

Jason B. Kyle proposes the following substitute bill:

1 **School District Elections Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jason B. Kyle

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill makes the office of local school board member an office that is elected via a
5 partisan election.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ defines terms;

10 ▶ makes the office of local school board member an office that is elected via a partisan
11 election;

12 ▶ modifies provisions relating to filling a midterm vacancy for the office of local school
13 board member;

14 ▶ provides for the election of a local school board member using the partisan primary
15 election nomination process;

16 ▶ modifies campaign reporting requirements and conflict of interest reporting requirements
17 for a local school board office candidate or local school board officeholder;

18 ▶ provides for the transition from a nonpartisan local board of education to a partisan local
19 board of education; and

20 ▶ makes technical and conforming changes.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 This bill provides a special effective date.

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **17-70-401**, as renumbered and amended by Laws of Utah 2025, First Special Session,
28 Chapter 13

29 **17-70-402**, as renumbered and amended by Laws of Utah 2025, First Special Session,
30 Chapter 13

31 **17-70-403**, as renumbered and amended by Laws of Utah 2025, First Special Session,
32 Chapter 13

33 **20A-1-102**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6

34 **20A-1-404**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16

35 **20A-8-401**, as last amended by Laws of Utah 2025, Chapter 448

36 **20A-9-101**, as last amended by Laws of Utah 2023, Chapters 15, 45

37 **20A-9-201**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2

38 **20A-9-403**, as last amended by Laws of Utah 2025, Chapters 39, 448

39 **20A-9-408**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2

40 **20A-11-101**, as last amended by Laws of Utah 2025, Chapter 448

41 **20A-11-103**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16

42 **20A-11-201**, as last amended by Laws of Utah 2025, Chapter 448

43 **20A-11-202**, as last amended by Laws of Utah 2022, Chapter 18

44 **20A-11-203**, as last amended by Laws of Utah 2019, Chapter 74

45 **20A-11-204**, as last amended by Laws of Utah 2025, Chapters 90, 448

46 **20A-11-205**, as last amended by Laws of Utah 2013, Chapter 170

47 **20A-11-206**, as last amended by Laws of Utah 2025, Chapter 448

48 **20A-11-1301**, as last amended by Laws of Utah 2025, Chapter 448

49 **20A-11-1302**, as last amended by Laws of Utah 2019, Chapter 74

50 **20A-11-1303**, as last amended by Laws of Utah 2025, Chapters 90, 448

51 **20A-11-1304**, as enacted by Laws of Utah 1997, Chapter 355

52 **20A-11-1603**, as last amended by Laws of Utah 2023, Chapter 45

53 **20A-11-1604**, as last amended by Laws of Utah 2025, Chapters 90, 448

54 **20A-14-201**, as last amended by Laws of Utah 2025, Chapter 448

55 **20A-14-202**, as last amended by Laws of Utah 2022, Chapter 265

56 **53G-4-201**, as last amended by Laws of Utah 2019, Chapter 293

57 REPEALS AND REENACTS:

58 **20A-1-511**, as last amended by Laws of Utah 2025, Chapters 90, 448

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

61 Section 1. Section **17-70-401** is amended to read:

62 **17-70-401 . Definitions.**

63 As used in this part:

64 (1)(a) "Contribution" means any of the following when done for a political purpose:

65 (i) a gift, subscription, donation, loan, advance, deposit of money, or anything of
66 value given to the filing entity;

67 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
68 subscription, donation, unpaid or partially unpaid loan, advance, deposit of
69 money, or anything of value to the filing entity;

70 (iii) any transfer of funds from another reporting entity to the filing entity;

71 (iv) compensation paid by any person or reporting entity other than the filing entity
72 for personal services provided without charge to the filing entity;

73 (v) a loan made by a county office candidate or local school board candidate
74 deposited into the county office candidate's or local school board candidate's own
75 campaign account; or

76 (vi) an in-kind contribution.

77 (b) "Contribution" does not include:

78 (i) services provided by an individual volunteering a portion or all of the individual's
79 time on behalf of the filing entity if the services are provided without
80 compensation by the filing entity or any other person;

81 (ii) money lent to the filing entity by a financial institution in the ordinary course of
82 business; or

83 (iii) goods or services provided for the benefit of a county office candidate or local
84 school board candidate at less than fair market value that are not authorized by or
85 coordinated with the county office candidate or the local school board candidate.

86 (2) "County office" means an office described in Section 17-66-102 that is required to be
87 filled by an election.

88 (3) "County office candidate" means an individual who:

89 (a) files a declaration of candidacy for a county office; or

90 (b) receives a contribution, makes an expenditure, or gives consent for any other person
91 to receive a contribution or make an expenditure to bring about the individual's
92 nomination or election to a county office.

93 (4) "County [officer] officeholder" means an individual who holds a county office.

94 (5)(a) Except as provided in Subsection (5)(b), "expenditure" means any of the
95 following made by a reporting entity or an agent of a reporting entity on behalf of the
96 reporting entity:

- (i) any disbursement from contributions, receipts, or the separate bank account required under Section 17-70-403;
- (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for a political purpose;
- (iii) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for a political purpose;
- (iv) compensation paid by a filing entity for personal services rendered by a person without charge to a reporting entity;
- (v) a transfer of funds between the filing entity and a county office candidate's, or a local school board candidate's, personal campaign committee; or
- (vi) goods or services provided by the filing entity to or for the benefit of another reporting entity for a political purpose at less than fair market value.

(b) "Expenditure" does not include:

- (i) services provided without compensation by an individual volunteering a portion or all of the individual's time on behalf of a reporting entity;
- (ii) money lent to a reporting entity by a financial institution in the ordinary course of business; or
- (iii) anything described in Subsection (5)(a) that is given by a reporting entity to a candidate or officer in another state.

(6) "Filing entity" means:

- (a) a county office candidate;
- (b) a county [officer] officeholder;
- (c) a local school board office candidate;
- (d) a local school board [member] officeholder; or
- (e) a reporting entity that is required to meet a campaign finance disclosure requirement adopted by a county in accordance with Section 17-70-403.

(7) "In-kind contribution" means anything of value, other than money, that is accepted by or coordinated with a filing entity.

(8) "Local school board office candidate" means an individual who:

- (a) files a declaration of candidacy for local school board; or
- (b) receives a contribution, makes an expenditure, or gives consent for any other person to receive a contribution or make an expenditure to bring about the individual's nomination or election to a local school board.

131 (9)(a) "Personal use expenditure" means an expenditure that:

132 (i)(A) is not excluded from the definition of personal use expenditure by
133 Subsection (9)(c); and

134 (B) primarily furthers a personal interest of a county office candidate, county [
135 ~~officer~~] officeholder, local school board office candidate, or a local school
136 board [~~member~~] officeholder, or a member of a county office candidate's,
137 county [~~officer's~~] officeholder's, local school board office candidate's, or local
138 school board [~~member's~~] officeholder's family; or

139 (ii) would cause the county office candidate, county officer, local school board
140 candidate, or local school board member to recognize the expenditure as taxable
141 income under federal law.

142 (b) "Personal use expenditure" includes:

143 (i) a mortgage, rent, utility, or vehicle payment;

144 (ii) a household food item or supply;

145 (iii) a clothing expense, except:

146 (A) clothing bearing the county office candidate's or local school board office
147 candidate's name or campaign slogan or logo that is used in the county office
148 candidate's or local school board office candidate's campaign;

149 (B) clothing bearing the logo or name of a jurisdiction, district, government
150 organization, government entity, caucus, or political party that the county [
151 ~~officer~~] officeholder or local school board [~~member~~] officeholder represents or
152 of which the county [~~officer~~] officeholder or local school board [~~member~~]
153 officeholder is a member;

154 (C) repair or replacement of clothing that is damaged while the county office
155 candidate or county [~~officer~~] officeholder is engaged in an activity of a county
156 office candidate or county [~~officer~~] officeholder; or

157 (D) repair or replacement of clothing that is damaged while the local school board
158 office candidate or local school board [~~member~~] officeholder is engaged in an
159 activity of a local school board office candidate or local school board [~~member~~]
160 officeholder;

161 (iv) admission to a sporting, artistic, or recreational event or other form of
162 entertainment;

163 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;

164 (vi) a salary payment made to:

165 (A) a county office candidate[,] or county [officer] officeholder, local school board
166 office candidate, or local school board [member] officeholder; or
167 (B) a person who has not provided a bona fide service to a county office
168 candidate, county [officer] officeholder, local school board office candidate, or
169 local school board [member] officeholder;

170 (vii) a vacation;
171 (viii) a vehicle expense;
172 (ix) a meal expense;
173 (x) a travel expense;
174 (xi) payment of an administrative, civil, or criminal penalty;
175 (xii) satisfaction of a personal debt;
176 (xiii) a personal service, including the service of an attorney, accountant, physician,
177 or other professional person;
178 (xiv) a membership fee for a professional or service organization; [and] or
179 (xv) a payment in excess of the fair market value of the item or service purchased.

180 (c) "Personal use expenditure" does not include an expenditure made:
181 (i) for a political purpose;
182 (ii) for candidacy for county office or local school board office;
183 (iii) to fulfill a duty or activity of a county [officer] officeholder or local school board [
184 member] officeholder;
185 (iv) for a donation to a registered political party;
186 (v) for a contribution to another candidate's campaign account, including sponsorship
187 of or attendance at an event, the primary purpose of which is to solicit a
188 contribution for another candidate's campaign account;
189 (vi) to return all or a portion of a contribution to a contributor;
190 (vii) for the following items, if made in connection with the candidacy for county
191 office or local school board office, or an activity or duty of a county [officer]
192 officeholder or local school board [member] officeholder:
193 (A) a mileage allowance at the rate established by the political subdivision that
194 provides the mileage allowance;
195 (B) for motor fuel or special fuel, as defined in Section 59-13-102;
196 (C) a meal expense;
197 (D) a travel expense, including an expense incurred for airfare or a rental vehicle;
198 (E) a payment for a service provided by an attorney or accountant;

199 (F) a tuition payment or registration fee for participation in a meeting or
200 conference;

201 (G) a gift;

202 (H) a payment for rent, utilities, a supply, or furnishings, in connection with an
203 office space;

204 (I) a booth at a meeting or event; or

205 (J) educational material;

206 (viii) to purchase or mail informational material, a survey, or a greeting card;

207 (ix) for a donation to a charitable organization, as defined in Section 13-22-2,
208 including admission to or sponsorship of an event, the primary purpose of which
209 is charitable solicitation, as defined in Section 13-22-2;

210 (x) to repay a loan a county office candidate or local school board office candidate
211 makes from the candidate's personal account to the candidate's campaign account;

212 (xi) to pay membership dues to a national organization whose primary purpose is to
213 address general public policy;

214 (xii) for admission to or sponsorship of an event, the primary purpose of which is to
215 promote the social, educational, or economic well-being of the state or the county
216 office candidate's, county [officer's] officeholder's, local school board office
217 candidate's, or local school board [member's] officeholder's community;

218 (xiii) for one or more guests of a county office candidate, county [officer] officeholder,
219 local school board office candidate, or local school board [member] officeholder to
220 attend an event, meeting, or conference described in this Subsection (9)(c);

221 (xiv) that is connected with the performance of an activity as a county office
222 candidate or local school board [member] office candidate, or an activity or duty of
223 a county [officer] officeholder or local school board [member] officeholder; or

224 (xv) to pay childcare expenses of:

225 (A) a county office candidate or local school board office candidate while the
226 county office candidate or local school board office candidate is engaging in
227 campaign activity; or

228 (B) [an] a county officeholder or local school board officeholder while the county
229 officeholder or local school board officeholder is engaging in the duties of an
230 county officeholder or local school board officeholder.

231 (10) "Political purpose" means an act done with the intent or in a way to influence or tend
232 to influence, directly or indirectly, any person to refrain from voting or to vote for or

233 against any candidate or a person seeking an office at any caucus, political convention,
234 or election.

235 (11) "Reporting entity":

236 (a) means the same as that term is defined in Section 20A-11-101; and
237 (b) includes a county office candidate, a county office candidate's personal campaign
238 committee, a county [officer] officeholder, a local school board office candidate, a
239 local school board office candidate's personal campaign committee, and a local
240 school board [member] officeholder.

241 Section 2. Section **17-70-402** is amended to read:

242 **17-70-402 . Personal use expenditure -- Authorized and prohibited uses of
243 campaign funds -- Enforcement -- Penalties.**

244 (1) A county office candidate, county [officer] officeholder, local school board office
245 candidate, or local school board [member] officeholder may not use money deposited
246 into the separate bank account required under Section 17-70-403 for:
247 (a) a personal use expenditure; or
248 (b) an expenditure prohibited by law.
249 (2)(a) A county clerk shall enforce this section prohibiting a personal use expenditure by:
250 (i) evaluating a financial statement to identify a personal use expenditure; and
251 (ii) commencing an adjudicative proceeding in accordance with applicable county
252 ordinance or policy if the county clerk has probable cause to believe a county
253 office candidate, county [officer] officeholder, local school board office candidate,
254 or local school board [member] officeholder has made a personal use expenditure.
255 (b) Following the adjudicative proceeding described in Subsection (2)(a)(ii), the county
256 clerk may issue a signed order requiring a county office candidate, county [officer]
257 officeholder, local school board office candidate, or local school board [member]
258 officeholder who has made a personal use expenditure to:
259 (i) remit an administrative penalty of an amount equal to 50% of the personal use
260 expenditure to the county clerk; and
261 (ii) deposit the amount of the personal use expenditure in the campaign account from
262 which the personal use expenditure was disbursed.
263 (c) The county clerk shall deposit money received under Subsection (2)(b)(i) into the
264 county's general fund.

265 Section 3. Section **17-70-403** is amended to read:

266 **17-70-403 . Campaign financial disclosure in county elections.**

267 (1) A county shall adopt an ordinance establishing campaign finance disclosure
268 requirements for:
269 (a) candidates for county office; and
270 (b) candidates for local school board office who reside in that county.

271 (2) The ordinance required by Subsection (1) shall include:
272 (a) a requirement that each candidate for county office or local school board office
273 report the candidate's itemized and total campaign contributions and expenditures at
274 least once within the two weeks before the day of the election and at least once
275 within two months after the day of the election;
276 (b) a definition of "contribution" and "expenditure" that requires reporting of
277 nonmonetary contributions[~~such as~~] , including in-kind contributions and
278 contributions of tangible things;
279 (c) a requirement that the financial reports identify:
280 (i) for each contribution, the name of the donor of the contribution, if known, and the
281 amount of the contribution; and
282 (ii) for each expenditure, the name of the recipient and the amount of the expenditure;
283 (d) a requirement that a candidate for county office or local school board office deposit a
284 contribution in a separate campaign account into a financial institution;
285 (e) a prohibition against a candidate for county office or local school board office
286 depositing or mingling any contributions received into a personal or business account;
287 (f) a requirement that a candidate for county office who receives a contribution that is
288 cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is
289 unknown, shall, within 30 days after receiving the contribution, disburse the amount
290 of the contribution to:
291 (i) the treasurer of the state or a political subdivision for deposit into the state's or
292 political subdivision's general fund; or
293 (ii) an organization that is exempt from federal income taxation under Section
294 501(c)(3), Internal Revenue Code;
295 (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a
296 county office or local school board office file the financial report described in
297 Subsection (2)(c) with the county clerk:
298 (i) for a county office vacancy described in Subsection 20A-1-508(3) or (7), no later
299 than three business days before the day on which the political party of the prior
300 officeholder submits the candidate's name to the county legislative body as the

301 individual the political party selects to fill the vacancy;

302 (ii) for a county or district attorney office vacancy described in Subsection
303 20A-1-509.1(5)(a), no later than three business days before the day on which the
304 political party of the prior officeholder submits the candidate's name to the county
305 legislative body as one of the three individuals the party nominates to fill the
306 vacancy;

307 (iii) for a county or district attorney office vacancy described in Section 20A-1-509.2:

308 (A) no later than the deadline for the candidate to submit an application to fill the
309 vacancy under Subsection 20A-1-509.2(2)(c); and

310 (B) if, under Subsection 20A-1-509.2(3), more than three attorneys submit an
311 application to fill the vacancy, no later than three business days before the day
312 on which the political party of the prior officeholder submits the candidate's
313 name to the county legislative body as one of the three individuals the party
314 nominates to fill the vacancy; or

315 (iv) for a local school board office vacancy described in Section 20A-1-511, no later
316 than three business days before the day on which the ~~[local school board meets to~~
317 ~~interview each candidate interested in filling the vacancy in accordance with~~
318 ~~Section 20A-1-511]~~ political party of the prior officeholder submits to the
319 appointing authority the name of an individual to fill the vacancy in accordance
320 with Section 20A-1-511; and

321 (h) a requirement that, upon receipt of the financial report described in Subsection (2)(g),
322 the county clerk immediately submit a copy of the report to the county legislative
323 body.

324 (3)(a) As used in this Subsection (3), "account" means an account in a financial
325 institution:

326 (i) that is not described in Subsection (2)(d); and

327 (ii) into which or from which a person who, as a candidate for an office, other than a
328 county office for which the person files a declaration of candidacy or federal
329 office, or as a holder of an office, other than a county office for which the person
330 files a declaration of candidacy or federal office, deposits a contribution or makes
331 an expenditure.

332 (b) The ordinance required by Subsection (1) shall include a requirement that a
333 candidate for county office or local school board office include on a financial report
334 filed in accordance with the ordinance a contribution deposited in or an expenditure

335 made from an account:

336 (i) since the last financial report was filed; or

337 (ii) that has not been reported under a statute or ordinance that governs the account.

338 (4) If [any] a county fails to adopt a campaign finance disclosure ordinance described in
339 Subsection (1), [eandidates] a candidate for county office, other than community council
340 office, and [eandidates] a candidate for local school board office shall comply with the
341 financial reporting requirements [eontained] described in Subsections (5) through (10).

342 (5) A candidate for [elective office in a] county office or local school board office:

343 (a) shall deposit a contribution into a separate campaign account in a financial
344 institution; and

345 (b) may not deposit or mingle any contributions received into a personal or business
346 account.

347 (6) [Each] A candidate for [elective office in any] county office who is not required to
348 submit a campaign financial statement to the lieutenant governor, and each candidate for
349 local school board office, shall file a signed campaign financial statement with the
350 county clerk:

351 (a) seven days before the date of the regular general election, reporting each contribution
352 and each expenditure as of 10 days before the date of the regular general election; and
353 (b) no later than 30 days after the date of the regular general election.

354 (7)(a) The statement filed seven days before the regular general election shall include:

355 (i) a list of each contribution received by the candidate, and the name of the donor, if
356 known; and
357 (ii) a list of each expenditure for political purposes made during the campaign period,
358 and the recipient of each expenditure.

359 (b) The statement filed 30 days after the regular general election shall include:

360 (i) a list of each contribution received after the cutoff date for the statement filed
361 seven days before the election, and the name of the donor; and
362 (ii) a list of all expenditures for political purposes made by the candidate after the
363 cutoff date for the statement filed seven days before the election, and the recipient
364 of each expenditure.

365 (8)(a) As used in this Subsection (8), "account" means an account in a financial
366 institution:

367 (i) that is not described in Subsection (5)(a); and

368 (ii) into which or from which [a person] an individual who, as a candidate for [an] a

county office or local school board office, other than a county office or local school board office for which the [person] individual filed a declaration of candidacy or federal office, or as a holder of [an office] a county office or local school board office, other than a county office or local school board office for which the [person] individual filed a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A county office candidate and a local school board office candidate shall include on [any] a campaign financial statement filed in accordance with Subsection (6) or (7):

(i) a contribution deposited into an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(9) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is unknown, a county office candidate or local school board office candidate shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or

political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

(10) [Candidates] A candidate for [elective office in any county, and candidates] county

office or for local school board office, who [are] is eliminated at a primary election shall file a signed campaign financial statement containing the information required by this section not later than 30 days after the primary election date.

(11)(a) A candidate seeking appointment to fill a midterm vacancy in a county office or local school board office shall:

(1) comply with Subsections (5) and (9); and

(ii) file a signed campaign financial statement with the county clerk no later than the deadline described in Subsection (2)(g).

(b) Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii), the county clerk shall immediately submit a copy of the statement to the county

403 legislative body.

404 (12) Any individual who fails to comply with this section is guilty of an infraction.

405 (13)(a) [C]ounties A county may, by ordinance, enact requirements relating to a county
406 office or local school board office that:

407 (i) require greater disclosure of campaign contributions and expenditures; and
408 (ii) impose additional penalties.

409 (b) The requirements described in Subsection (13)(a) apply to a local school board office
410 candidate who resides in that county.

411 (14) If a candidate for county office or local school board office fails to file an interim
412 report due before the election, the county clerk:

413 (a) may send an electronic notice to the candidate and the political party of which the
414 candidate is a member, if any, that states:
415 (i) that the candidate failed to timely file the report; and
416 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for
417 filing the report, the candidate will be disqualified and the political party will not
418 be permitted to replace the candidate; and
419 (b) impose a fine of \$100 on the candidate.

420 (15)(a) The county clerk shall disqualify a candidate for county office or local school
421 board office and inform the appropriate election officials that the candidate is
422 disqualified if the candidate fails to file an interim report described in Subsection (14)
423 within 24 hours after the deadline for filing the report.

424 (b) The political party of a candidate for county office or local school board office who
425 is disqualified under Subsection (15)(a) may not replace the candidate for county
426 office or local school board office.
427 (c) A candidate who is disqualified under Subsection (15)(a) shall file with the county
428 clerk a complete and accurate campaign finance statement within 30 days after the
429 day on which the candidate is disqualified.

430 (16) If a county office candidate or local school board office candidate is disqualified under
431 Subsection (15)(a), the election official:

432 (a) shall:
433 (i) notify every opposing candidate for the county office or local school board office
434 that the candidate is disqualified;
435 (ii) send an email notification to each voter who is eligible to vote in the [e]lection
436 [e]lection office]race for whom the election official has an email address informing

the voter that the candidate is disqualified and that votes cast for the candidate will not be counted;

- (iii) post notice of the disqualification on the county's website; and
- (iv) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; and

may not count any votes for that candidate.

(17) An election official may fulfill the requirement described in Subsection (16)(a) in relation to a mailed ballot, including a military or overseas ballot, by including with the ballot a written notice directing the voter to the county's website to inform the voter whether a candidate on the ballot is disqualified.

(18) A county office candidate or local office candidate is not disqualified if:

- (a) the candidate files the interim reports described in Subsection (14) no later than 24 hours after the applicable deadlines for filing the reports;
- (b) the reports are completed, detailing accurately and completely the information required by this section except for inadvertent omissions or insignificant errors or inaccuracies; and
- (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

(19)(a) A report is considered timely filed if:

- (i) the report is received in the county clerk's office no later than midnight, Mountain Time, at the end of the day on which the report is due;
- (ii) the report is received in the county clerk's office with a United States Postal Service postmark three days or more before the date that the report was due; or
- (iii) the candidate has proof that the report was mailed, with appropriate postage and addressing, three days before the report was due.

(b) For a county clerk's office that is not open until midnight at the end of the day on which a report is due, the county clerk shall permit a candidate to file the report via email or another electronic means designated by the county clerk.

(20)(a) Any private party in interest may bring an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of this section or any ordinance adopted under this section.

(b) In a civil action filed under Subsection (20)(a), the court shall award costs and attorney fees to the prevailing party.

(21) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access

471 and Management Act, the county clerk shall:

472 (a) make each campaign finance statement filed by a candidate available for public
473 inspection and copying no later than one business day after the statement is filed; and
474 (b) make the campaign finance statement filed by a candidate available for public
475 inspection by:
476 (i) posting an electronic copy or the contents of the statement on the county's website
477 no later than seven business days after the day on which the statement is filed; and
478 (ii) in order to meet the requirements of Subsection 20A-11-103(4)(b)(ii), providing
479 the lieutenant governor with a link to the electronic posting described in
480 Subsection (21)(b)(i) no later than two business days after the day the statement is
481 filed.

482 Section 4. Section **20A-1-102** is amended to read:

483 **20A-1-102 . Definitions.**

484 As used in this title:

485 (1) "Active voter" means a registered voter who has not been classified as an inactive voter
486 by the county clerk.

487 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
488 counts votes recorded on ballots and tabulates the results.

489 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
490 storage medium, that records an individual voter's vote.
491 (b) "Ballot" does not include a record to tally multiple votes.

492 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
493 the ballot for their approval or rejection including:
494 (a) an opinion question specifically authorized by the Legislature;
495 (b) a constitutional amendment;
496 (c) an initiative;
497 (d) a referendum;
498 (e) a bond proposition;
499 (f) a judicial retention question;
500 (g) an incorporation of a city or town; or
501 (h) any other ballot question specifically authorized by the Legislature.

502 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together
503 using staples or another means in at least three places across the top of the paper in the
504 blank space reserved for securing the paper.

505 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
506 20A-4-306 to canvass election returns.

507 (7) "Bond election" means an election held for the purpose of approving or rejecting the
508 proposed issuance of bonds by a government entity.

509 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not
510 a holiday.

511 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by
512 the sender.

513 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday,
514 a business day, or any other type of day.

515 (11) "Canvass" means the review of election returns and the official declaration of election
516 results by the board of canvassers.

517 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
518 canvass.

519 (13) "Contracting election officer" means an election officer who enters into a contract or
520 interlocal agreement with a provider election officer.

521 (14) "Convention" means the political party convention at which party officers and
522 delegates are selected.

523 (15) "Counting center" means one or more locations selected by the election officer in
524 charge of the election for the automatic counting of ballots.

525 (16) "Counting judge" means a poll worker designated to count the ballots during election
526 day.

527 (17) "Counting room" means a suitable and convenient private place or room for use by the
528 poll workers and counting judges to count ballots.

529 (18) "County officers" means those county officers that are required by law to be elected.

530 (19) "Date of the election" or "election day" or "day of the election":

531 (a) means the day that is specified in the calendar year as the day on which the election
532 occurs; and

533 (b) does not include:

534 (i) deadlines established for voting by mail, military-overseas voting, or emergency
535 voting; or

536 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
537 Early Voting.

538 (20) "Elected official" means:

- 539 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
540 Municipal Alternate Voting Methods Pilot Project;
- 541 (b) a person who is considered to be elected to a municipal office in accordance with
542 Subsection 20A-1-206(1)(c)(ii); or
- 543 (c) a person who is considered to be elected to a special district office in accordance
544 with Subsection 20A-1-206(3)(b)(ii).

545 (21) "Election" means a regular general election, a municipal general election, a statewide
546 special election, a local special election, a regular primary election, a municipal primary
547 election, and a special district election.

548 (22) "Election Assistance Commission" means the commission established by the Help
549 America Vote Act of 2002, Pub. L. No. 107-252.

550 (23) "Election cycle" means the period beginning on the first day on which individuals are
551 eligible to file declarations of candidacy and ending when the canvass is completed.

552 (24) "Election judge" means a poll worker that is assigned to:

- 553 (a) preside over other poll workers at a polling place;
- 554 (b) act as the presiding election judge; or
- 555 (c) serve as a canvassing judge, counting judge, or receiving judge.

556 (25) "Election material" includes:

- 557 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 558 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 559 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 560 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
 - 561 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
 - 562 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 563 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 564 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 565 (g) the physical and electronic log of replicated ballots described in Subsection
566 20A-4-104(3);
- 567 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 568 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 569 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 570 (k) scanned copies of return envelopes;
- 571 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 572 (m) the materials used in the programming of the automatic tabulating equipment.

573 (26) "Election officer" means:

574 (a) the lieutenant governor, for all statewide ballots and elections;

575 (b) the county clerk for:

576 (i) a county ballot and election; and

577 (ii) a ballot and election as a provider election officer as provided in Section

578 20A-5-400.1 or 20A-5-400.5;

579 (c) the municipal clerk for:

580 (i) a municipal ballot and election; and

581 (ii) a ballot and election as a provider election officer as provided in Section

582 20A-5-400.1 or 20A-5-400.5;

583 (d) the special district clerk or chief executive officer for:

584 (i) a special district ballot and election; and

585 (ii) a ballot and election as a provider election officer as provided in Section

586 20A-5-400.1 or 20A-5-400.5; or

587 (e) the business administrator or superintendent of a school district for:

588 (i) a school district ballot and election; and

589 (ii) a ballot and election as a provider election officer as provided in Section

590 20A-5-400.1 or 20A-5-400.5.

591 (27) "Election official" means any election officer, election judge, or poll worker.

592 (28) "Election results" means:

593 (a) for an election other than a bond election, the count of votes cast in the election and

594 the election returns requested by the board of canvassers; or

595 (b) for bond elections, the count of those votes cast for and against the bond proposition

596 plus any or all of the election returns that the board of canvassers may request.

597 (29) "Election results database" means the following information generated by voting

598 equipment:

599 (a) one or more electronic files that contains a digital interpretation of each ballot that is

600 counted in an election;

601 (b) a ballot image; and

602 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.

603 (30) "Election returns" means:

604 (a) the pollbook;

605 (b) the military and overseas absentee voter registration and voting certificates;

606 (c) one of the tally sheets;

- 607 (d) any unprocessed ballots;
- 608 (e) all counted ballots;
- 609 (f) all excess ballots;
- 610 (g) all unused ballots;
- 611 (h) all spoiled ballots;
- 612 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 613 (j) the final election results database described in Section 20A-5-802.5;
- 614 (k) all return envelopes;
- 615 (l) any provisional ballot envelopes; and
- 616 (m) the total votes cast form.

617 (31) "Electronic signature" means an electronic sound, symbol, or process attached to or
618 logically associated with a record and executed or adopted by a person with the intent to
619 sign the record.

620 (32) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).

621 (33) "Inactive voter" means a registered voter who is listed as inactive by a county clerk
622 under Subsection 20A-2-505(4)(c)(i) or (ii).

623 (34) "Judicial office" means the office filled by any judicial officer.

624 (35) "Judicial officer" means any justice or judge of a court of record or any county court
625 judge.

626 (36) "Local election" means a regular county election, a regular municipal election, a
627 municipal primary election, a local special election, a special district election, and a
628 bond election.

629 (37) "Local political subdivision" means a county, a municipality, a special district, or a
630 local school district.

631 (38) "Local special election" means a special election called by the governing body of a
632 local political subdivision in which all registered voters of the local political subdivision
633 may vote.

634 (39) "Manual ballot" means a paper document produced by an election officer on which an
635 individual records an individual's vote by directly placing a mark on the paper document
636 using a pen or other marking instrument.

637 (40) "Mechanical ballot" means a record, including a paper record, electronic record, or
638 mechanical record, that:

- 639 (a) is created via electronic or mechanical means; and
- 640 (b) records an individual voter's vote cast via a method other than an individual directly

641 placing a mark, using a pen or other marking instrument, to record an individual
642 voter's vote.

(41) "Municipal executive" means:

- (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
- (b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(6).

(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.

(43) "Municipal legislative body" means the council of the city or town in any form of municipal government.

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

(45) "Municipal officers" means those municipal officers that are required by law to be elected.

(46) "Municipal primary election" means an election held to nominate candidates for municipal office.

(47) "Municipality" means a city or town.

(48) "Official ballot" means the ballots distributed by the election officer for voters to record their votes.

(49) "Official endorsement" means the information on the ballot that identifies:

(a) the ballot as an official ballot;

(b) the date of the election; and

(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

(ii) for a ballot prepared by a county clerk, the words required by Subsection 20A-6-301(1)(b)(iii).

(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.

(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.

(52)(a) "Poll worker" means a person assigned by an election official to assist with an election, voting, or counting votes.

(b) "Poll worker" includes election judges.

675 (c) "Poll worker" does not include a watcher.

676 (53) "Pollbook" means a record of the names of voters in the order that the voters appear to
677 cast votes.

678 (54) "Polling place" means a building where voting is conducted.

679 (55) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in
680 which the voter marks the voter's choice.

681 (56) "Presidential Primary Election" means the election established in Chapter 9, Part 8,
682 Presidential Primary Election.

683 (57) "Primary convention" means the political party conventions held during the year of the
684 regular general election.

685 (58) "Protective counter" means a separate counter, which cannot be reset, that:

686 (a) is built into a voting machine; and

687 (b) records the total number of movements of the operating lever.

688 (59) "Provider election officer" means an election officer who enters into a contract or
689 interlocal agreement with a contracting election officer to conduct an election for the
690 contracting election officer's local political subdivision in accordance with Section
691 20A-5-400.1.

692 (60) "Provisional ballot" means a ballot voted provisionally by a person:

693 (a) whose name is not listed on the official register at the polling place;

694 (b) whose legal right to vote is challenged as provided in this title; or

695 (c) whose identity was not sufficiently established by a poll worker.

696 (61) "Provisional ballot envelope" means an envelope printed in the form required by
697 Section 20A-6-105 that is used to identify provisional ballots and to provide information
698 to verify a person's legal right to vote.

699 (62)(a) "Public figure" means an individual who, due to the individual being considered
700 for, holding, or having held a position of prominence in a public or private capacity,
701 or due to the individual's celebrity status, has an increased risk to the individual's
702 safety.

703 (b) "Public figure" does not include an individual:

704 (i) elected to public office; or

705 (ii) appointed to fill a vacancy in an elected public office.

706 (63) "Qualify" or "qualified" means to take the oath of office and begin performing the
707 duties of the position for which the individual was elected.

708 (64) "Receiving judge" means the poll worker that checks the voter's name in the official

709 register at a polling place and provides the voter with a ballot.

710 (65) "Registration form" means a form by which an individual may register to vote under
711 this title.

712 (66) "Regular ballot" means a ballot that is not a provisional ballot.

713 (67) "Regular general election" means the election held throughout the state on the first
714 Tuesday after the first Monday in November of each even-numbered year for the
715 purposes established in Section 20A-1-201.

716 (68) "Regular primary election" means the election, held on the date specified in Section
717 20A-1-201.5, to nominate candidates of political parties[~~and candidates for nonpartisan~~] ,
718 including candidates for partisan local school board positions, to advance to the regular
719 general election.

720 (69) "Resident" means a person who resides within a specific voting precinct in Utah.

721 (70) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
722 provided to a voter with a manual ballot:

- 723 (a) into which the voter places the manual ballot after the voter has voted the manual
724 ballot in order to preserve the secrecy of the voter's vote; and
- 725 (b) that includes the voter affidavit and a place for the voter's signature.

726 (71) "Sample ballot" means a mock ballot similar in form to the official ballot, published as
727 provided in Section 20A-5-405.

728 (72) "Special district" means a local government entity under Title 17B, Limited Purpose
729 Local Government Entities - Special Districts, and includes a special service district
730 under Title 17D, Chapter 1, Special Service District Act.

731 (73) "Special district officers" means those special district board members who are required
732 by law to be elected.

733 (74) "Special election" means an election held as authorized by Section 20A-1-203.

734 (75) "Spoiled ballot" means each ballot that:

- 735 (a) is spoiled by the voter;
- 736 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 737 (c) lacks the official endorsement.

738 (76) "Statewide special election" means a special election called by the governor or the
739 Legislature in which all registered voters in Utah may vote.

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

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

743 (a) political parties;

744 (b) candidates for an office; or

745 (c) ballot propositions.

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

748 (80) "Vacancy" means:

749 (a) except as provided in Subsection (80)(b), the absence of an individual to serve in a
750 position created by state constitution or state statute, whether that absence occurs
751 because of death, disability, disqualification, resignation, or other cause; or
752 (b) in relation to a candidate for a position created by state constitution or state statute,
753 the removal of a candidate due to the candidate's death, resignation, or
754 disqualification.

755 (81) "Valid voter identification" means:

756 (a) a form of identification that bears the name and photograph of the voter which may
757 include:
758 (i) a currently valid Utah driver license;
759 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,
760 Identification Card Act;
761 (iii) a currently valid identification card that is issued by:
762 (A) the state; or
763 (B) a branch, department, or agency of the United States;
764 (iv) a currently valid Utah permit to carry a concealed weapon;
765 (v) a currently valid United States passport; or
766 (vi) a currently valid United States military identification card;
767 (b) one of the following identification cards, regardless of whether the card includes a
768 photograph of the voter:
769 (i) a valid tribal identification card;
770 (ii) a Bureau of Indian Affairs card; or
771 (iii) a tribal treaty card; or
772 (c) two forms of identification not listed under Subsection (81)(a) or (b) but that bear the
773 name of the voter and provide evidence that the voter resides in the voting precinct,
774 which may include:
775 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more
776 than 90 calendar days before the date of the election;

- (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;
- (iii) a certified birth certificate;
- (iv) a valid social security card;
- (v) 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;
- (vi) 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;
- (vii) a currently valid Utah hunting or fishing license;
- (viii) certified naturalization documentation;
- (ix) a currently valid license issued by an authorized agency of the United States;
- (x) a certified copy of court records showing the voter's adoption or name change;
- (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer [Card] card;
- (xii) a currently valid identification card issued by:
 - (A) a local government within the state;
 - (B) an employer for an employee; or
 - (C) a college, university, technical school, or professional school located within the state; or
- (xiii) a current Utah vehicle registration.

(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.

(83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:

(a) mailing the ballot to the location designated in the mailing; or

(b) depositing the ballot in a ballot drop box designated by the election officer.

(84) "Voter" means an individual who:

(a) meets the requirements for voting in an election;

(b) meets the requirements of election registration;

(c) is registered to vote; and

(d) is listed in the official register.

(85) "Voter registration deadline" means the registration deadline provided in Section 20A-2-102.5.

(86) "Voting area" means the area within six feet of the voting booths, voting machines, and ballot box.

(87) "Voting booth" means:

811 (a) the space or compartment within a polling place that is provided for the preparation
812 of ballots, including the voting enclosure or curtain; or
813 (b) a voting device that is free standing.

814 (88) "Voting device" means any device provided by an election officer for a voter to vote a
815 mechanical ballot.

816 (89) "Voting precinct" means the smallest geographical voting unit, established under
817 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

818 (90) "Watcher" means an individual who complies with the requirements described in
819 Section 20A-3a-801 to become a watcher for an election.

820 (91) "Write-in ballot" means a ballot containing any write-in votes.

821 (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on the
822 ballot, in accordance with the procedures established in this title.

823 Section 5. Section **20A-1-404** is amended to read:

824 **20A-1-404 . Election controversies.**

825 (1)(a)[(i) ~~Whenever any~~] When a controversy occurs between [any] an election officer
826 or other person or entity charged with [any] a duty or function under this title and
827 any candidate, or the officers or representatives of [any] a political party, or
828 persons who have made nominations, either party to the controversy may file a
829 verified petition with the district court.

830 [(:i)] (b) If a petition is filed, the petitioner shall serve a copy of the petition on the
831 respondents on the same day that the petition is filed with the court.

832 [(:b)] (c) The verified petition shall identify concisely the nature of the controversy and
833 the relief sought.

834 (2) After reviewing the petition, the court shall:

835 (a) issue an order commanding the respondent named in the petition to appear before the
836 court to answer, under oath, to the petition;

837 (b) summarily hear and dispose of any issues raised by the petition to obtain:

838 (i) strict compliance with all filing deadlines for financial disclosure reports under:

839 (A) Section 10-3-208, regarding campaign finance statements in municipal
840 elections;

841 (B) Section 17-70-403, regarding campaign finance statements for county offices
842 and local school board offices;

843 (C) Chapter 11, Part 2, Statewide Office Candidates - Campaign Organization and
844 Financial Reporting Requirements;

845 (D) Chapter 11, Part 3, Candidates for Legislative Office - Campaign
846 Organization and Financial Reporting Requirements;
847 (E) Chapter 11, Part 4, Officeholder Financial Reporting Requirements;
848 (F) Chapter 11, Part 5, Political Party Registration and Financial Reporting
849 Requirements;
850 (G) Chapter 11, Part 6, Political Action Committee Registration and Financial
851 Reporting Requirements;
852 (H) Chapter 11, Part 7, Campaign Financial Reporting by Corporations;
853 (I) Chapter 11, Part 8, Political Issues Committees - Registration and Financial
854 Reporting;
855 (J) Chapter 11, Part 13, State School Board Candidates; and
856 (K) Chapter 12, Part 3, Campaign and Financial Reporting
857 [(C) ~~Title 20A, Chapter 11, Part 2, State Office Candidates - Campaign~~
858 Organization and Financial Reporting Requirements;]
859 [(D) ~~Title 20A, Chapter 11, Part 3, Candidates for Legislative Office - Campaign~~
860 Organization and Financial Reporting Requirements;]
861 [(E) ~~Title 20A, Chapter 11, Part 4, Officeholder Financial Reporting Requirements;~~]
862 [(F) ~~Title 20A, Chapter 11, Part 5, Political Party Registration and Financial~~
863 Reporting Requirements;]
864 [(G) ~~Title 20A, Chapter 11, Part 6, Political Action Committee Registration and~~
865 Financial Reporting Requirements;]
866 [(H) ~~Title 20A, Chapter 11, Part 7, Campaign Financial Reporting by Corporations;~~]
867 [(I) ~~Title 20A, Chapter 11, Part 8, Political Issues Committees - Registration and~~
868 Financial Reporting;]
869 [(J) ~~Title 20A, Chapter 11, Part 13, State School Board Candidates; and~~]
870 [(K) ~~Title 20A, Chapter 12, Part 3, Campaign and Financial Reporting~~
871 Requirements for Judicial Retention Elections; and]
872 (ii) substantial compliance with all other provisions of this title by the parties to the
873 controversy; and
874 (c) make and enter orders and judgments, and issue the process of the court to enforce
875 all of those orders and judgments.

876 Section 6. Section **20A-1-511** is repealed and reenacted to read:

877 **20A-1-511 . Midterm vacancy on local school board.**

878 (1) As used in this section:

879 (a) "Appointing authority" means:

880 (i) for a school district contained entirely within one county, the legislative body of
881 the county; or
882 (ii) for a school district that contains all or part of more than one county, the
883 legislative body of the county within which a majority of the population of the
884 school district resides.

885 (b) "Filing deadline" means the final date for filing:

886 (i) a declaration of candidacy as provided in Section 20A-9-202; or
887 (ii) for an unaffiliated candidate, a certificate of nomination as provided in Section
888 20A-9-503.

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

892 (2)(a) Except as provided by Subsection (4), when a vacancy occurs for any reason in
893 the office of local school board member, the vacancy shall be filled for the unexpired
894 term at the next regular general election.

895 (b) The appointing authority shall fill the vacancy until the next regular general election
896 by immediately appointing the individual whose name is submitted by the party
897 liaison of the same political party as the local school board member being replaced.

898 (3)(a) If a vacancy described in Subsection (2)(a) occurs after the filing deadline, but
899 before August 31 of an even-numbered year in which the term of office does not
900 expire, the county clerk shall:

901 (i) establish a date and time, that is before the date for a candidate to be certified for
902 the ballot under Section 20A-9-701 and no later than 21 calendar days after the
903 day on which the vacancy occurs, by which an individual intending to obtain a
904 position on the ballot for the vacant office shall file a declaration of candidacy or,
905 as applicable, a certificate of nomination; and

906 (ii) give notice of the vacancy and the date and time described in Subsection (3)(a)(i):
907 (A) on the county clerk's website; and
908 (B) to each registered political party.

909 (b) An individual intending to obtain a position on the ballot for the vacant office:

910 (i) shall, before the date and time established under Subsection (3)(a)(i), file a
911 declaration of candidacy or, if applicable, a certificate of nomination in
912 accordance with Chapter 9, Candidate Qualifications and Nominating Procedures;

913 and

914 (ii) may run in the regular general election if:

915 (A) ominated as a party candidate; or

916 (B) qualified as an unaffiliated candidate.

917 (c) In relation to a registered political party that is not a qualified political party, if a
918 vacancy described in Subsection (2)(a) occurs after the deadline described in
919 Subsection 20A-9-202(1)(b), but before August 31 of an even-numbered year in
920 which the term of office does not expire:

921 (i) an individual intending to obtain a position on the ballot for the vacant office
922 shall, before the date and time established under Subsection (3)(a)(i), file a
923 declaration of candidacy; and

924 (ii) the party liaison for each registered political party that is not a qualified political
925 party may submit the name of an individual described in Subsection (3)(c)(i) to
926 the county clerk before 5 p.m. no later than August 30 for placement on the
927 regular general election ballot.

928 (4) If a vacancy described in Subsection (2)(a) occurs on or after August 31 of an
929 even-numbered year in which a term does not expire, the appointing authority shall fill
930 the vacancy for the unexpired term by immediately appointing the individual whose
931 name is submitted by the party liaison of the same political party as the local school
932 board member being replaced.

933 (5) An individual seeking appointment to fill a vacancy described in this section shall, no
934 later than the deadline for the individual to file an interim report under Subsection
935 20A-11-1301(5), make a complete conflict of interest disclosure on the website
936 described in Section 20A-11-1602.5.

937 (6) The county clerk shall make each conflict of interest disclosure made by an individual
938 described in Subsection (5) available for public inspection in accordance with
939 Subsection 20A-11-1603(4).

940 (7) A vacancy in the office of local school board member does not occur unless the local
941 school board member:

942 (a) has left office; or

943 (b) submits an irrevocable letter of resignation to the appointing authority.

944 Section 7. Section **20A-8-401** is amended to read:

945 **20A-8-401 . Registered political parties -- Bylaws -- Report name of midterm**
946 **vacancy candidate.**

947 (1)(a) Each new or unregistered state political party that seeks to become a registered
948 political party under the authority of this chapter shall file a copy of the party's
949 proposed constitution and bylaws at the time the party files the party's registration
950 information.

951 (b) Each registered state political party shall file revised copies of the party's constitution
952 or bylaws with the lieutenant governor no later than 5 p.m. on the first business day
953 that is at least 15 calendar days after the day on which the constitution or bylaws are
954 adopted or amended.

955 (2) Each state political party, each new political party seeking registration, and each
956 unregistered political party seeking registration shall ensure that the party's constitution
957 or bylaws contain:

958 (a) provisions establishing party organization, structure, membership, and governance
959 that include:

960 (i) a description of the position, selection process, qualifications, duties, and terms of
961 each party officer and committees defined by constitution and bylaws;

962 (ii) a provision requiring a designated party officer to serve as liaison with:

963 (A) the lieutenant governor on all matters relating to the political party's
964 relationship with the state; and

965 (B) each county legislative body on matters relating to the political party's
966 relationship with a county;

967 (iii) a description of the requirements for participation in party processes;

968 (iv) the dates, times, and quorum of any regularly scheduled party meetings,
969 conventions, or other conclaves; and

970 (v) a mechanism for making the names of delegates, candidates, and elected party
971 officers available to the public shortly after they are selected;

972 (b) a procedure for selecting party officers that allows active participation by party
973 members;

974 (c) a procedure for selecting party candidates at the federal, state, and county levels that
975 allows active participation by party members;

976 (d)(i) a procedure for selecting electors who are pledged to cast their votes in the
977 electoral college for the party's candidates for president and vice president of the
978 United States; and

979 (ii) a procedure for filling vacancies in the office of presidential elector because of
980 death, refusal to act, failure to attend, ineligibility, or any other cause;

981 (e) a procedure for filling vacancies in [the-] a partisan office[~~of representative or~~
982 ~~senator or a county office, as described in Seetion 20A-1-508,~~] because of death,
983 resignation, or ineligibility;

984 (f) a provision requiring the governor and lieutenant governor to run as a joint ticket;

985 (g) a procedure for replacing party candidates who die, acquire a disability that prevents
986 the candidate from continuing the candidacy, or are disqualified before a primary or
987 regular general election;

988 (h) provisions governing the deposit and expenditure of party funds, and governing the
989 accounting for, reporting, and audit of party financial transactions;

990 (i) provisions governing access to party records;

991 (j) a procedure for amending the constitution or bylaws that allows active participation
992 by party members or their representatives;

993 (k) a process for resolving grievances against the political party; and

994 (l) if desired by the political party, a process for consulting with, and obtaining the
995 opinion of, the political party's Utah Senate and Utah House of Representatives
996 members about:

997 (i) the performance of the two United States Senators from Utah, including
998 specifically:

999 (A) their views and actions regarding the defense of state's rights and federalism;
1000 and

1001 (B) their performance in representing Utah's interests;

1002 (ii) the members' opinion about, or rating of, and support or opposition to the policy
1003 positions of any candidates for United States Senate from Utah, including
1004 incumbents, including specifically:

1005 (A) their views and actions regarding the defense of state's rights and federalism;
1006 and

1007 (B) their performance in representing Utah's interests; and

1008 (iii) the members' collective or individual endorsement or rating of a particular
1009 candidate for United States Senate from Utah.

1010 (3) If, in accordance with a political party's constitution or bylaws, [a person] an individual
1011 files a declaration of candidacy or otherwise notifies the party of the [person's]
1012 individual's candidacy as a [legislative office candidate or state office candidate, as
1013 defined in Section 20A-11-101, to be appointed and fill a midterm vacancy in the office
1014 of representative or senator in the Legislature, as described in Section 20A-1-503, or in a

1015 state office as described in Section 20A-1-504] party candidate for a public office, the
1016 party shall forward a copy of that declaration or notification to the lieutenant governor
1017 before 5 p.m. no later than the day following the day on which the party receives the
1018 declaration or notification.

1019 Section 8. Section **20A-9-101** is amended to read:

1020 **20A-9-101 . Definitions.**

1021 As used in this chapter:

1022 (1)(a) "Candidates for elective office" means persons who file a declaration of candidacy
1023 under Section 20A-9-202 to run in a regular general election for a federal office,
1024 constitutional office, multicounty office, or county office.

1025 (b) "Candidates for elective office" does not [mean] include candidates for:
1026 (i) justice or judge of court of record or not of record;
1027 (ii) presidential elector;
1028 (iii) any political party offices; and
1029 (iv) municipal or special district offices.

1030 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney
1031 general, state auditor, and state treasurer.

1032 (3) "Continuing political party" means the same as that term is defined in Section
1033 20A-8-101.

1034 (4)(a) "County office" means an elective office where the officeholder is selected by
1035 voters entirely within one county.

1036 (b) County office includes the following offices if the district for that office is entirely
1037 within one county:

1038 (i) the office of state legislator;
1039 (ii) the office of state school board member; or
1040 (iii) the office of local school board member.

1041 [(b)] (c) "County office" does not [mean] include:

1042 (i) the office of justice or judge of any court of record or not of record;
1043 (ii) the office of presidential elector;
1044 (iii) any political party offices;
1045 (iv) any municipal or special district offices; [and] or
1046 (v) the office of United States Senator and United States Representative.

1047 (5) "Electronic candidate qualification process" means:

1048 (a) as it relates to a registered political party that is not a qualified political party, the

1049 process for gathering signatures electronically to seek the nomination of a registered
1050 political party, described in:

1051 (i) Section 20A-9-403;
1052 (ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and
1053 (iii) Section 20A-21-201; and

1054 (b) as it relates to a qualified political party, the process, for gathering signatures
1055 electronically to seek the nomination of a registered political party, described in:
1056 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
1057 (ii) Section 20A-9-408; and
1058 (iii) Section 20A-21-201.

1059 (6) "Federal office" means an elective office for United States Senator and United States
1060 Representative.

1061 (7) "Filing officer" means:

1062 (a) the lieutenant governor, for:

1063 (i) the office of United States Senator and United States Representative; and
1064 (ii) all constitutional offices;

1065 (b) for the office of a state senator, state representative, or the state school board, the
1066 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);

1067 (c) the county clerk, for county offices and local school district offices;

1068 (d) the county clerk in the filer's county of residence, for multicounty offices;

1069 (e) the city or town clerk, for municipal offices; or

1070 (f) the special district clerk, for special district offices.

1071 (8) "Local government office" includes county offices, municipal offices, and special
1072 district offices and other elective offices selected by the voters from a political division
1073 entirely within one county.

1074 (9) "Manual candidate qualification process" means the process for gathering signatures to
1075 seek the nomination of a registered political party, using paper signature packets that a
1076 signer physically signs.

1077 (10)(a) "Multicounty office" means an elective office where the officeholder is selected
1078 by the voters from more than one county.

1079 (b) Multicounty office includes the following offices if the district for that office
1080 includes all or part of at least two counties:

1081 (i) the office of state legislator;
1082 (ii) the office of state school board member; or

(iii) the office of local school board member.

[**(b)**] (c) "Multicounty office" does not [mean] include:

(i) a county office;

(ii) a federal office;

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

(iv) the office of presidential elector;

(v) any political party offices; or

(vi) any municipal or special district offices.

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

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

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

(13) "Qualified political party" means a registered political party that:

(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

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

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

(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:

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

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

(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

(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.

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

- (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
- (b) when using the electronic candidate qualification process:
 - (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
 - (ii) a holographic signature collected electronically under Subsection 20A-21-201(6)(c)(ii)(B).

(15) "Special district office" means an elected office in a special district.

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

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.

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

(a) be a United States citizen;

(b) meet the legal requirements of that office; and

(c) if seeking a registered political party's nomination as a candidate for elective office, state to the filing officer:

- (i) the registered political party of which the individual is a member; or
- (ii) that the individual is not a member of a registered political party.

(2)(a) Except as provided in Subsection (2)(b), an individual may not:

(i) file a declaration of candidacy for, or be a candidate for, more than one office in Utah during any election year;

- (ii) appear on the ballot as the candidate of more than one political party; or
- (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.

(b)(1) 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

1151 individual is officially nominated for president or vice president of the United
1152 States.

1153 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
1154 than one justice court judge office.

1155 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
1156 the individual filed a declaration of candidacy for another office in the same
1157 election year if the individual withdraws as a candidate for the other office in
1158 accordance with Subsection 20A-9-202(6) before filing the declaration of
1159 candidacy for lieutenant governor.

1160 (iv) For the 2026 election year only, an individual who files a declaration of
1161 candidacy to seek the nomination of a qualified political party for constitutional
1162 office, multicounty office, or county office:

- 1163 (A) may also be a candidate for United States representative;
- 1164 (B) may, if the individual desires to use the signature-gathering process to qualify
1165 for the primary election ballot for the office of United States representative, file
1166 a notice of intent to gather signatures for, and gather signatures for, that office;
1167 and
- 1168 (C) shall, before filing a declaration of candidacy for the office of United States
1169 representative, withdraw as a candidate for the constitutional office,
1170 multicounty office, or county office for which the individual filed a declaration
1171 of candidacy.

1172 (3)(a) Except for a candidate for president or vice president of the United States, before
1173 the filing officer may accept any declaration of candidacy, the filing officer shall:

- 1174 (i) read to the individual the constitutional and statutory qualification requirements
1175 for the office that the individual is seeking;
- 1176 (ii) require the individual to state whether the individual meets the requirements
1177 described in Subsection (3)(a)(i);
- 1178 (iii) if the declaration of candidacy is for a county office, inform the individual that
1179 an individual who holds a county elected office may not, at the same time, hold a
1180 municipal elected office; and
- 1181 (iv) if the declaration of candidacy is for a legislative office, inform the individual
1182 that Utah Constitution, Article VI, Section 6, prohibits a person who holds a
1183 public office of profit or trust, under authority of the United States or Utah, from
1184 being a member of the Legislature.

1185 (b)(i) Before accepting a declaration of candidacy for the office of county attorney,
1186 the county clerk shall ensure that the individual filing that declaration of
1187 candidacy is:
1188 (A) a United States citizen;
1189 (B) an attorney licensed to practice law in the state who is an active member in
1190 good standing of the Utah State Bar;
1191 (C) a registered voter in the county in which the individual is seeking office; and
1192 (D) a current resident of the county in which the individual is seeking office and
1193 either has been a resident of that county for at least one year before the date of
1194 the election or was appointed and is currently serving as county attorney and
1195 became a resident of the county within 30 calendar days after appointment to
1196 the office.

1197 (ii) An individual filing a declaration of candidacy for the office of county attorney
1198 shall submit with the individual's declaration:
1199 (A) a letter from the Utah Supreme Court, affirming that the individual is an
1200 attorney in good standing;
1201 (B) proof of the individual's application with the Utah State Bar, with an affidavit
1202 describing the status of the individual's application; or
1203 (C) an affidavit describing how the individual intends to comply with the
1204 requirements for office of county attorney described in Subsection (3)(b)(i),
1205 prior to taking office.

1206 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual
1207 shall also provide the filing officer with the individual's license number with:
1208 (A) the Utah State Bar, if the individual is a member; or
1209 (B) any other state bar association, if the individual is a member.

1210 (c)(i) Before accepting a declaration of candidacy for the office of district attorney,
1211 the county clerk shall ensure that, as of the date of the election, the individual
1212 filing that declaration of candidacy is:
1213 (A) a United States citizen;
1214 (B) an attorney licensed to practice law in the state who is an active member in
1215 good standing of the Utah State Bar;
1216 (C) a registered voter in the prosecution district in which the individual is seeking
1217 office; and
1218 (D) a current resident of the prosecution district in which the individual is seeking

1219 office and either will have been a resident of that prosecution district for at
1220 least one year before the date of the election or was appointed and is currently
1221 serving as district attorney or county attorney and became a resident of the
1222 prosecution district within 30 calendar days after receiving appointment to the
1223 office.

1224 (ii) An individual filing a declaration of candidacy for the office of district attorney
1225 shall submit with the individual's declaration:

1226 (A) a letter from the Utah Supreme Court, affirming that the individual is an
1227 attorney in good standing;

1228 (B) proof of the individual's application with the Utah State Bar, with an affidavit
1229 describing the status of the individual's application; or

1230 (C) an affidavit describing how the individual intends to comply with the
1231 requirements for office of district attorney described in Subsection (3)(c)(i),
1232 prior to taking office.

1233 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual
1234 shall also provide the filing officer with the individual's license number with:

1235 (A) the Utah State Bar, if the individual is a member; or

1236 (B) any other state bar association, if the individual is a member.

1237 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
1238 county clerk shall ensure that the individual filing the declaration:

1239 (i) is a United States citizen;

1240 (ii) is a registered voter in the county in which the individual seeks office;

1241 (iii)(A) has successfully met the standards and training requirements established
1242 for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer
1243 Training and Certification Act; or

1244 (B) has met the waiver requirements in Section 53-6-206;

1245 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
1246 53-13-103; and

1247 (v) before the date of the election, will have been a resident of the county in which
1248 the individual seeks office for at least one year.

1249 (e)(i) An individual filing a declaration of candidacy for the office of attorney general
1250 shall submit with the individual's declaration:

1251 (A) a letter from the Utah Supreme Court, affirming that the individual is an
1252 attorney in good standing;

1253 (B) proof of the individual's application with the Utah State Bar, with an affidavit
1254 describing the status of the individual's application; or
1255 (C) an affidavit describing how the individual intends to comply with the
1256 requirements for office of attorney general, described in Article VII, Sec. 3,
1257 Utah Constitution, prior to taking office.

1258 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual
1259 shall also provide the filing officer with the individual's license number with:
1260 (A) the Utah State Bar, if the individual is a member; or
1261 (B) any other state bar association, if the individual is a member.

1262 (iii) An individual filing the declaration of candidacy for the office of attorney
1263 general shall also make the conflict of interest disclosure described in Section
1264 20A-11-1603.

1265 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant
1266 governor, state auditor, state treasurer, state legislator, [or] State Board of Education
1267 member, or local board of education member, the filing officer shall ensure that the
1268 individual filing the declaration of candidacy also makes the conflict of interest
1269 disclosure described in Section 20A-11-1603.

1270 (4) If an individual who files a declaration of candidacy does not meet the qualification
1271 requirements for the office the individual is seeking, the filing officer may not accept the
1272 individual's declaration of candidacy.

1273 (5) If an individual who files a declaration of candidacy meets the requirements described
1274 in Subsection (3), the filing officer shall:
1275 (a) inform the individual that:
1276 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as
1277 the individual's name is written on the individual's declaration of candidacy;
1278 (ii) the individual may be required to comply with state or local campaign finance
1279 disclosure laws; and
1280 (iii) the individual is required to file a financial statement before the individual's
1281 political convention under:
1282 (A) Section 20A-11-204 for a candidate for constitutional office;
1283 (B) Section 20A-11-303 for a candidate for the Legislature; [or]
1284 (C) Section 20A-9-1301 for a school board office candidate; or
1285 [~~(C)~~] (D) local campaign finance disclosure laws, if applicable;
1286 (b) except for a presidential candidate, provide the individual with a copy of the current

1287 campaign financial disclosure laws for the office the individual is seeking and inform
1288 the individual that failure to comply will result in disqualification as a candidate and
1289 removal of the individual's name from the ballot;

1290 (c)(i) provide the individual with a copy of Section 20A-7-801 regarding the
1291 Statewide Electronic Voter Information Website Program and inform the
1292 individual of the submission deadline under Subsection 20A-7-801(4)(a);
1293 (ii) inform the individual that the individual must provide the filing officer with an
1294 email address that the individual actively monitors:
1295 (A) to receive a communication from a filing officer or an election officer; and
1296 (B) if the individual wishes to display a candidate profile on the Statewide
1297 Electronic Voter Information Website, to submit to the website the
1298 biographical and other information described in Subsection 20A-7-801(4)(a)(ii);

1299 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is
1300 not a record under Title 63G, Chapter 2, Government Records Access and
1301 Management Act; and

1302 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);

1303 (d) provide the candidate with a copy of the pledge of fair campaign practices described
1304 under Section 20A-9-206 and inform the candidate that:

1305 (i) signing the pledge is voluntary; and

1306 (ii) signed pledges shall be filed with the filing officer;

1307 (e) accept the individual's declaration of candidacy; and

1308 (f) if the individual has filed for a partisan office, provide a certified copy of the
1309 declaration of candidacy to the chair of the county or state political party of which the
1310 individual is a member.

1311 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
1312 shall:

1313 (a) accept the candidate's pledge; and

1314 (b) if the candidate has filed for a partisan office, provide a certified copy of the
1315 candidate's pledge to the chair of the county or state political party of which the
1316 candidate is a member.

1317 (7)(a) Except for a candidate for president or vice president of the United States, the
1318 form of the declaration of candidacy shall:

1319 (i) be substantially as follows:

1320 "State of Utah, County of ____

1321 I, _____, declare my candidacy for the office of ____, seeking the
1322 nomination of the ____ party. I do solemnly swear, under penalty of perjury, that: I will meet
1323 the qualifications to hold the office, both legally and constitutionally, if selected; I reside at
1324 _____ in the City or Town of ____, Utah, Zip Code ____ Phone No. ____; I will not
1325 knowingly violate any law governing campaigns and elections; if filing via a designated agent,
1326 I will be out of the state of Utah during the entire candidate filing period; I will file all
1327 campaign financial disclosure reports as required by law; and I understand that failure to do so
1328 will result in my disqualification as a candidate for this office and removal of my name from
1329 the ballot. The mailing address that I designate for receiving official election notices is
1330 _____.

1331 _____
1332 Subscribed and sworn before me this _____(month\day\year).
1333

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

1334 (ii) require the candidate to state, in the sworn statement described in Subsection
1335 (7)(a)(i):
1336 (A) the registered political party of which the candidate is a member; or
1337 (B) that the candidate is not a member of a registered political party.
1338 (b) An agent designated under Subsection 20A-9-202(1)(c) to file a declaration of
1339 candidacy may not sign the form described in Subsection (7)(a) or Section
1340 20A-9-408.5.
1341 (8)(a) Except for a candidate for president or vice president of the United States, the fee
1342 for filing a declaration of candidacy is:
1343 (i) \$50 for [candidates for the] a local school district board office candidate; and
1344 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
1345 person holding the office for all other federal, state, and county offices.
1346 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any
1347 candidate:
1348 (i) who is disqualified; or
1349 (ii) who the filing officer determines has filed improperly.
1350 (c)(i) The county clerk shall immediately pay to the county treasurer all fees received
1351 from candidates.
1352 (ii) The lieutenant governor shall:
1353 (A) apportion to and pay to the county treasurers of the various counties all fees

1354 received for filing of nomination certificates or acceptances; and

1355 (B) ensure that each county receives that proportion of the total amount paid to the
1356 lieutenant governor from the congressional district that the total vote of that
1357 county for all candidates for representative in Congress bears to the total vote
1358 of all counties within the congressional district for all candidates for
1359 representative in Congress.

1360 (d)(i) A person who is unable to pay the filing fee may file a declaration of candidacy
1361 without payment of the filing fee upon a prima facie showing of impecuniosity as
1362 evidenced by an affidavit of impecuniosity filed with the filing officer and, if
1363 requested by the filing officer, a financial statement filed at the time the affidavit
1364 is submitted.

1365 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

1366 (iii)(A) False statements made on an affidavit of impecuniosity or a financial
1367 statement filed under this section shall be subject to the criminal penalties
1368 provided under Sections 76-8-503 and 76-8-504 and any other applicable
1369 criminal provision.

1370 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be
1371 considered an offense under this title for the purposes of assessing the penalties
1372 provided in Subsection 20A-1-609(2).

1373 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially
1374 the following form:

1375 "Affidavit of Impecuniosity

1376 Individual Name

1377 _____ Address _____

1378 Phone Number _____

1379 I, _____ (name), do solemnly [swear] [affirm], under penalty of
1380 law for false statements, that, owing to my poverty, I am unable to pay the filing fee required
1381 by law.

1382 Date _____

1383 Signature _____ Affiant

1384 Subscribed and sworn to before me on _____ (month\day\year)

1385 _____

1386

(signature)

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

(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:

"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."

(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.

(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.

(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.

Section 10. Section **20A-9-403** is amended to read:

20A-9-403 . Regular primary elections.

(1)(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.

(b) The regular primary election is held on the date [specified] described in Section 20A-1-201.5.[-Nothing in this]

(c) This section [shall] does not 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.

[**(b)**] **(d)** 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.

[(e)] (e) 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 a candidate for elective office who is not

nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).

[**(d)**] **(f)** 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.

(2)(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

(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.

(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.

(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.

(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:

- (i) circulated and completed in accordance with Section 20A-9-405; and
- (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.

(b)(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.

(ii) A candidate may supplement the candidate's submissions at any time on or before the filing deadline.

1454 (c)(i) The lieutenant governor shall determine for each elective office the total
1455 number of signatures that must be submitted under Subsection (3)(a)(ii) or
1456 20A-9-408(8) by counting the aggregate number of individuals residing in each
1457 elective office's political division who have designated a particular registered
1458 political party on the individuals' voter registration forms on or before November
1459 15 of each odd-numbered year.

1460 (ii) The lieutenant governor shall publish the determination for each elective office
1461 no later than November 30 of each odd-numbered year.

1462 (d) The filing officer shall:

1463 (i) except as otherwise provided in Section 20A-21-201, and in accordance with
1464 Section 20A-9-408.3, verify signatures on nomination petitions in a transparent
1465 and orderly manner, no later than 14 calendar days after the day on which a
1466 candidate submits the signatures to the filing officer;

1467 (ii) for all qualifying candidates for elective office who submit nomination petitions
1468 to the filing officer, issue certifications referenced in Subsection (3)(a) no later
1469 than the deadline described in Subsection 20A-9-202(1)(b);

1470 (iii) consider active and inactive voters eligible to sign nomination petitions;

1471 (iv) consider an individual who signs a nomination petition a member of a registered
1472 political party for purposes of Subsection (3)(a)(ii) if the individual has designated
1473 that registered political party as the individual's party membership on the
1474 individual's voter registration form; and

1475 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
1476 the county clerk as applicable, use the procedures described in Section 20A-1-1002
1477 to verify submitted nomination petition signatures, or use statistical sampling
1478 procedures to verify submitted nomination petition signatures in accordance with
1479 rules made under Subsection (3)(f).

1480 (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant
1481 governor may appear on the regular primary ballot of a registered political party
1482 without submitting nomination petitions if the candidate files a declaration of
1483 candidacy and complies with Subsection 20A-9-202(3).

1484 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1485 director of elections, within the Office of the Lieutenant Governor, may make rules
1486 that:

1487 (i) provide for the use of statistical sampling procedures that:

1488 (A) filing officers are required to use to verify signatures under Subsection (3)(d);
1489 and

1490 (B) reflect a bona fide effort to determine the validity of a candidate's entire
1491 submission, using widely recognized statistical sampling techniques; and

1492 (ii) provide for the transparent, orderly, and timely submission, verification, and
1493 certification of nomination petition signatures.

1494 [(g) The county clerk shall:]

1495 [(i) review the declarations of candidacy filed by candidates for local boards of
1496 education to determine if more than two candidates have filed for the same seat;]
1497

1498 [(ii) place the names of all candidates who have filed a declaration of candidacy for a
1499 local board of education seat on the nonpartisan section of the ballot if more than
two candidates have filed for the same seat; and]

1500 [(iii) place the local board of education candidates' names on the ballot in accordance
1501 with Sections 20A-6-109 and 20A-6-110.]

1502 (4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant
1503 governor shall provide to the county clerks:

1504 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
1505 county, and county offices who have received certifications under Subsection (3),
1506 along with instructions on how those names shall appear on the primary election
1507 ballot in accordance with Sections 20A-6-109 and 20A-6-110; and

1508 (ii) a list of unopposed candidates for elective office who have been nominated by a
1509 registered political party under Subsection (5)(c) and instruct the county clerks to
1510 exclude the unopposed candidates from the primary election ballot.

1511 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1512 joint-ticket running mates shall appear jointly on the primary election ballot.

1513 (c) After the county clerk receives the certified list from the lieutenant governor under
1514 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1515 substantially the following form:

1516 "Notice is given that a primary election will be held Tuesday, June ____,
1517 ____ (year), to nominate party candidates for the parties[and candidates for nonpartisan] ,
1518 including candidates for local school board positions listed on the primary ballot. The polling
1519 place for voting precinct ____ is _____. The polls will open at 7 a.m. and continue open until 8
1520 p.m. of the same day. Attest: county clerk."

1521 (5)(a) A candidate who, at the regular primary election, receives the highest number of

1522 votes cast for the office sought by the candidate is[[;]]

1523 [⁽ⁱ⁾] nominated for that office by the candidate's registered political party[[;] or] .

1524 [⁽ⁱⁱ⁾ for a nonpartisan local school board position, nominated for that office.]

1525 (b) If two or more candidates are to be elected to the office at the regular general
1526 election, those party candidates equal in number to positions to be filled who receive
1527 the highest number of votes at the regular primary election are the nominees of the
1528 candidates' party for those positions.

1529 (c)(i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

1530 (A) no individual other than the candidate receives a certification under
1531 Subsection (3) for the regular primary election ballot of the candidate's
1532 registered political party for a particular elective office; or

1533 (B) for an office where more than one individual is to be elected or nominated, the
1534 number of candidates who receive certification under Subsection (3) for the
1535 regular primary election of the candidate's registered political party does not
1536 exceed the total number of candidates to be elected or nominated for that office.

1537 (ii) A candidate who is unopposed for an elective office in the regular primary
1538 election of a registered political party is nominated by the party for that office
1539 without appearing on the primary election ballot.

1540 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary
1541 election provided for by this section, and all expenses necessarily incurred in the
1542 preparation for or the conduct of that primary election shall be paid out of the treasury of
1543 the county or state, in the same manner as for the regular general elections.

1544 (7) An individual may not file a declaration of candidacy for a registered political party of
1545 which the individual is not a member, except to the extent that the registered political
1546 party permits otherwise under the registered political party's bylaws.

1547 Section 11. Section **20A-9-408** is amended to read:

1548 **20A-9-408 . Signature-gathering process to seek the nomination of a qualified
1549 political party -- Removal of signature.**

1550 (1) This section describes the requirements for a member of a qualified political party who
1551 is seeking the nomination of the qualified political party for an elective office through
1552 the signature-gathering process described in this section.

1553 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
1554 for a member of a qualified political party who is nominated by, or who is seeking the
1555 nomination of, the qualified political party under this section shall be substantially as

1556 described in Section 20A-9-408.5.

1557 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1558 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
1559 the nomination of the qualified political party for an elective office that is to be filled at
1560 the next general election shall:

1561 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
1562 declaration of candidacy filing period described in Section 20A-9-201.5, and before
1563 gathering signatures under this section, file with the filing officer on a form approved
1564 by the lieutenant governor a notice of intent to gather signatures for candidacy that
1565 includes:

1566 (i) the name of the member who will attempt to become a candidate for a registered
1567 political party under this section;
1568 (ii) the name of the registered political party for which the member is seeking
1569 nomination;
1570 (iii) the office for which the member is seeking to become a candidate;
1571 (iv) the address and telephone number of the member; and
1572 (v) other information required by the lieutenant governor;

1573 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
1574 person, with the filing officer during the applicable declaration of candidacy filing
1575 period described in Section 20A-9-201.5; and

1576 (c) pay the filing fee.

1577 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
1578 who, under this section, is seeking the nomination of the qualified political party for the
1579 office of district attorney within a multicounty prosecution district that is to be filled at
1580 the next general election shall:

1581 (a) during the applicable declaration of candidacy filing period described in Section
1582 20A-9-201.5, and before gathering signatures under this section, file with the filing
1583 officer on a form approved by the lieutenant governor a notice of intent to gather
1584 signatures for candidacy that includes:

1585 (i) the name of the member who will attempt to become a candidate for a registered
1586 political party under this section;
1587 (ii) the name of the registered political party for which the member is seeking
1588 nomination;
1589 (iii) the office for which the member is seeking to become a candidate;

1590 (iv) the address and telephone number of the member; and
1591 (v) other information required by the lieutenant governor;

1592 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
1593 person, with the filing officer during the applicable declaration of candidacy filing
1594 period described in Section 20A-9-201.5; and
1595 (c) pay the filing fee.

1596 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
1597 files as the joint-ticket running mate of an individual who is nominated by a qualified
1598 political party, under this section, for the office of governor shall, during the applicable
1599 declaration of candidacy filing period described in Section 20A-9-201.5, file a
1600 declaration of candidacy and submit a letter from the candidate for governor that names
1601 the lieutenant governor candidate as a joint-ticket running mate.

1602 (6) The lieutenant governor shall ensure that the certification described in Subsection
1603 20A-9-701(1) also includes the name of each candidate nominated by a qualified
1604 political party under this section.

1605 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
1606 nominated by a qualified political party under this section, designate the qualified
1607 political party that nominated the candidate.

1608 (8) A member of a qualified political party may seek the nomination of the qualified
1609 political party for an elective office by:
1610 (a) complying with the requirements described in this section; and
1611 (b) collecting signatures, on a form approved by the lieutenant governor that complies
1612 with Subsection 20A-9-405(3), during the period beginning on the day on which the
1613 member files a notice of intent to gather signatures and ending at the applicable
1614 deadline described in Subsection (12), in the following amounts:
1615 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1616 permitted by the qualified political party to vote for the qualified political party's
1617 candidates in a primary election;
1618 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
1619 signatures of registered voters who are residents of the congressional district and
1620 are permitted by the qualified political party to vote for the qualified political
1621 party's candidates in a primary election;
1622 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1623 residents of the state Senate district and are permitted by the qualified political

party to vote for the qualified political party's candidates in a primary election;

- (iv) for a state House district race, 1,000 signatures of registered voters who are residents of the state House district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election;
- (v) for a State Board of Education race, the lesser of:
 - (A) 2,000 signatures of registered voters who are residents of the State Board of Education district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election; or
 - (B) 3% of the registered voters of the qualified political party who are residents of the applicable State Board of Education district;[-and]
- (vi) for a county office race, signatures of 3% of the registered voters who are residents of the area permitted to vote for the county office and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election[-] ; and
- (vii) for a local school board race, signatures of 2% of the registered voters who are residents of the area permitted to vote for the local school board office and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.

(9)(a) This Subsection (9) applies only to the manual candidate qualification process.

(b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, using the manual candidate qualification process, the member shall:

- (i) collect the signatures on a form approved by the lieutenant governor, using the same circulation and verification requirements described in Sections 20A-7-105 and 20A-7-204; and

(ii) in accordance with Section 20A-9-408.3, submit the signatures to the election officer before the applicable deadline described in Subsection (12).

(c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in accordance with Section 20A-9-408.3, the election officer shall, no later than the earlier of 14 calendar days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:

(i) check the name of each individual who completes the verification for a signature

packet to determine whether each individual is at least 18 years old;

- (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at least 18 years old to the attorney general and the county attorney;
- (iii) with the assistance of the county clerk as applicable, determine whether each signer is a registered voter who is qualified to sign the petition, using the same method, described in Section 20A-1-1002, used to verify a signature on a petition; and
- (iv) certify whether each name is that of a registered voter who is qualified to sign the signature packet.

(d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b) may have the voter's signature removed from the form by, no later than 5 p.m. three business days after the day on which the member submits the signature form to the election officer, submitting to the election officer a statement requesting that the voter's signature be removed.

(ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements described in Subsection 20A-1-1003(2).

(iii) With the assistance of the county clerk as applicable, the election officer shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature after receiving a timely, valid statement requesting removal of the signature.

(e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules made under Section 20A-3a-106, conduct regular audits of signature comparisons made between signatures gathered under this section and voter signatures maintained by the election officer.

(ii) An individual who conducts an audit of signature comparisons under this section may not audit the individual's own work.

(iii) The election officer shall:

(A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to determine the accuracy of the comparisons made;

(B) record the individuals who conducted the audit;

(C) record the audit results;

(D) provide additional training or staff reassessments, as needed, based on the results of an audit described in Subsection (9)(e)(i); and

(E) record any remedial action taken

1692 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.

1693 (f) An election officer who certifies signatures under Subsection (9)(c) or

1694 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate

1695 has reached the applicable signature threshold described in Subsection (8) or

1696 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the

1697 candidate in excess of the number of signatures required, until the election officer

1698 either:

1699 (i) certifies signatures equal to 110% of the applicable signature threshold; or

1700 (ii) has reviewed all signatures submitted for the candidate before reaching an

1701 amount equal to 110% of the applicable signature threshold.

1702 (10)(a) This Subsection (10) applies only to the electronic candidate qualification

1703 process.

1704 (b) In order for a member of the qualified political party to qualify as a candidate for the

1705 qualified political party's nomination for an elective office under this section, the

1706 member shall, before the deadline described in Subsection (12), collect signatures

1707 electronically:

1708 (i) in accordance with Section 20A-21-201; and

1709 (ii) using progressive screens, in a format approved by the lieutenant governor, that

1710 complies with Subsection 20A-9-405(4).

1711 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the

1712 election officer shall, no later than the earlier of 14 calendar days after the day on

1713 which the election officer receives the signatures, or one day before the day on which

1714 the qualified political party holds the convention to select a nominee for the elective

1715 office to which the signature packets relate:

1716 (i) check the name of each individual who completes the verification for a signature

1717 to determine whether each individual is at least 18 years old; and

1718 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not

1719 at least 18 years old to the attorney general and the county attorney.

1720 (11)(a) An individual may not gather signatures under this section until after the

1721 individual files a notice of intent to gather signatures for candidacy described in this

1722 section.

1723 (b) An individual who files a notice of intent to gather signatures for candidacy,

1724 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the

1725 individual files the notice of intent to gather signatures for candidacy:

1726 (i) required to comply with the reporting requirements that a candidate for office is
1727 required to comply with; and
1728 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1729 apply to a candidate for office in relation to the reporting requirements described
1730 in Subsection (11)(b)(i).

1731 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
1732 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
1733 day on which the qualified political party holds the convention to select a nominee
1734 for the elective office to which the signature packets relate, notify the qualified
1735 political party and the lieutenant governor of the name of each member of the
1736 qualified political party who qualifies as a nominee of the qualified political party,
1737 under this section, for the elective office to which the convention relates.

1738 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
1739 section, the lieutenant governor shall post the notice of intent to gather signatures for
1740 candidacy on the lieutenant governor's website in the same location that the
1741 lieutenant governor posts a declaration of candidacy.

1742 (12) The deadline before which a member of a qualified political party must collect and
1743 submit signatures to the election officer under this section is 5 p.m. on the last business
1744 day that is at least 14 calendar days before the day on which the qualified political
1745 party's convention for the office begins.

1746 (13) For the 2026 election year only, an individual who desires to gather signatures to seek
1747 the nomination of a qualified political party for the office of United States representative
1748 shall:

1749 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
1750 during the period beginning at 8 a.m. on the first business day of January and ending
1751 at 5 p.m. on March 13, 2026; and

1752 (b) during the period beginning on the day on which the individual files the notice of
1753 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
1754 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
1755 collect 7,000 signatures of registered voters who are residents of the state and are
1756 permitted by the qualified political party to vote for the qualified political party's
1757 candidates in a primary election.

1758 Section 12. Section **20A-11-101** is amended to read:

1759 **20A-11-101 . Definitions.**

1760 As used in this chapter:

1761 (1)(a) "Address" means the number and street where an individual resides or where a
1762 reporting entity has its principal office.

1763 (b) "Address" does not include a post office box.

1764 (2) "Agent of a reporting entity" means:

1765 (a) a person acting on behalf of a reporting entity at the direction of the reporting entity;

1766 (b) a person employed by a reporting entity in the reporting entity's capacity as a
1767 reporting entity;

1768 (c) the personal campaign committee of a candidate or officeholder;

1769 (d) a member of the personal campaign committee of a candidate or officeholder in the
1770 member's capacity as a member of the personal campaign committee of the candidate
1771 or officeholder; or

1772 (e) a political consultant of a reporting entity.

1773 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
1774 amendments, and any other ballot propositions submitted to the voters that are
1775 authorized by the Utah Code Annotated 1953.

1776 (4) "Candidate" means [any person] an individual who:

1777 (a) files a declaration of candidacy for a public office; or

1778 (b) receives contributions, makes expenditures, or gives consent for [any other] a person
1779 to receive contributions or make expenditures to bring about the [person's] individual's
1780 nomination, appointment, or election to a public office.

1781 (5) "Chief election officer" means[:]

1782 [(a)] the lieutenant governor~~[for state office candidates, legislative office candidates,~~
1783 ~~offieeholders, political parties, political action committees, corporations, political~~
1784 ~~issues committees, state school board candidates, judges, and labor organizations, as~~
1785 ~~defined in Section 20A-11-1501; and]~~

1786 [(b) the county clerk for local school board candidates].

1787 (6)(a) "Contribution" means any of the following when done for political purposes:

1788 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
1789 value given to the filing entity;

1790 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
1791 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
1792 money or anything of value to the filing entity;

1793 (iii) any transfer of funds from another reporting entity to the filing entity;

1794 (iv) compensation paid by any person or reporting entity other than the filing entity
1795 for personal services provided without charge to the filing entity;

1796 (v) remuneration from:
1797 (A) any organization or its directly affiliated organization that has a registered
1798 lobbyist; or
1799 (B) any agency or subdivision of the state, including school districts;

1800 (vi) a loan made by a candidate deposited to the candidate's own campaign; and
1801 (vii) in-kind contributions.

1802 (b) "Contribution" does not include:
1803 (i) services provided by individuals volunteering a portion or all of their time on
1804 behalf of the filing entity if the services are provided without compensation by the
1805 filing entity or any other person;
1806 (ii) money lent to the filing entity by a financial institution in the ordinary course of
1807 business;
1808 (iii) goods or services provided for the benefit of a political entity at less than fair
1809 market value that are not authorized by or coordinated with the political entity; or
1810 (iv) data or information described in Subsection (24)(b).

1811 (7) "Coordinated with" means that goods or services provided for the benefit of a political
1812 entity are provided:
1813 (a) with the political entity's prior knowledge, if the political entity does not object;
1814 (b) by agreement with the political entity;
1815 (c) in coordination with the political entity; or
1816 (d) using official logos, slogans, and similar elements belonging to a political entity.

1817 (8)(a) "Corporation" means a domestic or foreign, profit or nonprofit, business
1818 organization that is registered as a corporation or is authorized to do business in a
1819 state and makes any expenditure from corporate funds for:
1820 (i) the purpose of expressly advocating for political purposes; or
1821 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
1822 proposition.

1823 (b) "Corporation" does not mean:
1824 (i) a business organization's political action committee or political issues committee;
1825 or
1826 (ii) a business entity organized as a partnership or a sole proprietorship.

1827 (9) "County political party" means, for each registered political party, all of the persons

1828 within a single county who, under definitions established by the political party, are
1829 members of the registered political party.

1830 (10) "County political party officer" means a person whose name is required to be
1831 submitted by a county political party to the lieutenant governor in accordance with
1832 Section 20A-8-402.

1833 (11) "Detailed listing" means:

1834 (a) for each contribution or public service assistance:

1835 (i) the name and address of the individual or source making the contribution or public
1836 service assistance, except to the extent that the name or address of the individual
1837 or source is unknown;

1838 (ii) the amount or value of the contribution or public service assistance; and

1839 (iii) the date the contribution or public service assistance was made; and

1840 (b) for each expenditure:

1841 (i) the amount of the expenditure;

1842 (ii) the goods or services acquired by the expenditure; and

1843 (iii) the date the expenditure was made.

1844 (12)(a) "Donor" means a person that gives money, including a fee, due, or assessment
1845 for membership in the corporation, to a corporation without receiving full and
1846 adequate consideration for the money.

1847 (b) "Donor" does not include a person that signs a statement that the corporation may not
1848 use the money for an expenditure or political issues expenditure.

1849 (13) "Election" means each:

1850 (a) regular general election;

1851 (b) regular primary election; and

1852 (c) special election at which candidates are eliminated and selected.

1853 (14) "Electioneering communication" means a communication that:

1854 (a) has at least a value of \$10,000;

1855 (b) clearly identifies a candidate or judge; and

1856 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
1857 facility, direct mailing, broadcast, cable, or satellite provider within 45 calendar days
1858 before the clearly identified candidate's or judge's election date.

1859 (15)(a) "Expenditure" means any of the following made by a reporting entity or an agent
1860 of a reporting entity on behalf of the reporting entity:

1861 (i) any disbursement from contributions, receipts, or from the separate bank account

1862 required by this chapter;

1863 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
1864 or anything of value made for political purposes;

1865 (iii) an express, legally enforceable contract, promise, or agreement to make any
1866 purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
1867 or anything of value for political purposes;

1868 (iv) compensation paid by a filing entity for personal services rendered by a person
1869 without charge to a reporting entity;

1870 (v) a transfer of funds between the filing entity and a candidate's personal campaign
1871 committee;

1872 (vi) goods or services provided by the filing entity to or for the benefit of another
1873 reporting entity for political purposes at less than fair market value; or

1874 (vii) an independent expenditure, as defined in Section 20A-11-1702.

1875 (b) "Expenditure" does not include:

1876 (i) services provided without compensation by individuals volunteering a portion or
1877 all of their time on behalf of a reporting entity;

1878 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
1879 business; or

1880 (iii) anything listed in Subsection (15)(a) that is given by a reporting entity to
1881 candidates for office or officeholders in states other than Utah.

1882 (16) "Federal office" means the office of president of the United States, United States
1883 Senator, or United States Representative.

1884 (17) "Filing entity" means the reporting entity that is required to file a financial statement
1885 required [by] under this chapter or Chapter 12, Part 2, Judicial Retention Elections.

1886 (18) "Financial statement" includes any summary report, interim report, verified financial
1887 statement, or other statement disclosing contributions, expenditures, receipts, donations,
1888 or disbursements that is required [by] under this chapter or Chapter 12, Part 2, Judicial
1889 Retention Elections.

1890 (19) "Governing board" means the individual or group of individuals that determine the
1891 candidates and committees that will receive expenditures from a political action
1892 committee, political party, or corporation.

1893 (20) "Incorporation" means the process established by Title 10, Chapter 2a, Municipal
1894 Incorporation, by which a geographical area becomes legally recognized as a city or
1895 town.

1896 (21) "Incorporation election" means the election conducted under Section 10-2a-210.

1897 (22) "Incorporation petition" means a petition described in Section 10-2a-208.

1898 (23) "Individual" means a natural person.

1899 (24)(a) "In-kind contribution" means anything of value, other than money, that is
1900 accepted by or coordinated with a filing entity.

1901 (b) "In-kind contribution" does not include survey results, voter lists, voter contact
1902 information, demographic data, voting trend data, or other information that:

1903 (i) is not commissioned for the benefit of a particular candidate or officeholder; and

1904 (ii) is offered at no cost to a candidate or officeholder.

1905 (25) "Interim report" means a report identifying the contributions received and expenditures
1906 made since the last report.

1907 (26) "Legislative office" means the office of state senator, state representative, speaker of
1908 the House of Representatives, president of the Senate, and the leader, whip, and assistant
1909 whip of any party caucus in either house of the Legislature.

1910 (27) "Legislative office candidate" means a person who:

1911 (a) files a declaration of candidacy for the office of state senator or state representative;

1912 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
1913 speaker of the House of Representatives, president of the Senate, or the leader, whip,
1914 and assistant whip of any party caucus in either house of the Legislature; or

1915 (c) receives contributions, makes expenditures, or gives consent for any other person to
1916 receive contributions or make expenditures to bring about the person's nomination,
1917 election, or appointment to a legislative office.

1918 (28) "Loan" means any of the following provided by a person that benefits a filing entity if
1919 the person expects repayment or reimbursement:

1920 (a) an expenditure made using any form of payment;

1921 (b) money or funds received by the filing entity;

1922 (c) the provision of a good or service with an agreement or understanding that payment
1923 or reimbursement will be delayed; or

1924 (d) use of any line of credit.

1925 (29) "Major political party" means either of the two registered political parties that have the
1926 greatest number of members elected to the two houses of the Legislature.

1927 (30) "Officeholder" means [a person] an individual who holds a public office.

1928 (31) "Party committee" means any committee organized by or authorized by the governing
1929 board of a registered political party.

1930 (32) "Person" means both natural and legal persons, including individuals, business
1931 organizations, personal campaign committees, party committees, political action
1932 committees, political issues committees, and labor organizations, as defined in Section
1933 20A-11-1501.

1934 (33) "Personal campaign committee" means the committee appointed by a candidate to act
1935 for the candidate as provided in this chapter.

1936 (34) "Personal use expenditure" has the same meaning as provided under Section
1937 20A-11-104.

1938 (35)(a) "Political action committee" means an entity, or any group of individuals or
1939 entities within or outside this state, a major purpose of which is to:
1940 (i) solicit or receive contributions from any other person, group, or entity for political
1941 purposes; or
1942 (ii) make expenditures to expressly advocate for any person to refrain from voting or
1943 to vote for or against any candidate or person seeking election to a municipal or
1944 county office.

1945 (b) "Political action committee" includes [groups] a group affiliated with a registered
1946 political party but not authorized or organized by the governing board of the
1947 registered political party that receive contributions or makes expenditures for
1948 political purposes.

1949 (c) "Political action committee" does not [mean] include:
1950 (i) a party committee;
1951 (ii) any entity that provides goods or services to a candidate or committee in the
1952 regular course of its business at the same price that would be provided to the
1953 general public;
1954 (iii) an individual;
1955 (iv) individuals who are related and who make contributions from a joint checking
1956 account;
1957 (v) a corporation, except a corporation a major purpose of which is to act as a
1958 political action committee; or
1959 (vi) a personal campaign committee.

1960 (36)(a) "Political consultant" means a person who is paid by a reporting entity, or paid
1961 by another person on behalf of and with the knowledge of the reporting entity, to
1962 provide political advice to the reporting entity.

1963 (b) "Political consultant" includes a circumstance described in Subsection (36)(a), where

the person:

- (i) has already been paid, with money or other consideration;
- (ii) expects to be paid in the future, with money or other consideration; or
- (iii) understands that the person may, in the discretion of the reporting entity or another person on behalf of and with the knowledge of the reporting entity, be paid in the future, with money or other consideration.

(37) "Political convention" means a county or state political convention held by a registered political party to select candidates.

(38) "Political entity" means a candidate, a political party, a political action committee, or a political issues committee.

(39)(a) "Political issues committee" means an entity, or any group of individuals or entities within or outside this state, a major purpose of which is to:

- (i) solicit or receive donations from any other person, group, or entity to assist in placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

- (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any proposed ballot proposition or an incorporation in an incorporation election; or

(iii) make expenditures to assist in qualifying or placing a ballot proposition on the ballot or to assist in keeping a ballot proposition off the ballot.

"Political issues committee" does not [mean] include:

- (i) a registered political party or a party committee;
- (ii) any entity that provides goods or services to an individual or committee in the regular course of its business at the same price that would be provided to the general public;

- (iii) an individual;
- (iv) individuals who are related and who make contributions from a joint checking account;

(v) a corporation, except a corporation a major purpose of which is to act as a political issues committee; or

(vi) a group of individuals who:

(A) associate together for the purpose of challenging or supporting a single ballot

proposition, ordinance, or other governmental action by a county, city, town, special district, special service district, or other local political subdivision of the state;

- (B) have a common liberty, property, or financial interest that is directly impacted by the ballot proposition, ordinance, or other governmental action;
- (C) do not associate together, for the purpose described in Subsection (39)(b)(vi)(A), via a legal entity;
- (D) do not receive funds for challenging or supporting the ballot proposition, ordinance, or other governmental action from a person other than an individual in the group; and
- (E) do not expend a total of more than \$5,000 for the purpose described in Subsection (39)(b)(vi)(A).

(40)(a) "Political issues contribution" means any of the following:

- (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or anything of value given to a political issues committee;
- (ii) an express, legally enforceable contract, promise, or agreement to make a political issues donation to influence the approval or defeat of any ballot proposition;
- (iii) any transfer of funds received by a political issues committee from a reporting entity;
- (iv) compensation paid by another reporting entity for personal services rendered without charge to a political issues committee; and
- (v) goods or services provided to or for the benefit of a political issues committee at less than fair market value.

(b) "Political issues contribution" does not include:

- (i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political issues committee; or
- (ii) money lent to a political issues committee by a financial institution in the ordinary course of business.

(41)(a) "Political issues expenditure" means any of the following when made by a political issues committee or on behalf of a political issues committee by an agent of the reporting entity:

(i) any payment from political issues contributions made for the purpose of influencing the approval or the defeat of:

2032 (A) a ballot proposition; or
2033 (B) an incorporation petition or incorporation election;
2034 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made
2035 for the express purpose of influencing the approval or the defeat of:
2036 (A) a ballot proposition; or
2037 (B) an incorporation petition or incorporation election;
2038 (iii) an express, legally enforceable contract, promise, or agreement to make any
2039 political issues expenditure;
2040 (iv) compensation paid by a reporting entity for personal services rendered by a
2041 person without charge to a political issues committee; or
2042 (v) goods or services provided to or for the benefit of another reporting entity at less
2043 than fair market value.

2044 (b) "Political issues expenditure" does not include:
2045 (i) services provided without compensation by individuals volunteering a portion or
2046 all of their time on behalf of a political issues committee; or
2047 (ii) money lent to a political issues committee by a financial institution in the
2048 ordinary course of business.

2049 (42) "Political purposes" means an act done with the intent or in a way to influence or tend
2050 to influence, directly or indirectly, ~~[any person]~~ an individual to refrain from voting or to
2051 vote for or against~~[any]~~:
2052 (a) a candidate~~[or a person]~~ ;
2053 (b) an individual seeking a municipal or county office at ~~[any]~~ a caucus, political
2054 convention, or election; or
2055 [(b)] (c) a judge standing for retention at any election.

2056 (43)(a) "Poll" means the survey of a person regarding the person's opinion or knowledge
2057 of an individual who has filed a declaration of candidacy for public office, or of a
2058 ballot proposition that has legally qualified for placement on the ballot, which is
2059 conducted in person or by telephone, facsimile, Internet, postal mail, or email.

2060 (b) "Poll" does not include:
2061 (i) a ballot; or
2062 (ii) an interview of a focus group that is conducted, in person, by one individual, if:
2063 (A) the focus group consists of more than three, and less than thirteen, individuals;
2064 and
2065 (B) all individuals in the focus group are present during the interview.

2066 (44) "Primary election" means any regular primary election held under the election laws.

2067 (45) "Publicly identified class of individuals" means a group of 50 or more individuals

2068 sharing a common occupation, interest, or association that contribute to a political action

2069 committee or political issues committee and whose names can be obtained by contacting

2070 the political action committee or political issues committee upon whose financial

2071 statement the individuals are listed.

2072 ~~[46) "Public office" means the office of governor, lieutenant governor, state auditor, state~~

2073 ~~treasurer, attorney general, state school board member, state senator, state representative,~~

2074 ~~speaker of the House of Representatives, president of the Senate, and the leader, whip,~~

2075 ~~and assistant whip of any party caucus in either house of the Legislature.]~~

2076 (46) "Public office" means:

2077 (a) legislative office;

2078 (b) state school board office; or

2079 (c) statewide office.

2080 (47)(a) "Public service assistance" means the following when given or provided to an

2081 officeholder to defray the costs of functioning in a public office or aid the

2082 officeholder to communicate with the officeholder's constituents:

2083 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit

2084 of money or anything of value to an officeholder; or

2085 (ii) goods or services provided at less than fair market value to or for the benefit of

2086 the officeholder.

2087 (b) "Public service assistance" does not include:

2088 (i) anything provided by the state;

2089 (ii) services provided without compensation by individuals volunteering a portion or

2090 all of their time on behalf of an officeholder;

2091 (iii) money lent to an officeholder by a financial institution in the ordinary course of

2092 business;

2093 (iv) news coverage or any publication by the news media; or

2094 (v) any article, story, or other coverage as part of any regular publication of any

2095 organization unless substantially all the publication is devoted to information

2096 about the officeholder.

2097 (48) "Receipts" means contributions and public service assistance.

2098 (49) "Registered lobbyist" means a person licensed under Title 36, Chapter 11, Lobbyist

2099 Disclosure and Regulation Act.

2100 (50) "Registered political action committee" means any political action committee that is
2101 required by this chapter to file a statement of organization with the Office of the
2102 Lieutenant Governor.

2103 (51) "Registered political issues committee" means any political issues committee that is
2104 required by this chapter to file a statement of organization with the Office of the
2105 Lieutenant Governor.

2106 (52) "Registered political party" means an organization of voters that:

- 2107 (a) participated in the last regular general election and polled a total vote equal to 2% or
2108 more of the total votes cast for all candidates for the United States House of
2109 Representatives for any of its candidates for any office; or
- 2110 (b) has complied with the petition and organizing procedures of Chapter 8, Political
2111 Party Formation and Procedures.

2112 (53)(a) "Remuneration" means a payment:

- 2113 (i) made to a legislator for the period the Legislature is in session; and
- 2114 (ii) that is approximately equivalent to an amount a legislator would have earned
2115 during the period the Legislature is in session in the legislator's ordinary course of
2116 business.

2117 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

- 2118 (i) the legislator's primary employer in the ordinary course of business; or
- 2119 (ii) a person or entity in the ordinary course of business:
 - 2120 (A) because of the legislator's ownership interest in the entity; or
 - 2121 (B) for services rendered by the legislator on behalf of the person or entity.

2122 (54) "Reporting entity" means a candidate, a candidate's personal campaign committee, a
2123 judge, a judge's personal campaign committee, an officeholder, a party committee, a
2124 political action committee, a political issues committee, a corporation, or a labor
2125 organization, as defined in Section 20A-11-1501.

2126 [~~(55) "School board office" means the office of state school board.~~]

2127 [~~(56)~~] ~~(55)~~(a) "Source" means the person or entity that is the legal owner of the tangible
2128 or intangible asset that comprises the contribution.

2129 (b) "Source" means, for political action committees and corporations, the political action
2130 committee and the corporation as entities, not the contributors to the political action
2131 committee or the owners or shareholders of the corporation.

2132 (56) "State school board office" means the office of state school board member.

2133 (57) "State school board office candidate" means an individual who:

2134 (a) files a declaration of candidacy for state school board office; or
2135 (b) receives contributions, makes expenditures, or gives consent for a person to receive
2136 contributions or make expenditures to bring about the individual's nomination,
2137 election, or appointment to state school board office.

2138 (58) "State school board officeholder" means an individual who holds a state school board
2139 office.

2140 [(57)] (59) "[State] Statewide office" means the offices of governor, lieutenant governor,
2141 attorney general, state auditor, and state treasurer.

2142 [(58)] (60) "[State] Statewide office candidate" means [a person] an individual who:
2143 (a) files a declaration of candidacy for a state office; or
2144 (b) receives contributions, makes expenditures, or gives consent for [any other] a person
2145 to receive contributions or make expenditures to bring about the [person's] individual's
2146 nomination, election, or appointment to a state office.

2147 [(59)] (61) "Summary report" means the year end report containing the summary of a
2148 reporting entity's contributions and expenditures.

2149 [(60)] (62) "Supervisory board" means the individual or group of individuals that allocate
2150 expenditures from a political issues committee.

2151 Section 20A-11-103 is amended to read:

**20A-11-103 . Notice of pending interim and summary reports -- Form of
2153 submission -- Public availability -- Notice of reporting and filing requirements.**

2154 (1)(a) Except as provided under Subsection (1)(b), on the last business day that is at least
2155 10 calendar days before an interim report or summary report is due under this chapter
2156 or Chapter 12, Part 2, Judicial Retention Elections, the chief election officer shall
2157 inform the filing entity by electronic mail unless postal mail is requested:

2158 (i) that the financial statement is due;
2159 (ii) of the date that the financial statement is due; and
2160 (iii) of the penalty for failing to file the financial statement.

2161 (b) The chief election officer is not required to provide notice:
2162 (i) to a candidate or political party of the financial statement that is due before the
2163 candidate's or political party's political convention;
2164 (ii) of a financial statement due in connection with a public hearing for an initiative
2165 under the requirements of Section 20A-7-204.1; or
2166 (iii) to a corporation or labor organization, as defined in Section 20A-11-1501.
2167 (2) A filing entity shall electronically file a financial statement via electronic mail or the

2168 Internet according to specifications established by the chief election officer.

2169 (3)(a) A financial statement is considered timely filed if the financial statement is
2170 received by the chief election officer's office before midnight[,-Mountain Time,] at
2171 the end of the day on which the financial statement is due.

2172 ~~[(b) For a county clerk's office that is not open until midnight at the end of the day on
2173 which a financial statement is due, the county clerk shall permit a candidate to file
2174 the financial statement via email or another electronic means designated by the
2175 county clerk.]~~

2176 ~~[(e)] (b) [A-]~~ The chief election officer may extend the time in which a filing entity is
2177 required to file a financial statement if a filing entity notifies the chief election officer
2178 of the existence of an extenuating circumstance that is outside the control of the filing
2179 entity.

2180 (4) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access
2181 and Management Act, the lieutenant governor shall:

2182 (a) make each campaign finance statement filed by a candidate available for public
2183 inspection and copying no later than one business day after the statement is filed; and

2184 (b) post on a website established by the lieutenant governor:

2185 (i) an electronic copy or the contents of each summary report or interim report filed
2186 under the requirements of this chapter or Chapter 12, Part 2, Judicial Retention
2187 Elections, no later than three business days after the date on which the summary
2188 report or interim report is electronically filed; or

2189 (ii) for a campaign finance statement filed under the requirements of Section 10-3-208,
2190 for a municipality, or Section 11-70-403, for a county, a link to the municipal or
2191 county website that hosts the campaign finance statement, no later than seven
2192 business days after the date on which the lieutenant governor receives the link
2193 from:

2194 (A) the municipal clerk or recorder, in accordance with Subsection
2195 10-3-208(11)(b)(ii); or

2196 (B) the county clerk, in accordance with Subsection 17-70-403(21)(b)(ii).

2197 (5) The lieutenant governor shall provide, on the website described in Subsection (4)(b), the
2198 ability for an individual to search across disclosures made by all filing entities to identify
2199 contributions or expenditures made by a specific person.

2200 (6) Between January 1 and January 15 of each year, the chief election officer shall provide
2201 notice, by postal mail or email, to each filing entity for which the chief election officer

2202 has a physical or email address, of the reporting and filing requirements described in this
2203 chapter.

2204 Section 14. Section **20A-11-201** is amended to read:

2205 **Part 2. Statewide Office Candidates - Campaign Organization and Financial**

2206 **Reporting Requirements**

2207 **20A-11-201 . Statewide office -- Separate bank account for campaign funds -- No**
2208 **personal use -- Statewide office candidate reporting deadline -- Report other accounts --**
2209 **Anonymous contributions.**

2210 (1)(a) ~~[Each state]~~ A statewide office candidate or ~~[the]~~ a statewide candidate's personal
2211 campaign committee shall deposit each contribution received in one or more separate
2212 campaign accounts in a financial institution.

2213 (b) ~~[A state]~~ A statewide office candidate or a statewide candidate's personal campaign
2214 committee may not use money deposited in a campaign account for:
2215 (i) a personal use expenditure; or
2216 (ii) an expenditure prohibited by law.

2217 (c) ~~[Each state]~~ A statewide officeholder or ~~[the state]~~ a statewide officeholder's personal
2218 campaign committee shall deposit each contribution and public service assistance
2219 received in one or more separate campaign accounts in a financial institution.

2220 (d) A ~~[state]~~ statewide officeholder or a ~~[state]~~ statewide officeholder's personal campaign
2221 committee may not use money deposited in a campaign account for:
2222 (i) a personal use expenditure; or
2223 (ii) an expenditure prohibited by law.

2224 (2)(a) A ~~[state]~~ statewide office candidate or ~~[the]~~ a statewide candidate's personal
2225 campaign committee may not deposit or mingle any contributions received into a
2226 personal or business account.

2227 (b) A ~~[state]~~ statewide officeholder or ~~[the state]~~ a statewide officeholder's personal
2228 campaign committee may not deposit or mingle any contributions or public service
2229 assistance received into a personal or business account.

2230 (3) If ~~[a person]~~ an individual who is no longer a ~~[state]~~ statewide office candidate chooses
2231 not to expend the money remaining in a campaign account, the ~~[person]~~ individual shall
2232 continue to file the year-end summary report required by Section 20A-11-203 until the
2233 statement of dissolution and final summary report required by Section 20A-11-205 are

2234 filed with the lieutenant governor.

2235 (4)(a) Except as provided in Subsection (4)(b) and Section 20A-11-402, [a person] an
2236 individual who is no longer a [state] statewide office candidate may not expend or
2237 transfer the money in a campaign account in a manner that would cause the former [
2238 state] statewide office candidate to recognize the money as taxable income under
2239 federal tax law.

2240 (b) [A person] An individual who is no longer a [state] statewide office candidate may
2241 transfer the money in a campaign account in a manner that would cause the former [
2242 state] statewide office candidate to recognize the money as taxable income under
2243 federal tax law if the transfer is made to a campaign account for federal office.

2244 (5)(a) As used in this Subsection (5), "received" means the same as that term is defined
2245 in Subsection 20A-11-204(1)(b).

2246 (b) [Each state] A statewide office candidate shall report to the lieutenant governor each
2247 contribution received by the [state] statewide office candidate:

- 2248 (i) except as provided in Subsection (5)(b)(ii), within 31 calendar days after the day
2249 on which the contribution is received; or
- 2250 (ii) within seven business days after the day on which the contribution is received, if:
 - 2251 (A) the [state] statewide office candidate is contested in a convention and the
2252 contribution is received within 30 calendar days before the day on which the
2253 convention is held;
 - 2254 (B) the [state] statewide office candidate is contested in a primary election and the
2255 contribution is received within 30 calendar days before the day on which the
2256 primary election is held; or
 - 2257 (C) the [state] statewide office candidate is contested in a general election and the
2258 contribution is received within 30 calendar days before the day on which the
2259 general election is held.

2260 (c) Except as provided in Subsection (5)(d), for each contribution that a [state] statewide
2261 office candidate fails to report within the time period described in Subsection (5)(b),
2262 the lieutenant governor shall impose a fine against the [state] statewide office
2263 candidate in an amount equal to:

- 2264 (i) 10% of the amount of the contribution, if the [state] statewide office candidate
2265 reports the contribution within 60 calendar days after the day on which the time
2266 period described in Subsection (5)(b) ends; or
- 2267 (ii) 20% of the amount of the contribution, if the [state] statewide office candidate

2268 fails to report the contribution within 60 calendar days after the day on which the
2269 time period described in Subsection (5)(b) ends.

2270 (d) The lieutenant governor may waive the fine described in Subsection (5)(c) and issue
2271 a warning to the [state] statewide office candidate if:

2272 (i) the contribution that the [state] statewide office candidate fails to report is paid by
2273 the [state] statewide office candidate from the [state] statewide office candidate's
2274 personal funds;

2275 (ii) the [state] statewide office candidate has not previously violated Subsection (5)(c)
2276 in relation to a contribution paid by the [state] statewide office candidate from the [
2277 state] statewide office candidate's personal funds; and

2278 (iii) the lieutenant governor determines that the failure to timely report the
2279 contribution is due to the [state] statewide office candidate not understanding that
2280 the reporting requirement includes a contribution paid by a [state] statewide office
2281 candidate from the [state] statewide office candidate's personal funds.

2282 (e) The lieutenant governor shall:

2283 (i) deposit money received under Subsection (5)(c) into the General Fund; and
2284 (ii) report on the lieutenant governor's website, in the location where reports relating
2285 to each [state] statewide office candidate are available for public access:
2286 (A) each fine imposed by the lieutenant governor against the [state] statewide
2287 office candidate;
2288 (B) the amount of the fine;
2289 (C) the amount of the contribution to which the fine relates; and
2290 (D) the date of the contribution.

2291 (6)(a) As used in this Subsection (6), "account" means an account in a financial
2292 institution:

2293 (i) that is not described in Subsection (1)(a); and
2294 (ii) into which or from which a person who, as a candidate for an office, other than
2295 the [state] statewide office for which the person files a declaration of candidacy or
2296 federal office, or as a holder of an office, other than a [state] statewide office for
2297 which the person files a declaration of candidacy or federal office, deposits a
2298 contribution or makes an expenditure.

2299 (b) A [state] statewide office candidate shall include on any financial statement filed in
2300 accordance with this part:
2301 (i) a contribution deposited in an account:

2302 (A) since the last campaign finance statement was filed; or
2303 (B) that has not been reported under a statute or ordinance that governs the
2304 account; or
2305 (ii) an expenditure made from an account:
2306 (A) since the last campaign finance statement was filed; or
2307 (B) that has not been reported under a statute or ordinance that governs the
2308 account.

2309 (7) Within 31 calendar days after the day on which a [state] statewide office candidate
2310 receives a contribution that is cash or a negotiable instrument, exceeds \$50, and is from
2311 an unknown source, the [state] statewide office candidate shall disburse the amount of
2312 the contribution to an organization that is exempt from federal income taxation under
2313 Section 501(c)(3), Internal Revenue Code.

2314 Section 15. Section **20A-11-202** is amended to read:

20A-11-202 . Statewide office candidate -- Personal campaign committee

required -- Candidate as a political action committee officer.

2317 (1)(a)[(i) Each state] A statewide office candidate shall select no more than one
2318 personal campaign committee, consisting of one or more persons, to receive
2319 contributions, make expenditures, and file reports connected with the candidate's
2320 campaign.

2321 [(ii)] (i) A [state] statewide office candidate may serve as the candidate's own
2322 campaign committee.

2323 [(iii)] (ii) A [state] statewide office candidate may be designated by a political action
2324 committee as an officer who has primary decision-making authority as described
2325 in Section 20A-11-601.

2326 (b) Except for expenses made by a registered political party to benefit a party's
2327 candidates generally, a [state] statewide office candidate or other person acting in
2328 concert with or with the knowledge of the [state] statewide office candidate may not
2329 receive any contributions or make any expenditures on behalf of a [state] statewide
2330 office candidate other than through:
2331 (i) a personal campaign committee established under this section; and
2332 (ii) a political action committee established under Part 6, Political Action Committee
2333 Registration and Financial Reporting Requirements.

2334 (2)(a) [The state] A statewide office candidate shall file a written statement signed by the
2335 candidate or authorized member of the statewide office candidate's personal

2336 campaign committee with the lieutenant governor that:

2337 (i) informs the lieutenant governor that the [state] statewide office candidate's
2338 personal campaign committee has been selected; and
2339 (ii) provides the name and address of each member and the secretary of the
2340 committee.

2341 (b) A [state] statewide office candidate or the candidate's personal campaign committee
2342 may not make any expenditures on behalf of the statewide candidate until the
2343 statement has been filed.

2344 (c) A [state] statewide office candidate may revoke the selection of any member of the
2345 campaign committee by:

2346 (i) revoking that individual's appointment or election in writing;
2347 (ii) personally serving the written revocation on the member whose selection is
2348 revoked; and
2349 (iii) filing a copy of the written revocation with the lieutenant governor.

2350 (d)(i) The [state] statewide office candidate may select a replacement to fill any
2351 vacancy on the campaign committee.

2352 (ii) The [state] statewide office candidate shall file that replacement's name and
2353 address with the lieutenant governor.

2354 (3) A member of a [state] statewide office candidate's personal campaign committee may
2355 not make an expenditure of more than \$1,000 unless the [state] statewide office
2356 candidate or the secretary of the personal campaign committee authorizes the
2357 expenditure in writing.

2358 (4) A [state] statewide office candidate or the candidate's personal campaign committee may
2359 not make any expenditures prohibited by law.

2360 Section 16. Section **20A-11-203** is amended to read:

2361 **20A-11-203 . Statewide office candidate -- Financial reporting requirements --**

2362 **Year-end summary report.**

2363 (1)(a) [Eaeh state] A statewide office candidate shall file a summary report by January 10
2364 of the year after the regular general election year.

2365 (b) In addition to the requirements of Subsection (1)(a), a former [state] statewide office
2366 candidate that has not filed the statement of dissolution and final summary report
2367 required under Section 20A-11-205 shall continue to file a summary report on
2368 January 10 of each year.

2369 (2)(a) Each summary report shall include the following information as of December 31

2370 of the previous year:

2371 (i) the net balance of the last financial statement, if any;

2372 (ii) a single figure equal to the total amount of receipts reported on all interim reports,

2373 if any;

2374 (iii) a single figure equal to the total amount of expenditures reported on all interim

2375 reports, if any, filed during the previous year;

2376 (iv) a detailed listing of each contribution received since the last summary report that

2377 has not been reported in detail on an interim report;

2378 (v) for each nonmonetary contribution:

2379 (A) the fair market value of the contribution with that information provided by the

2380 contributor; and

2381 (B) a specific description of the contribution;

2382 (vi) a detailed listing of each expenditure made since the last summary report that has

2383 not been reported in detail on an interim report;

2384 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

2385 (viii) a net balance for the year consisting of the net balance from the last summary

2386 report, if any, plus all receipts minus all expenditures; and

2387 (ix) the name of a political action committee for which the [state] statewide office

2388 candidate is designated as an officer who has primary decision-making authority

2389 under Section 20A-11-601.

2390 (b) In preparing the report, all receipts and expenditures shall be reported as of

2391 December 31 of the previous year.

2392 (c) A check or negotiable instrument received by a [state] statewide office candidate or a [

2393 state] statewide office candidate's personal campaign committee on or before

2394 December 31 of the previous year shall be included in the summary report.

2395 (3) An authorized member of the [state] statewide office candidate's personal campaign

2396 committee or the [state] statewide office candidate shall certify in the summary report

2397 that, to the best of the person's knowledge, all receipts and all expenditures have been

2398 reported as of December 31 of the previous year and that there are no bills or obligations

2399 outstanding and unpaid except as set forth in that report.

2400 Section 17. Section **20A-11-204** is amended to read:

2401 **20A-11-204 . Statewide office candidate and statewide officeholder -- Financial**

2402 **reporting requirements -- Interim reports.**

2403 (1) As used in this section:

2404 (a) "Campaign account" means a separate campaign account required under Subsection
2405 20A-11-201(1)(a) or (c).

2406 (b) "Received" means:

2407 (i) for a cash contribution, that the cash is given to a [state] statewide office candidate
2408 or a member of the [state] statewide office candidate's personal campaign
2409 committee;

2410 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
2411 instrument or check is negotiated;

2412 (iii) for a direct deposit made into a campaign account by a person not associated
2413 with the campaign, the earlier of:

2414 (A) the day on which the [state] statewide office candidate or a member of the [
2415 state] statewide office candidate's personal campaign committee becomes aware
2416 of the deposit and the source of the deposit;

2417 (B) the day on which the [state] statewide office candidate or a member of the [
2418 state] statewide office candidate's personal campaign committee receives notice
2419 of the deposit and the source of the deposit by mail, email, text, or similar
2420 means; or

2421 (C) 31 calendar days after the day on which the direct deposit occurs; or

2422 (iv) for any other type of contribution, that any portion of the contribution's benefit
2423 inures to the [state] statewide office candidate.

2424 (2) Except as provided in Subsection (3), each [state] statewide office candidate shall file an
2425 interim report at the following times in any year in which the candidate has filed a
2426 declaration of candidacy for a public office:

2427 (a)(i) seven calendar days before the candidate's political convention; or
2428 (ii) for an unaffiliated candidate, the fourth Saturday in March;

2429 (b) seven calendar days before the regular primary election date;

2430 (c) September 30; and

2431 (d) seven calendar days before the regular general election date.

2432 (3) If a [state] statewide office candidate is a [state] statewide office candidate seeking
2433 appointment for a midterm vacancy, the [state] statewide office candidate:
2434 (a) shall file an interim report:
2435 (i) no later than three business days before the day on which the political party of the
2436 party for which the [state] statewide office candidate seeks nomination meets to
2437 declare a nominee for the governor to appoint in accordance with Subsection

2438 20A-1-504(1)(a); or

2439 (ii) if a [state] statewide office candidate decides to seek the appointment with less
2440 than three business days before the day on which the political party meets, or the
2441 political party schedules the meeting to declare a nominee less than three business
2442 days before the day of the meeting, no later than 5 p.m. on the last day of business
2443 before the day on which the political party meets; and

2444 (b) is not required to file an interim report at the times described in Subsection (2).

2445 (4) Each interim report shall include the following information:

2446 (a) the net balance of the last summary report, if any;

2447 (b) a single figure equal to the total amount of receipts reported on all prior interim
2448 reports, if any, during the calendar year in which the interim report is due;

2449 (c) a single figure equal to the total amount of expenditures reported on all prior interim
2450 reports, if any, filed during the calendar year in which the interim report is due;

2451 (d) a detailed listing of:

2452 (i) for a [state] statewide office candidate, each contribution received since the last
2453 summary report that has not been reported in detail on a prior interim report; or
2454 (ii) for a [state] statewide officeholder, each contribution and public service assistance
2455 received since the last summary report that has not been reported in detail on a
2456 prior interim report;

2457 (e) for each nonmonetary contribution:

2458 (i) the fair market value of the contribution with that information provided by the
2459 contributor; and

2460 (ii) a specific description of the contribution;

2461 (f) a detailed listing of each expenditure made since the last summary report that has not
2462 been reported in detail on a prior interim report;

2463 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

2464 (h) a net balance for the year consisting of the net balance from the last summary report,
2465 if any, plus all receipts since the last summary report minus all expenditures since the
2466 last summary report;

2467 (i) a summary page in the form required by the lieutenant governor that identifies:

2468 (i) beginning balance;

2469 (ii) total contributions and public service assistance received during the period since
2470 the last statement;

2471 (iii) total contributions and public service assistance received to date;

2472 (iv) total expenditures during the period since the last statement; and
2473 (v) total expenditures to date; and
2474 (j) the name of a political action committee for which the [state] statewide office
2475 candidate or [state] statewide officeholder is designated as an officer who has primary
2476 decision-making authority under Section 20A-11-601.

2477 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as
2478 of five calendar days before the required filing date of the report.
2479 (b) Any negotiable instrument or check received by a [state] statewide office candidate or [
2480 state] a statewide officeholder more than five calendar days before the required filing
2481 date of a report required by this section shall be included in the interim report.

2482 Section 18. Section **20A-11-205** is amended to read:

20A-11-205 . Statewide office candidate -- Financial reporting requirements --

Termination of duty to report.

2485 (1) [Each state] A statewide office candidate and the candidate's personal campaign
2486 committee is active and subject to interim reporting requirements until:
2487 (a) the statewide office candidate withdraws or is eliminated in a convention or primary;
2488 or
2489 (b) if seeking appointment as a midterm vacancy [state] statewide office candidate:
2490 (i) the political party liaison fails to forward the person's name to the governor; or
2491 (ii) the governor fails to appoint the person to fill the vacancy.

2492 (2) [Each state] A statewide office candidate and the candidate's personal campaign
2493 committee is active and subject to year-end summary reporting requirements until the
2494 candidate has filed a statement of dissolution with the lieutenant governor stating that:
2495 (a) the [state] statewide office candidate or the personal campaign committee is no longer
2496 receiving contributions and is no longer making expenditures;
2497 (b) the ending balance on the last summary report filed is zero and the balance in the
2498 separate bank account required in Section 20A-11-201 is zero; and
2499 (c) a final summary report in the form required by Section 20A-11-203 showing a zero
2500 balance is attached to the statement of dissolution.

2501 (3) A statement of dissolution and a final summary report may be filed at any time.

2502 (4) [Each state] A statewide office candidate and the statewide office candidate's personal
2503 campaign committee shall continue to file the year-end summary report required by
2504 Section 20A-11-203 until the statement of dissolution and final summary report required
2505 by this section are filed with the lieutenant governor.

2506 Section 19. Section **20A-11-206** is amended to read:

2507 **20A-11-206 . Statewide office candidate -- Failure to file reports -- Penalties.**

2508 (1) A [state] statewide office candidate who fails to file a financial statement before the
2509 deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

2510 (2) If a [state] statewide office candidate fails to file an interim report described in
2511 Subsections 20A-11-204(2)(b) through (d), the lieutenant governor may send an
2512 electronic notice to the [state] statewide office candidate and the political party of which
2513 the [state] statewide office candidate is a member, if any, that states:
2514 (a) that the [state] statewide office candidate failed to timely file the report; and
2515 (b) that, if the [state] statewide office candidate fails to file the report within 24 hours
2516 after the deadline for filing the report, the [state] statewide office candidate will be
2517 disqualified and the political party will not be permitted to replace the statewide office
2518 candidate.

2519 (3)(a) The lieutenant governor shall disqualify a [state] statewide office candidate and
2520 inform the county clerk and other appropriate election officials that the [state]
2521 statewide office candidate is disqualified if the [state] statewide office candidate fails
2522 to file an interim report described in Subsections 20A-11-204(2)(b) through (d)
2523 within 24 hours after the deadline for filing the report.
2524 (b) The political party of a [state] statewide office candidate who is disqualified under
2525 Subsection (3)(a) may not replace the [state] statewide office candidate.

2526 (4) If a [state] statewide office candidate is disqualified under Subsection (3)(a), the election
2527 officer shall:
2528 (a) notify every opposing candidate for the [state] statewide office that the [state]
2529 statewide office candidate is disqualified;
2530 (b) send an email notification to each voter who is eligible to vote in the [state] statewide
2531 office race for whom the lieutenant governor has an email address informing the
2532 voter that the [state] statewide office candidate is disqualified and that votes cast for
2533 the [state] statewide office candidate will not be counted;
2534 (c) post notice of the disqualification on the lieutenant governor's website; and
2535 (d) if practicable, remove the [state] statewide office candidate's name from the ballot.

2536 (5) An election officer may fulfill the requirement described in Subsection (4) in relation to
2537 a mailed ballot, including a military or overseas ballot, by including with the ballot a
2538 written notice directing the voter to the lieutenant governor's website to inform the voter
2539 whether a candidate on the ballot is disqualified.

2540 (6) A [state] statewide office candidate is not disqualified if:

2541 (a) the [state] statewide office candidate timely files the reports described in Subsections
2542 20A-11-204(2)(b) through (d) no later than 24 hours after the applicable deadlines for
2543 filing the reports;

2544 (b) the reports are completed, detailing accurately and completely the information
2545 required by this part except for inadvertent omissions or insignificant errors or
2546 inaccuracies; and

2547 (c) the omissions, errors, or inaccuracies described in Subsection (6)(b) are corrected in
2548 an amended report or the next scheduled report.

2549 (7)(a) Within 60 calendar days after a deadline for the filing of a summary report, the
2550 lieutenant governor shall review each filed summary report to ensure that:

2551 (i) [each state] the statewide office candidate that is required to file a summary report
2552 has filed one; and

2553 (ii) each summary report contains the information required by this part.

2554 (b) If it appears that [any state] a statewide office candidate has failed to file the
2555 summary report required by law, if it appears that a filed summary report does not
2556 conform to the law, or if the lieutenant governor has received a written complaint
2557 alleging a violation of the law or the falsity of any summary report, the lieutenant
2558 governor shall, no later than the first business day that is at least five days after the
2559 day on which the lieutenant governor discovers the violation or receives the written
2560 complaint, notify the [state] statewide office candidate of the violation or written
2561 complaint and direct the [state] statewide office candidate to file a summary report
2562 correcting the problem.

2563 (c)(i) It is unlawful for a [state] statewide office candidate to fail to file or amend a
2564 summary report within seven calendar days after receiving notice from the
2565 lieutenant governor described in this Subsection (7).

2566 (ii) [Each state] A statewide office candidate who violates Subsection (7)(c)(i) is
2567 guilty of a class B misdemeanor.

2568 (iii) The lieutenant governor shall report all violations of Subsection (7)(c)(i) to the
2569 attorney general.

2570 (iv) In addition to the criminal penalty described in Subsection (7)(c)(ii), the
2571 lieutenant governor shall impose a civil fine of \$100 against a [state] statewide
2572 office candidate who violates Subsection (7)(c)(i).

2573 Section 20. Section **20A-11-1301** is amended to read:

Part 13. State School Board Office Candidates

20A-11-1301 . State school board office -- Campaign finance requirements --

Candidate as a political action committee officer -- No personal use -- Interim report --

Contribution reporting deadline -- Report other accounts -- Anonymous contributions.

(1)(a)[(i) Each] A state school board office candidate[-] :

(i) shall deposit each contribution received in one or more separate accounts in a financial institution that are dedicated only to that purpose[.] :

(ii) [A school board office candidate] may:

(A) receive a contribution from a political action committee registered under Section 20A-11-601; and

(B) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601[.] ; and

[~~(b)~~] (iii) [A school board office candidate] may not use money deposited in an account described in Subsection (1)(a)(i) for[:]

[**(i)**] a personal use expenditure[\div] or

[**(ii)**] an expenditure prohibited by law

[i] Each A state school board officeh

(i) shall deposit each contribution and public service

more separate accounts in a financial institution that are dedicated only to that purpose[.] :

(ii) [A school board officeholder] may:

(A) receive a contribution or public service assistance from a political action committee registered under Section 20A-11-601; and

(B) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601[.] ; and

[{(d)} (iii) [A school board officeholder] may not use money deposited in an account described in Subsection [(1)(a)(i) or (1)(e)(i)] (1)(a) or (b) for[:]

[**(i)**] a personal use expenditure[;] or

[**(ii)**] an expenditure prohibited by law.

(2)[(a)] A state school board office candidate or a state school board officeholder may

not[-] :

(a) deposit or mingle any contributions or public service assistance received into a personal or business account[.] ; or

(b) A school board officeholder may not deposit or mingle any contributions or public

2608 service assistance received into a personal or business account.]

2609 [(3) A school board office candidate or school board officeholder may not make any
2610 political expenditures]

2611 (b) make a political expenditure prohibited by law.

2612 [(4)] (3) If [a person] an individual who is no longer a state school board office candidate
2613 chooses not to expend the money remaining in a campaign account, the [person]
2614 individual shall continue to file the year-end summary report required [by] under Section
2615 20A-11-1302 until the individual files the statement of dissolution and final summary
2616 report required [by] under Section 20A-11-1304[are filed with the lieutenant governor].

2617 [(5)] (4)(a) Except as provided in Subsection [(5)(b)] (4)(b) and Section 20A-11-402, [a
2618 person] an individual who is no longer a state school board office candidate may not
2619 expend or transfer the money in a campaign account in a manner that would cause the former
2620 state school board office candidate to recognize the money as taxable income
2621 under federal tax law.

2622 (b) [A person] An individual who is no longer a state school board office candidate may
2623 transfer the money in a campaign account in a manner that would cause the former
2624 state school board office candidate to recognize the money as taxable income under
2625 federal tax law if the transfer is made to a campaign account for federal office.

2626 [(6)] (5)(a) As used in this Subsection [(6)] (5), "received" means the same as that term is
2627 defined in Subsection 20A-11-1303(1)(a).

2628 (b) Except as provided in Subsection [(6)(d), each] (5)(d), a state school board office
2629 candidate shall file an interim report [to] with the chief election officer that includes
2630 each contribution received by the state school board office candidate:

2631 (i) except as provided in Subsection [(6)(b)(ii)] (5)(b)(ii), within 31 calendar days
2632 after the day on which the contribution is received; or

2633 (ii) within seven business days after the day on which the contribution is received, if:
2634 (A) the state school board office candidate is contested in a convention and the
2635 contribution is received within 30 calendar days before the day on which the
2636 convention is held;

2637 (B) the state school board office candidate is contested in a primary election and
2638 the contribution is received within 30 calendar days before the day on which
2639 the primary election is held; or

2640 (C) the state school board office candidate is contested in a general election and
2641 the contribution is received within 30 calendar days before the day on which

2642 the general election is held.

2643 (c) For each contribution that a state school board office candidate fails to report within
2644 the time period described in Subsection [(6)(b)] (5)(b), the chief election officer shall
2645 impose a fine against the state school board office candidate in an amount equal to:
2646 (i) 10% of the amount of the contribution, if the state school board office candidate
2647 reports the contribution within 60 calendar days after the day on which the time
2648 period described in Subsection [(6)(b)] (5)(b) ends; or
2649 (ii) 20% of the amount of the contribution, if the state school board office candidate
2650 fails to report the contribution within 60 calendar days after the day on which the
2651 time period described in Subsection [(6)(b)] (5)(b) ends.

2652 (d) The lieutenant governor may waive the fine described in Subsection [(6)(e)] (5)(b)
2653 and issue a warning to the state school board office candidate if:
2654 (i) the contribution that the state school board office candidate fails to report is paid
2655 by the state school board office candidate from the state school board office
2656 candidate's personal funds;
2657 (ii) the state school board office candidate has not previously violated Subsection [(6)(e)] (5)(c)
2658 in relation to a contribution paid by the state school board office
2659 candidate from the state school board office candidate's personal funds; and
2660 (iii) the lieutenant governor determines that the failure to timely report the
2661 contribution is due to the state school board office candidate not understanding
2662 that the reporting requirement includes a contribution paid by a state school board
2663 office candidate from the state school board office candidate's personal funds.

2664 (e) The chief election officer shall:
2665 (i) deposit money received under Subsection [(6)(e)] (5)(c) into the General Fund; and
2666 (ii) report on the chief election officer's website, in the location where reports relating
2667 to each state school board office candidate are available for public access:
2668 (A) each fine imposed by the chief election officer against the state school board
2669 office candidate;
2670 (B) the amount of the fine;
2671 (C) the amount of the contribution to which the fine relates; and
2672 (D) the date of the contribution.

2673 [(7)] (6) Within 31 calendar days after the day on which a state school board office
2674 candidate receives a contribution that is cash or a negotiable instrument, exceeds \$50,
2675 and is from an unknown source, the state school board office candidate shall disburse

2676 the contribution to an organization that is exempt from federal income taxation under
2677 Section 501(c)(3), Internal Revenue Code.

2678 [(8)] (7)(a) As used in this Subsection [(8)] (7), "account" means an account in a financial
2679 institution:

2680 (i) that is not described in Subsection [(1)(a)(i)] (1)(a); and
2681 (ii) into which or from which a person who, as a candidate for an office, other than a
2682 state school board office for which the person files a declaration of candidacy or
2683 federal office, or as a holder of an office, other than a state school board office for
2684 which the person files a declaration of candidacy or federal office, deposits a
2685 contribution or makes an expenditure.

2686 (b) A state school board office candidate shall include on any financial statement filed in
2687 accordance with this part:

2688 (i) a contribution deposited in an account:
2689 (A) since the last campaign finance statement was filed; or
2690 (B) that has not been reported under a statute or ordinance that governs the
2691 account; or
2692 (ii) an expenditure made from an account:
2693 (A) since the last campaign finance statement was filed; or
2694 (B) that has not been reported under a statute or ordinance that governs the
2695 account.

2696 Section 21. Section **20A-11-1302** is amended to read:

2697 **20A-11-1302 . State school board office candidate -- Financial reporting
2698 requirements -- Year-end summary report.**

2699 (1)(a) [Each] A state school board office candidate shall file a summary report [by] on or
2700 before January 10 of the year after the regular general election year.

2701 (b) In addition to the [requirements of] requirement described in Subsection (1)(a), a
2702 former state school board office candidate that has not filed the statement of
2703 dissolution and final summary report required under Section 20A-11-1304 shall
2704 continue to file a summary report on or before January 10 of each year.

2705 (2)(a) Each summary report shall include the following information as of December 31
2706 of the previous year:

2707 (i) the net balance of the last financial statement, if any;
2708 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
2709 if any, during the previous year;

2710 (iii) a single figure equal to the total amount of expenditures reported on all interim
2711 reports, if any, filed during the previous year;

2712 (iv) a detailed listing of each contribution received since the last summary report that
2713 has not been reported in detail on an interim report;

2714 (v) for each nonmonetary contribution:
2715 (A) the fair market value of the contribution with that information provided by the
2716 contributor; and
2717 (B) a specific description of the contribution;

2718 (vi) a detailed listing of each expenditure made since the last summary report that has
2719 not been reported in detail on an interim report;

2720 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

2721 (viii) a net balance for the year consisting of the net balance from the last summary
2722 report, if any, plus all receipts minus all expenditures; and

2723 (ix) the name of a political action committee for which the state school board office
2724 candidate is designated as an officer who has primary decision-making authority
2725 under Section 20A-11-601.

2726 (b) In preparing the report, all receipts and expenditures shall be reported as of
2727 December 31 of the previous year.

2728 (c) A check or negotiable instrument received by a state school board office candidate
2729 on or before December 31 of the previous year shall be included in the summary
2730 report.

2731 (3) The state school board office candidate or former state school board office candidate
2732 shall certify in the summary report that, to the best of the state school board office
2733 candidate's or former state school board office candidate's knowledge, all receipts and all
2734 expenditures have been reported as of December 31 of the previous year and that there
2735 are no bills or obligations outstanding and unpaid except as [set forth] described in that
2736 report.

2737 Section 22. Section **20A-11-1303** is amended to read:

2738 **20A-11-1303 . State school board office candidate and state school board
2739 officeholder -- Financial reporting requirements -- Interim reports.**

2740 (1)(a) As used in this section, "received" means:

2741 (i) for a cash contribution, that the cash is given to a state school board office
2742 candidate or a member of the state school board office candidate's personal
2743 campaign committee;

2744 (ii) for a contribution that is a check or other negotiable instrument, that the check or
2745 other negotiable instrument is negotiated;

2746 (iii) for a direct deposit made into a campaign account by a person not associated
2747 with the campaign, the earlier of:

2748 (A) the day on which the state school board office candidate or a member of the
2749 state school board office candidate's personal campaign committee becomes
2750 aware of the deposit and the source of the deposit;

2751 (B) the day on which the state school board office candidate or a member of the
2752 state school board office candidate's personal campaign committee receives
2753 notice of the deposit and the source of the deposit by mail, email, text, or
2754 similar means; or

2755 (C) 31 calendar days after the day on which the direct deposit occurs; or

2756 (iv) for any other type of contribution, that any portion of the contribution's benefit
2757 inures to the state school board office candidate.

2758 (b) As used in this Subsection (1), "campaign account" means a separate campaign
2759 account required under Subsection [20A-11-1301(1)(a)(i) or (e)(i)] 20A-11-1301(1)(a)
2760 or (b).

2761 (c) Except as provided in Subsection (2), each state school board office candidate shall
2762 file an interim report at the following times in any year in which the candidate has
2763 filed a declaration of candidacy for a public office:

2764 (i) May 15;

2765 (ii) seven calendar days before the regular primary election date;

2766 (iii) September 30; and

2767 (iv) seven calendar days before the regular general election date.

2768 (2) If a state school board office candidate is a school board office candidate seeking
2769 appointment for a midterm vacancy, the state school board office candidate:

2770 (a) shall file an interim report:

2771 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(ii)(A) or (B), no later than
2772 three business days before the day on which the Senate meets to consider the state
2773 school board office candidate's nomination; or

2774 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii)(C):

2775 (A) no later than three business days before the day on which the political party of
2776 the party for which the state school board office candidate seeks nomination
2777 meets to declare a nominee for the governor to appoint; or

2778 (B) if the state school board office candidate decides to seek the appointment with
2779 less than three business days before the day on which the political party meets,
2780 or the political party schedules the meeting to declare a nominee less than three
2781 business days before the day of the meeting, no later than 5 p.m. on the last day
2782 of business before the day on which the political party meets; and

2783 (b) is not required to file an interim report at the times described in Subsection (1)(c).

2784 (3) Each interim report shall include the following information:

2785 (a) the net balance of the last summary report, if any;

2786 (b) a single figure equal to the total amount of receipts reported on all prior interim
2787 reports, if any, during the calendar year in which the interim report is due;

2788 (c) a single figure equal to the total amount of expenditures reported on all prior interim
2789 reports, if any, filed during the calendar year in which the interim report is due;

2790 (d) a detailed listing of:

2791 (i) for a state school board office candidate, each contribution received since the last
2792 summary report that has not been reported in detail on a prior interim report; or

2793 (ii) for a state school board officeholder, each contribution and public service
2794 assistance received since the last summary report that has not been reported in
2795 detail on a prior interim report;

2796 (e) for each nonmonetary contribution:

2797 (i) the fair market value of the contribution with that information provided by the
2798 contributor; and

2799 (ii) a specific description of the contribution;

2800 (f) a detailed listing of each expenditure made since the last summary report that has not
2801 been reported in detail on a prior interim report;

2802 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

2803 (h) a net balance for the year consisting of the net balance from the last summary report,
2804 if any, plus all receipts since the last summary report minus all expenditures since the
2805 last summary report;

2806 (i) a summary page in the form required by the lieutenant governor that identifies:

2807 (i) beginning balance;

2808 (ii) total contributions during the period since the last statement;

2809 (iii) total contributions to date;

2810 (iv) total expenditures during the period since the last statement; and

2811 (v) total expenditures to date; and

2812 (j) the name of a political action committee for which the state school board office
2813 candidate or school board officeholder is designated as an officer who has primary
2814 decision-making authority under Section 20A-11-601.

2815 (4)(a) In preparing each interim report, all receipts and expenditures shall be reported as
2816 of five calendar days before the required filing date of the report.
2817 (b) Any negotiable instrument or check received by a state school board office candidate
2818 or state school board officeholder more than five calendar days before the required
2819 filing date of a report required by this section shall be included in the interim report.

2820 Section 23. Section **20A-11-1304** is amended to read:

2821 **20A-11-1304 . State school board office candidate -- Financial reporting**
2822 **requirements -- Termination of duty to report.**

2823 (1) [Each] A state school board office candidate is subject to interim reporting requirements
2824 until the candidate withdraws or is eliminated in a primary.

2825 (2) [Each] A state school board office candidate is subject to year-end summary reporting
2826 requirements until the candidate [has filed] files a statement of dissolution with the
2827 lieutenant governor stating that:

2828 (a) the state school board office candidate is no longer receiving contributions and is no
2829 longer making expenditures;
2830 (b) the ending balance on the last summary report filed is zero and the balance in the
2831 separate bank account required in Section 20A-11-1301 is zero; and
2832 (c) a final summary report in the form required by Section 20A-11-1302 showing a zero
2833 balance is attached to the statement of dissolution.

2834 (3) A state school board office candidate may file a statement of dissolution and a final
2835 summary report[may be filed] at any time.

2836 (4) [Eaeh] A state school board office candidate shall continue to file the year-end summary
2837 report required by Section 20A-11-1302 until the state school board office candidate
2838 files the statement of dissolution and final summary report required [by] under this
2839 section[are filed].

2840 Section 24. Section **20A-11-1603** is amended to read:

2841 **20A-11-1603 . Conflict of interest disclosure -- Required when filing for**
2842 **candidacy -- Public availability.**

2843 (1)(a) Except as provided in Subsection (1)(c), candidates seeking the following offices
2844 shall make a complete conflict of interest disclosure on the website at the time of
2845 filing a declaration of candidacy:

- (i) state constitutional officer;
- (ii) state legislator; or
- (iii) [State Board of Education member] state school board office.

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

(c) A candidate is not required to comply with Subsection (1)(a) if the candidate:

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

(2) Except as provided in Subsection (1)(c), a filing officer:

- (a) shall provide electronic notice to a candidate who fails to comply with Subsection (1)(a) that the candidate must make a complete conflict of interest disclosure on the website no later than the deadline described in Subsection (1)(b); and
- (b) may not accept a declaration of candidacy for an office listed in Subsection (1)(a) until the candidate makes a complete conflict of interest disclosure on the website.

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

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

Section 25. Section **20A-11-1604** is amended to read:

20A-11-1604 . Failure to disclose conflict of interest -- Failure to comply with reporting requirements.

(1)(a) Before or during the execution of any order, settlement, declaration, contract, or any other official act of office in which a state constitutional officer has actual knowledge that the state constitutional officer has a conflict of interest that is not stated in the conflict of interest disclosure, the state constitutional officer shall publicly declare that the state constitutional officer may have a conflict of interest and what that conflict of interest is.

(b) Before or during any vote on legislation or any legislative matter in which a legislator has actual knowledge that the legislator has a conflict of interest that is not

stated in the conflict of interest disclosure, the legislator shall orally declare to the committee or body before which the matter is pending that the legislator may have a conflict of interest and what that conflict is.

(c) Before or during any vote on any rule, resolution, order, or any other board matter in which a member of the [State Board of Education] state school board officeholder has actual knowledge that the [member] state school board officeholder has a conflict of interest that is not stated in the conflict of interest disclosure, the [member] state school board officeholder shall orally declare to the state school board that the member may have a conflict of interest and what that conflict of interest is.

Any public declaration of a conflict of interest that is made under Subsection (1) shall be noted:

- (a) on the official record of the action taken, for a state constitutional officer;
- (b) in the minutes of the committee meeting or in the Senate or House Journal, as applicable, for a legislator; or
- (c) in the minutes of the meeting or on the official record of the action taken, for a [member of the State Board of Education] state school board officeholder.

A state constitutional officer shall make a complete conflict of interest disclosure on the website:

- (a)(i) no sooner than January 1 each year, and before January 11 each year; or
 - (ii) if the state constitutional officer takes office after January 10, within 10 calendar days after the day on which the state constitutional officer takes office; and
- (b) each time the state constitutional officer changes employment.

A legislator shall make a complete conflict of interest disclosure on the website:

- (a)(i) no sooner than January 1 each year, and before January 11 each year; or
 - (ii) if the legislator takes office after January 10, within 10 calendar days after the day on which the legislator takes office; and
- (b) each time the legislator changes employment.

A [member of the State Board of Education] state school board officeholder shall make a complete conflict of interest disclosure on the website:

- (a)(i) no sooner than January 1 each year, and before January 11 each year; or
 - (ii) if the [member] state school board officeholder takes office after January 10, within 10 calendar days after the day on which the [member] state school board officeholder takes office; and
- (b) each time the [member] state school board officeholder changes employment.

2914 (6) A conflict of interest disclosure described in Subsection (3), (4), or (5) shall include:

2915 (a) the regulated officeholder's name;

2916 (b) subject to Subsection (7):

2917 (i) the name and address of each of the regulated officeholder's current employers and
2918 each of the regulated officeholder's employers during the preceding year; and

2919 (ii) for each employer described in this Subsection (6)(b), a brief description of the
2920 employment, including the regulated officeholder's occupation and, as applicable,
2921 job title;

2922 (c) for each entity in which the regulated officeholder is an owner or officer, or was an
2923 owner or officer during the preceding year:

2924 (i) the name of the entity;

2925 (ii) a brief description of the type of business or activity conducted by the entity; and

2926 (iii) the regulated officeholder's position in the entity;

2927 (d) in accordance with Subsection (8), for each individual from whom, or entity from
2928 which, the regulated officeholder has received \$5,000 or more in income during the
2929 preceding year:

2930 (i) the name of the individual or entity; and

2931 (ii) a brief description of the type of business or activity conducted by the individual
2932 or entity;

2933 (e) for each entity in which the regulated officeholder holds any stocks or bonds having
2934 a fair market value of \$5,000 or more as of the date of the disclosure form or during
2935 the preceding year, but excluding funds that are managed by a third party, including
2936 blind trusts, managed investment accounts, and mutual funds:

2937 (i) the name of the entity; and

2938 (ii) a brief description of the type of business or activity conducted by the entity;

2939 (f) for each entity not listed in Subsections (6)(c) through (e) in which the regulated
2940 officeholder currently serves, or served in the preceding year, in a paid leadership
2941 capacity or in a paid or unpaid position on a board of directors:

2942 (i) the name of the entity or organization;

2943 (ii) a brief description of the type of business or activity conducted by the entity; and

2944 (iii) the type of position held by the regulated officeholder;

2945 (g) at the option of the regulated officeholder, a description of any real property in which
2946 the regulated officeholder holds an ownership or other financial interest that the
2947 regulated officeholder believes may constitute a conflict of interest, including a

2948 description of the type of interest held by the regulated officeholder in the property;

2949 (h) subject to Subsection (7):

2950 (i) the name of the regulated officeholder's spouse; and

2951 (ii) the name of each of the regulated officeholder's spouse's current employers and

2952 each of the regulated officeholder's spouse's employers during the preceding year,

2953 if the regulated officeholder believes the employment may constitute a conflict of

2954 interest;

2955 (i) the name of any adult residing in the regulated officeholder's household who is not

2956 related to the officeholder by blood;

2957 (j) for each adult described in Subsection (6)(i), a brief description of the adult's

2958 employment or occupation, if the regulated officeholder believes the adult's presence

2959 in the regulated officeholder's household may constitute a conflict of interest;

2960 (k) at the option of the regulated officeholder, a description of any other matter or

2961 interest that the regulated officeholder believes may constitute a conflict of interest;

2962 (l) the date the form was completed;

2963 (m) a statement that the regulated officeholder believes that the form is true and accurate

2964 to the best of the regulated officeholder's knowledge; and

2965 (n) the signature of the regulated officeholder.

2966 (7)(a) In making the disclosure described in Subsection (6)(b) or (h), if a regulated

2967 officeholder or regulated officeholder's spouse is an at-risk government employee, as

2968 that term is defined in Subsection 63G-2-303(1)(a), the regulated officeholder may

2969 request the filing officer to redact from the conflict of interest disclosure:

2970 (i) the regulated officeholder's employment information under Subsection (6)(b); and

2971 (ii) the regulated officeholder's spouse's name and employment information under

2972 Subsection (6)(h).

2973 (b) A filing officer who receives a redaction request under Subsection (7)(a) shall redact

2974 the disclosures made under Subsection (6)(b) or (h) before the filing officer makes

2975 the conflict of interest disclosure available for public inspection.

2976 (8) In making the disclosure described in Subsection (6)(d), a regulated officeholder who

2977 provides goods or services to multiple customers or clients as part of a business or a

2978 licensed profession is only required to provide the information described in Subsection

2979 (6)(d) in relation to the entity or practice through which the regulated officeholder

2980 provides the goods or services and is not required to provide the information described

2981 in Subsection (6)(d) in relation to the regulated officeholder's individual customers or

2982 clients.

2983 (9) The disclosure requirements described in this section do not prohibit a regulated
2984 officeholder from voting or acting on any matter.

2985 (10) A regulated officeholder may amend a conflict of interest disclosure described in this
2986 part at any time.

2987 (11) A regulated officeholder who violates the requirements of Subsection (1) is guilty of a
2988 class B misdemeanor.

2989 (12)(a) A regulated officeholder who intentionally or knowingly violates a provision of
2990 this section, other than Subsection (1), is guilty of a class B misdemeanor.

2991 (b) In addition to the criminal penalty described in Subsection (12)(a), the lieutenant
2992 governor shall impose a civil penalty of \$100 against a regulated officeholder who
2993 violates a provision of this section, other than Subsection (1).

2994 Section 26. Section **20A-14-201** is amended to read:

2995 **20A-14-201 . Boards of education -- School board districts -- Creation --**

2996 **Redistricting.**

2997 (1) The county legislative body, for local school districts whose boundaries encompass
2998 more than a single municipality, and the municipal legislative body, for local school
2999 districts contained completely within a municipality, shall divide the local school district
3000 into local school board districts as required under Subsection 20A-14-202(1).

3001 (2) The county and municipal legislative bodies shall divide the school district so that the
3002 local school board districts are substantially equal in population and are as contiguous
3003 and compact as practicable.

3004 (3) County and municipal legislative bodies shall redistrict local school board districts to
3005 meet the population, compactness, and contiguity requirements of this section:
3006 (a) at least once every 10 years;
3007 (b) for a new school district or a reorganized new school district that is approved by the
3008 voters at a regular general election under Section 53G-3-301.1, 53G-3-301.3, or
3009 53G-3-301.4, before April 1 of the following year;
3010 (c) whenever school districts are consolidated;
3011 (d) whenever a school district loses more than 20% of the population of the entire school
3012 district to another school district;
3013 (e) whenever a school district loses more than 50% of the population of a local school
3014 board district to another school district;
3015 (f) whenever a school district receives new residents equal to at least 20% of the

3016 population of the school district at the time of the last redistricting because of a
3017 transfer of territory from another school district; and

3018 (g) whenever it is necessary to increase the membership of a board as a result of changes
3019 in student membership under Section 20A-14-202.

3020 (4) If a school district receives territory containing less than 20% of the population of the
3021 transferee district at the time of the last redistricting, the local school board may assign
3022 the new territory to one or more existing school board districts.

3023 (5) Except as provided in Subsection 53G-3-302(1)(b)(ii), redistricting does not affect the
3024 right of any local school board member to complete the term for which the member was
3025 elected.

3026 (6)(a) After redistricting, representation in a local school board district shall be
3027 determined as provided in this Subsection (6).

3028 (b) If, after redistricting, only one board member whose term extends beyond
3029 redistricting lives within a local school board district, that board member shall
3030 represent that local school board district.

3031 (c) If, after redistricting, two or more members whose terms extend beyond redistricting
3032 live within a local school board district, the members involved shall select one
3033 member by lot to represent the local school board district.

3034 (d) The other members shall serve at-large for the remainder of their terms.

3035 (e) The at-large board members shall serve in addition to the designated number of
3036 board members for the board in question for the remainder of their terms.

3037 (f) If there is no board member living within a local school board district whose term
3038 extends beyond redistricting, the seat shall be treated as vacant and filled as provided
3039 in [this part] Section 20A-1-511.

3040 (7)(a) If, before an election affected by redistricting, the county or municipal legislative
3041 body that conducted the redistricting determines that one or more members shall be
3042 elected to terms of two years to meet this part's requirements for staggered terms, the
3043 legislative body shall determine by lot which of the redistricted local school board
3044 districts will elect members to two-year terms and which will elect members to
3045 four-year terms.

3046 (b) All subsequent elections are for four-year terms.

3047 (8) Within 10 calendar days after the day of a local school board district boundary change,
3048 the county or municipal legislative body making the change shall send an accurate map
3049 or plat of the boundary change to the Utah Geospatial Resource Center created under

3050 Section 63A-16-505.

3051 (9) Subsections (4) through (7) do not apply to a redistricting that occurs under Subsection
3052 (3)(b).

3053 Section 27. Section **20A-14-202** is amended to read:

3054 **20A-14-202 . Local boards of education -- Membership -- When elected --**

3055 **Qualifications -- Avoiding conflicts of interest -- Transition to partisan elections.**

3056 (1)(a) The board of education of a school district with a student population of less than
3057 10,000 students comprises five members.

3058 (b) The board of education of a school district with a student population of 10,000 or
3059 more students but fewer than 50,000 students comprises seven members.

3060 [(e) ~~Before January 1, 2023, the board of education of a school district with a student~~
3061 ~~population of 50,000 or more students comprises seven members.~~]

3062 [(d)] ~~(c) [Beginning on January 1, 2023:]~~

3063 (i) ~~[the] The~~ board of education of a school district with a student population of
3064 50,000 or more students but fewer than 100,000 students:
3065 (A) except as provided in Subsection [(1)(d)(i)(B)] (1)(c)(i)(B), comprises seven
3066 members; or
3067 (B) comprises nine members if the board of education of the school district, by
3068 majority vote, increases the board to nine members[; and] .

3069 (ii) ~~[the] The~~ board of education of a school district with a student population of
3070 100,000 or more students comprises nine members.

3071 [(e)] ~~(d) Student population is based on the October 1 student count submitted by~~
3072 districts to the State Board of Education.

3073 [(f)] ~~(e) If the number of members of a local school board changes under Subsection [(1)(b), (e), or (d)] (1)(b) or (c), the county or municipality, as applicable, shall~~
3074 ~~redistrict and hold elections as provided in Sections 20A-14-201 and 20A-14-203.~~

3075 [(g)] ~~(f) Notwithstanding Subsections [(1)(a) through (d)] (1)(a) through (c), a school~~
3076 district with a seven-member or nine-member board does not decrease in size,
3077 regardless of subsequent changes in student population.

3078 [(h)] ~~(g)(i) Members of a local board of education shall be elected at each regular~~
3079 ~~general election.~~

3080 (ii) Except as provided in Subsection [(1)(h)(iii)] (1)(g)(iii), in a regular general
3081 election year:

3082 (A) no more than three members of a local board of education may be elected to a

3084 five-member board;

3085 (B) no more than four members of a local board of education may be elected to a
3086 seven-member board; and

3087 (C) no more than five members of a local board of education may be elected to a
3088 nine-member board.

3089 (iii) A number of members, in excess of the maximums described in Subsection [
3090 (1)(h)(ii)] (1)(g)(ii), may be elected only when required due to redistricting, to fill
3091 a vacancy, or to implement [Subsections (1)(b) through (d)] Subsection (1)(b) or (c).

3092 [(i)] (h) One member of the local board of education shall be elected from each local
3093 school board district.

3094 (2)(a) An individual seeking election to a local school board shall have been a resident
3095 of the local school board district in which the person is seeking election for at least
3096 one year immediately preceding the day of the general election at which the board
3097 position will be filled.

3098 (b) A person who has resided within the local school board district, as the boundaries of
3099 the district exist on the date of the general election, for one year immediately
3100 preceding the date of the election shall be considered to have met the requirements of
3101 this Subsection (2).

3102 (3) A member of a local school board shall:

3103 (a) be and remain a registered voter in the local school board district from which the
3104 member is elected or appointed; and

3105 (b) maintain the member's primary residence within the local school board district from
3106 which the member is elected or appointed during the member's term of office.

3107 (4) A member of a local school board may not, during the member's term in office, also
3108 serve as an employee of that board.

3109 (5)(a) An individual who takes office as a member of a local school board before 2027,
3110 via a nonpartisan election or an appointment to fill a vacancy, shall continue to serve
3111 as a member of the local school board until the end of the term to which the
3112 individual was elected or appointed.

3113 (b) After the term described in Subsection (5)(a) ends, the vacancy shall be filled via a
3114 partisan election.

3115 (c) If, before January 1, 2027, a vacancy occurs in a local school board office before the
3116 term of office ends, the vacancy shall be filled for the remainder of the term in
3117 accordance with provisions of Section 20A-1-511 that were in effect before January

3118 1, 2027.

3119 Section 28. Section **53G-4-201** is amended to read:

3120 **53G-4-201 . Selection and election of members to local school boards.**

3121 Members of local school boards shall be elected as provided in Title 20A, Election
3122 Code, including Title 20A, Chapter 14, Nomination and Election of State and Local School
3123 Boards.

3124 Section 29. **Effective Date.**

3125 This bill takes effect on January 1, 2027.