

## **Elections Office Oversight Amendments**

## 2026 GENERAL SESSION

STATE OF UTAH

## **Chief Sponsor: Ryan D. Wilcox**

**Senate Sponsor:**

## LONG TITLE

### **General Description:**

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

## Highlighted Provisions:

This bill:

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

- describes the terms of service and authority of the conflict of interest elections officer; and
- creates the Elections Oversight Task Force and establishes the task force's:
  - membership;
  - duties;
  - reporting requirements; and
  - repeal date.

### **Money Appropriated in this Bill:**

None

## Other Special Clauses:

None

## Utah Code Sections Affected:

## AMENDS:

63I-2-236, as last amended by Laws of Utah 2025, Chapters 277, 414

## ENACTS:

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

36-29-113, Utah Code Annotated 1953

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

Section 1. Section **20A-1-109** is enacted to read:

31           **20A-1-109 . Conflict of interest election officer -- Appointment -- Term of service**

32           **-- Duties and authority.**

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

37           (2) The conflict of interest election officer:

38           (a) shall be an individual who is familiar with state and federal election law and with

39           Utah's election system;

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

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

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

49           (4) If a dispute arises regarding whether a particular matter falls within the authority of the  
50           conflict of interest election officer under this section, the state board of canvassers shall  
51           resolve the dispute.

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

54           Section 2. Section **36-29-113** is enacted to read:

55           **36-29-113 . Elections Oversight Task Force.**

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

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

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

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

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

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

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

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

65 force.

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

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

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

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

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

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

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

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

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

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

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

87 (iii) applicable federal and state election law and regulations;

88 (iv) alternative ways of structuring the state's system of election oversight and  
89 administration; and

90 (v) any other information related to election oversight and administration that the task  
91 force determines to be needed.

92 (7) On or before September 1, 2027, the task force shall provide a report to the Government  
93 Operations Interim Committee that includes:

94 (a) a description of the alternative election oversight structures reviewed and analyzed  
95 under Subsection (6);

96 (b) a recommendation as to whether any changes to the state's current system of election  
97 oversight are warranted; and

98 (c) if the task force recommends a change described in Subsection (7)(b):

99                   (i) the changes to state law necessary to implement the change; and  
100                   (ii) a proposed timeline to effectuate the change.

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

102                   **63I-2-236 . Repeal dates: Title 36.**

103                   (1) Section 36-12-8.2, Medical cannabis governance structure working group, is repealed  
104                   July 1, 2026.

105                   (2) Section 36-29-109, Utah Broadband Center Advisory Commission, is repealed  
106                   November 30, 2027.

107                   (3) Section 36-29-113, Elections Oversight Task Force, is repealed July 1, 2028.

108                   **Section 4. Effective Date.**

109                   This bill takes effect on May 6, 2026.