

Candidate Nomination Procedures Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

Senate Sponsor:

LONG TITLE**General Description:**

This bill amends provisions relating to nominating candidates for elective office and placing candidates on a ballot.

Highlighted Provisions:

This bill:

- defines terms;
- repeals provisions relating to a qualified political party;
- establishes two types of registered political parties:
 - a primary nominating party that nominates candidates through signature-gathering only, participates in the regular primary election, and has the name of the primary nominating party listed on the regular general election ballot in association with the party's candidates; and
 - a convention nominating party that nominates candidates using a method that does not involve the signature-gathering process described in the preceding paragraph or participation in the regular primary election, and whose candidates are listed on the regular general election ballot without an indication of the convention nominating party that nominated the candidates;
- requires a registered political party to choose whether to be a primary nominating party or a convention nominating party;
- modifies signature-gathering thresholds; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

31 **20A-1-102**, as last amended by Laws of Utah 2025, First Special Session, Chapter 6
32 **20A-1-201.5**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 3
33 **20A-1-501**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16
34 **20A-1-502**, as last amended by Laws of Utah 2025, Chapter 448
35 **20A-1-502.5**, as last amended by Laws of Utah 2025, Chapter 448
36 **20A-1-503**, as last amended by Laws of Utah 2025, Chapters 90, 448
37 **20A-1-1001**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16
38 **20A-2-104**, as last amended by Laws of Utah 2025, Chapters 381, 448
39 **20A-2-107**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
40 **20A-5-101**, as last amended by Laws of Utah 2025, Chapter 448
41 **20A-6-301**, as last amended by Laws of Utah 2025, Chapter 39
42 **20A-6-302**, as last amended by Laws of Utah 2025, Chapters 39, 448
43 **20A-6-304**, as last amended by Laws of Utah 2021, Chapter 136
44 **20A-8-103**, as last amended by Laws of Utah 2025, Chapters 38, 448
45 **20A-9-101**, as last amended by Laws of Utah 2023, Chapters 15, 45
46 **20A-9-201**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
47 **20A-9-201.5**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
48 **20A-9-202**, as last amended by Laws of Utah 2025, Chapter 448
49 **20A-9-403**, as last amended by Laws of Utah 2025, Chapters 39, 448
50 **20A-9-405**, as last amended by Laws of Utah 2025, Chapter 38
51 **20A-9-408.5**, as last amended by Laws of Utah 2021, Chapter 183
52 **20A-9-411**, as enacted by Laws of Utah 2015, Chapter 296
53 **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296
54 **20A-21-101**, as enacted by Laws of Utah 2022, Chapter 325
55 **63G-2-305**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

ENACTS:

57 **20A-9-402.1**, Utah Code Annotated 1953
58 **20A-9-402.2**, Utah Code Annotated 1953
59 **20A-9-402.3**, Utah Code Annotated 1953
60 **20A-9-402.4**, Utah Code Annotated 1953

REPEALS:

62 **20A-9-406**, as last amended by Laws of Utah 2022, Chapter 13
63 **20A-9-407**, as last amended by Laws of Utah 2022, Chapter 13
64 **20A-9-408**, as last amended by Laws of Utah 2025, Chapters 38, 448

20A-9-409, as last amended by Laws of Utah 2025, Chapter 39

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

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

20A-1-102 . Definitions.

As used in this title:

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

- (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday, a business day, or any other type of day.
- (11) "Canvass" means the review of election returns and the official declaration of election results by the board of canvassers.
- (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the canvass.
- (13) "Contracting election officer" means an election officer who enters into a contract or interlocal agreement with a provider election officer.
- (14) "Convention" means the political party convention at which party officers and delegates are selected.
- (15) "Counting center" means one or more locations selected by the election officer in charge of the election for the automatic counting of ballots.
- (16) "Counting judge" means a poll worker designated to count the ballots during election day.
- (17) "Counting room" means a suitable and convenient private place or room for use by the poll workers and counting judges to count ballots.
- (18) "County officers" means those county officers that are required by law to be elected.
- (19) "Date of the election" or "election day" or "day of the election":
- (a) means the day that is specified in the calendar year as the day on which the election occurs; and
 - (b) does not include:
 - (i) deadlines established for voting by mail, military-overseas voting, or emergency voting; or
 - (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early Voting.
- (20) "Elected official" means:
- (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project;
 - (b) a person who is considered to be elected to a municipal office in accordance with Subsection ~~[20A-1-206(1)(e)(ii)]~~ 20A-1-206(2)(b)(ii); or
 - (c) a person who is considered to be elected to a special district office in accordance with Subsection 20A-1-206(3)(b)(ii).
- (21) "Election" means a regular general election, a municipal general election, a statewide special election, a local special election, a regular primary election, a municipal primary

election, and a special district election.

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

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

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

(a) preside over other poll workers at a polling place;

(b) act as the presiding election judge; or

(c) serve as a canvassing judge, counting judge, or receiving judge.

(25) "Election material" includes:

(a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);

(b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);

(c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);

(d) any chain of custody documentation described in Section 20A-3a-401.1, including:

(i) the count of ballots described in Subsection 20A-3a-401.1(3); and

(ii) the batch log described in Subsection 20A-3a-401.1(5);

(e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);

(f) the affidavit of compliance described in Subsection 20A-3a-404(2);

(g) the physical and electronic log of replicated ballots described in Subsection 20A-4-104(3);

(h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;

(i) the record of voter database access described in Subsection 20A-5-905(2);

(j) the reports on military and overseas voters described in Section 20A-16-202;

(k) scanned copies of return envelopes;

(l) a copy of the final election results database described in Section 20A-5-802.5; and

(m) the materials used in the programming of the automatic tabulating equipment.

(26) "Election officer" means:

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

(b) the county clerk for:

(i) a county ballot and election; and

(ii) a ballot and election as a provider election officer as provided in Section 20A-5-400.1 or 20A-5-400.5;

(c) the municipal clerk for:

(i) a municipal ballot and election; and

- 167 (ii) a ballot and election as a provider election officer as provided in Section
168 20A-5-400.1 or 20A-5-400.5;
- 169 (d) the special district clerk or chief executive officer for:
- 170 (i) a special district ballot and election; and
- 171 (ii) a ballot and election as a provider election officer as provided in Section
172 20A-5-400.1 or 20A-5-400.5; or
- 173 (e) the business administrator or superintendent of a school district for:
- 174 (i) a school district ballot and election; and
- 175 (ii) a ballot and election as a provider election officer as provided in Section
176 20A-5-400.1 or 20A-5-400.5.
- 177 (27) "Election official" means any election officer, election judge, or poll worker.
- 178 (28) "Election results" means:
- 179 (a) for an election other than a bond election, the count of votes cast in the election and
180 the election returns requested by the board of canvassers; or
- 181 (b) for bond elections, the count of those votes cast for and against the bond proposition
182 plus any or all of the election returns that the board of canvassers may request.
- 183 (29) "Election results database" means the following information generated by voting
184 equipment:
- 185 (a) one or more electronic files that contains a digital interpretation of each ballot that is
186 counted in an election;
- 187 (b) a ballot image; and
- 188 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 189 (30) "Election returns" means:
- 190 (a) the pollbook;
- 191 (b) the military and overseas absentee voter registration and voting certificates;
- 192 (c) one of the tally sheets;
- 193 (d) any unprocessed ballots;
- 194 (e) all counted ballots;
- 195 (f) all excess ballots;
- 196 (g) all unused ballots;
- 197 (h) all spoiled ballots;
- 198 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 199 (j) the final election results database described in Section 20A-5-802.5;
- 200 (k) all return envelopes;

(l) any provisional ballot envelopes; and

(m) the total votes cast form.

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

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

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

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

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

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

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

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

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

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

(a) is created via electronic or mechanical means; and

(b) records an individual voter's vote cast via a method other than an individual directly placing a mark, using a pen or other marking instrument, to record an individual voter's vote.

(41) "Municipal executive" means:

(a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or

(b) the mayor in the council-manager form of government defined in Subsection 10-3b-103(6).

(42) "Municipal general election" means the election held in municipalities and, as applicable, special districts on the first Tuesday after the first Monday in November of

each odd-numbered year for the purposes established in Section 20A-1-202.

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

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

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

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

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

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

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

(a) the ballot as an official ballot;

(b) the date of the election; and

(c)(i) for a ballot prepared by an election officer other than a county clerk, the facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

(ii) for a ballot prepared by a county clerk, the words required by Subsection [~~20A-6-301(1)(b)(iii)~~] 20A-6-30(1)(c)(iii).

(50) "Official register" means the official record furnished to election officials by the election officer that contains the information required by Section 20A-5-401.

(51) "Political party" means an organization of registered voters that has qualified to participate in an election by meeting the requirements of Chapter 8, Political Party Formation and Procedures.

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

(b) "Poll worker" includes election judges.

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

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

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

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

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

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

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

(a) is built into a voting machine; and

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

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

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

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

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

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

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

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

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

(i) elected to public office; or

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

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

(64) "Receiving judge" means the poll worker that checks the voter's name in the official register at a polling place and provides the voter with a ballot.

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

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

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

(68) "Regular primary election" means the election, held on the date specified in Section

20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan local school board positions to advance to the regular general election.

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

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

(a) into which the voter places the manual ballot after the voter has voted the manual ballot in order to preserve the secrecy of the voter's vote; and

(b) that includes the voter affidavit and a place for the voter's signature.

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

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

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

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

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

(a) is spoiled by the voter;

(b) is unable to be voted because it was spoiled by the printer or a poll worker; or

(c) lacks the official endorsement.

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

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

(78) "Ticket" means a list of:

(a) political parties;

(b) candidates for an office; or

(c) ballot propositions.

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

(80) "Vacancy" means:

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

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

(81) "Valid voter identification" means:

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

(i) a currently valid Utah driver license;

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

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

(A) the state; or

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

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

(v) a currently valid United States passport; or

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

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

(i) a valid tribal identification card;

(ii) a Bureau of Indian Affairs card; or

(iii) a tribal treaty card; or

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

(i) before January 1, 2029, an original or copy of a current utility bill, dated no more than 90 calendar days before the date of the election;

(ii) before January 1, 2029, an original or copy of a bank or other financial account statement, dated no more than 90 calendar days before the date of the election;

(iii) a certified birth certificate;

(iv) a valid social security card;

(v) an original or copy of a check issued by the state or the federal government, dated no more than 90 calendar days before the date of the election;

(vi) an original or copy of a paycheck from the voter's employer, dated no more than 90 calendar days before the date of the election;

(vii) a currently valid Utah hunting or fishing license;

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

(82) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate by following the procedures and requirements of this title.

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

- (a) mailing the ballot to the location designated in the mailing; or
- (b) depositing the ballot in a ballot drop box designated by the election officer.

(84) "Voter" means an individual who:

- (a) meets the requirements for voting in an election;
- (b) meets the requirements of election registration;
- (c) is registered to vote; and
- (d) is listed in the official register.

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

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

(87) "Voting booth" means:

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

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

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

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

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

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

Section 2. Section **20A-1-201.5** is amended to read:

20A-1-201.5 . Primary election dates.

(1) The regular primary election shall be held throughout the state on the fourth Tuesday of June of each even numbered year as provided in Section 20A-9-403, [~~20A-9-407, or 20A-9-408,~~] as applicable, to nominate persons for national, state, school board, and county offices.

(2) A municipal primary election shall be held, if necessary, on the second Tuesday following the first Monday in August before the regular municipal election to nominate persons for:

(a) municipal offices; or

(b) local school board office for a new school district or a reorganized new school district under Section 53G-3-302.

(3) A presidential primary election shall be held throughout the state on the first Tuesday in March in the year in which a presidential election will be held.

Section 3. Section **20A-1-501** is amended to read:

20A-1-501 . Candidate vacancies -- Procedure for filling.

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

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

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

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

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

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

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

(i) after the close of the period for filing a declaration of candidacy and continuing through the day before the day on which the lieutenant governor provides the list

- 439 described in Subsection [~~20A-9-403(4)(a)~~] 20A-9-403(3)(a), only one or two
440 candidates from that party have filed a declaration of candidacy for that office and
441 one or both dies, resigns as a candidate, or is disqualified as a candidate; and
442 (ii) the central committee provides written certification of the replacement candidate
443 to the appropriate election officer before the day on which the lieutenant governor
444 provides the list described in Subsection [~~20A-9-403(4)(a)~~] 20A-9-403(3)(a);
- 445 (b) for a registered political party that does not have a candidate on the ballot in a
446 primary, but will have a candidate on the ballot for a regular general election:
447 (i) after the close of the period for filing a declaration of candidacy and continuing
448 through the day before the day on which the lieutenant governor makes the
449 certification described in Section 20A-5-409, the party's candidate dies, resigns as
450 a candidate, or is disqualified as a candidate; and
451 (ii) the central committee provides written certification of the replacement candidate
452 to the appropriate election officer before the day on which the lieutenant governor
453 makes the certification described in Section 20A-5-409; or
- 454 (c) for a registered political party with a candidate certified as winning a primary
455 election:
456 (i) after the close of the period for filing a declaration of candidacy and continuing
457 through the day before the day on which the lieutenant governor makes the
458 certification described in Section 20A-5-409, the party's candidate dies, resigns as
459 a candidate, or is disqualified as a candidate; and
460 (ii) the central committee provides written certification of the replacement candidate
461 to the appropriate election officer before the day on which the lieutenant governor
462 makes the certification described in Section 20A-5-409.
- 463 (3) If no more than two candidates from a political party have filed a declaration of
464 candidacy for an office elected at a regular general election and one resigns to become
465 the party candidate for another position, the central committee of that political party may
466 certify the name of another candidate to the appropriate election officer.
- 467 (4) Each replacement candidate shall file a declaration of candidacy as required by Chapter
468 9, Part 2, Candidate Qualifications and Declarations of Candidacy.
- 469 (5)(a) The name of a candidate who is certified under Subsection (2)(a) after the
470 deadline described in Subsection (2)(a)(ii) may not appear on the primary election
471 ballot.
- 472 (b) The name of a candidate who is certified under Subsection (2)(b) after the deadline

described in Subsection (2)(b)(ii) may not appear on the general election ballot.

(c) The name of a candidate who is certified under Subsection (2)(c) after the deadline described in Subsection (2)(c)(ii) may not appear on the general election ballot.

(6) A political party may not replace a candidate who is disqualified for failure to timely file a campaign disclosure financial report under Chapter 11, Campaign and Financial Reporting Requirements, or Section 17-70-403.

(7) This section does not apply to a candidate vacancy for a nonpartisan office.

Section 4. Section **20A-1-502** is amended to read:

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

(1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of United States senator, the governor shall, within seven calendar days after the day on which the vacancy occurs, issue a proclamation calling a special congressional election to fill the vacancy that:

(a) sets a date for a primary congressional special election, and a later date for a general congressional special election, on the same day as one of the following elections:

- (i) a municipal general election;
- (ii) a presidential primary election;
- (iii) a regular primary election; or
- (iv) a regular general election;

(b) sets the date of the primary congressional special election on the same day as the next election described in Subsections (1)(a)(i) through (iv) that is more than 90 calendar days after the day on which the governor issues the proclamation;

(c) sets the date of the general special congressional election on the same day as the next election described in Subsection (1)(a) that is more than 90 calendar days after the primary special congressional election described in Subsection (1)(b);

(d) provides each ~~[registered political party that is not a qualified political]~~ nominating party at least 21 calendar days, but no more than 28 calendar days, to select one candidate, in a manner determined by the ~~[registered political]~~ convention nominating party, as a candidate for the ~~[registered political party]~~ convention nominating party to appear on the general special congressional election ballot, in the manner described in Subsection 20A-9-402.2(3) and Section 20A-6-301;

(e) for each ~~[qualified political]~~ primary nominating party, provides at least 21 calendar days, but no more than 28 calendar days[;]

~~[(i) for the qualified political party to select one candidate, using the convention~~

- 507 ~~process described in Section 20A-9-407, as a candidate for the qualified political~~
508 ~~party; and]~~
- 509 [(ii)] for a ~~[member of the qualified political]~~ qualified individual to seek the
510 nomination of the primary nominating party to submit signatures to qualify for
511 placement on the primary special congressional election ballot as a candidate for
512 ~~the [qualified political]~~ primary nominating party using the signature-gathering
513 process described in Section [20A-9-408] 20A-9-402.3;
- 514 (f) consistent with the requirements of this section, establishes the deadlines, time
515 frames, and procedures for filing a declaration of candidacy, giving notice of an
516 election, and other election requirements; and
- 517 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
518 Military and Overseas Voters Act.
- 519 (2)(a) The governor may set a date for a primary special congressional election or a
520 general special congressional election on a date other than a date described in
521 Subsection (1)(a) if:
- 522 (i) on the same day on which the governor issues the proclamation described in
523 Subsection (1) the governor calls a special session for the Legislature to
524 appropriate money to hold the election on a different day; or
- 525 (ii) if the governor issues the proclamation described in Subsection (1) on or after
526 January 1, but before the end of the general session of the Legislature, and
527 requests in the proclamation described in Subsection (1) that the Legislature
528 appropriate money to hold the election on a different day.
- 529 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
530 election on a different day, the proclamation described in Subsection (1) is void and
531 the governor shall, within seven calendar days after the day on which the Legislature
532 declines to appropriate money to hold the election on a different day, issue a
533 proclamation, in accordance with Subsection (1), that sets the special congressional
534 primary and general elections on dates described in Subsections (1)(a)(i) through (iv).
- 535 (3) A special congressional election to fill a vacancy in the office of United States senator
536 will not be held if:
- 537 (a) the next regular general election that occurs after the day on which the vacancy
538 occurs is the regular general election that occurs immediately before the six-year term
539 for the senate office ends; and
- 540 (b) the vacancy occurs after August 1 of the year before the regular general election

described in Subsection (3)(a).

(4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the office of United States senator from one of three individuals nominated by the Legislature, each of whom is a member of the political party of which the prior officeholder was a member at the time the prior officeholder was elected.

(b) The individual appointed under Subsection (4)(a) shall serve as United States senator until the earlier of the day on which:

(i) the vacancy is filled by election under Subsection (1) or (2); or

(ii) the six-year term for the senate office ends.

(5) An individual elected to fill a vacancy under this section shall serve until the end of the current term in which the vacancy filled by the election occurs.

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

(a) has left the office; or

(b) submits an irrevocable letter of resignation to the governor or to the president of the United States Senate.

Section 5. Section **20A-1-502.5** is amended to read:

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

(1) Except as provided in Subsections (2) and (4), when a vacancy occurs in the office of United States representative, the governor shall, within seven calendar days after the day on which the vacancy occurs, issue a proclamation calling a special congressional election to fill the vacancy that:

(a) sets a date for a primary congressional special election, and a later date for a general congressional special election, on the same day as one of the following elections:

(i) a municipal general election;

(ii) a presidential primary election;

(iii) a regular primary election; or

(iv) a regular general election;

(b) sets the date of the primary congressional special election on the same day as the next election described in Subsections (1)(a)(i) through (iv) that is more than 90 calendar days after the day on which the governor issues the proclamation;

(c) sets the date of the general special congressional election on the same day as the next election described in Subsection (1)(a) that is more than 90 calendar days after the primary special congressional election described in Subsection (1)(b);

(d) provides each ~~[registered political party that is not a qualified political]~~ convention

- 575 nominating party at least 21 calendar days, but no more than 28 calendar days, to
576 select one candidate, in a manner determined by the ~~[registered political]~~ convention
577 nominating party, as a candidate for the ~~[registered political party]~~ convention
578 nominating party to appear on the general special congressional election ballot, in the
579 manner described in Subsection 20A-9-402.2(3) and Section 20A-6-301;
- 580 (e) for each ~~[qualified political]~~ primary nominating party, provides at least 21 calendar
581 days, but no more than 28 calendar days[;]
582 ~~[(i) for the qualified political party to select one candidate, using the convention~~
583 ~~process described in Section 20A-9-407, as a candidate for the qualified political~~
584 ~~party; and]~~
585 ~~[(ii)]~~ for a ~~[member of the qualified political]~~ qualified individual to seek the
586 nomination of the primary nominating party to submit signatures to qualify for
587 placement on the primary special congressional election ballot as a candidate for
588 the [qualified political] primary nominating party using the signature-gathering
589 process described in Section ~~[20A-9-408]~~ 20A-9-402.3;
- 590 (f) consistent with the requirements of this section, establishes the deadlines, time
591 frames, and procedures for filing a declaration of candidacy, giving notice of an
592 election, and other election requirements; and
- 593 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
594 Military and Overseas Voters Act.
- 595 (2) The governor may set a date for a primary special congressional election or a general
596 special congressional election on a date other than a date described in Subsection (1)(a)
597 if:
- 598 (a) on the same day on which the governor issues the proclamation described in
599 Subsection (1) the governor calls a special session for the Legislature to appropriate
600 money to hold the election on a different day; or
- 601 (b) if the governor issues the proclamation described in Subsection (1) on or after
602 January 1, but before the end of the general session of the Legislature, and requests in
603 the proclamation described in Subsection (1) that the Legislature appropriate money
604 to hold the election on a different day.
- 605 (3) If the Legislature does not, under Subsection (2), appropriate money to hold the election
606 on a different day, the proclamation described in Subsection (1) is void and the governor
607 shall, within seven calendar days after the day on which the Legislature declines to
608 appropriate money to hold the election on a different day, issue a proclamation, in

accordance with Subsection (1), that sets the special congressional primary and general elections on dates described in Subsections (1)(a)(i) through (iv).

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

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

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

(a) has left the office; or

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

Section 6. Section **20A-1-503** is amended to read:

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

(1) As used in this section:

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

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

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

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

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

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

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

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

(i) establish a date and time, which is before the date for a candidate to be certified

- for the ballot under Section 20A-9-701 and no later than 21 calendar days after the day on which the vacancy occurred, by which a person intending to obtain a position on the ballot for the vacant office shall file:
- (A) a declaration of candidacy; or
 - (B) a certificate of nomination; and
- (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
- (A) on the lieutenant governor's website; and
 - (B) to each registered political party.
- (b) A person intending to obtain a position on the ballot for the vacant office shall:
- (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of candidacy or certificate of nomination according to the procedures and requirements of Chapter 9, Candidate Qualifications and Nominating Procedures; and
 - (ii) run in the regular general election if:
 - (A) nominated as a party candidate; or
 - (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate Qualifications and Nominating Procedures.
- (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in Subsection [20A-9-202(1)(b)] 20A-9-201.5(2) and before August 31, of an even-numbered year in which the term of office does not expire, a party liaison from each registered political party may submit a name of a person described in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for placement on the regular general election ballot.
- (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an even-numbered year in which a term does not expire, the governor shall fill the vacancy for the unexpired term by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior senator.
- (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill a vacancy described in this section shall, no later than the deadline for the individual to file an interim report under Subsection 20A-11-303(3)(a), make a complete conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- (b) An individual described in Subsection (6)(a) is not required to comply with Subsection (6)(a) if the individual:
- (i)(A) currently holds the office of senator and is seeking appointment as a

- 677 representative; or
- 678 (B) currently holds the office of representative and is seeking appointment as a
- 679 senator;
- 680 (ii) already, that same year, filed a conflict of interest disclosure for the office
- 681 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 682 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
- 683 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
- 684 is updated and accurate as of the date of the written statement.
- 685 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
- 686 individual described in Subsection (6)(a) available for public inspection in accordance
- 687 with Subsection 20A-11-1603(4).
- 688 (8) A vacancy in the office of senator or representative of the Legislature does not occur
- 689 unless the senator or representative:
- 690 (a) has left the office; or
- 691 (b) submits an irrevocable letter of resignation to:
- 692 (i) for a senator, the president of the Senate; or
- 693 (ii) for a representative, the speaker of the House of Representatives.
- 694 Section 7. Section **20A-1-1001** is amended to read:
- 695 **20A-1-1001 . Definitions.**
- 696 As used in this part:
- 697 (1)(a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town
- 698 clerk, city recorder, or municipal recorder.
- 699 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions
- 700 Applicable to All Special Districts.
- 701 (2) "Local petition" means:
- 702 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local
- 703 Initiatives - Procedures; or
- 704 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6, Local
- 705 Referenda - Procedures.
- 706 (3) "Petition" means one of the following written requests, signed by registered voters,
- 707 appealing to an authority with respect to a particular cause:
- 708 (a) a local petition;
- 709 (b) a petition to consolidate two or more municipalities under Section 10-2-601;
- 710 (c) a petition for disincorporation of a municipality under Section 10-2-701;

- (d) a petition to incorporate a proposed municipality under Section 10-2a-208;
- (e) a petition to consolidate adjoining counties under Section 17-61-201;
- (f) a petition to annex a portion of a county to an adjoining county under Section 17-61-301;
- (g) a petition for the creation of a new county under Section 17-61-401;
- (h) a petition for the removal of a county seat under Section 17-60-302;
- (i) a petition for the adoption of an optional plan under Section 17-62-303;
- (j) a petition for the repeal of an optional plan under Section 17-62-505;
- (k) a petition to create a special district under Section 17B-1-203;
- (l) a petition to withdraw an area from a special district under Section 17B-1-504;
- (m) a petition to dissolve a special district under Section 17B-1-1303;
- (n) a petition for issuance of local building authority bonds under Section 17D-2-502;
- (o) a petition to become a registered political party under Section 20A-8-103;
- (p) a nomination petition for municipal office under Section 20A-9-203;
- ~~[(q) a nomination petition for a regular primary election under Subsection 20A-9-403(3)(a) and Section 20A-9-405;]~~
- ~~[(r)]~~ (q) a petition for a political party to qualify as a municipal political party under Section 20A-9-404;
- ~~[(s)]~~ (r) a petition for the nomination of a ~~[qualified political party under Section 20A-9-408]~~ primary nominating party under Section 20A-9-402.3;
- ~~[(t)]~~ (s) a nomination petition for a candidate not affiliated with a political party under Section 20A-9-502;
- ~~[(u)]~~ (t) a nomination petition to become a delegate to a ratification convention under Section 20A-15-103;
- ~~[(v)]~~ (u) a petition to create a new school district under Section 53G-3-301;
- ~~[(w)]~~ (v) a petition to consolidate school districts under Section 53G-3-401;
- ~~[(x)]~~ (w) a petition to transfer a portion of a school district to another district under Section 53G-3-501;
- ~~[(y)]~~ (x) a petition to determine whether a privatization project agreement should be approved under Section 73-10d-4; or
- ~~[(z)]~~ (y) a statewide petition.

(4) "Statewide petition" means:

- (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2, Statewide Initiatives; or

(b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3, Statewide Referenda.

(5)(a) "Substantially similar name" means:

- (i) the given name, the surname, or both, provided by the individual with the individual's petition signature, contain only minor spelling differences when compared to the given name and surname shown on the official register;
- (ii) the surname provided by the individual with the individual's petition signature exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;
- (iii) the surname provided by the individual with the individual's petition signature exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or
- (iv) the surname provided by the individual with the individual's petition signature exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) "Substantially similar name" does not include a name having an initial or a middle name provided by the individual with the individual's petition signature that does not match a different initial or middle name shown on the official register.

Section 8. Section **20A-2-104** is amended to read:

20A-2-104 . Voter registration form -- Registered voter lists -- Fees for copies.

(1) As used in this section:

- (a) "Candidate for public office" means an individual:
 - (i) who files a declaration of candidacy for a public office; or
 - ~~[(ii) who files a notice of intent to gather signatures under Section 20A-9-408; or]~~
 - ~~[(iii)]~~ (ii) employed by, under contract with, or a volunteer of, an individual described in Subsection ~~[(1)(a)(i) or (ii)]~~ (1)(a)(i) for political campaign purposes.
- (b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and the federal Violence Against Women Act of 1994, as amended.
- (c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and the federal Violence Against Women Act of 1994, as amended.

(d) "Hash [~~Code~~] code" means a code generated by applying an algorithm to a set of data to produce a code that:

- (i) uniquely represents the set of data;
- (ii) is always the same if the same algorithm is applied to the same set of data; and
- (iii) cannot be reversed to reveal the data applied to the algorithm.

(e) "Protected individual" means an individual:

- (i) who submits a withholding request form with the individual's voter registration record, or to the lieutenant governor or a county clerk, if the individual indicates on the form that the individual, or an individual who resides with the individual, is a victim of domestic violence or dating violence or is likely to be a victim of domestic violence or dating violence;
- (ii) who submits a withholding request form with the individual's voter registration record, or to the lieutenant governor or a county clerk, if the individual indicates on the form and provides verification that the individual, or an individual who resides with the individual, is a law enforcement officer, a member of the armed forces as defined in Section 20A-1-513, a public figure, or protected by a protective order or protection order; or
- (iii) whose voter registration record was classified as a private record at the request of the individual before May 12, 2020.

(2)(a) An individual applying for voter registration, or an individual preregistering to vote, shall complete a voter registration form in substantially the following form:

UTAH ELECTION REGISTRATION FORM

Are you a citizen of the United States of America? Yes No

If you checked "no" to the above question, do not complete this form.

Will you be 18 years [~~of age~~] old on or before election day? Yes No

If you checked "no" to the above question, are you 16 or 17 years [~~of age~~] old and preregistering to vote? Yes No

If you checked "no" to both of the prior two questions, do not complete this form.

Name of Voter

First

Middle

Last

Utah Driver License or Utah Identification Card

Number_____

813 Date of Birth _____

814 Street Address of Principal Place of Residence

815 _____

816 City County State Zip Code

817 Telephone Number (optional) _____

818 Email Address (optional) _____

819 Last four digits of Social Security Number _____

820 Last former address at which I was registered to vote (if

821 known)_____

822 _____

823 City County State Zip Code

824 Political Party

825 (a listing of each registered political party, as defined in Section 20A-8-101 and

826 maintained by the lieutenant governor under Section 67-1a-2, with each party's name preceded

827 by a checkbox)

828 ☐Unaffiliated (no political party preference) ☐Other (Please

829 specify)_____

830 I do swear (or affirm), subject to penalty of law for false statements, that the information

831 contained in this form is true, and that I am a citizen of the United States and a resident of the

832 state of Utah, residing at the above address. Unless I have indicated above that I am

833 preregistering to vote in a later election, I will be at least 18 years [~~of age~~] old and will have

834 resided in Utah for 30 calendar days immediately before the next election. I am not a

835 convicted felon currently incarcerated for commission of a felony.

836 Signed and sworn

837 _____

838 Voter's Signature

839 _____(month/day/year).

PRIVACY INFORMATION

840 Voter registration records contain some information that is available to the public, such

841 as your name and address, some information that is available only to government entities, and

842 some information that is available only to certain third parties in accordance with the

843 requirements of law.

844 Your driver license number, identification card number, social security number, email

845 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.

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:

_____ 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.

REQUEST FOR ADDITIONAL PRIVACY PROTECTION

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

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

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

CITIZENSHIP AFFIDAVIT

Name:

Name at birth, if different:

Place of birth:

Date of birth:

Date and place of naturalization (if applicable):

I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a citizen and that to the best of my knowledge and belief the information above is true and

correct.

Signature of Applicant

In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or allowing yourself to be registered or preregistered to vote if you know you are not entitled to register or preregister to vote is up to one year in jail and a fine of up to \$2,500.

NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID VOTER IDENTIFICATION TO THE POLL WORKER, IN ACCORDANCE WITH THE REQUIREMENTS OF LAW.

FOR OFFICIAL USE ONLY

Type of I.D. _____

Voting Precinct _____

Voting I.D. Number _____

(b) The voter registration form described in Subsection (2)(a) shall include:

(i) a section in substantially the following form:

"-----

BALLOT NOTIFICATIONS

Do you consent to receive communications about the status of your ballot and other official communications, by text, at the phone number you provided above? Yes No

-----";

and

(ii) no later than November 5, 2025, the following, immediately after the question described in Subsection (2)(b)(i):

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

_____ Mail a ballot to me.

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

(c)(i) Except as provided under Subsection (2)(c)(ii), the county clerk shall retain a copy of each voter registration form in a permanent countywide alphabetical file, which may be electronic or some other recognized system.

(ii) The county clerk may transfer a superseded voter registration form to the Division of Archives and Records Service created under Section 63A-12-101.

(3)(a) Each county clerk shall retain lists of currently registered voters.

(b) The lieutenant governor shall maintain a list of registered voters in electronic form.

914 (c) If there are any discrepancies between the two lists, the county clerk's list is the
915 official list.

916 (d) The lieutenant governor and the county clerks may charge the fees established under
917 the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy
918 of the list of registered voters.

919 (4)(a) As used in this Subsection (4), "qualified person" means:

920 (i) a government official or government employee acting in the government official's
921 or government employee's capacity as a government official or a government
922 employee;

923 (ii) a health care provider, as defined in Section 26B-8-501, or an agent, employee, or
924 independent contractor of a health care provider;

925 (iii) an insurance company, as defined in Section 67-4a-102, or an agent, employee,
926 or independent contractor of an insurance company;

927 (iv) a financial institution, as defined in Section 7-1-103, or an agent, employee, or
928 independent contractor of a financial institution;

929 (v) a political party, or an agent, employee, or independent contractor of a political
930 party;

931 (vi) a candidate for public office, or an employee, independent contractor, or
932 volunteer of a candidate for public office;

933 (vii) a person described in Subsections (4)(a)(i) through (vi) who, after obtaining a
934 year of birth from the list of registered voters:

935 (A) provides the year of birth only to a person described in Subsections (4)(a)(i)
936 through (vi);

937 (B) verifies that the person described in Subsection (4)(a)(vii)(A) is a person
938 described in Subsections (4)(a)(i) through (vi);

939 (C) ensures, using industry standard security measures, that the year of birth may
940 not be accessed by a person other than a person described in Subsections
941 (4)(a)(i) through (vi);

942 (D) verifies that each person described in Subsections (4)(a)(ii) through (iv) to
943 whom the person provides the year of birth will only use the year of birth to
944 verify the accuracy of personal information submitted by an individual or to
945 confirm the identity of a person in order to prevent fraud, waste, or abuse;

946 (E) verifies that each person described in Subsection (4)(a)(i) to whom the person
947 provides the year of birth will only use the year of birth in the person's capacity

- 948 as a government official or government employee; and
- 949 (F) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 950 person provides the year of birth will only use the year of birth for a political
- 951 purpose of the political party or candidate for public office; or
- 952 (viii) a person described in Subsection (4)(a)(v) or (vi) who, after obtaining
- 953 information under Subsection (4)(n) and (o):
- 954 (A) provides the information only to another person described in Subsection
- 955 (4)(a)(v) or (vi);
- 956 (B) verifies that the other person described in Subsection (4)(a)(viii)(A) is a
- 957 person described in Subsection (4)(a)(v) or (vi);
- 958 (C) ensures, using industry standard security measures, that the information may
- 959 not be accessed by a person other than a person described in Subsection
- 960 (4)(a)(v) or (vi); and
- 961 (D) verifies that each person described in Subsection (4)(a)(v) or (vi) to whom the
- 962 person provides the information will only use the information for a political
- 963 purpose of the political party or candidate for public office.
- 964 (b) Notwithstanding Subsection 63G-2-302(1)(j)(iv), and except as provided in
- 965 Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall,
- 966 when providing the list of registered voters to a qualified person under this section,
- 967 include, with the list, the years of birth of the registered voters, if:
- 968 (i) the lieutenant governor or a county clerk verifies the identity of the person and
- 969 that the person is a qualified person; and
- 970 (ii) the qualified person signs a document that includes the following:
- 971 (A) the name, address, and telephone number of the person requesting the list of
- 972 registered voters;
- 973 (B) an indication of the type of qualified person that the person requesting the list
- 974 claims to be;
- 975 (C) a statement regarding the purpose for which the person desires to obtain the
- 976 years of birth;
- 977 (D) a list of the purposes for which the qualified person may use the year of birth
- 978 of a registered voter that is obtained from the list of registered voters;
- 979 (E) a statement that the year of birth of a registered voter that is obtained from the
- 980 list of registered voters may not be provided or used for a purpose other than a
- 981 purpose described under Subsection (4)(b)(ii)(D);

(F) a statement that if the person obtains the year of birth of a registered voter from the list of registered voters under false pretenses, or provides or uses the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law, is guilty of a class A misdemeanor and is subject to a civil fine;

(G) an assertion from the person that the person will not provide or use the year of birth of a registered voter that is obtained from the list of registered voters in a manner that is prohibited by law; and

(H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.

(c) The lieutenant governor or a county clerk:

(i) may not disclose the year of birth of a registered voter to a person that the lieutenant governor or county clerk reasonably believes:

(A) is not a qualified person or a person described in Subsection (4)(l); or

(B) will provide or use the year of birth in a manner prohibited by law; and

(ii) may not disclose information under ~~[Subsections]~~ Subsection (4)(n) or (o) to a person that the lieutenant governor or county clerk reasonably believes:

(A) is not a person described in Subsection (4)(a)(v) or (vi); or

(B) will provide or use the information in a manner prohibited by law.

(d) The lieutenant governor or a county clerk may not disclose the voter registration form of a person, or information included in the person's voter registration form, whose voter registration form is classified as private under Subsection (4)(h) to a person other than:

(i) a government official or government employee acting in the government official's or government employee's capacity as a government official or government employee; or

(ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for a political purpose.

(e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or information under Subsection (4)(d)(ii), the lieutenant governor or county clerk shall exclude the information described in Subsection 63G-2-302(1)(j), other than the year of birth.

(ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the voter registration record of a protected individual, the lieutenant governor or

1016 county clerk shall comply with Subsections (4)(n) through (p).

- 1017 (f) The lieutenant governor or a county clerk may not disclose a withholding request
1018 form, described in Subsections (7) and (8), submitted by an individual, or information
1019 obtained from that form, to a person other than a government official or government
1020 employee acting in the government official's or government employee's capacity as a
1021 government official or government employee.
- 1022 (g) A person is guilty of a class A misdemeanor if the person:
- 1023 (i) obtains from the list of registered voters, under false pretenses, the year of birth of
1024 a registered voter or information described in Subsection (4)(n) or (o);
- 1025 (ii) uses or provides the year of birth of a registered voter, or information described in
1026 Subsection (4)(n) or (o), that is obtained from the list of registered voters in a
1027 manner that is not permitted by law;
- 1028 (iii) obtains a voter registration record described in Subsection 63G-2-302(1)(k)
1029 under false pretenses;
- 1030 (iv) uses or provides information obtained from a voter registration record described
1031 in Subsection 63G-2-302(1)(k) in a manner that is not permitted by law;
- 1032 (v) unlawfully discloses or obtains a voter registration record withheld under
1033 Subsection (7) or a withholding request form described in Subsections (7) and (8);
1034 or
- 1035 (vi) unlawfully discloses or obtains information from a voter registration record
1036 withheld under Subsection (7) or a withholding request form described in
1037 Subsections (7) and (8).
- 1038 (h) The lieutenant governor or a county clerk shall classify the voter registration record
1039 of a voter as a private record if the voter:
- 1040 (i) submits a written application, created by the lieutenant governor, requesting that
1041 the voter's voter registration record be classified as private;
- 1042 (ii) requests on the voter's voter registration form that the voter's voter registration
1043 record be classified as a private record; or
- 1044 (iii) submits a withholding request form described in Subsection [~~(7)~~] (8) and any
1045 required verification.
- 1046 (i) Except as provided in Subsections (4)(d)(ii) and (e)(ii), the lieutenant governor or a
1047 county clerk may not disclose to a person described in Subsection (4)(a)(v) or (vi) a
1048 voter registration record, or information obtained from a voter registration record, if
1049 the record is withheld under Subsection (7).

- (j) In addition to any criminal penalty that may be imposed under this section, the lieutenant governor may impose a civil fine against a person who violates a provision of this section, in an amount equal to the greater of:
- (i) the product of 30 and the square root of the total number of:
 - (A) records obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or
 - (B) records from which information is obtained, provided, or used unlawfully, rounded to the nearest whole dollar; or
 - (ii) \$200.
- (k) A qualified person may not obtain, provide, or use the year of birth of a registered voter, if the year of birth is obtained from the list of registered voters or from a voter registration record, unless the person:
- (i) is a government official or government employee who obtains, provides, or uses the year of birth in the government official's or government employee's capacity as a government official or government employee;
 - (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or uses the year of birth only to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse;
 - (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains, provides, or uses the year of birth for a political purpose of the political party or candidate for public office; or
 - (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or uses the year of birth to provide the year of birth to another qualified person to verify the accuracy of personal information submitted by an individual or to confirm the identity of a person in order to prevent fraud, waste, or abuse.
- (l) The lieutenant governor or a county clerk may provide a year of birth to a member of the media, in relation to an individual designated by the member of the media, in order for the member of the media to verify the identity of the individual.
- (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose information from a voter registration record for a purpose other than a political purpose.
- (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a county clerk shall, when providing the list of registered voters to a qualified person

described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose record is withheld under Subsection (7), the information described in Subsection (4)(o), if:

- (i) the lieutenant governor or a county clerk verifies the identity of the person and that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and
- (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document that includes the following:
 - (A) the name, address, and telephone number of the person requesting the list of registered voters;
 - (B) an indication of the type of qualified person that the person requesting the list claims to be;
 - (C) a statement regarding the purpose for which the person desires to obtain the information;
 - (D) a list of the purposes for which the qualified person may use the information;
 - (E) a statement that the information may not be provided or used for a purpose other than a purpose described under Subsection (4)(n)(ii)(D);
 - (F) a statement that if the person obtains the information under false pretenses, or provides or uses the information in a manner that is prohibited by law, the person is guilty of a class A misdemeanor and is subject to a civil fine;
 - (G) an assertion from the person that the person will not provide or use the information in a manner that is prohibited by law; and
 - (H) notice that if the person makes a false statement in the document, the person is punishable by law under Section 76-8-504.

(o) Except as provided in Subsection (4)(p), the information that the lieutenant governor or a county clerk is required to provide, under Subsection (4)(n), from the record of a protected individual is:

- (i) a single hash code, generated from a string of data that includes both the voter's voter identification number and residential address;
- (ii) the voter's residential address;
- (iii) the voter's mailing address, if different from the voter's residential address;
- (iv) the party affiliation of the voter;
- (v) the precinct number for the voter's residential address;
- (vi) the voter's voting history; and
- (vii) a designation of which age group, of the following age groups, the voter falls

1118 within:

1119 (A) 25 or younger;

1120 (B) 26 through 35;

1121 (C) 36 through 45;

1122 (D) 46 through 55;

1123 (E) 56 through 65;

1124 (F) 66 through 75; or

1125 (G) 76 or older.

1126 (p) The lieutenant governor or a county clerk may not disclose:

1127 (i) information described in Subsection (4)(o) that, due to a small number of voters
1128 affiliated with a particular political party, or due to another reason, would likely
1129 reveal the identity of a voter if disclosed; or

1130 (ii) the address described in Subsection (4)(o)(iii) if the lieutenant governor or the
1131 county clerk determines that the nature of the address would directly reveal
1132 sensitive information about the voter.

1133 (q) A qualified person described in Subsection (4)(a)(v) or (vi), may not obtain, provide,
1134 or use the information described in Subsection (4)(n) or (o), except to the extent that
1135 the qualified person uses the information for a political purpose of a political party or
1136 candidate for public office.

1137 (5) When political parties not listed on the voter registration form qualify as registered
1138 political parties under Chapter 8, Political Party Formation and Procedures, the
1139 lieutenant governor shall inform the county clerks of the name of the new political party
1140 and direct the county clerks to ensure that the voter registration form is modified to
1141 include that political party.

1142 (6) Upon receipt of a voter registration form from an applicant, the county clerk or the
1143 clerk's designee shall:

1144 (a) review each voter registration form for completeness and accuracy; and

1145 (b) if the county clerk believes, based upon a review of the form, that an individual may
1146 be seeking to register or preregister to vote who is not legally entitled to register or
1147 preregister to vote, refer the form to the county attorney for investigation and
1148 possible prosecution.

1149 (7) The lieutenant governor or a county clerk shall withhold from a person, other than a
1150 person described in Subsection (4)(a)(i), the voter registration record, and information
1151 obtained from the voter registration record, of a protected individual.

- 1152 (8)(a) The lieutenant governor shall design and distribute a withholding request form for
1153 the purpose described in Subsections (1)(e)(i), (1)(e)(ii), (7), and this Subsection (8)
1154 to each election officer and to each agency that provides a voter registration form.
- 1155 (b) An individual described in Subsection (1)(e)(i) is not required to provide
1156 verification, other than the individual's attestation and signature on the withholding
1157 request form, that the individual, or an individual who resides with the individual, is a
1158 victim of domestic violence or dating violence or is likely to be a victim of domestic
1159 violence or dating violence.
- 1160 (c) The director of elections within the Office of the Lieutenant Governor shall make
1161 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1162 establishing requirements for providing the verification described in Subsection
1163 (1)(e)(ii).
- 1164 (9) An election officer or an employee of an election officer may not encourage an
1165 individual to submit, or discourage an individual from submitting, a withholding request
1166 form.
- 1167 (10)(a) The lieutenant governor shall make and execute a plan to provide notice to
1168 registered voters who are protected individuals, that includes the following
1169 information:
- 1170 (i) that the voter's classification of the record as private remains in effect;
1171 (ii) that certain non-identifying information from the voter's voter registration record
1172 may, under certain circumstances, be released to political parties and candidates
1173 for public office;
1174 (iii) that the voter's name, driver license or identification card number, social security
1175 number, email address, phone number, and the voter's day, month, and year of
1176 birth will remain private and will not be released to political parties or candidates
1177 for public office;
1178 (iv) that a county clerk will only release the information to political parties and
1179 candidates in a manner that does not associate the information with a particular
1180 voter; and
1181 (v) that a county clerk may, under certain circumstances, withhold other information
1182 that the county clerk determines would reveal identifying information about the
1183 voter.
- 1184 (b) The lieutenant governor may include in the notice described in this Subsection (10) a
1185 statement that a voter may obtain additional information on the lieutenant governor's

website.

(c) The plan described in Subsection (10)(a) may include providing the notice described in Subsection (10)(a) by:

(i) publication on the Utah Public Notice Website, created in Section 63A-16-601;

(ii) publication on the lieutenant governor's website or a county's website;

(iii) posting the notice in public locations;

(iv) publication in a newspaper;

(v) sending notification to the voters by electronic means;

(vi) sending notice by other methods used by government entities to communicate with citizens; or

(vii) providing notice by any other method.

(d) The lieutenant governor shall provide the notice included in a plan described in this Subsection (10) before June 16, 2023.

Section 9. Section **20A-2-107** is amended to read:

20A-2-107 . Designating or changing party affiliation -- Times permitted.

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

(a) for an election held in an even-numbered year in which a presidential election will be held, the day after the declaration of candidacy deadline described in Subsection [

~~20A-9-201.5(1)~~] 20A-9-201.5(1)(b); or

(b) for an election held in an even-numbered year in which a presidential election will not be held, April 1.

(2) The county clerk shall:

(a) except as provided in Subsection (6) or 20A-2-107.5(3), record the party affiliation designated by the voter on the voter registration form as the voter's party affiliation; or

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

(i) except as provided in Subsection (2)(b)(ii), record the voter's party affiliation as the party that the voter designated the last time that the voter designated a party on a voter registration form, unless the voter more recently registered as "unaffiliated"; or

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

(A) did not previously designate a party;

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

(C) did not previously register.

- 1220 (3)(a) Any registered voter may designate or change the voter's political party affiliation
1221 by complying with the procedures and requirements of this Subsection (3).
- 1222 (b) A registered voter may designate or change the voter's political party affiliation by
1223 filing with the county clerk, the municipal clerk, or the lieutenant governor a voter
1224 registration form or another signed form that identifies the registered political party
1225 with which the voter chooses to affiliate.
- 1226 (c) Except as provided in Subsection (3)(d), a voter registration form or another signed
1227 form designating or changing a voter's political party affiliation takes effect when the
1228 county clerk receives the signed form.
- 1229 (d) The party affiliation of a voter who changes party affiliation, or who becomes
1230 unaffiliated from a political party, at any time on or after the change of affiliation
1231 deadline and on or before the date of the regular primary election, takes effect the day
1232 after the statewide canvass for the regular primary election.
- 1233 (4) For purposes of Subsection (3)(d), a form described in Subsection (3)(c) is received by
1234 the county clerk before the change of affiliation deadline if:
- 1235 (a) the individual submits the form in person at the county clerk's office no later than 5
1236 p.m. on the last business day before the change of affiliation deadline;
- 1237 (b) the individual submits the form electronically through the system described in
1238 Section 20A-2-206, at or before 11:59 p.m. before the day of the change of affiliation
1239 deadline; or
- 1240 (c) the individual's form is clearly postmarked before the change of affiliation deadline.
- 1241 (5) Subsection (3)(d) does not apply to the party affiliation designated by a voter on a voter
1242 registration form if:
- 1243 (a) the voter has not previously been registered to vote in the state; or
- 1244 (b) the voter's most recent party affiliation was changed to "unaffiliated" by a county
1245 clerk under Subsection (6).
- 1246 (6) If the most recent party affiliation designated by a voter is for a political party that is no
1247 longer a registered political party, the county clerk shall:
- 1248 (a) change the voter's party affiliation to "unaffiliated"; and
- 1249 (b) notify the voter electronically or by mail:
- 1250 (i) that the voter's affiliation has been changed to "unaffiliated" because the most
1251 recent party affiliation designated by the voter is for a political party that is no
1252 longer a registered political party; and
- 1253 (ii) of the methods and deadlines for changing the voter's party affiliation.

Section 10. Section **20A-5-101** is amended to read:

20A-5-101 . Notice of election.

- (1) On or before November 15 in the year before each regular general election year, the lieutenant governor shall prepare and transmit a written notice to each county clerk that:
 - (a) designates the offices to be filled at the next year's regular general election;
 - (b) identifies the dates for filing a declaration of candidacy, and for submitting and certifying nomination petition signatures, as applicable, under Sections [~~20A-9-403; 20A-9-407, and 20A-9-408~~] 20A-9-202 and 20A-9-202.3 for those offices; and
 - (c) contains a description of any ballot propositions to be decided by the voters that have qualified for the ballot as of that date.
- (2)(a) No later than seven business days after the day on which the lieutenant governor transmits the written notice described in Subsection (1), each county clerk shall provide notice for the county, as a class A notice under Section 63G-30-102, for seven business days before the day of the election and in accordance with Subsection (3).
 - (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a), showing a copy of the notice and the places where the notice was posted.
- (3) The notice described in Subsection (2) shall:
 - (a) designate the offices to be voted on in that election; and
 - (b) identify the dates for filing a declaration of candidacy for those offices.
- (4) Except as provided in Subsection (6), before each election, the election officer shall give printed notice of the following information:
 - (a) the date of election;
 - (b) the hours during which the polls will be open;
 - (c) the polling places for each voting precinct, early voting polling place, and election day voting center;
 - (d) the address of the Statewide Electronic Voter Information Website and, if available, the address of the election officer's website, with a statement indicating that the election officer will post on the website any changes to the location of a polling place and the location of any additional polling place;
 - (e) a phone number that a voter may call to obtain information regarding the location of a polling place;
 - (f) the qualifications for persons to vote in the election: and
 - (g) instructions regarding how an individual with a disability, who is not able to vote a

manual ballot by mail, may obtain information on voting in an accessible manner.

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

(6) Instead of including the information described in Subsection (4) in the notice, the election officer may give printed notice that:

(a) is entitled "Notice of Election";

(b) includes the following: "A [indicate election type] will be held in [indicate the jurisdiction] on [indicate date of election]. Information relating to the election, including polling places, polling place hours, and qualifications of voters may be obtained from the following sources:"; and

(c) specifies the following sources where an individual may view or obtain the information described in Subsection (4):

(i) if the jurisdiction has a website, the jurisdiction's website;

(ii) the physical address of the jurisdiction offices; and

(iii) a mailing address and telephone number.

Section 11. Section **20A-6-301** is amended to read:

20A-6-301 . Manual ballots -- Regular general election.

(1) Each election officer shall ensure that:

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

~~[(i) no captions or other endorsements except as provided in this section;]~~

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

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

(a) candidates of a primary nominating party who are, in accordance with Sections 20A-9-402.3 and 20A-9-403, nominated to advance to the regular general election ballot appear on the general election ballot in association with the name of the primary nominating party;

(b) except as provided in Subsection 20A-9-402.2(4) in relation to an election for president and vice president of the United States, candidates of a convention

nominating party who are, in accordance with Section 20A-9-402.4, nominated to be placed on the regular general election ballot appear on the ballot without any indication of association with the convention nominating party;

~~[(b)]~~ (c) at the top of the ballot, the following endorsements are printed in 18 point bold type:

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

(ii) the date of the election; and

(iii) the words "certified by the Clerk of _____ County" or, as applicable, the name of a combined office that includes the duties of a county clerk;

~~[(e)]~~ (d) unaffiliated candidates, candidates not affiliated with a registered political party, and all other candidates for elective office who were not nominated by a [registered political] primary nominating party to advance to the general election in accordance with [Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] Sections 20A-9-402.3 and 20A-9-403, are listed with the other candidates for the same office in accordance with Sections 20A-6-109 and 20A-6-110, without a party name or title;

~~[(d)]~~ (e) each ticket containing the lists of candidates, including the party name and device, are separated by heavy parallel lines;

~~[(e)]~~ (f) the offices to be filled are plainly printed immediately above the names of the candidates for those offices;

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

~~[(g)]~~ (h) on a ticket for a race in which a voter is authorized to cast a write-in vote and in which a write-in candidate is qualified under Section 20A-9-601:

(i) the ballot includes a space for a write-in candidate immediately following the last candidate listed on that ticket; or

(ii) for the offices of president and vice president and governor and lieutenant governor, the ballot includes two spaces for write-in candidates immediately following the last candidates on that ticket, one placed above the other, to enable the entry of two valid write-in candidates.

(2) An election officer shall ensure that:

(a) each individual nominated by ~~[any registered political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ a primary nominating party to advance to the general election ballot in accordance with Sections 20A-9-402.3 and 20A-9-403,

and no other individual, is placed on the ballot:

(i) under the registered political party's name, if any; or

(ii) under the title of the registered political party as designated by them in their certificates of nomination or petition, or, if none is designated, then under some suitable title;

(b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;

(c) the names of the candidates for president and vice president are used on the ballot instead of the names of the presidential electors; and

(d) the ballots contain no other names.

(3) When the ballot contains a nonpartisan section, the election officer shall ensure that:

(a) the designation of the office to be filled in the election and the number of candidates to be elected are printed in type not smaller than eight point;

(b) the words designating the office are printed flush with the left-hand margin;

(c) the words, "Vote for one" or "Vote for up to ____ (the number of candidates for which the voter may vote)" extend to the extreme right of the column;

(d) the nonpartisan candidates are grouped according to the office for which they are candidates;

(e) the names in each group are placed in accordance with Sections 20A-6-109 and 20A-6-110, with the surnames last; and

(f) each group is preceded by the designation of the office for which the candidates seek election, and the words, "Vote for one" or "Vote for up to ____ (the number of candidates for which the voter may vote)," according to the number to be elected.

(4) Each election officer shall ensure that:

(a) proposed amendments to the Utah Constitution are listed on the ballot in accordance with Section 20A-6-107;

(b) ballot propositions submitted to the voters are listed on the ballot in accordance with Section 20A-6-107;

(c) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to each bond proposition under Section 11-14-206; and

(d) the judicial retention section of the ballot includes a statement at the beginning directing voters to the Judicial Performance Evaluation Commission's website in accordance with Subsection 20A-12-201(4).

Section 12. Section **20A-6-302** is amended to read:

20A-6-302 . Manual ballots -- Placement of candidates' names.

- (1) An election officer shall ensure, for manual ballots in regular general elections, that:
- (a) each candidate is listed by party, if nominated by a ~~[registered political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ primary nominating party under Sections 20A-9-202.3 and 20A-9-403;
 - (b) candidates' surnames are listed in alphabetical order on the ballots when two or more candidates' names are required to be listed on a ticket under the title of an office; and
 - (c) the names of candidates are placed on the ballot in:
 - (i) the manner described in Section 20A-6-109; and
 - (ii) the order described in Section 20A-6-110.
- (2)(a) When there is only one candidate for county attorney at the regular general election in counties that have three or fewer registered voters of the county who are licensed active members in good standing of the Utah State Bar, the county clerk shall cause that candidate's name and party affiliation, if any, to be placed on a separate section of the ballot with the following question: "Shall (name of candidate) be elected to the office of county attorney? Yes ____ No ____."
- (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is elected to the office of county attorney.
 - (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not elected and may not take office, nor may the candidate continue in the office past the end of the term resulting from any prior election or appointment.
 - (d) When the name of only one candidate for county attorney is printed on the ballot under authority of this Subsection (2), the county clerk may not count any write-in votes received for the office of county attorney.
 - (e) If no qualified individual files for the office of county attorney or if the candidate is not elected by the voters, the county legislative body shall appoint the county attorney as provided in Section 20A-1-509.2.
 - (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a) to the two consecutive terms immediately preceding the term for which the candidate is seeking election, Subsection (2)(a) does not apply and that candidate shall be considered to be an unopposed candidate the same as any other unopposed candidate for another office, unless a petition is filed with the county clerk before 5 p.m. no later than the day before that year's primary election that:

- (i) requests the procedure set forth in Subsection (2)(a) to be followed; and
- (ii) contains the signatures of registered voters in the county representing in number at least 25% of all votes cast in the county for all candidates for governor at the last election at which a governor was elected.

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

Section 13. Section **20A-6-304** is amended to read:

20A-6-304 . Regular general election -- Mechanical ballots.

- (1) Each election officer shall ensure that:
- (a) the format and content of a mechanical ballot is arranged in approximately the same order as manual ballots;
 - (b) the titles of offices and the names of candidates are displayed in vertical columns or in a series of separate displays;
 - (c) the mechanical ballot is of sufficient length to include, after the list of candidates:
 - (i) the names of candidates for judicial offices and any other nonpartisan offices; and
 - (ii) any ballot propositions submitted to the voters for their approval or rejection;
 - (d) the office titles are displayed above or at the side of the names of candidates so as to indicate clearly the candidates for each office and the number to be elected;
 - (e) the party designation of each candidate who has been nominated by a ~~registered political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ primary nominating party under Sections 20A-9-202.4 and 20A-9-403 is displayed adjacent to the candidate's name; and
 - (f) if possible, all candidates for one office are grouped in one column or upon one display screen.
- (2) Each election officer shall ensure that:
- (a) proposed amendments to the Utah Constitution are displayed in accordance with Section 20A-6-107;
 - (b) ballot propositions submitted to the voters are displayed in accordance with Section 20A-6-107;
 - (c) bond propositions that have qualified for the ballot are displayed under the title assigned to each bond proposition under Section 11-14-206; and
 - (d) the judicial retention section of the ballot includes a statement at the beginning directing voters to the Judicial Performance Evaluation Commission's website in accordance with Subsection 20A-12-201(4).

Section 14. Section **20A-8-103** is amended to read:

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

- (1) As used in this section, the proposed name or emblem of a registered political party is "distinguishable" if a reasonable person of average intelligence will be able to perceive a difference between the proposed name or emblem and any name or emblem currently being used by another registered political party.
- (2) To become a registered political party, an organization of registered voters that is not a

continuing political party shall:

(a) circulate a petition seeking registered political party status beginning no earlier than the date of the statewide canvass held after the last regular general election and ending before 5 p.m. no later than November 30 of the year before the year in which the next regular general election will be held;

(b) file a petition with the lieutenant governor that is signed, with a holographic signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the year in which a regular general election will be held; and

(c) file, with the petition described in Subsection (2)(b), ~~[a document certifying:]~~ the certification required in Subsection 20A-9-402.1(1) and, if applicable, Subsection 20A-9-402.1(3).

~~[(i) the identity of one or more registered political parties whose members may vote for the organization's candidates;]~~

~~[(ii) whether unaffiliated voters may vote for the organization's candidates; and]~~

~~[(iii) whether, for the next election, the organization intends to nominate the organization's candidates in accordance with the provisions of Section 20A-9-406.]~~

(3) The petition shall:

(a) be on sheets of paper 8-1/2 inches long and 11 inches wide;

(b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for the purpose of binding;

(c) contain the name of the political party and the words "Political Party Registration Petition" printed directly below the horizontal line;

(d) contain the word "Warning" printed directly under the words described in Subsection (3)(c);

(e) contain, to the right of the word "Warning," the following statement printed in not less than eight-point, single leaded type:

"It is a class A misdemeanor for anyone to knowingly sign a political party registration petition signature sheet with any name other than the individual's own name or more than once for the same party or if the individual is not registered to vote in this state and does not intend to become registered to vote in this state before the petition is submitted to the lieutenant governor.";

(f) contain the following statement directly under the statement described in Subsection (3)(e):

"POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
Lieutenant Governor:

We, the undersigned citizens of Utah, seek registered political party status for ____
(name);

Each signer says:

I have personally signed this petition with a holographic signature;

I am registered to vote in Utah or will register to vote in Utah before the petition is
submitted to the lieutenant governor;

I am or desire to become a member of the political party; and

My street address is written correctly after my name.";

(g) be vertically divided into columns as follows:

(i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
headed with "For Office Use Only," and be subdivided with a light vertical line
down the middle;

(ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
Name (must be legible to be counted)";

(iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
Registered Voter";

(iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

(v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
Code"; and

(vi) at the bottom of the sheet, contain the following statement: "Birth date or age
information is not required, but it may be used to verify your identity with voter
registration records. If you choose not to provide it, your signature may not be
certified as a valid signature if you change your address before petition signatures
are certified or if the information you provide does not match your voter
registration records.";

(h) have a final page bound to one or more signature sheets that are bound together that
contains the following printed statement:

"Verification

State of Utah, County of ____

I, _____, of _____, hereby state that:

I am at least 18 years old;

All the names that appear on the signature sheets bound to this page were signed by
individuals who professed to be the individuals whose names appear on the signature sheets,
and each individual signed the individual's name on the signature sheets in my presence;

I believe that each individual has printed and signed the individual's name and written the individual's street address correctly, and that each individual is registered to vote in Utah or will register to vote in Utah before the petition is submitted to the lieutenant governor.

(Signature) (Residence Address) (Date)"; and

(i) be bound to a cover sheet that:

(i) identifies the political party's name, which may not exceed four words, and the emblem of the party;

(ii) states the process that the organization will follow to organize and adopt a constitution and bylaws; and

(iii) is signed by a filing officer, who agrees to receive communications on behalf of the organization.

(4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in whose presence each signature sheet is signed:

(a) is at least 18 years old; and

(b) verifies each signature sheet by completing the verification bound to one or more signature sheets that are bound together.

(5) An individual may not sign the verification if the individual signed a signature sheet bound to the verification.

(6) The lieutenant governor shall:

(a) use the procedures described in Section 20A-1-1002 to determine whether a signer is a registered voter;

(b) review the proposed name and emblem to determine if they are "distinguishable" from the names and emblems of other registered political parties; and

(c) certify the lieutenant governor's findings to the filing officer described in Subsection (3)(i)(iii) within 30 calendar days after the day on which the organization files the petition described in Subsection (2)(b).

(7)(a) If the lieutenant governor determines that the petition meets the requirements of this section, and that the proposed name and emblem are distinguishable, the lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the prospective political party.

(b) If the lieutenant governor finds that the name, emblem, or both are not distinguishable from the names and emblems of other registered political parties, the lieutenant governor shall notify the filing officer that the filing officer has seven

- 1594 calendar days to electronically submit a new name or emblem to the lieutenant
1595 governor.
- 1596 (8) A registered political party may not change its name or emblem during the regular
1597 general election cycle.
- 1598 (9)(a) It is unlawful for an individual to:
- 1599 (i) knowingly sign a political party registration petition:
- 1600 (A) with any name other than the individual's own name;
- 1601 (B) more than once for the same political party; or
- 1602 (C) if the individual is not registered to vote in this state and does not intend to
1603 become registered to vote in this state before the petition is submitted to the
1604 lieutenant governor; or
- 1605 (ii) sign the verification of a political party registration petition signature sheet if the
1606 individual:
- 1607 (A) has not witnessed the signing by those individuals whose names appear on the
1608 political party registration petition signature sheet; or
- 1609 (B) knows that an individual whose signature appears on the political party
1610 registration petition signature sheet is not registered to vote in this state and
1611 does not intend to become registered to vote in this state.
- 1612 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.
- 1613 (10)(a) A voter who signs a petition under this section may have the voter's signature
1614 removed from the petition by, no later than three business days after the day on
1615 which the petition is filed with the lieutenant governor, submitting to the lieutenant
1616 governor a statement requesting that the voter's signature be removed.
- 1617 (b) A statement described in Subsection (10)(a) shall comply with the requirements
1618 described in Subsection 20A-1-1003(2).
- 1619 (c) The lieutenant governor shall use the procedures described in Subsection
1620 20A-1-1003(3) to determine whether to remove an individual's signature from a
1621 petition after receiving a timely, valid statement requesting removal of the signature.
- 1622 Section 15. Section **20A-9-101** is amended to read:
- 1623 **20A-9-101 . Definitions.**
- 1624 As used in this chapter:
- 1625 (1)(a) "Candidates for elective office" means persons who file a declaration of candidacy
1626 under Section 20A-9-202 to run in a regular general election for a federal office,
1627 constitutional office, multicounty office, or county office.

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

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

(ii) presidential elector;

(iii) any political party offices; and

(iv) municipal or special district offices.

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

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

(4) "Convention nominating party" means a registered political party that:

(a) timely makes the certification described in Subsection 20A-9-402.1(1)(b); or

(b) fails to timely make a certification described in Subsection 20A-9-402.1(1).

~~[(4)]~~ (5)(a) "County office" means an elective office where the officeholder is selected by voters entirely within one county.

(b) "County office" does not mean:

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

(ii) the office of presidential elector;

(iii) any political party offices;

(iv) any municipal or special district offices; and

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

~~[(5)]~~ (6) "Electronic candidate qualification process" means~~[:]~~

~~[(a) as it relates to a registered political party that is not a qualified political party,] the process for gathering signatures electronically to seek the nomination of a [registered political] primary nominating party, described in:~~

~~(a) Section 20A-9-202.3;~~

~~[(+)] (b) Section 20A-9-403; and~~

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

~~[(iii)] (c) Section 20A-21-201[; and] .~~

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

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

~~[(ii) Section 20A-9-408; and]~~

~~[(iii) Section 20A-21-201.]~~

~~[(6)]~~ (7) "Federal office" means an elective office for United States Senator and United

States Representative.

~~[(7)]~~ (8) "Filing officer" means:

(a) the lieutenant governor, for:

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

(ii) all constitutional offices;

(b) for the office of a state senator, state representative, or the state school board, the

lieutenant governor or the applicable clerk described in Subsection ~~[(7)(e) or (d)]~~

(8)(c) or (d);

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

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

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

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

~~[(8)]~~ (9) "Local government office" includes county offices, municipal offices, and special

district offices and other elective offices selected by the voters from a political division

entirely within one county.

~~[(9)]~~ (10) "Manual candidate qualification process" means the process for gathering

signatures to seek the nomination of a registered political party, using paper signature

packets that a signer physically signs.

~~[(10)]~~ (11)(a) "Multicounty office" means an elective office where the officeholder is

selected by the voters from more than one county.

(b) "Multicounty office" does not mean:

(i) a county office;

(ii) a federal office;

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

(iv) the office of presidential elector;

(v) any political party offices; or

(vi) any municipal or special district offices.

~~[(11)]~~ (12) "Municipal office" means an elective office in a municipality.

~~[(12)]~~ (13)(a) "Political division" means a geographic unit from which an officeholder is

elected and that an officeholder represents.

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

district, a legislative district, and a county prosecution district.

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

~~[(a)(i) permits a delegate for the registered political party to vote on a candidate~~

- 1696 nomination in the registered political party's convention remotely; or]
- 1697 [(ii) provides a procedure for designating an alternate delegate if a delegate is not
- 1698 present at the registered political party's convention;]
- 1699 [(b) does not hold the registered political party's convention before the fourth Saturday
- 1700 in March of an even-numbered year;]
- 1701 [(c) permits a member of the registered political party to seek the registered political
- 1702 party's nomination for any elective office by the member choosing to seek the
- 1703 nomination by either or both of the following methods:]
- 1704 [(i) seeking the nomination through the registered political party's convention
- 1705 process, in accordance with the provisions of Section 20A-9-407; or]
- 1706 [(ii) seeking the nomination by collecting signatures, in accordance with the
- 1707 provisions of Section 20A-9-408; and]
- 1708 [(d)(i) if the registered political party is a continuing political party, no later than 5
- 1709 p.m. on the first Monday of October of an odd-numbered year, certifies to the
- 1710 lieutenant governor that, for the election in the following year, the registered
- 1711 political party intends to nominate the registered political party's candidates in
- 1712 accordance with the provisions of Section 20A-9-406; or]
- 1713 [(ii) if the registered political party is not a continuing political party, certifies at the
- 1714 time that the registered political party files the petition described in Section
- 1715 20A-8-103 that, for the next election, the registered political party intends to
- 1716 nominate the registered political party's candidates in accordance with the
- 1717 provisions of Section 20A-9-406.]
- 1718 (14) "Primary nominating party" means a registered political party that timely makes the
- 1719 certification described in Subsection 20A-9-402.1(1)(a).
- 1720 (15) "Qualified individual" means an individual who:
- 1721 (a) meets or, if applicable, will timely meet the qualifications for the office for which the
- 1722 individual is seeking the nomination of a registered political party;
- 1723 (b)(i) is a member of the registered political party for which the individual is seeking
- 1724 the nomination; or
- 1725 (ii) if the individual is not a member described in Subsection (15)(b)(i), is permitted
- 1726 by the registered political party to seek the party's nomination; and
- 1727 (c) meets or, if applicable, will timely meet the residency requirements for the office for
- 1728 which the individual is seeking the nomination.
- 1729 [(14)] (16) "Signature," as it relates to a petition for a candidate to seek the nomination of a

registered political party, means:

- (a) when using the manual candidate qualification process, a holographic signature collected physically on a nomination petition described in ~~[Subsection 20A-9-405(3)]~~ Section 20A-9-202.3; or
- (b) when using the electronic candidate qualification process:
 - (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
 - (ii) a holographic signature collected electronically under Subsection 20A-21-201(6)(c)(ii)(B).

~~[(15)]~~ (17) "Special district office" means an elected office in a special district.

Section 16. Section **20A-9-201** is amended to read:

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

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

- (a) be a United States citizen; and
- (b) meet the legal requirements of that office~~[-and]~~ .
- (c) ~~[if seeking a registered political party's nomination as a candidate for elective office, state:]~~
 - ~~[(i) the registered political party of which the individual is a member; or]~~
 - ~~[(ii) that the individual is not a member of a registered political party.]~~

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

- (i) file a declaration of candidacy for, or be a candidate for, more than one office in Utah during any election year;
 - (ii) appear on the ballot as the candidate of more than one political party; or
 - (iii) file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise in the registered political party's bylaws.
- (b)(i) An individual may file a declaration of candidacy for, or be a candidate for, president or vice president of the United States and another office, if the individual resigns the individual's candidacy for the other office after the individual is officially nominated for president or vice president of the United States.
- (ii) An individual may file a declaration of candidacy for, or be a candidate for, more than one justice court judge office.

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

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

(A) may also be a candidate for United States representative;

(B) may, if the individual desires to use the signature-gathering process to qualify for the primary election ballot for the office of United States representative, file a notice of intent to gather signatures for, and gather signatures for, that office; and

(C) shall, before filing a declaration of candidacy for the office of United States representative, withdraw as a candidate for the constitutional office, multicounty office, or county office for which the individual filed a declaration of candidacy.

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

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

(ii) require the individual to state whether the individual meets the requirements described in Subsection (3)(a)(i);

(iii) if the declaration of candidacy is for a county office, inform the individual that an individual who holds a county elected office may not, at the same time, hold a municipal elected office; and

(iv) if the declaration of candidacy is for a legislative office, inform the individual that Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit or trust, under authority of the United States or Utah, from being a member of the Legislature.

(b)(i) Before accepting a declaration of candidacy for the office of county attorney, the county clerk shall ensure that the individual filing that declaration of candidacy is:

(A) a United States citizen;

- 1798 (B) an attorney licensed to practice law in the state who is an active member in
1799 good standing of the Utah State Bar;
- 1800 (C) a registered voter in the county in which the individual is seeking office; and
1801 (D) a current resident of the county in which the individual is seeking office and
1802 either has been a resident of that county for at least one year before the date of
1803 the election or was appointed and is currently serving as county attorney and
1804 became a resident of the county within 30 calendar days after appointment to
1805 the office.
- 1806 (ii) An individual filing a declaration of candidacy for the office of county attorney
1807 shall submit with the individual's declaration:
- 1808 (A) a letter from the Utah Supreme Court, affirming that the individual is an
1809 attorney in good standing;
- 1810 (B) proof of the individual's application with the Utah State Bar, with an affidavit
1811 describing the status of the individual's application; or
1812 (C) an affidavit describing how the individual intends to comply with the
1813 requirements for office of county attorney described in Subsection (3)(b)(i), [
1814 ~~prior to~~] before taking office.
- 1815 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual
1816 shall also provide the filing officer with the individual's license number with:
- 1817 (A) the Utah State Bar, if the individual is a member; or
1818 (B) any other state bar association, if the individual is a member.
- 1819 (c)(i) Before accepting a declaration of candidacy for the office of district attorney,
1820 the county clerk shall ensure that, as of the date of the election, the individual
1821 filing that declaration of candidacy is:
- 1822 (A) a United States citizen;
- 1823 (B) an attorney licensed to practice law in the state who is an active member in
1824 good standing of the Utah State Bar;
- 1825 (C) a registered voter in the prosecution district in which the individual is seeking
1826 office; and
1827 (D) a current resident of the prosecution district in which the individual is seeking
1828 office and either will have been a resident of that prosecution district for at
1829 least one year before the date of the election or was appointed and is currently
1830 serving as district attorney or county attorney and became a resident of the
1831 prosecution district within 30 calendar days after receiving appointment to the

- 1832 office.
- 1833 (ii) An individual filing a declaration of candidacy for the office of district attorney
- 1834 shall submit with the individual's declaration:
- 1835 (A) a letter from the Utah Supreme Court, affirming that the individual is an
- 1836 attorney in good standing;
- 1837 (B) proof of the individual's application with the Utah State Bar, with an affidavit
- 1838 describing the status of the individual's application; or
- 1839 (C) an affidavit describing how the individual intends to comply with the
- 1840 requirements for office of district attorney described in Subsection (3)(c)(i), [
- 1841 ~~prior to~~] before taking office.
- 1842 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual
- 1843 shall also provide the filing officer with the individual's license number with:
- 1844 (A) the Utah State Bar, if the individual is a member; or
- 1845 (B) any other state bar association, if the individual is a member.
- 1846 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
- 1847 county clerk shall ensure that the individual filing the declaration:
- 1848 (i) is a United States citizen;
- 1849 (ii) is a registered voter in the county in which the individual seeks office;
- 1850 (iii)(A) has successfully met the standards and training requirements established
- 1851 for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer
- 1852 Training and Certification Act; or
- 1853 (B) has met the waiver requirements in Section 53-6-206;
- 1854 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
- 1855 53-13-103; and
- 1856 (v) before the date of the election, will have been a resident of the county in which
- 1857 the individual seeks office for at least one year.
- 1858 (e)(i) An individual filing a declaration of candidacy for the office of attorney general
- 1859 shall submit with the individual's declaration:
- 1860 (A) a letter from the Utah Supreme Court, affirming that the individual is an
- 1861 attorney in good standing;
- 1862 (B) proof of the individual's application with the Utah State Bar, with an affidavit
- 1863 describing the status of the individual's application; or
- 1864 (C) an affidavit describing how the individual intends to comply with the
- 1865 requirements for office of attorney general, described in Utah Constitution,

Article VII, Sec. 3, [~~Utah Constitution, prior to~~] before taking office.

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

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

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

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

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

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

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

(a) inform the individual that:

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

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

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

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

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

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

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

(c)(i) provide the individual with a copy of Section 20A-7-801 regarding the Statewide Electronic Voter Information Website Program and inform the

- individual of the submission deadline under Subsection 20A-7-801(4)(a);
- (ii) inform the individual that the individual must provide the filing officer with an email address that the individual actively monitors:
- (A) to receive a communication from a filing officer or an election officer; and
- (B) if the individual wishes to display a candidate profile on the Statewide Electronic Voter Information Website, to submit to the website the biographical and other information described in Subsection 20A-7-801(4)(a)(ii);
- (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is not a record under Title 63G, Chapter 2, Government Records Access and Management Act; and
- (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);
- (d) provide the candidate with a copy of the pledge of fair campaign practices described under Section 20A-9-206 and inform the candidate that:
- (i) signing the pledge is voluntary; and
- (ii) signed pledges shall be filed with the filing officer;
- (e) accept the individual's declaration of candidacy; and
- (f) if the individual has filed for a partisan office, provide a certified copy of the declaration of candidacy to the chair of the county or state political party ~~[of]~~ for which the individual is ~~[a member]~~ seeking nomination.
- (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer shall:
- (a) accept the candidate's pledge; and
- (b) if the candidate has filed for a partisan office, provide a certified copy of the candidate's pledge to the chair of the county or state political party ~~[of]~~ for which the candidate is ~~[a member]~~ seeking nomination.
- ~~[(7)(a) Except for a candidate for president or vice president of the United States, the form of the declaration of candidacy shall:]~~
- ~~[(i) be substantially as follows:~~
- ~~"State of Utah, County of _____~~
- ~~I, _____, declare my candidacy for the office of _____, seeking the nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not knowingly violate any law governing campaigns and elections; if filing via a designated agent,~~

I will be out of the state of Utah during the entire candidate filing period; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. The mailing address that I designate for receiving official election notices is

_____.

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

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

[(ii) require the candidate to state, in the sworn statement described in Subsection (7)(a)(i):]

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

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

[(b)] (7) An agent designated under Subsection [20A-9-202(1)(e)] 20A-9-202(1)(b) to file a declaration of candidacy may not sign the form described in [Subsection (7)(a) or] Section 20A-9-408.5.

(8)(a) Except for a candidate for president or vice president of the United States, the fee for filing a declaration of candidacy is:

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

(ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the person holding the office for all other federal, state, and county offices.

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

(i) who is disqualified; or

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

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

(ii) The lieutenant governor shall:

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

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

representative in Congress.

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

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

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

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

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

"Affidavit of Impecuniosity

Individual Name

_____ Address _____

Phone Number _____

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

Date _____

Signature _____ Affiant

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

(signature)

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

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

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

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

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

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

Section 17. Section **20A-9-201.5** is amended to read:

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

For a [qualified] registered political party:

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

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

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

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

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

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

Section 18. Section **20A-9-202** is amended to read:

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

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

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

(A) during the applicable candidacy filing period; and

(B) for an individual seeking the nomination of a primary nominating party,

before the individual circulates nomination petitions under Section 20A-9-202.3;

and

- 2033 (ii) pay the filing fee.
- 2034 ~~[(b) Unless expressly provided otherwise in this title, for a registered political party that~~
- 2035 ~~is not a qualified political party, the deadline for filing a declaration of candidacy for~~
- 2036 ~~an elective office that is to be filled at the next regular general election is 5 p.m. on~~
- 2037 ~~the first Monday after the fourth Saturday in April.]~~
- 2038 [(e)] (b) Subject to Subsection ~~[20A-9-201(7)(b)]~~ 20A-9-201(7), an individual may
- 2039 designate an agent to file a declaration of candidacy with the filing officer if:
- 2040 (i) the individual is located outside of the state during the entire filing period;
- 2041 (ii) the designated agent appears in person before the filing officer;
- 2042 (iii) the individual communicates with the filing officer using an electronic device
- 2043 that allows the individual and filing officer to see and hear each other; and
- 2044 (iv) the individual provides the filing officer with an email address to which the filing
- 2045 officer may send the individual the copies described in Subsection 20A-9-201(5).
- 2046 ~~[(d)]~~ (c) Each county clerk who receives a declaration of candidacy from a candidate for
- 2047 multicounty office shall transmit the filing fee and a copy of the candidate's
- 2048 declaration of candidacy to the lieutenant governor within one business day after the
- 2049 candidate files the declaration of candidacy.
- 2050 [(e)] (d) Each business day during the filing period, each county clerk shall notify the
- 2051 lieutenant governor electronically or by telephone of candidates who have filed a
- 2052 declaration of candidacy with the county clerk.
- 2053 [(f)] (e) Each individual seeking the office of lieutenant governor, the office of district
- 2054 attorney, or the office of president or vice president of the United States shall comply
- 2055 with the specific declaration of candidacy requirements established by this section.
- 2056 (2)(a) Each individual intending to become a candidate for the office of district attorney
- 2057 within a multicounty prosecution district that is to be filled at the next regular general
- 2058 election shall:
- 2059 (i) file a declaration of candidacy with the clerk designated in the interlocal
- 2060 agreement creating the prosecution district~~[on or after January 1 of the regular~~
- 2061 ~~general election year, and]~~ ;
- 2062 (A) during the applicable candidacy filing period; and
- 2063 (B) for an individual seeking the nomination of a primary nominating party,
- 2064 before the individual circulates nomination petitions under Section ~~[20A-9-405]~~
- 2065 20A-9-202.3; and
- 2066 (ii) pay the filing fee.

(b) The designated clerk shall provide to the county clerk of each county in the prosecution district a certified copy of each declaration of candidacy filed for the office of district attorney.

(3)(a) ~~[Before the deadline described in Subsection (1)(b)]~~ During the applicable candidacy filing period, each lieutenant governor candidate shall:

- (i) file a declaration of candidacy with the lieutenant governor;
- (ii) pay the filing fee; and
- (iii) submit a letter from a candidate for governor who has received certification for the primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate as a joint-ticket running mate.

(b)(i) A candidate for lieutenant governor who fails to timely file is disqualified.

- (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to replace the disqualified candidate.

(4) Before 5 p.m. no later than August 31, each registered political party shall:

- (a) certify the names of the political party's candidates for president and vice president of the United States to the lieutenant governor; or
- (b) provide written authorization for the lieutenant governor to accept the certification of candidates for president and vice president of the United States from the national office of the registered political party.

(5)(a) A declaration of candidacy filed under this section is valid unless a written objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last business day that is at least 10 calendar days before the ~~[deadline described in Subsection 20A-9-409(4)(e)]~~ first Wednesday before the fourth Saturday in April.

(b) If an objection is made, the clerk or lieutenant governor shall:

- (i) mail or personally deliver notice of the objection to the affected candidate immediately; and
- (ii) decide any objection within 48 hours after it is filed.

(c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the problem by:

- (i) amending the declaration or petition no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the objection is sustained; or
- (ii) filing a new declaration no later than 5 p.m. on the first business day that is at least three calendar days after the day on which the objection is sustained.

- 2101 (d)(i) The clerk's or lieutenant governor's decision upon objections to form is final.
- 2102 (ii) The clerk's or lieutenant governor's decision upon substantive matters is
- 2103 reviewable by a district court if prompt application is made to the court.
- 2104 (iii) The decision of the district court is final unless the Supreme Court, in the
- 2105 exercise of its discretion, agrees to review the lower court decision.
- 2106 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing
- 2107 a written affidavit with the clerk.
- 2108 (7)(a) Except for a candidate who is certified by a registered political party under
- 2109 Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later
- 2110 than August 31 of a general election year, each individual running as a candidate for
- 2111 vice president of the United States shall:
- 2112 (i) file a declaration of candidacy, in person or via a designated agent, on a form
- 2113 developed by the lieutenant governor, that:
- 2114 (A) contains the individual's name, address, and telephone number;
- 2115 (B) states that the individual meets the qualifications for the office of vice
- 2116 president of the United States;
- 2117 (C) names the presidential candidate, who has qualified for the general election
- 2118 ballot, with which the individual is running as a joint-ticket running mate;
- 2119 (D) states that the individual agrees to be the running mate of the presidential
- 2120 candidate described in Subsection (7)(a)(i)(C); and
- 2121 (E) contains any other necessary information identified by the lieutenant governor;
- 2122 (ii) pay the filing fee; and
- 2123 (iii) submit a letter from the presidential candidate described in Subsection
- 2124 (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice
- 2125 presidential candidate.
- 2126 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
- 2127 candidacy.
- 2128 (c) A vice presidential candidate who fails to meet the requirements described in this
- 2129 Subsection (7) may not appear on the general election ballot.
- 2130 (8) An individual filing a declaration of candidacy for president or vice president of the
- 2131 United States shall pay a filing fee of \$500.
- 2132 Section 19. Section **20A-9-402.1** is enacted to read:
- 2133 **20A-9-402.1 . Registered political party candidate nomination process --**
- 2134 **Certification of political party's candidate nominating process method.**

(1) Beginning in 2026:

- (a) a registered political party is either a primary nominating party or a convention nominating party;
- (b) a registered political party that is a primary nominating party:
 - (i) shall, except as provided in Subsection 20A-9-202(4) for a federal presidential election, nominate the registered political party's candidates to run for office using the process described in Section 20A-9-402.3; and
 - (ii) may not nominate the registered political party's candidates to run for office using any process other than the process described in Section 20A-9-402.3; and
- (c) a registered political party that is a convention nominating party:
 - (i) may nominate the registered political party's candidates to run for office in the regular general election using any lawful process other than the process described in Section 20A-9-402.3;
 - (ii) may not nominate the registered political party's candidates to run for office using the process described in Section 20A-9-402.3; and
 - (iii) may not participate in the regular primary election.

(2) A registered political party that is a continuing political party shall, before 5 p.m. on the first Monday of October of an odd-numbered year, certify in writing to the lieutenant governor one of the following:

- (a) that, for the elections in the following year, the registered political party chooses to:
 - (i) be a primary nominating party;
 - (ii) nominate the registered political party's candidates solely by using the signature-gathering and primary election process described in Sections 20A-9-402.3 and 20A-9-403;
 - (iii) participate in the regular primary election; and
 - (iv) have the party's candidates placed on the regular general election ballot in the manner described in Subsections 20A-9-402.2(2) and 20A-6-301(1)(a); or
- (b) that, for the elections in the following year, the registered political party chooses to:
 - (i) be a convention nominating party;
 - (ii) nominate the registered political party's candidates by using a method other than using the petition and primary election process described in Sections 20A-9-402.3 and 20A-9-403;
 - (iii) not participate in the regular primary election; and
 - (iv) have the party's candidates placed on the regular general election ballot in the

manner described in Subsections 20A-9-402.2(3) and 20A-6-301(1)(b).

(3) A registered political party that makes the certification described in Subsection (2)(a) shall include in the written certification:

(a) the identity of one or more registered political parties whose members may vote for the registered political party's candidates in the next regular primary election; and

(b) a statement regarding whether unaffiliated voters may vote for the registered political party's candidates in the next regular primary election.

(4) A registered political party that fails to timely make a certification described in Subsection (2):

(a) is, by failing to timely make the certification, making the choices described in Subsection (2)(b); and

(b) is a convention nominating party for the elections in the year following the certification deadline.

(5) A registered political party that makes a certification described in Subsection (2) or (3) may not change the certification, or the choices made in the certification, until the next odd-numbered year.

(6) A registered political party that is not a continuing political party shall make the certification described in Subsection (2) and, if applicable, Subsection (3), at the time that the registered political party files the petition described in Section 20A-8-103.

Section 20. Section **20A-9-402.2** is enacted to read:

20A-9-402.2 . Effect of choosing party nomination status.

(1)(a) A registered political party that chooses, under Subsection 20A-9-402.1(2)(a), to be a primary nominating party shall participate in the regular primary election process described in Sections 20A-9-402.3 and 20A-9-403.

(b) A registered political party that chooses, under Subsection 20A-9-402.1(2)(b) or (4), to be a convention nominating party may not:

(i) participate in the regular primary election process described in Sections 20A-9-402.3 and 20A-9-403; or

(ii) participate in the regular primary election.

(2) The candidates of a primary nominating party who are, in accordance with Sections 20A-9-402.3 and 20A-9-403, nominated to advance to the regular general election ballot shall appear on the general election ballot in association with the name of the primary nominating party.

(3) Except as provided in Subsection (4):

- 2203 (a) the candidates of a convention nominating party who are, in accordance with Section
2204 20A-9-402.4, nominated to be placed on the regular general election ballot shall
2205 appear on the ballot without any indication of association with the convention
2206 nominating party; and
- 2207 (b) a general election ballot may not include a convention nominating party's name,
2208 symbol, description, or other representation of the convention nominating party.
- 2209 (4) A registered political party may, regardless of whether the registered political party is a
2210 primary nominating party or a convention nominating party:
- 2211 (a) participate in a presidential primary; and
- 2212 (b) have the names of the registered political party's candidates for president and vice
2213 president of the United States appear on a ballot in association with the registered
2214 political party's name.

2215 Section 21. Section **20A-9-402.3** is enacted to read:

2216 **20A-9-402.3 . Primary nominating party -- Nomination process -- Filing as a**
2217 **candidate -- Signature requirements and review - Removal of signatures.**

- 2218 (1) A primary nominating party shall use the process described in this section and the
2219 primary election process described in Subsection 20A-9-403 to nominate the registered
2220 political party's candidates to run for office.
- 2221 (2) Except as provided in Subsection 20A-9-202(4) for a federal presidential election, a
2222 qualified individual who, under this section, is seeking the nomination of the primary
2223 nominating party for an elective office that is to be filled at the next general election
2224 shall:
- 2225 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2226 person, with the filing officer during the declaration of candidacy filing period
2227 described in Section 20A-9-201.5; and
- 2228 (b) pay the filing fee.
- 2229 (3) A qualified individual who, under this section, is seeking the nomination of the primary
2230 nominating party for the office of district attorney within a multicounty prosecution
2231 district that is to be filled at the next general election shall:
- 2232 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2233 person, with the filing officer during the declaration of candidacy filing period
2234 described in Section 20A-9-201.5; and
- 2235 (b) pay the filing fee.
- 2236 (4) A qualified individual who files as a candidate for lieutenant governor as the joint-ticket

running mate of an individual who is nominated by a primary nominating party, under this section, for the office of governor:

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

(b) is not required to gather signatures.

(5) A qualified individual may seek the nomination of a primary nominating party for an elective office by:

(a) complying with the requirements described in this section; and

(b) collecting signatures, on a nomination petition form approved by the lieutenant governor that complies with Subsection 20A-9-405(3), during the period beginning when the member files a declaration of candidacy and ending at 5 p.m. on the first Tuesday in April, in the following amounts:

(i) for a statewide race, 14,000 signatures of registered voters in the state who are permitted by the primary nominating party to vote for the primary nominating party's candidates in a regular primary election;

(ii) for a congressional district race, 3,500 signatures of registered voters who are residents of the congressional district and are permitted by the primary nominating party to vote for the primary nominating party's candidates in a regular primary;

(iii) for a state Senate district race, 1,000 signatures of registered voters who are residents of the state Senate district and are permitted by the primary nominating party to vote for the primary nominating party candidates in a regular primary election;

(iv) for a state House district race, 500 signatures of registered voters who are residents of the state House district and are permitted by the primary nominating party to vote for the primary nominating party's candidates in a regular primary election;

(v) for a State Board of Education race, the lesser of:

(A) 1,000 signatures of registered voters who are residents of the State Board of Education district and are permitted by the primary nominating party to vote for the primary nominating party's candidates in a regular primary election; or

(B) 3% of the registered voters who are residents of the applicable State Board of Education district and are permitted by the primary nominating party to vote

2271 for the primary nominating party's candidates in a regular primary election; and

2272 (vi) for a county office race, signatures of 3% of the registered voters who are
2273 residents of the area permitted to vote for the county office and are permitted by
2274 the primary nominating party to vote for the primary nominating party's
2275 candidates in a primary election.

2276 (6)(a) The lieutenant governor shall:

2277 (i) for each district or office described in Subsection (5)(b)(v) or (vi), determine the
2278 total number of signatures that must be submitted to meet the percentage
2279 described in Subsection (5)(b)(v)(B) or (vi) based on the count as it exists on
2280 November 15 of each odd-numbered year; and

2281 (ii) publish the results of the determination described in Subsection (6)(a)(i) no later
2282 than November 30 of each odd-numbered year.

2283 (b) A registered voter who is otherwise qualified to sign a nomination petition under this
2284 section may sign the nomination petition regardless of whether the voter is an active
2285 voter or an inactive voter.

2286 (7)(a) This Subsection (7) applies only to the manual candidate qualification process.

2287 (b) A qualified individual who uses the manual candidate qualification process to seek
2288 the nomination of a primary nominating party shall:

2289 (i) collect the signatures on a form approved by the lieutenant governor that complies
2290 with Subsection 20A-9-405(3), using the same circulation and verification
2291 requirements described in Sections 20A-7-105 and 20A-7-204; and

2292 (ii) submit the signatures to the election officer before 5 p.m. on the first Tuesday in
2293 April.

2294 (c) Upon timely receipt of the signatures described in Subsections (5) and (7)(b), the
2295 election officer shall, no later than the earlier of 14 days after the day on which the
2296 election officer receives the signatures, or the first Tuesday in April:

2297 (i) check the name of each individual who completes the verification for a signature
2298 packet to determine whether each individual is at least 18 years old;

2299 (ii) submit the name of each individual described in Subsection (7)(c)(i) who is not at
2300 least 18 years old to the attorney general and the county attorney;

2301 (iii) with the assistance of the county clerk as applicable, determine whether each
2302 signer is a registered voter who is qualified to sign the petition, using the same
2303 method, described in Section 20A-1-1002, used to verify a signature on a petition;
2304 and

- 2305 (iv) certify whether each name is that of a registered voter who is qualified to sign the
2306 signature packet.
- 2307 (d)(i) A registered voter who physically signs a form under Subsections (5) and (7)(b)
2308 may have the voter's signature removed from the form by, no later than three
2309 business days after the day on which the member submits the signature form to the
2310 election officer, submitting to the election officer a statement requesting that the
2311 voter's signature be removed.
- 2312 (ii) A statement described in Subsection (7)(d)(i) shall comply with the requirements
2313 described in Subsection 20A-1-1003(2).
- 2314 (iii) With the assistance of the county clerk as applicable, the election officer shall
2315 use the procedures described in Subsection 20A-1-1003(3) to determine whether
2316 to remove an individual's signature after receiving a timely, valid statement
2317 requesting removal of the signature.
- 2318 (8)(a) This Subsection (8) applies only to the electronic candidate qualification process.
- 2319 (b) A qualified individual who uses the electronic candidate qualification process to seek
2320 the nomination of a primary nominating party shall:
- 2321 (i) collect signatures in accordance with Section 20A-21-201; and
2322 (ii) use progressive screens, in a format approved by the lieutenant governor, that
2323 complies with Subsection 20A-9-405(4).
- 2324 (c) Upon timely receipt of the signatures described in Subsections (5) and (8)(b), the
2325 election officer shall, no later than the earlier of 14 days after the day on which the
2326 election officer receives the signatures, or the first Tuesday in April:
- 2327 (i) check the name of each individual who completes the verification for a signature
2328 to determine whether each individual is at least 18 years old; and
2329 (ii) submit the name of each individual described in Subsection (8)(c)(i) who is not at
2330 least 18 years old to the attorney general and the county attorney.
- 2331 (9) Upon timely receipt of the signatures described in Subsections (5) and (7)(b), or
2332 Subsections (5) and (8)(b), the election officer shall, no later than the first Tuesday in
2333 April, notify a primary nominating party and the lieutenant governor of the name of each
2334 member of the primary nominating party who qualifies for placement on the primary
2335 election ballot to seek the nomination of the primary nominating party under this section.
- 2336 (10) A qualified individual who gathers signatures under this section may submit additional
2337 signatures before 5 p.m. on the first Tuesday in April.
- 2338 (11) Except as otherwise provided in Section 20A-21-201, the election officer shall, with

the assistance of the county clerk, as applicable, use the procedures described in Section 20A-1-1002 to verify submitted nomination petition signatures.

- (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the director of elections within the Office of the Lieutenant Governor may make rules that provide for the transparent, orderly, and timely submission, verification, and certification of nomination petition signatures.

Section 22. Section **20A-9-402.4** is enacted to read:

20A-9-402.4 . Convention nominating party -- Nomination process.

- (1) Except as otherwise provided for a federal presidential election, a qualified individual who, under this section, is seeking the nomination of a convention nominating party of an elective office that is to be filled at the next general election shall:
- (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer during the declaration of candidacy filing period described in Section 20A-9-201.5; and
- (b) pay the filing fee.
- (2) A qualified individual who, under this section, is seeking the nomination of a convention nominating party for the office of district attorney within a multicounty prosecution district that is to be filled at the next general election shall:
- (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with the filing officer during the declaration of candidacy filing period described in Section 20A-9-201.5; and
- (b) pay the filing fee.
- (3) A qualified individual who files as a candidate for lieutenant governor as the joint-ticket running mate of an individual who is nominated by a convention nominating party, under this section, for the office of governor shall, during the declaration of candidacy filing period described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the candidate for governor that names the lieutenant governor candidate as a joint-ticket running mate.
- (4) A qualified individual may seek the nomination of a convention nominating party for an elective office by participating in the process established by the convention nominating party to nominate the convention nominating party's candidates.
- (5) Except as otherwise provided for a federal presidential election, an individual nominated to run for office by a convention nominating party:
- (a) may not participate in the regular primary election; and

(b) may participate in the regular general election, only in accordance with this section and Subsections 20A-9-402.2(3) and 20A-6-301(1)(b).

(6) A convention nominating party:

(a) shall, before 5 p.m. on the first Monday after the fourth Saturday in April, certify to the lieutenant governor the names of each candidate nominated by the convention nominating party to be placed on the regular general election ballot; and

(b) may not nominate more than one candidate for each office to be filled at the regular general election.

Section 23. Section **20A-9-403** is amended to read:

20A-9-403 . Regular primary elections.

(1)[(a)] Candidates for elective office that are to be filled at the next regular general election who are seeking the nomination of a primary nomination party shall be nominated in a regular primary election [by direct vote of the people in the manner prescribed in this section. The regular primary election is held] , as described in this section, on the date specified in Section 20A-1-201.5.[~~Nothing in this section shall affect a candidate's ability to qualify for a regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election as a write-in candidate under Section 20A-9-601.~~]

[(b)] ~~Each registered political party that chooses to have the names of the registered political party's candidates for elective office featured with party affiliation on the ballot at a regular general election shall comply with the requirements of this section and shall nominate the registered political party's candidates for elective office in the manner described in this section.~~

[(c)] ~~A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a registered political party or any other political group and a candidate for elective office who is not nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).]~~

[(d)] ~~Unless noted otherwise, the dates in this section refer to those that occur in each even-numbered year in which a regular general election will be held.]~~

[(2)(a)] ~~Each registered political party, in a statement filed with the lieutenant governor, shall:]~~

[(i)] ~~either declare the registered political party's intent to participate in the next regular primary election or declare that the registered political party chooses not to have the names of the registered political party's candidates for elective office~~

2407 featured on the ballot at the next regular general election; and]

2408 [(ii) if the registered political party participates in the upcoming regular primary

2409 election, identify one or more registered political parties whose members may

2410 vote for the registered political party's candidates and whether individuals

2411 identified as unaffiliated with a political party may vote for the registered political

2412 party's candidates.]

2413 [(b)(i) A registered political party that is a continuing political party shall file the

2414 statement described in Subsection (2)(a) with the lieutenant governor no later than

2415 5 p.m. on November 30 of each odd-numbered year.]

2416 [(ii) An organization that is seeking to become a registered political party under

2417 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the

2418 time that the registered political party files the petition described in Section

2419 20A-8-103.]

2420 [(3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration

2421 of candidacy under Section 20A-9-202 shall appear as a candidate for elective office

2422 on the regular primary ballot of the registered political party listed on the declaration

2423 of candidacy only if the individual is certified by the appropriate filing officer as

2424 having submitted a nomination petition that was:]

2425 [(i) circulated and completed in accordance with Section 20A-9-405; and]

2426 [(ii) signed by at least 2% of the registered political party's members who reside in

2427 the political division of the office that the individual seeks.]

2428 [(b)(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3,

2429 submit signatures for a nomination petition to the appropriate filing officer for

2430 verification and certification no later than 5 p.m. on March 31.]

2431 [(ii) A candidate may supplement the candidate's submissions at any time on or

2432 before the filing deadline.]

2433 [(e)(i) The lieutenant governor shall determine for each elective office the total

2434 number of signatures that must be submitted under Subsection (3)(a)(ii) or

2435 20A-9-408(8) by counting the aggregate number of individuals residing in each

2436 elective office's political division who have designated a particular registered

2437 political party on the individuals' voter registration forms on or before November

2438 15 of each odd-numbered year.]

2439 [(ii) The lieutenant governor shall publish the determination for each elective office

2440 no later than November 30 of each odd-numbered year.]

2441 ~~[(d) The filing officer shall:]~~

2442 ~~[(i) except as otherwise provided in Section 20A-21-201, and in accordance with~~
2443 ~~Section 20A-9-408.3, verify signatures on nomination petitions in a transparent~~
2444 ~~and orderly manner, no later than 14 calendar days after the day on which a~~
2445 ~~candidate submits the signatures to the filing officer;]~~

2446 ~~[(ii) for all qualifying candidates for elective office who submit nomination petitions~~
2447 ~~to the filing officer, issue certifications referenced in Subsection (3)(a) no later~~
2448 ~~than the deadline described in Subsection 20A-9-202(1)(b);]~~

2449 ~~[(iii) consider active and inactive voters eligible to sign nomination petitions;]~~

2450 ~~[(iv) consider an individual who signs a nomination petition a member of a registered~~
2451 ~~political party for purposes of Subsection (3)(a)(ii) if the individual has designated~~
2452 ~~that registered political party as the individual's party membership on the~~
2453 ~~individual's voter registration form; and]~~

2454 ~~[(v) except as otherwise provided in Section 20A-21-201 and with the assistance of~~
2455 ~~the county clerk as applicable, use the procedures described in Section 20A-1-1002~~
2456 ~~to verify submitted nomination petition signatures, or use statistical sampling~~
2457 ~~procedures to verify submitted nomination petition signatures in accordance with~~
2458 ~~rules made under Subsection (3)(f).]~~

2459 ~~[(e) Notwithstanding any other provision in this Subsection (3), a candidate for~~
2460 ~~lieutenant governor may appear on the regular primary ballot of a registered political~~
2461 ~~party without submitting nomination petitions if the candidate files a declaration of~~
2462 ~~candidacy and complies with Subsection 20A-9-202(3).]~~

2463 ~~[(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
2464 ~~director of elections, within the Office of the Lieutenant Governor, may make rules~~
2465 ~~that:]~~

2466 ~~[(i) provide for the use of statistical sampling procedures that:]~~

2467 ~~[(A) filing officers are required to use to verify signatures under Subsection (3)(d);~~
2468 ~~and]~~

2469 ~~[(B) reflect a bona fide effort to determine the validity of a candidate's entire~~
2470 ~~submission, using widely recognized statistical sampling techniques; and]~~

2471 ~~[(ii) provide for the transparent, orderly, and timely submission, verification, and~~
2472 ~~certification of nomination petition signatures.]~~

2473 ~~[(g)]~~ (2) The county clerk shall:

2474 ~~[(i)]~~ (a) review the declarations of candidacy filed by candidates for local boards of

- 2475 education to determine if more than two candidates have filed for the same seat;
- 2476 [(ii)] (b) place the names of all candidates who have filed a declaration of candidacy for a
- 2477 local board of education seat on the nonpartisan section of the ballot if more than two
- 2478 candidates have filed for the same seat; and
- 2479 [(iii)] (c) place the local board of education candidates' names on the ballot in accordance
- 2480 with Sections 20A-6-109 and 20A-6-110.
- 2481 [(4)] (3)(a) Before ~~[the deadline described in Subsection 20A-9-409(4)(e)]~~ 5 p.m. on the
- 2482 first Wednesday after the fourth Saturday in April, the lieutenant governor shall[-] :
- 2483 (i) provide to the county clerks:
- 2484 [(i)] (A) a list of the names of all candidates for federal, constitutional,
- 2485 multi-county, single county, and county offices who have ~~[received~~
- 2486 ~~certifications under Subsection (3)]~~ qualified for placement on the primary
- 2487 election ballot under Section 20A-9-402.3, along with instructions on how
- 2488 those names shall appear on the primary election ballot in accordance with
- 2489 Sections 20A-6-109 and 20A-6-110; and
- 2490 [(ii)] (B) a list of unopposed candidates for elective office who have been
- 2491 nominated by a ~~[registered political]~~ primary nominating party under
- 2492 Subsection ~~[(5)(e)]~~ (4)(c); and[-]
- 2493 (ii) instruct the county clerks to exclude the unopposed candidates from the primary
- 2494 election ballot.
- 2495 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
- 2496 joint-ticket running mates to obtain the nomination of a primary nominating party
- 2497 shall appear jointly on the primary election ballot.
- 2498 (c) After the county clerk receives the certified list from the lieutenant governor under
- 2499 Subsection ~~[(4)(a)]~~ (3)(a), the county clerk shall post or publish a primary election notice in
- 2500 substantially the following form:
- 2501 "Notice is given that a primary election will be held Tuesday, June _____,
- 2502 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
- 2503 local school board positions listed on the primary ballot. The polling place for voting precinct
- 2504 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
- 2505 Attest: county clerk."
- 2506 ~~[(5)]~~ (4)(a) A candidate who, at the regular primary election, receives the highest number
- 2507 of votes cast for the office sought by the candidate is:
- 2508 (i) nominated for that office by the ~~[candidate's registered political]~~ primary

nominating party whose nomination the candidate sought; or

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

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

(c)(i) As used in this Subsection [~~(5)(e)] (4)(c)~~, a candidate is "unopposed" if:

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

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

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

~~[(6)] (5)~~ The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

~~[(7)] (6)~~ An individual may not file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise under the registered political party's bylaws.

Section 24. Section **20A-9-405** is amended to read:

20A-9-405 . Nomination petitions for regular primary elections.

(1) This section applies to the form and circulation of nomination petitions for regular primary elections [~~described in Subsection 20A-9-403(3)(a)]~~ in accordance with Section 20A-9-402.2.

(2) A candidate for elective office, and the agents of the candidate, may not circulate nomination petitions until the candidate has submitted a declaration of candidacy in accordance with [~~Subsection 20A-9-202(1)]~~ Section 20A-9-202.

- (3) For the manual candidate qualification process, the nomination petitions shall be in substantially the following form:
- (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;
 - (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for purposes of binding;
 - (c) the petition shall be headed by a caption stating the purpose of the petition and the name of the proposed candidate;
 - (d) the petition shall feature the word "Warning" followed by the following statement in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to knowingly sign a nomination petition with any name other than the person's own name, or more than once for the same candidate, or if the person is not registered to vote in this state.";
 - (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively numbered one through 10;
 - (f) the signature portion of the petition shall be divided into columns headed by the following titles:
 - (i) Registered Voter's Printed Name;
 - (ii) Signature of Registered Voter;
 - (iii) Party Affiliation of Registered Voter;
 - (iv) Birth Date or Age (Optional);
 - (v) Street Address, City, Zip Code; and
 - (vi) Date of Signature; and
 - (g) a photograph of the candidate may appear on the nomination petition.
- (4) For the electronic candidate qualification process, the lieutenant governor shall design an electronic form, using progressive screens, that includes:
- (a) the following warning:

"Warning: It is a class A misdemeanor for anyone to knowingly sign a nomination petition with any name other than the person's own name, or more than once for the same candidate, or if the person is not registered to vote in this state."; and
 - (b) the following information for each individual who signs the petition:
 - (i) name;
 - (ii) party affiliation;
 - (iii) date of birth or age, (optional);
 - (iv) street address, city, zip code;

- 2577 (v) date of signature;
- 2578 (vi) other information required under Section 20A-21-201; and
- 2579 (vii) other information required by the lieutenant governor.
- 2580 (5) For the manual candidate qualification process, if one or more nomination petitions are
- 2581 bound together, a page shall be bound to the nomination petition(s) that features the following
- 2582 printed verification statement to be signed and dated by the petition circulator:
- 2583 "Verification
- 2584 State of Utah, County of ____
- 2585 I, ____, of ____, hereby state that:
- 2586 I am at least 18 years old;
- 2587 All the names that appear on the signature sheets bound to this page were, to the best of
- 2588 my knowledge, signed by the persons who professed to be the persons whose names appear on
- 2589 the signature sheets, and each of them signed the person's name on the signature sheets in my
- 2590 presence;
- 2591 I believe that each has printed and signed the person's name and written the person's
- 2592 street address correctly, and that each signer is registered to vote in Utah."
- 2593 (6) The lieutenant governor shall prepare and make public model nomination petition forms
- 2594 and associated instructions.
- 2595 (7) A nomination petition circulator:
- 2596 (a) [~~must~~] shall be at least 18 years old; and
- 2597 (b) may affiliate with any political party.
- 2598 (8) It is unlawful for any person to:
- 2599 (a) knowingly sign the nomination petition described in this section or Section [
- 2600 ~~20A-9-408~~] 20A-9-402.3:
- 2601 (i) with any name other than the person's own name;
- 2602 (ii) more than once for the same candidate; or
- 2603 (iii) if the person is not registered to vote in this state;
- 2604 (b) sign the verification of a signature for a nomination petition if the person:
- 2605 (i) has not witnessed the signing by those persons whose names appear on the
- 2606 nomination petition; or
- 2607 (ii) knows that a person whose signature appears on the nomination petition is not
- 2608 registered to vote in this state;
- 2609 (c) pay compensation to any person to sign a nomination petition; or
- 2610 (d) pay compensation to any person to circulate a nomination petition, if the

compensation is based directly on the number of signatures submitted to a filing officer rather than on the number of signatures verified or on some other basis.

(9) Any person violating Subsection (8) is guilty of a class A misdemeanor.

(10)(a) A voter who signs a nomination petition may have the voter's signature removed from the petition by, no later than three business days after the day on which the candidate files the petition with the appropriate filing officer, submitting to the filing officer a statement requesting that the voter's signature be removed.

(b) A statement described in Subsection (10)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).

(c) The filing officer shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a nomination petition after receiving a timely, valid statement requesting removal of the signature.

Section 25. Section **20A-9-408.5** is amended to read:

20A-9-408.5 . Declaration of candidacy form for qualified political party.

The declaration of candidacy form [~~described in Sections 20A-9-407 and 20A-9-408~~] for an office to be filled at the regular general election shall:

(1) be substantially as follows:

"State of Utah, County of ____

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

_____.

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

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

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

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

(b) the registered political party whose nomination the candidate seeks.

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

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

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

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

Section 26. Section **20A-9-411** is amended to read:

20A-9-411 . Signing multiple nomination petitions.

~~[(1)]~~ An individual who signs a petition, described in Section ~~[20A-9-403 or 20A-9-408]~~

20A-9-402.3, to nominate a candidate may ~~[not]~~ sign a petition to nominate another candidate for the same office.

~~[(2) If an individual signs more than one petition in violation of Subsection (1), the election officer may only count the signature on the first petition that the election officer reviews for that office.]~~

Section 27. Section **20A-9-701** is amended to read:

20A-9-701 . Certification of party candidates to county clerks -- Display on ballot.

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

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

(b) the names of the candidates for president and vice president that are certified by the registered political party as the party's nominees.

(2) The names shall be certified by the lieutenant governor and shall be displayed on the ballot as they are provided on the candidate's declaration of candidacy.

~~(3)~~ No ~~[other]~~ names, ~~other than the names certified under Subsection (1),~~ may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered political party, political party, or other political group.

Section 28. Section **20A-21-101** is amended to read:

20A-21-101 . Definitions.

As used in this chapter:

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

(2) "Candidate qualification process" means the process, described in Section ~~[20A-9-403 or 20A-9-408]~~ 20A-9-202.3, of gathering signatures to seek the nomination of a ~~[registered political]~~ primary nominating party.

(3) "Electronic candidate qualification process" means the same as that term is defined in

Section 20A-9-101.

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

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

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

(7) "Petition" means:

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

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

(8) "Signature" means:

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

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

(9) "Website" means:

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

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

Section 29. Section **63G-2-305** is amended to read:

63G-2-305 . Protected records.

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

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

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

- (a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;
- (b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and
- (c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309;
- (3) commercial or financial information acquired or prepared by a governmental entity to the extent that disclosure would lead to financial speculations in currencies, securities, or commodities that will interfere with a planned transaction by the governmental entity or cause substantial financial injury to the governmental entity or state economy;
- (4) records, the disclosure of which could cause commercial injury to, or confer a competitive advantage upon a potential or actual competitor of, a commercial project entity as defined in Subsection 11-13-103(4);
- (5) test questions and answers to be used in future license, certification, registration, employment, or academic examinations;
- (6) records, the disclosure of which would impair governmental procurement proceedings or give an unfair advantage to any person proposing to enter into a contract or agreement with a governmental entity, except, subject to Subsections (1) and (2), that this Subsection (6) does not restrict the right of a person to have access to, after the contract or grant has been awarded and signed by all parties:
- (a) a bid, proposal, application, or other information submitted to or by a governmental entity in response to:
- (i) an invitation for bids;
- (ii) a request for proposals;
- (iii) a request for quotes;
- (iv) a grant; or
- (v) other similar document; or
- (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- (7) information submitted to or by a governmental entity in response to a request for information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict the right of a person to have access to the information, after:
- (a) a contract directly relating to the subject of the request for information has been awarded and signed by all parties; or

- 2747 (b)(i) a final determination is made not to enter into a contract that relates to the
2748 subject of the request for information; and
- 2749 (ii) at least two years have passed after the day on which the request for information
2750 is issued;
- 2751 (8) records that would identify real property or the appraisal or estimated value of real or
2752 personal property, including intellectual property, under consideration for public
2753 acquisition before any rights to the property are acquired unless:
- 2754 (a) public interest in obtaining access to the information is greater than or equal to the
2755 governmental entity's need to acquire the property on the best terms possible;
- 2756 (b) the information has already been disclosed to persons not employed by or under a
2757 duty of confidentiality to the entity;
- 2758 (c) in the case of records that would identify property, potential sellers of the described
2759 property have already learned of the governmental entity's plans to acquire the
2760 property;
- 2761 (d) in the case of records that would identify the appraisal or estimated value of
2762 property, the potential sellers have already learned of the governmental entity's
2763 estimated value of the property; or
- 2764 (e) the property under consideration for public acquisition is a single family residence
2765 and the governmental entity seeking to acquire the property has initiated negotiations
2766 to acquire the property as required under Section 78B-6-505;
- 2767 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
2768 transaction of real or personal property including intellectual property, which, if
2769 disclosed [~~prior to~~] before completion of the transaction, would reveal the appraisal or
2770 estimated value of the subject property, unless:
- 2771 (a) the public interest in access is greater than or equal to the interests in restricting
2772 access, including the governmental entity's interest in maximizing the financial
2773 benefit of the transaction; or
- 2774 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
2775 the value of the subject property have already been disclosed to persons not
2776 employed by or under a duty of confidentiality to the entity;
- 2777 (10) records created or maintained for civil, criminal, or administrative enforcement
2778 purposes or audit purposes, or for discipline, licensing, certification, or registration
2779 purposes, if release of the records:
- 2780 (a) reasonably could be expected to interfere with investigations undertaken for

- 2781 enforcement, discipline, licensing, certification, or registration purposes;
2782 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
2783 proceedings;
2784 (c) would create a danger of depriving a person of a right to a fair trial or impartial
2785 hearing;
2786 (d) reasonably could be expected to disclose the identity of a source who is not generally
2787 known outside of government and, in the case of a record compiled in the course of
2788 an investigation, disclose information furnished by a source not generally known
2789 outside of government if disclosure would compromise the source; or
2790 (e) reasonably could be expected to disclose investigative or audit techniques,
2791 procedures, policies, or orders not generally known outside of government if
2792 disclosure would interfere with enforcement or audit efforts;
2793 (11) records the disclosure of which would jeopardize the life or safety of an individual;
2794 (12) records the disclosure of which would jeopardize the security of governmental
2795 property, governmental programs, or governmental recordkeeping systems from
2796 damage, theft, or other appropriation or use contrary to law or public policy;
2797 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
2798 facility, or records relating to incarceration, treatment, probation, or parole, that would
2799 interfere with the control and supervision of an offender's incarceration, treatment,
2800 probation, or parole;
2801 (14) records that, if disclosed, would reveal recommendations made to the Board of
2802 Pardons and Parole by an employee of or contractor for the Department of Corrections,
2803 the Board of Pardons and Parole, or the Department of Health and Human Services that
2804 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
2805 person within the board's jurisdiction;
2806 (15) records and audit workpapers that identify audit, collection, and operational procedures
2807 and methods used by the State Tax Commission, if disclosure would interfere with
2808 audits or collections;
2809 (16) records of a governmental audit agency relating to an ongoing or planned audit until
2810 the final audit is released;
2811 (17) records that are subject to the attorney client privilege;
2812 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
2813 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
2814 judicial, quasi-judicial, or administrative proceeding;

- (19)(a)(i) personal files of a state legislator, including personal correspondence to or from a member of the Legislature; and
- (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of legislative action or policy may not be classified as protected under this section; and
- (b)(i) an internal communication that is part of the deliberative process in connection with the preparation of legislation between:
- (A) members of a legislative body;
- (B) a member of a legislative body and a member of the legislative body's staff; or
- (C) members of a legislative body's staff; and
- (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of legislative action or policy may not be classified as protected under this section;
- (20)(a) records in the custody or control of the Office of Legislative Research and General Counsel, that, if disclosed, would reveal a particular legislator's contemplated legislation or contemplated course of action before the legislator has elected to support the legislation or course of action, or made the legislation or course of action public; and
- (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the Office of Legislative Research and General Counsel is a public document unless a legislator asks that the records requesting the legislation be maintained as protected records until such time as the legislator elects to make the legislation or course of action public;
- (21) a research request from a legislator to a legislative staff member and research findings prepared in response to the request;
- (22) drafts, unless otherwise classified as public;
- (23) records concerning a governmental entity's strategy about:
- (a) collective bargaining; or
- (b) imminent or pending litigation;
- (24) records of investigations of loss occurrences and analyses of loss occurrences that may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the Uninsured Employers' Fund, or similar divisions in other governmental entities;
- (25) records, other than personnel evaluations, that contain a personal recommendation concerning an individual if disclosure would constitute a clearly unwarranted invasion of personal privacy, or disclosure is not in the public interest;

- 2849 (26) records that reveal the location of historic, prehistoric, paleontological, or biological
2850 resources that if known would jeopardize the security of those resources or of valuable
2851 historic, scientific, educational, or cultural information;
- 2852 (27) records of independent state agencies if the disclosure of the records would conflict
2853 with the fiduciary obligations of the agency;
- 2854 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
2855 tenure evaluations, appointments, applications for admissions, retention decisions, and
2856 promotions, which could be properly discussed in a meeting closed in accordance with
2857 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
2858 decisions about tenure, appointments, retention, promotions, or those students admitted,
2859 may not be classified as protected under this section;
- 2860 (29) records of the governor's office, including budget recommendations, legislative
2861 proposals, and policy statements, that if disclosed would reveal the governor's
2862 contemplated policies or contemplated courses of action before the governor has
2863 implemented or rejected those policies or courses of action or made them public;
- 2864 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
2865 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
2866 recommendations in these areas;
- 2867 (31) records provided by the United States or by a government entity outside the state that
2868 are given to the governmental entity with a requirement that they be managed as
2869 protected records if the providing entity certifies that the record would not be subject to
2870 public disclosure if retained by it;
- 2871 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
2872 public body except as provided in Section 52-4-206;
- 2873 (33) records that would reveal the contents of settlement negotiations but not including final
2874 settlements or empirical data to the extent that they are not otherwise exempt from
2875 disclosure;
- 2876 (34) memoranda prepared by staff and used in the decision-making process by an
2877 administrative law judge, a member of the Board of Pardons and Parole, or a member of
2878 any other body charged by law with performing a quasi-judicial function;
- 2879 (35) records that would reveal negotiations regarding assistance or incentives offered by or
2880 requested from a governmental entity for the purpose of encouraging a person to expand
2881 or locate a business in Utah, but only if disclosure would result in actual economic harm
2882 to the person or place the governmental entity at a competitive disadvantage, but this

section may not be used to restrict access to a record evidencing a final contract;

(36) materials to which access must be limited for purposes of securing or maintaining the governmental entity's proprietary protection of intellectual property rights including patents, copyrights, and trade secrets;

(37) the name of a donor or a prospective donor to a governmental entity, including an institution of higher education defined in Section 53H-1-101, and other information concerning the donation that could reasonably be expected to reveal the identity of the donor, provided that:

(a) the donor requests anonymity in writing;

(b) any terms, conditions, restrictions, or privileges relating to the donation may not be classified protected by the governmental entity under this Subsection (37); and

(c) except for an institution of higher education defined in Section 53H-1-101, the governmental unit to which the donation is made is primarily engaged in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority over the donor, a member of the donor's immediate family, or any entity owned or controlled by the donor or the donor's immediate family;

(38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

(39) a notification of workers' compensation insurance coverage described in Section 34A-2-205;

(40) subject to Subsections (40)(g) and (h), the following records of an institution of higher education defined in Section 53H-1-101, which have been developed, discovered, disclosed to, or received by or on behalf of faculty, staff, employees, or students of the institution:

(a) unpublished lecture notes;

(b) unpublished notes, data, and information:

(i) relating to research; and

(ii) of:

(A) the institution of higher education defined in Section 53H-1-101; or

(B) a sponsor of sponsored research;

(c) unpublished manuscripts;

(d) creative works in process;

(e) scholarly correspondence; ~~and~~

(f) confidential information contained in research proposals;

(g) this Subsection (40) may not be construed to prohibit disclosure of public

- 2917 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and
- 2918 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 2919 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
- 2920 that would reveal the name of a particular legislator who requests a legislative audit [
- 2921 ~~prior to~~] before the date that audit is completed and made public; and
- 2922 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 2923 Office of the Legislative Auditor General is a public document unless the legislator
- 2924 asks that the records in the custody or control of the Office of the Legislative Auditor
- 2925 General that would reveal the name of a particular legislator who requests a
- 2926 legislative audit be maintained as protected records until the audit is completed and
- 2927 made public;
- 2928 (42) records that provide detail as to the location of an explosive, including a map or other
- 2929 document that indicates the location of:
- 2930 (a) a production facility; or
- 2931 (b) a magazine;
- 2932 (43) information contained in the statewide database of the Division of Aging and Adult
- 2933 Services created by Section 26B-6-210;
- 2934 (44) information contained in the Licensing Information System described in Title 80,
- 2935 Chapter 2, Child Welfare Services;
- 2936 (45) information regarding National Guard operations or activities in support of the
- 2937 National Guard's federal mission;
- 2938 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 2939 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 2940 Merchandise, and Catalytic Converter Transaction Information Act;
- 2941 (47) information regarding food security, risk, and vulnerability assessments performed by
- 2942 the Department of Agriculture and Food;
- 2943 (48) except to the extent that the record is exempt from this chapter pursuant to Section
- 2944 63G-2-106, records related to an emergency plan or program, a copy of which is
- 2945 provided to or prepared or maintained by the Division of Emergency Management, and
- 2946 the disclosure of which would jeopardize:
- 2947 (a) the safety of the general public; or
- 2948 (b) the security of:
- 2949 (i) governmental property;
- 2950 (ii) governmental programs; or

- 2951 (iii) the property of a private person who provides the Division of Emergency
2952 Management information;
- 2953 (49) records of the Department of Agriculture and Food that provides for the identification,
2954 tracing, or control of livestock diseases, including any program established under Title
2955 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
2956 of Animal Disease;
- 2957 (50) as provided in Section 26B-2-709:
- 2958 (a) information or records held by the Department of Health and Human Services related
2959 to a complaint regarding a provider, program, or facility which the department is
2960 unable to substantiate; and
- 2961 (b) information or records related to a complaint received by the Department of Health
2962 and Human Services from an anonymous complainant regarding a provider, program,
2963 or facility;
- 2964 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
2965 under Section 41-1a-116, an individual's home address, home telephone number, or
2966 personal mobile phone number, if:
- 2967 (a) the individual is required to provide the information in order to comply with a law,
2968 ordinance, rule, or order of a government entity; and
- 2969 (b) the subject of the record has a reasonable expectation that this information will be
2970 kept confidential due to:
- 2971 (i) the nature of the law, ordinance, rule, or order; and
- 2972 (ii) the individual complying with the law, ordinance, rule, or order;
- 2973 (52) the portion of the following documents that contains a candidate's residential or
2974 mailing address, if the candidate provides to the filing officer another address or phone
2975 number where the candidate may be contacted:
- 2976 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
2977 described in Section 20A-9-201, 20A-9-202, 20A-9-202.3, 20A-9-203, 20A-9-404,
2978 20A-9-405, [20A-9-408,] 20A-9-408.5, 20A-9-502, or 20A-9-601; or
- 2979 (b) an affidavit of impecuniosity, described in Section 20A-9-201; [or]
- 2980 [~~(c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;~~]
- 2981 (53) the name, home address, work addresses, and telephone numbers of an individual that
2982 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 2983 (a) conducted within the state system of higher education, as described in Section
2984 53H-1-102; and

- 2985 (b) conducted using animals;
- 2986 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
- 2987 Evaluation Commission concerning an individual commissioner's vote, in relation to
- 2988 whether a judge meets or exceeds minimum performance standards under Subsection
- 2989 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 2990 (55) information collected and a report prepared by the Judicial Performance Evaluation
- 2991 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
- 2992 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
- 2993 public, the information or report;
- 2994 (56) records provided or received by the Public Lands Policy Coordinating Office in
- 2995 furtherance of any contract or other agreement made in accordance with Section
- 2996 63L-11-202;
- 2997 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 2998 (58) in accordance with Section 73-10-33:
- 2999 (a) a management plan for a water conveyance facility in the possession of the Division
- 3000 of Water Resources or the Board of Water Resources; or
- 3001 (b) an outline of an emergency response plan in possession of the state or a county or
- 3002 municipality;
- 3003 (59) the following records in the custody or control of the Office of Inspector General of
- 3004 Medicaid Services, created in Section 63A-13-201:
- 3005 (a) records that would disclose information relating to allegations of personal
- 3006 misconduct, gross mismanagement, or illegal activity of a person if the information
- 3007 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
- 3008 Services through other documents or evidence, and the records relating to the
- 3009 allegation are not relied upon by the Office of Inspector General of Medicaid
- 3010 Services in preparing a final investigation report or final audit report;
- 3011 (b) records and audit workpapers to the extent they would disclose the identity of a
- 3012 person who, during the course of an investigation or audit, communicated the
- 3013 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
- 3014 violation of a law, rule, or regulation adopted under the laws of this state, a political
- 3015 subdivision of the state, or any recognized entity of the United States, if the
- 3016 information was disclosed on the condition that the identity of the person be
- 3017 protected;
- 3018 (c) before the time that an investigation or audit is completed and the final investigation

- 3019 or final audit report is released, records or drafts circulated to a person who is not an
3020 employee or head of a governmental entity for the person's response or information;
- 3021 (d) records that would disclose an outline or part of any investigation, audit survey plan,
3022 or audit program; or
- 3023 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
3024 investigation or audit;
- 3025 (60) records that reveal methods used by the Office of Inspector General of Medicaid
3026 Services, the fraud unit, or the Department of Health and Human Services, to discover
3027 Medicaid fraud, waste, or abuse;
- 3028 (61) information provided to the Department of Health and Human Services or the Division
3029 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
3030 58-68-304(3) and (4);
- 3031 (62) a record described in Section 63G-12-210;
- 3032 (63) captured plate data that is obtained through an automatic license plate reader system
3033 used by a governmental entity as authorized in Section 41-6a-2003;
- 3034 (64) an audio or video recording created by a body-worn camera, as that term is defined in
3035 Section 77-7a-103, that records sound or images inside a hospital or health care facility
3036 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
3037 as that term is defined in Section 78B-3-403, or inside a human service program as that
3038 term is defined in Section 26B-2-101, except for recordings that:
- 3039 (a) depict the commission of an alleged crime;
- 3040 (b) record any encounter between a law enforcement officer and a person that results in
3041 death or bodily injury, or includes an instance when an officer fires a weapon;
- 3042 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
3043 law enforcement officer or law enforcement agency;
- 3044 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
3045 or
- 3046 (e) have been requested for reclassification as a public record by a subject or authorized
3047 agent of a subject featured in the recording;
- 3048 (65) a record pertaining to the search process for a president of an institution of higher
3049 education described in Section 53H-3-302;
- 3050 (66) an audio recording that is:
- 3051 (a) produced by an audio recording device that is used in conjunction with a device or
3052 piece of equipment designed or intended for resuscitating an individual or for treating

- 3053 an individual with a life-threatening condition;
- 3054 (b) produced during an emergency event when an individual employed to provide law
3055 enforcement, fire protection, paramedic, emergency medical, or other first responder
3056 service:
- 3057 (i) is responding to an individual needing resuscitation or with a life-threatening
3058 condition; and
- 3059 (ii) uses a device or piece of equipment designed or intended for resuscitating an
3060 individual or for treating an individual with a life-threatening condition; and
- 3061 (c) intended and used for purposes of training emergency responders how to improve
3062 their response to an emergency situation;
- 3063 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
3064 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
3065 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
3066 position with the Legislature;
- 3067 (68) work papers as defined in Section 31A-2-204;
- 3068 (69) a record made available to Adult Protective Services or a law enforcement agency
3069 under Section 61-1-206;
- 3070 (70) a record submitted to the Insurance Department in accordance with Section
3071 31A-37-201;
- 3072 (71) a record described in Section 31A-37-503;
- 3073 (72) any record created by the Division of Professional Licensing as a result of Subsection
3074 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 3075 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
3076 involving an amusement ride;
- 3077 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
3078 political petition, or on a request to withdraw a signature from a political petition,
3079 including a petition or request described in the following titles:
- 3080 (a) Title 10, Utah Municipal Code;
- 3081 (b) Title 17, Counties;
- 3082 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 3083 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 3084 (e) Title 20A, Election Code;
- 3085 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
3086 voter registration record;

- (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature described in Subsection (74) or (75), in the custody of the lieutenant governor or a local political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5, Victims Guidelines for Prosecutors Act;
- (78) a record submitted to the Insurance Department under Section 31A-48-103;
- (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is prohibited under Section 63G-26-103;
- (80) an image taken of an individual during the process of booking the individual into jail, unless:
- (a) the individual is convicted of a criminal offense based upon the conduct for which the individual was incarcerated at the time the image was taken;
 - (b) a law enforcement agency releases or disseminates the image:
 - (i) after determining that the individual is a fugitive or an imminent threat to an individual or to public safety and releasing or disseminating the image will assist in apprehending the individual or reducing or eliminating the threat; or
 - (ii) to a potential witness or other individual with direct knowledge of events relevant to a criminal investigation or criminal proceeding for the purpose of identifying or locating an individual in connection with the criminal investigation or criminal proceeding;
 - (c) a judge orders the release or dissemination of the image based on a finding that the release or dissemination is in furtherance of a legitimate law enforcement interest; or
 - (d) the image is displayed to a person who is permitted to view the image under Section 17-72-802;
- (81) a record:
- (a) concerning an interstate claim to the use of waters in the Colorado River system;
 - (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a representative from another state or the federal government as provided in Section 63M-14-205; and
 - (c) the disclosure of which would:
 - (i) reveal a legal strategy relating to the state's claim to the use of the water in the Colorado River system;
 - (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to negotiate the best terms and conditions regarding the use of water in the Colorado

- 3121 River system; or
- 3122 (iii) give an advantage to another state or to the federal government in negotiations
- 3123 regarding the use of water in the Colorado River system;
- 3124 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
- 3125 of Economic Opportunity determines is nonpublic, confidential information that if
- 3126 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
- 3127 may not be used to restrict access to a record evidencing a final contract or approval
- 3128 decision;
- 3129 (83) the following records of a drinking water or wastewater facility:
- 3130 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
- 3131 and
- 3132 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
- 3133 drinking water or wastewater facility uses to secure, or prohibit access to, the records
- 3134 described in Subsection (83)(a);
- 3135 (84) a statement that an employee of a governmental entity provides to the governmental
- 3136 entity as part of the governmental entity's personnel or administrative investigation into
- 3137 potential misconduct involving the employee if the governmental entity:
- 3138 (a) requires the statement under threat of employment disciplinary action, including
- 3139 possible termination of employment, for the employee's refusal to provide the
- 3140 statement; and
- 3141 (b) provides the employee assurance that the statement cannot be used against the
- 3142 employee in any criminal proceeding;
- 3143 (85) any part of an application for a Utah Fits All Scholarship account described in Section
- 3144 53F-6-402 or other information identifying a scholarship student as defined in Section
- 3145 53F-6-401;
- 3146 (86) a record:
- 3147 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 3148 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
- 3149 person concerning the claim, including a representative from another state or the
- 3150 federal government; and
- 3151 (c) the disclosure of which would:
- 3152 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
- 3153 Great Salt Lake;
- 3154 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms

3155 and conditions regarding the use of water in the Great Salt Lake; or
3156 (iii) give an advantage to another person including another state or to the federal
3157 government in negotiations regarding the use of water in the Great Salt Lake;
3158 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
3159 reclassified as public as described in Subsection 13-2-11(4);
3160 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
3161 (a) concerning a claim to the use of waters;
3162 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
3163 representative from another state, a tribe, the federal government, or other
3164 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
3165 and
3166 (c) the disclosure of which would:
3167 (i) reveal a legal strategy relating to the state's claim to the use of the water;
3168 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
3169 regarding the use of water; or
3170 (iii) give an advantage to another state, a tribe, the federal government, or other
3171 government entity in negotiations regarding the use of water; and
3172 (89) a record created or maintained for an investigation of the Prosecutor Conduct
3173 Commission, created in Section 63M-7-1102, that contains any personal identifying
3174 information of a prosecuting attorney, including:
3175 (a) a complaint, or a document that is submitted or created for a complaint, received by
3176 the Prosecutor Conduct Commission; or
3177 (b) a finding by the Prosecutor Conduct Commission.
3178 **Section 30. Repealer.**
3179 This bill repeals:
3180 **Section 20A-9-406, Qualified political party -- Requirements and exemptions.**
3181 **Section 20A-9-407, Convention process to seek the nomination of a qualified political**
3182 **party.**
3183 **Section 20A-9-408, Signature-gathering process to seek the nomination of a qualified**
3184 **political party -- Removal of signature.**
3185 **Section 20A-9-409, Primary election provisions relating to qualified political party.**
3186 **Section 31. Effective Date.**
3187 This bill takes effect on May 6, 2026.