3) Poll workers shall examine a return envelope to make the determinations described in Subsection (4).

702 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers determine:

704 (a) for an election held before January 1, 2029:

705

## SB0194S05 compared with SB0194S06

- (i) ~~[that]~~ if the return envelope contains a four digit number on the portion of the return envelope for a voter to enter the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number, that the four digit number correctly identifies the last four digits of one of those numbers for the voter to whom the return envelope relates;~~[or]~~
- 710 (ii) if the return envelope does not contain ~~[the digits described in Subsection (4)(a)(i)]~~ a four digit number on the portion of the return envelope described in Subsection (4)(a)(i), that:
- 713 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 716 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by alternative means; and
- 718 (iii) if the return envelope contains the correct four digit number under Subsection (4)(a)(i), that:
- 720 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 723 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by alternative means;
- 725 (b) for an election held on or after January 1, 2029:
- 726 (i)
- (A) that the return envelope contains the last four digits of the voter's Utah driver license number, Utah state identification card number, or social security number;
- 729 ~~[(ii)]~~ (B) if the return envelope does not contain the digits described in Subsection (4)(b)(i), that the voter included in the return envelope a copy of the identification described in Subsection 20A-3a-204(2)(c)(ii); or
- 732 ~~[(iii)]~~ (C) for a voter described in Subsection 20A-3a-301(7), that the voter complied with Subsection 20A-3a-301(7); and
- 734 (ii) that:
- 735 (A) in accordance with the rules made under Subsection (13), the signature on the affidavit of the return envelope is reasonably consistent with the individual's signature in the voter registration records; or
- 738 (B) for an individual who checks the box described in Subsection (7)(d)(v), the signature is verified by alternative means;
- 740 (c) that the affidavit is sufficient;
- 741 (d) that the voter is registered to vote in the correct precinct;

## SB0194S05 compared with SB0194S06

- 742 (e) that the voter's right to vote the ballot has not been challenged;
- 743 (f) that the voter has not already voted in the election; and
- 744 (g) for a voter who has not yet provided valid voter identification with the voter's voter registration,  
whether the voter has provided valid voter identification with the return envelope.
- 747 (5)
- (a) If the poll workers make all of the findings described in Subsection (4), the poll workers shall:
- 749 (i) remove the manual ballot from the return envelope in a manner that does not destroy the  
affidavit on the return envelope;
- 751 (ii) ensure that the ballot is not examined in connection with the return envelope; and
- 752 (iii) place the ballot with the other ballots to be counted.
- 753 (b) If the poll workers do not make all of the findings described in Subsection (4), the poll workers  
shall:
- 755 (i) disallow the vote;
- 756 (ii) except as provided in Subsection (6), without opening the return envelope, record the ballot as  
"rejected" and state the reason for the rejection; and
- 758 (iii) except as provided in Subsection (6), place the return envelope, unopened, with the other rejected  
return envelopes.
- 760 (6) A poll worker may open a return envelope, if necessary, to determine compliance with Subsection  
(4)(b)(ii), (4)(b)(iii), or (4)(g).
- 762 (7)
- (a) If the poll workers reject an individual's ballot because the poll workers determine that the return  
envelope does not comply with Subsection (4), the election officer shall:
- 765 (i) contact the individual in accordance with Subsection (8); and
- 766 (ii) inform the individual:
- 767 (A) that the identification information provided on the return envelope is in question;
- 769 (B) how the individual may resolve the issue; and
- 770 (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer  
a correctly completed affidavit, provided by the county clerk, that meets the requirements described  
in Subsection (7)(d).
- 773 (b) If, under Subsection [~~(4)(a)(ii)(A)~~] (4)(a) or (b), the poll workers reject an individual's ballot  
because the poll workers determine, in accordance with rules made under Subsection (13), that the

## SB0194S05 compared with SB0194S06

signature on the return envelope is not reasonably consistent with the individual's signature in the voter registration records, the election officer shall:

- 778 (i) contact the individual in accordance with Subsection (8); and  
779 (ii) inform the individual:  
780 (A) that the individual's signature is in question;  
781 (B) how the individual may resolve the issue; and  
782 (C) that, in order for the ballot to be counted, the individual is required to deliver to the election officer a correctly completed affidavit, provided by the county clerk, that meets the requirements described in Subsection (7)(d).
- 785 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b) includes:  
787 (i) when communicating the notice by mail, a printed copy of the affidavit described in Subsection (7)(d) and a courtesy reply envelope;  
789 (ii) when communicating the notice electronically, a link to a copy of the affidavit described in Subsection (7)(d) or information on how to obtain a copy of the affidavit; or  
792 (iii) when communicating the notice by phone, either during a direct conversation with the voter or in a voicemail, arrangements for the voter to receive a copy of the affidavit described in Subsection (7)(d), either in person from the clerk's office, by mail, or electronically.
- 796 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:  
797 (i) an attestation that the individual voted the ballot;  
798 (ii) a space for the individual to enter the individual's name, date of birth, and driver license number or the last four digits of the individual's social security number;  
800 (iii) a space for the individual to sign the affidavit;  
801 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant governor's and county clerk's use of the information in the affidavit and the individual's signature on the affidavit for voter identification purposes; and  
804 (v) a check box accompanied by language in substantially the following form: "I am a voter with a qualifying disability under the Americans with Disabilities Act that impacts my ability to sign my name consistently. I can provide appropriate documentation upon request. To discuss accommodations, I can be contacted at \_\_\_\_\_".

809

## SB0194S05 compared with SB0194S06

- (e) In order for an individual described in Subsection (7)(a) or (b) to have the individual's ballot counted, the individual shall deliver the affidavit described in Subsection (7)(d) to the election officer.
- 812 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall immediately:
- 814 (i) scan the signature on the affidavit electronically and keep the signature on file in the statewide voter registration database developed under Section 20A-2-502;
- 816 (ii) if the election officer receives the affidavit no later than noon on the last business day before the day on which the canvass begins, count the individual's ballot; and
- 818 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the rules described in Subsection (13)(c).
- 820 (8)
- (a) The election officer shall, within two business days after the day on which an individual's ballot is rejected, notify the individual of the rejection and the reason for the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:
- 823 (i) the ballot is cured within one business day after the day on which the ballot is rejected; or
- 825 (ii) the ballot is rejected because the ballot is received late or for another reason that cannot be cured.
- 827 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the election officer shall notify the individual of the rejection and the reason for the rejection by phone, mail, email, or, if consent is obtained, text message, within the later of:
- 831 (i) 30 calendar days after the day of the rejection; or
- 832 (ii) 30 calendar days after the day of the election.
- 833 (c) The election officer may, when notifying an individual by phone under this Subsection (8), use auto-dial technology.
- 835 (9) An election officer may not count the ballot of an individual whom the election officer contacts under Subsection (7) or (8) unless, no later than noon on the last business day before the day on which the canvass begins, the election officer:
- 838 (a) receives a signed affidavit from the individual under Subsection (7); or
- 839 (b)
- (i) contacts the individual;
- 840

## SB0194S05 compared with SB0194S06

- (ii) if the election officer has reason to believe that an individual, other than the voter to whom the ballot was sent, signed the ballot affidavit, informs the individual that it is unlawful to sign a ballot affidavit for another person, even if the person gives permission;
- 844 (iii) verifies the identity of the individual by:
- 845 (A) requiring the individual to provide at least two types of personal identifying information for the individual; and
- 847 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records relating to the individual that are in the possession or control of an election officer; and
- 850 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
- 851 (A) the name and voter identification number of the individual contacted;
- 852 (B) the name of the individual who conducts the verification;
- 853 (C) the date and manner of the communication;
- 854 (D) the type of personal identifying information provided by the individual;
- 855 (E) a description of the records against which the personal identifying information provided by the individual is compared and verified; and
- 857 (F) other information required by the lieutenant governor.
- 858 (10)
- (a) The election officer shall retain and preserve:
- 859 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 860 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection 20A-4-202(3).
- 862 (b) If the election officer complies with Subsection (10)(a)(ii) by including the documentation in the voter's voter registration record, the election officer shall make, retain, and preserve a record of the name and voter identification number of each voter contacted under Subsection (9)(b).
- 866 (11)
- (a) The election officer shall record the following in the database used in the verification process:
- 868 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day after the day on which the election officer rejects the ballot; and
- 870 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business day after the day on which the ballot rejection is resolved.
- 872 (b) An election officer shall include, in the canvass report, a final report of the disposition of all rejected and resolved ballots, including, for ballots rejected, the following:

## SB0194S05 compared with SB0194S06

- 875 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and  
876 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in records on file, do  
not correspond.
- 878 (12) Willful failure to comply with this section constitutes willful neglect of duty under Section  
20A-5-701.
- 880 (13) The director of elections within the Office of the Lieutenant Governor shall make rules, in  
accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:
- 883 (a) criteria and processes for use by poll workers in determining if a signature corresponds with the  
signature on file for the voter under Subsection (4)(a)(ii)(A);
- 885 (b) training and certification requirements for election officers and employees of election officers  
regarding the criteria and processes described in Subsection (13)(a); and
- 887 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Secs. 12131  
through 12165, an alternative means of verifying the identity of an individual who checks the box  
described in Subsection (7)(d)(v).
- 890 (14)
- (a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may disclose the name  
and address of a voter whose ballot has been rejected and not yet resolved with:
- 893 (i) a candidate in the election;
- 894 (ii) an individual who represents the candidate's campaign;
- 895 (iii) the sponsors of an initiative or referendum appearing on the ballot; or
- 896 (iv) for a ballot proposition appearing on the ballot, an individual who represents a political issues  
committee, as defined in Section 20A-11-101, if the political issues committee supports or  
opposes the ballot proposition.
- 899 (b) If an election officer discloses the information described in Subsection (14)(a), the election officer  
shall:
- 901 (i) make the disclosure within two business days after the day on which the request is made;
- 903 (ii) respond to each request in the order the requests were made; and
- 904 (iii) make each disclosure in a manner, and within a period of time, that does not reflect favoritism to  
one requestor over another.
- 906 (c) A disclosure described in this Subsection (14) may not include the name or address of a protected  
individual, as defined in Subsection 20A-2-104(1).

## SB0194S05 compared with SB0194S06

356 Section 7. Section 20A-5-101 is amended to read:

357 **20A-5-101. Notice of election.**

- 358 (1) On or before November 15 in the year before each regular general election year, the lieutenant  
governor shall prepare and transmit a written notice to each county clerk that:
- 360 (a) designates the offices to be filled at the next year's regular general election;
- 361 (b) identifies the dates for filing a declaration of candidacy~~[, and for submitting and certifying  
nomination petition signatures, as applicable,]~~ under Sections 20A-9-403~~[,]~~ and 20A-9-407~~[, and  
20A-9-408]~~ for those offices; and
- 364 (c) contains a description of any ballot propositions to be decided by the voters that have qualified for  
the ballot as of that date.
- 366 (2)
- (a) No later than seven business days after the day on which the lieutenant governor transmits the  
written notice described in Subsection (1), each county clerk shall provide notice for the county, as a  
class A notice under Section 63G-30-102, for seven business days before the day of the election and  
in accordance with Subsection (3).
- 371 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a), showing a copy of  
the notice and the places where the notice was posted.
- 373 (3) The notice described in Subsection (2) shall:
- 374 (a) designate the offices to be voted on in that election; and
- 375 (b) identify the dates for filing a declaration of candidacy for those offices.
- 376 (4) Except as provided in Subsection (6), before each election, the election officer shall give printed  
notice of the following information:
- 378 (a) the date of election;
- 379 (b) the hours during which the polls will be open;
- 380 (c) the polling places for each voting precinct, early voting polling place, and election day voting  
center;
- 382 (d) the address of the Statewide Electronic Voter Information Website and, if available, the address of  
the election officer's website, with a statement indicating that the election officer will post on the  
website any changes to the location of a polling place and the location of any additional polling  
place;
- 386 (e) a phone number that a voter may call to obtain information regarding the location of a polling place;

## SB0194S05 compared with SB0194S06

- 388 (f) the qualifications for persons to vote in the election: and  
389 (g) instructions regarding how an individual with a disability, who is not able to vote a manual ballot by  
mail, may obtain information on voting in an accessible manner.
- 391 (5) The election officer shall provide the notice described in Subsection (4) for the jurisdiction, as a  
class A notice under Section 63G-30-102, for at least seven business days before the day of the  
election.
- 394 (6) Instead of including the information described in Subsection (4) in the notice, the election officer  
may give printed notice that:
- 396 (a) is entitled "Notice of Election";  
397 (b) includes the following: "A [indicate election type] will be held in [indicate the jurisdiction] on  
[indicate date of election]. Information relating to the election, including polling places, polling  
place hours, and qualifications of voters may be obtained from the following sources:"; and  
401 (c) specifies the following sources where an individual may view or obtain the information described in  
Subsection (4):
- 403 (i) if the jurisdiction has a website, the jurisdiction's website;  
404 (ii) the physical address of the jurisdiction offices; and  
405 (iii) a mailing address and telephone number.

908 ~~{Section 9. Section 20A-6-301 is amended to read: }~~

### 909 **20A-6-301. Manual ballots -- Regular general election.**

- 910 (1) Each election officer shall ensure that:
- 911 (a) all manual ballots furnished for use at the regular general election contain:
- 912 (i) no captions or other endorsements except as provided in this section;  
913 (ii) no symbols, markings, or other descriptions of a political party or group, except for a registered  
political party that has chosen to nominate its candidates in accordance with Section 20A-9-403; and  
916 (iii) no indication that a candidate for elective office has been nominated by, or has been endorsed  
by, or is in any way affiliated with a political party or group, unless the candidate has been  
nominated by a registered political party in accordance with Subsection 20A-9-202(4) or Subsection  
[20A-9-403(5)] 20A-9-403(4);
- 920 (b) at the top of the ballot, the following endorsements are printed in 18[-] -point bold type:
- 922 (i) "Official Ballot for \_\_\_\_ County, Utah";  
923 (ii) the date of the election;[-and]

## SB0194S05 compared with SB0194S06

- 924 (iii) before January 1, 2027, the words "certified by the Clerk of \_\_\_\_\_ County" or, as applicable,  
the name of a combined office that includes the duties of a county clerk; and
- 927 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election officer, without  
the election officer's name;
- 929 (c) unaffiliated candidates, candidates not affiliated with a registered political party, and all other  
candidates for elective office who were not nominated by a registered political party in accordance  
with Subsection 20A-9-202(4) or Subsection [~~20A-9-403(5)~~] 20A-9-403(4), are listed with the other  
candidates for the same office in accordance with Sections 20A-6-109 and 20A-6-110, without a  
party name or title;
- 934 (d) each ticket containing the lists of candidates, including the party name and device, are separated by  
heavy parallel lines;
- 936 (e) the offices to be filled are plainly printed immediately above the names of the candidates for those  
offices;
- 938 (f) the names of candidates are printed in capital letters, not less than one-eighth nor more than one-  
fourth of an inch high in heavy-faced type not smaller than 10 point, between lines or rules three-  
eighths of an inch apart; and
- 941 (g) on a ticket for a race in which a voter is authorized to cast a write-in vote and in which a write-in  
candidate is qualified under Section 20A-9-601:
- 943 (i) the ballot includes a space for a write-in candidate immediately following the last candidate listed on  
that ticket; or
- 945 (ii) for the offices of president and vice president and governor and lieutenant governor, the ballot  
includes two spaces for write-in candidates immediately following the last candidates on that ticket,  
one placed above the other, to enable the entry of two valid write-in candidates.
- 949 (2) An election officer shall ensure that:
- 950 (a) each individual nominated by any registered political party under Subsection 20A-9-202(4) or  
Subsection [~~20A-9-403(5)~~] 20A-9-403(4), and no other individual, is placed on the ballot:
- 953 (i) under the registered political party's name, if any; or
- 954 (ii) under the title of the registered political party as designated by them in their certificates of  
nomination or petition, or, if none is designated, then under some suitable title;
- 957 (b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part 5, Candidates not  
Affiliated with a Party, are placed on the ballot;

## SB0194S05 compared with SB0194S06

- 959 (c) the names of the candidates for president and vice president are used on the ballot instead of the  
names of the presidential electors; and
- 961 (d) the ballots contain no other names.
- 962 (3) When the ballot contains a nonpartisan section, the election officer shall ensure that:
- 963 (a) the designation of the office to be filled in the election and the number of candidates to be elected  
are printed in type not smaller than eight point;
- 965 (b) the words designating the office are printed flush with the left-hand margin;
- 966 (c) the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of candidates for which the voter  
may vote)" extend to the extreme right of the column;
- 968 (d) the nonpartisan candidates are grouped according to the office for which they are candidates;
- 970 (e) the names in each group are placed in accordance with Sections 20A-6-109 and 20A-6-110, with the  
surnames last; and
- 972 (f) each group is preceded by the designation of the office for which the candidates seek election, and  
the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of candidates for which the voter  
may vote)," according to the number to be elected.
- 975 (4) Each election officer shall ensure that:
- 976 (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance with Section  
20A-6-107;
- 978 (b) ballot propositions submitted to the voters are listed on the ballot in accordance with Section  
20A-6-107;
- 980 (c) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to  
each bond proposition under Section 11-14-206; and
- 982 (d) the judicial retention section of the ballot includes a statement at the beginning directing voters  
to the Judicial Performance Evaluation Commission's website in accordance with Subsection  
20A-12-201(4).
- 985 (5) Beginning on January 1, 2027:
- 986 (a) an election officer's or county clerk's name may not appear on the return envelope for a ballot; and
- 988 (b) except to the extent required to list an election officer's or county clerk's name as a candidate on the  
ballot, a ballot may not include the name of the election officer or county clerk.

991 {Section 10. ~~Section 20A-6-401~~ is amended to read: }

992 **20A-6-401. Ballots for municipal primary elections.**

## SB0194S05 compared with SB0194S06

- 993 (1) Each election officer shall ensure that:
- 994 (a) the following endorsements are printed in 18[-] -point bold type:
- 995 (i) "Official Primary Ballot for \_\_\_\_ (City or Town), Utah";
- 996 (ii) the date of the election;[-and]
- 997 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the election officer's  
title in eight point type; and
- 999 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election officer, without  
the election officer's name;
- 1001 (b) immediately below the election officer's title, two one-point parallel horizontal rules separate  
endorsements from the rest of the ballot;
- 1003 (c) immediately below the horizontal rules, an "Instructions to Voters" section is printed in 10[-] -point  
bold type that states: "To vote for a candidate, mark the space adjacent to the name(s) of the  
person(s) you favor as the candidate(s) for each respective office." followed by two one-point  
parallel rules;
- 1007 (d) after the rules, the designation of the office for which the candidates seek nomination is printed and  
the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of candidates for which the voter  
may vote)" are printed in 10-point bold type, followed by a hair-line rule;
- 1011 (e) after the hair-line rule, the names of the candidates are printed in heavy face type between lines  
or rules three-eighths inch apart, in accordance with Sections 20A-6-109 and 20A-6-110, with  
surnames last and grouped according to the office that the candidates seek;
- 1015 (f) a square with sides not less than one-fourth inch long is printed immediately adjacent to the names  
of the candidates; and
- 1017 (g) the candidate groups are separated from each other by one light and one heavy line or rule.
- 1019 (2) A municipal primary ballot may not contain any space for write-in votes.
- 1020 (3) Beginning on January 1, 2027:
- 1021 (a) an election officer's or county clerk's name may not appear on the return envelope for a ballot; and
- 1023 (b) except to the extent required to list an election officer's or county clerk's name as a candidate on the  
ballot, a ballot may not include the name of the election officer or county clerk.
- 1026 ~~{Section 11. Section 20A-6-401.1 is amended to read: }~~
- 1027 **20A-6-401.1. Ballots for partisan municipal primary elections.**
- 1028 (1) An election officer shall ensure that:

## SB0194S05 compared with SB0194S06

- 1029 (a) all manual ballots furnished for use at the regular primary election:
- 1030 (i) separate the candidates of one political party from those of the other political parties; and
- 1032 (ii) contain no captions or other endorsements except as provided in this section;
- 1033 (b) the names of all candidates from each party are listed on the same ballot in one or more columns under their party name and emblem;
- 1035 (c) the political parties are printed on the ballot in the order specified under Section 20A-6-110;
- 1037 (d) the following endorsements are printed in 18-point bold type:
- 1038 (i) "Official Primary Ballot for \_\_\_\_ (name of municipality), Utah";
- 1039 (ii) the date of the election;~~and~~
- 1040 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the election officer's title in eight point type; and
- 1042 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election officer, without the election officer's name;
- 1044 (e) ~~[after the facsimile signature]~~ immediately below or to the side of the election officer's title, the political party emblem and the name of the political party are printed;
- 1047 (f) after the party name and emblem, the ballot contains the following printed in not smaller than 10-point bold face, double leaded type: "Instructions to Voters: To vote for a candidate, mark the space following the name of the person for whom you wish to vote and in no other place. Do not vote for any candidate listed under more than one party or group designation.", followed by two one-point parallel horizontal rules;
- 1052 (g) after the rules, the designation of the office for which the candidates seek nomination is printed flush with the left-hand margin and the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of candidates for which the voter may vote)" are printed to extend to the extreme right of the column in 10-point bold type, followed by a hair-line rule;
- 1057 (h) after the hair-line rule, the names of the candidates are printed in heavy face type between lines or rules three-eighths inch apart, in accordance with Sections 20A-6-109 and 20A-6-110, with surnames last and grouped according to the office that they seek;
- 1061 (i) a square with sides not less than one-fourth inch long is printed immediately adjacent to the names of the candidates;
- 1063 (j) the candidate groups are separated from each other by one light and one heavy line or rule; and
- 1065 (k) the nonpartisan candidates are listed as follows:

## SB0194S05 compared with SB0194S06

- 1066 (i) immediately below the listing of the party candidates, the word "NONPARTISAN" is printed in  
reverse type in an 18 point solid rule that extends the full width of the type copy of the party listing  
above; and
- 1069 (ii) below "NONPARTISAN," the office, the number of candidates to vote for, the candidate's name,  
the voting square, and any other necessary information is printed in the same style and manner as for  
party candidates.
- 1072 (2) For mechanical ballots, the election officer may require that:
- 1073 (a) the ballot for a regular primary election consist of several groups of pages or display screens, so that  
a separate group can be used to list the names of candidates seeking nomination of each qualified  
political party, with additional groups used to list candidates for other nonpartisan offices;
- 1077 (b) the separate groups of pages or display screens are identified by color or other suitable means; and
- 1079 (c) the ballot contains instructions that direct the voter how to vote the ballot.
- 1080 (3) Beginning on January 1, 2027:
- 1081 (a) an election officer's or county clerk's name may not appear on the return envelope for a ballot; and
- 1083 (b) except to the extent required to list an election officer's or county clerk's name as a candidate on the  
ballot, a ballot may not include the name of the election officer or county clerk.
- 1086 ~~{Section 12. Section 20A-6-402 is amended to read: }~~
- 1087 **20A-6-402. Ballots for municipal general elections.**
- 1088 (1) ~~[Except as otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter~~  
~~4, Part 6, Municipal Alternate Voting Methods Pilot Project, for] For a manual ballot at a municipal  
general election, an election officer shall ensure that:~~
- 1091 (a) the names of the two candidates who received the highest number of votes for mayor in the  
municipal primary are placed upon the ballot;
- 1093 (b) if no municipal primary election was held, the names of the candidates who filed declarations of  
candidacy for municipal offices are placed upon the ballot;
- 1095 (c) for other offices:
- 1096 (i) twice the number of candidates as there are positions to be filled are certified as eligible for election  
in the municipal general election from those candidates who received the greater number of votes in  
the primary election; and
- 1099 (ii) the names of those candidates are placed upon the municipal general election ballot;
- 1101

## SB0194S05 compared with SB0194S06

- (d) the names of the candidates are placed on the ballot in accordance with Sections 20A-6-109 and 20A-6-110;
- 1103 (e) in an election in which a voter is authorized to cast a write-in vote and where a write-in candidate is qualified under Section 20A-9-601, a write-in area is placed upon the ballot that contains, for each office in which there is a qualified write-in candidate:
- 1107 (i) a blank, horizontal line to enable a voter to submit a valid write-in candidate; and
- 1108 (ii) a square or other conforming area that is adjacent to or opposite the blank horizontal line to enable the voter to indicate the voter's vote;
- 1110 (f) ballot propositions that have qualified for the ballot, including propositions submitted to the voters by the municipality, municipal initiatives, and municipal referenda, are listed on the ballot in accordance with Section 20A-6-107; and
- 1113 (g) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to each bond proposition under Section 11-14-206.
- 1115 (2) [~~Except as otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when~~] When using a mechanical ballot at municipal general elections, each election officer shall ensure that:
- 1119 (a) the following endorsements are displayed on the first portion of the ballot:
- 1120 (i) "Official Ballot for \_\_\_\_ (City or Town), Utah";
- 1121 (ii) the date of the election; [~~and~~]
- 1122 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the election officer's title; and
- 1124 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election officer, without the election officer's name;
- 1126 (b) immediately below the election officer's title, a distinct border or line separates the endorsements from the rest of the ballot;
- 1128 (c) immediately below the border or line, an "Instructions to Voters" section is displayed that states: "To vote for a candidate, select the name(s) of the person(s) you favor as the candidate(s) for each respective office." followed by another border or line;
- 1131 (d) after the border or line, the designation of the office for which the candidates seek election is displayed, and the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of candidates for which the voter may vote)" are displayed, followed by a line or border;

## SB0194S05 compared with SB0194S06

- 1135 (e) after the line or border, the names of the candidates are displayed in accordance with Sections  
20A-6-109 and 20A-6-110, with surnames last and grouped according to the office that the  
candidates seek;
- 1138 (f) a voting square or position is located adjacent to the name of each candidate;
- 1139 (g) following the name of the last candidate for each office in which a write-in candidate is qualified  
under Section 20A-9-601, the ballot contains a write-in space where the voter may enter the name of  
and vote for a valid write-in candidate for the office; and
- 1142 (h) the candidate groups are separated from each other by a line or border.
- 1143 (3) When a municipality has chosen to nominate candidates by convention or committee, the election  
officer shall ensure that the party name is included with the candidate's name on the ballot.
- 1146 (4) Beginning on January 1, 2027:
- 1147 (a) an election officer's or county clerk's name may not appear on the return envelope for a ballot; and
- 1149 (b) except to the extent required to list an election officer's or county clerk's name as a candidate on the  
ballot, a ballot may not include the name of the election officer or county clerk.

406 Section 8. Section 20A-8-103 is amended to read:

407 **20A-8-103. Petition procedures -- Criminal penalty -- Removal of signature.**

- 408 (1) As used in this section, the proposed name or emblem of a registered political party is  
"distinguishable" if a reasonable person of average intelligence will be able to perceive a difference  
between the proposed name or emblem and any name or emblem currently being used by another  
registered political party.
- 412 (2) To become a registered political party, an organization of registered voters that is not a continuing  
political party shall:
- 414 (a) circulate a petition seeking registered political party status beginning no earlier than the date of the  
statewide canvass held after the last regular general election and ending before 5 p.m. no later than  
November 30 of the year before the year in which the next regular general election will be held;
- 418 (b) file a petition with the lieutenant governor that is signed, with a holographic signature, by at least  
2,000 registered voters before 5 p.m. no later than November 30 of the year in which a regular  
general election will be held; and
- 421 (c) file, with the petition described in Subsection (2)(b), a document certifying:
- 422 (i) the identity of one or more registered political parties whose members may vote for the  
organization's candidates; and

## SB0194S05 compared with SB0194S06

- 424 (ii) whether unaffiliated voters may vote for the organization's candidates[; and] .  
425 [~~(iii) whether, for the next election, the organization intends to nominate the organization's candidates in  
accordance with the provisions of Section 20A-9-406.]~~
- 427 (3) The petition shall:
- 428 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;
- 429 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for the  
purpose of binding;
- 431 (c) contain the name of the political party and the words "Political Party Registration Petition" printed  
directly below the horizontal line;
- 433 (d) contain the word "Warning" printed directly under the words described in Subsection (3)(c);
- 435 (e) contain, to the right of the word "Warning," the following statement printed in not less than eight-  
point, single leaded type:
- 437 "It is a class A misdemeanor for anyone to knowingly sign a political party registration petition  
signature sheet with any name other than the individual's own name or more than once for the  
same party or if the individual is not registered to vote in this state and does not intend to become  
registered to vote in this state before the petition is submitted to the lieutenant governor.";
- 442 (f) contain the following statement directly under the statement described in Subsection (3)(e):
- 443 "POLITICAL PARTY REGISTRATION PETITION To the Honorable \_\_\_\_, Lieutenant  
Governor:
- 445 We, the undersigned citizens of Utah, seek registered political party status for \_\_\_\_ (name);
- 447 Each signer says:
- 448 I have personally signed this petition with a holographic signature;
- 449 I am registered to vote in Utah or will register to vote in Utah before the petition is submitted to  
the lieutenant governor;
- 451 I am or desire to become a member of the political party; and
- 452 My street address is written correctly after my name.";
- 453 (g) be vertically divided into columns as follows:
- 454 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be headed with "For  
Office Use Only," and be subdivided with a light vertical line down the middle;
- 457 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed Name (must be  
legible to be counted)";

## SB0194S05 compared with SB0194S06

- 459 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of Registered Voter";  
461 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";  
462 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip Code"; and  
464 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age information is not  
required, but it may be used to verify your identity with voter registration records. If you choose  
not to provide it, your signature may not be certified as a valid signature if you change your address  
before petition signatures are certified or if the information you provide does not match your voter  
registration records.";
- 470 (h) have a final page bound to one or more signature sheets that are bound together that contains the  
following printed statement:
- 472 "Verification  
473 State of Utah, County of \_\_\_\_  
474 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:  
475 I am at least 18 years old;  
476 All the names that appear on the signature sheets bound to this page were signed by individuals  
who professed to be the individuals whose names appear on the signature sheets, and each  
individual signed the individual's name on the signature sheets in my presence;
- 479 I believe that each individual has printed and signed the individual's name and written the  
individual's street address correctly, and that each individual is registered to vote in Utah or will  
register to vote in Utah before the petition is submitted to the lieutenant governor.
- 482 \_\_\_\_\_  
483 (Signature) (Residence Address) (Date)"; and  
484 (i) be bound to a cover sheet that:  
485 (i) identifies the political party's name, which may not exceed four words, and the emblem of the party;  
487 (ii) states the process that the organization will follow to organize and adopt a constitution and bylaws;  
and  
489 (iii) is signed by a filing officer, who agrees to receive communications on behalf of the organization.  
491 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in whose  
presence each signature sheet is signed:  
493 (a) is at least 18 years old; and  
494

## SB0194S05 compared with SB0194S06

- (b) verifies each signature sheet by completing the verification bound to one or more signature sheets that are bound together.
- 496 (5) An individual may not sign the verification if the individual signed a signature sheet bound to the verification.
- 498 (6) The lieutenant governor shall:
- 499 (a) use the procedures described in Section 20A-1-1002 to determine whether a signer is a registered voter;
- 501 (b) review the proposed name and emblem to determine if they are "distinguishable" from the names and emblems of other registered political parties; and
- 503 (c) certify the lieutenant governor's findings to the filing officer described in Subsection (3)(i)(iii) within 30 calendar days after the day on which the organization files the petition described in Subsection (2)(b).
- 506 (7)
- (a) If the lieutenant governor determines that the petition meets the requirements of this section, and that the proposed name and emblem are distinguishable, the lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the prospective political party.
- 510 (b) If the lieutenant governor finds that the name, emblem, or both are not distinguishable from the names and emblems of other registered political parties, the lieutenant governor shall notify the filing officer that the filing officer has seven calendar days to electronically submit a new name or emblem to the lieutenant governor.
- 515 (8) A registered political party may not change its name or emblem during the regular general election cycle.
- 517 (9)
- (a) It is unlawful for an individual to:
- 518 (i) knowingly sign a political party registration petition:
- 519 (A) with any name other than the individual's own name;
- 520 (B) more than once for the same political party; or
- 521 (C) if the individual is not registered to vote in this state and does not intend to become registered to vote in this state before the petition is submitted to the lieutenant governor; or
- 524 (ii) sign the verification of a political party registration petition signature sheet if the individual:
- 526

## SB0194S05 compared with SB0194S06

- (A) has not witnessed the signing by those individuals whose names appear on the political party registration petition signature sheet; or
- 528 (B) knows that an individual whose signature appears on the political party registration petition signature sheet is not registered to vote in this state and does not intend to become registered to vote in this state.
- 531 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.
- 532 (10)
- (a) A voter who signs a petition under this section may have the voter's signature removed from the petition by, no later than three business days after the day on which the petition is filed with the lieutenant governor, submitting to the lieutenant governor a statement requesting that the voter's signature be removed.
- 536 (b) A statement described in Subsection (10)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).
- 538 (c) The lieutenant governor shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after receiving a timely, valid statement requesting removal of the signature.

541 Section 9. Section 20A-9-101 is amended to read:

542 **20A-9-101. Definitions.**

As used in this chapter:

- 544 (1)
- (a) "Candidates for elective office" means persons who file a declaration of candidacy under Section 20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office.
- 547 (b) "Candidates for elective office" does not mean candidates for:
- 548 (i) justice or judge of court of record or not of record;
- 549 (ii) presidential elector;
- 550 (iii) any political party offices; and
- 551 (iv) municipal or special district offices.
- 552 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney general, state auditor, and state treasurer.
- 554 (3) "Continuing political party" means the same as that term is defined in Section 20A-8-101.

## SB0194S05 compared with SB0194S06

- 556 (4)
- (a) "County office" means an elective office where the officeholder is selected by voters entirely within one county.
- 558 (b) "County office" does not mean:
- 559 (i) the office of justice or judge of any court of record or not of record;
- 560 (ii) the office of presidential elector;
- 561 (iii) any political party offices;
- 562 (iv) any municipal or special district offices; and
- 563 (v) the office of United States Senator and United States Representative.
- 564 [~~(5) "Electronic candidate qualification process" means:]~~
- 565 [~~(a) as it relates to a registered political party that is not a qualified political party, the process for gathering signatures electronically to seek the nomination of a registered political party, described in:]~~
- 568 [~~(i) Section 20A-9-403;~~]
- 569 [~~(ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and]~~
- 570 [~~(iii) Section 20A-21-201; and]~~
- 571 [~~(b) as it relates to a qualified political party, the process, for gathering signatures electronically to seek the nomination of a registered political party, described in:]~~
- 573 [~~(i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);]~~
- 574 [~~(ii) Section 20A-9-408; and]~~
- 575 [~~(iii) Section 20A-21-201.]~~
- 576 [(6)] (5) "Federal office" means an elective office for United States Senator and United States Representative.
- 578 [(7)] (6) "Filing officer" means:
- 579 (a) the lieutenant governor, for:
- 580 (i) the office of United States Senator and United States Representative; and
- 581 (ii) all constitutional offices;
- 582 (b) for the office of a state senator, state representative, or the state school board, the lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
- 584 (c) the county clerk, for county offices and local school district offices;
- 585 (d) the county clerk in the filer's county of residence, for multicounty offices;

## SB0194S05 compared with SB0194S06

- 586 (e) the city or town clerk, for municipal offices; or  
587 (f) the special district clerk, for special district offices.
- 588 ~~[(8)]~~ (7) "Local government office" includes county offices, municipal offices, and special district  
offices and other elective offices selected by the voters from a political division entirely within one  
county.
- 591 ~~[(9) "Manual candidate qualification process" means the process for gathering signatures to seek the  
nomination of a registered political party, using paper signature packets that a signer physically  
signs.]~~
- 594 ~~[(10)]~~ (8)  
(a) "Multicounty office" means an elective office where the officeholder is selected by the voters from  
more than one county.
- 596 (b) "Multicounty office" does not mean:  
597 (i) a county office;  
598 (ii) a federal office;  
599 (iii) the office of justice or judge of any court of record or not of record;  
600 (iv) the office of presidential elector;  
601 (v) any political party offices; or  
602 (vi) any municipal or special district offices.
- 603 ~~[(11)]~~ (9) "Municipal office" means an elective office in a municipality.
- 604 ~~[(12)]~~ (10)  
(a) "Political division" means a geographic unit from which an officeholder is elected and that an  
officeholder represents.
- 606 (b) "Political division" includes a county, a city, a town, a special district, a school district, a legislative  
district, and a county prosecution district.
- 608 ~~[(13) "Qualified political party" means a registered political party that:]~~  
609 ~~[(a)  
(i) permits a delegate for the registered political party to vote on a candidate nomination in the  
registered political party's convention remotely; or]~~
- 611 ~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not present at the  
registered political party's convention;]~~
- 613

## SB0194S05 compared with SB0194S06

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

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

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

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

622 ~~[(d)~~

~~(i) if the registered political party is a continuing political party, no later than 5 p.m. on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or]~~

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

632 ~~[(14) "Signature," as it relates to a petition for a candidate to seek the nomination of a registered political party, means:]~~

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

637 ~~[(b) when using the electronic candidate qualification process:]~~

638 ~~[(i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or]~~

639 ~~[(ii) a holographic signature collected electronically under Subsection 20A-21-201(6)(c)(ii)(B).]~~

641 ~~[(15)]~~ (11) "Special district office" means an elected office in a special district.

642 Section 10. Section 20A-9-201 is amended to read:

643 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of more than one political party prohibited with exceptions -- General filing and form requirements -- Affidavit of impecuniosity.**

646 (1) Before filing a declaration of candidacy for election to any office, an individual shall:

## SB0194S05 compared with SB0194S06

- 647 (a) be a United States citizen;
- 648 (b) meet the legal requirements of that office; and
- 649 (c) if seeking a registered political party's nomination as a candidate for elective office, state:
- 651 (i) the registered political party of which the individual is a member; or
- 652 (ii) that the individual is not a member of a registered political party.
- 653 (2)
- (a) Except as provided in Subsection (2)(b), an individual may not:
- 654 (i) file a declaration of candidacy for, or be a candidate for, more than one office in Utah during any  
election year;
- 656 (ii) appear on the ballot as the candidate of more than one political party; or
- 657 (iii) file a declaration of candidacy for a registered political party of which the individual is not  
a member, except to the extent that the registered political party permits otherwise in the  
registered political party's bylaws.
- 660 (b)
- (i) An individual may file a declaration of candidacy for, or be a candidate for, president or vice  
president of the United States and another office, if the individual resigns the individual's candidacy  
for the other office after the individual is officially nominated for president or vice president of the  
United States.
- 665 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more than one justice  
court judge office.
- 667 (iii) An individual may file a declaration of candidacy for lieutenant governor even if the individual  
filed a declaration of candidacy for another office in the same election year if the individual  
withdraws as a candidate for the other office in accordance with Subsection 20A-9-202(6) before  
filing the declaration of candidacy for lieutenant governor.
- 672 (iv) For the 2026 election year only, an individual who files a declaration of candidacy to seek the  
nomination of a qualified political party for constitutional office, multicounty office, or county  
office:
- 675 (A) may also be a candidate for United States representative;
- 676 (B) may, if the individual desires to use the signature-gathering process to qualify for the primary  
election ballot for the office of United States representative, file a notice of intent to gather  
signatures for, and gather signatures for, that office; and

## SB0194S05 compared with SB0194S06

- 680 (C) shall, before filing a declaration of candidacy for the office of United States representative,  
withdraw as a candidate for the constitutional office, multicounty office, or county office for which  
the individual filed a declaration of candidacy.
- 684 (3)
- (a) Except for a candidate for president or vice president of the United States, before the filing officer  
may accept any declaration of candidacy, the filing officer shall:
- 686 (i) read to the individual the constitutional and statutory qualification requirements for the office  
that the individual is seeking;
- 688 (ii) require the individual to state whether the individual meets the requirements described in  
Subsection (3)(a)(i);
- 690 (iii) if the declaration of candidacy is for a county office, inform the individual that an individual  
who holds a county elected office may not, at the same time, hold a municipal elected office;  
and
- 693 (iv) if the declaration of candidacy is for a legislative office, inform the individual that Utah  
Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit or  
trust, under authority of the United States or Utah, from being a member of the Legislature.
- 697 (b)
- (i) Before accepting a declaration of candidacy for the office of county attorney, the county clerk shall  
ensure that the individual filing that declaration of candidacy is:
- 700 (A) a United States citizen;
- 701 (B) an attorney licensed to practice law in the state who is an active member in good standing of the  
Utah State Bar;
- 703 (C) a registered voter in the county in which the individual is seeking office; and
- 704 (D) a current resident of the county in which the individual is seeking office and either has been a  
resident of that county for at least one year before the date of the election or was appointed and  
is currently serving as county attorney and became a resident of the county within 30 calendar  
days after appointment to the office.
- 709 (ii) An individual filing a declaration of candidacy for the office of county attorney shall submit with  
the individual's declaration:
- 711 (A) a letter from the Utah Supreme Court, affirming that the individual is an attorney in good standing;
- 713

## SB0194S05 compared with SB0194S06

- (B) proof of the individual's application with the Utah State Bar, with an affidavit describing the status of the individual's application; or
- 715 (C) an affidavit describing how the individual intends to comply with the requirements for office of county attorney described in Subsection (3)(b)(i), prior to taking office.
- 718 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual shall also provide the filing officer with the individual's license number with:
- 720 (A) the Utah State Bar, if the individual is a member; or
- 721 (B) any other state bar association, if the individual is a member.
- 722 (c)
- (i) Before accepting a declaration of candidacy for the office of district attorney, the county clerk shall ensure that, as of the date of the election, the individual filing that declaration of candidacy is:
- 725 (A) a United States citizen;
- 726 (B) an attorney licensed to practice law in the state who is an active member in good standing of the Utah State Bar;
- 728 (C) a registered voter in the prosecution district in which the individual is seeking office; and
- 730 (D) a current resident of the prosecution district in which the individual is seeking office and either will have been a resident of that prosecution district for at least one year before the date of the election or was appointed and is currently serving as district attorney or county attorney and became a resident of the prosecution district within 30 calendar days after receiving appointment to the office.
- 736 (ii) An individual filing a declaration of candidacy for the office of district attorney shall submit with the individual's declaration:
- 738 (A) a letter from the Utah Supreme Court, affirming that the individual is an attorney in good standing;
- 740 (B) proof of the individual's application with the Utah State Bar, with an affidavit describing the status of the individual's application; or
- 742 (C) an affidavit describing how the individual intends to comply with the requirements for office of district attorney described in Subsection (3)(c)(i), prior to taking office.
- 745 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual shall also provide the filing officer with the individual's license number with:
- 747 (A) the Utah State Bar, if the individual is a member; or
- 748 (B) any other state bar association, if the individual is a member.

## SB0194S05 compared with SB0194S06

- 749 (d) Before accepting a declaration of candidacy for the office of county sheriff, the county clerk shall  
ensure that the individual filing the declaration:
- 751 (i) is a United States citizen;
- 752 (ii) is a registered voter in the county in which the individual seeks office;
- 753 (iii)
- (A) has successfully met the standards and training requirements established for law enforcement  
officers under Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act; or
- 756 (B) has met the waiver requirements in Section 53-6-206;
- 757 (iv) is qualified to be certified as a law enforcement officer, as defined in Section 53-13-103; and
- 759 (v) before the date of the election, will have been a resident of the county in which the individual seeks  
office for at least one year.
- 761 (e)
- (i) An individual filing a declaration of candidacy for the office of attorney general shall submit with  
the individual's declaration:
- 763 (A) a letter from the Utah Supreme Court, affirming that the individual is an attorney in good  
standing;
- 765 (B) proof of the individual's application with the Utah State Bar, with an affidavit describing the  
status of the individual's application; or
- 767 (C) an affidavit describing how the individual intends to comply with the requirements for office of  
attorney general, described in Article VII, Sec. 3, Utah Constitution, prior to taking office.
- 770 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual shall also provide the  
filing officer with the individual's license number with:
- 772 (A) the Utah State Bar, if the individual is a member; or
- 773 (B) any other state bar association, if the individual is a member.
- 774 (iii) An individual filing the declaration of candidacy for the office of attorney general shall also make  
the conflict of interest disclosure described in Section 20A-11-1603.
- 777 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant governor, state  
auditor, state treasurer, state legislator, or State Board of Education member, the filing officer shall  
ensure that the individual filing the declaration of candidacy also makes the conflict of interest  
disclosure described in Section 20A-11-1603.

782

## SB0194S05 compared with SB0194S06

- (4) If an individual who files a declaration of candidacy does not meet the qualification requirements for the office the individual is seeking, the filing officer may not accept the individual's declaration of candidacy.
- 785 (5) If an individual who files a declaration of candidacy meets the requirements described in Subsection  
(3), the filing officer shall:
- 787 (a) inform the individual that:
- 788 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as the individual's  
name is written on the individual's declaration of candidacy;
- 790 (ii) the individual may be required to comply with state or local campaign finance disclosure laws; and
- 792 (iii) the individual is required to file a financial statement before the individual's political convention  
under:
- 794 (A) Section 20A-11-204 for a candidate for constitutional office;
- 795 (B) Section 20A-11-303 for a candidate for the Legislature; or
- 796 (C) local campaign finance disclosure laws, if applicable;
- 797 (b) except for a presidential candidate, provide the individual with a copy of the current campaign  
financial disclosure laws for the office the individual is seeking and inform the individual that  
failure to comply will result in disqualification as a candidate and removal of the individual's name  
from the ballot;
- 801 (c)
- (i) provide the individual with a copy of Section 20A-7-801 regarding the Statewide Electronic  
Voter Information Website Program and inform the individual of the submission deadline under  
Subsection 20A-7-801(4)(a);
- 804 (ii) inform the individual that the individual must provide the filing officer with an email address that  
the individual actively monitors:
- 806 (A) to receive a communication from a filing officer or an election officer; and
- 807 (B) if the individual wishes to display a candidate profile on the Statewide Electronic Voter Information  
Website, to submit to the website the biographical and other information described in Subsection  
20A-7-801(4)(a)(ii);
- 811 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is not a record under  
Title 63G, Chapter 2, Government Records Access and Management Act; and
- 814 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);

## SB0194S05 compared with SB0194S06

- 815 (d) provide the candidate with a copy of the pledge of fair campaign practices described under Section  
20A-9-206 and inform the candidate that:
- 817 (i) signing the pledge is voluntary; and
- 818 (ii) signed pledges shall be filed with the filing officer;
- 819 (e) accept the individual's declaration of candidacy; and
- 820 (f) if the individual has filed for a partisan office, provide a certified copy of the declaration of  
candidacy to the chair of the county or state political party of which the individual is a member.
- 823 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer shall:
- 825 (a) accept the candidate's pledge; and
- 826 (b) if the candidate has filed for a partisan office, provide a certified copy of the candidate's pledge to  
the chair of the county or state political party of which the candidate is a member.
- 829 (7)
- (a) Except for a candidate for president or vice president of the United States, the form of the  
declaration of candidacy shall:
- 831 (i) be substantially as follows:
- 832 "State of Utah, County of \_\_\_\_
- 833 I, \_\_\_\_\_, declare my candidacy for the office of \_\_\_\_\_, seeking the nomination of  
the \_\_\_\_\_ party. I do solemnly swear, under penalty of perjury, that: I will meet the qualifications  
to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the  
City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_ Phone No. \_\_\_\_\_; I will not knowingly violate any law  
governing campaigns and elections; if filing via a designated agent, I will be out of the state of  
Utah during the entire candidate filing period; I will file all campaign financial disclosure reports  
as required by law; and I understand that failure to do so will result in my disqualification as a  
candidate for this office and removal of my name from the ballot. The mailing address that I  
designate for receiving official election notices is \_\_\_\_\_.
- 843 \_\_\_\_\_
- 844 Subscribed and sworn before me this \_\_\_\_\_(month\day\year).
- 845 Notary Public (or other officer qualified to administer oath)."; and
- 846 (ii) require the candidate to state, in the sworn statement described in Subsection (7)(a)(i):
- 848 (A) the registered political party of which the candidate is a member; or
- 849 (B) that the candidate is not a member of a registered political party.

## SB0194S05 compared with SB0194S06

- 850 (b) An agent designated under Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b) to file a declaration of  
candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.
- 853 (8)
- (a) Except for a candidate for president or vice president of the United States, the fee for filing a  
declaration of candidacy is:
- 855 (i) \$50 for candidates for the local school district board; and
- 856 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the person  
holding the office for all other federal, state, and county offices.
- 858 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any candidate:
- 860 (i) who is disqualified; or
- 861 (ii) who the filing officer determines has filed improperly.
- 862 (c)
- (i) The county clerk shall immediately pay to the county treasurer all fees received from candidates.
- 864 (ii) The lieutenant governor shall:
- 865 (A) apportion to and pay to the county treasurers of the various counties all fees received for filing of  
nomination certificates or acceptances; and
- 867 (B) ensure that each county receives that proportion of the total amount paid to the lieutenant governor  
from the congressional district that the total vote of that county for all candidates for representative  
in Congress bears to the total vote of all counties within the congressional district for all candidates  
for representative in Congress.
- 872 (d)
- (i) A person who is unable to pay the filing fee may file a declaration of candidacy without payment  
of the filing fee upon a prima facie showing of impecuniosity as evidenced by an affidavit of  
impecuniosity filed with the filing officer and, if requested by the filing officer, a financial statement  
filed at the time the affidavit is submitted.
- 877 (ii) A person who is able to pay the filing fee may not claim impecuniosity.
- 878 (iii)
- (A) False statements made on an affidavit of impecuniosity or a financial statement filed under this  
section shall be subject to the criminal penalties provided under Sections 76-8-503 and 76-8-504 and  
any other applicable criminal provision.

882

## SB0194S05 compared with SB0194S06

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

885 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially the following form:

887 "Affidavit of Impecuniosity

888 Individual Name \_\_\_\_\_ Address \_\_\_\_\_

890 Phone Number \_\_\_\_\_

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

894 Date \_\_\_\_\_ Signature \_\_\_\_\_

Affiant

896 Subscribed and sworn to before me on \_\_\_\_\_ (month\day\year)

897 \_\_\_\_\_

898 (signature)

899 Name and Title of Officer Authorized to Administer Oath \_\_\_\_\_".

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

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

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

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

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

913 Section 11. Section 20A-9-201.5 is amended to read:

914 **20A-9-201.5. Declaration of candidacy filing period for a registered political party.**

For a [qualified] registered political party:

917

## SB0194S05 compared with SB0194S06

(1) except as provided in Subsection (2), the filing period to file a declaration of candidacy for an elective office that is to be filled at the next regular general election:

919 (a) begins at 8 a.m. on the first business day in January of an even-numbered year; and

920 (b) ends at 5 p.m. on the fifth business day in January of an even-numbered year; and

921 (2) for the 2026 election year only, the filing period to file a declaration of candidacy for the office of United States representative:

923 (a) begins at 8 a.m. on March 9, 2026; and

924 (b) ends at 5 p.m. on March 13, 2026.

925 Section 12. Section 20A-9-202 is amended to read:

926 **20A-9-202. Declarations of candidacy for regular general elections.**

927 (1)

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

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

933 (ii) pay the filing fee.

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

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

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

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

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

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

946

## SB0194S05 compared with SB0194S06

- 950 [(d)] (c) Each county clerk who receives a declaration of candidacy from a candidate for multicounty  
office shall transmit the filing fee and a copy of the candidate's declaration of candidacy to the  
lieutenant governor within one business day after the candidate files the declaration of candidacy.
- 953 [(e)] (d) Each business day during the filing period, each county clerk shall notify the lieutenant  
governor electronically or by telephone of candidates who have filed a declaration of candidacy with  
the county clerk.
- 956 [(f)] (e) Each individual seeking the office of lieutenant governor, the office of district attorney, or the  
office of president or vice president of the United States shall comply with the specific declaration  
of candidacy requirements established by this section.
- 959 (2)
- (a) Each individual intending to become a candidate for the office of district attorney within a  
multicounty prosecution district that is to be filled at the next regular general election shall:
- 963 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement creating the  
prosecution district on or after January 1 of the regular general election year~~[-and before the  
individual circulates nomination petitions under Section 20A-9-405];~~ and
- 964 (ii) pay the filing fee.
- 967 (b) The designated clerk shall provide to the county clerk of each county in the prosecution district a  
certified copy of each declaration of candidacy filed for the office of district attorney.
- 969 (3)
- (a) Before the deadline described in Subsection (1)(b), each lieutenant governor candidate shall:
- 970 (i) file a declaration of candidacy with the lieutenant governor;
- 971 (ii) pay the filing fee; and
- (iii) submit a letter from a candidate for governor who has received certification for the primary-  
election ballot under Section 20A-9-403 that names the lieutenant governor candidate as a joint-  
ticket running mate.
- 974 (b)
- (i) A candidate for lieutenant governor who fails to timely file is disqualified.
- 975 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to replace the  
disqualified candidate.
- 977 (4) Before 5 p.m. no later than August 31, each registered political party shall:
- 978

## SB0194S05 compared with SB0194S06

- (a) certify the names of the political party's candidates for president and vice president of the United States to the lieutenant governor; or
- 980 (b) provide written authorization for the lieutenant governor to accept the certification of candidates for president and vice president of the United States from the national office of the registered political party.
- 983 (5)
- (a) A declaration of candidacy filed under this section is valid unless a written objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last business day that is at least 10 calendar days before the deadline described in Subsection [~~20A-9-409(4)(e)~~] 20A-9-409(2)(c).
- 987 (b) If an objection is made, the clerk or lieutenant governor shall:
- 988 (i) mail or personally deliver notice of the objection to the affected candidate immediately; and
- 990 (ii) decide any objection within 48 hours after it is filed.
- 991 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the problem by:
- 993 (i) amending the declaration or petition no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the objection is sustained; or
- 996 (ii) filing a new declaration no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the objection is sustained.
- 998 (d)
- (i) The clerk's or lieutenant governor's decision upon objections to form is final.
- 999 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable by a district court if prompt application is made to the court.
- 1001 (iii) The decision of the district court is final unless the Supreme Court, in the exercise of its discretion, agrees to review the lower court decision.
- 1003 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing a written affidavit with the clerk.
- 1005 (7)
- (a) Except for a candidate who is certified by a registered political party under Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later than August 31 of a general election year, each individual running as a candidate for vice president of the United States shall:
- 1009 (i) file a declaration of candidacy, in person or via a designated agent, on a form developed by the lieutenant governor, that:

## SB0194S05 compared with SB0194S06

- 1011 (A) contains the individual's name, address, and telephone number;
- 1012 (B) states that the individual meets the qualifications for the office of vice president of the United States;
- 1014 (C) names the presidential candidate, who has qualified for the general election ballot, with which the individual is running as a joint-ticket running mate;
- 1016 (D) states that the individual agrees to be the running mate of the presidential candidate described in Subsection (7)(a)(i)(C); and
- 1018 (E) contains any other necessary information identified by the lieutenant governor;
- 1019 (ii) pay the filing fee; and
- 1020 (iii) submit a letter from the presidential candidate described in Subsection (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice presidential candidate.
- 1023 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of candidacy.
- 1025 (c) A vice presidential candidate who fails to meet the requirements described in this Subsection (7) may not appear on the general election ballot.
- 1027 (8) An individual filing a declaration of candidacy for president or vice president of the United States shall pay a filing fee of \$500.

1029 Section 13. Section 20A-9-403 is amended to read:

1030 **20A-9-403. Regular primary elections.**

- 1031 (1)
- 1038 [~~(a) Candidates for elective office that are to be filled at the next regular general election shall be nominated in a regular primary election by direct vote of the people in the manner prescribed in this section.—~~]The regular primary election is held on the date specified in Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to qualify for a regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election as a write-in candidate under Section 20A-9-601.
- 1043 [~~(b) Each registered political party that chooses to have the names of the registered political party's candidates for elective office featured with party affiliation on the ballot at a regular general election shall comply with the requirements of this section and shall nominate the registered political party's candidates for elective office in the manner described in this section.~~]
- 1043 [~~(c) A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a registered political party or any other political group and~~]

## SB0194S05 compared with SB0194S06

~~a candidate for elective office who is not nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).]~~

- 1047 ~~[(d)]~~ (a) Unless noted otherwise, the dates in this section refer to those that occur in each even-  
numbered year in which a regular general election will be held.
- 1049 (2)
- 1051 (a) Each registered political party, in a statement filed with the lieutenant governor, shall[:]  
[(i) either declare the registered political party's intent to participate in the next regular primary  
election or declare that the registered political party chooses not to have the names of the  
registered political party's candidates for elective office featured on the ballot at the next regular  
general election; and]
- 1055 ~~[(ii)]~~ if the registered political party participates in the upcoming regular primary election, identify  
one or more registered political parties whose members may vote for the registered political  
party's candidates and whether individuals identified as unaffiliated with a political party may  
vote for the registered political party's candidates.
- 1060 (b)
- (i) A registered political party that is a continuing political party shall file the statement described in  
Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on November 30 of each odd-  
numbered year.
- 1063 (ii) An organization that is seeking to become a registered political party under Section 20A-8-103 shall  
file the statement described in Subsection (2)(a) at the time that the registered political party files the  
petition described in Section 20A-8-103.
- 1067 ~~[(3)]~~
- (a) ~~Except as provided in Subsection (3)(e), an individual who submits a declaration of candidacy under  
Section 20A-9-202 shall appear as a candidate for elective office on the regular primary ballot of the  
registered political party listed on the declaration of candidacy only if the individual is certified by  
the appropriate filing officer as having submitted a nomination petition that was:]~~
- 1072 ~~[(i) circulated and completed in accordance with Section 20A-9-405; and]~~
- 1073 ~~[(ii) signed by at least 2% of the registered political party's members who reside in the political  
division of the office that the individual seeks.]~~
- 1075 ~~[(b)]~~

## SB0194S05 compared with SB0194S06

- (i) ~~A candidate for elective office shall, in accordance with Section 20A-9-408.3, submit signatures for a nomination petition to the appropriate filing officer for verification and certification no later than 5 p.m. on March 31.]~~
- 1078 [(ii) ~~A candidate may supplement the candidate's submissions at any time on or before the filing deadline.]~~
- 1080 [(e)
- (i) ~~The lieutenant governor shall determine for each elective office the total number of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting the aggregate number of individuals residing in each elective office's political division who have designated a particular registered political party on the individuals' voter registration forms on or before November 15 of each odd-numbered year.]~~
- 1086 [(ii) ~~The lieutenant governor shall publish the determination for each elective office no later than November 30 of each odd-numbered year.]~~
- 1088 [(d) ~~The filing officer shall:]~~
- 1089 [(i) ~~except as otherwise provided in Section 20A-21-201, and in accordance with Section 20A-9-408.3, verify signatures on nomination petitions in a transparent and orderly manner, no later than 14 calendar days after the day on which a candidate submits the signatures to the filing officer;]~~
- 1093 [(ii) ~~for all qualifying candidates for elective office who submit nomination petitions to the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline described in Subsection 20A-9-202(1)(b);]~~
- 1096 [(iii) ~~consider active and inactive voters eligible to sign nomination petitions;]~~
- 1097 [(iv) ~~consider an individual who signs a nomination petition a member of a registered political party for purposes of Subsection (3)(a)(ii) if the individual has designated that registered political party as the individual's party membership on the individual's voter registration form; and]~~
- 1101 [(v) ~~except as otherwise provided in Section 20A-21-201 and with the assistance of the county clerk as applicable, use the procedures described in Section 20A-1-1002 to verify submitted nomination petition signatures, or use statistical sampling procedures to verify submitted nomination petition signatures in accordance with rules made under Subsection (3)(f).]~~
- 1106 [(e) ~~Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant governor may appear on the regular primary ballot of a registered political party without submitting~~

## SB0194S05 compared with SB0194S06

~~nomination petitions if the candidate files a declaration of candidacy and complies with Subsection 20A-9-202(3).]~~

- 1110 [~~(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the director of elections, within the Office of the Lieutenant Governor, may make rules that:]~~
- 1113 [~~(i) provide for the use of statistical sampling procedures that:]~~
- 1114 [~~(A) filing officers are required to use to verify signatures under Subsection (3)(d); and]~~
- 1116 [~~(B) reflect a bona fide effort to determine the validity of a candidate's entire submission, using widely recognized statistical sampling techniques; and]~~
- 1118 [~~(ii) provide for the transparent, orderly, and timely submission, verification, and certification of nomination petition signatures.:~~]
- 1120 [~~(g) (3) The county clerk shall:~~
- 1121 [~~(i) (a) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;~~
- 1123 [~~(ii) (b) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and~~
- 1126 [~~(iii) (c) place the local board of education candidates' names on the ballot in accordance with Sections 20A-6-109 and 20A-6-110.~~
- 1128 (4)
- (a) Before the deadline described in Subsection [~~20A-9-409(4)(e)~~] 20A-9-409(2)(c), the lieutenant governor shall provide to the county clerks:
- 1130 (i) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications under Subsection (3), along with instructions on how those names shall appear on the primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1134 (ii) a list of unopposed candidates for elective office who have been nominated by a registered political party under Subsection (5)(c) and instruct the county clerks to exclude the unopposed candidates from the primary election ballot.
- 1137 (b) A candidate for lieutenant governor and a candidate for governor campaigning as joint-ticket running mates shall appear jointly on the primary election ballot.

1139

## SB0194S05 compared with SB0194S06

- (c) After the county clerk receives the certified list from the lieutenant governor under Subsection (4) (a), the county clerk shall post or publish a primary election notice in substantially the following form:

1142 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_, \_\_\_\_ (year), to  
nominate party candidates for the parties and candidates for nonpartisan local school board positions  
listed on the primary ballot. The polling place for voting precinct \_\_\_\_ is \_\_\_\_\_. The polls will open  
at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."

1147 (5)

- (a) A candidate who, at the regular primary election, receives the highest number of votes cast for the office sought by the candidate is:

1149 (i) nominated for that office by the candidate's registered political party; or

1150 (ii) for a nonpartisan local school board position, nominated for that office.

- 1151 (b) If two or more candidates are to be elected to the office at the regular general election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the regular primary election are the nominees of the candidates' party for those positions.

1155 (c)

- (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

1156 (A) no individual other than the candidate receives a certification under Subsection (3) for the regular primary election ballot of the candidate's registered political party for a particular elective office; or

1159 (B) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification under Subsection (3) for the regular primary election of the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.

- 1163 (ii) A candidate who is unopposed for an elective office in the regular primary election of a registered political party is nominated by the party for that office without appearing on the primary election ballot.

1166 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

## SB0194S05 compared with SB0194S06

- 1170 (7) An individual may not file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise under the registered political party's bylaws.
- 1173 Section 14. Section 20A-9-407 is amended to read:
- 1174 **20A-9-407. Convention process to seek the nomination of a registered political party.**
- 1176 (1) This section describes the requirements for a member of a [qualified] registered political party who is seeking the nomination of a [qualified] registered political party for an elective office through the [qualified] registered political party's convention process.
- 1179 (2) [~~Notwithstanding Subsection 20A-9-201(7)(a), the~~] The form of the declaration of candidacy for a member of a [qualified] registered political party who is nominated by, or who is seeking the nomination of, the [qualified] registered political party under this section shall be substantially as described in Section 20A-9-408.5.
- 1183 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a [qualified] registered political party who, under this section, is seeking the nomination of the [qualified] registered political party for an elective office that is to be filled at the next general election, shall:
- 1187 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy in person with the filing officer during the applicable declaration of candidacy filing period described in Section 20A-9-201.5; and
- 1190 (b) pay the filing fee.
- 1191 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a [qualified] registered political party who, under this section, is seeking the nomination of the [qualified] registered political party for the office of district attorney within a multicounty prosecution district that is to be filled at the next general election, shall:
- 1195 (a) file a declaration of candidacy with the county clerk designated in the interlocal agreement creating the prosecution district during the applicable declaration of candidacy filing period described in Section 20A-9-201.5; and
- 1198 (b) pay the filing fee.
- 1199 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who files as the joint-ticket running mate of an individual who is nominated by a qualified political party, under this section, for the office of governor shall, during the applicable declaration of candidacy filing

## SB0194S05 compared with SB0194S06

period described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the candidate for governor that names the lieutenant governor candidate as a joint-ticket running mate.

1205 (6)

~~[(a)] A [qualified] registered political party that nominates a candidate under this section shall:~~

1207

~~(a) for each office for which the registered political party will have two or more candidates on the regular primary election ballot for the party, certify the names of the candidates to the county clerk before the deadline described in Subsection \*\*\*\*\*; and~~

1211

~~(b) for each office for which the registered political party will not participate in the regular primary election, certify the name of the candidate who will appear on the general election ballot for the party before August 31. [certify the name of the candidate to the lieutenant governor before the deadline described in Subsection 20A-9-202(1)(b).]~~

1216

~~[(b) The lieutenant governor shall include, in the primary ballot certification or, for a race where a primary is not held because the candidate is unopposed, in the general election ballot certification, the name of each candidate nominated by a qualified political party under this section.]~~

1220

~~(7) A registered political party~~

1221

~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is nominated by a qualified political party under this section, designate the qualified political party that nominated the candidate.]~~

1152

Section 13. Section 13 is enacted to read:

1153

**20A-9-408.4. Incumbent county clerk required to contract for certain services relating to a race for reelection.**

In relation to a race in which an incumbent county clerk is running for reelection, the incumbent county clerk shall:

1157

(1) contract with another county clerk to fulfill the responsibilities described in:

1158

(a) Subsection 20A-9-403(3)(d);

1159

(b) Subsection 20A-9-405(10)(c);

1160

(c) Subsections 20A-9-408(9)(c), (d)(iii), and (f);

1161

(d) Subsections 20A-9-408(10)(c) and (11)(c); and

1162

(e) Subsections 20A-9-408.3(2) through (3) and (5) through (7);

1163

## SB0194S05 compared with SB0194S06

(2) no later than one business day after the day on which the incumbent county clerk receives a signature packet for the race, deliver the signature packet to the other county clerk described in Subsection (1); and

1166 (3) on the same business day on which the incumbent county clerk receives a document requesting the removal of a signature from a signature packet for the race, electronically send a clear image of the document to the other county clerk described in Subsection (1).

1224 Section 15. Section 20A-9-408.5 is amended to read:

1225 **20A-9-408.5. Declaration of candidacy form for a registered political party.**

The declaration of candidacy form described in [~~Sections~~] Section 20A-9-407 [~~and~~  
20A-9-408-] shall:

1228 (1) be substantially as follows:

1229 "State of Utah, County of \_\_\_\_

1230 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of  
\_\_\_\_ as a candidate for the \_\_\_\_ party. I do solemnly swear, under penalty of perjury, that:  
I will meet the qualifications to hold the office, both legally and constitutionally, if selected;  
I reside at \_\_\_\_\_ in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No.  
\_\_\_\_; I will not knowingly violate any law governing campaigns and elections; I will file all  
campaign financial disclosure reports as required by law; and I understand that failure to do  
so will result in my disqualification as a candidate for this office and removal of my name  
from the ballot. The mailing address that I designate for receiving official election notices is

1239 \_\_\_\_\_.

1240 Subscribed and sworn before me this \_\_\_\_\_ (month\day\year). Notary Public (or other  
officer qualified to administer oath)."; and

1242 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1243 (a) the registered political party of which the candidate is a member; or

1244 (b) that the candidate is not a member of a registered political party. [~~; and~~]

1245 [~~(3) direct the candidate to indicate whether the candidate is seeking the nomination using:]~~

1246 [~~(a) the convention process described in Section 20A-9-407;]~~

1247 [~~(b) the signature-gathering process described in Section 20A-9-408; or]~~

1248 [~~(c) both processes described in Subsections (3)(a) and (b).]~~

## SB0194S05 compared with SB0194S06

- 1249 Section 16. Section 20A-9-409 is amended to read:
- 1250 **20A-9-409. Primary election provisions relating to a registered political party.**
- 1251 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.
- 1252 [~~(2)~~
- (a) ~~A qualified political party that nominates one or more candidates for an elective office under Section 20A-9-407 and does not have a candidate qualify as a candidate for that office under Section 20A-9-408, may, but is not required to, participate in the primary election for that office.]~~
- 1256 [(b) A qualified political party that has only one candidate qualify as a candidate for an elective office under Section 20A-9-408 and does not nominate a candidate for that office under Section 20A-9-407, may, but is not required to, participate in the primary election for that office.]
- 1260 [(c) A qualified political party that nominates one or more candidates for an elective office under Section 20A-9-407 and has one or more candidates qualify as a candidate for that office under Section 20A-9-408 shall participate in the primary election for that office.]
- 1264 [(d) A qualified political party that has two or more candidates qualify as candidates for an elective office under Section 20A-9-408 and does not nominate a candidate for that office under Section 20A-9-407 shall participate in the primary election for that office.]
- 1268 [(3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section 17-62-201 or 17-62-202, a qualified political party shall participate in the primary election for a county commission office if:]
- 1271 [(a) there is more than one:]
- 1272 [(i) open position as defined in Section 17-62-201; or]
- 1273 [(ii) midterm vacancy as defined in Section 17-62-201; and]
- 1274 [(b) the number of candidates nominated under Section 20A-9-407 or qualified under Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number of respective open positions or midterm vacancies.]
- 1277 [(4)] (2)
- (a) As used in this Subsection [(4)] (2), a candidate is "unopposed" if:
- 1278 (i) no individual other than the candidate receives a certification, from the appropriate filing officer, for the regular primary election ballot of the candidate's registered political party for a particular elective office; or
- 1281 (ii) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification, from the appropriate filing officer, for the regular primary

## SB0194S05 compared with SB0194S06

election of the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.

- 1286 (b) Before the deadline described in Subsection [~~(4)~~(e)] (2)(c), the lieutenant governor shall:
- 1288 (i) provide to the county clerks:
- 1289 (A) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications from the appropriate filing officer, along with instructions on how those names shall appear on the primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1294 (B) a list of unopposed candidates for elective office who have been nominated by a registered political party; and
- 1296 (ii) instruct the county clerks to exclude unopposed candidates from the primary election ballot.
- 1298 (c) The deadline described in Subsection [~~(4)~~(b)] (2)(b) is 5 p.m. on the first Wednesday after the fourth Saturday in April.

1169 ~~{Section 14. Section 20A-11-104 is amended to read: }~~

1170 **20A-11-104. Personal use expenditure -- Authorized and prohibited uses of campaign funds**  
**-- Enforcement -- Penalties.**

- 1172 (1)
- (a) As used in this chapter, "personal use expenditure" means an expenditure that:
- 1173 (i)
- (A) is not excluded from the definition of personal use expenditure by Subsection (2); and
- 1175 (B) primarily furthers a personal interest of a candidate or officeholder or a candidate's or officeholder's family, which interest is not connected with the performance of an activity as a candidate or an activity or duty of an officeholder; or
- 1179 (ii) would likely cause the candidate or officeholder to recognize the expenditure as taxable income under federal or state law.
- 1181 (b) "Personal use expenditure" includes:
- 1182 (i) a mortgage, rent, utility, or vehicle payment;
- 1183 (ii) a household food item or supply;
- 1184 (iii) a clothing expense, except:
- 1185 (A) clothing bearing the candidate's name or campaign slogan or logo that is used in the candidate's campaign;

## SB0194S05 compared with SB0194S06

- 1187 (B) clothing bearing the logo or name of a jurisdiction, district, government organization, government  
entity, caucus, or political party that the officeholder represents or of which the officeholder is a  
member; or
- 1190 (C) repair or replacement of clothing that is damaged while the candidate or officeholder is engaged in  
an activity of a candidate or officeholder;
- 1192 (iv) an admission to a sporting, artistic, or recreational event or other form of entertainment;
- 1194 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
- 1195 (vi) a salary payment made to:
- 1196 (A) a candidate or officeholder; or
- 1197 (B) a person who has not provided a bona fide service to a candidate or officeholder;
- 1199 (vii) a vacation;
- 1200 (viii) a vehicle expense;
- 1201 (ix) a meal expense;
- 1202 (x) a travel expense;
- 1203 (xi) a payment of an administrative, civil, or criminal penalty;
- 1204 (xii) a satisfaction of a personal debt;
- 1205 (xiii) a personal service, including the service of an attorney, accountant, physician, or other  
professional person;
- 1207 (xiv) a membership fee for a professional or service organization; and
- 1208 (xv) a payment in excess of the fair market value of the item or service purchased.
- 1209 (2) As used in this chapter, "personal use expenditure" does not include an expenditure made:
- 1211 (a) for a political purpose;
- 1212 (b) for candidacy for public office;
- 1213 (c) to fulfill a duty or activity of an officeholder;
- 1214 (d) for a donation to a registered political party;
- 1215 (e) for a contribution to another candidate's campaign account, including sponsorship of or attendance  
at an event, the primary purpose of which is to solicit a contribution for another candidate's  
campaign account;
- 1218 (f) to return all or a portion of a contribution to a contributor;
- 1219 (g) for the following items, if made in connection with the candidacy for public office or an activity or  
duty of an officeholder:

## SB0194S05 compared with SB0194S06

- 1221 (i)
- 1222 (A) a mileage allowance at the rate established by the Division of Finance under Section 63A-3-107; or
- 1223 (B) for motor fuel or special fuel, as defined in Section 59-13-102;
- 1224 (ii) a food expense, including food or beverages:
- 1225 (A) served at a campaign event;
- 1226 (B) served at a charitable event;
- 1227 (C) consumed, or provided to others, by a candidate while the candidate is engaged in campaigning;
- 1229 (D) consumed, or provided to others, by an officeholder while the officeholder is acting in the capacity of an officeholder; or
- 1231 (E) provided as a gift to an individual who works on a candidate's campaign or who assists an officeholder in the officeholder's capacity as an officeholder;
- 1233 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to the candidate's campaign, including airfare, car rental, other transportation, hotel, or other expenses incidental to the travel;
- 1236 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of the travel by the individual is to assist the candidate with the candidate's campaign, including an expense described in Subsection (2)(g)(iii);
- 1239 (v) a travel expense of an officeholder, if the primary purpose of the travel is related to an activity or duty of the officeholder, including an expense described in Subsection (2)(g)(iii);
- 1242 (vi) a travel expense of an individual assisting an officeholder, if the primary purpose of the travel by the individual is to assist the officeholder in an activity or duty of an officeholder, including an expense described in Subsection (2)(g)(iii);
- 1245 (vii) a payment for a service provided by an attorney or accountant;
- 1246 (viii) a tuition payment or registration fee for participation in a meeting or conference;
- 1247 (ix) a gift;
- 1248 (x) a payment for the following items in connection with an office space:
- 1249 (A) rent;
- 1250 (B) utilities;
- 1251 (C) a supply; or
- 1252 (D) furnishing;
- 1253 (xi) a booth at a meeting or event;

## SB0194S05 compared with SB0194S06

- 1254 (xii) educational material; or
- 1255 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty of an officeholder;
- 1257 (h) to purchase or mail informational material, a survey, or a greeting card;
- 1258 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including admission to or sponsorship of an event, the primary purpose of which is charitable solicitation, as defined in Section 13-22-2;
- 1261 (j) to repay a loan a candidate makes from the candidate's personal account to the candidate's campaign account;
- 1263 (k) to pay membership dues to a national organization whose primary purpose is to address general public policy;
- 1265 (l) for admission to or sponsorship of an event, the primary purpose of which is to promote the social, educational, or economic well-being of the state or the candidate's or officeholder's community;
- 1268 (m) for one or more guests of an officeholder or candidate to attend an event, meeting, or conference described in this Subsection (2), including related travel expenses and other expenses, if attendance by the guest is for a primary purpose described in Subsection (2)(g)(iv) or (vi);~~[-or]~~
- 1272 (n) to pay childcare expenses of:
- 1273 (i) a candidate while the candidate is engaging in campaign activity; or
- 1274 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder~~[-]~~ ; or
- 1276 (o) by a candidate or officeholder to purchase reasonably necessary goods, other than weapons, or services, for the purpose of protecting the security of the candidate or officeholder, the candidate's or officeholder's family, or the candidate's or officeholder's staff, which may include:
- 1280 (i) a security system for use at the candidate's or officeholder's home, place of business, or campaign office; or
- 1282 (ii) security services while the candidate or officeholder is traveling to or from, or attending:
- 1284 (A) a campaign event; or
- 1285 (B) for an officeholder, an event relating to an activity or duty of the officeholder.
- 1286 (3)
- (a) The lieutenant governor shall enforce this chapter prohibiting a personal use expenditure by:
- 1288 (i) evaluating a financial statement to identify a personal use expenditure; and
- 1289

## SB0194S05 compared with SB0194S06

(ii) commencing an informal adjudicative proceeding in accordance with Title 63G, Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable cause to believe a candidate or officeholder has made a personal use expenditure.

1292 (b) Following the proceeding, the lieutenant governor may issue a signed order requiring a candidate or officeholder who has made a personal use expenditure to:

1294 (i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the lieutenant governor; and

1296 (ii) deposit the amount of the personal use expenditure in the campaign account from which the personal use expenditure was disbursed.

1298 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) ~~in~~ into the General Fund.

1300 Section 17. Section 20A-21-101 is amended to read:

1301 **20A-21-101. Definitions.**

As used in this chapter:

1303 (1) "Approved device" means a device described in Subsection 20A-21-201(4).

1304 ~~[(2) "Candidate qualification process" means the process, described in Section 20A-9-403 or 20A-9-408, of gathering signatures to seek the nomination of a registered political party.]~~

1307 ~~[(3) "Electronic candidate qualification process" means the same as that term is defined in Section 20A-9-101.]~~

1309 ~~[(4)] (2) "Electronic initiative process" means the same as that term is defined in Section 20A-7-101.~~

1311 ~~[(5)] (3) "Electronic referendum process" means the same as that term is defined in Section 20A-7-101.~~

1313 ~~[(6) "Manual candidate qualification process" means the same as that term is defined in Section 20A-9-101.]~~

1315 ~~[(7)] (4) "Petition" means:~~

1316 (a) as it relates to the electronic initiative process or the electronic referendum process, the electronic record that an individual signs to indicate the individual is in favor of placing the initiative or referendum on the ballot; or

1319 (b) as it relates to electronic candidate qualification process, the electronic record that an individual signs to indicate the individual is in favor of placing an individual's name on the ballot to run for a particular elective office.

1322 ~~[(8)] (5) "Signature" means:~~

## SB0194S05 compared with SB0194S06

1323 (a) as it relates to a signature gathered for an initiative or referendum, the same as that term is defined in  
Section 20A-7-101; or

1325 (b) as it relates to a signature gathered for the candidate qualification process, the same as that term is  
defined in Section 20A-9-101.

1327 [(9)] (6) "Website" means:

1328 (a) as it relates to the electronic initiative process or the electronic referendum process, the website  
designated by the lieutenant governor for collecting the signatures and other information relating to  
the electronic initiative process or the electronic referendum process; or

1332 (b) as it relates to the electronic candidate qualification process, a website designated by the lieutenant  
governor for collecting the signatures and other information relating to the electronic candidate  
qualification process.

1335 Section 18. Section 63G-2-305 is amended to read:

1336 **63G-2-305. Protected records.**

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

1338 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has provided the  
governmental entity with the information specified in Section 63G-2-309;

1340 (2) commercial information or nonindividual financial information obtained from a person if:

1342 (a) disclosure of the information could reasonably be expected to result in unfair competitive injury  
to the person submitting the information or would impair the ability of the governmental entity to  
obtain necessary information in the future;

1345 (b) the person submitting the information has a greater interest in prohibiting access than the public in  
obtaining access; and

1347 (c) the person submitting the information has provided the governmental entity with the information  
specified in Section 63G-2-309;

1349 (3) commercial or financial information acquired or prepared by a governmental entity to the extent that  
disclosure would lead to financial speculations in currencies, securities, or commodities that will  
interfere with a planned transaction by the governmental entity or cause substantial financial injury  
to the governmental entity or state economy;

1353 (4) records, the disclosure of which could cause commercial injury to, or confer a competitive  
advantage upon a potential or actual competitor of, a commercial project entity as defined in  
Subsection 11-13-103(4);

## SB0194S05 compared with SB0194S06

- 1356 (5) test questions and answers to be used in future license, certification, registration, employment, or  
academic examinations;
- 1358 (6) records, the disclosure of which would impair governmental procurement proceedings or give an  
unfair advantage to any person proposing to enter into a contract or agreement with a governmental  
entity, except, subject to Subsections (1) and (2), that this Subsection (6) does not restrict the right  
of a person to have access to, after the contract or grant has been awarded and signed by all parties:
- 1363 (a) a bid, proposal, application, or other information submitted to or by a governmental entity in  
response to:
- 1365 (i) an invitation for bids;
- 1366 (ii) a request for proposals;
- 1367 (iii) a request for quotes;
- 1368 (iv) a grant; or
- 1369 (v) other similar document; or
- 1370 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 1371 (7) information submitted to or by a governmental entity in response to a request for information,  
except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict the right of a  
person to have access to the information, after:
- 1374 (a) a contract directly relating to the subject of the request for information has been awarded and signed  
by all parties; or
- 1376 (b)
- (i) a final determination is made not to enter into a contract that relates to the subject of the request for  
information; and
- 1378 (ii) at least two years have passed after the day on which the request for information is issued;
- 1380 (8) records that would identify real property or the appraisal or estimated value of real or personal  
property, including intellectual property, under consideration for public acquisition before any rights  
to the property are acquired unless:
- 1383 (a) public interest in obtaining access to the information is greater than or equal to the governmental  
entity's need to acquire the property on the best terms possible;
- 1385 (b) the information has already been disclosed to persons not employed by or under a duty of  
confidentiality to the entity;
- 1387

## SB0194S05 compared with SB0194S06

- 1390 (c) in the case of records that would identify property, potential sellers of the described property have already learned of the governmental entity's plans to acquire the property;
- 1393 (d) in the case of records that would identify the appraisal or estimated value of property, the potential sellers have already learned of the governmental entity's estimated value of the property; or
- 1396 (e) the property under consideration for public acquisition is a single family residence and the governmental entity seeking to acquire the property has initiated negotiations to acquire the property as required under Section 78B-6-505;
- 1400 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated transaction of real or personal property including intellectual property, which, if disclosed prior to completion of the transaction, would reveal the appraisal or estimated value of the subject property, unless:
- 1403 (a) the public interest in access is greater than or equal to the interests in restricting access, including the governmental entity's interest in maximizing the financial benefit of the transaction; or
- 1406 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of the value of the subject property have already been disclosed to persons not employed by or under a duty of confidentiality to the entity;
- 1409 (10) records created or maintained for civil, criminal, or administrative enforcement purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if release of the records:
- 1411 (a) reasonably could be expected to interfere with investigations undertaken for enforcement, discipline, licensing, certification, or registration purposes;
- 1413 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement proceedings;
- 1415 (c) would create a danger of depriving a person of a right to a fair trial or impartial hearing;
- 1419 (d) reasonably could be expected to disclose the identity of a source who is not generally known outside of government and, in the case of a record compiled in the course of an investigation, disclose information furnished by a source not generally known outside of government if disclosure would compromise the source; or
- 1422 (e) reasonably could be expected to disclose investigative or audit techniques, procedures, policies, or orders not generally known outside of government if disclosure would interfere with enforcement or audit efforts;
- 1423 (11) records the disclosure of which would jeopardize the life or safety of an individual;

## SB0194S05 compared with SB0194S06

- (12) records the disclosure of which would jeopardize the security of governmental property, governmental programs, or governmental recordkeeping systems from damage, theft, or other appropriation or use contrary to law or public policy;
- 1426 (13) records that, if disclosed, would jeopardize the security or safety of a correctional facility, or records relating to incarceration, treatment, probation, or parole, that would interfere with the control and supervision of an offender's incarceration, treatment, probation, or parole;
- 1430 (14) records that, if disclosed, would reveal recommendations made to the Board of Pardons and Parole by an employee of or contractor for the Department of Corrections, the Board of Pardons and Parole, or the Department of Health and Human Services that are based on the employee's or contractor's supervision, diagnosis, or treatment of any person within the board's jurisdiction;
- 1435 (15) records and audit workpapers that identify audit, collection, and operational procedures and methods used by the State Tax Commission, if disclosure would interfere with audits or collections;
- 1438 (16) records of a governmental audit agency relating to an ongoing or planned audit until the final audit is released;
- 1440 (17) records that are subject to the attorney client privilege;
- 1441 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer, employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial, quasi-judicial, or administrative proceeding;
- 1444 (19)
- (a)
- (i) personal files of a state legislator, including personal correspondence to or from a member of the Legislature; and
- 1446 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of legislative action or policy may not be classified as protected under this section; and
- 1449 (b)
- (i) an internal communication that is part of the deliberative process in connection with the preparation of legislation between:
- 1451 (A) members of a legislative body;
- 1452 (B) a member of a legislative body and a member of the legislative body's staff; or
- 1453 (C) members of a legislative body's staff; and
- 1454

## SB0194S05 compared with SB0194S06

- 1456 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of legislative action or policy may not be classified as protected under this section;
- (20)
- (a) records in the custody or control of the Office of Legislative Research and General Counsel, that, if disclosed, would reveal a particular legislator's contemplated legislation or contemplated course of action before the legislator has elected to support the legislation or course of action, or made the legislation or course of action public; and
- 1461 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the Office of Legislative Research and General Counsel is a public document unless a legislator asks that the records requesting the legislation be maintained as protected records until such time as the legislator elects to make the legislation or course of action public;
- 1466 (21) a research request from a legislator to a legislative staff member and research findings prepared in response to the request;
- 1468 (22) drafts, unless otherwise classified as public;
- 1469 (23) records concerning a governmental entity's strategy about:
- 1470 (a) collective bargaining; or
- 1471 (b) imminent or pending litigation;
- 1472 (24) records of investigations of loss occurrences and analyses of loss occurrences that may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 1475 (25) records, other than personnel evaluations, that contain a personal recommendation concerning an individual if disclosure would constitute a clearly unwarranted invasion of personal privacy, or disclosure is not in the public interest;
- 1478 (26) records that reveal the location of historic, prehistoric, paleontological, or biological resources that if known would jeopardize the security of those resources or of valuable historic, scientific, educational, or cultural information;
- 1481 (27) records of independent state agencies if the disclosure of the records would conflict with the fiduciary obligations of the agency;
- 1483 (28) records of an institution of higher education defined in Section 53H-1-101 regarding tenure evaluations, appointments, applications for admissions, retention decisions, and promotions, which could be properly discussed in a meeting closed in accordance with Title 52, Chapter 4, Open

## SB0194S05 compared with SB0194S06

and Public Meetings Act, provided that records of the final decisions about tenure, appointments, retention, promotions, or those students admitted, may not be classified as protected under this section;

- 1489 (29) records of the governor's office, including budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the governor's contemplated policies or contemplated courses of action before the governor has implemented or rejected those policies or courses of action or made them public;
- 1493 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;
- 1496 (31) records provided by the United States or by a government entity outside the state that are given to the governmental entity with a requirement that they be managed as protected records if the providing entity certifies that the record would not be subject to public disclosure if retained by it;
- 1500 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a public body except as provided in Section 52-4-206;
- 1502 (33) records that would reveal the contents of settlement negotiations but not including final settlements or empirical data to the extent that they are not otherwise exempt from disclosure;
- 1505 (34) memoranda prepared by staff and used in the decision-making process by an administrative law judge, a member of the Board of Pardons and Parole, or a member of any other body charged by law with performing a quasi-judicial function;
- 1508 (35) records that would reveal negotiations regarding assistance or incentives offered by or requested from a governmental entity for the purpose of encouraging a person to expand or locate a business in Utah, but only if disclosure would result in actual economic harm to the person or place the governmental entity at a competitive disadvantage, but this section may not be used to restrict access to a record evidencing a final contract;
- 1513 (36) materials to which access must be limited for purposes of securing or maintaining the governmental entity's proprietary protection of intellectual property rights including patents, copyrights, and trade secrets;
- 1516 (37) the name of a donor or a prospective donor to a governmental entity, including an institution of higher education defined in Section 53H-1-101, and other information concerning the donation that could reasonably be expected to reveal the identity of the donor, provided that:

## SB0194S05 compared with SB0194S06

- 1520 (a) the donor requests anonymity in writing;
- 1521 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be classified  
protected by the governmental entity under this Subsection (37); and
- 1523 (c) except for an institution of higher education defined in Section 53H-1-101, the governmental unit  
to which the donation is made is primarily engaged in educational, charitable, or artistic endeavors,  
and has no regulatory or legislative authority over the donor, a member of the donor's immediate  
family, or any entity owned or controlled by the donor or the donor's immediate family;
- 1528 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 1529 (39) a notification of workers' compensation insurance coverage described in Section 34A-2-205;
- 1531 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher education  
defined in Section 53H-1-101, which have been developed, discovered, disclosed to, or received by  
or on behalf of faculty, staff, employees, or students of the institution:
- 1535 (a) unpublished lecture notes;
- 1536 (b) unpublished notes, data, and information:
- 1537 (i) relating to research; and
- 1538 (ii) of:
- 1539 (A) the institution of higher education defined in Section 53H-1-101; or
- 1540 (B) a sponsor of sponsored research;
- 1541 (c) unpublished manuscripts;
- 1542 (d) creative works in process;
- 1543 (e) scholarly correspondence; and
- 1544 (f) confidential information contained in research proposals;
- 1545 (g) this Subsection (40) may not be construed to prohibit disclosure of public information required  
pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 1547 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 1548 (41)
- (a) records in the custody or control of the Office of the Legislative Auditor General that would reveal  
the name of a particular legislator who requests a legislative audit prior to the date that audit is  
completed and made public; and
- 1551 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the Office of the  
Legislative Auditor General is a public document unless the legislator asks that the records in the

## SB0194S05 compared with SB0194S06

custody or control of the Office of the Legislative Auditor General that would reveal the name of a particular legislator who requests a legislative audit be maintained as protected records until the audit is completed and made public;

- 1557 (42) records that provide detail as to the location of an explosive, including a map or other document that indicates the location of:
- 1559 (a) a production facility; or
- 1560 (b) a magazine;
- 1561 (43) information contained in the statewide database of the Division of Aging and Adult Services created by Section 26B-6-210;
- 1563 (44) information contained in the Licensing Information System described in Title 80, Chapter 2, Child Welfare Services;
- 1565 (45) information regarding National Guard operations or activities in support of the National Guard's federal mission;
- 1567 (46) records provided by any pawn or secondhand business to a law enforcement agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand Merchandise, and Catalytic Converter Transaction Information Act;
- 1570 (47) information regarding food security, risk, and vulnerability assessments performed by the Department of Agriculture and Food;
- 1572 (48) except to the extent that the record is exempt from this chapter pursuant to Section 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or prepared or maintained by the Division of Emergency Management, and the disclosure of which would jeopardize:
- 1576 (a) the safety of the general public; or
- 1577 (b) the security of:
- 1578 (i) governmental property;
- 1579 (ii) governmental programs; or
- 1580 (iii) the property of a private person who provides the Division of Emergency Management information;
- 1582 (49) records of the Department of Agriculture and Food that provides for the identification, tracing, or control of livestock diseases, including any program established under Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control of Animal Disease;

## SB0194S05 compared with SB0194S06

- 1586 (50) as provided in Section 26B-2-709:
- 1587 (a) information or records held by the Department of Health and Human Services related to a complaint  
regarding a provider, program, or facility which the department is unable to substantiate; and
- 1590 (b) information or records related to a complaint received by the Department of Health and Human  
Services from an anonymous complainant regarding a provider, program, or facility;
- 1593 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided under  
Section 41-1a-116, an individual's home address, home telephone number, or personal mobile phone  
number, if:
- 1596 (a) the individual is required to provide the information in order to comply with a law, ordinance, rule,  
or order of a government entity; and
- 1598 (b) the subject of the record has a reasonable expectation that this information will be kept confidential  
due to:
- 1600 (i) the nature of the law, ordinance, rule, or order; and
- 1601 (ii) the individual complying with the law, ordinance, rule, or order;
- 1602 (52) the portion of the following documents that contains a candidate's residential or mailing address,  
if the candidate provides to the filing officer another address or phone number where the candidate  
may be contacted:
- 1605 (a) a declaration of candidacy[~~, a nomination petition,~~] or a certificate of nomination, described in  
Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, [~~20A-9-405, 20A-9-408,~~]20A-9-408.5,  
20A-9-502, or 20A-9-601; or
- 1608 (b) an affidavit of impecuniosity, described in Section 20A-9-201[~~; or~~] ;
- 1609 [~~(c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;~~]
- 1610 (53) the name, home address, work addresses, and telephone numbers of an individual that is engaged  
in, or that provides goods or services for, medical or scientific research that is:
- 1612 (a) conducted within the state system of higher education, as described in Section 53H-1-102; and
- 1614 (b) conducted using animals;
- 1615 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance Evaluation  
Commission concerning an individual commissioner's vote, in relation to whether a judge meets  
or exceeds minimum performance standards under Subsection 78A-12-203(4), and information  
disclosed under Subsection 78A-12-203(5)(e);
- 1619

## SB0194S05 compared with SB0194S06

- 1623 (55) information collected and a report prepared by the Judicial Performance Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public, the information or report;
- 1626 (56) records provided or received by the Public Lands Policy Coordinating Office in furtherance of any contract or other agreement made in accordance with Section 63L-11-202;
- 1627 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 1628 (58) in accordance with Section 73-10-33:
- 1630 (a) a management plan for a water conveyance facility in the possession of the Division of Water Resources or the Board of Water Resources; or
- 1632 (b) an outline of an emergency response plan in possession of the state or a county or municipality;
- 1634 (59) the following records in the custody or control of the Office of Inspector General of Medicaid Services, created in Section 63A-13-201:
- 1640 (a) records that would disclose information relating to allegations of personal misconduct, gross mismanagement, or illegal activity of a person if the information or allegation cannot be corroborated by the Office of Inspector General of Medicaid Services through other documents or evidence, and the records relating to the allegation are not relied upon by the Office of Inspector General of Medicaid Services in preparing a final investigation report or final audit report;
- 1647 (b) records and audit workpapers to the extent they would disclose the identity of a person who, during the course of an investigation or audit, communicated the existence of any Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or regulation adopted under the laws of this state, a political subdivision of the state, or any recognized entity of the United States, if the information was disclosed on the condition that the identity of the person be protected;
- 1650 (c) before the time that an investigation or audit is completed and the final investigation or final audit report is released, records or drafts circulated to a person who is not an employee or head of a governmental entity for the person's response or information;
- 1652 (d) records that would disclose an outline or part of any investigation, audit survey plan, or audit program; or
- 1654 (e) requests for an investigation or audit, if disclosure would risk circumvention of an investigation or audit;

## SB0194S05 compared with SB0194S06

- (60) records that reveal methods used by the Office of Inspector General of Medicaid Services, the fraud unit, or the Department of Health and Human Services, to discover Medicaid fraud, waste, or abuse;
- 1657 (61) information provided to the Department of Health and Human Services or the Division of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections 58-68-304(3) and (4);
- 1660 (62) a record described in Section 63G-12-210;
- 1661 (63) captured plate data that is obtained through an automatic license plate reader system used by a governmental entity as authorized in Section 41-6a-2003;
- 1663 (64) an audio or video recording created by a body-worn camera, as that term is defined in Section 77-7a-103, that records sound or images inside a hospital or health care facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider, as that term is defined in Section 78B-3-403, or inside a human service program as that term is defined in Section 26B-2-101, except for recordings that:
- 1668 (a) depict the commission of an alleged crime;
- 1669 (b) record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon;
- 1671 (c) record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency;
- 1673 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f); or
- 1675 (e) have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording;
- 1677 (65) a record pertaining to the search process for a president of an institution of higher education described in Section 53H-3-302;
- 1679 (66) an audio recording that is:
- 1680 (a) produced by an audio recording device that is used in conjunction with a device or piece of equipment designed or intended for resuscitating an individual or for treating an individual with a life-threatening condition;
- 1683 (b) produced during an emergency event when an individual employed to provide law enforcement, fire protection, paramedic, emergency medical, or other first responder service:
- 1686 (i) is responding to an individual needing resuscitation or with a life-threatening condition; and

## SB0194S05 compared with SB0194S06

- 1688 (ii) uses a device or piece of equipment designed or intended for resuscitating an individual or for  
treating an individual with a life-threatening condition; and
- 1690 (c) intended and used for purposes of training emergency responders how to improve their response to  
an emergency situation;
- 1692 (67) records submitted by or prepared in relation to an applicant seeking a recommendation by the  
Research and General Counsel Subcommittee, the Budget Subcommittee, or the Legislative Audit  
Subcommittee, established under Section 36-12-8, for an employment position with the Legislature;
- 1696 (68) work papers as defined in Section 31A-2-204;
- 1697 (69) a record made available to Adult Protective Services or a law enforcement agency under Section  
61-1-206;
- 1699 (70) a record submitted to the Insurance Department in accordance with Section 31A-37-201;
- 1701 (71) a record described in Section 31A-37-503;
- 1702 (72) any record created by the Division of Professional Licensing as a result of Subsection  
58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 1704 (73) a record described in Section 72-16-306 that relates to the reporting of an injury involving an  
amusement ride;
- 1706 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a political  
petition, or on a request to withdraw a signature from a political petition, including a petition or  
request described in the following titles:
- 1709 (a) Title 10, Utah Municipal Code;
- 1710 (b) Title 17, Counties;
- 1711 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 1712 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 1713 (e) Title 20A, Election Code;
- 1714 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a voter  
registration record;
- 1716 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature described  
in Subsection (74) or (75), in the custody of the lieutenant governor or a local political subdivision  
collected or held under, or in relation to, Title 20A, Election Code;
- 1719 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5, Victims  
Guidelines for Prosecutors Act;

## SB0194S05 compared with SB0194S06

- 1721 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 1722 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is prohibited  
under Section 63G-26-103;
- 1724 (80) an image taken of an individual during the process of booking the individual into jail, unless:
- 1726 (a) the individual is convicted of a criminal offense based upon the conduct for which the individual  
was incarcerated at the time the image was taken;
- 1728 (b) a law enforcement agency releases or disseminates the image:
- 1729 (i) after determining that the individual is a fugitive or an imminent threat to an individual or to  
public safety and releasing or disseminating the image will assist in apprehending the individual or  
reducing or eliminating the threat; or
- 1732 (ii) to a potential witness or other individual with direct knowledge of events relevant to a criminal  
investigation or criminal proceeding for the purpose of identifying or locating an individual in  
connection with the criminal investigation or criminal proceeding;
- 1736 (c) a judge orders the release or dissemination of the image based on a finding that the release or  
dissemination is in furtherance of a legitimate law enforcement interest; or
- 1738 (d) the image is displayed to a person who is permitted to view the image under Section 17-72-802;
- 1740 (81) a record:
- 1741 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 1742 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative  
from another state or the federal government as provided in Section 63M-14-205; and
- 1745 (c) the disclosure of which would:
- 1746 (i) reveal a legal strategy relating to the state's claim to the use of the water in the Colorado River  
system;
- 1748 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to negotiate the best  
terms and conditions regarding the use of water in the Colorado River system; or
- 1751 (iii) give an advantage to another state or to the federal government in negotiations regarding the use of  
water in the Colorado River system;
- 1753 (82) any part of an application described in Section 63N-16-201 that the Governor's Office of Economic  
Opportunity determines is nonpublic, confidential information that if disclosed would result in  
actual economic harm to the applicant, but this Subsection (82) may not be used to restrict access to  
a record evidencing a final contract or approval decision;

## SB0194S05 compared with SB0194S06

- 1758 (83) the following records of a drinking water or wastewater facility:
- 1759 (a) an engineering or architectural drawing of the drinking water or wastewater facility; and
- 1761 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the drinking water or  
wastewater facility uses to secure, or prohibit access to, the records described in Subsection (83)(a);
- 1764 (84) a statement that an employee of a governmental entity provides to the governmental entity as part  
of the governmental entity's personnel or administrative investigation into potential misconduct  
involving the employee if the governmental entity:
- 1767 (a) requires the statement under threat of employment disciplinary action, including possible  
termination of employment, for the employee's refusal to provide the statement; and
- 1770 (b) provides the employee assurance that the statement cannot be used against the employee in any  
criminal proceeding;
- 1772 (85) any part of an application for a Utah Fits All Scholarship account described in Section 53F-6-402  
or other information identifying a scholarship student as defined in Section 53F-6-401;
- 1775 (86) a record:
- 1776 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 1777 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a person concerning  
the claim, including a representative from another state or the federal government; and
- 1780 (c) the disclosure of which would:
- 1781 (i) reveal a legal strategy relating to the state's claim to the use of the water in the Great Salt Lake;
- 1783 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms and conditions  
regarding the use of water in the Great Salt Lake; or
- 1785 (iii) give an advantage to another person including another state or to the federal government in  
negotiations regarding the use of water in the Great Salt Lake;
- 1787 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is reclassified  
as public as described in Subsection 13-2-11(4);
- 1789 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
- 1790 (a) concerning a claim to the use of waters;
- 1791 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative  
from another state, a tribe, the federal government, or other government entity as provided in Title  
73, Chapter 10g, Part 7, Utah Water Agent; and
- 1795 (c) the disclosure of which would:

## SB0194S05 compared with SB0194S06

- 1796 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 1797 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions regarding the use  
of water; or
- 1799 (iii) give an advantage to another state, a tribe, the federal government, or other government entity in  
negotiations regarding the use of water; and
- 1801 (89) a record created or maintained for an investigation of the Prosecutor Conduct Commission, created  
in Section 63M-7-1102, that contains any personal identifying information of a prosecuting attorney,  
including:
- 1804 (a) a complaint, or a document that is submitted or created for a complaint, received by the Prosecutor  
Conduct Commission; or
- 1806 (b) a finding by the Prosecutor Conduct Commission.

1807 **Section 19. Repealer.**

This Bill Repeals:

- 1808 This bill repeals:
- 1809 **Section 20A-9-405, Nomination petitions for regular primary elections.**
- 1810 **Section 20A-9-406, Qualified political party -- Requirements and exemptions.**
- 1811 **Section 20A-9-408, Signature-gathering process to seek the nomination of a qualified**
- 1812 **political party -- Removal of signature.**
- 1813 **Section 20A-9-408.1, Candidate nomination document -- Access - Limitations -- Storage.**
- 1814 **Section 20A-9-408.2, Tracking signatures on candidate nomination petition.**
- 1815 **Section 20A-9-408.3, Submission of candidate signature packet -- Requirements for**
- 1816 **submission -- Signature packet chain of custody and storage.**
- 1817 **Section 20A-9-410, Rulemaking authority.**
- 1818 **Section 20A-9-411, Signing multiple nomination petitions.**

1300 ~~{Section 15. Section 63I-2-220 is amended to read: }~~

1301 **63I-2-220. Repeal dates: Title 20A.**

- 1302 ~~[(1) Section 20A-7-103.1, Constitutional amendments proposed during specified timeframe -- Analysis  
-- Arguments -- Publication, is repealed July 1, 2025.]~~
- 1304 ~~[(2) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is repealed January  
1, 2026.]~~

## SB0194S05 compared with SB0194S06

Subsection 20A-1-104(4), relating to the extension of a deadline that falls on a weekend or holiday, is repealed on May 5, 2027.

1819

Section 20. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

3-6-26 11:55 AM