

Lisa Shepherd proposes the following substitute bill:

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Elections Provisions Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill amends provisions relating to elections.

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Highlighted Provisions:

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This bill:

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▸ defines terms;

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▸ modifies, consolidates, recodifies, and adds provisions relating to:

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- notices of offices to be filled at upcoming elections;

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- notices of candidate filing periods;

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- notices of candidates to be included on a ballot and other instructions relating to a

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ballot;

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- notices of election; and

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- other notices relating to elections;

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▸ modifies certain declaration of candidacy periods:

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- to coincide with the declaration of candidacy periods for municipal primary elections,

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municipal general elections, regular primary elections, and regular general elections;

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and

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- to make declaration of candidacy periods for all registered political parties the same,

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regardless of whether the registered political party is a qualified political party;

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▸ beginning on January 1, 2027, prohibits a county clerk's or election officer's name from:

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- inclusion in the official endorsement for a ballot;

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- inclusion on a return envelope for a ballot; or

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- inclusion on a ballot, except to the extent that the county clerk or election officer is

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listed as a candidate on the ballot;

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▸ modifies certain deadlines set at a specific date to instead occur on a business day;

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▸ modifies and consolidates provisions relating to removing the names of deceased

- 29 individuals from the list of registered voters;
- 30 ▸ modifies requirements relating to the storage of election material, ballots, and election
31 returns;
- 32 ▸ modifies the deadline to file an objection to a declaration of candidacy;
- 33 ▸ modifies and removes inconsistent provisions relating to participation in a regular
34 primary election;
- 35 ▸ grants rulemaking authority to the Office of the Lieutenant Governor to regulate the use
36 and application of the Great Seal of the State of Utah or a replica of the seal;
- 37 ▸ modifies and clarifies provisions relating to the crime of illegally using or defacing the
38 Great Seal of the State of Utah; and
- 39 ▸ makes technical and conforming changes.

40 **Money Appropriated in this Bill:**

41 None

42 **Other Special Clauses:**

43 This bill provides a special effective date.

44 **Utah Code Sections Affected:**

45 AMENDS:

46 **10-3-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

47 **17-62-201 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,

48 First Special Session, Chapter 13

49 **17-62-202 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,

50 First Special Session, Chapter 13

51 **17B-1-306 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 39, 161

52 **17B-1-1001 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 388

53 **17B-1-1003 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapters 15,

54 174

55 **20A-1-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special

56 Session, Chapter 6

57 **20A-1-206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

58 **20A-1-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special

59 Session, Chapter 16

60 **20A-1-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

61 **20A-2-107 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special

62 Session, Chapter 2

63 **20A-2-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448
64 **20A-2-505 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,
65 448
66 **20A-3a-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,
67 448
68 **20A-3a-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 381
69 **20A-3a-604 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448
70 **20A-4-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
71 Session, Chapter 6
72 **20A-4-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
73 Session, Chapter 6
74 **20A-4-304 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
75 Session, Chapter 6
76 **20A-6-110 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
77 Chapter 39
78 **20A-6-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
79 **20A-6-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 39, 448
80 **20A-6-304 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 136
81 **20A-6-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
82 **20A-6-401.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
83 **20A-6-402 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
84 **20A-9-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapters 15, 45
85 **20A-9-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
86 Session, Chapter 2
87 **20A-9-201.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second
88 Special Session, Chapter 2
89 **20A-9-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448
90 **20A-9-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 38, 39
91 and 448
92 **20A-9-403 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 39, 448
93 **20A-9-406 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
94 Session, Chapter 2
95 **20A-9-407 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
96 Session, Chapter 2

97 **20A-9-408 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
98 Session, Chapter 2

99 **20A-9-409 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
100 Session, Chapter 16

101 **20A-14-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Second
102 Special Session, Chapter 10

103 **67-1a-7 (Effective 05/06/26)**, as enacted by Laws of Utah 1984, Chapter 68

104 ENACTS:

105 **20A-5a-101 (Effective 05/06/26)**, Utah Code Annotated 1953

106 **20A-5a-102 (Effective 05/06/26)**, Utah Code Annotated 1953

107 **20A-5a-202 (Effective 05/06/26)**, Utah Code Annotated 1953

108 **20A-5a-203 (Effective 05/06/26)**, Utah Code Annotated 1953

109 **20A-5a-204 (Effective 05/06/26)**, Utah Code Annotated 1953

110 **20A-5a-205 (Effective upon governor's approval)**, Utah Code Annotated 1953

111 **20A-5a-206 (Effective upon governor's approval)**, Utah Code Annotated 1953

112 **20A-5a-207 (Effective 05/06/26)**, Utah Code Annotated 1953

113 **20A-5a-208 (Effective 05/06/26)**, Utah Code Annotated 1953

114 **20A-5a-210 (Effective 05/06/26)**, Utah Code Annotated 1953

115 **20A-5a-211 (Effective 05/06/26)**, Utah Code Annotated 1953

116 **20A-5a-212 (Effective 05/06/26)**, Utah Code Annotated 1953

117 **20A-5a-301 (Effective 05/06/26)**, Utah Code Annotated 1953

118 **20A-5a-302 (Effective 05/06/26)**, Utah Code Annotated 1953

119 **20A-5a-303 (Effective 05/06/26)**, Utah Code Annotated 1953

120 **20A-5a-304 (Effective 05/06/26)**, Utah Code Annotated 1953

121 **20A-5a-305 (Effective 05/06/26)**, Utah Code Annotated 1953

122 **20A-5a-306 (Effective 05/06/26)**, Utah Code Annotated 1953

123 **20A-5a-307 (Effective 05/06/26)**, Utah Code Annotated 1953

124 **20A-5a-308 (Effective 05/06/26)**, Utah Code Annotated 1953

125 **20A-5a-309 (Effective 05/06/26)**, Utah Code Annotated 1953

126 **20A-5a-310 (Effective 05/06/26)**, Utah Code Annotated 1953

127 **20A-5a-311 (Effective 05/06/26)**, Utah Code Annotated 1953

128 **20A-5a-312 (Effective 05/06/26)**, Utah Code Annotated 1953

129 **20A-5a-401 (Effective 05/06/26)**, Utah Code Annotated 1953

130 **20A-5a-402 (Effective 05/06/26)**, Utah Code Annotated 1953

131 RENUMBERS AND AMENDS:

132 **20A-5-401.1 (Effective 05/06/26)**, (Renumbered from 20A-5-102, as last amended by
133 Laws of Utah 2025, Chapter 381)

134 **20A-5-401.2 (Effective 05/06/26)**, (Renumbered from 20A-5-102, as last amended by
135 Laws of Utah 2025, Chapter 381)

136 **20A-5a-201 (Effective 05/06/26)**, (Renumbered from 20A-5-101, as last amended by
137 Laws of Utah 2025, Chapter 448)

138 **20A-5a-209 (Effective 05/06/26)**, (Renumbered from 20A-9-701, as last amended by
139 Laws of Utah 2015, Chapter 296)

140 REPEALS:

141 **17B-1-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 15

142 **20A-5-409 (Effective 05/06/26)**, as last amended by Laws of Utah 2011, Chapter 327

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

145 Section 1. Section **10-3-301** is amended to read:

146 **10-3-301 (Effective 05/06/26). Notice of offices to be filled and declaration of**
147 **candidacy period -- Eligibility and residency requirements for elected municipal office --**
148 **Mayor and recorder limitations.**

149 (1) As used in this section:

150 (a) "Absent" means that an elected municipal officer fails to perform official duties,
151 including the officer's failure to attend each regularly scheduled meeting that the
152 officer is required to attend.

153 (b) "Principal place of residence" means the same as that term is defined in Section
154 20A-2-105.

155 (c) "Secondary residence" means a place where an individual resides other than the
156 individual's principal place of residence.

157 ~~[(2)(a) On or before May 1 in a year in which there is a municipal general election, the~~
158 ~~municipal clerk shall publish a notice that identifies:]~~

159 ~~[(i) the municipal offices to be voted on in the municipal general election; and]~~

160 ~~[(ii) the dates for filing a declaration of candidacy for the offices identified under~~
161 ~~Subsection (2)(a)(i).]~~

162 ~~[(b) The municipal clerk shall publish the notice described in Subsection (2)(a) for the~~
163 ~~municipality, as a class A notice under Section 63G-30-102, for at least seven days.]~~

164 (2) A municipality shall comply with Sections 20A-5a-301 and 20A-5a-303 to provide

- 165 notice regarding:
- 166 (a) the offices to be voted on at the upcoming election; and
- 167 (b) the declaration of candidacy filing period.
- 168 (3)(a) An individual who files a declaration of candidacy for a municipal office shall:
- 169 (i) comply with the requirements described in Section 20A-9-203; and
- 170 (ii) file the conflict of interest disclosure statement described in Section 10-3-301.5.
- 171 (b)(i) Except as provided in Subsection (3)(b)(ii), the city recorder or town clerk of
- 172 each municipality shall maintain office hours from 8 a.m. to 5 p.m. during the
- 173 filing period described in Subsection 20A-9-203(3)(d), unless the date occurs on a:
- 174 (A) Saturday or Sunday; or
- 175 (B) state holiday as listed in Section 63G-1-301.
- 176 (ii) If on a regular basis a city recorder or town clerk maintains an office schedule
- 177 that is less than 40 hours per week, the city recorder or town clerk may comply
- 178 with Subsection (3)(b)(i) without maintaining office hours by:
- 179 (A) posting the recorder's or clerk's contact information, including a phone
- 180 number and email address, on the recorder's or clerk's office door, the main
- 181 door to the municipal offices, and, if available, on the municipal website; and
- 182 (B) being available from 8 a.m. to 5 p.m. on the dates described in Subsection
- 183 (3)(b)(i), via the contact information described in Subsection (3)(b)(ii)(A).
- 184 (4) An individual elected to municipal office shall be a registered voter in the municipality
- 185 in which the individual is elected.
- 186 (5)(a) Each elected officer of a municipality shall maintain a principal place of residence
- 187 within the municipality, and within the district that the elected officer represents,
- 188 during the officer's term of office.
- 189 (b) Except as provided in Subsection (6), an elected municipal office is automatically
- 190 vacant if the officer elected to the municipal office, during the officer's term of office:
- 191 (i) establishes a principal place of residence outside the district that the elected officer
- 192 represents;
- 193 (ii) resides at a secondary residence outside the district that the elected officer
- 194 represents for a continuous period of more than 60 days while still maintaining a
- 195 principal place of residence within the district;
- 196 (iii) is absent from the district that the elected officer represents for a continuous
- 197 period of more than 60 days; or
- 198 (iv) fails to respond to a request, within 30 days after the day on which the elected

199 officer receives the request, from the county clerk or the lieutenant governor
200 seeking information to determine the officer's residency.

201 (6)(a) Notwithstanding Subsection (5), if an elected municipal officer obtains the
202 consent of the municipal legislative body in accordance with Subsection (6)(b) before
203 the expiration of the 60-day period described in Subsection (5)(b)(ii) or (iii), the
204 officer may:

205 (i) reside at a secondary residence outside the district that the elected officer
206 represents while still maintaining a principal place of residence within the district
207 for a continuous period of up to one year during the officer's term of office; or
208 (ii) be absent from the district that the elected officer represents for a continuous
209 period of up to one year during the officer's term of office.

210 (b) At a public meeting, the municipal legislative body may give the consent described
211 in Subsection (6)(a) by majority vote after taking public comment regarding:

212 (i) whether the legislative body should give the consent; and
213 (ii) the length of time to which the legislative body should consent.

214 (7)(a) The mayor of a municipality may not also serve as the municipal recorder or
215 treasurer.

216 (b) The recorder of a municipality may not also serve as the municipal treasurer.

217 (c) An individual who holds a county elected office may not, at the same time, hold a
218 municipal elected office.

219 (d) The restriction described in Subsection (7)(c) applies regardless of whether the
220 individual is elected to the office or appointed to fill a vacancy in the office.

221 Section 2. Section **17-62-201** is amended to read:

222 **17-62-201 (Effective 05/06/26). County commission form of government --**

223 **Commission member elections.**

224 (1) As used in this section:

225 (a) "Midterm vacancy" means a county commission position that is being filled at an
226 election for less than the position's full term as established in:

227 (i) Subsection (4)(a); or
228 (ii) a county's optional plan under Section 17-62-403.

229 (b) "Open position" means a county commission position that is being filled at a regular
230 general election for the position's full term as established in:

231 (i) Subsection (4)(a); or
232 (ii) a county's optional plan under Section 17-62-403.

- 233 (c) "Opt-in county" means a county that has, in accordance with Subsection (6)(a),
234 chosen to conduct county commissioner elections in accordance with Subsection (6).
- 235 (2) A county commission consisting of three members shall govern each county operating
236 under the county commission form of government.
- 237 (3) A county commission under a county commission form of government is both the
238 county legislative body and the county executive and has the powers, duties, and
239 functions of a county legislative body under Chapter 64, County Legislative Body, and
240 the powers, duties, and functions of a county executive under Chapter 65, County
241 Executive.
- 242 (4) Except as otherwise provided in an optional plan adopted under this chapter:
- 243 (a) the term of office of each county commission member is four years;
- 244 (b) the terms of county commission members shall be staggered so that two members are
245 elected at a regular general election date that alternates with the regular general
246 election date of the other member; and
- 247 (c) each county commission member shall be elected:
- 248 (i) at large, unless otherwise required by court order; and
- 249 (ii) subject to the provisions of this section, in accordance with Title 20A, Election
250 Code.
- 251 (5) Except as provided in Subsection (6):
- 252 (a) if two county commission positions are vacant for an election, the positions shall be
253 designated "county commission seat A" and "county commission seat B";
- 254 (b) each candidate who files a declaration of candidacy when two positions are vacant
255 shall designate on the declaration of candidacy form whether the candidate is a
256 candidate for seat A or seat B; and
- 257 (c) no person may file a declaration of candidacy for, be a candidate for, or be elected to
258 two county commission positions in the same election.
- 259 (6)(a) A county of the first or second class may, through an optional plan as described in
260 Subsection 17-62-403(5) or by ordinance, choose to conduct county commissioner
261 elections in accordance with this Subsection (6).
- 262 (b) When issuing the notice [~~of election required by Subsection 20A-5-101(2)] described
263 in Section 20A-5a-202, the clerk of an opt-in county shall, if there is at least one open
264 position and at least one midterm vacancy, designate:~~
- 265 (i) each open position as "open position"; and
- 266 (ii) each midterm vacancy as "midterm vacancy."

- 267 (c) An individual who files a declaration of candidacy for the office of county
 268 commissioner in an opt-in county:
- 269 (i) if there is more than one open position, is not required to indicate which open
 270 position the individual is running for;
- 271 (ii) if there is at least one open position and at least one midterm vacancy, shall
 272 designate on the declaration of candidacy whether the individual is filing for an
 273 open position or a midterm vacancy; and
- 274 (iii) may not file a declaration of candidacy for an open position and a midterm
 275 vacancy in the same election.
- 276 (d) If there is an open position and a midterm vacancy being voted upon in the same
 277 election in an opt-in county, the county clerk shall indicate on the ballot for the
 278 election which positions are open positions and which positions are midterm
 279 vacancies.
- 280 (e) In an opt-in county:
- 281 (i) the candidates for open positions, in a number equal to the number of open
 282 positions, who receive the highest number of votes are:
- 283 (A) for the purposes of a regular primary election, nominated by the candidates'
 284 party for the open positions; and
- 285 (B) for the purposes of a regular general election, elected to fill the open positions;
 286 and
- 287 (ii) the candidates for midterm vacancies, in a number equal to the number of
 288 midterm vacancies, who receive the highest number of votes are:
- 289 (A) for the purposes of a regular primary election, nominated by the candidates'
 290 party for the midterm vacancies; and
- 291 (B) for the purposes of a regular general election, elected to fill the midterm
 292 vacancies.

293 Section 3. Section **17-62-202** is amended to read:

294 **17-62-202 (Effective 05/06/26). Expanded county commission form of**
 295 **government -- Commission member elections.**

- 296 (1) As used in this section:
- 297 (a) "Midterm vacancy" means the same as that term is defined in Section 17-62-201.
- 298 (b) "Open position" means the same as that term is defined in Section 17-62-201.
- 299 (c) "Opt-in county" means a county that has, in accordance with Subsection (6)(a),
 300 chosen to conduct county commissioner elections in accordance with Subsection (6).

- 301 (2) A county commission consisting of five or seven members shall govern each county
302 operating under an expanded county commission form of government.
- 303 (3) A county commission under the expanded county commission form of government is
304 both the county legislative body and the county executive and has the powers, duties,
305 and functions of a county legislative body under Chapter 64, County Legislative Body,
306 and the powers, duties, and functions of a county executive under Chapter 65, County
307 Executive.
- 308 (4) Except as otherwise provided in an optional plan adopted under this chapter:
- 309 (a) the term of office of each county commission member is four years;
- 310 (b) the terms of county commission members shall be staggered so that approximately
311 half the members are elected at alternating regular general election dates; and
- 312 (c) each county commission member shall be elected:
- 313 (i) at large, unless otherwise required by court order; and
- 314 (ii) subject to the provisions of this section, in accordance with Title 20A, Election
315 Code.
- 316 (5) Except as provided in Subsection (6):
- 317 (a) if multiple at-large county commission positions are vacant for an election, the
318 positions shall be designated "county commission seat A," "county commission seat
319 B," and so on as necessary for the number of vacant positions;
- 320 (b) each candidate who files a declaration of candidacy when multiple positions are
321 vacant shall designate the letter of the county commission seat for which the
322 candidate is a candidate; and
- 323 (c) no person may file a declaration of candidacy for, be a candidate for, or be elected to
324 two county commission positions in the same election.
- 325 (6)(a) A county of the first or second class may, through an optional plan as described in
326 Subsection 17-62-403(5) or by ordinance, choose to conduct county commissioner
327 elections in accordance with this Subsection (6).
- 328 (b) When issuing the notice [~~of election required by Subsection 20A-5-101(2)~~] described
329 in Section 20A-5a-202, the clerk of an opt-in county shall, if there is at least one open
330 position and at least one midterm vacancy, designate:
- 331 (i) each open position as "open position"; and
- 332 (ii) each midterm vacancy as "midterm vacancy."
- 333 (c) An individual who files a declaration of candidacy for the office of county
334 commissioner in an opt-in county:

- 335 (i) if there is more than one open position, is not required to indicate which open
 336 position the individual is running for;
- 337 (ii) if there is at least one open position and at least one midterm vacancy, shall
 338 designate on the declaration of candidacy whether the individual is filing for an
 339 open position or a midterm vacancy; and
- 340 (iii) may not file a declaration of candidacy for an open position and a midterm
 341 vacancy in the same election.
- 342 (d) If there is an open position and a midterm vacancy being voted upon in the same
 343 election in an opt-in county, the county clerk shall indicate on the ballot for the
 344 election which positions are open positions and which positions are midterm
 345 vacancies.
- 346 (e) In an opt-in county:
- 347 (i) the candidates for open positions, in a number equal to the number of open
 348 positions, who receive the highest number of votes are:
- 349 (A) for the purposes of a regular primary election, nominated by the candidates'
 350 party for the open positions; and
- 351 (B) for the purposes of a regular general election, elected to fill the open positions;
 352 and
- 353 (ii) the candidates for midterm vacancies, in a number equal to the number of
 354 midterm vacancies, who receive the highest number of votes are:
- 355 (A) for the purposes of a regular primary election, nominated by the candidates'
 356 party for the midterm vacancies; and
- 357 (B) for the purposes of a regular general election, elected to fill the midterm
 358 vacancies.

359 Section 4. Section **17B-1-306** is amended to read:

360 **17B-1-306 (Effective 05/06/26). Special district board -- Election procedures --**
 361 **Notice of offices to be filled and declaration of candidacy period.**

- 362 (1) Except as provided in Subsection (12), each elected board member shall be selected as
 363 provided in this section.
- 364 (2)(a) Each election of a special district board member shall be held:
- 365 (i) at the same time as the municipal general election or the regular general election,
 366 as applicable; and
- 367 (ii) at polling places designated by the special district board in consultation with the
 368 county clerk for each county in which the special district is located, which polling

369 places shall coincide with municipal general election or regular general election
370 polling places, as applicable, whenever feasible.

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

374 (c)(i) Subject to Subsections [~~(5)(h) and (i)~~] (5)(g) and (h), the number of polling
375 places under Subsection (2)(a)(ii) in an election of board members of an irrigation
376 district shall be one polling place per division of the district, designated by the
377 district board.

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

381 [~~(3)(a) The clerk of each special district with a board member position to be filled at the~~
382 ~~next municipal general election or regular general election, as applicable, shall~~
383 ~~provide notice of:~~]

384 [(i) ~~each elective position of the special district to be filled at the next municipal~~
385 ~~general election or regular general election, as applicable;]~~

386 [(ii) ~~the constitutional and statutory qualifications for each position; and]~~

387 [(iii) ~~the dates and times for filing a declaration of candidacy;]~~

388 [(b) ~~If the election is to be held at the same time as the municipal general election, a~~
389 ~~declaration of candidacy shall be filed between June 1 and June 7 of any~~
390 ~~odd-numbered year;]~~

391 [(c) ~~If the election is to be held at the same time as the regular general election, a~~
392 ~~declaration of candidacy shall be filed between June 1 and June 7 of any~~
393 ~~even-numbered year;]~~

394 [~~(4) The clerk of the special district shall publish the notice described in Subsection (3)(a)~~
395 ~~for the special district, as a class A notice under Section 63G-30-102, for at least 10 days~~
396 ~~before the first day for filing a declaration of candidacy;]~~

397 (3) If the election is to be held at the same time as the municipal general election:

398 (a) the special district shall comply with Section 20A-5a-304 to provide notice regarding
399 offices to be voted on at the upcoming election and the declaration of candidacy
400 period; and

401 (b) the period to file a declaration of candidacy is the filing period described in
402 Subsection 20A-9-203(3)(d).

- 403 (4) If the election is to be held at the same time as the regular general election:
- 404 (a) the special district shall comply with Section 20A-5a-203 to provide notice regarding
- 405 offices to be voted on at the upcoming election and the declaration of candidacy
- 406 period; and
- 407 (b) the period to file a declaration of candidacy is the filing period described in Section
- 408 20A-9-201.5.
- 409 (5)(a) Except as provided in Subsection ~~[(5)(e)]~~ (5)(b), to become a candidate for an
- 410 elective special district board position, an individual shall file a declaration of
- 411 candidacy in person with an official designated by the special district within the
- 412 candidate filing period for the applicable election year in which the election for the
- 413 special district board is held~~[-and]~~ , as follows:
- 414 (i) for a special district with a four day standard work week of at least eight hours
- 415 each day of the workweek, during the special district's standard office hours; or
- 416 (ii) for a special district other than a district described in Subsection (5)(a)(i):
- 417 ~~[(i)] (A) [during the special district's standard office hours,]~~if the standard office
- 418 hours provide at least three consecutive office hours each day during the
- 419 candidate filing period that is not a holiday or weekend, during the special
- 420 district's standard office hours; or
- 421 ~~[(ii)] (B) if the standard office hours of a special district do not provide at least~~
- 422 ~~three consecutive office hours each day, a three-hour consecutive time period~~
- 423 ~~each day designated by the special district during the candidate filing period~~
- 424 ~~that is not a holiday or weekend[;or] .~~
- 425 ~~[(iii) during the special district's standard office hours if the special district has~~
- 426 ~~adopted a four day standard work week with standard office hours of at least eight~~
- 427 ~~hours each of those days.]~~
- 428 ~~[(b) When the candidate filing deadline falls on a Saturday, Sunday, holiday, or a day~~
- 429 ~~that is not a regular business day for the special district pursuant to Subsection~~
- 430 ~~(5)(a)(iii), the filing time shall be extended until the close of normal office hours on~~
- 431 ~~the following regular business day.]~~
- 432 ~~[(e)]~~ (b) Subject to Subsection ~~[(5)(f)]~~ (5)(e), an individual may designate an agent to file
- 433 a declaration of candidacy with the official designated by the special district if:
- 434 (i) the individual is located outside of the state during the entire filing period;
- 435 (ii) the designated agent appears in person before the official designated by the
- 436 special district; and

437 (iii) the individual communicates with the official designated by the special district
 438 using an electronic device that allows the individual and official to see and hear
 439 each other.

440 ~~[(d)]~~ (c)(i) Before the filing officer may accept any declaration of candidacy from an
 441 individual, the filing officer shall:

442 (A) read to the individual the constitutional and statutory qualification
 443 requirements for the office that the individual is seeking; and

444 (B) require the individual to state whether the individual meets those requirements.

445 (ii) If the individual does not meet the qualification requirements for the office, the
 446 filing officer may not accept the individual's declaration of candidacy.

447 (iii) If it appears that the individual meets the requirements of candidacy, the filing
 448 officer shall accept the individual's declaration of candidacy.

449 ~~[(e)]~~ (d) The declaration of candidacy shall be in substantially the following form:

450 "I, (print name) _____, being first duly sworn, say that I reside at (Street)
 451 _____, City of _____, County of _____, state of Utah,
 452 (Zip Code) _____, (Telephone Number, if any) _____; that I meet the qualifications
 453 for the office of board of trustees member for _____ (state the name of
 454 the special district); that I am a candidate for that office to be voted upon at the next election;
 455 and that, if filing via a designated agent, I will be out of the state of Utah during the entire
 456 candidate filing period, and I hereby request that my name be printed upon the official ballot
 457 for that election.

458 (Signed) _____

459 Subscribed and sworn to (or affirmed) before me by _____ on this _____ day
 460 of _____, _____.

461 (Signed) _____

462 (Clerk or Notary Public). "[:]

463 ~~[(f)]~~ (e) An agent designated under Subsection ~~[(5)(e)]~~ (5)(b) may not sign the form
 464 described in Subsection ~~[(5)(e)]~~ (5)(d).

465 ~~[(g)]~~ (f) Each individual wishing to become a valid write-in candidate for an elective
 466 special district board position is governed by Section 20A-9-601.

467 ~~[(h)]~~ (g) If at least one individual does not file a declaration of candidacy as required by
 468 this section, an individual shall be appointed to fill that board position in accordance
 469 with the appointment provisions of Section 20A-1-512.

470 ~~[(i)]~~ (h) If only one candidate files a declaration of candidacy and there is no write-in

- 471 candidate who complies with Section 20A-9-601, the board, in accordance with
472 Section 20A-1-206, may:
- 473 (i) consider the candidate to be elected to the position; and
474 (ii) cancel the election.
- 475 (6)(a) A primary election may be held if:
- 476 (i) the election is authorized by the special district board; and
477 (ii) the number of candidates for a particular local board position or office exceeds
478 twice the number of persons needed to fill that position or office.
- 479 (b) The primary election shall be conducted:
- 480 (i) on the same date as the municipal primary election or the regular primary election,
481 as applicable; and
482 (ii) according to the procedures for primary elections provided under Title 20A,
483 Election Code.
- 484 (7)(a) Except as provided in Subsection (7)(c), within one business day after the
485 deadline for filing a declaration of candidacy, the special district clerk shall certify
486 the candidate names to the clerk of each county in which the special district is located.
- 487 (b)(i) Except as provided in Subsection (7)(c) and in accordance with Sections
488 20A-6-109 and 20A-6-110, the clerk of each county in which the special district is
489 located and the special district clerk shall coordinate placement of the name of
490 each candidate for special district office in the nonpartisan section of the ballot
491 with the appropriate election officer.
- 492 (ii) If consolidation of the special district election ballot with the municipal general
493 election ballot or the regular general election ballot, as applicable, is not feasible,
494 the special district board of trustees, in consultation with the county clerk, shall
495 provide for a separate special district election ballot to be administered by poll
496 workers at polling places designated under Subsection (2).
- 497 (c)(i) Subsections (7)(a) and (b) do not apply to an election of a member of the board
498 of an irrigation district established under Chapter 2a, Part 5, Irrigation District Act.
- 499 (ii) The board of an irrigation district shall:
- 500 (A) subject to Subsections (7)(c)(ii)(B) and (C), establish the form of the ballot for
501 a board member election;
- 502 (B) ensure that the ballot is in a nonpartisan format; and
503 (C) ensure that the name of each candidate is placed on the ballot in accordance
504 with Sections 20A-6-109 and 20A-6-110.

- 505 (8)(a) Each voter at an election for a board of trustees member of a special district shall:
- 506 (i) be a registered voter within the district, except for an election of:
- 507 (A) an irrigation district board of trustees member; or
- 508 (B) a basic special district board of trustees member who is elected by property
- 509 owners; and
- 510 (ii) meet the requirements to vote established by the district.
- 511 (b) Each voter may vote for as many candidates as there are offices to be filled.
- 512 (c) The candidates who receive the highest number of votes are elected.
- 513 (9) Except as otherwise provided by this section, the election of special district board
- 514 members is governed by Title 20A, Election Code.
- 515 (10)(a) Except as provided in Subsection 17B-1-303(8), a person elected to serve on a
- 516 special district board shall serve a four-year term, beginning at noon on the January 1
- 517 after the person's election.
- 518 (b) A person elected shall be sworn in as soon as practical after January 1.
- 519 (11)(a) Except as provided in Subsection (11)(b), each special district shall reimburse
- 520 the county or municipality holding an election under this section for the costs of the
- 521 election attributable to that special district.
- 522 (b) Each irrigation district shall bear the district's own costs of each election the district
- 523 holds under this section.
- 524 (12) This section does not apply to an improvement district that provides electric or gas
- 525 service.
- 526 (13) Except as provided in Subsection 20A-3a-605(1)(b), the provisions of Title 20A,
- 527 Chapter 3a, Part 6, Early Voting, do not apply to an election under this section.
- 528 (14)(a) As used in this Subsection (14), "board" means:
- 529 (i) a special district board; or
- 530 (ii) the administrative control board of a special service district that has elected
- 531 members on the board.
- 532 (b) If a board desires to hold elections for membership on the board at a regular general
- 533 election instead of a municipal general election , or at a municipal general election
- 534 instead of a regular general election, the board may submit an application to the
- 535 lieutenant governor that:
- 536 (i) requests permission to change the election year for membership on the board in a
- 537 manner described in this Subsection (14)(b);
- 538 (ii) indicates that a change in the election year is beneficial, based on potential cost

- 539 savings, a potential increase in voter turnout, or another material reason; and
- 540 (iii) if a change in the election year may result in shortening a board member's term
- 541 of office, indicates that the members of the board unanimously support the
- 542 lieutenant governor taking that action.
- 543 (c) Upon receipt of an application described in Subsection (14)(b), the lieutenant
- 544 governor may approve the if:
- 545 (i) the lieutenant governor concludes that changing the election year is beneficial
- 546 based on the criteria described in Subsection (14)(b)(ii); and
- 547 (ii) for an application that may result in shortening a board member's term of office,
- 548 the application satisfies the unanimity requirement described in Subsection
- 549 (14)(b)(iii).
- 550 (d) If the lieutenant governor approves a board's application described in this section:
- 551 (i) all future elections for membership on the board shall be held at the time of the
- 552 general election specified in the application; and
- 553 (ii) the board may not hold elections at the time of an election other than the general
- 554 election specified in the application, unless the board receives permission from the
- 555 lieutenant governor to change the election under the same procedure, and by
- 556 applying the same criteria, described in this Subsection (14).
- 557 (15)(a) This Subsection (15) applies to a special district if:
- 558 (i) the special district's board members are elected by the owners of real property, as
- 559 provided in Subsection 17B-1-1402(1)(b); and
- 560 (ii) the special district was created before January 1, 2020.
- 561 (b) The board of a special district described in Subsection (15)(a) may conduct an
- 562 election:
- 563 (i) to fill a board member position that expires at the end of the term for that board
- 564 member's position; and
- 565 (ii) notwithstanding Subsection 20A-1-512(1)(a)(i), to fill a vacancy in an unexpired
- 566 term of a board member.
- 567 (c) An election under Subsection (15)(b) may be conducted as determined by the special
- 568 district board, subject to Subsection (15)(d).
- 569 (d)(i) The special district board shall provide to property owners eligible to vote at
- 570 the special district election:
- 571 (A) notice of the election; and
- 572 (B) a form to nominate an eligible individual to be elected as a board member.

- 573 (ii)(A) The special district board may establish a deadline for a property owner to
 574 submit a nomination form.
- 575 (B) A deadline under Subsection (15)(d)(ii)(A) may not be earlier than 15 days
 576 after the board provides the notice and nomination form under Subsection
 577 (15)(d)(i).
- 578 (iii)(A) After the deadline for submitting nomination forms, the special district
 579 board shall provide a ballot to all property owners eligible to vote at the special
 580 district election.
- 581 (B) A special district board shall allow at least five days for ballots to be returned.
- 582 (iv) A special district board shall certify the results of an election under this
 583 Subsection (15) during an open meeting of the board.

584 Section 5. Section **17B-1-1001** is amended to read:

585 **17B-1-1001 (Effective 05/06/26). Provisions applicable to property tax levy.**

- 586 (1) Each special district that levies and collects property taxes shall levy and collect [~~them~~]
 587 the taxes according to the provisions of Title 59, Chapter 2, Property Tax Act.
- 588 (2) As used in this section:
- 589 (a) "Appointed board of trustees" means a board of trustees of a special district that
 590 includes a member who is appointed to the board of trustees in accordance with
 591 Section 17B-1-304, Subsection 17B-1-303(5), Subsection [~~17B-1-306(5)(h)~~]
 592 17B-1-306(5)(g), or any of the applicable provisions in Title 17B, Chapter 2a,
 593 Provisions Applicable to Different Types of Special Districts.
- 594 (b) "Elected board of trustees" means a board of trustees of a special district that consists
 595 entirely of members who are elected to the board of trustees in accordance with
 596 Subsection (4), Section 17B-1-306, or any of the applicable provisions in Title 17B,
 597 Chapter 2a, Provisions Applicable to Different Types of Special Districts.
- 598 (3)(a) For a taxable year beginning on or after January 1, 2018, a special district may not
 599 levy or collect property tax revenue that exceeds the certified tax rate unless:
- 600 (i) to the extent that the revenue from the property tax was pledged before January 1,
 601 2018, the special district pledges the property tax revenue to pay for bonds or
 602 other obligations of the special district; or
- 603 (ii) the proposed tax or increase in the property tax rate has been approved by:
- 604 (A) an elected board of trustees;
- 605 (B) subject to Subsection (3)(b), an appointed board of trustees;
- 606 (C) a majority of the registered voters within the special district who vote in an

- 607 election held for that purpose on a date specified in Section 20A-1-204;
- 608 (D) the legislative body of the appointing authority; or
- 609 (E) the legislative body of:
- 610 (I) a majority of the municipalities partially or completely included within the
- 611 boundary of the specified special district; or
- 612 (II) the county in which the specified special district is located, if the county
- 613 has some or all of [its] the county's unincorporated area included within the
- 614 boundary of the specified special district.
- 615 (b) For a special district with an appointed board of trustees, each appointed member of
- 616 the board of trustees shall comply with the trustee reporting requirements described
- 617 in Section 17B-1-1003 before the special district may impose a property tax levy that
- 618 exceeds the certified tax rate.
- 619 (4)(a) Notwithstanding provisions to the contrary in Title 17B, Chapter 2a, Provisions
- 620 Applicable to Different Types of Special Districts, and subject to Subsection (4)(b),
- 621 members of the board of trustees of a special district shall be elected, if:
- 622 (i) two-thirds of all members of the board of trustees of the special district vote in
- 623 favor of changing to an elected board of trustees; and
- 624 (ii) the legislative body of each municipality or county that appoints a member to the
- 625 board of trustees adopts a resolution approving the change to an elected board of
- 626 trustees.
- 627 (b) A change to an elected board of trustees under Subsection (4)(a) may not shorten the
- 628 term of any member of the board of trustees serving at the time of the change.
- 629 (5) Subsections (2), (3), and (4) do not apply to:
- 630 (a) Title 17B, Chapter 2a, Part 6, Metropolitan Water District Act;
- 631 (b) Title 17B, Chapter 2a, Part 10, Water Conservancy District Act; or
- 632 (c) a special district in which:
- 633 (i) the board of trustees consists solely of:
- 634 (A) land owners or the land owners' agents; or
- 635 (B) as described in Subsection 17B-1-302(3), (5), (6), or (7), land owners or the
- 636 land owners' agents or officers; and
- 637 (ii) there are no residents within the special district at the time a property tax is levied.
- 638 (6) An infrastructure financing district may not pledge or otherwise use any property tax
- 639 revenue for the payment of bonds.
- 640 Section 6. Section **17B-1-1003** is amended to read:

641 **17B-1-1003 (Effective 05/06/26). Trustee reporting requirement.**

642 (1) As used in this section:

643 (a) "Appointed board of trustees" means a board of trustees of a special district that
644 includes a member who is appointed to the board of trustees in accordance with
645 Section 17B-1-304, Subsection 17B-1-303(5), Subsection [~~17B-1-306(5)(h)~~]
646 17B-1-306(5)(g), or any of the applicable provisions in Title 17B, Chapter 2a,
647 Provisions Applicable to Different Types of Special Districts.648 (b)(i) "Bond issuance" means an issuance of a general obligation bond without an
649 approving election under Section 17B-1-1102.650 (ii) "Bond issuance" does not include the issuance of a general obligation bond to
651 refund a general obligation bond that was previously approved by an election.

652 (c) "Legislative entity" means:

653 (i) the member's appointing authority, if the appointing authority is a legislative body;
654 or655 (ii) the member's nominating entity, if the appointing authority is not a legislative
656 body.657 (d)(i) "Member" means an individual who is appointed to a board of trustees for a
658 special district in accordance with Section 17B-1-304, Subsection 17B-1-303(5),
659 Subsection [~~17B-1-306(5)(h)~~] 17B-1-306(5)(g), or any of the applicable provisions
660 in Title 17B, Chapter 2a, Provisions Applicable to Different Types of Special
661 Districts.662 (ii) "Member" includes a member of the board of trustees who holds an elected
663 position with a municipality, county, or another special district that is partially or
664 completely included within the boundaries of the special district.665 (e) "Nominating entity" means the legislative body that submits nominees for
666 appointment to the board of trustees to an appointing authority.667 (f)(i) "Property tax increase" means a property tax levy that exceeds the certified tax
668 rate for the taxable year.669 (ii) "Property tax increase" does not include a property tax levy for a general
670 obligation bond authorized in accordance with an election under Section
671 17B-1-1102.672 (2)(a) If a special district board of trustees adopts a tentative budget that includes a
673 property tax increase or bond issuance, each member shall report to the member's
674 legislative entity on the property tax increase or bond issuance.

- 675 (b)(i) The special district shall request that each of the legislative entities that appoint
676 or nominate a member to the special district's board of trustees hear the report
677 required by Subsection (2)(a) at a public meeting of each legislative entity.
- 678 (ii) The request to make a report may be made by:
679 (A) the member appointed or nominated by the legislative entity; or
680 (B) another member of the board of trustees.
- 681 (c) The member appointed or nominated by the legislative entity shall make the report
682 required by Subsection (2)(a) at a public meeting that:
683 (i) complies with Title 52, Chapter 4, Open and Public Meetings Act;
684 (ii) includes the report as a separate agenda item; and
685 (iii) is held within 40 days after the day on which the legislative entity receives a
686 request to hear the report.
- 687 (d)(i) If the legislative entity does not have a scheduled meeting within 40 days after
688 the day on which the legislative entity receives a request to hear the report
689 required by Subsection (2)(a), the legislative entity shall schedule a meeting for
690 that purpose.
691 (ii) If the legislative entity fails to hear the report at a public meeting that meets the
692 criteria described in Subsection (2)(c), the trustee reporting requirements under
693 this section shall be considered satisfied.
- 694 (3)(a) A report on a contemplated property tax increase or bond issuance at a legislative
695 entity's public meeting under Subsection (2)(c) shall include:
696 (i) a statement that the special district intends to levy a property tax at a rate that
697 exceeds the certified tax rate for the taxable year;
698 (ii) the dollar amount of and purpose for additional ad valorem tax revenue that
699 would be generated by the proposed increase in the certified tax rate;
700 (iii) the approximate percentage increase in ad valorem tax revenue for the special
701 district based on the proposed property tax increase; and
702 (iv) any other information requested by the legislative entity.
- 703 (b) A report on a bond issuance at a legislative entity's public meeting under Subsection
704 (2)(c) shall include an explanation, as applicable, of:
705 (i) the property tax impact, if any, of the bond issuance;
706 (ii) the expected debt service related to the bond issuance;
707 (iii) the purpose, remaining principal balance, and maturity date of any outstanding
708 bonds of the issuer;

- 709 (iv) the funds other than property taxes available to pay debt service related to the
710 bond issuance;
- 711 (v) the schedule of proposed expenditures of bond proceeds;
- 712 (vi) property values;
- 713 (vii) any additional considerations that the appointed board of trustees determines
714 may be useful to explain the impact to citizens resulting from the bond issuance;
715 and
- 716 (viii) any other information requested by the legislative entity.
- 717 (c) At a meeting under Subsection (2)(c), the legislative entity shall:
- 718 (i) allow time during the meeting for comment from the legislative entity and
719 members of the public on the property tax increase or bond issuance; and
- 720 (ii) express the legislative entity's sentiment regarding the contemplated property tax
721 increase.
- 722 (4)(a) If more than one member is appointed to the board of trustees by the same
723 legislative entity, a majority of the members appointed or nominated by the
724 legislative entity shall be present to provide the report required by Subsection (2) and
725 described in Subsection (3).
- 726 (b) The chair of the board of trustees shall appoint another member of the board of
727 trustees to provide the report described in Subsection (3) to the legislative entity if:
- 728 (i) the member appointed or nominated by the legislative entity is unable or unwilling
729 to provide the report at a public meeting that meets the requirements of Subsection
730 (3)(a); and
- 731 (ii) the absence of the member appointed or nominated by the legislative entity
732 results in:
- 733 (A) no member who was appointed or nominated by the legislative entity being
734 present to provide the report; or
- 735 (B) an inability to comply with Subsection (4)(a).
- 736 (5) A special district board of trustees may approve a property tax increase only after the
737 conditions of this section have been satisfied or considered satisfied for each member of
738 the board of trustees.
- 739 Section 7. Section **20A-1-102** is amended to read:
- 740 **20A-1-102 (Effective 05/06/26). Definitions.**
- 741 As used in this title:
- 742 (1) "Active voter" means a registered voter who has not been classified as an inactive voter

- 743 by the county clerk.
- 744 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
745 counts votes recorded on ballots and tabulates the results.
- 746 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
747 storage medium, that records an individual voter's vote.
- 748 (b) "Ballot" does not include a record to tally multiple votes.
- 749 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
750 the ballot for their approval or rejection including:
- 751 (a) an opinion question specifically authorized by the Legislature;
- 752 (b) a constitutional amendment;
- 753 (c) an initiative;
- 754 (d) a referendum;
- 755 (e) a bond proposition;
- 756 (f) a judicial retention question;
- 757 (g) an incorporation of a city or town; or
- 758 (h) any other ballot question specifically authorized by the Legislature.
- 759 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together
760 using staples or another means in at least three places across the top of the paper in the
761 blank space reserved for securing the paper.
- 762 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
763 20A-4-306 to canvass election returns.
- 764 (7) "Bond election" means an election held for the purpose of approving or rejecting the
765 proposed issuance of bonds by a government entity.
- 766 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not
767 a holiday.
- 768 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by
769 the sender.
- 770 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday,
771 a business day, or any other type of day.
- 772 (11) "Canvass" means the review of election returns and the official declaration of election
773 results by the board of canvassers.
- 774 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
775 canvass.
- 776 (13) "Contracting election officer" means an election officer who enters into a contract or

- 777 interlocal agreement with a provider election officer.
- 778 (14) "Convention" means the political party convention at which party officers and
779 delegates are selected.
- 780 (15) "Counting center" means one or more locations selected by the election officer in
781 charge of the election for the automatic counting of ballots.
- 782 (16) "Counting judge" means a poll worker designated to count the ballots during election
783 day.
- 784 (17) "Counting room" means a suitable and convenient private place or room for use by the
785 poll workers and counting judges to count ballots.
- 786 (18) "County officers" means those county officers that are required by law to be elected.
- 787 (19) "Date of the election" or "election day" or "day of the election":
- 788 (a) means the day that is specified in the calendar year as the day on which the election
789 occurs; and
- 790 (b) does not include:
- 791 (i) deadlines established for voting by mail, military-overseas voting, or emergency
792 voting; or
- 793 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
794 Early Voting.
- 795 (20) "Elected official" means:
- 796 (a) a person elected to an office under Section 20A-1-303 or ~~Chapter 4, Part 6,~~ before
797 the pilot project was repealed, the Municipal Alternate Voting Methods Pilot Project;
- 798 (b) a person who is considered to be elected to a municipal office in accordance with
799 Subsection 20A-1-206(1)(c)(ii); or
- 800 (c) a person who is considered to be elected to a special district office in accordance
801 with Subsection 20A-1-206(3)(b)(ii).
- 802 (21) "Election" means a regular general election, a municipal general election, a statewide
803 special election, a local special election, a regular primary election, a municipal primary
804 election, and a special district election.
- 805 (22) "Election Assistance Commission" means the commission established by the Help
806 America Vote Act of 2002, Pub. L. No. 107-252.
- 807 (23) "Election cycle" means the period beginning on the first day on which individuals are
808 eligible to file declarations of candidacy and ending when the canvass is completed.
- 809 (24) "Election judge" means a poll worker that is assigned to:
- 810 (a) preside over other poll workers at a polling place;

- 811 (b) act as the presiding election judge; or
- 812 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 813 (25) "Election material" includes:
- 814 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 815 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 816 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 817 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
- 818 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
- 819 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 820 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 821 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 822 (g) the physical and electronic log of replicated ballots described in Subsection
- 823 20A-4-104(3);
- 824 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 825 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 826 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 827 (k) scanned copies of return envelopes;
- 828 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 829 (m) the materials used in the programming of the automatic tabulating equipment.
- 830 (26) "Election officer" means:
- 831 (a) the lieutenant governor, for all statewide ballots and elections;
- 832 (b) the county clerk for:
- 833 (i) a county ballot and election; and
- 834 (ii) a ballot and election as a provider election officer as provided in Section
- 835 20A-5-400.1 or 20A-5-400.5;
- 836 (c) the municipal clerk for:
- 837 (i) a municipal ballot and election; and
- 838 (ii) a ballot and election as a provider election officer as provided in Section
- 839 20A-5-400.1 or 20A-5-400.5;
- 840 (d) the special district clerk or chief executive officer for:
- 841 (i) a special district ballot and election; and
- 842 (ii) a ballot and election as a provider election officer as provided in Section
- 843 20A-5-400.1 or 20A-5-400.5; or
- 844 (e) the business administrator or superintendent of a school district for:

- 845 (i) a school district ballot and election; and
846 (ii) a ballot and election as a provider election officer as provided in Section
847 20A-5-400.1 or 20A-5-400.5.
- 848 (27) "Election official" means any election officer, election judge, or poll worker.
- 849 (28) "Election results" means:
- 850 (a) for an election other than a bond election, the count of votes cast in the election and
851 the election returns requested by the board of canvassers; or
- 852 (b) for bond elections, the count of those votes cast for and against the bond proposition
853 plus any or all of the election returns that the board of canvassers may request.
- 854 (29) "Election results database" means the following information generated by voting
855 equipment:
- 856 (a) one or more electronic files that contains a digital interpretation of each ballot that is
857 counted in an election;
- 858 (b) a ballot image; and
- 859 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 860 (30) "Election returns" means:
- 861 (a) the pollbook;
- 862 (b) the military and overseas absentee voter registration and voting certificates;
- 863 (c) one of the tally sheets;
- 864 (d) any unprocessed ballots;
- 865 (e) all counted ballots;
- 866 (f) all excess ballots;
- 867 (g) all unused ballots;
- 868 (h) all spoiled ballots;
- 869 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 870 (j) the final election results database described in Section 20A-5-802.5;
- 871 (k) all return envelopes;
- 872 (l) any provisional ballot envelopes; and
- 873 (m) the total votes cast form.
- 874 (31) "Electronic signature" means an electronic sound, symbol, or process attached to or
875 logically associated with a record and executed or adopted by a person with the intent to
876 sign the record.
- 877 (32) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 878 (33) "Inactive voter" means a registered voter who is listed as inactive by a county clerk

- 879 under Subsection [~~20A-2-505(4)(c)(i) or (ii)~~] 20A-2-505(4)(a) or (b).
- 880 (34) "Judicial office" means the office filled by any judicial officer.
- 881 (35) "Judicial officer" means any justice or judge of a court of record or any county court
882 judge.
- 883 (36) "Local election" means a regular county election, a regular municipal election, a
884 municipal primary election, a local special election, a special district election, and a
885 bond election.
- 886 (37) "Local political subdivision" means a county, a municipality, a special district, or a
887 local school district.
- 888 (38) "Local special election" means a special election called by the governing body of a
889 local political subdivision in which all registered voters of the local political subdivision
890 may vote.
- 891 (39) "Manual ballot" means a paper document produced by an election officer on which an
892 individual records an individual's vote by directly placing a mark on the paper document
893 using a pen or other marking instrument.
- 894 (40) "Mechanical ballot" means a record, including a paper record, electronic record, or
895 mechanical record, that:
- 896 (a) is created via electronic or mechanical means; and
- 897 (b) records an individual voter's vote cast via a method other than an individual directly
898 placing a mark, using a pen or other marking instrument, to record an individual
899 voter's vote.
- 900 (41) "Municipal executive" means:
- 901 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
- 902 (b) the mayor in the council-manager form of government defined in Subsection
903 10-3b-103(6).
- 904 (42) "Municipal general election" means the election held in municipalities and, as
905 applicable, special districts on the first Tuesday after the first Monday in November of
906 each odd-numbered year for the purposes established in Section 20A-1-202.
- 907 (43) "Municipal legislative body" means the council of the city or town in any form of
908 municipal government.
- 909 (44) "Municipal office" means an elective office in a municipality.
- 910 (45) "Municipal officers" means those municipal officers that are required by law to be
911 elected.
- 912 (46) "Municipal primary election" means an election held to nominate candidates for

- 913 municipal office.
- 914 (47) "Municipality" means a city or town.
- 915 (48) "Official ballot" means the ballots distributed by the election officer for voters to
916 record their votes.
- 917 (49) "Official endorsement" means the information on the ballot that identifies:
- 918 (a) the ballot as an official ballot;
- 919 (b) the date of the election; and
- 920 (c)(i) for a ballot prepared by an election officer other than a county clerk, the [
921 ~~faesimile signature required by Subsection 20A-6-401(1)(a)(iii)] applicable
922 statement described in:~~
- 923 (A) Subsection 20A-6-401(1)(a)(iii) or (iv);
- 924 (B) Subsection 20A-6-401.1(1)(d)(iii) or (iv); or
- 925 (C) Subsection 20A-6-402(2)(a)(iii) or (iv); or
- 926 (ii) for a ballot prepared by a county clerk, the [~~words required by]~~ applicable
927 statement described in Subsection 20A-6-301(1)(b)(iii) or (iv).
- 928 (50) "Official register" means the official record furnished to election officials by the
929 election officer that contains the information required by Section 20A-5-401.
- 930 (51) "Political party" means an organization of registered voters that has qualified to
931 participate in an election by meeting the requirements of Chapter 8, Political Party
932 Formation and Procedures.
- 933 (52)(a) "Poll worker" means a person assigned by an election official to assist with an
934 election, voting, or counting votes.
- 935 (b) "Poll worker" includes election judges.
- 936 (c) "Poll worker" does not include a watcher.
- 937 (53) "Pollbook" means a record of the names of voters in the order that the voters appear to
938 cast votes.
- 939 (54) "Polling place" means a building where voting is conducted.
- 940 (55) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in
941 which the voter marks the voter's choice.
- 942 (56) "Presidential Primary Election" means the election established in Chapter 9, Part 8,
943 Presidential Primary Election.
- 944 (57) "Primary convention" means the political party conventions held during the year of the
945 regular general election.
- 946 (58) "Protective counter" means a separate counter, which cannot be reset, that:

- 947 (a) is built into a voting machine; and
- 948 (b) records the total number of movements of the operating lever.
- 949 (59) "Provider election officer" means an election officer who enters into a contract or
- 950 interlocal agreement with a contracting election officer to conduct an election for the
- 951 contracting election officer's local political subdivision in accordance with Section
- 952 20A-5-400.1.
- 953 (60) "Provisional ballot" means a ballot voted provisionally by a person:
- 954 (a) whose name is not listed on the official register at the polling place;
- 955 (b) whose legal right to vote is challenged as provided in this title; or
- 956 (c) whose identity was not sufficiently established by a poll worker.
- 957 (61) "Provisional ballot envelope" means an envelope printed in the form required by
- 958 Section 20A-6-105 that is used to identify provisional ballots and to provide information
- 959 to verify a person's legal right to vote.
- 960 (62)(a) "Public figure" means an individual who, due to the individual being considered
- 961 for, holding, or having held a position of prominence in a public or private capacity,
- 962 or due to the individual's celebrity status, has an increased risk to the individual's
- 963 safety.
- 964 (b) "Public figure" does not include an individual:
- 965 (i) elected to public office; or
- 966 (ii) appointed to fill a vacancy in an elected public office.
- 967 (63) "Qualify" or "qualified" means to take the oath of office and begin performing the
- 968 duties of the position for which the individual was elected.
- 969 (64) "Receiving judge" means the poll worker that checks the voter's name in the official
- 970 register at a polling place and provides the voter with a ballot.
- 971 (65) "Registration form" means a form by which an individual may register to vote under
- 972 this title.
- 973 (66) "Regular ballot" means a ballot that is not a provisional ballot.
- 974 (67) "Regular general election" means the election held throughout the state on the first
- 975 Tuesday after the first Monday in November of each even-numbered year for the
- 976 purposes established in Section 20A-1-201.
- 977 (68) "Regular primary election" means the election, held on the date specified in Section
- 978 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
- 979 local school board positions to advance to the regular general election.
- 980 (69) "Resident" means a person who resides within a specific voting precinct in Utah.

- 981 (70) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
982 provided to a voter with a manual ballot:
- 983 (a) into which the voter places the manual ballot after the voter has voted the manual
984 ballot in order to preserve the secrecy of the voter's vote; and
 - 985 (b) that includes the voter affidavit and a place for the voter's signature.
- 986 (71) "Sample ballot" means a mock ballot similar in form to the official ballot, published as
987 provided in Section 20A-5-405.
- 988 (72) "Special district" means a local government entity under Title 17B, Limited Purpose
989 Local Government Entities - Special Districts, and includes a special service district
990 under Title 17D, Chapter 1, Special Service District Act.
- 991 (73) "Special district officers" means those special district board members who are required
992 by law to be elected.
- 993 (74) "Special election" means an election held as authorized by Section 20A-1-203.
- 994 (75) "Spoiled ballot" means each ballot that:
- 995 (a) is spoiled by the voter;
 - 996 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
 - 997 (c) lacks the official endorsement.
- 998 (76) "Statewide special election" means a special election called by the governor or the
999 Legislature in which all registered voters in Utah may vote.
- 1000 (77) "Tabulation system" means a device or system designed for the sole purpose of
1001 tabulating votes cast by voters at an election.
- 1002 (78) "Ticket" means a list of:
- 1003 (a) political parties;
 - 1004 (b) candidates for an office; or
 - 1005 (c) ballot propositions.
- 1006 (79) "Transfer case" means the sealed box used to transport voted ballots to the counting
1007 center.
- 1008 (80) "Vacancy" means:
- 1009 (a) except as provided in Subsection (80)(b), the absence of an individual to serve in a
1010 position created by state constitution or state statute, whether that absence occurs
1011 because of death, disability, disqualification, resignation, or other cause; or
 - 1012 (b) in relation to a candidate for a position created by state constitution or state statute,
1013 the removal of a candidate due to the candidate's death, resignation, or
1014 disqualification.

- 1015 (81) "Valid voter identification" means:
- 1016 (a) a form of identification that bears the name and photograph of the voter which may
- 1017 include:
- 1018 (i) a currently valid Utah driver license;
- 1019 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,
- 1020 Identification Card Act;
- 1021 (iii) a currently valid identification card that is issued by:
- 1022 (A) the state; or
- 1023 (B) a branch, department, or agency of the United States;
- 1024 (iv) a currently valid Utah permit to carry a concealed weapon;
- 1025 (v) a currently valid United States passport; or
- 1026 (vi) a currently valid United States military identification card;
- 1027 (b) one of the following identification cards, regardless of whether the card includes a
- 1028 photograph of the voter:
- 1029 (i) a valid tribal identification card;
- 1030 (ii) a Bureau of Indian Affairs card; or
- 1031 (iii) a tribal treaty card; or
- 1032 (c) two forms of identification not listed under Subsection (81)(a) or (b) but that bear the
- 1033 name of the voter and provide evidence that the voter resides in the voting precinct,
- 1034 which may include:
- 1035 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more
- 1036 than 90 calendar days before the date of the election;
- 1037 (ii) before January 1, 2029, an original or copy of a bank or other financial account
- 1038 statement, dated no more than 90 calendar days before the date of the election;
- 1039 (iii) a certified birth certificate;
- 1040 (iv) a valid social security card;
- 1041 (v) an original or copy of a check issued by the state or the federal government, dated
- 1042 no more than 90 calendar days before the date of the election;
- 1043 (vi) an original or copy of a paycheck from the voter's employer, dated no more than
- 1044 90 calendar days before the date of the election;
- 1045 (vii) a currently valid Utah hunting or fishing license;
- 1046 (viii) certified naturalization documentation;
- 1047 (ix) a currently valid license issued by an authorized agency of the United States;
- 1048 (x) a certified copy of court records showing the voter's adoption or name change;

- 1049 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 1050 (xii) a currently valid identification card issued by:
- 1051 (A) a local government within the state;
- 1052 (B) an employer for an employee; or
- 1053 (C) a college, university, technical school, or professional school located within
- 1054 the state; or
- 1055 (xiii) a current Utah vehicle registration.
- 1056 (82) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate
- 1057 by following the procedures and requirements of this title.
- 1058 (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 1059 (a) mailing the ballot to the location designated in the mailing; or
- 1060 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 1061 (84) "Voter" means an individual who:
- 1062 (a) meets the requirements for voting in an election;
- 1063 (b) meets the requirements of election registration;
- 1064 (c) is registered to vote; and
- 1065 (d) is listed in the official register.
- 1066 (85) "Voter registration deadline" means the registration deadline provided in Section
- 1067 20A-2-102.5.
- 1068 (86) "Voting area" means the area within six feet of the voting booths, voting machines,
- 1069 and ballot box.
- 1070 (87) "Voting booth" means:
- 1071 (a) the space or compartment within a polling place that is provided for the preparation
- 1072 of ballots, including the voting enclosure or curtain; or
- 1073 (b) a voting device that is free standing.
- 1074 (88) "Voting device" means any device provided by an election officer for a voter to vote a
- 1075 mechanical ballot.
- 1076 (89) "Voting precinct" means the smallest geographical voting unit, established under
- 1077 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.
- 1078 (90) "Watcher" means an individual who complies with the requirements described in
- 1079 Section 20A-3a-801 to become a watcher for an election.
- 1080 (91) "Write-in ballot" means a ballot containing any write-in votes.
- 1081 (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on the
- 1082 ballot, in accordance with the procedures established in this title.

1083 Section 8. Section **20A-1-206** is amended to read:

1084 **20A-1-206 (Effective 05/06/26). Cancellation of local election or local race --**

1085 **Municipalities -- Special districts -- Notice.**

1086 (1) As used in this section:

1087 (a) "Contested race" means a race in a general election where the number of candidates,
1088 including any eligible write-in candidates, exceeds the number of offices to be filled
1089 in the race.

1090 (b) "Election" means an event, run by an election officer, that includes one or more races
1091 for public office or one or more ballot propositions.

1092 (c)(i) "Race" means a contest between candidates to obtain the number of votes
1093 necessary to take a particular public office.

1094 (ii) "Race," as the term relates to a contest for an at-large position, includes all open
1095 positions for the same at-large office.

1096 (iii) "Race," as the term relates to a contest for a municipal council position that is not
1097 an at-large position, includes only the contest to represent a particular district on
1098 the council.

1099 (2) A municipal legislative body may cancel a local election if:

1100 (a) the ballot for the local election will not include any contested races or ballot
1101 propositions; and

1102 (b) during the period described in Subsection 20A-5a-310(1), the municipal legislative
1103 body passes[, no later than 20 calendar days before the day of the scheduled election,]
1104 a resolution that cancels the election and certifies that:

1105 (i) the ballot for the election would not include any contested races or ballot
1106 propositions; and

1107 (ii) the candidates who qualified for the ballot are considered elected.

1108 (3) ~~[A] If a municipal legislative body [may cancel a race in] cancels a local election [if:]~~
1109 under Subsection (2), the candidate for each office in an uncontested race that would
1110 otherwise be on the ballot for that election is elected to the office to which the race
1111 relates.

1112 ~~[(a) the ballot for the race will not include any contested races or ballot propositions; and]~~

1113 ~~[(b) the municipal legislative body passes, no later than 20 calendar days before the day~~
1114 ~~of the scheduled election, a resolution that cancels the race and certifies that:]~~

1115 ~~[(i) the ballot for the race would not include any contested races or ballot~~
1116 ~~propositions; and]~~

- 1117 ~~[(ii) the candidate for the race is considered elected.]~~
- 1118 (4) A municipal legislative body that cancels a local election in accordance with Subsection
- 1119 (2) shall give notice that the election is cancelled ~~[by:]~~ in accordance with Section
- 1120 20A-5a-310.
- 1121 ~~[(a) subject to Subsection (8), providing notice to the lieutenant governor's office to be~~
- 1122 ~~posted on the Statewide Electronic Voter Information Website described in Section~~
- 1123 ~~20A-7-801, for at least 15 calendar days before the day of the scheduled election; and]~~
- 1124 ~~[(b) providing notice for the municipality, as a class A notice under Section 63G-30-102,~~
- 1125 ~~for at least 15 calendar days before the day of the scheduled election.]~~
- 1126 (5) A special district board may cancel a local election if:
- 1127 (a) the ballot for the local election will not include any contested races or ballot
- 1128 propositions; and
- 1129 (b) during the period described in Subsection 20A-5a-311(1), the special district board
- 1130 ~~passes[, no later than 20 calendar days before the day of the scheduled election,]~~ a
- 1131 resolution that cancels the election and certifies that:
- 1132 (i) the ballot for the election would not include any contested races or ballot
- 1133 propositions; and
- 1134 (ii) the candidates who qualified for the ballot are considered elected.
- 1135 (6) ~~[A]~~ If a special district board [may cancel] cancels a special district race [if:] under
- 1136 Subsection (5), the candidate for each office in an uncontested race that would otherwise
- 1137 be on the ballot for that election is elected to the office to which the race relates.
- 1138 ~~[(a) the race is uncontested; and]~~
- 1139 ~~[(b) the special district board passes, no later than 20 calendar days before the day of the~~
- 1140 ~~scheduled election, a resolution that cancels the race and certifies that the candidate~~
- 1141 ~~who qualified for the ballot for that race is considered elected.]~~
- 1142 (7) A special district that cancels a local election in accordance with Subsection (5) shall [
- 1143 provide] give notice that the election is cancelled[:] in accordance with Section
- 1144 20A-5a-311.
- 1145 ~~[(a) subject to Subsection (8), by posting notice on the Statewide Electronic Voter~~
- 1146 ~~Information Website described in Section 20A-7-801, for at least 15 calendar days~~
- 1147 ~~before the day of the scheduled election; and]~~
- 1148 ~~[(b) as a class A notice under Section 63G-30-102, for at least 15 calendar days before~~
- 1149 ~~the day of the scheduled election.]~~
- 1150 ~~[(8) A municipal legislative body that posts a notice in accordance with Subsection (4)(a) or~~

1151 a special district that posts a notice in accordance with Subsection (7)(a) is not liable for
1152 a notice that fails to post due to technical or other error by the publisher of the Statewide
1153 Electronic Voter Information Website.]

1154 Section 9. Section **20A-1-501** is amended to read:

1155 **20A-1-501 (Effective 05/06/26). Candidate vacancies -- Procedure for filling.**

1156 (1) As used in this section, "central committee" means:

1157 (a) the state central committee of a political party, for a candidate for:

1158 (i) United States senator, United States representative, governor, lieutenant governor,
1159 attorney general, state treasurer, or state auditor; or

1160 (ii) state legislator if the legislative district encompasses all or a portion of more than
1161 one county; or

1162 (b) the county central committee of a political party, for a party candidate seeking an
1163 office, other than an office described in Subsection (1)(a), elected at an election held
1164 in an even-numbered year.

1165 (2) Except as provided in Subsection (6), the central committee may certify the name of
1166 another candidate to the appropriate election officer if:

1167 (a) for a registered political party that will have a candidate on a ballot in a primary
1168 election:

1169 (i) after the close of the period for filing a declaration of candidacy and continuing
1170 through the day before the day on which the lieutenant governor provides the list
1171 described in [~~Subsection 20A-9-403(4)(a)~~] Section 20A-5a-205, only one or two
1172 candidates from that party have filed a declaration of candidacy for that office and
1173 one or both dies, resigns as a candidate, or is disqualified as a candidate; and

1174 (ii) the central committee provides written certification of the replacement candidate
1175 to the appropriate election officer before the day on which the lieutenant governor
1176 provides the list described in [~~Subsection 20A-9-403(4)(a)~~] Section 20A-5a-205;

1177 (b) for a registered political party that does not have a candidate on the ballot in a
1178 primary, but will have a candidate on the ballot for a regular general election:

1179 (i) after the close of the period for filing a declaration of candidacy and continuing
1180 through the day before the day on which the lieutenant governor makes the
1181 certification described in Section 20A-5-409, the party's candidate dies, resigns as
1182 a candidate, or is disqualified as a candidate; and

1183 (ii) the central committee provides written certification of the replacement candidate
1184 to the appropriate election officer before the day on which the lieutenant governor

- 1185 makes the certification described in Section 20A-5-409; or
- 1186 (c) for a registered political party with a candidate certified as winning a primary
1187 election:
- 1188 (i) after the close of the period for filing a declaration of candidacy and continuing
1189 through the day before the day on which the lieutenant governor makes the
1190 certification described in Section 20A-5-409, the party's candidate dies, resigns as
1191 a candidate, or is disqualified as a candidate; and
- 1192 (ii) the central committee provides written certification of the replacement candidate
1193 to the appropriate election officer before the day on which the lieutenant governor
1194 makes the certification described in Section 20A-5-409.
- 1195 (3) If no more than two candidates from a political party have filed a declaration of
1196 candidacy for an office elected at a regular general election and one resigns to become
1197 the party candidate for another position, the central committee of that political party may
1198 certify the name of another candidate to the appropriate election officer.
- 1199 (4) Each replacement candidate shall file a declaration of candidacy as required by Chapter
1200 9, Part 2, Candidate Qualifications and Declarations of Candidacy.
- 1201 (5)(a) The name of a candidate who is certified under Subsection (2)(a) after the
1202 deadline described in Subsection (2)(a)(ii) may not appear on the primary election
1203 ballot.
- 1204 (b) The name of a candidate who is certified under Subsection (2)(b) after the deadline
1205 described in Subsection (2)(b)(ii) may not appear on the general election ballot.
- 1206 (c) The name of a candidate who is certified under Subsection (2)(c) after the deadline
1207 described in Subsection (2)(c)(ii) may not appear on the general election ballot.
- 1208 (6) A political party may not replace a candidate who is disqualified for failure to timely
1209 file a campaign disclosure financial report under Chapter 11, Campaign and Financial
1210 Reporting Requirements, or Section 17-70-403.
- 1211 (7) This section does not apply to a candidate vacancy for a nonpartisan office.
- 1212 Section 10. Section **20A-1-503** is amended to read:
- 1213 **20A-1-503 (Effective 05/06/26). Midterm vacancies in the Legislature.**
- 1214 (1) As used in this section:
- 1215 (a) "Filing deadline" means the final date for filing:
- 1216 (i) a declaration of candidacy as provided in Section 20A-9-202; and
1217 (ii) a certificate of nomination as provided in Section 20A-9-503.
- 1218 (b) "Party liaison" means the political party officer designated to serve as a liaison with

1219 the lieutenant governor on all matters relating to the political party's relationship with
1220 the state as required by Section 20A-8-401.

1221 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
1222 the governor shall fill the vacancy by immediately appointing the person whose name
1223 was submitted by the party liaison of the same political party as the prior representative.

1224 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
1225 the office of senator in the Legislature, it shall be filled for the unexpired term at the
1226 next regular general election.

1227 (b) The governor shall fill the vacancy until the next regular general election by
1228 immediately appointing the person whose name was submitted by the party liaison of
1229 the same political party as the prior senator.

1230 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
1231 before August 31 of an even-numbered year in which the term of office does not
1232 expire, the lieutenant governor shall:

1233 (i) establish a date and time, ~~[which]~~ that is before the ~~[date for a candidate to be~~
1234 ~~certified for the ballot under Section 20A-9-701]~~ day on which the lieutenant
1235 governor is required to send the information described in Section 20A-5a-209 to a
1236 county clerk, and no later than 21 calendar days after the day on which the
1237 vacancy occurred, by which a person intending to obtain a position on the ballot
1238 for the vacant office shall file:

1239 (A) a declaration of candidacy; or

1240 (B) a certificate of nomination; and

1241 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):

1242 (A) on the lieutenant governor's website; and

1243 (B) to each registered political party.

1244 (b) A person intending to obtain a position on the ballot for the vacant office shall:

1245 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of
1246 candidacy or certificate of nomination according to the procedures and
1247 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;
1248 and

1249 (ii) run in the regular general election if:

1250 (A) nominated as a party candidate; or

1251 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
1252 Qualifications and Nominating Procedures.

- 1253 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
1254 Subsection [~~20A-9-202(1)(b)~~] 20A-9-201.5(2) and before the last business day in
1255 August~~[31]~~, of an even-numbered year in which the term of office does not expire, a
1256 party liaison from each registered political party may submit a name of a person
1257 described in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than
1258 the second to last business day in August [~~30~~] for placement on the regular general
1259 election ballot.
- 1260 (5) If a vacancy described in Subsection (3)(a) occurs on or after the last business day in
1261 August [~~31~~] of an even-numbered year in which a term does not expire, the governor
1262 shall fill the vacancy for the unexpired term by immediately appointing the person
1263 whose name was submitted by the party liaison of the same political party as the prior
1264 senator.
- 1265 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill
1266 a vacancy described in this section shall, no later than the deadline for the individual
1267 to file an interim report under Subsection 20A-11-303(3)(a), make a complete
1268 conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- 1269 (b) An individual described in Subsection (6)(a) is not required to comply with
1270 Subsection (6)(a) if the individual:
- 1271 (i)(A) currently holds the office of senator and is seeking appointment as a
1272 representative; or
- 1273 (B) currently holds the office of representative and is seeking appointment as a
1274 senator;
- 1275 (ii) already, that same year, filed a conflict of interest disclosure for the office
1276 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 1277 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
1278 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
1279 is updated and accurate as of the date of the written statement.
- 1280 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
1281 individual described in Subsection (6)(a) available for public inspection in accordance
1282 with Subsection 20A-11-1603(4).
- 1283 (8) A vacancy in the office of senator or representative of the Legislature does not occur
1284 unless the senator or representative:
- 1285 (a) has left the office; or
- 1286 (b) submits an irrevocable letter of resignation to:

1287 (i) for a senator, the president of the Senate; or

1288 (ii) for a representative, the speaker of the House of Representatives.

1289 Section 11. Section **20A-2-107** is amended to read:

1290 **20A-2-107 (Effective 05/06/26). Designating or changing party affiliation --**

1291 **Times permitted.**

1292 (1) As used in this section, "change of affiliation deadline" means:

1293 (a) for an election held in an even-numbered year in which a presidential election will be

1294 held, the day after the declaration of candidacy deadline described in [~~Subsection~~

1295 ~~20A-9-201.5(1)~~ Section 20A-9-201.5; or

1296 (b) for an election held in an even-numbered year in which a presidential election will

1297 not be held, April 1.

1298 (2) The county clerk shall:

1299 (a) except as provided in Subsection (6) or 20A-2-107.5(3), record the party affiliation

1300 designated by the voter on the voter registration form as the voter's party affiliation; or

1301 (b) if no political party affiliation is designated by the voter on the voter registration

1302 form:

1303 (i) except as provided in Subsection (2)(b)(ii), record the voter's party affiliation as

1304 the party that the voter designated the last time that the voter designated a party on

1305 a voter registration form, unless the voter more recently registered as

1306 "unaffiliated"; or

1307 (ii) record the voter's party affiliation as "unaffiliated" if the voter:

1308 (A) did not previously designate a party;

1309 (B) most recently designated the voter's party affiliation as "unaffiliated"; or

1310 (C) did not previously register.

1311 (3)(a) Any registered voter may designate or change the voter's political party affiliation

1312 by complying with the procedures and requirements of this Subsection (3).

1313 (b) A registered voter may designate or change the voter's political party affiliation by

1314 filing with the county clerk, the municipal clerk, or the lieutenant governor a voter

1315 registration form or another signed form that identifies the registered political party

1316 with which the voter chooses to affiliate.

1317 (c) Except as provided in Subsection (3)(d), a voter registration form or another signed

1318 form designating or changing a voter's political party affiliation takes effect when the

1319 county clerk receives the signed form.

1320 (d) The party affiliation of a voter who changes party affiliation, or who becomes

1321 unaffiliated from a political party, at any time on or after the change of affiliation
 1322 deadline and on or before the date of the regular primary election, takes effect the day
 1323 after the statewide canvass for the regular primary election.

1324 (4) For purposes of Subsection (3)(d), a form described in Subsection (3)(c) is received by
 1325 the county clerk before the change of affiliation deadline if:

1326 (a) the individual submits the form in person at the county clerk's office no later than 5
 1327 p.m. on the last business day before the change of affiliation deadline;

1328 (b) the individual submits the form electronically through the system described in
 1329 Section 20A-2-206, at or before 11:59 p.m. before the day of the change of affiliation
 1330 deadline; or

1331 (c) the individual's form is clearly postmarked before the change of affiliation deadline.

1332 (5) Subsection (3)(d) does not apply to the party affiliation designated by a voter on a voter
 1333 registration form if:

1334 (a) the voter has not previously been registered to vote in the state; or

1335 (b) the voter's most recent party affiliation was changed to "unaffiliated" by a county
 1336 clerk under Subsection (6).

1337 (6) If the most recent party affiliation designated by a voter is for a political party that is no
 1338 longer a registered political party, the county clerk shall:

1339 (a) change the voter's party affiliation to "unaffiliated"; and

1340 (b) notify the voter electronically or by mail:

1341 (i) that the voter's affiliation has been changed to "unaffiliated" because the most
 1342 recent party affiliation designated by the voter is for a political party that is no
 1343 longer a registered political party; and

1344 (ii) of the methods and deadlines for changing the voter's party affiliation.

1345 Section 12. Section **20A-2-504** is amended to read:

1346 **20A-2-504 (Effective 05/06/26). Removing names from the official register --**

1347 **General requirements.**

1348 (1) The county clerk may not remove a voter's name from the official register solely
 1349 because the voter has failed to vote in an election.

1350 (2) The county clerk shall remove a voter's name from the official register if:

1351 (a) the voter dies and the requirements of Subsection [~~(3)~~] (4) are met;

1352 (b) the county clerk, after complying with the requirements of Section 20A-2-505,
 1353 receives written confirmation from the voter that the voter no longer resides within
 1354 the county clerk's county;

- 1355 (c)(i) the county clerk obtains evidence that the voter's residence has changed;
- 1356 (ii) the county clerk mails notice to the voter as required under Section 20A-2-505;
- 1357 (iii) the county clerk:
- 1358 (A) receives no response from the voter; or
- 1359 (B) does not receive information that confirms the voter's residence; and
- 1360 (iv) the voter does not vote or appear to vote in an election during the period
- 1361 beginning on the date of the notice described in Section 20A-2-505 and ending on
- 1362 the day after the date of the second regular general election occurring after the
- 1363 date of the notice;
- 1364 (d) the voter requests, in writing, that the voter's name be removed from the official
- 1365 register;
- 1366 (e) the county clerk receives notice that a voter has been convicted of any felony or a
- 1367 misdemeanor for an offense under this title and the voter's right to vote has not been
- 1368 restored as provided in Section 20A-2-101.3 or 20A-2-101.5; or
- 1369 (f) the county clerk receives notice that a voter has registered to vote in another state
- 1370 after the day on which the voter registered to vote in this state.
- 1371 (3)(a) The lieutenant governor shall make available to a county clerk the United States
- 1372 Social Security Administration data received by the lieutenant governor regarding
- 1373 deceased individuals.
- 1374 ~~[(3)]~~ (4) The county clerk shall remove a voter's name from the official register within five
- 1375 business days after the day on which the county clerk receives confirmation ~~[from the~~
- 1376 ~~Office of Vital Records]~~ that the voter is deceased~~[-]~~ from:
- 1377 (a) the Office of Vital Records or the lieutenant governor;
- 1378 (b) the United States Social Security Administration data; or
- 1379 (c) another reliable source or document that clearly identifies that the voter is deceased.
- 1380 (5)(a) Except as provided in Subsection (5)(b), the county clerk may not remove the
- 1381 name of a voter from the official register during the 90 calendar days before a regular
- 1382 primary election or the 90 calendar days before a regular general election.
- 1383 (b) The county clerk may remove the name of a voter from the official register during
- 1384 the 90 calendar days before a regular primary election or the 90 calendar days before
- 1385 a regular general election if:
- 1386 (i) the voter requests, in writing, that the voter's name be removed; or
- 1387 (ii) the voter dies.
- 1388 ~~[(4)]~~ (6) No later than 90 calendar days before each primary election day and general

1389 election day, the county clerk shall update the official register by reviewing the official
1390 register and taking the actions permitted or required by law under this section, Section
1391 20A-2-503, and Section 20A-2-505.

1392 (7) Ninety calendar days before each primary and general election the lieutenant governor
1393 shall compare the information the lieutenant governor has received from the Office of
1394 Vital Records, the United States Social Security Administration data, and other reliable
1395 sources with the official register of voters to ensure that all deceased voters have been
1396 removed from the official register.

1397 Section 13. Section **20A-2-505** is amended to read:

1398 **20A-2-505 (Effective 05/06/26). Removing names from the official register --**

1399 **Determining and confirming change of residence.**

1400 (1) A county clerk may not remove a voter's name from the official register on the grounds
1401 that the voter has changed residence unless the voter:

1402 (a) confirms in writing that the voter has changed residence to a place outside the
1403 county; or

1404 (b)(i) does not vote in an election during the period beginning on the date of the
1405 notice described in Subsection (3), and ending on the day after the date of the
1406 second regular general election occurring after the date of the notice; and

1407 (ii) does not respond to the notice described in Subsection (3).

1408 (2)(a) Within 31 calendar days after the day on which a county clerk obtains information
1409 that a voter's address has changed, if it appears that the voter still resides within the
1410 same county, the county clerk shall:

1411 (i) change the official register to show the voter's new address; and

1412 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

1413 (b) When a county clerk obtains information that a voter's address has changed and it
1414 appears that the voter now resides in a different county, the county clerk shall verify
1415 the changed residence by sending to the voter, by forwardable mail, the notice
1416 described in Subsection (3), printed on a postage prepaid, preaddressed return form.

1417 (3)(a) Each county clerk shall use substantially the following form to notify voters whose
1418 addresses have changed:

1419 "VOTER REGISTRATION NOTICE

1420 We have been notified that your residence has changed. Please read, complete, and
1421 return this form so that we can update our voter registration records. What is your current
1422 street address?

1423

1424

Street City County State Zip

1425

What is your current phone number (optional)? _____

1426

What is your current email address (optional)? _____

1427

1428

1429

1430

If you have not changed your residence, or have moved but stayed within the same county, you must complete and return this form to the county clerk so that it is received by the county clerk before 5 p.m. no later than 30 calendar days before the date of the election. If you fail to return this form within that time:

1431

- you may be required to show evidence of your address to the poll worker before being allowed to vote in either of the next two regular general elections; or

1432

1433

- if you fail to vote at least once, from the date this notice was mailed until the passing of two regular general elections, you will no longer be registered to vote. If you have changed your residence and have moved to a different county in Utah, you may register to vote by contacting the county clerk in your county.

1434

1435

1436

1437

Signature of Voter

1438

1439

PRIVACY INFORMATION

1440

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

1441

1442

1443

1444

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

1445

1446

1447

1448

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

1449

1450

1451

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

1452

1453

1454

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1455

In addition to the protections provided above, you may request that identifying information on your voter registration records be withheld from all political parties, candidates

1456

1457 for public office, and their contractors, employees, and volunteers, by submitting a
1458 withholding request form, and any required verification, as described in the following
1459 paragraphs.

1460 A person may request that identifying information on the person's voter registration
1461 records be withheld from all political parties, candidates for public office, and their
1462 contractors, employees, and volunteers, by submitting a withholding request form with this
1463 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
1464 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
1465 violence.

1466 A person may request that identifying information on the person's voter registration
1467 records be withheld from all political parties, candidates for public office, and their
1468 contractors, employees, and volunteers, by submitting a withholding request form and any
1469 required verification with this registration form, or to the lieutenant governor or a county clerk,
1470 if the person is, or resides with a person who is, a law enforcement officer, a member of the
1471 armed forces, a public figure, or protected by a protective order or a protection order."

1472 (b) The form described in Subsection (3)(a) shall also include:

1473 (i) a section in substantially the following form:

1474 "-----
1475 **BALLOT NOTIFICATIONS**
1476 Do you consent to receive communications about the status of your ballot and other official
1477 communications, by text, at the phone number you provided above? Yes No
1478 -----";

1479 and

1480 (ii) no later than November 5, 2025, the following, immediately after the question described in
1481 Subsection (3)(b)(i):

1482 "Indicate below how you want to vote in upcoming elections:

1483 _____ Mail a ballot to me.

1484 _____ Do not mail a ballot to me. I will vote in person."

1485 [~~(4)(a) Except as provided in Subsection (4)(b), the county clerk may not remove the~~
1486 ~~names of any voters from the official register during the 90 calendar days before a~~
1487 ~~regular primary election or the 90 calendar days before a regular general election.]~~

1488 [~~(b) The county clerk may remove the names of voters from the official register during~~
1489 ~~the 90 calendar days before a regular primary election or the 90 calendar days before~~
1490 ~~a regular general election if:]~~

- 1491 ~~[(i) the voter requests, in writing, that the voter's name be removed; or]~~
 1492 ~~[(ii) the voter dies.]~~
- 1493 ~~[(e)] (4)[(i)] (a)~~ After a county clerk mails a notice under this section, the county clerk
 1494 shall, unless otherwise prohibited by law, list that voter as inactive.
- 1495 ~~[(ii)] (b)~~ If a county clerk receives a returned voter identification card, determines that
 1496 there was no clerical error causing the card to be returned, and has no further
 1497 information to contact the voter, the county clerk shall, unless otherwise prohibited
 1498 by law, list that voter as inactive.
- 1499 ~~[(iii)] (c)~~ An inactive voter may vote, sign petitions, and have all other privileges of a
 1500 registered voter.
- 1501 ~~[(iv)] (d)~~ A county is not required to:
- 1502 ~~[(A)] (i)~~ send routine mailings to an inactive voter; or
- 1503 ~~[(B)] (ii)~~ count inactive voters when dividing precincts and preparing supplies.
- 1504 ~~[(5) The lieutenant governor shall make available to a county clerk United States Social~~
 1505 ~~Security Administration data received by the lieutenant governor regarding deceased~~
 1506 ~~individuals.]~~
- 1507 ~~[(6) A county clerk shall, within 10 business days after the day on which the county clerk~~
 1508 ~~receives the information described in Subsection (5) or Subsections 26B-8-114(11) and~~
 1509 ~~(12) relating to a decedent whose name appears on the official register, remove the~~
 1510 ~~decedent's name from the official register.]~~
- 1511 ~~[(7) Ninety calendar days before each primary and general election the lieutenant governor~~
 1512 ~~shall compare the information the lieutenant governor has received under Subsection~~
 1513 ~~26B-8-114(11) with the official register of voters to ensure that all deceased voters have~~
 1514 ~~been removed from the official register.]~~
- 1515 Section 14. Section **20A-3a-202** is amended to read:
- 1516 **20A-3a-202 (Effective 05/06/26). Conducting election in person and by mail --**
 1517 **Mailing ballots to voters -- Exceptions.**
- 1518 (1)(a) Except as otherwise provided for an election conducted entirely by mail under
 1519 Section 20A-7-609.5, an election officer shall administer an election primarily by
 1520 mail, in accordance with this section.
- 1521 (b) An individual who did not provide valid voter identification at the time the voter
 1522 registered to vote shall provide valid voter identification before voting.
- 1523 (2) An election officer who administers an election:
- 1524 (a) shall in accordance with Subsection (3), no sooner than 21 calendar days before

- 1525 election day and no later than seven calendar days before election day, mail to the
1526 applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to
1527 Subsection 20A-3a-202.5(4):
- 1528 (i) a manual ballot;
 - 1529 (ii) a return envelope;
 - 1530 (iii) instructions for returning the ballot that include an express notice about any
1531 relevant deadlines that the voter must meet in order for the voter's vote to be
1532 counted;
 - 1533 (iv) information regarding the location and hours of operation of any election day
1534 voting center at which the voter may vote or a website address where the voter
1535 may view this information; and
 - 1536 (v) instructions on how a voter may sign up to receive electronic ballot status
1537 notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 1538 (b) may not mail a ballot under this section to:
- 1539 (i) an inactive voter, unless the inactive voter requests a manual ballot; or
 - 1540 (ii) a voter whom the election officer is prohibited from sending a ballot under
1541 Subsection 20A-3a-202.5(4);
- 1542 (c) shall, on the outside of the envelope in which the election officer mails the ballot,
1543 include instructions for returning the ballot if the individual to whom the election
1544 officer mails the ballot does not live at the address to which the ballot is sent;
- 1545 (d) shall provide a method of accessible voting to a voter with a disability who is not
1546 able to vote by mail; and
- 1547 (e) shall include, on the election officer's website and with each ballot mailed,
1548 instructions regarding how a voter described in Subsection (2)(d) may vote.
- 1549 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the
1550 manual ballot to the address:
- 1551 (i) provided at the time of registration or updated by the voter after the time of
1552 registration; or
 - 1553 (ii) if, at or after the time of registration, the voter files an alternate address request
1554 form described in Subsection (3)(b), the alternate address indicated on the form.
- 1555 (b) The lieutenant governor shall make available to voters an alternate address request
1556 form that permits a voter to request that the election officer mail the voter's ballot to a
1557 location other than the voter's residence.
- 1558 (c) A voter shall provide the completed alternate address request form to the election

1559 officer no later than 11 calendar days before the day of the election.

1560 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall
1561 include, with each ballot mailed to a voter, a separate paper document containing the following
1562 statements:

1563 "WARNING

1564 If you have a valid Utah driver license or a valid Utah state identification card, failure to
1565 provide the last four digits of the license or card number may result in your ballot not being
1566 counted. You also have the option of providing the last four digits of your social security
1567 number as identification. If you do not have any of these identification types, your ballot will
1568 still be counted if your signature on the affidavit on this envelope matches your signature on
1569 file with the election officer.

1570 NOTICE

1571 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a
1572 ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource
1573 locator where the voter can make the request online]. If you are unable to make a request
1574 online, contact your county clerk's office at the following number for instructions on how to
1575 make the request in person or by mail [insert phone number here]."

1576 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a
1577 voter, a separate paper document containing the following statement:

1578 "WARNING

1579 If you have a valid Utah driver license or a valid Utah state identification card, failure to
1580 provide the last four digits of your license or card number will result in your ballot not being
1581 counted.

1582 If you do not have a license or card described above, you may enter the last four digits of
1583 your social security number as identification, or include a photocopy of one of the following in
1584 the return envelope:

1585 • a currently valid identification card that is issued by the state or a branch, department, or
1586 agency of the United States;

1587 • a currently valid Utah permit to carry a concealed weapon;

1588 • a currently valid United States passport;

1589 • a currently valid United States military identification card; or

1590 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty
1591 card.

1592 If you do not have any of the forms of identification listed above, you must vote in person

1593 at a polling place, unless you qualify for an exemption from this requirement. You may obtain
 1594 information regarding an exemption at [insert a uniform resource locator where the voter can
 1595 view this information] or by calling [insert a phone number that a voter may call to access this
 1596 information]."

1597 (4) The return envelope[-] :

1598 (a) shall include:

1599 [(a)] (i) the [name,-]official title[-] and post office address of the election officer on
 1600 the front of the envelope;

1601 [(b)] (ii) subject to Subsection (9), [~~beginning on or before January 1, 2026,-~~]a place
 1602 for the voter to enter the last four digits of the voter's Utah driver license number,
 1603 Utah state identification card number, or social security number;

1604 [(e)] (iii) the following statement:

1605 "IMPORTANT: See the warning and notice enclosed with your ballot.";

1606 [(d)] (iv) a space where a voter may write an email address and phone number by
 1607 which the election officer may contact the voter if the voter's ballot is rejected; and

1608 [(e)] (v) a printed affidavit in substantially the following form:

1609 "County of ____ State of ____

1610 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct
 1611 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
 1612 currently incarcerated for commission of a felony.

1613 _____

1614 Signature of Voter

1615 WARNING

1616 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a
 1617 FELONY for any other individual to sign the above affidavit, even if the voter to whom the
 1618 ballot is addressed gives permission for another to sign the affidavit for the voter."; and

1619 (b) beginning on January 1, 2027, may not include the name of the election officer on
 1620 the envelope.

1621 (5) If the election officer determines that the voter has not yet provided valid voter
 1622 identification with the voter's voter registration, the election officer may:

1623 (a) mail a ballot to the voter;

1624 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the
 1625 return envelope; and

1626 (c) provide instructions to the voter on how the voter may sign up to receive electronic

- 1627 ballot status notifications via the ballot tracking system described in Section
 1628 20A-3a-401.5.
- 1629 (6) An election officer who administers an election shall:
- 1630 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
 1631 election; or
- 1632 (ii) obtain the signature of each voter within the voting precinct from the county
 1633 clerk; and
- 1634 (b) maintain the signatures on file in the election officer's office.
- 1635 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot
 1636 under Section 20A-3a-401.
- 1637 (8) A county that administers an election:
- 1638 (a) shall provide at least one election day voting center in accordance with Part 7,
 1639 Election Day Voting Center, and at least one additional election day voting center for
 1640 every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not
 1641 receive a ballot by mail;
- 1642 (b) shall ensure that each election day voting center operated by the county has at least
 1643 one voting device that is accessible, in accordance with the Help America Vote Act
 1644 of 2002, Pub. L. No. 107-252, for individuals with disabilities;
- 1645 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 1646 (i) the county clerk conducts early voting on at least four days;
- 1647 (ii) the early voting days are within the period beginning on the date that is 14
 1648 calendar days before the date of the election and ending on the day before the
 1649 election; and
- 1650 (iii) the county clerk provides notice of the reduced early voting period in accordance
 1651 with Section 20A-3a-604; and
- 1652 (d) is not required to pay return postage for a return envelope.
- 1653 (9) A return envelope shall be designed in a manner that the information described in
 1654 Subsections [~~(4)(b) and (d)~~] (4)(a)(ii) and (iv), and the voter's signature, is covered from
 1655 view after the return envelope is sealed.
- 1656 (10) A county clerk shall, at least 90 calendar days before an election administered by the
 1657 county clerk, contact local post offices to:
- 1658 (a) coordinate the handling of mail-in ballots for the upcoming election; and
- 1659 (b) take measures to ensure that[:]
- 1660 [(i) ballots are clearly and properly postmarked, or otherwise marked in accordance

1661 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was
1662 mailed; and]
1663 [(ii)] _ballots are delivered in an expeditious manner to optimize the timely receipt of
1664 ballots.

1665 Section 15. Section **20A-3a-603** is amended to read:

1666 **20A-3a-603 (Effective 05/06/26). Early voting polling places.**

1667 (1) Except as provided in Section 20A-1-308, the election officer shall designate one or
1668 more polling places for early voting, as follows:

1669 (a) at least one polling place shall be open on each day that polls are open during the
1670 early voting period;

1671 (b) each polling place shall comply with the requirements for polling places under
1672 Chapter 5, Election Administration;

1673 (c) for all elections other than local special elections, municipal primary elections, and
1674 municipal general elections, at least 10% of the voting devices at a polling place shall
1675 be accessible for individuals with disabilities in accordance with Public Law
1676 107-252, the Help America Vote Act of 2002; and

1677 (d) each polling place shall be located in a government building or office, unless the
1678 election officer determines that, in the area designated by the election officer, there is
1679 no government building or office available that:

1680 (i) can be scheduled for use during early voting hours;

1681 (ii) has the physical facilities necessary to accommodate early voting requirements;

1682 (iii) has adequate space for voting equipment, poll workers, and voters; and

1683 (iv) has adequate security, public accessibility, and parking.

1684 (2)(a) Except as provided in Section 20A-1-308, the election officer may, after the
1685 deadline described in Section 20A-3a-604:

1686 (i) if necessary, change the location of an early voting place; or

1687 (ii) if the election officer determines that the number of early voting polling places is
1688 insufficient due to the number of registered voters who are voting, designate
1689 additional polling places during the early voting period.

1690 (b) Except as provided in Section 20A-1-308, if an election officer changes the location
1691 of an early voting polling place or designates an additional early voting polling place,
1692 the election officer shall, as soon as is reasonably possible, give notice of the dates,
1693 times, and location of the changed early voting polling place or the additional early
1694 voting polling place:

- 1695 ~~[(i) to the lieutenant governor, for posting on the Statewide Voter Information~~
 1696 ~~Website;]~~
 1697 ~~[(ii) by posting the information on the website of the election officer, if available; and]~~
 1698 ~~(i) in accordance with Section 20A-3a-604; and~~
 1699 ~~[(iii)] (ii) by posting notice:~~
 1700 (A) for a change in the location of an early voting polling place, at the new
 1701 location and, if possible, the old location; and
 1702 (B) for an additional early voting polling place, at the additional early voting
 1703 polling place.

- 1704 (3) Except as provided in Section 20A-1-308, for each regular general election and regular
 1705 primary election, counties of the first class shall ensure that the early voting polling
 1706 places are approximately proportionately distributed based on population within the
 1707 county.

1708 Section 16. Section **20A-3a-604** is amended to read:

1709 **20A-3a-604 (Effective 05/06/26). Notice of time and place of early voting.**

1710 ~~[(4)]~~ Except as provided in Section 20A-1-308~~[-or]~~ , and subject to Subsection
 1711 ~~20A-3a-603(2), the election officer shall~~~~[, for at least 28 calendar days before the date of~~
 1712 ~~the election,]~~ provide notice of the dates, times, and locations of early voting~~[by~~
 1713 ~~publishing notice for the county, as a class A notice under Section 63G-30-102.] , and~~
 1714 ~~any changes to the dates, times, and locations of early voting, on the websites, at the~~
 1715 ~~phone number, and at the address disclosed in the notice described in Section~~
 1716 ~~20A-5a-102.~~

1717 ~~[(2) Instead of specifying all dates, times, and locations of early voting, a notice required~~
 1718 ~~under Subsection (1) may specify the following sources where a voter may view or~~
 1719 ~~obtain a copy of all dates, times, and locations of early voting:]~~

1720 ~~[(a) the county's website;]~~

1721 ~~[(b) the physical address of the county's offices; and]~~

1722 ~~[(e) a mailing address and telephone number.]~~

1723 ~~[(3) The election officer shall include in the notice described in Subsection (1):]~~

1724 ~~[(a) the address of the Statewide Electronic Voter Information Website and, if available,~~
 1725 ~~the address of the election officer's website, with a statement indicating that the~~
 1726 ~~election officer will post on the website the location of each early voting polling~~
 1727 ~~place, including any changes to the location of an early voting polling place and the~~
 1728 ~~location of additional early voting polling places; and]~~

1729 ~~[(b) a phone number that a voter may call to obtain information regarding the location of~~
 1730 ~~an early voting polling place.]~~

1731 Section 17. Section **20A-4-104** is amended to read:

1732 **20A-4-104 (Effective 05/06/26). Counting ballots electronically -- Notice of**
 1733 **testing tabulating equipment.**

1734 (1)(a) ~~[Before]~~ No later than 21 calendar days before the day of an election, and no
 1735 earlier than 10 calendar days after the day on which the election officer provides
 1736 notice under Subsection (1)(c), the election officer shall, in accordance with this
 1737 Subsection (1) and rules made by the director of elections under Subsection
 1738 20A-1-108(1), before beginning to count ballots using automatic tabulating
 1739 equipment, ~~[the election officer shall]~~ test the automatic tabulating equipment to
 1740 ensure that ~~[it]~~ the equipment will accurately count the votes cast for all offices and
 1741 all measures.

1742 (b) No later than the day of the canvass for the election, after counting ballots using
 1743 automatic tabulating equipment is completed, the election officer shall, in accordance
 1744 with this Subsection (1) and rules made by the chief election officer under Subsection
 1745 20A-1-108(1), test the automatic tabulating equipment to ensure that the equipment
 1746 accurately counted votes cast for all offices and measures.

1747 ~~[(b)]~~ (c) The election officer shall provide public notice of the time and place of the ~~[test]~~
 1748 tests described in Subsections (1)(a) and (b) by publishing the notice~~[-as a class A~~
 1749 notice under Section 63G-30-102, for the county, municipality, or jurisdiction where
 1750 the equipment is used, for at least 10 calendar days before the day of the test] in the
 1751 notice of election described in Section 20A-5a-202.

1752 ~~[(e)]~~ (d) The election officer shall conduct the ~~[test]~~ tests by processing a preaudited
 1753 group of ballots.

1754 ~~[(d)]~~ (e) The election officer shall ensure that:

- 1755 (i) a predetermined number of valid votes for each candidate and measure are
 1756 recorded on the ballots;
 1757 (ii) for each office, one or more ballots have votes in excess of the number allowed
 1758 by law in order to test the ability of the automatic tabulating equipment to reject
 1759 those votes; and
 1760 (iii) a different number of valid votes are assigned to each candidate for an office, and
 1761 for and against each measure.

1762 ~~[(e)]~~ (f) If any error is detected, the election officer shall determine the cause of the error

- 1763 and correct it.
- 1764 [(f)] (g) The election officer shall ensure that[:]
- 1765 [(f)] the automatic tabulating equipment produces an errorless count[-] :
- 1766 (i) before beginning the actual counting; and
- 1767 (ii) before [~~the election returns are approved as official~~, ~~the automatic tabulating~~
- 1768 ~~equipment passes a post election audit conducted in accordance with the rules~~
- 1769 ~~described in Subsection 20A-1-108(1)~~ the canvass for the election.
- 1770 (2)(a) The election officer or the election officer's designee shall supervise and direct all
- 1771 proceedings at the counting center.
- 1772 (b)(i) Proceedings at the counting center are public and may be observed by
- 1773 interested persons.
- 1774 (ii) Only those persons authorized to participate in the count may touch any ballot or
- 1775 return.
- 1776 (c) The election officer shall deputize and administer an oath or affirmation to all
- 1777 persons who are engaged in processing and counting the ballots that they will
- 1778 faithfully perform their assigned duties.
- 1779 (3)(a) If any ballot is damaged or defective so that it cannot properly be counted by the
- 1780 automatic tabulating equipment, the election officer shall ensure that two counting
- 1781 judges jointly:
- 1782 (i) make a true replication of the ballot with an identifying serial number;
- 1783 (ii) substitute the replicated ballot for the damaged or defective ballot;
- 1784 (iii) label the replicated ballot "replicated"; and
- 1785 (iv) record the replicated ballot's serial number on the damaged or defective ballot.
- 1786 (b) The lieutenant governor shall provide to each election officer a standard form on
- 1787 which the election officer shall maintain a log of all replicated ballots, that includes,
- 1788 for each ballot:
- 1789 (i) the serial number described in Subsection (3)(a);
- 1790 (ii) the identification of the individuals who replicated the ballot;
- 1791 (iii) the reason for the replication; and
- 1792 (iv) any other information required by the lieutenant governor.
- 1793 (c) An election officer shall:
- 1794 (i) maintain the log described in Subsection (3)(b) in a complete and legible manner,
- 1795 as ballots are replicated;
- 1796 (ii) at the end of each day during which one or more ballots are replicated, make an

- 1797 electronic copy of the log; and
- 1798 (iii) retain and preserve each electronic copy made under Subsection (3)(c)(ii) in
- 1799 accordance with Subsection 20A-2-202(3).
- 1800 (4) The election officer may:
- 1801 (a) conduct an unofficial count before conducting the official count in order to provide
- 1802 early unofficial returns to the public;
- 1803 (b) release unofficial returns from time to time after the polls close; and
- 1804 (c) report the progress of the count for each candidate during the actual counting of
- 1805 ballots.
- 1806 (5) Beginning on the day after the date of the election, if an election officer releases early
- 1807 unofficial returns or reports the progress of the count for each candidate under
- 1808 Subsection (4), the election officer shall, with each release or report, disclose an estimate
- 1809 of the total number of voted ballots in the election officer's custody that have not yet
- 1810 been counted.
- 1811 (6) The election officer shall review and evaluate the provisional ballot envelopes and
- 1812 prepare any valid provisional ballots for counting as provided in Section 20A-4-107.
- 1813 (7)(a) The election officer or the election officer's designee shall:
- 1814 (i) separate, count, and tabulate any ballots containing valid write-in votes; and
- 1815 (ii) complete the standard form provided by the clerk for recording valid write-in
- 1816 votes.
- 1817 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
- 1818 more votes for an office than that voter is entitled to vote for that office, the poll
- 1819 workers shall count the valid write-in vote as being the obvious intent of the voter.
- 1820 (8)(a) The election officer shall certify the return printed by the automatic tabulating
- 1821 equipment, to which have been added write-in and absentee votes, as the official
- 1822 return of each voting precinct.
- 1823 (b) Upon completion of the count, the election officer shall make official returns open to
- 1824 the public.
- 1825 (9) If for any reason it becomes impracticable to count all or a part of the ballots with
- 1826 tabulating equipment, the election officer may direct that they be counted manually
- 1827 according to the procedures and requirements of this part.
- 1828 (10) After the count is completed, the election officer shall seal and retain the programs,
- 1829 test materials, and ballots as provided in Subsection 20A-4-202(2).
- 1830 Section 18. Section **20A-4-202** is amended to read:

- 1831 **20A-4-202 (Effective 05/06/26). Election returns and election material --**
1832 **Retention and disposition requirements -- Public records.**
- 1833 (1) Upon receipt of the ballots and election returns from the poll workers, the election
1834 officer shall:
- 1835 (a) ensure that the poll workers have provided all of the ballots and election returns;
1836 (b) inspect the ballots and election returns to ensure that they are sealed;
1837 (c) for manual ballots, deposit and lock the ballots and election returns in a safe and
1838 secure place;
1839 (d) for mechanical ballots:
1840 (i) count the ballots; and
1841 (ii) deposit and lock the ballots and election returns in a safe and secure place; and
1842 (e) for bond elections, provide a copy of the election results to the board of canvassers of
1843 the local political subdivision that called the bond election.
- 1844 (2) Each election officer shall:
- 1845 (a) before 5 p.m. on the day after the date of the election, determine the number of
1846 provisional ballots cast within the election officer's jurisdiction and make that number
1847 available to the public;
1848 (b) preserve ballots for 22 months after the date of the election or until the time has
1849 expired during which the ballots could be used in an election contest;
1850 (c) preserve all other official election returns for at least 22 months after the date of the
1851 election; and
1852 (d) after the time period described in Subsection (2)(c), destroy the ballots and election
1853 returns without examining the ballots and election returns.
- 1854 (3)(a) The election officer shall:
- 1855 (i) package and retain all election material; and
1856 (ii) store the election material in a secure location[~~that is physically separate from~~
1857 ~~the location where the election officer stores ballots and election returns~~].
- 1858 (b) The election officer:
- 1859 (i) may not alter or make changes to the election material;
1860 (ii) may make a working copy of the election material;
1861 (iii) may alter or make changes to the working copy of election material;
1862 (iv) shall preserve the election material, and any working copy of the election
1863 material, for at least 22 months after the date of the election; and
1864 (v) after the time period described in Subsection (3)(b)(iv), may dispose of or retain

1865 the election material and any working copy of the election material.

1866 (c) An election officer:

1867 (i) may not release to a member of the public:

1868 (A) the copy of the final election results database; or

1869 (B) a working copy of the copy of the final election results database;

1870 (ii) may issue a public report based on information derived from the election material
1871 if the report does not contain any information that directly identifies a voter who
1872 cast a ballot;

1873 (iii) may only access the election material, or a working copy of the election material,
1874 at the election officer's office; and

1875 (iv) may not remove the election material, or a working copy of the election material,
1876 from [the]the election officer's office.

1877 (4)(a) If an election is contested within 12 months after the date of the election, the
1878 election officer shall, except as provided in Subsection (4)(c):

1879 (i) keep the ballots and election returns unopened and unaltered until the contest is
1880 complete; or

1881 (ii) surrender the ballots and election returns to the custody of the court having
1882 jurisdiction of the contest when ordered or subpoenaed to do so by that court.

1883 (b) Except as provided in Subsection (4)(c), when all election contests arising from an
1884 election are complete, the election officer shall either:

1885 (i) retain the ballots and election returns until the time for preserving them under this
1886 section has run; or

1887 (ii) destroy the ballots and election returns remaining in the election officer's custody
1888 without examining the ballots and election returns if the time for preserving them
1889 under this section has run.

1890 (c)(i) An auditor conducting an audit described in Section 36-12-15.2 may examine
1891 the ballots and election returns described in this Subsection (4).

1892 (ii) The lieutenant governor may examine the ballots and election returns described in
1893 this Subsection (4).

1894 (5) Notwithstanding the provisions of this section, the legislative auditor general:

1895 (a) may make and keep a copy of ballots or election returns as part of a legislative audit;
1896 and

1897 (b) may not examine, make a copy, or keep a copy of a ballot in a manner that identifies
1898 the ballot with the voter who casts the ballot.

- 1899 (6) Each of the following is not a record, and is not subject to disclosure, under Title 63G,
 1900 Chapter 2, Government Records Access and Management Act:
- 1901 (a) all ballots and election returns;
- 1902 (b) all election material;
- 1903 (c) any working copy of election material that the election officer makes under
 1904 Subsection (3)(b)(ii); and
- 1905 (d) a copy described in Subsection (5)(a).
- 1906 (7) Each of the following is a public record under Title 63G, Chapter 2, Government
 1907 Records Access and Management Act:
- 1908 (a) the final report of the disposition of all rejected and resolved ballots described in
 1909 Subsection 20A-3a-401(11)(b);
- 1910 (b) the results and tally of all ballots that have been counted described in Subsection
 1911 20A-3a-402(2);
- 1912 (c) each posting of ballot statistics described in Section 20A-3a-405; and
- 1913 (d) any early unofficial returns or reports described in Subsection 20A-4-104(4).
- 1914 (8) The retention and disposition requirements described in this section for ballots, election
 1915 returns, and election material:
- 1916 (a) supersede the retention and disposition requirements for ballots, election returns, and
 1917 election material that were in effect before the effective date of this bill; and
- 1918 (b) apply to ballots, election returns, and election material created before, on, or after the
 1919 effective date of this bill.
- 1920 (9) The retention and disposition requirements described in this section do not require the
 1921 creation of a record that an election officer is not otherwise required to create.
- 1922 Section 19. Section **20A-4-304** is amended to read:
- 1923 **20A-4-304 (Effective 05/06/26). Declaration of results -- Canvassers' report.**
- 1924 (1)[(a) ~~Except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project,~~
 1925 a] A board of canvassers shall declare "elected" or "nominated" those persons who:
- 1926 [(i)] (a) had the highest number of votes; and
- 1927 [(ii)] (b) sought election or nomination to an office completely within the board's
 1928 jurisdiction.
- 1929 [(b)] (c) [~~Except as provided in Part 6, Municipal Alternate Voting Methods Pilot~~
 1930 ~~Project, a]~~ A board of canvassers shall declare a "tie vote" if:
- 1931 (i) two or more candidates for an office receive an equal and the highest number of
 1932 votes for that office; or

- 1933 (ii) in a race for an at-large office:
- 1934 (A) two or more candidates receive an equal number of votes; and
- 1935 (B) a recount is necessary to determine which candidates are elected to the at-large
- 1936 office.
- 1937 ~~[(e)]~~ (d) A board of canvassers shall declare:
- 1938 (i) "approved" those ballot propositions that:
- 1939 (A) had more "yes" votes than "no" votes; and
- 1940 (B) were submitted only to the voters within the board's jurisdiction; or
- 1941 (ii) "rejected" those ballot propositions that:
- 1942 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and
- 1943 "yes" votes; and
- 1944 (B) were submitted only to the voters within the board's jurisdiction.
- 1945 ~~[(d)]~~ (e) A board of canvassers shall:
- 1946 (i) certify the vote totals for candidates and for and against ballot propositions that
- 1947 were submitted to voters within and beyond the board's jurisdiction and transmit
- 1948 those vote totals to the lieutenant governor; and
- 1949 (ii) if applicable, certify the results of each special district election to the special
- 1950 district clerk.
- 1951 (2) The election officer shall submit a report to the board of canvassers that includes the
- 1952 following information:
- 1953 (a) a statement of votes cast, disclosing:
- 1954 (i) the total number of votes cast in the board's jurisdiction; and
- 1955 (ii) for each office that appeared on the ballot:
- 1956 (A) the name of each candidate whose name appeared on the ballot; and
- 1957 (B) whether the candidate is an unaffiliated candidate, a valid write-in candidate,
- 1958 or, if the candidate is affiliated with or the nominee of a registered political
- 1959 party, the name of the registered political party;
- 1960 (b) the title of each ballot proposition that appeared on the ballot;
- 1961 (c) the total number of votes given in the board's jurisdiction to each candidate, and for
- 1962 and against each ballot proposition;
- 1963 (d) from each voting precinct:
- 1964 (i) the number of votes for each candidate;
- 1965 (ii) for each race conducted by instant runoff voting under Part 6, Municipal
- 1966 Alternate Voting Methods Pilot Project, the number of valid votes cast for each

- 1967 candidate for each potential ballot-counting phase and the name of the candidate
 1968 excluded in each ballot-counting phase; and
 1969 (iii) the number of votes for and against each ballot proposition;
 1970 (e) standardized statistics, on a form provided by the lieutenant governor, disclosing, at a
 1971 minimum:
 1972 (i) the number of active voters in the board's jurisdiction as of the Friday before
 1973 election day;
 1974 (ii) the number of ballots counted by the election officer that were cast by voters who
 1975 registered to vote on election day under Section 20A-2-207;
 1976 (iii) the total number of ballots counted by the election officer;
 1977 (iv) the quotient of the number described in Subsection (2)(e)(iii) divided by the sum
 1978 of the numbers described in [~~Subsections (2)(e)(i) and (ii)~~] Subsection (2)(e)(i);
 1979 (v) of the number described in Subsection (2)(e)(iii):
 1980 (A) the number of provisional ballots cast at a polling place; and
 1981 (B) the number of ballots cast using a voting method described in Section
 1982 20A-3a-201;
 1983 (vi) a reconciliation of the number of ballots the election officer counted and the
 1984 number of voters given credit for voting in the election;
 1985 (vii) if there is a difference between the numbers described in Subsection (2)(e)(vi),
 1986 an explanation for the difference;
 1987 (viii) the number of provisional ballots that could not legally be counted; and
 1988 (ix) each of the following:
 1989 (A) the number of ballots, other than provisional ballots, that were rejected
 1990 because the ballots could not legally be cured;
 1991 (B) the number of ballots, other than provisional ballots, that were rejected, could
 1992 have been cured by the voter, but were not cured;
 1993 (C) the number of uncounted ballots received after the deadline described in
 1994 Subsection 20A-3a-204(3); and
 1995 (D) the percentage of ballots that were returned as undeliverable;
 1996 (f) subject to Subsection (3), a cast vote record report that contains only the following
 1997 information from the election results database:
 1998 (i) for the jurisdiction administering the election:
 1999 (A) the title of each ballot proposition appearing on the ballots;
 2000 (B) a description of each race for federal office, statewide office, state legislative

- 2001 office, state school board office, county office, local school board office, or
 2002 municipal office appearing on the ballots; and
- 2003 (C) the name of each candidate for an office described in Subsection (2)(f)(i)(B);
- 2004 (ii) the numeric identifier described in Subsection 20A-5-802.5(2)(b);
- 2005 (iii) the vote cast by a voter for:
- 2006 (A) a candidate for an office described in Subsection (2)(f)(i)(B);
- 2007 (B) a valid write-in candidate; and
- 2008 (C) each ballot proposition;
- 2009 (iv) if a voter's vote was not counted, an indication that the vote was not counted
 2010 because:
- 2011 (A) the voter cast a vote for more than one candidate for a single office; or
- 2012 (B) the voter made more than one selection for a single ballot proposition;
- 2013 (v) if a voter was eligible to cast a vote, but did not cast a vote, an indication that the
 2014 voter did not cast a vote; and
- 2015 (vi) if a ballot proposition or an office described in Subsection (2)(f)(i)(B) did not
 2016 appear on the voter's ballot:
- 2017 (A) an indication that the voter was ineligible to cast a vote for the ballot
 2018 proposition or office; or
- 2019 (B) a blank field or space in the portion of the report representing the ballot
 2020 proposition or office;
- 2021 (g) other information required by law to be provided to the board of canvassers; and
- 2022 (h) a statement certifying that the information contained in the report is accurate.
- 2023 (3) The cast vote record report described in Subsection (2)(f) may not include:
- 2024 (a) any special district office or special district ballot proposition appearing on a ballot in
 2025 the jurisdiction administering the election;
- 2026 (b) the vote cast by a voter for a special district office or special district ballot
 2027 proposition;
- 2028 (c) the voter precinct number associated with a ballot; or
- 2029 (d) information that directly identifies the voter who cast the ballot.
- 2030 (4) For an election in which the election officer does not use automatic tabulating
 2031 equipment, the election officer shall:
- 2032 (a) review the votes cast on each ballot that is counted;
- 2033 (b) manually compile the information described in Subsection (2)(f) in a file format
 2034 described in Subsection (8)(c);

- 2035 (c) ensure that the file does not contain the information described in Subsection (3); and
2036 (d) include a copy of the file in the board of canvassers' report.
- 2037 (5) The election officer and the board of canvassers shall:
2038 (a) review the report to ensure that the report is correct; and
2039 (b) sign the report.
- 2040 (6) The election officer shall:
2041 (a) record or file the certified report in a book kept for that purpose;
2042 (b) prepare and transmit a certificate of nomination or election under the officer's seal to
2043 each nominated or elected candidate;
2044 (c) publish a copy of the certified report in accordance with Subsection (7); and
2045 (d) file a copy of the certified report with the lieutenant governor.
- 2046 (7) Subject to Subsection (8), an election officer shall, no later than three business days
2047 after the day on which the board of canvassers declares the election results, publish a
2048 notice of the certified report described in Subsection (2) as a class A notice under
2049 Section 63G-30-102.
- 2050 (8) The class A notice described in Subsection (7) shall:
2051 (a) include the following statement: "The Board of Canvassers for [indicate name of
2052 jurisdiction] has prepared a report of the election results for the [indicate type and
2053 date of election].";
2054 (b) specify the following sources where an individual may view or obtain a copy of the
2055 entire certified report:
2056 (i) the Utah Public Notice Website;
2057 (ii) if the election officer is required to publish the notice on the board's jurisdiction's
2058 website under Subsection 63G-30-102(1)(b), the jurisdiction's website;
2059 (iii) the physical address for the board's jurisdiction; and
2060 (iv) a mailing address and telephone number; and
2061 (c) subject to Subsection (9), for the website posting described in Subsections
2062 63G-30-102(1)(a) and (b), include a copy of the certified report in the following file
2063 formats:
2064 (i) except for the cast vote record report described in Subsection (2)(f), a PDF or
2065 similar file; and
2066 (ii) for the cast vote record report described in Subsection (2)(f), one or more
2067 spreadsheets, Comma Separated Values files, or another common type of
2068 delimited or fixed-width files.

- 2069 (9) An election officer may post the information required to be included in the cast vote
2070 record report described in Subsection (2)(f) as a text-based file that represents structured
2071 information through key value pairs and ordered collections of data in lieu of including
2072 that information in a file described in Subsection (8)(c)(ii) if[:]
2073 [~~(a) the race for elective office was conducted using instant runoff voting under~~
2074 ~~Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project; and]~~
2075 [(b)] the tabulating equipment does not produce a file described in Subsection (8)(c)(ii)
2076 that accurately records all the preferences cast by a voter on the voter's ballot.
- 2077 (10) An election officer shall publish the class A notice described in Subsection (7) for the
2078 following time periods:
- 2079 (a) in relation to posting the notice on the Utah Public Notice Website under Subsection
2080 63G-30-102(1)(a), indefinitely;
- 2081 (b) in relation to posting the notice on the election officer's jurisdiction's website under
2082 Subsection 63G-30-102(1)(b), for at least 180 calendar days after the day of the
2083 deadline described in Subsection (7); and
- 2084 (c) in relation to posting the notice in a physical location under Subsection
2085 63G-30-102(1)(c), for at least seven calendar days after the day of the deadline
2086 described in Subsection (7).
- 2087 (11) An election officer:
- 2088 (a) shall ensure that an individual may obtain a copy of the certified report in a file
2089 format described in:
- 2090 (i) Subsection (8)(c); and
2091 (ii) if applicable, Subsection (9); and
- 2092 (b) may make the certified report available in any computer-readable format that the
2093 election officer determines is helpful to members of the public.
- 2094 (12) When there has been a regular general or a statewide special election for statewide
2095 officers, for officers that appear on the ballot in more than one county, or for a statewide
2096 or two or more county ballot proposition, each board of canvassers shall, immediately
2097 upon adjournment of the board, transmit to the lieutenant governor a report detailing the
2098 number of votes for each candidate and the number of votes for and against each ballot
2099 proposition.
- 2100 (13) In each county election, municipal election, school election, special district election,
2101 and local special election, the election officer shall transmit the reports to the lieutenant
2102 governor within 14 calendar days after the date of the election.

2103 (14) In a regular primary election and in a presidential primary election, the board of
 2104 canvassers shall, immediately upon adjournment of the board, transmit to the lieutenant
 2105 governor:

- 2106 (a) the county totals for multi-county races; and
- 2107 (b) a complete tabulation showing voting totals for all primary races, precinct by
 2108 precinct.

2109 Section 20. Section **20A-5-401.1**, which is renumbered from Section 20A-5-102 is renumbered
 2110 and amended to read:

2111 **[20A-5-102] 20A-5-401.1 (Effective 05/06/26). Voting instructions.**

2112 (1) Each election officer shall:

- 2113 (a) print instructions for voters;
- 2114 (b) ensure that the instructions are printed in English, and any other language required
 2115 under the Voting Rights Act of 1965, as amended, in large clear type; and
- 2116 (c) ensure that the instructions inform voters:
 - 2117 (i) about how to obtain, and how to return, ballots for voting;
 - 2118 (ii) about special political party affiliation requirements for voting in a regular
 2119 primary election or presidential primary election;
 - 2120 (iii) about how to prepare ballots cast at a polling place for deposit in the ballot box;
 - 2121 (iv) about how to prepare a mailed ballot for return;
 - 2122 (v) about how to record write-in votes;
 - 2123 (vi) about how to obtain a new ballot in the place of one spoiled by accident or
 2124 mistake;
 - 2125 (vii) about how to obtain assistance in marking ballots;
 - 2126 (viii) about obtaining a new ballot if the voter's ballot is defaced;
 - 2127 (ix) that identification marks or the spoiling or defacing of a ballot will make it
 2128 invalid;
 - 2129 (x) about how to obtain and vote a provisional ballot;
 - 2130 (xi) about whom to contact to report election fraud;
 - 2131 (xii) about applicable federal and state laws regarding:
 - 2132 (A) voting rights and the appropriate official to contact if the voter alleges that the
 2133 voter's rights have been violated; and
 - 2134 (B) prohibitions on acts of fraud and misrepresentation;
 - 2135 (xiii) about procedures governing mail-in registrants and first-time voters; and
 - 2136 (xiv) about the date of the election and the hours that the polls are open on election

2137 day.

2138 (2) Each election officer shall:

2139 (a) provide the election judges of each voting precinct with sufficient instruction cards to
2140 instruct voters in the preparation of the voters' ballots; and

2141 (b) direct the election judges to post:

2142 (i) general voting instructions in each voting booth;

2143 (ii) at least three instruction cards at other locations in the polling place; and

2144 (iii) at least one sample ballot at the polling place.

2145 Section 21. Section **20A-5-401.2**, which is renumbered from Section 20A-5-102 is renumbered
2146 and amended to read:

2147 **[20A-5-102] 20A-5-401.2 (Effective 05/06/26). Voting instructions.**

2148 (1) Each election officer shall:

2149 (a) print instructions for voters;

2150 (b) ensure that the instructions are printed in English, and any other language required
2151 under the Voting Rights Act of 1965, as amended, in large clear type; and

2152 (c) ensure that the instructions inform voters:

2153 (i) about how to obtain, and how to return, ballots for voting;

2154 (ii) about special political party affiliation requirements for voting in a regular
2155 primary election or presidential primary election;

2156 (iii) about how to prepare ballots cast at a polling place for deposit in the ballot box;

2157 (iv) about how to prepare a mailed ballot for return;

2158 (v) about how to record write-in votes;

2159 (vi) about how to obtain a new ballot in the place of one spoiled by accident or
2160 mistake;

2161 (vii) about how to obtain assistance in marking ballots;

2162 (viii) about obtaining a new ballot if the voter's ballot is defaced;

2163 (ix) that identification marks or the spoiling or defacing of a ballot will make it
2164 invalid;

2165 (x) about how to obtain and vote a provisional ballot;

2166 (xi) about whom to contact to report election fraud;

2167 (xii) about applicable federal and state laws regarding:

2168 (A) voting rights and the appropriate official to contact if the voter alleges that the
2169 voter's rights have been violated; and

2170 (B) prohibitions on acts of fraud and misrepresentation;

2171 (xiii) about procedures governing mail-in registrants and first-time voters; and
 2172 (xiv) about the date of the election and the hours that the polls are open on election
 2173 day.

2174 (2) Each election officer shall:

2175 (a) provide the election judges of each voting precinct with sufficient instruction cards to
 2176 instruct voters in the preparation of the voters' ballots; and

2177 (b) direct the election judges to post:

2178 (i) general voting instructions in each voting booth;

2179 (ii) at least three instruction cards at other locations in the polling place; and

2180 (iii) at least one sample ballot at the polling place.

2181 Section 22. Section **20A-5a-101** is enacted to read:

2182 **CHAPTER 5a. Election Notices**

2183 **Part 1. General Provisions -- Election Notice Requirements**

2184 **20A-5a-101 (Effective 05/06/26). Definitions.**

2185 As used in this part, "unopposed" means, as it relates to a regular primary election:

2186 (1) for a race for a single office, only one individual qualifies for placement on the primary
 2187 election ballot to seek the nomination of a particular registered political party for that
 2188 office; or

2189 (2) for a race where two or more individuals will be elected to fill an office, the number of
 2190 individuals who qualify for placement on the primary election ballot to seek the
 2191 nomination of a particular registered political party for that office does not exceed the
 2192 total number of candidates to be elected to that office.

2193 Section 23. Section **20A-5a-102** is enacted to read:

2194 **20A-5a-102 (Effective 05/06/26). Notice of election -- Publication required by**
 2195 **election officer.**

2196 (1) Except as otherwise provided for an election described in Section 20A-7-609.5, the
 2197 election officer for an election shall publish notice of the election, as described in
 2198 Subsection (2), for the jurisdiction as a class A notice under Section 63G-30-102, for at
 2199 least 30 calendar days before the day of the election.

2200 (2) The election notice shall include:

2201 (a) the heading "Election Notice," in bold;

2202 (b) for an election notice given by a county clerk:

2203 (i) if the election is a regular primary election, the following statement:

2204 "Notice is given that a regular primary election will be held on Tuesday, [insert
2205 date] to nominate party candidates for the parties and candidates for nonpartisan
2206 local school board positions listed on the regular primary election ballot.";
2207 (ii) if the election is a regular general election, the following statement:
2208 "Notice is given that a regular general election will be held on Tuesday, [insert
2209 date] to elect candidates to the offices listed on the regular general election
2210 ballot."; or
2211 (iii) if the election is a special election or a presidential primary election, a statement,
2212 similar to a statement described in Subsection (2)(b)(i) or (ii) that states the day,
2213 date, and purpose of the election;
2214 (c) for an election notice given by a municipal clerk:
2215 (i) if the election is a municipal primary election, the following statement:
2216 "Notice is given that a municipal primary election will be held on Tuesday,
2217 [insert date] to nominate candidates for the municipal offices listed on the
2218 municipal primary election ballot.";
2219 (ii) if the election is a municipal general election, the following statement: "Notice is
2220 given that a municipal general election will be held on Tuesday, [insert date] to
2221 elect candidates to the offices listed on the municipal general election ballot."; or
2222 (iii) if the election is a special election, a statement, similar to a statement described
2223 in Subsection (2)(c)(i) or (ii) that states the day, date, and purpose of the election;
2224 (d) for an election notice given by a special district clerk, a statement similar to the
2225 statements described in Subsection (2)(b) or (c) that states the day, date, and purpose
2226 of the election;
2227 (e) after the statement described in Subsection (2)(b), (c), or (d), as applicable, the
2228 following statement:
2229 "For voters receiving a ballot by mail, ballots will be mailed beginning 21
2230 calendar days before the election. The location of ballot drop boxes, the location and
2231 hours of polling places, including early voting polling places and hours, and
2232 qualifications of individuals who may vote in the election can be found at [insert
2233 name of election officer's or jurisdiction's website, if any, and a state voting website
2234 designated by the lieutenant governor], by calling [insert phone number for election
2235 officer's office], or at [insert street address of the election officer's office]. On the day
2236 of the election, the polls will open at 7 a.m. and continue open until 8 p.m. Attest:
2237 [insert "County Clerk," "Municipal Clerk," or "Special District Clerk"]."; and

2238 (f) after the statement described in Subsection (2)(e), instructions regarding how an
 2239 individual with a disability, who is not able to vote a manual ballot by mail, may
 2240 obtain information on voting in an accessible manner.

2241 (3) The notice described in this section may not include the name of the election officer.

2242 (4) The election officer shall include in the notice of election the notice of pre-election and
 2243 post-election automatic tabulating equipment testing described in Subsection
 2244 20A-4-104(1).

2245 Section 24. Section **20A-5a-201**, which is renumbered from Section 20A-5-101 is renumbered
 2246 and amended to read:

2247 **Part 2. Notices for Regular Election Year**

2248 **[20A-5-101] 20A-5a-201 (Effective 05/06/26). State notice of candidate filing for**
 2249 **regular election -- Notice of statewide ballot propositions.**

2250 (1) On or before [November 15 in the year before each regular general election year, the
 2251 lieutenant governor shall prepare and transmit a written notice to each county clerk that:]

2252 [(a) designates the offices to be filled at the next year's regular general election;] the
 2253 second Friday after the first Monday in November in an odd-numbered year, the
 2254 lieutenant governor shall:

2255 (a) publish for the state, as a class A notice under Section 63G-30-102, for 30 calendar
 2256 days, the notice described in Subsection (2); and

2257 (b) transmit the notice described in Subsection (2) to each county clerk.

2258 (2) The notice required under Subsection (1) shall:

2259 (a) designate the offices to be filled at the next year's regular general election for:

2260 (i) a federal office;

2261 (ii) a statewide constitutional office;

2262 (iii) state senator;

2263 (iv) state representative; and

2264 (v) State Board of Education member;

2265 (b) [identifies] identify the dates for filing a declaration of candidacy, and for submitting
 2266 and certifying nomination petition signatures, as applicable, under Sections
 2267 20A-9-403, 20A-9-407, and 20A-9-408 for [those offices] the offices described in
 2268 Subsection (2)(a);[-and]

2269 (c) [contains a description of any] describe the statewide ballot propositions to be
 2270 decided by the voters that have qualified for the ballot as of that date[-] ; and

2271 (d) designate a webpage that, for each elective office, states the total number of

2272 signatures that must be submitted under Subsection 20A-9-403(3)(a)(ii) or
 2273 20A-9-408(8), with the necessary calculations made by counting the aggregate
 2274 number of individuals residing in each elective office's political division who have
 2275 designated a particular registered political party on the individuals' voter registration
 2276 forms on or before November 15 of each odd-numbered year.

2277 [~~(2)(a) No later than seven business days after the day on which the lieutenant governor~~
 2278 ~~transmits the written notice described in Subsection (1), each county clerk shall~~
 2279 ~~provide notice for the county, as a class A notice under Section 63G-30-102, for~~
 2280 ~~seven business days before the day of the election and in accordance with Subsection~~
 2281 ~~(3):]~~

2282 [(b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a);
 2283 showing a copy of the notice and the places where the notice was posted.]

2284 [(3) The notice described in Subsection (2) shall:]

2285 [(a) designate the offices to be voted on in that election; and]

2286 [(b) identify the dates for filing a declaration of candidacy for those offices.]

2287 [(4) Except as provided in Subsection (6), before each election, the election officer shall
 2288 give printed notice of the following information:]

2289 [(a) the date of election;]

2290 [(b) the hours during which the polls will be open;]

2291 [(c) the polling places for each voting precinct, early voting polling place, and election
 2292 day voting center;]

2293 [(d) the address of the Statewide Electronic Voter Information Website and, if available,
 2294 the address of the election officer's website, with a statement indicating that the
 2295 election officer will post on the website any changes to the location of a polling place
 2296 and the location of any additional polling place;]

2297 [(e) a phone number that a voter may call to obtain information regarding the location of
 2298 a polling place;]

2299 [(f) the qualifications for persons to vote in the election: and]

2300 [(g) instructions regarding how an individual with a disability, who is not able to vote a
 2301 manual ballot by mail, may obtain information on voting in an accessible manner.]

2302 [(5) The election officer shall provide the notice described in Subsection (4) for the
 2303 jurisdiction, as a class A notice under Section 63G-30-102, for at least seven business
 2304 days before the day of the election.]

2305 [(6) Instead of including the information described in Subsection (4) in the notice, the

- 2306 election officer may give printed notice that:]
- 2307 [(a) is entitled "Notice of Election";]
- 2308 [(b) includes the following: "A [indicate election type] will be held in [indicate the
- 2309 jurisdiction] on [indicate date of election]. Information relating to the election,
- 2310 including polling places, polling place hours, and qualifications of voters may be
- 2311 obtained from the following sources:"; and]
- 2312 [(c) specifies the following sources where an individual may view or obtain the
- 2313 information described in Subsection (4):]
- 2314 [(i) if the jurisdiction has a website, the jurisdiction's website;]
- 2315 [(ii) the physical address of the jurisdiction offices; and]
- 2316 [(iii) a mailing address and telephone number.]

2317 Section 25. Section **20A-5a-202** is enacted to read:

2318 **20A-5a-202 (Effective 05/06/26). County notice of candidate filing for regular**

2319 **election -- Notice of local ballot propositions.**

2320 On or before the third Friday after the first Monday in November in an odd-numbered

2321 year, the clerk of a county shall publish for the county, as a class A notice under Section

2322 63G-30-102, for 30 calendar days, notice that includes:

- 2323 (1) the portion of the information, provided to the county clerk by the lieutenant governor
- 2324 under Section 20A-5a-201, relating to races in which a resident of the county may vote;
- 2325 (2) the offices to be filled at the next year's regular general election for:
- 2326 (a) county offices for the county; and
- 2327 (b) local school board offices in the county;
- 2328 (3) the dates for filing a declaration of candidacy, and for submitting and certifying
- 2329 nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,
- 2330 and 20A-9-408 for the offices described in Subsection (2)(a);
- 2331 (4) the dates for filing a declaration of candidacy for local school board offices in the
- 2332 county; and
- 2333 (5) a description of the local ballot propositions to be decided by the voters that have
- 2334 qualified for the ballot as of that date.

2335 Section 26. Section **20A-5a-203** is enacted to read:

2336 **20A-5a-203 (Effective 05/06/26). Special district notice of candidate filing for**

2337 **regular election.**

- 2338 (1) On or before the second Friday after the first Monday in November in an odd-numbered
- 2339 year, the clerk of a special district that holds elections in even-numbered years shall

2340 transmit to each county clerk where all or a portion of the special district is located a
 2341 notice that includes:

2342 (a) a list of the special district offices to be voted on in the upcoming regular general
 2343 election;

2344 (b) the constitutional and statutory qualifications for each office described in Subsection
 2345 (1)(a); and

2346 (c) the declaration of candidacy period described in Section 20A-9-201.5.

2347 (2) On or before the third Friday after the first Monday in November in an odd-numbered
 2348 year, the clerk of a special district shall publish for the special district, as a class A
 2349 notice under Section 63G-30-102, for 30 calendar days, the notice described in
 2350 Subsection (1).

2351 Section 27. Section **20A-5a-204** is enacted to read:

2352 **20A-5a-204 (Effective 05/06/26). Registered political party notice of convention**
 2353 **results.**

2354 (1) On or before noon on the Monday after a registered political party's nominating
 2355 convention, the party liaison for the registered political party shall provide to the
 2356 lieutenant governor, in writing, the convention results for:

2357 (a) the registered political party's state convention; and

2358 (b) each of the registered political party's county conventions.

2359 (2) The lieutenant governor shall provide the convention results described in Subsection (1)
 2360 to the county clerk of each county to which the results relate before the end of the first
 2361 business day that is on or after the day on which the lieutenant governor receives the
 2362 convention results.

2363 Section 28. Section **20A-5a-205** is enacted to read:

2364 **20A-5a-205 (Effective upon governor's approval). Certification of state**
 2365 **candidates for regular primary election.**

2366 (1) On or before the first Wednesday after the fourth Saturday in April of an
 2367 even-numbered year, the lieutenant governor shall:

2368 (a) publish for the state, as a class A notice under Section 63G-30-102, for 30 calendar
 2369 days, the notice described in Subsection (2); and

2370 (b)(i) transmit to each county clerk the notice described in Subsection (2); or

2371 (ii) transmit the portion of the notice described in Subsection (2) that relates to a
 2372 particular county to the county clerk for that county.

2373 (2) The notice required under Subsection (1):

- 2374 (a) shall list the names of all candidates who are qualified for placement on the regular
 2375 primary election ballot for a county, by office, for the following offices:
 2376 (i) a federal office;
 2377 (ii) a statewide constitutional office;
 2378 (iii) state senator;
 2379 (iv) state representative; and
 2380 (v) State Board of Education member;
 2381 (b) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
 2382 how the names of candidates will appear on the primary election ballot; and
 2383 (c) may not include candidates who are unopposed in the regular primary election.

2384 Section 29. Section **20A-5a-206** is enacted to read:

2385 **20A-5a-206 (Effective upon governor's approval). Certification of county**
 2386 **candidates for regular primary election.**

2387 (1) No later than two business days after the day on which the lieutenant governor provides
 2388 the notice described in Section 20A-5a-205 to a county clerk, that county clerk shall
 2389 publish for the county, as a class A notice under Section 63G-30-102, for 30 calendar
 2390 days, the notice described in Subsection (2).

2391 (2) The notice required under Subsection (1):

- 2392 (a) shall include the portion of the notice, provided to the county clerk by the lieutenant
 2393 governor under Section 20A-2-205, relating to races in which a resident of the county
 2394 may vote;
 2395 (b) except as provided in Subsection (2)(d), shall include all candidates who have
 2396 qualified for placement on a primary election ballot in the county for county office or
 2397 local school board office;
 2398 (c) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
 2399 how the names of candidates will appear on the primary election ballot; and
 2400 (d) may not include candidates who are unopposed in the regular primary election.

2401 Section 30. Section **20A-5a-207** is enacted to read:

2402 **20A-5a-207 (Effective 05/06/26). Certification of special district candidates for**
 2403 **regular primary election.**

2404 (1) On or before the first Wednesday after the fourth Saturday in April of an
 2405 even-numbered year, the clerk of a special district that will, in accordance with
 2406 Subsection 17B-1-306(6), hold a primary election that year shall send to each county
 2407 clerk in which all or part of the special district is located a notice containing a list of

2408 names of all candidates who are qualified for placement on the regular primary election
 2409 ballot, by office, for each special district office.

2410 (2) No later than two business days after the day on which a special district clerk complies
 2411 with Subsection (1), the special district clerk shall publish for the special district, as a
 2412 class A notice under Section 63G-30-102, for 30 calendar days, the notice described in
 2413 Subsection (1).

2414 Section 31. Section **20A-5a-208** is enacted to read:

2415 **20A-5a-208 (Effective 05/06/26). Regular primary election notice -- Counties --**
 2416 **Special Districts.**

2417 (1) No later than 32 calendar days before the day of the regular primary election, a county
 2418 clerk shall, in accordance with Section 20A-5a-102, publish notice of the regular
 2419 primary election for the county, as a class A notice under Section 63G-30-102, for the
 2420 entire period beginning on the day on which the county clerk publishes the notice, and
 2421 ending at the end of the day of the regular primary election.

2422 (2) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2423 the regular primary election, the clerk of a special district that will, in accordance with
 2424 Subsection 17B-1-306(6), hold a primary election that year, shall, in accordance with
 2425 Section 20A-5a-102, publish notice of the regular primary election for the special
 2426 district, as a class A notice under Section 63G-30-102, for the entire period beginning on
 2427 the day on which the special district clerk publishes the notice, and ending at the end of
 2428 the day of the regular primary election.

2429 (3) The county clerk may publish the notice described in Subsection (2) for the special
 2430 district clerk, or in combination with the notice described in Subsection (1), if the special
 2431 district clerk contracts for the county clerk to conduct the special district election.

2432 Section 32. Section **20A-5a-209**, which is renumbered from Section 20A-9-701 is renumbered
 2433 and amended to read:

2434 **[20A-9-701] 20A-5a-209 (Effective 05/06/26). Certification of state candidates for**
 2435 **regular general election -- Ballot propositions -- Display on ballot.**

2436 ~~[(1) No later than August 31 of each regular general election year, the lieutenant governor~~
 2437 ~~shall certify to each county clerk, for offices to be voted upon at the regular general~~
 2438 ~~election in that county clerk's county:]~~

2439 ~~[(a) the names of each candidate nominated under Subsection 20A-9-202(4) or~~
 2440 ~~Subsection 20A-9-403(5); and]~~

2441 ~~[(b) the names of the candidates for president and vice president that are certified by the~~

2442 registered political party as the party's nominees.]

2443 (1) On or before the last business day in August of an even-numbered year, the lieutenant
2444 governor shall:

2445 (a) publish for the state, as a class A notice under Section 63G-30-102, for 30 calendar
2446 days, the notice described in Subsection (2); and

2447 (b)(i) transmit to each county clerk the notice described in Subsection (2); or

2448 (ii) transmit the portion of the notice described in Subsection (2) that relates to a
2449 particular county to the county clerk for that county.

2450 (2) The notice required under Subsection (1):

2451 (a) shall list the names of all candidates who are qualified for placement on the regular
2452 general election ballot for a county, by office, for the following offices:

2453 (i) a federal office;

2454 (ii) a statewide constitutional office;

2455 (iii) state senator;

2456 (iv) state representative; and

2457 (v) State Board of Education member;

2458 (b) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
2459 how the names of candidates will appear on the primary election ballot; and

2460 (c) shall include information on statewide ballot propositions that have qualified for
2461 placement on the ballot.

2462 [(2)] (3) The names shall be certified by the lieutenant governor and shall be displayed on
2463 the ballot as they are provided on the candidate's declaration of candidacy. No other
2464 names may appear on the ballot as affiliated with, endorsed by, or nominated by any
2465 other registered political party, political party, or other political group.

2466 Section 33. Section **20A-5a-210** is enacted to read:

2467 **20A-5a-210 (Effective 05/06/26). Certification of county candidates for regular**
2468 **general election -- Ballot propositions.**

2469 (1) A county clerk shall publish for the county, as a class A notice under Section
2470 63G-30-102, for 30 calendar days, the notice described in Subsection (2):

2471 (a) no earlier than the first business day that is at least two calendar days after the day on
2472 which the lieutenant governor provides the notice described in Section 20A-5a-209 to
2473 the county clerk; and

2474 (b) no later than the second business day in September.

2475 (2) The notice required under Subsection (1):

- 2476 (a) shall include the portion of the notice, provided to the county clerk by the lieutenant
 2477 governor under Section 20A-5a-209, relating to races in which a resident of the
 2478 county may vote;
- 2479 (b) shall include all candidates who have qualified for placement on the regular general
 2480 election ballot in the county for county office or local school board office;
- 2481 (c) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
 2482 how the names of candidates will appear on the regular general election ballot; and
- 2483 (d) shall include information on local ballot propositions that have qualified for
 2484 placement on the ballot.

2485 Section 34. Section **20A-5a-211** is enacted to read:

2486 **20A-5a-211 (Effective 05/06/26). Certification of special district candidates for**
 2487 **regular general election.**

- 2488 (1) Except as provided in Subsection (3), on or before the last business day in August of an
 2489 even-numbered year, the clerk of a special district shall send to each county clerk in
 2490 which all or part of the special district is located a notice containing a list of names of all
 2491 candidates who are qualified for placement on the regular general election ballot, by
 2492 office, for each special district office.
- 2493 (2) Except as provided in Subsection (3), the clerk of a special district shall publish for the
 2494 special district, as a class A notice under Section 63G-30-102, for 30 calendar days, the
 2495 notice described in Subsection (1), beginning on the earlier of:
- 2496 (a) the first business day that is at least two calendar days after the day on which the
 2497 clerk of the special district complies with Subsection (1); or
- 2498 (b) the second business day in September.
- 2499 (3) If the special district clerk contracts for the county clerk to conduct the special district
 2500 election:
- 2501 (a) the special district clerk is not required to comply with Subsection (1); and
- 2502 (b) the county clerk may publish the notice described in Subsection (2) for the special
 2503 district clerk.

2504 Section 35. Section **20A-5a-212** is enacted to read:

2505 **20A-5a-212 (Effective 05/06/26). Regular general election notice -- Counties --**
 2506 **Special districts.**

- 2507 (1) No later than 32 calendar days before the day of the regular general election, the county
 2508 clerk shall, in accordance with Section 20A-5a-102, publish notice of the regular general
 2509 election for the county, as a class A notice under Section 63G-30-102, for the entire

2510 period beginning on the day on which the county clerk publishes the notice, and ending
 2511 at the end of the day of the regular general election.

2512 (2) Except as provided in Subsection (3), the clerk of a special district shall, in accordance
 2513 with Section 20A-5a-102, publish notice of the regular general election for the special
 2514 district, as a class A notice under Section 63G-30-102, for the entire period beginning on
 2515 the day on which the special district clerk publishes the notice, and ending at the end of
 2516 the day of the regular general election.

2517 (3) The county clerk may publish the notice described in Subsection (2) for the special
 2518 district clerk if the special district clerk contracts for the county clerk to conduct the
 2519 special district election.

2520 Section 36. Section **20A-5a-301** is enacted to read:

2521 **Part 3. Notices for Municipal Election Year**

2522 **20A-5a-301 (Effective 05/06/26). Municipal notice of open offices for municipal**
 2523 **election.**

2524 On or before the first business day in February of an odd-numbered year, the election
 2525 officer for a municipality shall provide to each county clerk of a county in which all or a part
 2526 of the municipality is located written notice of the municipal offices to be voted on in the
 2527 upcoming municipal general election.

2528 Section 37. Section **20A-5a-302** is enacted to read:

2529 **20A-5a-302 (Effective 05/06/26). Special district notice of open offices for**
 2530 **municipal election.**

2531 On or before the first business day in February of an odd-numbered year, the clerk of a
 2532 special district shall provide to each county clerk of a county in which all or a part of the
 2533 special district is located written notice of the special district offices to be voted on in the
 2534 upcoming municipal general election.

2535 Section 38. Section **20A-5a-303** is enacted to read:

2536 **20A-5a-303 (Effective 05/06/26). Municipal notice of candidate filing for**
 2537 **municipal election.**

2538 On or before the first business day in May of an odd-numbered year, the election officer
 2539 of a municipality shall publish for the municipality, as a class A notice under Section
 2540 63G-30-102, for 30 calendar days:

2541 (1) a list of the municipal offices to be voted on in the upcoming municipal general
 2542 election; and

2543 (2) the declaration of candidacy period, described in Subsection 20A-9-203(3)(d), for the

2544 municipal offices described in Subsection (1).

2545 Section 39. Section **20A-5a-304** is enacted to read:

2546 **20A-5a-304 (Effective 05/06/26). Special district notice of candidate filing for**
2547 **municipal election.**

2548 On or before the first business day in May of an odd-numbered year, the clerk of a
2549 special district shall publish for the special district, as a class A notice under Section
2550 63G-30-102, for at 30 calendar days:

2551 (1) a list of the special district offices to be voted on in the upcoming municipal general
2552 election; and

2553 (2) the declaration of candidacy period, described in Subsection 20A-9-203(3)(d), for the
2554 special district offices described in Subsection (1).

2555 Section 40. Section **20A-5a-305** is enacted to read:

2556 **20A-5a-305 (Effective 05/06/26). Municipal certification of candidates for**
2557 **municipal primary election.**

2558 No later than two business days after the day on which the declaration of candidacy
2559 period described in Subsection 20A-9-203(3)(d) ends, the election officer of a municipality
2560 shall:

2561 (1) send to each county clerk in which all or part of the municipality is located a notice
2562 containing a list of names of all candidates who are qualified for placement on the
2563 regular primary election ballot, by office, for each municipal office; and

2564 (2) publish for the municipality, as a class A notice under Section 63G-30-102, for 30
2565 calendar days, the notice described in Subsection (1).

2566 Section 41. Section **20A-5a-306** is enacted to read:

2567 **20A-5a-306 (Effective 05/06/26). Special district certification of candidates for**
2568 **municipal primary election.**

2569 No later than two business days after the day on which the declaration of candidacy
2570 period described in Subsection 20A-9-203(3)(d) ends, the clerk of a special district that will, in
2571 accordance with Subsection 17B-1-306(6), hold a primary election that year shall:

2572 (1) send to each county clerk in which all or part of the special district is located a notice
2573 containing a list of names of all candidates who are qualified for placement on the
2574 regular primary election ballot, by office, for each special district office; and

2575 (2) publish for the special district, as a class A notice under Section 63G-30-102, for 30
2576 calendar days, the notice described in Subsection (1).

2577 Section 42. Section **20A-5a-307** is enacted to read:

2578 **20A-5a-307 (Effective 05/06/26). Municipal primary election notice --**

2579 **Municipalities -- Special districts.**

2580 (1) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2581 the municipal primary election, the election officer of a municipality shall, in accordance
 2582 with Section 20A-5a-102, publish notice of the municipal primary election for the
 2583 county, as a class A notice under Section 63G-30-102, for the entire period beginning on
 2584 the day on which the election officer of the municipality publishes the notice, and
 2585 ending at the end of the day of the municipal primary election.

2586 (2) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2587 the municipal primary election, the clerk of a special district that will hold a primary
 2588 election that year shall, in accordance with Section 20A-5a-102, publish notice of the
 2589 special primary election for the special district, as a class A notice under Section
 2590 63G-30-102, for the entire period beginning on the day on which the clerk of the special
 2591 district publishes the notice, and ending at the end of the day of the municipal primary
 2592 election.

2593 (3) The county clerk may:

2594 (a) publish the notice described in Subsection (1) for the municipality, if the election
 2595 officer for the municipality contracts for the county to conduct the municipal primary
 2596 election;

2597 (b) publish the notice described in Subsection (2) for the special district if the special
 2598 district clerk contracts for the county clerk to conduct the special district primary
 2599 election; or

2600 (c) subject to Subsections (3)(a) and (b), publish the notices described in Subsections (1)
 2601 and (2) as a combined notice.

2602 Section 43. Section **20A-5a-308** is enacted to read:

2603 **20A-5a-308 (Effective 05/06/26). Certification of municipal candidates for**
 2604 **municipal general election -- Ballot propositions.**

2605 (1) The election officer of a municipality shall provide the notice described in Subsection
 2606 (2) on or before the later of:

2607 (a) the last business day in August of an odd-numbered year; or

2608 (b) in the case of a recount in a primary election race for the municipality, two business
 2609 days after the day on which the recount results are certified.

2610 (2) The election officer of a municipality shall provide the notice required under Subsection
 2611 (1) by:

- 2612 (a) sending to each county clerk in which all or part of the municipality is located:
 2613 (i) a list of names of all candidates who are qualified for placement on the municipal
 2614 general election ballot, by office, for each municipal office; and
 2615 (ii) information on local ballot propositions that have qualified for placement on the
 2616 ballot; and
 2617 (b) publishing for the municipality, as a class A notice under Section 63G-30-102, for 30
 2618 calendar days, the list described in Subsection (2)(a).

2619 Section 44. Section **20A-5a-309** is enacted to read:

2620 **20A-5a-309 (Effective 05/06/26). Certification of special district candidates for**
 2621 **municipal general election.**

- 2622 (1) The clerk of a special district shall provide the notice described in Subsection (2) on or
 2623 before the later of:
 2624 (a) the last business day in August of an odd-numbered year; or
 2625 (b) in the case of a recount in a primary election race for the special district, two
 2626 business days after the day on which the recount results are certified.
 2627 (2) The clerk of a special district shall provide the notice required under Subsection (1) by:
 2628 (a) sending to each county clerk in which all or part of the special district is located a list
 2629 of names of all candidates who are qualified for placement on the municipal general
 2630 election ballot, by office, for each special district office; and
 2631 (b) publishing for the special district, as a class A notice under Section 63G-30-102, for
 2632 30 calendar days, the list described in Subsection (2)(a).

2633 Section 45. Section **20A-5a-310** is enacted to read:

2634 **20A-5a-310 (Effective 05/06/26). Notice of cancellation of municipal general**
 2635 **election.**

- 2636 (1) A municipal legislative body that cancels an election under Section 20A-1-206 shall
 2637 provide notice that the election is canceled by complying with Subsection (2):
 2638 (a) no earlier than the day after the deadline, described in Subsection 20A-9-601(1)(a),
 2639 for a write-in candidate to file a declaration of candidacy for the municipal general
 2640 election; and
 2641 (b) no later than 32 calendar days before the day of the municipal general election.
 2642 (2) A municipal legislative body described in Subsection (1) shall provide notice that the
 2643 election is canceled by:
 2644 (a) sending notice to each county where all or a portion of the municipality is located;
 2645 (b) sending the notice to the lieutenant governor's office to be posted on the Statewide

2646 Electronic Voter Information Website described in Section 20A-7-801, for at least 15
 2647 calendar days before the day of the municipal general election; and
 2648 (c) publishing notice for the municipality, as a class A notice under Section 63G-30-102,
 2649 for at least 15 calendar days before the day of the municipal general election.

2650 Section 46. Section **20A-5a-311** is enacted to read:

2651 **20A-5a-311 (Effective 05/06/26). Notice of cancellation of special district election.**

2652 (1) A special district board that cancels an election under Section 20A-1-206 shall provide
 2653 notice that the election is canceled by complying with Subsection (2):

2654 (a) no earlier than the day after the deadline, described in Subsection 20A-9-601(1)(a),
 2655 for a write-in candidate to file a declaration of candidacy for the municipal general
 2656 election; and

2657 (b) no later than 32 calendar days before the day of the municipal general election.

2658 (2) A special district board described in Subsection (1) shall provide notice that the election
 2659 is canceled by:

2660 (a) sending notice to each county where all or a portion of the special district is located;

2661 (b) sending the notice to the lieutenant governor's office to be posted on the Statewide
 2662 Electronic Voter Information Website described in Section 20A-7-801, for at least 15
 2663 calendar days before the day of the municipal general election; and

2664 (c) publishing notice for the special district, as a class A notice under Section
 2665 63G-30-102, for at least 15 calendar days before the day of the municipal general
 2666 election.

2667 Section 47. Section **20A-5a-312** is enacted to read:

2668 **20A-5a-312 (Effective 05/06/26). Municipal general election notice --**

2669 **Municipalities -- Special districts.**

2670 (1) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2671 the municipal general election:

2672 (a) the election officer of a municipality shall, in accordance with Section 20A-5a-102,
 2673 publish notice of the municipal general election for the municipality, as a class A
 2674 notice under Section 63G-30-102, for the entire period beginning on the day on
 2675 which the election office of the municipality publishes the notice, and ending at the
 2676 end of the day of the municipal general election; and

2677 (b) the clerk of a special district shall, in accordance with Section 20A-5a-102, publish
 2678 notice of the general election for the special district, as a class A notice under Section
 2679 63G-30-102, for the entire period beginning on the day on which the special district

2680 clerk publishes the notice, and ending at the end of the day of the municipal general
 2681 election.

2682 (2) The county clerk may:

2683 (a) publish the notice described in Subsection (1)(a) for the municipality, if the election
 2684 officer for the municipality contracts for the county to conduct the municipal general
 2685 election;

2686 (b) publish the notice described in Subsection (1)(b) for the special district, if the special
 2687 district clerk contracts for the county clerk to conduct the special district election; or

2688 (c) subject to Subsections (2)(a) and (b), publish the notices described in Subsections
 2689 (2)(a) and (b) as a combined notice.

2690 Section 48. Section **20A-5a-401** is enacted to read:

2691 **Part 4. Miscellaneous Notice Requirements Relating to Elections.**

2692 **20A-5a-401 (Effective 05/06/26). Uniform Military and Overseas Voting Act**
 2693 **notice requirements relating to multiple election types.**

2694 (1) Except to the extent otherwise provided in Section 20A-16-502, no later than 100
 2695 calendar days before an election, an election officer shall comply with the notice
 2696 requirements described in Section 20A-16-502.

2697 (2) Except to the extent otherwise provided in Section 20A-16-403, no later than the last
 2698 business day that is at least 45 calendar days before the day of an election, an election
 2699 officer shall comply with Subsection 20A-16-403(1).

2700 Section 49. Section **20A-5a-402** is enacted to read:

2701 **20A-5a-402 (Effective 05/06/26). Uniform Military and Overseas Voting Act**
 2702 **notice requirements relating to regular general elections only.**

2703 (1) No later than 60 calendar days after the day of a regular general election, a county clerk
 2704 shall submit the report described in Subsection 20A-16-202(1).

2705 (2) No later than 90 calendar days after the day of a regular general election, the lieutenant
 2706 governor shall submit the report described in Subsection 20A-16-202(2).

2707 Section 50. Section **20A-6-110** is amended to read:

2708 **20A-6-110 (Effective 05/06/26). Master ballot position list -- Random selection --**
 2709 **Procedures -- Publication -- Surname -- Exemptions -- Ballot order.**

2710 (1) As used in this section, "master ballot position list" means an official list of the 26
 2711 characters in the alphabet listed in random order and numbered from one to 26 as
 2712 provided under Subsection (2).

2713 (2) The lieutenant governor shall:

- 2714 (a) within 30 calendar days after the day of the candidate filing deadline in each
2715 even-numbered year, conduct a random selection to create a master ballot position
2716 list for all elections in accordance with procedures established under Subsection (2)(c);
- 2717 (b) publish the master ballot position list on the lieutenant governor's election website no
2718 later than 15 calendar days after the day on which the lieutenant governor creates the
2719 list; and
- 2720 (c) establish written procedures for:
- 2721 (i) the election official to use the master ballot position list; and
- 2722 (ii) the lieutenant governor in:
- 2723 (A) conducting the random selection in a fair manner; and
- 2724 (B) providing a record of the random selection process used.
- 2725 (3) In accordance with the written procedures established under Subsection (2)(c)(i), an
2726 election officer shall use the master ballot position list for the current year to determine
2727 the order in which to list candidates on the ballot for an election held during the year.
- 2728 (4) To determine the order in which to list candidates on the ballot required under
2729 Subsection (3), the election officer shall apply the randomized alphabet using:
- 2730 (a) the candidate's surname;
- 2731 (b) for candidates with a surname that has the same spelling:
- 2732 (i) the candidate's legal first name; or
- 2733 (ii) if the candidates also have a legal first name that has the same spelling, the
2734 candidate's legal middle name; and
- 2735 (c) the surname of the president and the surname of the governor for an election for the
2736 offices of president and vice president and governor and lieutenant governor.
- 2737 (5) Subsections (1) through (4) do not apply to:
- 2738 (a) an election for an office for which only one candidate is listed on the ballot; or
- 2739 (b) a judicial retention election under Section 20A-12-201.
- 2740 (6) Subject to Subsection (7), each ticket that appears on a ballot for an election shall
2741 appear separately, in the following order:
- 2742 (a) for federal office:
- 2743 (i) president and vice president of the United States;
- 2744 (ii) United States Senate office; and
- 2745 (iii) United States House of Representatives office;
- 2746 (b) for state office:
- 2747 (i) governor and lieutenant governor;

- 2748 (ii) attorney general;
- 2749 (iii) state auditor;
- 2750 (iv) state treasurer;
- 2751 (v) state Senate office;
- 2752 (vi) state House of Representatives office; and
- 2753 (vii) State Board of Education member;
- 2754 (c) for county office:
- 2755 (i) county executive office;
- 2756 (ii) county legislative body member;
- 2757 (iii) county assessor;
- 2758 (iv) county or district attorney;
- 2759 (v) county auditor;
- 2760 (vi) county clerk;
- 2761 (vii) county recorder;
- 2762 (viii) county sheriff;
- 2763 (ix) county surveyor;
- 2764 (x) county treasurer; and
- 2765 (xi) local school board member;
- 2766 (d) for municipal office:
- 2767 (i) mayor; and
- 2768 (ii) city or town council member;
- 2769 (e) elected planning and service district council member;
- 2770 (f) judicial retention questions; and
- 2771 (g) ballot propositions not described in Subsection (6)(f).
- 2772 (7)(a) A ticket for a race for a combined office shall appear on the ballot in the place of
- 2773 the earliest ballot ticket position that is reserved for an office that is subsumed in the
- 2774 combined office.
- 2775 (b) Each ticket, other than a ticket described in Subsection (6)(f), shall list:
- 2776 (i) each candidate in accordance with Subsections (1) through (4); and
- 2777 (ii) except as otherwise provided in this title, the party name, initials, or title
- 2778 following each candidate's name.
- 2779 (c) A candidate for governor and a candidate for lieutenant governor campaigning as
- 2780 joint-ticket running mates shall appear jointly on the ballot as a single ticket.
- 2781 (d) A candidate for president of the United States and a candidate for vice-president of

2782 the United States campaigning as joint-ticket running mates shall appear jointly on
 2783 the ballot as a single ticket.

2784 Section 51. Section **20A-6-301** is amended to read:

2785 **20A-6-301 (Effective 05/06/26). Manual ballots -- Regular general election.**

2786 (1) Each election officer shall ensure that:

2787 (a) all manual ballots furnished for use at the regular general election contain:

2788 (i) no captions or other endorsements except as provided in this section;

2789 (ii) no symbols, markings, or other descriptions of a political party or group, except
 2790 for a registered political party that has chosen to nominate its candidates in
 2791 accordance with Section 20A-9-403; and

2792 (iii) no indication that a candidate for elective office has been nominated by, or has
 2793 been endorsed by, or is in any way affiliated with a political party or group, unless
 2794 the candidate has been nominated by a registered political party in accordance
 2795 with Subsection 20A-9-202(4) or Subsection [~~20A-9-403(5)~~] 20A-9-403(4);

2796 (b) at the top of the ballot, the following endorsements are printed in 18 point bold type:

2797 (i) "Official Ballot for ____ County, Utah";

2798 (ii) the date of the election; [~~and~~]

2799 (iii) before January 1, 2027, the words "certified by the Clerk of _____
 2800 County" or, as applicable, the name of a combined office that includes the duties
 2801 of a county clerk; and

2802 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
 2803 officer, without the election officer's name;

2804 (c) unaffiliated candidates, candidates not affiliated with a registered political party, and
 2805 all other candidates for elective office who were not nominated by a registered
 2806 political party in accordance with Subsection 20A-9-202(4) or Subsection [
 2807 ~~20A-9-403(5)~~] 20A-9-403(4), are listed with the other candidates for the same office
 2808 in accordance with Sections 20A-6-109 and 20A-6-110, without a party name or title;

2809 (d) each ticket containing the lists of candidates, including the party name and device,
 2810 are separated by heavy parallel lines;

2811 (e) the offices to be filled are plainly printed immediately above the names of the
 2812 candidates for those offices;

2813 (f) the names of candidates are printed in capital letters, not less than one-eighth nor
 2814 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point,
 2815 between lines or rules three-eighths of an inch apart; and

- 2816 (g) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
2817 which a write-in candidate is qualified under Section 20A-9-601:
- 2818 (i) the ballot includes a space for a write-in candidate immediately following the last
2819 candidate listed on that ticket; or
- 2820 (ii) for the offices of president and vice president and governor and lieutenant
2821 governor, the ballot includes two spaces for write-in candidates immediately
2822 following the last candidates on that ticket, one placed above the other, to enable
2823 the entry of two valid write-in candidates.
- 2824 (2) An election officer shall ensure that:
- 2825 (a) each individual nominated by any registered political party under Subsection
2826 20A-9-202(4) or Subsection [~~20A-9-403(5)~~] 20A-9-403(4), and no other individual, is
2827 placed on the ballot:
- 2828 (i) under the registered political party's name, if any; or
- 2829 (ii) under the title of the registered political party as designated by them in their
2830 certificates of nomination or petition, or, if none is designated, then under some
2831 suitable title;
- 2832 (b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part 5,
2833 Candidates not Affiliated with a Party, are placed on the ballot;
- 2834 (c) the names of the candidates for president and vice president are used on the ballot
2835 instead of the names of the presidential electors; and
- 2836 (d) the ballots contain no other names.
- 2837 (3) When the ballot contains a nonpartisan section, the election officer shall ensure that:
- 2838 (a) the designation of the office to be filled in the election and the number of candidates
2839 to be elected are printed in type not smaller than eight point;
- 2840 (b) the words designating the office are printed flush with the left-hand margin;
- 2841 (c) the words, "Vote for one" or "Vote for up to ____ (the number of candidates for
2842 which the voter may vote)" extend to the extreme right of the column;
- 2843 (d) the nonpartisan candidates are grouped according to the office for which they are
2844 candidates;
- 2845 (e) the names in each group are placed in accordance with Sections 20A-6-109 and
2846 20A-6-110, with the surnames last; and
- 2847 (f) each group is preceded by the designation of the office for which the candidates seek
2848 election, and the words, "Vote for one" or "Vote for up to ____ (the number of
2849 candidates for which the voter may vote)," according to the number to be elected.

- 2850 (4) Each election officer shall ensure that:
- 2851 (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance
- 2852 with Section 20A-6-107;
- 2853 (b) ballot propositions submitted to the voters are listed on the ballot in accordance with
- 2854 Section 20A-6-107;
- 2855 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
- 2856 title assigned to each bond proposition under Section 11-14-206; and
- 2857 (d) the judicial retention section of the ballot includes a statement at the beginning
- 2858 directing voters to the Judicial Performance Evaluation Commission's website in
- 2859 accordance with Subsection 20A-12-201(4).

2860 (5) Beginning on January 1, 2027:

- 2861 (a) an election officer's or county clerk's name may not appear on the return envelope for
- 2862 a ballot; and
- 2863 (b) except to the extent required to list an election officer's or county clerk's name as a
- 2864 candidate on the ballot, a ballot may not include the name of the election officer or
- 2865 county clerk.

2866 Section 52. Section **20A-6-302** is amended to read:

2867 **20A-6-302 (Effective 05/06/26). Manual ballots -- Placement of candidates'**

2868 **names.**

- 2869 (1) An election officer shall ensure, for manual ballots in regular general elections, that:
- 2870 (a) each candidate is listed by party, if nominated by a registered political party under
- 2871 Subsection 20A-9-202(4) or Subsection [20A-9-403(5)] 20A-9-403(4);
- 2872 (b) candidates' surnames are listed in alphabetical order on the ballots when two or more
- 2873 candidates' names are required to be listed on a ticket under the title of an office; and
- 2874 (c) the names of candidates are placed on the ballot in:
- 2875 (i) the manner described in Section 20A-6-109; and
- 2876 (ii) the order described in Section 20A-6-110.
- 2877 (2)(a) When there is only one candidate for county attorney at the regular general
- 2878 election in counties that have three or fewer registered voters of the county who are
- 2879 licensed active members in good standing of the Utah State Bar, the county clerk
- 2880 shall cause that candidate's name and party affiliation, if any, to be placed on a
- 2881 separate section of the ballot with the following question: "Shall (name of candidate)
- 2882 be elected to the office of county attorney? Yes ____ No ____."[-]
- 2883 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is

- 2884 elected to the office of county attorney.
- 2885 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
2886 elected and may not take office, nor may the candidate continue in the office past the
2887 end of the term resulting from any prior election or appointment.
- 2888 (d) When the name of only one candidate for county attorney is printed on the ballot
2889 under authority of this Subsection (2), the county clerk may not count any write-in
2890 votes received for the office of county attorney.
- 2891 (e) If no qualified individual files for the office of county attorney or if the candidate is
2892 not elected by the voters, the county legislative body shall appoint the county
2893 attorney as provided in Section 20A-1-509.2.
- 2894 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
2895 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a)
2896 to the two consecutive terms immediately preceding the term for which the candidate
2897 is seeking election, Subsection (2)(a) does not apply and that candidate shall be
2898 considered to be an unopposed candidate the same as any other unopposed candidate
2899 for another office, unless a petition is filed with the county clerk before 5 p.m. no
2900 later than the day before that year's primary election that:
- 2901 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and
2902 (ii) contains the signatures of registered voters in the county representing in number
2903 at least 25% of all votes cast in the county for all candidates for governor at the
2904 last election at which a governor was elected.
- 2905 (3)(a) When there is only one candidate for district attorney at the regular general
2906 election in a prosecution district that has three or fewer registered voters of the
2907 district who are licensed active members in good standing of the Utah State Bar, the
2908 county clerk shall cause that candidate's name and party affiliation, if any, to be
2909 placed on a separate section of the ballot with the following question: "Shall (name of
2910 candidate) be elected to the office of district attorney? Yes ____ No ____".
- 2911 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
2912 elected to the office of district attorney.
- 2913 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
2914 elected and may not take office, nor may the candidate continue in the office past the
2915 end of the term resulting from any prior election or appointment.
- 2916 (d) When the name of only one candidate for district attorney is printed on the ballot
2917 under authority of this Subsection (3), the county clerk may not count any write-in

- 2918 votes received for the office of district attorney.
- 2919 (e) If no qualified individual files for the office of district attorney, or if the only
- 2920 candidate is not elected by the voters under this subsection, the county legislative
- 2921 body shall appoint a new district attorney for a four-year term as provided in Section
- 2922 20A-1-509.2.
- 2923 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
- 2924 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a)
- 2925 to the two consecutive terms immediately preceding the term for which the candidate
- 2926 is seeking election, Subsection (3)(a) does not apply and that candidate shall be
- 2927 considered to be an unopposed candidate the same as any other unopposed candidate
- 2928 for another office, unless a petition is filed with the county clerk before 5 p.m. no
- 2929 later than the day before that year's primary election that:
- 2930 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and
- 2931 (ii) contains the signatures of registered voters in the county representing in number
- 2932 at least 25% of all votes cast in the county for all candidates for governor at the
- 2933 last election at which a governor was elected.

2934 Section 53. Section **20A-6-304** is amended to read:

2935 **20A-6-304 (Effective 05/06/26). Regular general election -- Mechanical ballots.**

- 2936 (1) Each election officer shall ensure that:
- 2937 (a) the format and content of a mechanical ballot is arranged in approximately the same
- 2938 order as manual ballots;
- 2939 (b) the titles of offices and the names of candidates are displayed in vertical columns or
- 2940 in a series of separate displays;
- 2941 (c) the mechanical ballot is of sufficient length to include, after the list of candidates:
- 2942 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
- 2943 (ii) any ballot propositions submitted to the voters for their approval or rejection;
- 2944 (d) the office titles are displayed above or at the side of the names of candidates so as to
- 2945 indicate clearly the candidates for each office and the number to be elected;
- 2946 (e) the party designation of each candidate who has been nominated by a registered
- 2947 political party under Subsection 20A-9-202(4) or Subsection [~~20A-9-403(5)~~
- 2948 20A-9-403(4)] is displayed adjacent to the candidate's name; and
- 2949 (f) if possible, all candidates for one office are grouped in one column or upon one
- 2950 display screen.
- 2951 (2) Each election officer shall ensure that:

- 2952 (a) proposed amendments to the Utah Constitution are displayed in accordance with
2953 Section 20A-6-107;
- 2954 (b) ballot propositions submitted to the voters are displayed in accordance with Section
2955 20A-6-107;
- 2956 (c) bond propositions that have qualified for the ballot are displayed under the title
2957 assigned to each bond proposition under Section 11-14-206; and
- 2958 (d) the judicial retention section of the ballot includes a statement at the beginning
2959 directing voters to the Judicial Performance Evaluation Commission's website in
2960 accordance with Subsection 20A-12-201(4).
- 2961 Section 54. Section **20A-6-401** is amended to read:
- 2962 **20A-6-401 (Effective 05/06/26). Ballots for municipal primary elections.**
- 2963 (1) Each election officer shall ensure that:
- 2964 (a) the following endorsements are printed in 18 point bold type:
- 2965 (i) "Official Primary Ballot for ____ (City or Town), Utah";
- 2966 (ii) the date of the election; [~~and~~]
- 2967 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the
2968 election officer's title in eight point type; and
- 2969 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
2970 officer, without the election officer's name;
- 2971 (b) immediately below the election officer's title, two one-point parallel horizontal rules
2972 separate endorsements from the rest of the ballot;
- 2973 (c) immediately below the horizontal rules, an "Instructions to Voters" section is printed
2974 in 10 point bold type that states: "To vote for a candidate, mark the space adjacent to
2975 the name(s) of the person(s) you favor as the candidate(s) for each respective office."
2976 followed by two one-point parallel rules;
- 2977 (d) after the rules, the designation of the office for which the candidates seek nomination
2978 is printed and the words, "Vote for one" or "Vote for up to ____ (the number of
2979 candidates for which the voter may vote)" are printed in 10-point bold type, followed
2980 by a hair-line rule;
- 2981 (e) after the hair-line rule, the names of the candidates are printed in heavy face type
2982 between lines or rules three-eighths inch apart, in accordance with Sections
2983 20A-6-109 and 20A-6-110, with surnames last and grouped according to the office
2984 that the candidates seek;
- 2985 (f) a square with sides not less than one-fourth inch long is printed immediately adjacent

- 2986 to the names of the candidates; and
- 2987 (g) the candidate groups are separated from each other by one light and one heavy line
- 2988 or rule.
- 2989 (2) A municipal primary ballot may not contain any space for write-in votes.
- 2990 (3) Beginning on January 1, 2027:
- 2991 (a) an election officer's or county clerk's name may not appear on the return envelope for
- 2992 a ballot; and
- 2993 (b) except to the extent required to list an election officer's or county clerk's name as a
- 2994 candidate on the ballot, a ballot may not include the name of the election officer or
- 2995 county clerk.
- 2996 Section 55. Section **20A-6-401.1** is amended to read:
- 2997 **20A-6-401.1 (Effective 05/06/26). Ballots for partisan municipal primary**
- 2998 **elections.**
- 2999 (1) An election officer shall ensure that:
- 3000 (a) all manual ballots furnished for use at the regular primary election:
- 3001 (i) separate the candidates of one political party from those of the other political
- 3002 parties; and
- 3003 (ii) contain no captions or other endorsements except as provided in this section;
- 3004 (b) the names of all candidates from each party are listed on the same ballot in one or
- 3005 more columns under their party name and emblem;
- 3006 (c) the political parties are printed on the ballot in the order specified under Section
- 3007 20A-6-110;
- 3008 (d) the following endorsements are printed in 18-point bold type:
- 3009 (i) "Official Primary Ballot for ____ (name of municipality), Utah";
- 3010 (ii) the date of the election;[~~and~~]
- 3011 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the
- 3012 election officer's title in eight point type; and
- 3013 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
- 3014 officer, without the election officer's name;
- 3015 (e) [~~after the facsimile signature~~] immediately below or to the side of the election
- 3016 officer's title, the political party emblem and the name of the political party are
- 3017 printed;
- 3018 (f) after the party name and emblem, the ballot contains the following printed in not
- 3019 smaller than 10-point bold face, double leaded type: "Instructions to Voters: To vote

- 3020 for a candidate, mark the space following the name of the person for whom you wish
3021 to vote and in no other place. Do not vote for any candidate listed under more than
3022 one party or group designation.", followed by two one-point parallel horizontal rules;
- 3023 (g) after the rules, the designation of the office for which the candidates seek nomination
3024 is printed flush with the left-hand margin and the words, "Vote for one" or "Vote for
3025 up to _____ (the number of candidates for which the voter may vote)" are printed to
3026 extend to the extreme right of the column in 10-point bold type, followed by a
3027 hair-line rule;
- 3028 (h) after the hair-line rule, the names of the candidates are printed in heavy face type
3029 between lines or rules three-eighths inch apart, in accordance with Sections
3030 20A-6-109 and 20A-6-110, with surnames last and grouped according to the office
3031 that they seek;
- 3032 (i) a square with sides not less than one-fourth inch long is printed immediately adjacent
3033 to the names of the candidates;
- 3034 (j) the candidate groups are separated from each other by one light and one heavy line or
3035 rule; and
- 3036 (k) the nonpartisan candidates are listed as follows:
- 3037 (i) immediately below the listing of the party candidates, the word
3038 "NONPARTISAN" is printed in reverse type in an 18 point solid rule that extends
3039 the full width of the type copy of the party listing above; and
- 3040 (ii) below "NONPARTISAN," the office, the number of candidates to vote for, the
3041 candidate's name, the voting square, and any other necessary information is
3042 printed in the same style and manner as for party candidates.
- 3043 (2) For mechanical ballots, the election officer may require that:
- 3044 (a) the ballot for a regular primary election consist of several groups of pages or display
3045 screens, so that a separate group can be used to list the names of candidates seeking
3046 nomination of each qualified political party, with additional groups used to list
3047 candidates for other nonpartisan offices;
- 3048 (b) the separate groups of pages or display screens are identified by color or other
3049 suitable means; and
- 3050 (c) the ballot contains instructions that direct the voter how to vote the ballot.
- 3051 (3) Beginning on January 1, 2027:
- 3052 (a) an election officer's or county clerk's name may not appear on the return envelope for
3053 a ballot; and

3054 (b) except to the extent required to list an election officer's or county clerk's name as a
 3055 candidate on the ballot, a ballot may not include the name of the election officer or
 3056 county clerk.

3057 Section 56. Section **20A-6-402** is amended to read:

3058 **20A-6-402 (Effective 05/06/26). Ballots for municipal general elections.**

3059 (1) [~~Except as otherwise required for a race conducted by instant runoff voting under Title~~
 3060 ~~20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, for~~] For a
 3061 manual ballot at a municipal general election, an election officer shall ensure that:

3062 (a) the names of the two candidates who received the highest number of votes for mayor
 3063 in the municipal primary are placed upon the ballot;

3064 (b) if no municipal primary election was held, the names of the candidates who filed
 3065 declarations of candidacy for municipal offices are placed upon the ballot;

3066 (c) for other offices:

3067 (i) twice the number of candidates as there are positions to be filled are certified as
 3068 eligible for election in the municipal general election from those candidates who
 3069 received the greater number of votes in the primary election; and

3070 (ii) the names of those candidates are placed upon the municipal general election
 3071 ballot;

3072 (d) the names of the candidates are placed on the ballot in accordance with Sections
 3073 20A-6-109 and 20A-6-110;

3074 (e) in an election in which a voter is authorized to cast a write-in vote and where a
 3075 write-in candidate is qualified under Section 20A-9-601, a write-in area is placed
 3076 upon the ballot that contains, for each office in which there is a qualified write-in
 3077 candidate:

3078 (i) a blank, horizontal line to enable a voter to submit a valid write-in candidate; and

3079 (ii) a square or other conforming area that is adjacent to or opposite the blank
 3080 horizontal line to enable the voter to indicate the voter's vote;

3081 (f) ballot propositions that have qualified for the ballot, including propositions submitted
 3082 to the voters by the municipality, municipal initiatives, and municipal referenda, are
 3083 listed on the ballot in accordance with Section 20A-6-107; and

3084 (g) bond propositions that have qualified for the ballot are listed on the ballot under the
 3085 title assigned to each bond proposition under Section 11-14-206.

3086 (2) [~~Except as otherwise required for a race conducted by instant runoff voting under Title~~
 3087 ~~20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when~~] When

- 3088 using a mechanical ballot at municipal general elections, each election officer shall
3089 ensure that:
- 3090 (a) the following endorsements are displayed on the first portion of the ballot:
- 3091 (i) "Official Ballot for ____ (City or Town), Utah";
- 3092 (ii) the date of the election;[~~and~~]
- 3093 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the
3094 election officer's title; and
- 3095 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
3096 officer, without the election officer's name;
- 3097 (b) immediately below the election officer's title, a distinct border or line separates the
3098 endorsements from the rest of the ballot;
- 3099 (c) immediately below the border or line, an "Instructions to Voters" section is displayed
3100 that states: "To vote for a candidate, select the name(s) of the person(s) you favor as
3101 the candidate(s) for each respective office." followed by another border or line;
- 3102 (d) after the border or line, the designation of the office for which the candidates seek
3103 election is displayed, and the words, "Vote for one" or "Vote for up to ____ (the
3104 number of candidates for which the voter may vote)" are displayed, followed by a
3105 line or border;
- 3106 (e) after the line or border, the names of the candidates are displayed in accordance with
3107 Sections 20A-6-109 and 20A-6-110, with surnames last and grouped according to the
3108 office that the candidates seek;
- 3109 (f) a voting square or position is located adjacent to the name of each candidate;
- 3110 (g) following the name of the last candidate for each office in which a write-in candidate
3111 is qualified under Section 20A-9-601, the ballot contains a write-in space where the
3112 voter may enter the name of and vote for a valid write-in candidate for the office; and
- 3113 (h) the candidate groups are separated from each other by a line or border.
- 3114 (3) When a municipality has chosen to nominate candidates by convention or committee,
3115 the election officer shall ensure that the party name is included with the candidate's
3116 name on the ballot.
- 3117 (4) Beginning on January 1, 2027:
- 3118 (a) an election officer's or county clerk's name may not appear on the return envelope for
3119 a ballot; and
- 3120 (b) except to the extent required to list an election officer's or county clerk's name as a
3121 candidate on the ballot, a ballot may not include the name of the election officer or

3122 county clerk.

3123 Section 57. Section **20A-9-101** is amended to read:

3124 **20A-9-101 (Effective 05/06/26). Definitions.**

3125 As used in this chapter:

3126 (1)(a) "Candidates for elective office" means persons who file a declaration of candidacy
3127 under Section 20A-9-202 to run in a regular general election for a federal office,
3128 statewide constitutional office, multicounty office, or county office.

3129 (b) "Candidates for elective office" does not mean candidates for:

3130 (i) justice or judge of court of record or not of record;

3131 (ii) presidential elector;

3132 (iii) any political party offices; and

3133 (iv) municipal or special district offices.

3134 [~~2~~] "~~Constitutional office" means the state offices of governor, lieutenant governor,~~
3135 ~~attorney general, state auditor, and state treasurer.~~]

3136 [~~3~~] (2) "Continuing political party" means the same as that term is defined in Section
3137 20A-8-101.

3138 [~~4~~] (3)(a) "County office" means an elective office where the officeholder is selected by
3139 voters entirely within one county.

3140 (b) "County office" does not mean:

3141 (i) the office of justice or judge of any court of record or not of record;

3142 (ii) the office of presidential elector;

3143 (iii) any political party offices;

3144 (iv) any municipal or special district offices; and

3145 (v) the office of United States Senator and United States Representative.

3146 [~~5~~] (4) "Electronic candidate qualification process" means:

3147 (a) as it relates to a registered political party that is not a qualified political party, the
3148 process for gathering signatures electronically to seek the nomination of a registered
3149 political party, described in:

3150 (i) Section 20A-9-403;

3151 (ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and

3152 (iii) Section 20A-21-201; and

3153 (b) as it relates to a qualified political party, the process, for gathering signatures
3154 electronically to seek the nomination of a registered political party, described in:

3155 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);

3156 (ii) Section 20A-9-408; and

3157 (iii) Section 20A-21-201.

3158 ~~[(6)]~~ (5) "Federal office" means an elective office for United States Senator and United
3159 States Representative.

3160 ~~[(7)]~~ (6) "Filing officer" means:

3161 (a) the lieutenant governor, for:

3162 (i) the office of United States Senator and United States Representative; and

3163 (ii) all constitutional offices;

3164 (b) for the office of a state senator, state representative, or the state school board, the
3165 lieutenant governor or the applicable clerk described in Subsection ~~[(7)(e)]~~ (6)(c) or
3166 (d);

3167 (c) the county clerk, for county offices and local school district offices;

3168 (d) the county clerk in the filer's county of residence, for multicounty offices;

3169 (e) the city or town clerk, for municipal offices; or

3170 (f) the special district clerk, for special district offices.

3171 ~~[(8)]~~ (7) "Local government office" includes county offices, municipal offices, and special
3172 district offices and other elective offices selected by the voters from a political division
3173 entirely within one county.

3174 ~~[(9)]~~ (8) "Manual candidate qualification process" means the process for gathering
3175 signatures to seek the nomination of a registered political party, using paper signature
3176 packets that a signer physically signs.

3177 ~~[(10)]~~ (9)(a) "Multicounty office" means an elective office where the officeholder is
3178 selected by the voters from more than one county.

3179 (b) "Multicounty office" does not mean:

3180 (i) a county office;

3181 (ii) a federal office;

3182 (iii) the office of justice or judge of any court of record or not of record;

3183 (iv) the office of presidential elector;

3184 (v) any political party offices; or

3185 (vi) any municipal or special district offices.

3186 ~~[(11)]~~ (10) "Municipal office" means an elective office in a municipality.

3187 ~~[(12)]~~ (11)(a) "Political division" means a geographic unit from which an officeholder is
3188 elected and that an officeholder represents.

3189 (b) "Political division" includes a county, a city, a town, a special district, a school

- 3190 district, a legislative district, and a county prosecution district.
- 3191 ~~[(13)]~~ (12) "Qualified political party" means a registered political party that:
- 3192 (a)(i) permits a delegate for the registered political party to vote on a candidate
- 3193 nomination in the registered political party's convention remotely; or
- 3194 (ii) provides a procedure for designating an alternate delegate if a delegate is not
- 3195 present at the registered political party's convention;
- 3196 (b) does not hold the registered political party's convention before the fourth Saturday in
- 3197 March of an even-numbered year;
- 3198 (c) permits a member of the registered political party to seek the registered political
- 3199 party's nomination for any elective office by the member choosing to seek the
- 3200 nomination by either or both of the following methods:
- 3201 (i) seeking the nomination through the registered political party's convention process,
- 3202 in accordance with the provisions of Section 20A-9-407; or
- 3203 (ii) seeking the nomination by collecting signatures, in accordance with the
- 3204 provisions of Section 20A-9-408; and
- 3205 (d)(i) if the registered political party is a continuing political party, no later than 5
- 3206 p.m. on the first Monday of October of an odd-numbered year, certifies to the
- 3207 lieutenant governor that, for the election in the following year, the registered
- 3208 political party intends to nominate the registered political party's candidates in
- 3209 accordance with the provisions of Section 20A-9-406; or
- 3210 (ii) if the registered political party is not a continuing political party, certifies at the
- 3211 time that the registered political party files the petition described in Section
- 3212 20A-8-103 that, for the next election, the registered political party intends to
- 3213 nominate the registered political party's candidates in accordance with the
- 3214 provisions of Section 20A-9-406.
- 3215 ~~[(14)]~~ (13) "Signature," as it relates to a petition for a candidate to seek the nomination of a
- 3216 registered political party, means:
- 3217 (a) when using the manual candidate qualification process, a holographic signature
- 3218 collected physically on a nomination petition described in Subsection 20A-9-405(3);
- 3219 or
- 3220 (b) when using the electronic candidate qualification process:
- 3221 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
- 3222 (ii) a holographic signature collected electronically under Subsection
- 3223 20A-21-201(6)(c)(ii)(B).

3224 [(15)] (14) "Special district office" means an elected office in a special district.

3225 (15) "Statewide constitutional office" means the office of governor, lieutenant governor,
3226 attorney general, state auditor, and state treasurer.

3227 Section 58. Section **20A-9-201** is amended to read:

3228 **20A-9-201 (Effective 05/06/26). Declarations of candidacy -- Candidacy for more**
3229 **than one office or of more than one political party prohibited with exceptions -- General**
3230 **filing and form requirements -- Affidavit of impecuniosity.**

3231 (1) Before filing a declaration of candidacy for election to any office, an individual shall:

3232 (a) be a United States citizen;

3233 (b) meet the legal requirements of that office; and

3234 (c) if seeking a registered political party's nomination as a candidate for elective office,
3235 state:

3236 (i) the registered political party of which the individual is a member; or

3237 (ii) that the individual is not a member of a registered political party.

3238 (2)(a) Except as provided in Subsection (2)(b), an individual may not:

3239 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
3240 Utah during any election year;

3241 (ii) appear on the ballot as the candidate of more than one political party; or

3242 (iii) file a declaration of candidacy for a registered political party of which the
3243 individual is not a member, except to the extent that the registered political party
3244 permits otherwise in the registered political party's bylaws.

3245 (b)(i) An individual may file a declaration of candidacy for, or be a candidate for,
3246 president or vice president of the United States and another office, if the
3247 individual resigns the individual's candidacy for the other office after the
3248 individual is officially nominated for president or vice president of the United
3249 States.

3250 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
3251 than one justice court judge office.

3252 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
3253 the individual filed a declaration of candidacy for another office in the same
3254 election year if the individual withdraws as a candidate for the other office in
3255 accordance with Subsection 20A-9-202(6) before filing the declaration of
3256 candidacy for lieutenant governor.

3257 (iv) For the 2026 election year only, an individual who files a declaration of

- 3258 candidacy to seek the nomination of a qualified political party for constitutional
3259 office, multicounty office, or county office:
- 3260 (A) may also be a candidate for United States representative;
- 3261 (B) may, if the individual desires to use the signature-gathering process to qualify
3262 for the primary election ballot for the office of United States representative, file
3263 a notice of intent to gather signatures for, and gather signatures for, that office;
3264 and
- 3265 (C) shall, before filing a declaration of candidacy for the office of United States
3266 representative, withdraw as a candidate for the constitutional office,
3267 multicounty office, or county office for which the individual filed a declaration
3268 of candidacy.
- 3269 (3)(a) Except for a candidate for president or vice president of the United States, before
3270 the filing officer may accept any declaration of candidacy, the filing officer shall:
- 3271 (i) read to the individual the constitutional and statutory qualification requirements
3272 for the office that the individual is seeking;
- 3273 (ii) require the individual to state whether the individual meets the requirements
3274 described in Subsection (3)(a)(i);
- 3275 (iii) if the declaration of candidacy is for a county office, inform the individual that
3276 an individual who holds a county elected office may not, at the same time, hold a
3277 municipal elected office; and
- 3278 (iv) if the declaration of candidacy is for a legislative office, inform the individual
3279 that Utah Constitution, Article VI, Section 6, prohibits a person who holds a
3280 public office of profit or trust, under authority of the United States or Utah, from
3281 being a member of the Legislature.
- 3282 (b)(i) Before accepting a declaration of candidacy for the office of county attorney,
3283 the county clerk shall ensure that the individual filing that declaration of
3284 candidacy is:
- 3285 (A) a United States citizen;
- 3286 (B) an attorney licensed to practice law in the state who is an active member in
3287 good standing of the Utah State Bar;
- 3288 (C) a registered voter in the county in which the individual is seeking office; and
- 3289 (D) a current resident of the county in which the individual is seeking office and
3290 either has been a resident of that county for at least one year before the date of
3291 the election or was appointed and is currently serving as county attorney and

3292 became a resident of the county within 30 calendar days after appointment to
3293 the office.

3294 (ii) An individual filing a declaration of candidacy for the office of county attorney
3295 shall submit with the individual's declaration:

3296 (A) a letter from the Utah Supreme Court, affirming that the individual is an
3297 attorney in good standing;

3298 (B) proof of the individual's application with the Utah State Bar, with an affidavit
3299 describing the status of the individual's application; or

3300 (C) an affidavit describing how the individual intends to comply with the
3301 requirements for office of county attorney described in Subsection (3)(b)(i), [
3302 ~~prior to~~] before taking office.

3303 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual
3304 shall also provide the filing officer with the individual's license number with:

3305 (A) the Utah State Bar, if the individual is a member; or

3306 (B) any other state bar association, if the individual is a member.

3307 (c)(i) Before accepting a declaration of candidacy for the office of district attorney,
3308 the county clerk shall ensure that, as of the date of the election, the individual
3309 filing that declaration of candidacy is:

3310 (A) a United States citizen;

3311 (B) an attorney licensed to practice law in the state who is an active member in
3312 good standing of the Utah State Bar;

3313 (C) a registered voter in the prosecution district in which the individual is seeking
3314 office; and

3315 (D) a current resident of the prosecution district in which the individual is seeking
3316 office and either will have been a resident of that prosecution district for at
3317 least one year before the date of the election or was appointed and is currently
3318 serving as district attorney or county attorney and became a resident of the
3319 prosecution district within 30 calendar days after receiving appointment to the
3320 office.

3321 (ii) An individual filing a declaration of candidacy for the office of district attorney
3322 shall submit with the individual's declaration:

3323 (A) a letter from the Utah Supreme Court, affirming that the individual is an
3324 attorney in good standing;

3325 (B) proof of the individual's application with the Utah State Bar, with an affidavit

- 3326 describing the status of the individual's application; or
- 3327 (C) an affidavit describing how the individual intends to comply with the
- 3328 requirements for office of district attorney described in Subsection (3)(c)(i), [
- 3329 ~~prior to~~] before taking office.
- 3330 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual
- 3331 shall also provide the filing officer with the individual's license number with:
- 3332 (A) the Utah State Bar, if the individual is a member; or
- 3333 (B) any other state bar association, if the individual is a member.
- 3334 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
- 3335 county clerk shall ensure that the individual filing the declaration:
- 3336 (i) is a United States citizen;
- 3337 (ii) is a registered voter in the county in which the individual seeks office;
- 3338 (iii)(A) has successfully met the standards and training requirements established
- 3339 for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer
- 3340 Training and Certification Act; or
- 3341 (B) has met the waiver requirements in Section 53-6-206;
- 3342 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
- 3343 53-13-103; and
- 3344 (v) before the date of the election, will have been a resident of the county in which
- 3345 the individual seeks office for at least one year.
- 3346 (e)(i) An individual filing a declaration of candidacy for the office of attorney general
- 3347 shall submit with the individual's declaration:
- 3348 (A) a letter from the Utah Supreme Court, affirming that the individual is an
- 3349 attorney in good standing;
- 3350 (B) proof of the individual's application with the Utah State Bar, with an affidavit
- 3351 describing the status of the individual's application; or
- 3352 (C) an affidavit describing how the individual intends to comply with the
- 3353 requirements for office of attorney general, described in Article VII, Sec. 3,
- 3354 Utah Constitution, [~~prior to~~] before taking office.
- 3355 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual
- 3356 shall also provide the filing officer with the individual's license number with:
- 3357 (A) the Utah State Bar, if the individual is a member; or
- 3358 (B) any other state bar association, if the individual is a member.
- 3359 (iii) An individual filing the declaration of candidacy for the office of attorney

3360 general shall also make the conflict of interest disclosure described in Section
3361 20A-11-1603.

3362 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant
3363 governor, state auditor, state treasurer, state legislator, or State Board of Education
3364 member, the filing officer shall ensure that the individual filing the declaration of
3365 candidacy also makes the conflict of interest disclosure described in Section
3366 20A-11-1603.

3367 (4) If an individual who files a declaration of candidacy does not meet the qualification
3368 requirements for the office the individual is seeking, the filing officer may not accept the
3369 individual's declaration of candidacy.

3370 (5) If an individual who files a declaration of candidacy meets the requirements described
3371 in Subsection (3), the filing officer shall:

3372 (a) inform the individual that:

3373 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as
3374 the individual's name is written on the individual's declaration of candidacy;

3375 (ii) the individual may be required to comply with state or local campaign finance
3376 disclosure laws; and

3377 (iii) the individual is required to file a financial statement before the individual's
3378 political convention under:

3379 (A) Section 20A-11-204 for a candidate for statewide constitutional office;

3380 (B) Section 20A-11-303 for a candidate for the Legislature; or

3381 (C) local campaign finance disclosure laws, if applicable;

3382 (b) except for a presidential candidate, provide the individual with a copy of the current
3383 campaign financial disclosure laws for the office the individual is seeking and inform
3384 the individual that failure to comply will result in disqualification as a candidate and
3385 removal of the individual's name from the ballot;

3386 (c)(i) provide the individual with a copy of Section 20A-7-801 regarding the
3387 Statewide Electronic Voter Information Website Program and inform the
3388 individual of the submission deadline under Subsection 20A-7-801(4)(a);

3389 (ii) inform the individual that the individual must provide the filing officer with an
3390 email address that the individual actively monitors:

3391 (A) to receive a communication from a filing officer or an election officer; and

3392 (B) if the individual wishes to display a candidate profile on the Statewide
3393 Electronic Voter Information Website, to submit to the website the

3394 biographical and other information described in Subsection 20A-7-801(4)(a)(ii);
 3395 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is
 3396 not a record under Title 63G, Chapter 2, Government Records Access and
 3397 Management Act; and

3398 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);

3399 (d) provide the candidate with a copy of the pledge of fair campaign practices described
 3400 under Section 20A-9-206 and inform the candidate that:

3401 (i) signing the pledge is voluntary; and

3402 (ii) signed pledges shall be filed with the filing officer;

3403 (e) accept the individual's declaration of candidacy; and

3404 (f) if the individual has filed for a partisan office, provide a certified copy of the
 3405 declaration of candidacy to the chair of the county or state political party of which the
 3406 individual is a member.

3407 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
 3408 shall:

3409 (a) accept the candidate's pledge; and

3410 (b) if the candidate has filed for a partisan office, provide a certified copy of the
 3411 candidate's pledge to the chair of the county or state political party of which the
 3412 candidate is a member.

3413 (7)(a) Except for a candidate for president or vice president of the United States, the
 3414 form of the declaration of candidacy shall:

3415 (i) be substantially as follows:

3416 "State of Utah, County of ____

3417 I, _____, declare my candidacy for the office of _____, seeking the
 3418 nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet
 3419 the qualifications to hold the office, both legally and constitutionally, if selected; I reside at
 3420 _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not
 3421 knowingly violate any law governing campaigns and elections; if filing via a designated agent,
 3422 I will be out of the state of Utah during the entire candidate filing period; I will file all
 3423 campaign financial disclosure reports as required by law; and I understand that failure to do so
 3424 will result in my disqualification as a candidate for this office and removal of my name from
 3425 the ballot. The mailing address that I designate for receiving official election notices is
 3426 _____.

3427 _____

3428 Subscribed and sworn before me this _____(month\day\year).

3429

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

3430 (ii) require the candidate to state, in the sworn statement described in Subsection

3431 (7)(a)(i):

3432 (A) the registered political party of which the candidate is a member; or

3433 (B) that the candidate is not a member of a registered political party.

3434 (b) An agent designated under Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b) to file a

3435 declaration of candidacy may not sign the form described in Subsection (7)(a) or

3436 Section 20A-9-408.5.

3437 (8)(a) Except for a candidate for president or vice president of the United States, the fee

3438 for filing a declaration of candidacy is:

3439 (i) \$50 for candidates for the local school district board; and

3440 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the

3441 person holding the office for all other federal, state, and county offices.

3442 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any

3443 candidate:

3444 (i) who is disqualified; or

3445 (ii) who the filing officer determines has filed improperly.

3446 (c)(i) The county clerk shall immediately pay to the county treasurer all fees received

3447 from candidates.

3448 (ii) The lieutenant governor shall:

3449 (A) apportion to and pay to the county treasurers of the various counties all fees
3450 received for filing of nomination certificates or acceptances; and

3451 (B) ensure that each county receives that proportion of the total amount paid to the

3452 lieutenant governor from the congressional district that the total vote of that

3453 county for all candidates for representative in Congress bears to the total vote

3454 of all counties within the congressional district for all candidates for

3455 representative in Congress.

3456 (d)(i) A person who is unable to pay the filing fee may file a declaration of candidacy

3457 without payment of the filing fee upon a prima facie showing of impecuniosity as

3458 evidenced by an affidavit of impecuniosity filed with the filing officer and, if

3459 requested by the filing officer, a financial statement filed at the time the affidavit

3460 is submitted.

3461 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

3462 (iii)(A) False statements made on an affidavit of impecuniosity or a financial
3463 statement filed under this section shall be subject to the criminal penalties
3464 provided under Sections 76-8-503 and 76-8-504 and any other applicable
3465 criminal provision.

3466 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be
3467 considered an offense under this title for the purposes of assessing the penalties
3468 provided in Subsection 20A-1-609(2).

3469 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially
3470 the following form:

3471 "Affidavit of Impecuniosity

3472 Individual Name

3473 _____ Address _____

3474 Phone Number _____

3475 I, _____ (name), do solemnly [swear] [affirm], under penalty of
3476 law for false statements, that, owing to my poverty, I am unable to pay the filing fee required
3477 by law.

3478 Date _____

3479 Signature _____ Affiant

3480 Subscribed and sworn to before me on _____ (month\day\year)

3481

3482

(signature)

3483 Name and Title of Officer Authorized to Administer Oath _____".

3484 (v) The filing officer shall provide to a person who requests an affidavit of impecuniosity a
3485 statement printed in substantially the following form, which may be included on the affidavit
3486 of impecuniosity:

3487 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
3488 candidate who is found guilty of filing a false statement, in addition to being subject to
3489 criminal penalties, will be removed from the ballot."

3490 (vi) The filing officer may request that a person who makes a claim of impecuniosity
3491 under this Subsection (8)(d) file a financial statement on a form prepared by the
3492 election official.

3493 (9) An individual who fails to file a declaration of candidacy or certificate of nomination
3494 within the time provided in this chapter is ineligible for nomination to office.

3495 (10) A declaration of candidacy filed under this section may not be amended or modified
3496 after the final date established for filing a declaration of candidacy.

3497 Section 59. Section **20A-9-201.5** is amended to read:

3498 **20A-9-201.5 (Effective 05/06/26). Declaration of candidacy filing period for a**
3499 **regular general election year.**

3500 ~~[For a qualified political party]~~ Except as provided in Part 5, Candidates Not Affiliated
3501 with a Party, or Part 6, Write-in Candidates:

3502 (1) except as provided in Subsection (2), the filing period to file a declaration of candidacy
3503 for an elective office that is to be filled at the next regular general election:

3504 (a) begins at 8 a.m. on the first business day in January of an even-numbered year; and

3505 (b) ends at 5 p.m. on the fifth business day~~[-]~~ in January of an even-numbered year; and

3506 (2) for the 2026 election year only, the filing period to file a declaration of candidacy for
3507 the office of United States representative:

3508 (a) begins at 8 a.m. on March 9, 2026; and

3509 (b) ends at 5 p.m. on March 13, 2026.

3510 Section 60. Section **20A-9-202** is amended to read:

3511 **20A-9-202 (Effective 05/06/26). Declarations of candidacy for regular general**
3512 **elections.**

3513 (1)(a) An individual seeking to become a candidate for an elective office that is to be
3514 filled at the next regular general election shall:

3515 (i) except as otherwise provided in Subsection ~~[(1)(e)]~~ (1)(b), Part 5, Candidates Not
3516 Affiliated with a Party, or Part 6, Write-in Candidates, file a declaration of
3517 candidacy in person with the filing officer on or after January 1 of the regular
3518 general election year, and, if applicable, before the individual circulates
3519 nomination petitions under Section 20A-9-405; and

3520 (ii) pay the filing fee.

3521 ~~[(b) Unless expressly provided otherwise in this title, for a registered political party that~~
3522 ~~is not a qualified political party, the deadline for filing a declaration of candidacy for~~
3523 ~~an elective office that is to be filled at the next regular general election is 5 p.m. on~~
3524 ~~the first Monday after the fourth Saturday in April.]~~

3525 ~~[(e)]~~ (b) Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent to
3526 file a declaration of candidacy with the filing officer if:

- 3527 (i) the individual is located outside of the state during the entire filing period;
- 3528 (ii) the designated agent appears in person before the filing officer;
- 3529 (iii) the individual communicates with the filing officer using an electronic device
- 3530 that allows the individual and filing officer to see and hear each other; and
- 3531 (iv) the individual provides the filing officer with an email address to which the filing
- 3532 officer may send the individual the copies described in Subsection 20A-9-201(5).
- 3533 ~~[(d)]~~ (c) Each county clerk who receives a declaration of candidacy from a candidate for
- 3534 multicounty office shall transmit the filing fee and a copy of the candidate's
- 3535 declaration of candidacy to the lieutenant governor within one business day after the
- 3536 candidate files the declaration of candidacy.
- 3537 ~~[(e)]~~ (d) Each business day during the filing period, each county clerk shall notify the
- 3538 lieutenant governor electronically or by telephone of candidates who have filed a
- 3539 declaration of candidacy with the county clerk.
- 3540 ~~[(f)]~~ (e) Each individual seeking the office of lieutenant governor, the office of district
- 3541 attorney, or the office of president or vice president of the United States shall comply
- 3542 with the specific declaration of candidacy requirements established by this section.
- 3543 (2)(a) Each individual intending to become a candidate for the office of district attorney
- 3544 within a multicounty prosecution district that is to be filled at the next regular general
- 3545 election shall:
- 3546 (i) file a declaration of candidacy with the clerk designated in the interlocal
- 3547 agreement creating the prosecution district on or after January 1 of the regular
- 3548 general election year, and before the individual circulates nomination petitions
- 3549 under Section 20A-9-405; and
- 3550 (ii) pay the filing fee.
- 3551 (b) The designated clerk shall provide to the county clerk of each county in the
- 3552 prosecution district a certified copy of each declaration of candidacy filed for the
- 3553 office of district attorney.
- 3554 (3)(a) Before ~~[the deadline described in Subsection (1)(b)]~~ 5 p.m. on the first Monday
- 3555 after the fourth Saturday in April, each lieutenant governor candidate shall:
- 3556 (i) file a declaration of candidacy with the lieutenant governor;
- 3557 (ii) pay the filing fee; and
- 3558 (iii) submit a letter from a candidate for governor who has received certification for
- 3559 the primary-election ballot under Section 20A-9-403 that names the lieutenant
- 3560 governor candidate as a joint-ticket running mate.

- 3561 (b)(i) A candidate for lieutenant governor who fails to timely file is disqualified.
- 3562 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file
- 3563 to replace the disqualified candidate.
- 3564 (4) Before 5 p.m. no later than the last business day in August~~[-31]~~, each registered political
- 3565 party shall:
- 3566 (a) certify the names of the political party's candidates for president and vice president of
- 3567 the United States to the lieutenant governor; or
- 3568 (b) provide written authorization for the lieutenant governor to accept the certification of
- 3569 candidates for president and vice president of the United States from the national
- 3570 office of the registered political party.
- 3571 (5)(a) A declaration of candidacy filed under this section is valid unless a written
- 3572 objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last
- 3573 business day that is at least 10 calendar days before the deadline described in
- 3574 Subsection 20A-9-409(4)(c).
- 3575 (b) If an objection is made, the clerk or lieutenant governor shall:
- 3576 (i) mail or personally deliver notice of the objection to the affected candidate
- 3577 immediately; and
- 3578 (ii) decide ~~[any]~~ the objection within ~~[48 hours after it is filed]~~ three business days
- 3579 after the day on which the objection is filed.
- 3580 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
- 3581 problem by:
- 3582 (i) amending the declaration or petition no later than 5 p.m. on the first business day
- 3583 that is at least three calendar days after the day on which the objection is
- 3584 sustained; or
- 3585 (ii) filing a new declaration no later than 5 p.m. on the first business day that is at
- 3586 least three calendar days after the day on which the objection is sustained.
- 3587 (d)(i) The clerk's or lieutenant governor's decision upon objections to form is final.
- 3588 (ii) The clerk's or lieutenant governor's decision upon substantive matters is
- 3589 reviewable by a district court if prompt application is made to the court.
- 3590 (iii) The decision of the district court is final unless the Supreme Court, in the
- 3591 exercise of its discretion, agrees to review the lower court decision.
- 3592 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing
- 3593 a written affidavit with the clerk.
- 3594 (7)(a) Except for a candidate who is certified by a registered political party under

3595 Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later
3596 than the last business day in August [31] of a general election year, each individual
3597 running as a candidate for vice president of the United States shall:

- 3598 (i) file a declaration of candidacy, in person or via a designated agent, on a form
3599 developed by the lieutenant governor, that:
- 3600 (A) contains the individual's name, address, and telephone number;
3601 (B) states that the individual meets the qualifications for the office of vice
3602 president of the United States;
3603 (C) names the presidential candidate, who has qualified for the general election
3604 ballot, with which the individual is running as a joint-ticket running mate;
3605 (D) states that the individual agrees to be the running mate of the presidential
3606 candidate described in Subsection (7)(a)(i)(C); and
3607 (E) contains any other necessary information identified by the lieutenant governor;
- 3608 (ii) pay the filing fee; and
3609 (iii) submit a letter from the presidential candidate described in Subsection
3610 (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice
3611 presidential candidate.

3612 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
3613 candidacy.

3614 (c) A vice presidential candidate who fails to meet the requirements described in this
3615 Subsection (7) may not appear on the general election ballot.

3616 (8) An individual filing a declaration of candidacy for president or vice president of the
3617 United States shall pay a filing fee of \$500.

3618 Section 61. Section **20A-9-203** is amended to read:

3619 **20A-9-203 (Effective 05/06/26). Declarations of candidacy -- Municipal general**
3620 **elections -- Nomination petition -- Removal of signature.**

3621 (1) An individual may become a candidate for any municipal office if:

3622 (a) the individual is a registered voter; and

3623 (b)(i) the individual has resided within the municipality in which the individual seeks
3624 to hold elective office for the 12 consecutive months immediately before the date
3625 of the election; or

3626 (ii) the territory in which the individual resides was annexed into the municipality,
3627 the individual has resided within the annexed territory or the municipality the 12
3628 consecutive months immediately before the date of the election.

- 3629 (2)(a) For purposes of determining whether an individual meets the residency
3630 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than
3631 12 months before the election, the municipality is considered to have been
3632 incorporated 12 months before the date of the election.
- 3633 (b) In addition to the requirements of Subsection (1), each candidate for a municipal
3634 council position shall, if elected from a district, be a resident of the council district
3635 from which the candidate is elected.
- 3636 (c) In accordance with Utah Constitution, Article IV, Section 6, a mentally incompetent
3637 individual, an individual convicted of a felony, or an individual convicted of treason
3638 or a crime against the elective franchise may not hold office in this state until the
3639 right to hold elective office is restored under Section 20A-2-101.3 or 20A-2-101.5.
- 3640 (3)(a) An individual seeking to become a candidate for a municipal office shall,
3641 regardless of the nomination method by which the individual is seeking to become a
3642 candidate:
- 3643 (i) except as provided in Subsection (3)(b)[;] or Section 10-2a-214, [~~or Chapter 4,~~
3644 ~~Part 6, Municipal Alternate Voting Methods Pilot Project,~~] and subject to
3645 Subsection 20A-9-404(3)(e), file a declaration of candidacy, in person with the
3646 city recorder or town clerk, during the filing period described in Subsection (3)(d)
3647 and the office hours described in Subsection 10-3-301(3); and
- 3648 (ii) pay the filing fee, if one is required by municipal ordinance.
- 3649 (b) Subject to Subsection (5)(b), an individual may designate an agent to file a
3650 declaration of candidacy with the city recorder or town clerk if:
- 3651 (i) the individual is located outside of the state during the entire filing period;
3652 (ii) the designated agent appears in person before the city recorder or town clerk;
3653 (iii) the individual communicates with the city recorder or town clerk using an
3654 electronic device that allows the individual and city recorder or town clerk to see
3655 and hear each other; and
- 3656 (iv) the individual provides the city recorder or town clerk with an email address to
3657 which the city recorder or town clerk may send the individual the copies described
3658 in Subsection (4).
- 3659 (c) Any resident of a municipality may nominate a candidate for a municipal office by:
- 3660 (i) [~~except as provided in Chapter 4, Part 6, Municipal Alternate Voting Methods~~
3661 ~~Pilot Project,~~] filing a nomination petition with the city recorder or town clerk
3662 during the filing period described in Subsection (3)(d) and the office hours

- 3663 described in Subsection 10-3-301(3) that includes signatures in support of the
3664 nomination petition of the lesser of at least:
- 3665 (A) 25 registered voters who reside in the municipality; or
3666 (B) 20% of the registered voters who reside in the municipality; and
3667 (ii) paying the filing fee, if one is required by municipal ordinance.
- 3668 (d) The filing period to file a declaration of candidacy for an elective office that is to be
3669 filled at the next municipal general election:
- 3670 [~~(i) begins at 8 a.m. on the later of:]~~
3671 [~~(A) June 1 of the year in which the next municipal general election is held; or]~~
3672 [~~(B) if June 1 is not a business day, the first business day after June 1; and]~~
3673 (i) begins at 8 a.m. on the first business day in June; and
3674 (ii) ends at 5 p.m. on the fourth business day after the day on which the filing period
3675 begins.
- 3676 (4)(a) Before the filing officer may accept any declaration of candidacy or nomination
3677 petition, the filing officer shall:
- 3678 (i) read to the prospective candidate or individual filing the petition the constitutional
3679 and statutory qualification requirements for the office that the candidate is seeking;
3680 (ii) require the candidate or individual filing the petition to state whether the
3681 candidate meets the requirements described in Subsection (4)(a)(i); and
3682 (iii) inform the candidate or the individual filing the petition that an individual who
3683 holds a municipal elected office may not, at the same time, hold a county elected
3684 office.
- 3685 (b) If the prospective candidate does not meet the qualification requirements for the
3686 office, the filing officer may not accept the declaration of candidacy or nomination
3687 petition.
- 3688 (c) If it appears that the prospective candidate meets the requirements of candidacy, the
3689 filing officer shall:
- 3690 (i) inform the candidate that, subject to Section 20A-6-109, the candidate's name will
3691 appear on the ballot as it is written on the declaration of candidacy;
3692 (ii) provide the candidate with a copy of the current campaign financial disclosure
3693 laws for the office the candidate is seeking and inform the candidate that failure to
3694 comply will result in disqualification as a candidate and removal of the candidate's
3695 name from the ballot;
3696 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide

3697 Electronic Voter Information Website Program and inform the candidate of the
3698 submission deadline under Subsection 20A-7-801(4)(a);

3699 (iv) inform the candidate that the candidate must provide the filing officer with an
3700 email address that the candidate actively monitors:

3701 (A) to receive a communication from a filing officer or an election officer; and
3702 (B) if the candidate wishes to display a candidate profile on the Statewide
3703 Electronic Voter Information Website, to submit to the website the
3704 biographical and other information described in Subsection 20A-7-801(4)(a)(ii);

3705 (v) inform the candidate that the email address described in Subsection (4)(c)(iv) is
3706 not a record under Title 63G, Chapter 2, Government Records Access and
3707 Management Act;

3708 (vi) obtain from the candidate the email address described in Subsection (4)(c)(iv);
3709 (vii) provide the candidate with a copy of the pledge of fair campaign practices
3710 described under Section 20A-9-206 and inform the candidate that:

3711 (A) signing the pledge is voluntary; and
3712 (B) signed pledges shall be filed with the filing officer; and

3713 (viii) accept the declaration of candidacy or nomination petition.

3714 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
3715 shall:

3716 (i) accept the candidate's pledge; and
3717 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
3718 candidate's pledge to the chair of the county or state political party of which the
3719 candidate is a member.

3720 (5)(a) The declaration of candidacy shall be in substantially the following form:

3721 "I, (print name) _____, being first sworn and under penalty of perjury, say that I reside at
3722 _____ Street, City of _____, County of _____, state of Utah, Zip Code _____, Telephone Number
3723 (if any) _____; that I am a registered voter; and that I am a candidate for the office of _____
3724 (stating the term). I will meet the legal qualifications required of candidates for this office. If
3725 filing via a designated agent, I attest that I will be out of the state of Utah during the entire
3726 candidate filing period. I will file all campaign financial disclosure reports as required by law
3727 and I understand that failure to do so will result in my disqualification as a candidate for this
3728 office and removal of my name from the ballot. I request that my name be printed upon the
3729 applicable official ballots. (Signed) _____

3730 Subscribed and sworn to (or affirmed) before me by _____ on this

3731 _____(month\day\year).

3732 (Signed) _____ (Clerk or other officer qualified to administer oath)."

3733 (b) An agent designated under Subsection (3)(b) to file a declaration of candidacy may
3734 not sign the form described in Subsection (5)(a).

3735 (c)(i) A nomination petition shall be in substantially the following form:

3736 "NOMINATION PETITION

3737 The undersigned residents of (name of municipality), being registered voters, nominate
3738 (name of nominee) for the office of (name of office) for the (length of term of office)."

3739 (ii) The remainder of the petition shall contain lines and columns for the signatures of
3740 individuals signing the petition and each individual's address and phone number.

3741 (6) If the declaration of candidacy or nomination petition fails to state whether the
3742 nomination is for the two-year or four-year term, the clerk shall consider the nomination
3743 to be for the four-year term.

3744 (7)(a) The clerk shall verify with the county clerk that all candidates are registered
3745 voters.

3746 (b) With the assistance of the county clerk, and using the procedures described in
3747 Section 20A-1-1002, the municipal clerk shall determine whether the required
3748 number of signatures of registered voters appears on a nomination petition.

3749 (8) Immediately after expiration of the period for filing a declaration of candidacy, the clerk
3750 shall:

3751 (a) publicize a list of the names of the candidates as they will appear on the ballot by
3752 publishing the list for the municipality, as a class A notice under Section 63G-30-102,
3753 for seven calendar days; and

3754 (b) notify the lieutenant governor of the names of the candidates as they will appear on
3755 the ballot.

3756 (9) Except as provided in Subsection (10)(c), an individual may not amend a declaration of
3757 candidacy or nomination petition filed under this section after the candidate filing period
3758 ends.

3759 (10)(a) A declaration of candidacy or nomination petition that an individual files under
3760 this section is valid unless a person files a written objection with the clerk no later
3761 than 5 p.m. on the first business day that is at least 10 calendar days after the last day
3762 for filing.

3763 (b) If a person files an objection, the clerk shall:

3764 (i) mail or personally deliver notice of the objection to the affected candidate

- 3765 immediately; and
- 3766 (ii) decide any objection within 48 hours after the objection is filed.
- 3767 (c) If the clerk sustains the objection, the candidate may, no later than 5 p.m. on the first
- 3768 business day that is at least three calendar days after the day on which the clerk
- 3769 sustains the objection, correct the problem for which the objection is sustained by
- 3770 amending the candidate's declaration of candidacy or nomination petition, or by filing
- 3771 a new declaration of candidacy.
- 3772 (d)(i) The clerk's decision upon objections to form is final.
- 3773 (ii) The clerk's decision upon substantive matters is reviewable by a district court if
- 3774 prompt application is made to the district court.
- 3775 (iii) The decision of the district court is final unless the Supreme Court, in the
- 3776 exercise of its discretion, agrees to review the lower court decision.
- 3777 (11) A candidate who qualifies for the ballot under this section may withdraw as a
- 3778 candidate by filing a written affidavit with the municipal clerk.
- 3779 (12)(a) A voter who signs a nomination petition under this section may have the voter's
- 3780 signature removed from the petition by, no later than 5 p.m. three business days after
- 3781 the day on which the petition is filed with the city recorder or municipal clerk,
- 3782 submitting to the municipal clerk a statement requesting that the voter's signature be
- 3783 removed.
- 3784 (b) A statement described in Subsection (12)(a) shall comply with the requirements
- 3785 described in Subsection 20A-1-1003(2).
- 3786 (c) With the assistance of the county clerk and using the procedures described in
- 3787 Subsection 20A-1-1003(3), the municipal clerk shall determine whether to remove an
- 3788 individual's signature from a petition after receiving a timely, valid statement
- 3789 requesting removal of the signature.
- 3790 Section 62. Section **20A-9-403** is amended to read:
- 3791 **20A-9-403 (Effective 05/06/26). Regular primary elections.**
- 3792 (1)(a) Candidates for elective office that are to be filled at the next regular general
- 3793 election shall be nominated in a regular primary election by direct vote of the people
- 3794 in the manner prescribed in this section. The regular primary election is held on the
- 3795 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
- 3796 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
- 3797 candidate under Section 20A-9-501 or to participate in a regular general election as a
- 3798 write-in candidate under Section 20A-9-601.

- 3799 (b) Each registered political party that chooses to have the names of the registered
3800 political party's candidates for elective office featured with party affiliation on the
3801 ballot at a regular general election shall comply with the requirements of this section
3802 and shall nominate the registered political party's candidates for elective office in the
3803 manner described in this section.
- 3804 (c) A filing officer may not permit an official ballot at a regular general election to be
3805 produced or used if the ballot denotes affiliation between a registered political party
3806 or any other political group and a candidate for elective office who is not nominated
3807 in the manner prescribed in this section or in Subsection 20A-9-202(4).
- 3808 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
3809 even-numbered year in which a regular general election will be held.
- 3810 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
3811 shall:
- 3812 (i) either declare the registered political party's intent to participate in the next regular
3813 primary election or declare that the registered political party chooses not to have
3814 the names of the registered political party's candidates for elective office featured
3815 on the ballot at the next regular general election; and
- 3816 (ii) if the registered political party participates in the upcoming regular primary
3817 election, identify one or more registered political parties whose members may
3818 vote for the registered political party's candidates and whether individuals
3819 identified as unaffiliated with a political party may vote for the registered political
3820 party's candidates.
- 3821 (b)(i) A registered political party that is a continuing political party shall file the
3822 statement described in Subsection (2)(a) with the lieutenant governor no later than
3823 5 p.m. on November 30 of each odd-numbered year.
- 3824 (ii) An organization that is seeking to become a registered political party under
3825 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
3826 time that the registered political party files the petition described in Section
3827 20A-8-103.
- 3828 (3)(a) Except as provided in Subsection [~~(3)(e)~~] (3)(d), an individual who submits a
3829 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for
3830 elective office on the regular primary ballot of the registered political party listed on
3831 the declaration of candidacy only if the individual is certified by the appropriate
3832 filing officer as having submitted a nomination petition that was:

- 3833 (i) circulated and completed in accordance with Section 20A-9-405; and
 3834 (ii) signed by at least 2% of the registered political party's members who reside in the
 3835 political division of the office that the individual seeks.
- 3836 (b)(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3,
 3837 submit signatures for a nomination petition to the appropriate filing officer for
 3838 verification and certification no later than 5 p.m. on March 31.
- 3839 (ii) A candidate may supplement the candidate's submissions at any time on or before
 3840 the filing deadline.
- 3841 ~~[(e)(i) The lieutenant governor shall determine for each elective office the total
 3842 number of signatures that must be submitted under Subsection (3)(a)(ii) or
 3843 20A-9-408(8) by counting the aggregate number of individuals residing in each
 3844 elective office's political division who have designated a particular registered
 3845 political party on the individuals' voter registration forms on or before November
 3846 15 of each odd-numbered year.]~~
- 3847 ~~[(ii) The lieutenant governor shall publish the determination for each elective office
 3848 no later than November 30 of each odd-numbered year.]~~
- 3849 ~~[(d)]~~ (c) The filing officer shall:
- 3850 (i) except as otherwise provided in Section 20A-21-201, and in accordance with
 3851 Section 20A-9-408.3, verify signatures on nomination petitions in a transparent
 3852 and orderly manner, no later than 14 calendar days after the day on which a
 3853 candidate submits the signatures to the filing officer;
- 3854 (ii) for all qualifying candidates for elective office who submit nomination petitions
 3855 to the filing officer, issue certifications referenced in Subsection (3)(a) no later
 3856 than the deadline described in Subsection ~~[20A-9-202(1)(b)]~~ 20A-9-201.5(2);
- 3857 (iii) consider active and inactive voters eligible to sign nomination petitions;
- 3858 (iv) consider an individual who signs a nomination petition a member of a registered
 3859 political party for purposes of Subsection (3)(a)(ii) if the individual has designated
 3860 that registered political party as the individual's party membership on the
 3861 individual's voter registration form; and
- 3862 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
 3863 the county clerk as applicable, use the procedures described in Section 20A-1-1002
 3864 to verify submitted nomination petition signatures, or use statistical sampling
 3865 procedures to verify submitted nomination petition signatures in accordance with
 3866 rules made under Subsection ~~[(3)(f)]~~ (3)(e).

3867 ~~[(e)]~~ (d) Notwithstanding any other provision in this Subsection (3), a candidate for
 3868 lieutenant governor may appear on the regular primary ballot of a registered political
 3869 party without submitting nomination petitions if the candidate files a declaration of
 3870 candidacy and complies with Subsection 20A-9-202(3).

3871 ~~[(f)]~~ (e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 3872 the director of elections, within the Office of the Lieutenant Governor, may make
 3873 rules that:

3874 (i) provide for the use of statistical sampling procedures that:

3875 (A) filing officers are required to use to verify signatures under Subsection ~~[(3)]~~(d)
 3876 (3)(c); and

3877 (B) reflect a bona fide effort to determine the validity of a candidate's entire
 3878 submission, using widely recognized statistical sampling techniques; and

3879 (ii) provide for the transparent, orderly, and timely submission, verification, and
 3880 certification of nomination petition signatures.

3881 ~~[(g)]~~ (f) The county clerk shall:

3882 (i) review the declarations of candidacy filed by candidates for local boards of
 3883 education to determine if more than two candidates have filed for the same seat;
 3884 and

3885 (ii) if more than two candidates file for one seat, include the names of the candidates
 3886 on the list described in Section 20A-5a-206.

3887 ~~[(ii) place the names of all candidates who have filed a declaration of candidacy for a~~
 3888 ~~local board of education seat on the nonpartisan section of the ballot if more than~~
 3889 ~~two candidates have filed for the same seat; and]~~

3890 ~~[(iii) place the local board of education candidates' names on the ballot in accordance~~
 3891 ~~with Sections 20A-6-109 and 20A-6-110.]~~

3892 ~~[(4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant~~
 3893 ~~governor shall provide to the county clerks:]~~

3894 ~~[(i) a list of the names of all candidates for federal, constitutional, multi-county,~~
 3895 ~~single county, and county offices who have received certifications under~~
 3896 ~~Subsection (3), along with instructions on how those names shall appear on the~~
 3897 ~~primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110;~~
 3898 ~~and]~~

3899 ~~[(ii) a list of unopposed candidates for elective office who have been nominated by a~~
 3900 ~~registered political party under Subsection (5)(c) and instruct the county clerks to~~

3901 exclude the unopposed candidates from the primary election ballot.]

3902 [(b) A candidate for lieutenant governor and a candidate for governor campaigning as
3903 joint-ticket running mates shall appear jointly on the primary election ballot.]

3904 [(e) After the county clerk receives the certified list from the lieutenant governor under
3905 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
3906 substantially the following form:

3907 "Notice is given that a primary election will be held Tuesday, June _____,
3908 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
3909 local school board positions listed on the primary ballot. The polling place for voting precinct
3910 _____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
3911 Attest: county clerk."]

3912 [(5)] (4)(a) A candidate who, at the regular primary election, receives the highest number
3913 of votes cast for the office sought by the candidate is:

3914 (i) nominated for that office by the candidate's registered political party; or
3915 (ii) for a nonpartisan local school board position, nominated for that office.

3916 (b) If two or more candidates are to be elected to the office at the regular general
3917 election, those party candidates equal in number to positions to be filled who receive
3918 the highest number of votes at the regular primary election are the nominees of the
3919 candidates' party for those positions.

3920 (c)(i) As used in this Subsection [(5)(e)] (4)(c), a candidate is "unopposed" if:

3921 (A) no individual other than the candidate receives a certification under
3922 Subsection (3) for the regular primary election ballot of the candidate's
3923 registered political party for a particular elective office; or
3924 (B) for an office where more than one individual is to be elected or nominated, the
3925 number of candidates who receive certification under Subsection (3) for the
3926 regular primary election of the candidate's registered political party does not
3927 exceed the total number of candidates to be elected or nominated for that office.

3928 (ii) A candidate who is unopposed for an elective office in the regular primary
3929 election of a registered political party is nominated by the party for that office
3930 without appearing on the primary election ballot.

3931 [(6)] (5) The expense of providing all ballots, blanks, or other supplies to be used at any
3932 primary election provided for by this section, and all expenses necessarily incurred in
3933 the preparation for or the conduct of that primary election shall be paid out of the
3934 treasury of the county or state, in the same manner as for the regular general elections.

3935 [~~(7)~~] (6) An individual may not file a declaration of candidacy for a registered political party
 3936 of which the individual is not a member, except to the extent that the registered political
 3937 party permits otherwise under the registered political party's bylaws.

3938 Section 63. Section **20A-9-406** is amended to read:

3939 **20A-9-406 (Effective 05/06/26). Qualified political party -- Requirements and**
 3940 **exemptions.**

3941 The following provisions apply to a qualified political party:

- 3942 (1) the qualified political party shall, no later than 5 p.m. on the first Monday of October of
 3943 each odd-numbered year, certify to the lieutenant governor the identity of one or more
 3944 registered political parties whose members may vote for the qualified political party's
 3945 candidates and whether unaffiliated voters may vote for the qualified political party's
 3946 candidates;
- 3947 (2) the following provisions do not apply to a nomination for the qualified political party:
 3948 (a) Subsections 20A-9-403(1) through [~~(3)(b) and Subsections (3)(d)(ii) through~~](4)(a);
 3949 (b) Subsection [~~20A-9-403(5)(e)~~] 20A-9-403(4)(c); and
 3950 (c) Section 20A-9-405;
- 3951 (3) an individual may only seek the nomination of the qualified political party by using a
 3952 method described in Section 20A-9-407, Section 20A-9-408, or both;
- 3953 (4) the qualified political party shall comply with the provisions of Sections 20A-9-407,
 3954 20A-9-408, and 20A-9-409;
- 3955 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(e), or (2)(a), each election officer shall
 3956 ensure that a ballot described in Section 20A-6-301 includes each individual nominated
 3957 by a qualified political party:
 3958 (a) under the qualified political party's name, if any; or
 3959 (b) under the title of the qualified registered political party as designated by the qualified
 3960 political party in the certification described in Subsection (1), or, if none is
 3961 designated, then under some suitable title;
- 3962 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for
 3963 ballots in regular general elections, that each candidate who is nominated by the
 3964 qualified political party is listed by party;
- 3965 (7) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that the
 3966 party designation of each candidate who is nominated by the qualified political party is
 3967 displayed adjacent to the candidate's name on a mechanical ballot;
- 3968 (8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also includes an

3969 individual who files a declaration of candidacy under Section 20A-9-407 or 20A-9-408
 3970 to run in a regular general election for a federal office, statewide constitutional office,
 3971 multicounty office, or county office;

3972 (9) an individual who is nominated by, or seeking the nomination of, the qualified political
 3973 party is not required to comply with Subsection 20A-9-201(1)(c);

3974 (10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled to
 3975 have each of the qualified political party's candidates for elective office appear on the
 3976 primary ballot of the qualified political party with an indication that each candidate is a
 3977 candidate for the qualified political party;

3978 (11)(a) [~~notwithstanding Subsection 20A-9-403(4)(a),~~]the lieutenant governor shall
 3979 include on the list provided by the lieutenant governor to the county clerks[~~:~~]
 3980 [(a)] under Section 20A-5a-205, the names of all candidates of the qualified political
 3981 party for [~~federal, constitutional, multicounty, and county offices~~] the offices
 3982 described in Subsection 20A-5a-205(2)(a); and
 3983 [(b) ~~the names of unopposed candidates for elective office who have been nominated by~~
 3984 ~~the qualified political party and instruct the county clerks to exclude such candidates~~
 3985 ~~from the primary-election ballot;~~]

3986 (b) a county clerk shall include on the list provided by the county clerk under Section
 3987 20A-5a-206, the names of all candidates of the qualified political party for the offices
 3988 described in Subsection 20A-5a-206(2);

3989 (12) a county clerk shall:

3990 (a) except as provided in Subsection (12)(b), include on the regular primary election
 3991 ballot the candidates of a qualified political party that have qualified for placement on
 3992 the ballot; and

3993 (b) exclude from the regular primary election ballot the candidates who are unopposed
 3994 candidates;

3995 [(12)] (13) notwithstanding Subsection [~~20A-9-403(5)(e)~~] 20A-9-403(4)(c), a candidate who
 3996 is unopposed for an elective office in the regular primary election of the qualified
 3997 political party is nominated by the party for that office without appearing on the primary
 3998 ballot; and

3999 [(13)] (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
 4000 20A-9-405, the qualified political party is entitled to have the names of its candidates for
 4001 elective office featured with party affiliation on the ballot at a regular general election.

4002 Section 64. Section **20A-9-407** is amended to read:

4003 **20A-9-407 (Effective 05/06/26). Convention process to seek the nomination of a**
4004 **qualified political party.**

- 4005 (1) This section describes the requirements for a member of a qualified political party who
4006 is seeking the nomination of a qualified political party for an elective office through the
4007 qualified political party's convention process.
- 4008 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
4009 for a member of a qualified political party who is nominated by, or who is seeking the
4010 nomination of, the qualified political party under this section shall be substantially as
4011 described in Section 20A-9-408.5.
- 4012 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
4013 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
4014 the nomination of the qualified political party for an elective office that is to be filled at
4015 the next general election, shall:
- 4016 (a) except as provided in Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b), file a
4017 declaration of candidacy in person with the filing officer during the applicable
4018 declaration of candidacy filing period described in Section 20A-9-201.5; and
4019 (b) pay the filing fee.
- 4020 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
4021 who, under this section, is seeking the nomination of the qualified political party for the
4022 office of district attorney within a multicounty prosecution district that is to be filled at
4023 the next general election, shall:
- 4024 (a) file a declaration of candidacy with the county clerk designated in the interlocal
4025 agreement creating the prosecution district during the applicable declaration of
4026 candidacy filing period described in Section 20A-9-201.5; and
4027 (b) pay the filing fee.
- 4028 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
4029 files as the joint-ticket running mate of an individual who is nominated by a qualified
4030 political party, under this section, for the office of governor shall, during the applicable
4031 declaration of candidacy filing period described in Section 20A-9-201.5, file a
4032 declaration of candidacy and submit a letter from the candidate for governor that names
4033 the lieutenant governor candidate as a joint-ticket running mate.
- 4034 (6)(a) A qualified political party that nominates a candidate under this section shall
4035 certify the name of the candidate to the lieutenant governor before the deadline
4036 described in Subsection 20A-9-202(1)(b).

4037 (b) The lieutenant governor and a county clerk shall include, in the primary ballot
4038 certification or, for a race where a primary is not held because the candidate is
4039 unopposed, in the [~~general election ballot certification~~] list of names described in
4040 Sections 20A-5a-209 and 20A-5a-210, the name of each candidate nominated by a
4041 qualified political party under this section.

4042 (7) Notwithstanding Subsection [~~20A-9-701(2)~~] 20A-5a-209(3), the ballot shall, for each
4043 candidate who is nominated by a qualified political party under this section, designate
4044 the qualified political party that nominated the candidate.

4045 Section 65. Section **20A-9-408** is amended to read:

4046 **20A-9-408 (Effective 05/06/26). Signature-gathering process to seek the**
4047 **nomination of a qualified political party -- Removal of signature.**

4048 (1) This section describes the requirements for a member of a qualified political party who
4049 is seeking the nomination of the qualified political party for an elective office through
4050 the signature-gathering process described in this section.

4051 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
4052 for a member of a qualified political party who is nominated by, or who is seeking the
4053 nomination of, the qualified political party under this section shall be substantially as
4054 described in Section 20A-9-408.5.

4055 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
4056 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
4057 the nomination of the qualified political party for an elective office that is to be filled at
4058 the next general election shall:

4059 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
4060 declaration of candidacy filing period described in Section 20A-9-201.5, and before
4061 gathering signatures under this section, file with the filing officer on a form approved
4062 by the lieutenant governor a notice of intent to gather signatures for candidacy that
4063 includes:

4064 (i) the name of the member who will attempt to become a candidate for a registered
4065 political party under this section;

4066 (ii) the name of the registered political party for which the member is seeking
4067 nomination;

4068 (iii) the office for which the member is seeking to become a candidate;

4069 (iv) the address and telephone number of the member; and

4070 (v) other information required by the lieutenant governor;

- 4071 (b) except as provided in Subsection ~~[20A-9-202(1)(e)]~~ 20A-9-202(1)(b), file a
4072 declaration of candidacy, in person, with the filing officer during the applicable
4073 declaration of candidacy filing period described in Section 20A-9-201.5; and
4074 (c) pay the filing fee.
- 4075 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
4076 who, under this section, is seeking the nomination of the qualified political party for the
4077 office of district attorney within a multicounty prosecution district that is to be filled at
4078 the next general election shall:
- 4079 (a) during the applicable declaration of candidacy filing period described in Section
4080 20A-9-201.5, and before gathering signatures under this section, file with the filing
4081 officer on a form approved by the lieutenant governor a notice of intent to gather
4082 signatures for candidacy that includes:
- 4083 (i) the name of the member who will attempt to become a candidate for a registered
4084 political party under this section;
- 4085 (ii) the name of the registered political party for which the member is seeking
4086 nomination;
- 4087 (iii) the office for which the member is seeking to become a candidate;
- 4088 (iv) the address and telephone number of the member; and
4089 (v) other information required by the lieutenant governor;
- 4090 (b) except as provided in Subsection ~~[20A-9-202(1)(e)]~~ 20A-9-202(1)(b), file a
4091 declaration of candidacy, in person, with the filing officer during the applicable
4092 declaration of candidacy filing period described in Section 20A-9-201.5; and
4093 (c) pay the filing fee.
- 4094 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
4095 files as the joint-ticket running mate of an individual who is nominated by a qualified
4096 political party, under this section, for the office of governor shall, during the applicable
4097 declaration of candidacy filing period described in Section 20A-9-201.5, file a
4098 declaration of candidacy and submit a letter from the candidate for governor that names
4099 the lieutenant governor candidate as a joint-ticket running mate.
- 4100 (6)(a) ~~The lieutenant governor shall ensure that the [certification described in Subsection~~
4101 20A-9-701(1)] information that the lieutenant governor sends to a county clerk under
4102 Section 20A-5a-209 also includes the name of each candidate nominated by a
4103 qualified political party under this section.
- 4104 (b) A county clerk shall ensure that the information published by the county clerk under

4105 Section 20A-5a-210 also includes the name of each candidate nominated by a
4106 qualified political party under this section.

4107 (7) Notwithstanding Subsection [~~20A-9-701(2)~~] 20A-5a-209(3), the ballot shall, for each
4108 candidate who is nominated by a qualified political party under this section, designate
4109 the qualified political party that nominated the candidate.

4110 (8) A member of a qualified political party may seek the nomination of the qualified
4111 political party for an elective office by:

4112 (a) complying with the requirements described in this section; and

4113 (b) collecting signatures, on a form approved by the lieutenant governor that complies
4114 with Subsection 20A-9-405(3), during the period beginning on the day on which the
4115 member files a notice of intent to gather signatures and ending at the applicable
4116 deadline described in Subsection (12), in the following amounts:

4117 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
4118 permitted by the qualified political party to vote for the qualified political party's
4119 candidates in a primary election;

4120 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
4121 signatures of registered voters who are residents of the congressional district and
4122 are permitted by the qualified political party to vote for the qualified political
4123 party's candidates in a primary election;

4124 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
4125 residents of the state Senate district and are permitted by the qualified political
4126 party to vote for the qualified political party's candidates in a primary election;

4127 (iv) for a state House district race, 1,000 signatures of registered voters who are
4128 residents of the state House district and are permitted by the qualified political
4129 party to vote for the qualified political party's candidates in a primary election;

4130 (v) for a State Board of Education race, the lesser of:

4131 (A) 2,000 signatures of registered voters who are residents of the State Board of
4132 Education district and are permitted by the qualified political party to vote for
4133 the qualified political party's candidates in a primary election; or

4134 (B) 3% of the registered voters of the qualified political party who are residents of
4135 the applicable State Board of Education district; and

4136 (vi) for a county office race, signatures of 3% of the registered voters who are
4137 residents of the area permitted to vote for the county office and are permitted by
4138 the qualified political party to vote for the qualified political party's candidates in

- 4139 a primary election.
- 4140 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 4141 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 4142 qualified political party's nomination for an elective office under this section, using
- 4143 the manual candidate qualification process, the member shall:
- 4144 (i) collect the signatures on a form approved by the lieutenant governor, using the
- 4145 same circulation and verification requirements described in Sections 20A-7-105
- 4146 and 20A-7-204; and
- 4147 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election
- 4148 officer before the applicable deadline described in Subsection (12).
- 4149 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in
- 4150 accordance with Section 20A-9-408.3, the election officer shall, no later than the
- 4151 earlier of 14 calendar days after the day on which the election officer receives the
- 4152 signatures, or one day before the day on which the qualified political party holds the
- 4153 convention to select a nominee for the elective office to which the signature packets
- 4154 relate:
- 4155 (i) check the name of each individual who completes the verification for a signature
- 4156 packet to determine whether each individual is at least 18 years old;
- 4157 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at
- 4158 least 18 years old to the attorney general and the county attorney;
- 4159 (iii) with the assistance of the county clerk as applicable, determine whether each
- 4160 signer is a registered voter who is qualified to sign the petition, using the same
- 4161 method, described in Section 20A-1-1002, used to verify a signature on a petition;
- 4162 and
- 4163 (iv) certify whether each name is that of a registered voter who is qualified to sign the
- 4164 signature packet.
- 4165 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
- 4166 may have the voter's signature removed from the form by, no later than 5 p.m.
- 4167 three business days after the day on which the member submits the signature form
- 4168 to the election officer, submitting to the election officer a statement requesting
- 4169 that the voter's signature be removed.
- 4170 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
- 4171 described in Subsection 20A-1-1003(2).
- 4172 (iii) With the assistance of the county clerk as applicable, the election officer shall

4173 use the procedures described in Subsection 20A-1-1003(3) to determine whether
4174 to remove an individual's signature after receiving a timely, valid statement
4175 requesting removal of the signature.

4176 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
4177 made under Section 20A-3a-106, conduct regular audits of signature comparisons
4178 made between signatures gathered under this section and voter signatures
4179 maintained by the election officer.

4180 (ii) An individual who conducts an audit of signature comparisons under this section
4181 may not audit the individual's own work.

4182 (iii) The election officer shall:

4183 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
4184 determine the accuracy of the comparisons made;

4185 (B) record the individuals who conducted the audit;

4186 (C) record the audit results;

4187 (D) provide additional training or staff reassignments, as needed, based on the
4188 results of an audit described in Subsection (9)(e)(i); and

4189 (E) record any remedial action taken.

4190 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.

4191 (f) An election officer who certifies signatures under Subsection (9)(c) or [
4192 ~~20A-9-403(3)(d)~~] 20A-9-403(3)(c) shall, after certifying enough signatures to
4193 establish that a candidate has reached the applicable signature threshold described in
4194 Subsection (8) or 20A-9-403(3)(a), as applicable, continue to certify signatures
4195 submitted for the candidate in excess of the number of signatures required, until the
4196 election officer either:

4197 (i) certifies signatures equal to 110% of the applicable signature threshold; or

4198 (ii) has reviewed all signatures submitted for the candidate before reaching an
4199 amount equal to 110% of the applicable signature threshold.

4200 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
4201 process.

4202 (b) In order for a member of the qualified political party to qualify as a candidate for the
4203 qualified political party's nomination for an elective office under this section, the
4204 member shall, before the deadline described in Subsection (12), collect signatures
4205 electronically:

4206 (i) in accordance with Section 20A-21-201; and

- 4207 (ii) using progressive screens, in a format approved by the lieutenant governor, that
4208 complies with Subsection 20A-9-405(4).
- 4209 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
4210 election officer shall, no later than the earlier of 14 calendar days after the day on
4211 which the election officer receives the signatures, or one day before the day on which
4212 the qualified political party holds the convention to select a nominee for the elective
4213 office to which the signature packets relate:
- 4214 (i) check the name of each individual who completes the verification for a signature
4215 to determine whether each individual is at least 18 years old; and
- 4216 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
4217 at least 18 years old to the attorney general and the county attorney.
- 4218 (11)(a) An individual may not gather signatures under this section until after the
4219 individual files a notice of intent to gather signatures for candidacy described in this
4220 section.
- 4221 (b) An individual who files a notice of intent to gather signatures for candidacy,
4222 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
4223 individual files the notice of intent to gather signatures for candidacy:
- 4224 (i) required to comply with the reporting requirements that a candidate for office is
4225 required to comply with; and
- 4226 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
4227 apply to a candidate for office in relation to the reporting requirements described
4228 in Subsection (11)(b)(i).
- 4229 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
4230 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
4231 day on which the qualified political party holds the convention to select a nominee
4232 for the elective office to which the signature packets relate, notify the qualified
4233 political party and the lieutenant governor of the name of each member of the
4234 qualified political party who qualifies as a nominee of the qualified political party,
4235 under this section, for the elective office to which the convention relates.
- 4236 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
4237 section, the lieutenant governor shall post the notice of intent to gather signatures for
4238 candidacy on the lieutenant governor's website in the same location that the
4239 lieutenant governor posts a declaration of candidacy.
- 4240 (12) The deadline before which a member of a qualified political party must collect and

4241 submit signatures to the election officer under this section is 5 p.m. on the last business
 4242 day that is at least 14 calendar days before the day on which the qualified political
 4243 party's convention for the office begins.

4244 (13) For the 2026 election year only, an individual who desires to gather signatures to seek
 4245 the nomination of a qualified political party for the office of United States representative
 4246 shall:

4247 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
 4248 during the period beginning at 8 a.m. on the first business day of January and ending
 4249 at 5 p.m. on March 13, 2026; and

4250 (b) during the period beginning on the day on which the individual files the notice of
 4251 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
 4252 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
 4253 collect 7,000 signatures of registered voters who are residents of the state and are
 4254 permitted by the qualified political party to vote for the qualified political party's
 4255 candidates in a primary election.

4256 Section 66. Section **20A-9-409** is amended to read:

4257 **20A-9-409 (Effective 05/06/26). Primary election provisions relating to qualified**
 4258 **political party.**

4259 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.

4260 (2)(a) A qualified political party that nominates only one [~~or more candidates~~] candidate
 4261 for an elective office under Section 20A-9-407 and does not have a candidate qualify
 4262 as a candidate for that office under Section 20A-9-408[~~, may, but is not required to,~~] :

4263 (i) may not participate in the primary election for that office[-] ; and

4264 (ii) will appear as a candidate for that office on the regular general election ballot.

4265 (b) A qualified political party that has only one candidate qualify as a candidate for an
 4266 elective office under Section 20A-9-408 and does not nominate a candidate for that
 4267 office under Section 20A-9-407[~~, may, but is not required to,~~] :

4268 (i) may not participate in the primary election for that office[-] ; and

4269 (ii) will appear as a candidate for that office on the regular general election ballot.

4270 (c) A qualified political party that nominates one or more candidates for an elective
 4271 office under Section 20A-9-407 and has one or more candidates qualify as a
 4272 candidate for that office under Section 20A-9-408 shall participate in the primary
 4273 election for that office.

4274 (d) A qualified political party that has two or more candidates qualify as candidates for

4275 an elective office under Section 20A-9-408, and does not nominate a candidate for
 4276 that office under Section 20A-9-407, shall participate in the primary election for that
 4277 office.

4278 (e) A qualified political party that nominates two candidates for an elective office under
 4279 Section 20A-9-407, and does not have a candidate qualify as a candidate for elective
 4280 office under Section 20A-9-408, shall participate in the primary election for that
 4281 office.

4282 (3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section 17-62-201 or
 4283 17-62-202, a qualified political party shall participate in the primary election for a
 4284 county commission office if:

4285 (a) there is more than one:

4286 (i) open position as defined in Section 17-62-201; or

4287 (ii) midterm vacancy as defined in Section 17-62-201; and

4288 (b) the number of candidates nominated under Section 20A-9-407 or qualified under
 4289 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds
 4290 the number of respective open positions or midterm vacancies.

4291 [~~(4)(a) As used in this Subsection (4), a candidate is "unopposed" if:~~]

4292 [~~(i) no individual other than the candidate receives a certification, from the~~
 4293 ~~appropriate filing officer, for the regular primary election ballot of the candidate's~~
 4294 ~~registered political party for a particular elective office; or]~~

4295 [~~(ii) for an office where more than one individual is to be elected or nominated, the~~
 4296 ~~number of candidates who receive certification, from the appropriate filing officer,~~
 4297 ~~for the regular primary election of the candidate's registered political party does~~
 4298 ~~not exceed the total number of candidates to be elected or nominated for that~~
 4299 ~~office.]~~

4300 [~~(b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:]~~

4301 [~~(i) provide to the county clerks:]~~

4302 [~~(A) a list of the names of all candidates for federal, constitutional, multi-county,~~
 4303 ~~single county, and county offices who have received certifications from the~~
 4304 ~~appropriate filing officer, along with instructions on how those names shall~~
 4305 ~~appear on the primary election ballot in accordance with Sections 20A-6-109~~
 4306 ~~and 20A-6-110; and]~~

4307 [~~(B) a list of unopposed candidates for elective office who have been nominated~~
 4308 ~~by a registered political party; and]~~

4309 [(ii) instruct the county clerks to exclude unopposed candidates from the primary
4310 election ballot.]

4311 [(e) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after
4312 the fourth Saturday in April.]

4313 Section 67. Section **20A-14-103** is amended to read:

4314 **20A-14-103 (Effective 05/06/26). State Board of Education members -- Term --**
4315 **Requirements.**

4316 (1) Unless otherwise provided by law and except as provided in Subsection (2):

4317 (a) voters in the following districts, as designated in the Senate block equivalency file,
4318 shall elect a State Board of Education member for a term of four years:

4319 (i) at the 2022 General Election, State Board of Education Districts 1, 2, 4, 5, 8, 11,
4320 and 14; and

4321 (ii) at the 2024 General Election, State Board of Education Districts 3, 6, 7, 9, 10, 12,
4322 13, and 15; and

4323 (b) a State Board of Education member representing a district described in Subsection
4324 (1)(a)(ii) on November 16, 2021, shall represent the realigned district, if the State
4325 Board of Education member resides in the realigned district, for a term of office that
4326 ends January 6, 2025.

4327 (2)(a) As used in this Subsection (2), "District 6" means District 6 as designated in the
4328 Senate block equivalency file.

4329 (b) If one of the incumbent State Board of Education members from District 6 files
4330 written notice with the lieutenant governor by close of business on January 3, 2022,
4331 that the member will not seek election to the State Board of Education from District 6:

4332 (i) the filing incumbent member may serve until January 2, 2023, in representation of
4333 the district to which the member was elected at the 2020 General Election; and

4334 (ii) the other incumbent member from District 6 shall serve out the term for which the
4335 member was elected, in representation of District 6, which is until January 6, 2025.

4336 (c) If neither or both incumbent State Board of Education members in District 6 file the
4337 written notice described in Subsection (2)(b):

4338 (i) the incumbent members may serve until January 2, 2023, in representation of the
4339 district to which the members were elected at the 2020 General Election;

4340 (ii) the lieutenant governor shall designate District 6 as an office to be filled in the
4341 2022 General Election in the notice [~~of election required by Section 20A-5-101~~] of
4342 offices to be filled for that election;

4343 (iii) the State Board of Education member elected from District 6 at the 2022 General
4344 Election shall be elected to serve a term of office of two years; and

4345 (iv) the State Board of Education member elected from District 6 at the 2024 General
4346 Election shall be elected to serve a term of office of four years.

4347 (3)(a) A person seeking election to the State Board of Education shall have been a
4348 resident of the State Board of Education district in which the person is seeking
4349 election for at least one year as of the date of the election.

4350 (b) A person who has resided within the State Board of Education district, as the
4351 boundaries of the district exist on the date of the election, for one year immediately
4352 preceding the date of the election shall be considered to have met the requirements of
4353 this Subsection (3).

4354 (4) A State Board of Education member shall:

4355 (a) be and remain a registered voter in the State Board of Education district from which
4356 the member was elected or appointed; and

4357 (b) maintain the member's primary residence within the State Board of Education district
4358 from which the member was elected or appointed during the member's term of office.

4359 (5) A State Board of Education member may not, during the member's term of office, also
4360 serve as an employee of the State Board of Education.

4361 Section 68. Section **67-1a-7** is amended to read:

4362 **67-1a-7 (Effective 05/06/26). Use and custody of The Great Seal of the State of**
4363 **Utah -- Penalty for misuse or defacing -- Rulemaking authority.**

4364 (1) As used in this section, "seal" means the Great Seal of the State of Utah, established in
4365 Utah Constitution, Article VII, Section 20.

4366 (2) In accordance with Utah Constitution, Article VII, Section 20, the Legislature
4367 designates the lieutenant governor as the officer responsible to keep the seal.

4368 (3) [~~Except as otherwise provided by~~] In accordance with the requirements of law, the
4369 lieutenant governor, or the lieutenant governor's designee, is authorized to use or affix
4370 the [Great Seal of this state] seal to any document[~~whatever and only in pursuance of~~
4371 law, and is responsible for its safekeeping. Any] .

4372 (4) A person who illegally uses the [Great Seal of this state, or such seal when defaced] seal,
4373 or who defaces the seal, is guilty of a third degree felony.

4374 (5) The director of elections, within the Office of the Lieutenant Governor, may make rules,
4375 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

4376 (a) regulate the use and application of the seal;

- 4377 (b) establish permitted and prohibited uses of the seal; and
- 4378 (c) establish requirements for obtaining authorization to use the seal or a replica of the
- 4379 seal.

4380 Section 69. **Repealer.**

4381 This bill repeals:

4382 Section **17B-1-305, Notice of offices to be filled.**

4383 Section **20A-5-409, Certification of candidates to county clerks.**

4384 Section 70. **Effective Date.**

4385 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

4386 (2)(a) The actions affecting sections described in Subsection (2)(b) take effect:

4387 (i) except as provided in Subsection (2)(a)(ii), May 6, 2026; or

4388 (ii) if approved by two-thirds of all members elected to each house:

4389 (A) upon approval by the governor;

4390 (B) without the governor's signature, the day following the constitutional time

4391 limit of Utah Constitution, Article VII, Section 8; or

4392 (C) in the case of a veto, the date of veto override.

4393 (b) Subsection (2)(a) applies to the actions affecting the following sections:

4394 (i) Section 20A-5a-205 (**Effective upon governor's approval**); and

4395 (ii) Section 20A-5a-206 (**Effective upon governor's approval**).